

## Grand Masters at the Battle of Culloden

George Mac Kenzie, 3rd EARL OF CROMARTIE [GM Scotland 1737-38],  
William Boyd, 4th EARL OF KILMARNOCK [GM Scotland 1743],  
and Arthur Elphinstone, 6th LORD BALMERINO

*Three of the principal rebel chiefs*

Charles Radcliffe, [GM, GL of France 1736-38]  
*Who assumed the title of Earl of Derwentwater*

Simon Fraser, Lord Lovat  
and Dr. Archibald Cameron

<http://www.exclassics.com/newgate/ng704.htm>

<http://www.exclassics.com/newgate/ng705.htm>

<http://www.exclassics.com/newgate/ng218.htm>

<http://www.exclassics.com/newgate/ng256.htm>

"These men were once the glory of their age,  
"Disinterested, just, with ev'ry Virtue  
"Of civil life adorn'd, at arms excelling,  
"Their only blot was this; that much inovok'd  
"They rais'd their vengeful arms against their country;  
"And lo! the righteous gods have now chastis'd them."  
THOMPSON.

Illustration: [The Earl of Kilmarnock](#)



THESE, noblemen possessed great influence, and were much respected, previous to, the unhappy rebellion in 1745. Having already given a correct, though abridged account, of the transactions in which they took conspicuous part; we proceed, without farther comment, to their trials, defence, speeches, and execution.

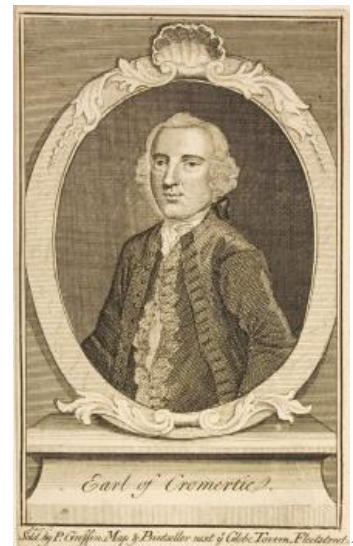
On Monday, the 28th of July, 1746, about eight o'clock in the morning, the three rebel lords, prisoners in the Tower, were carried from thence in three coaches, the Earl of Kilmarnock, with Governor Williamson, and another gentleman, captain of the guard, in the first, the Earl of Cromartie; attended by Captain Marshall, in the second: and Lord Balmerino, attended by Mr. Fowler, gentleman gaoler, who had the axe covered by him, in the third, under a strong guard of foot-soldiers to Westminster Hall, where the Lord High Steward and the peers having taken their seats, proclamation was made for the Lieutenant of the Tower of London to return the precept to him directed, with the bodies of the prisoners: which done, the Gentleman Gaoler of the Tower brought his prisoners to the bar; and the proclamation was made for the King's evidence to come forth, the King's counsel, by his Grace's direction, opened the indictment, then his Grace moved the house that he might advance forwards for the better hearing of the evidence, (which being done, William Earl of Kilmarnock was brought to the bar) and his bill of indictment for high treason read, to which his lordship, pleaded Guilty, and desired to be recommended to his Majesty for mercy. Then **George Earl of Cromartie** was brought to the bar, &c. who also pleaded Guilty and prayed for mercy, After which Arthur Lord Balmerino was brought to the bar, &c. who pleaded Not Guilty, alleging that he was not at Carlisle at the time specified in the indictment, whereupon six witnesses for the crown were called in and examined, whose evidence was distinctly repeated by the reading-clerk, proving that his Lordship entered Carlisle (though not the same day)

sword in hand, at the head of a regiment called by his name, Elphinstone's horse. To this he made an exception, which was overruled. The Lord High Steward then asked him if he had any witness, or any thing further to offer in his defence. To which he replied, he was sorry he had given their lordships so much trouble, and had nothing more to say. Hereupon their lordships retired out of Westminster Hall to the House of Peers, where the opinion of the judges was asked, touching the overt act, which they declaring to be not material, as other facts were proved beyond contradiction, their lordships returned, and his Grace putting the question to the youngest baron, "Whether Arthur Lord Balmerino was guilty or not guilty, &c." he clapt his right hand to his left breast, and said, "Guilty, upon my honour, my Lord," as did all the rest of the peers. And the prisoners being again called to the bar, the Lord High Steward declared their resolutions: and they were ordered to be brought up on the 30th. at 11 o'clock in the morning to receive sentence.

George MacKenzie, 3rd Earl of Cromartie >

Written notice was given them to bring what they might have to offer in arrest of judgment. - There were 136 peers present.

On the 30th the Lord High Steward went to Westminster Hall, attended as before: and the prisoners being brought again before their peers, the Earl of Kilmarnock made a very elegant, and pathetic speech which was much admired, to move their lordships to intercede



for him with his Majesty. The Earl of Cromartie spoke also to the same effect; but Lord Balmerino, pleaded, in arrest of judgment, that his indictment was found in the county of Surrey, and, this being a point of law, desired that he might be allowed counsel to argue it, upon which the lords adjourned to their chamber, to consider of it, and soon after returned; ordered his plea to be argued on Friday next, and appointed Messrs. Wilbrake and Forrester for his counsel. [Note: This point was that the bill of indictment was found on an act of parliament passed in March last, by which prisoners, charged with high treason, were to be tried in such county as his Majesty should appoint; but, as the treason with which his lordship was charged, is said to be committed at Carlisle, in the December before, he ought to have been indicted there, and not in Surrey, because the treason alleged to be committed was before the passing of the act, and therefore he could not be affected by it, and consequently the whole superstructure built thereon must fall to the ground. This objection, it is said, was suggested to all the lords, in a letter sent to each in the Tower, by an officious person; but the very title of the act includes "such persons as HAVE levied, or shall levy war, against his Majesty."]

On the 1st of August the Lord High Steward, and the peers being come to Westminster Hall, the three rebel lords were brought to the bar, with the axe carried before them. Then the E. of Kilmarnock and E. of Cromartie were separately asked if they had any thing to propose why judgment should not be passed upon them; to which they answered in the negative. Then his Grace informed Lord Balmerino, that, having started an objection, desired counsel, and had their assistance, he was now to make use of it, if he thought fit, to argue that point. His Lordship answered, he was sorry for the trouble he had given his Grace and the peers; that he would not have taken that step, if he had not been persuaded there was some ground for the objection; but that his counsel having satisfied him there was nothing in it that could tend to his service, he declined having them heard, submitted to the court, and was resolved to rely upon his Majesty's mercy.

His Grace then made a speech to the prisoners, almost to the same effect as that pronounced by Earl Cowper. But as the present rebellion was opposed with more unanimity and zeal than the last, his Grace took occasion to observe to their lordships, that the beginnings of the rebellion "were so weak and unpromising, as to be capable of seducing none but the most infected and willing minds to join in so desperate an enterprise. -- That it was impossible, even for the party of the rebels to be so inconsiderate or vain as to imagine, that the body of this free people, blest in the enjoyment of all their rights, both civil and religious, under his Majesty's protection; secure in the prospect of transmitting them safe to their posterity, under the Protestant succession in his royal house, would not rise up, as one man, to oppose and crush so flagitious, so destructive, and so unprovoked an attempt. -- Accordingly the rebels soon saw his Majesty's faithful subjects, conscious both of their duty and interest, contending to outdo one another in demonstrations of their zeal and vigour in his service. -- Men of property, of all ranks and orders, crowded in with liberal subscriptions, of their own motion, beyond the examples of former times, and uncompeled by any law: and yet in the most legal and warrantable manner, notwithstanding what has been ignorantly and presumptuously suggested to the contrary. -- His lordship concluded thus: It has been his Majesty's justice to bring your lordships to legal trial and it has been his wisdom to shew, that, as a small part of his national forces was sufficient to subdue the rebel army in the field, so the ordinary course of his laws, is strong enough to bring even their chiefs to justice."

Then, after a short pause, his Grace pronounced sentence as in cases of high treason. Afterwards breaking his staff, put an end to the commission.

At six o'clock a troop of life-guards, one of horse-grenadiers, and 1000 of the foot guards, (being fifteen men out of each company,) marched on the parade in St. James's park through the city to Tower-hill, to attend the execution of the Earl of Kilmarnock and the Lord Balmerino, and being arrived there, were posted in lines from the Tower to the scaffold, and all round it. About eight o'clock the sheriffs of London, with their under-sheriffs, and their officers, viz. six serjeants at mace, six yeomen, and the executioner, met at the Mitre tavern in Fenchurch-street, where they breakfasted, and went from thence to the house lately the Transport-office on Tower-hill, near Catherine-court, hired by them for the reception of the said lords, before they should be conducted to the scaffold, fold, which was erected about thirty yards from the said house. At ten o'clock the block was fixed on the stage, and covered with black cloth, and several sacks of sawdust were brought up to strew on it; soon after their coffins were brought, covered with black cloth, ornamented with gilt nails, &c. On the Earl of Kilmarnock's was a plate with this inscription, "*Gulielmus. Comes. de Kilmarnock decollatus, 18 Augusti, 1746, Ætat. suæ 42,*" with an earl's coronet over it, and 6 coronets over the six handles; and on lord Balmerino's was a plate with this inscription, "*Arthurus Dominus de Balmerino decollatus, 18 Augusti, 1746, Ætat. Suæ 58,*" with a baronet's coronet over it, and six others over the six handles. At a quarter after ten the sheriffs went in procession to the outward gate of the Tower, and, after knocking at it some time, a warder within asked, "Who's there?" The officer without answered, "The Sheriffs of London and Middlesex." The warder then asked, "What do they want?" The officer answered, "The bodies of Earl of Kilmarnock, and Arthur, Lord Balmerino.", Upon which the warder said, "I will go and inform the Lieutenant of the Tower," and in about ten minutes the Lieutenant of the Tower, with the Earl of Kilmarnock, and Major White with Lord Balmerino, guarded by several of. the warders, came to the gate; the prisoners were there delivered to the Sheriffs, who gave proper receipts for their bodies to the Lieutenant, who, as is usual, said, "God bless King George;" to which the Earl of Kilmarnock assented by a bow, and the Lord Balmerino said, "God bless King James." [Note: At the foot of the first stairs, the Earl of Kilmarnock met and embraced Lord Balmerino, who greatly (as Mr. Foster observes) said to him, "My Lord, I am heartily sorry to have your company in this expedition."] Soon after, the procession, moving in a slow and solemn manner, appeared in the following order: 1. The Constable of the Tower-hamlets. 2. The Knight-Marshal's men and Tip-staves. 3. The Sheriffs' officers. 4. The Sheriffs, the Prisoners, and their Chaplains; Mr. Sheriff Blachford walking with the Earl of Kilmarnock, and Mr. Sheriff Cockayne with the Lord Balmerino. 5. The Tower Warders. 6. A guard of Musqueteers. 7. The two hearses and a mourning coach. When the procession had passed through the lines into the area of the circle formed by the guards, the passage was closed, and the troops of horse, who were in the rear of the foot on the lines, wheeled off, and drew up five deep behind the foot on the south side of the hill, facing the scaffold.

The Lords were conducted into separate apartments in the house facing the steps of the scaffold; their friends being admitted to see them. The Earl of Kilmarnock was attended by the Rev. Mr. Foster, a dissenting minister, and the Rev. Mr. Hume, a near relation of the Earl of Hume; and the. Chaplain of the Tower, and another clergyman of the church of England, accompanied the Lord Balmerino; who, on entering the door of the house, hearing several of the spectators ask eagerly, "Which is Lord Balmerino?" answered, smiling, "I am Lord Balmerino, gentlemen, at your service." The parlour and passage of the house, the rails enclosing the way from thence to the scaffold, and the rails about it, were all hung with black at the Sheriff's expense.

The Lord Kilmarnock, in the apartment allotted to him, spent about an hour in his devotions with Mr. Foster, who assisted him with prayer and exhortation. After which Lord Balmerino, pursuant to his request, being admitted to confer with the earl, first thanked him

for the favour, and then asked, If his lordship knew of any order signed by the Prince (meaning the Pretender's son) to give no quarter at the battle of Culloden. And the; earl answering, 'No,' Lord Balmerino added, 'Nor I neither, and therefore it seems to be an invention to justify their own murders.' The earl replied, 'he did not think this a fair inference, because he was informed, after he was prisoner at Inverness, by several officers, that such an order, signed George Murray, was in the duke's custody.' -- 'George Murray,' said Lord Balmerino, 'then they should not charge it on the Prince.' Then he took his leave, embracing Lord Kilmarnock, with the same kind of noble and generous compliments, as he had used before, 'My dear Lord Kilmarnock, I am only sorry that I cannot pay this reckoning alone; once more, farewell for ever,' and returned to his own room.

The earl then, with the company kneeling down joined in a prayer delivered by Mr. Foster: after which, having sat a few moments, and taken a second refreshment of a bit of bread and a glass of wine, he expressed a desire that Lord Balmerino might go first to the scaffold; but being informed that this could not be, as his lordship was named first in the warrant, he appeared satisfied, saluted his friends, saying he should make no speech on the scaffold, but desired the ministers to assist him in his last moments, and they accordingly, with other friends, proceeded there with him. The multitude, who had been long expecting to see him on such an awful occasion, on his first appearing on the scaffold, dressed in black, with a countenance and demeanour, testifying great contrition, shewed the deepest signs of commiseration and pity; and his lordship, at the same time, being struck with such, a variety of dreadful objects at once, the multitudes, the block, his coffin, the executioner, the instrument of death, turned about to Mr. Hume, and said, "Hume! this is terrible;" though without changing his voice or countenance. [Note: His person was tall and graceful, his countenance mild, and his complexion pale; and more so, as he had been indisposed.]

After putting up a short prayer, concluding with a petition for his Majesty King George and the royal family, in verification of his declaration his speech, his lordship embraced, and took his last leave of his friend. The executioner, who before had something administered to keep him from fainting, was so affected with his lordship's distress, and the awfulness of the scene, that on asking him forgiveness, he burst into tears. My lord bid him take courage, giving him at the same time, a purse with five guineas, and telling him that he would drop his handkerchief as a signal for the stroke. He proceeded, with the help of his gentleman, to make ready for the block, by taking off his coat, and the bag from his hair, which was then tucked up under a napkin cap, but this being made up so wide as not to keep up his long hair, the making it less occasioned a little delay; his neck being laid bare, tucking down the collar of his shirt, and waistcoat, he kneeled down on a. black cushion at the block, and drew his cap over his eyes, in doing which, as well as in putting up his hair, his hands were observed. to shake; but, either to support or for a more convenient posture of devotion, he happened to lay both his hands, upon the block, which the executioner observing, prayed his lordship to let them fall, lest they should be mangled or break the blow. He was then told, that the neck of his waistcoat was in the way, upon which he rose, and with the help of a friend took it off, and the neck being made bare to the shoulders, he kneeled down as before: in the mean time, when all things were ready for the execution, and the black baize which hung over the rails of the scaffold, having, by direction of the colonel of the guards or the sheriffs, been turned up that, the people might see all the circumstances of the execution; in about two minutes (the time he before fixed) after he kneeled down, his lordship dropping his handkerchief, the executioner at once severed his head from his body.. except only a small part of the skin, which was immediately divided by a gentle stroke; the head was received in a piece of red baize, and with the body immediately put into the coffin. The scaffold, was then cleared from the blood, fresh sawdust strewed, and, that no appearance of a former execution might remain, the executioner changed such of his clothes as appeared bloody.

In the account said to be published by the authority of the sheriffs, it is asserted the Lord Kilmarnock requested his head might not be held up as usual, and declared to be the head of a traitor; and that, for this reason that part of the ceremony was omitted, as the sentence and law did not require it; but we are assured, in Mr. Foster's account, that his lordship made no such request; and further, that when he was informed that his head would be held up, and such, proclamation made, it did, not affect him and he spoke of it as a matter of no moment. All that he wished or desired was, 1. That the executioner might not be, as represented to his lordship, "a good, sort of man," thinking "a rough temper would be fitter for the purpose." 2. That his coffin, instead of remaining in the hearse, might be set upon the stage: and, 3. That four persons might be appointed. to receive the head, that it might not roll about the stage, but be speedily, with his body, put into the coffin.

While this was doing, the Lord Balmerino, after having solemnly recommended himself to the mercy of the Almighty, conversed cheerfully with his friends, refreshed himself twice with a bit of bread and a glass of wine, and desired the company to drink to *ain degrae to haiven*, acquainting them that he had prepared a speech which he should read on the scaffold, and therefore should there say nothing of its contents. The Under-sheriff coming into his lordship's apartment to let him know the stage was ready, he prevented him by immediately asking if the affair was over with the Lord Kilmarnock, and being answered "It is," he inquired how the executioner performed his office, and upon receiving the account, said it was well done; then addressing himself to the company, said, "Gentlemen, I shall detain you no longer," and with an easy unaffected cheerfulness he saluted his friends, and hastened to the scaffold, which he mounted with so easy an air as astonished the spectators; his lordship was dressed in his regimentals, a blue coat turned up with red, trimmed with brass buttons, (and a tie-wig,) the same which he wore at the battle of Culloden; no circumstance in his whole deportment shewed the least sign of fear or regret, and he frequently reproved his friends for discovering either upon his account. He walked several times round the scaffold, bowed to the people; went to his coffin, read the inscription, and with a nod, said, it is right; he then examined the block, which he called his pillow of rest. His lordship putting on his spectacles, and taking a paper out of his pocket, read it with an audible voice, which, so far from being filled with passionate invective, mentioned his majesty as a prince of the greatest magnanimity and mercy, at the same time that, through erroneous political principles, it denied him a right to the allegiance of his people: having delivered this paper to the sheriff, he called for the executioner, who appearing, and being about to ask his lordship's pardon, he said, "Friend, you need not ask me forgiveness, the execution of your duty is commendable;" upon which, his lordship gave, him three guineas, saying, "Friend, I never was rich, this is all the money I have now, I wish it was more, and I am sorry I can add nothing, to it but my coat and waistcoat, which he then took off, together with his neck-cloth, and threw them on his coffin; putting on a flannel waistcoat, which had been provided for the purpose, and then taking a plaid cap out of his pocket, he put it on his head, saying he died a Scotchman; after kneeling down at the block to adjust his posture, and shew the executioner the signal for the stroke, which was dropping his arms, he once more turned to his friends, and took his last farewell, and, looking round, on the crowd, said, "Perhaps some may think my behaviour too bold, but remember, Sir, (said he to a gentleman who, stood near him) that I now declare it is the effect of confidence in God, and a good conscience, and I should dissemble if I should shew any signs of fear."

Observing, the axe in the executioner's hand as he passed him, he took it from him, felt the edge, and returning it, clapped the executioner on the shoulder to encourage him; he tucked down the collar of his shirt and waistcoat, and shewed him where to strike, desiring him to do it resolutely, for in that, says his lordship, will consist your kindness.

He went to the side of the stage, and called up the warder, to whom he gave some money, asked which was his hearse, and ordered the man to drive near. Immediately, without trembling or changing countenance, he again knelt down at the block, and having with his arms stretched out, said, "O Lord, reward my friends, forgive my enemies, and receive my soul," he gave the signal by letting them fall. But his uncommon firmness and intrepidity, and the unexpected suddenness of the signal so surprised the executioner, that though he struck the part directed, the blow was not given with strength enough to wound him very deep; on which it seemed as if he made an effort to turn his head towards the executioner, and the under jaw fell, and returned very quick, like anger and gnashing the teeth; but it could not be otherwise, the part being convulsed. A second blow immediately succeeding the first, rendered him, however, quite insensible, and a third finished the work.

[Note: If we were to draw his character, abstracted from the consideration of his being an enemy to the present happy government, we should call him a blunt, resolute man, who would, if his principles had not been tainted with Jacobitism, have appeared honest in the eyes of those who love sincerity; but he was not so happy as to be loyal. His person was very plain, his shape clumsy, but his make strong, and had no marks about him of the polite gentleman, though his seeming sincerity recompensed all those defects. He was illiterate in respect of his birth, but rather from a total want of application to letters, than want of ability: several quaint stories related of him, which seem to be the growth of wanton and fertile imagination, which is not at all to be wondered at, in times that afford so much matter for invention. He left a lady behind him, whom he called his Peggy; to whom, at his request, His Majesty allowed 50*l.*, a year: whether any Children, we are not able to say.]

His head was received in a piece of red baize, and with his body put into the coffin, which, at his particular request, was placed on that of the late Marquis of Tullibardines's, in St. Peter's church in the Tower, all three lords lying in one grave.

During the whole course of the solemnity, although the hill, the scaffoldings, and houses, were crowded full of spectators, all persons attended with uncommon decency, and evenness of temper; which evinces how much the people entered into the rectitude of the execution, though too humane to rejoice in the catastrophe.

Lord Balmerino had but a small estate, though ground-landlord and lord of the manor of Colcon, a long street in the suburbs of Edinburgh, leading to Leith, and had also some other small possessions in the shire of Fife. His lady came to London soon after him, and frequently attended him during his confinement in the Tower, and had lodgings in East Smithfield. She was at dinner with him when the warrant came for his execution the Monday following, and being very much surprised, he desired her not to be concerned at it; "If the king had given me mercy," said he, "I should have been glad of it; but since it is otherwise, I am very easy; for it is what I have expected, and therefore it does not at all surprise me." His lady seemed very disconsolate and rose immediately from table; on which he started from his chair, and said, "Pray, my lady, sit down for it shall not spoil my dinner;" upon which her ladyship sat down again, but could not eat.

Several more of his sayings were related as remarkable, among others, that being advised to take care of his person, he replied, "It would be thought very imprudent in a man to repair an old house, when the lease of it was so near expiring."

#### CHARACTER of ARTHUR LORD BALMERINO

Quique metus omnes, & inexorable Fatum  
Subjecit pedibus, strepitumque Acherontis avari. VIRG.

The abhorrence of pain is a principle implanted in all animals as the means of: their preservation. To this in Men is added the fear of death; and that is still heightened, by apprehensions of what may happen afterwards. Yet pain is often unavoidable; and death, with its consequences, some time or other absolutely necessary. Hence arises the merit of courage, which consists in facing intrepidly and suffering cheerfully these evils, when they become either inevitable or declinable only on unworthy terms. Great then are undoubtedly the obligations of mankind for those who, on such occasions, treat these terrors with the contempt they really deserve, and give us an useful lesson and example how to behave in an emergency which we ought every day to expect, and which we must one day certainly experience. The Greeks and Romans, therefore, looked even on suicide in amiable light. It was with them the consummation of a perfect character; and the extenuation of the most faulty. Nor were they in this altogether impolitic; hence flowed that appetite for danger; that prodigality of life, which they knew so skilfully to direct to the public's emoluments. But heaven-instructed Christians have unlearned this Pagan doctrine; and yet, amongst the primitives what was accounted more meritorious than a courageous, calm submission to civil punishment, appears the constant aim of the martyrs, and had the happiest effects, as to the promulgation of their precepts.

There has been lately seen among us a noble instance of the superiority of a great mind to fear, which, when passion and prejudice have subsided, will reflect honour on our times, and even be advantageous to former, as it bestows credibility on their most exaggerated heroic relations. I mean the death of the late Lord Balmerino.

But, before we proceed, it may be proper to declare, that, if I would vindicate and extol his death, I by no means intend to justify or excuse his life. I give up, with all good Englishmen, the French soldier, the Jacobite, the double rebel, concur with them in the rectitude of his sentence, and the necessity of its execution. It is at the Tower gate, that I (with the sheriffs) take him up:-- There the hero commences.

I will not injure, by comparing, as has been hitherto done, with pusillanimity itself, a fortitude that wants no foil, which all antiquity can scarcely parallel. Lord Balmerino's carriage in the procession from the Tower, was easy and cheerful, his conversation in the preparatory room, rational and pertinent; his interview with his fellow-sufferer open and generous; when on the scaffold, he had so little of the formal, piteous countenance there usually exhibited, that those who were unacquainted with his person, knew not for some time that he was there. He told the officers that he would take up but little of their time; that he was sensible the greatest part of it was already elapsed; that he had had frequent opportunities to look into his future concerns, and should not settle this account in public. Accordingly, having with composure given the necessary directions, he prepared for the blow with the greatest alacrity, and with an expedition, which was only interrupted by an act of generosity, and a mistake which, to a weak mind, might have been productive of extreme disorder, but served only to elevate his character. And though, through the whole of this transaction, nothing

appeared but intrepidity and constancy, yet this hero confessed the man. He had his fears, but they were glorious ones: he feared, he said, that his conduct would be thought too bold; willingly, would he have seemed less so, but could not play the hypocrite. So far was he from an affected ostentation of his prodigious courage, a courage which was attended by the most desirable effect, the most indisputable evidence. This nobleman parted with life with such unconcern as convinced the spectators that was not only to him, but really in itself, of no importance. The black solemnity could not obscure his serenity, nor imprint on them a gloom not to be dispelled by such lustre. They found there was nothing unnatural in dying, nothing horrible in death itself; they felt no emotion.

Thus greatly, unlamented, fell Arthur Lord Balmerino, a man of the most incredible courage, the most commendable sincerity, the most engaging simplicity, who was an honour to the worst cause, and would have been an ornament to the best; whose faults will one day be forgotten, and his virtues remembered.

And sure the little here said (with strict truth) in his favour, cannot possibly give offence, to the most zealous loyalist. There is a justice surely due to the characters of gallant enemies, our law never intends to execute reputations, and its most rigid sentence, pronounced on the least pardonable occasion, confines the punishment to the body merely, and in the midst of judgment remembers mercy.

<http://www.jacobite.ca/documents/17460818.htm>

#### **Speech of Lord Balmerino, August 18, 1746**

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**On August 18, 1746, Arthur, sixth Lord Balmerino, was executed at the orders of the Elector Georg II of Hanover. Before his execution he gave the following speech.**

**A printed version of the text can be found on pages 54 to 56 of volume 1 of *The Lyon in Mourning*, edited by Henry Paton (Edinburgh: Scottish Historical Society, 1895).**

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I was brought up in true loyal Anti-revolution principles, and I hope the world is convinced that they stick to me.

I must acknowledge I did a very inconsiderate thing, for which I am heartily sorry, in accepting of a company of foot from the Princess Anne, who I knew had no more right to the crown than her predecessor the Prince of Orange, whom I always look upon as a vile, unnatural usurper.

To make amends for what I had done I joined the King when he was in Scotland, and when all was over I made my escape and lived abroad till the year 1734.

In the beginning of that year I got a letter from my father which very much surprised me. It was to let me know that he had got the promise of a remission for me. I did not know what to do. I was then, I think, in the Canton of Bern and had nobody to advise with. But next morning I wrote a letter to the King, who was then at Rome, to acquaint His Majesty that this was done without my asking or knowledge, and that I would not accept of without His Majesty's consent. I had in answer to mine a letter written with the King's own hand allowing me to go home, and he told me his banker would give me money for my travelling charges when I came to Paris, which accordingly I got.

When His Royal Highness came to Edinburgh, as it was my bounden and indispensable duty, I joined him, though I might easily have excused myself from taking arms on account of my age. But I never could have had peace of conscience if I had stayed at home when that brave Prince was exposing himself to all manner of dangers and fatigue both night and day.

I am at a loss when I come to speak of the Prince; I am not a fit hand to draw his character. I shall leave that to others. But I must beg leave to tell you the incomparable sweetness of his nature, his affability, his compassion, his justice, his temperance, his patience, and his courage are virtues seldom all to be found in one person. In short, he wants no qualifications requisite to make a great man.

Pardon me, if I say, wherever I had the command I never suffered any disorders to be committed, as will appear by the Duke of Buccleuch's servants at East Park, by the Earl of Findlater's minister, Mr Lato, and my Lord's servants at Cullen, by Mr Rose, minister at Nairn, who was pleased to favour me with a visit when I was a prisoner in Inverness, by Mr Stewart, principal servant to the Lord President at the house of Culloden, and by several other people. All this gives me great pleasure now that I am looking on the block on which I am ready to lay down my head. And though it had not been my own natural inclination to protect every body as far as lay in my power it would have been my interest so to do. For His Royal Highness abhorred all those who were capable of doing injustice to any of the King, his father's subjects, whatever opinion they were of.

I have heard since I came to this place that there has been a most wicked report spread and mentioned in several of the newspapers, that His Royal Highness, the Prince, before the Battle of Culloden, had given out in orders that no quarters should be given to the enemy. This is such an unchristian thing and so unlike that gallant Prince that nobody that knows him will believe it. It is very strange if there had been any such orders that neither the Earl of Kilmarnock, who was Colonel of the Regiment of Foot-guards, nor I, who was Colonel of the 2nd Troop of Life-guards, should never have heard anything of it, especially since we were both at the head-quarters the morning before the battle. I am convinced that it is a malicious report industriously spread to excuse themselves for the murders they were guilty of in calm blood after the battle.

Ever since my confinement in the Tower, when Major White and Mr Fowler did me the honour of a visit, their behaviour was always so kind and obliging to me that I cannot find words to express it. But I am sorry I cannot say the same thing of General Williamson. He has treated me barbarously, but not quite so ill as he did the Bishop of Rochester. I forgive him and all my enemies. Had it not been for Mr Gordon's advice I should have prayed for him as David does, Psalm 109.

I hope you will have the charity to believe I die in peace with all men, for yesterday I received the Holy Eucharist from the hands of a clergyman of the Church of England, in whose Communion I die as in union with the Episcopal Church of Scotland.

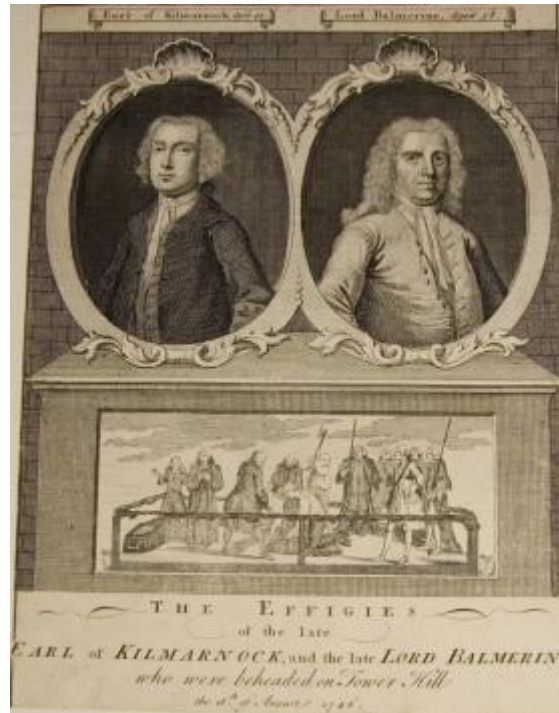
I shall conclude with a short prayer.



O Almighty God! I humbly beseech Thee to bless the King, the Prince, and Duke of York, and all the dutiful branches of the Royal Family! Endue them with thy Holy Spirit, enrich them with thy heavenly grace, prosper them with all happiness and bring them to thine everlasting kingdom! Finally I recommend to thy fatherly goodness all my benefactors and all the faithful adherents to the cause for which I am now about to suffer. God reward them! Make them happy here and in the world to come! This I beg for Christ's sake, in whose words, etc. Our Father, etc.

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<http://futuremuseum.co.uk/Default.aspx?Id=104&mode=object&item=838>



Engraving advertising the execution of the Earl of Kilmarnock and Lord Balmerino

## Elphinstone of Balmerinoch

*to its extinction on Tower Hill*

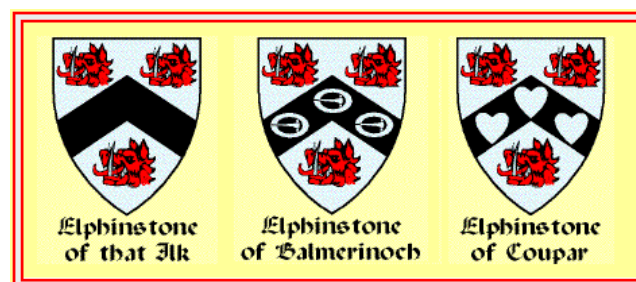
(NOTE: Balmerinoch is often found spelt as Balmerino)

<http://www.baronage.co.uk/bphtm-03/elphin03.html#Although%20the%20Lords>

### Introduction

Although the Lords Balmerinoch were known in their time for the distinguished service so many of the Elphinstones gave to Scotland, today their fame rests on the memory of one man, the last of his line, whose loyalty to the Pretenders lost him his head. The manner of his death so served as an inspiration that the Sheriff of London arranged for a report to be published with these passages included. (The original spelling and punctuation have been preserved.)

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A little before he was carried to Towerhill he demanded an interview with lord Kilmarnock, who was in the same unhappy situation with himself, which was granted: After it was ended the two lords saluted one another, and Balmerino bid lord Kilmarnock an eternal happy adieu, and, with a cheerful countenance, added, My dear lord, I wish I could alone pay the reckoning, and suffer for us both.

During the time the scaffold was putting in order for the execution of lord Balmerino, the sheriff, that attended at the first execution, went to Balmerino's apartments, as a notice to his lordship that his time was come; upon whose entrance his lordship said, "I suppose lord Kilmarnock is no more;" and having asked how the executioner performed his duty; upon receiving the account, said, "Then it was well done; and now, gentlemen, said his lordship, I will detain you no longer, for I desire not to protract my life." He then saluted the company, in a manner so cheerful, as drew tears from every eye but his own, and hastened to the scaffold.

But before we view his lordship on the scaffold, 'tis but just to the memory of that great, but unhappy man, to acquaint the public what was his deportment in his retirement here: 'Twas graceful, without affectation; cheerful but not presumptuous: He conversed freely with his friends, twice refreshed himself with a bit of bread and a glass of wine, and desired the company to drink to him, *Ain dagree ta haiven*; but, above all, he called frequently upon God, and seemed both willing and prepared to die.

When he mounted the scaffold, he did it with so undaunted a step, as surprised every spectator that was unacquainted with the greatness of his soul.

He walked round the scaffold, bowed to the people, read the following inscription on his coffin: *Arthurus dominus de Balmerino, decollatus 18 die Augusti 1746, aetatis sue 58*; said it was right, and, with seeming pleasure, looked on the block, which he called his pillow of rest.

He then called for the executioner, who, being introduced to him, was about to ask for his forgiveness; but my lord stopt him, and said, "Friend, you need not ask me forgiveness, the execution of your duty is commendable;" then presenting the executioner with three guineas, said, "Friend, I never had much money; this is all I have; I wish it was more for your sake, and am sorry I can add nothing more to it but my coat and waistcoat," which he instantly took off, and placed on his coffin for the executioner. Having prepared himself for the block, he took his last farewell of them; and, having once more taken a view of the great number of the spectators, his lordship said, "I am afraid there are some who may think my behaviour bold;" and, speaking to a gentleman near him, added, "Remember, sir, what I tell you; it arises from a confidence in God, and a clear conscience."

Then observing the executioner with the ax in his hand, took it from him, and having felt the edge, return'd it him again, at the same time showing him where to strike the blow, and animating him to do it with resolution, "For in that, friend, said he, will consist your mercy."

His lordship then, with the same surprising countenance, kneeled down at the block, and having, with his arms extended, said this short prayer, "O Lord, reward my friends, forgive my enemies, ..... and receive my soul," submitted, and gave the signal to the executioner.

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Horace Walpole wrote of his trial: "He is the most natural brave old fellow I ever saw; of the highest intrepidity, even to indifference. At the bar he behaved like a soldier and a man: in the intervals of form, with carelessness and humour. He pressed extremely to have his wife, the pretty Peggy, with him in the Tower."

Vicary Gibbs wrote: "It seems pitiful to have shed the blood of this truly noble loyalist, especially after the failure of the Rising; but neither generosity nor mercy were to be looked for from the 'unco wee bit German thing' then on the throne."

### ***The Lords Balmerinoch***

**Ancestry:** James Elphinstone of Barnton, knight, 3rd son of [Robert Elphinstone](#), 3rd Lord Elphinstone, was a Lord of Session 1586 as Lord Innernochtie, one of the eight Commissioners of the Treasury known as the "Octavians" 1595, Secretary of State 1598, Privy Council of England 1603, and President of the Court of Session 1605. In his favour the lands of the Abbey of Balmerinoch were erected into the Barony of Balmerinoch 1603/4 and he was created Lord Balmerinoch 11 July 1606. He was convicted of treason and attainted 10 March 1608/9 for having in 1599 fabricated a letter purporting to be from King JAMES VI to Pope Clement VIII. He *m* 1st 21 March 1588 Sarah (still alive 14 Dec 1592) dtr of Sir John Menteith of Carse, and by her had issue:

..A1 John, his heir [see below]

He *m* 2nd *ante* 23 Dec 1597 Marjory dtr of Hugh Maxwell of Tealing and *d* 21 June 1612, while under attainder, having had by her had issue:

..A2 James Elphinstone, created Lord Coupar 20 Dec 1607, *m* 1st Margaret dtr of Sir James Halyburton of Pitcur, and *m* 2nd in 1667 (when he was nearly 80) Marion dtr of James Ogilvy, 2nd Earl of Ogilvy, by his 1st wife Helen dtr of George Ogilvy, 1st Lord Banff. He *d* without issue Jan 1668/9, his nephew 3rd Lord Balmerinoch succeeding him as 2nd Lord Coupar

..a1. Margaret Elphinstone *m* 1618 as his 1st wife [Andrew Fraser](#), 2nd Lord Fraser

..a2. Mary Elphinstone *m* John Hamilton of Blair

..a3. Marjory Elphinstone *m* [Francis Fraser of Kinmundie](#)

The heir,

**John Elphinstone**, 2nd Lord Balmerinoch, restored in blood and to the peerage 4 Aug 1613, was a leading Covenanter whose trial and conviction (by a majority of one) in connexion with the "supplication" to the Crown of 1633, although followed by a pardon, proved fatal to the cause of King CHARLES I in Scotland. He *m* 1613 Anne dtr of Sir Thomas Ker of Fernyhurst (and sister of Robert Ker, Earl of Somerset) by whom he had issue:

..A1 John, his heir [see below]

The heir,

**John Elphinstone**, 3rd Lord Balmerinoch, *b* 18 Feb 1623, was forced to sell almost all his estate to meet the debts of his unfortunate father, but succeeded by special remainder to the title and estate of his uncle James Elphinstone, 1st Lord Coupar. He *m* 30 Oct 1649 Margaret dtr of John Campbell, 1st Earl of Loudoun, and by her had issue:

..A1 John, his heir [see below]

The heir,

**John Elphinstone**, 4th Lord Balmerinoch and 3rd Lord Coupar, *b* 26 Dec 1652, Privy Council of Scotland 1687. He was a steadfast opponent of the Union with England, and held the offices of Governor of the Mint and Sheriff of the county of Edinburgh. He *m* 1st 16 Feb 1672 Christian dtr of Hugh Montgomerie, 7th Earl of Eglinton by his 2nd wife Mary dtr of John Leslie, 6th Earl of Rothes, and

by her had issue:

..A1 Hugh Elphinstone, Master of Balmerinloch, *dvp unm, kat* the siege of Lille, 1708

..A2

..A3 James, his heir [see below]

..a1. Margaret Elphinstone *m* Sir John Preston of Prestonhall and had issue a son and a dtr

..a2. Jean Elphinstone *m* 1700 as his 2nd wife Francis Stewart, 7th Earl of Murray, and *d* 13 May 1739 having had issue He *m* 2nd Ann (*d* 1712) dtr of Arthur Ross, Archbishop of St Andrew's, and *d* 13 May 1736 having had by her further issue:

..A4 Arthur, heir to his brother James [see below]

The heir,

**James Elphinstone**, 5th Lord Balmerinloch and 4th Lord Coupar, *b* 24 Nov 1675, a Lord of Session as Lord Coupar 1714, *m* 1718 Elizabeth dtr of David Carnegie, 4th Earl of Northesk, by Margaret Wemyss, *suo jure* Countess of Wemyss (*b* 2 Jan 1699, *d* 21 Sep 1767) and *d* without issue 5 Jan 1746.

The heir to his brother,



<http://futuremuseum.co.uk/Default.aspx?Id=104&mode=object&item=1765>

< Lord Balmerino joined the second uprising in 1745 and was captured at Culloden. He was taken to London where he was beheaded alongside William Boyd.

**Arthur Elphinstone**, 6th Lord Balmerinloch and 5th Lord Coupar, *b* 1688, joined the 1715 Rising and escaped to France, but returned for the 1745 Rising during which he was Colonel of the 2nd troop of Horse Guards. He was captured at Culloden, attainted, and [beheaded on Tower Hill](#) 18 Aug 1746. His widow, Margaret, dtr of Captain Chalmers, *d* 24 Aug 1765, in her 56th year, in poverty.

CHARLES RATCLIFFE,

*Who assumed the title of Earl of Derwentwater*

This gentleman was one of those who took part in the rebellion, under a commission from the King Of France, and was taken, with many others, on his passage to Scotland, by the Seahorse frigate. He was the youngest brother of the Earl of Derwentwater, who was attainted and executed in the first rebellion, and his titles and estates consequently forfeited to the crown. He was, with his brother, taken at Preston; tried, convicted, and, condemned, but several times respited, and would probably have been pardoned, had he not, with thirteen

others, made his escape out of a room called the Castle in Newgate, through a small door which had been accidentally left open, leading to the debtors Side, where the turnkey; not knowing them, let them out of the prison, supposing they, were persons who had come to see their friends.

He immediately procured a passage to France; and from thence followed the Pretender to Rome, subsisting on such petty pension as his master could allow him. Returning some short time afterwards, he married the widow of Lord Newborough, by whom he had a son. In 1733 he came to England; and resided in Pall Mall, without any molestation, though known to the ministry. [Note: Some years after the quelling of the last rebellion, the Pretender came in disguise to view London. This was a natural; but dangerous curiosity, to behold the place where his grandfather, King James II. had been on the throne. On the ministers being apprised of this circumstance, in haste went to King George II. with the information; and recommended his immediate apprehension. The monarch, with one of his shrewd answers, for which he was remarkable, replied, "No -- let the poor man satisfy his curiosity; when done, he will quietly go back to France." The King's observation was verified.]

He returned to France, and in 1735 again came to England to solicit his pardon, but without success, though he appeared publicly, and visited several families particularly in Essex. Returning again to France, he unfortunately accepted of the French king's commission, to act as an officer in the rebellion, and was taken as we have already described.

**Charles Ratcliffe Esqr. Aged 53. The Effigy of the late Charles Ratcliffe Esqr. Who was beheaded on little Tower-Hill, Monday Decemr. 8th: 1746. for being concerned in the Rebellion in the year 1715.**

<http://www.sanderssoxford.com/describe?id=2870>

On the 22d of October, 1746, he was brought to the bar of the Court of King's Bench and was arraigned, but refused to hold up his hand, or acknowledge any other jurisdiction than that of the King of France, insisting on a commission he had in his pocket from him, and appealing to the Sicilian ambassador, who was then in court, for the authenticity thereof. On hearing his former indictment and conviction read; he said, that he was not the Charles Ratcliffe therein named, but that he was the Earl of Derwentwater, and his counsel informed the court, that such was the plea they meant to abide by, and thereupon, issue was gained.

Then the counsel for the prisoner moved to put off his trial, upon his own affidavit (to which he has subscribed himself the Count de Derwentwater,) that two of his material witnesses, naming them, were abroad, without whose testimony he could not safely go to trial. To which affidavit the counsel for the crown objected, as not being entitled as in the cause before the court; nor the two witnesses sworn to be material, in the issue then joined between the king and the prisoner; and also, because the prisoner had not





so much as undertaken to swear for himself, that he was not the person, which, as it was a fact entirely in his own knowledge, ought to be required of him, if he would entitle himself to this favour from the court; this being a proceeding very different from the trial upon a not guilty, in an original prosecution on a charge of high treason or other crime, the identity of the person being the single fact to be inquired of, and a case in which the crown had a right by law to proceed instant. Upon this the prisoner amended his affidavit as to the witnesses, but refused to supply it so far as to swear he was not the same person. And the court said, this was a new precedent, there being no instance of any application to put off the trial of a question of this sort before; and that this was like an inquest of office, in order to inform the conscience of the court, and what the public had a right to proceed in instant. And therefore that the prisoner ought to give all reasonable satisfaction to induce them to grant such a favour as the prisoner desired, for they could not in conscience and justice to the public indulge him, without a reasonable satisfaction that his plea was true. But the prisoner still refusing to swear to the truth of his plea, the jury were called, and after two or three of the panel had been sworn, Mr. Ratcliffe challenged the next that was called, as of right, without assigning any reason; but upon debate of the question, how far he had right to challenge, the court said, it had been determined, before, in all the latter cases, and particularly in the case of one Jordan, that the prisoner, in such a case as this had no peremptory challenge; upon which the rest of the jury were sworn, and after a clear evidence of the identity of the person on the part of the crown, the prisoner producing none on his part, the jury withdrew about ten minutes, and then found their verdict, that he was the same Charles Ratcliffe who was convicted of high treason, in the year 1715. Then the attorney-general moved to have execution awarded against the prisoner on his former judgment; to which the prisoner's counsel objected, tendering a plea of pardon by act of parliament, in bar of execution. But the court said, as he had already pleaded such a plea as he chose to rely on, and as that was found against him, nothing more remained for them to do at present but to award execution; and if his counsel had any thing to offer in his behalf, they would have time to do it before the day of execution; and ordered a rule to be made for the proper writs for his execution on the 8th of next month, and remanded the prisoner to the Tower. He was about five feet ten inches high, upwards of fifty, was dressed in scarlet, faced with black velvet, and gold buttons, a gold-laced waistcoat, bag wig, and had hat with a white feather.

His design in styling himself Earl of Derwentwater, was, that he might pass for Francis, his younger brother, who went to France before 1715; but was thought to be dead. He would not call the Lord Chief Justice lord, because the title of earl was not given him: he refused to hold up his hand at the bar, and being told that as a gentleman he ought to comply, and that his own counsel would satisfy him that it was only a form of the court, he said; I know many things, that I will not advise with my counsel upon. On hearing the rule for his execution, he desired time, because he and Lord Moreton (in the Bastille at Paris) should take the same journey at the same time.

About eight o' clock on the 8th of December, two troops of life-guards, and one troop of horse-guards, marched through the city for Little Tower-hill, where they were joined by a battalion of foot-guards, to attend the execution of Charles Ratcliffe, Esq. About ten o' clock the block, with a cushion, both covered with black, were brought up, and fixed upon the stage; and soon after Mr. Ratcliffe's coffin, covered with black velvet, with eight handles, on which with the nails were gilt with gold, but there was no plate, or any inscription upon it. At near eleven the sheriffs, Mr. Alderman Winterbottom, and Mr. Alderman Alsop, with their officers, came to see if the scaffold was finished, (the carpenters, &c. who had very short notice; having worked all day on Sunday and the ensuing night,) and if every thing was prepared for Mr. Ratcliffe's reception; which, being to their satisfaction, they went to the Tower, and demanded the body of Mr; Ratcliffe, of General Williamson, deputy governor; upon being surrendered, he was first put into a landau, and carried over the Wharf, at the end of which he was put into a mourning coach, and conveyed into a small booth joining to the stairs of the scaffold, lined with black, where he spent about half an hour in devotion, and then, preceded by the sheriffs, the divine, and some gentlemen his friends. When he came upon the scaffold, he took leave of his friends with great serenity and calmness of mind, and having spoken a few words to the executioner, gave him a purse of ten guineas, put on a damask cap, knelt down to prayers, which lasted about seven. minutes, all the spectators on the scaffold kneeling: with him. Prayers being over, he pulled off his clothes, and put his head to the block, from whence he soon got up, and having spoke a few words, he knelt down to it, and fixing his head, in about two minutes gave the signal to the executioner, who at three blows struck it off, which was received in a scarlet cloth, held for that purpose. He was dressed in scarlet, faced with black velvet, trimmed with gold, a gold-laced waistcoat, and a white feather in his hat. He behaved with the greatest fortitude and coolness of temper, and was no way shocked at the approach of death.

His body was immediately put into the coffin, and carried back in a hearse to the Tower; and the scaffold booth, and all the boards belonging to them, were cleared away in the afternoon. He behaved himself very alert until the 4th, when he received a letter from his niece, the Lady Petre, which engaged him to appear in a more serious manner, agreeably to his unhappy fate. His corpse was on the 11th, carried in a hearse, attended by two mourning coaches, to St. Giles in the fields, and there interred with the remains of the late Earl of Derwentwater, according to his desire, with this inscription on his coffin:

*Carolus Ratcliffe, Comes de Derwentwater, decollatus die 8 Decembris, 1746; Ætatis 53 Requiescat in pace.*

It seems the Derwentwater estate was only confiscated to the crown for the life of Charles Ratcliffe, Esq.; but by a clause in an act of parliament passed some years since, which says, that the issue of any person attainted of high treason, born and bred in any foreign dominion, and a Roman Catholic, shall forfeit his reversion. Such estate, and the. remainder shall for ever be fixed in the crown, his son was absolutely deprived of any title or interest in the affluent fortune of that ancient family, to the amount of more than 200,000*l*.

This unhappy gentleman was the youngest brother of James Earl of Derwentwater, who was executed in 1716; they were sons of Sir Francis Radcliffe, by the lady Mary Tudor, natural daughter to King Charles II by Mrs. Mary Davis.

He died in the principles in which he had lived, and was so zealous a Papist, that on the absurdities of some things which are held sacred by the church of Rome being objected to him, he replied, "That for every tenet of that church, repugnant to reason, in which she requires an implicit belief, he wished there were twenty, that he might thereby have a nobler opportunity of exercising and displaying his faith."



An engraving by Freeman, 1827

Arthur Elphinstone, Lord Balmerino, executed 18 Aug 1746. [top]

Charles Ratcliffe, *de jure* 4th Earl of Derwentwater, husband of Lady Charlotte Livingston, the Countess of Newburgh, executed 8 Dec 1746. (Younger brother of the Earl of Derwentwater, executed for his part in the 1715 rising.) [middle left] - **Grand Master, Grand Lodge of France 1736-38**

Lord Lovat, Simon Fraser, executed 19 Apr 1747. (The last man to be publicly executed on Tower Hill.) [center]

4th Earl of Kilmarnock, William Boyd, husband of Lady Anne Livingston of Callendar, executed 18 Aug 1746. [middle right] [**Grand Master, Grand Lodge of Scotland – 1743**]

George MacKenzie, 3rd Earl of Cromartie, reprieved and ultimately pardoned. [bottom] [**Grand Master, Grand Lodge of Scotland – 1737-38**]

After the Tower Hill execution of Kilmarnock, Lovat and Balmerino, a pub called 'THREE LORDS' was built at 27 Church Street, Minories, London E.

The Inn sign showed them with the executioner's axe and the block. All the licensees from 1811 to 1894 are on record.

## LORD LOVAT

*Beheaded for High Treason, at the age of Eighty, on 9th of April, 1747*

Illustration:

[Execution of Lord Lovat](#)

LORD LOVAT, who in 1715 had been a supporter of the House of Hanover, in 1745 changed sides, and became a friend of the party which he had before opposed.

His career in life began in the year 1692, when he was appointed a captain in Lord Tullibardine's regiment, but he resigned his commission in order to prosecute his claim to be the Chief of the Frasers; in order to effect which he laid a scheme to get possession of the heiress of Lovat, who was about to be married to a son of Lord Salton. He raised a clan, who violently seized the young lord, and, erecting a gibbet, showed it to him and his father, threatening their instant deaths unless they relinquished the contract made for the heiress of Lovat. To this, fearing for their lives, they consented; but, still unable to get possession of the young lady, he seized the Dowager Lady Lovat in her own house, caused a priest to marry them against her consent, cut her stays open with his dirk, and, assisted by his ruffians, tore off her clothes, forced her into bed, to which he followed her, and then called his companions to witness the consummation of the outrageous marriage. For this breach of the peace he was indicted, but fled from justice; but he was nevertheless tried for rape, and for treason, in opposing the laws with an armed force; and sentence of outlawry was pronounced against him. Having fled to France, he turned Papist, ingratiated himself with the Pretender, and was rewarded by him with a commission; but he was apprehended on the remonstrance of the English ambassador in Paris, and lodged in the Bastille, where, having remained some years, he procured his liberty by taking priests' orders, under colour of which he became a Jesuit in the College of St Omer.

In the first rebellion of 1715 he returned to Scotland, and, joining the King's troops, assisted them in seizing Inverness from the rebels; for which service he got the title of Lovat, was appointed to command, and had other favours conferred upon him. In the rebellion of which we are now treating he turned sides and joined the Pretender, a step treacherous in the extreme. When taken, he was old, unwieldy and almost helpless; although in that condition he had been possessed of infinite resources to assist the rebellion. He petitioned the Duke of Cumberland for mercy; and, hoping to work upon his feelings, recapitulated his former services, the favours that he had received from the Duke's grandfather, King George I., and dwelt much upon his access to Court, saying he had carried him to whom he now sued for life in his arms and, when a baby, held him up while his grandsire fondled him.

On the 9th of March, 1747, however, he was taken from the Tower to Westminster Hall for trial, and, the evidence adduced clearly proving his guilt to be of no ordinary character, he was convicted. He was next day brought up for judgment, and sentence of death was pronounced.

That this sentence was not ill deserved appears from a speech of Lord Belhaven, delivered in the last Parliament held in Edinburgh, in 1706, in which his lordship, speaking of this nobleman, then Captain Fraser, on occasion of the Scots plot, commonly called

Fraser's plot, says that "he deserved, if practicable, to have been hanged five several times, in five different places, and upon five different accounts at least: as having been notoriously a traitor to the Court of St James's, a traitor to the Court of St Germain's, a traitor to the Court of Versailles and a traitor to his own country of Scotland; in being not only an avowed and restless enemy to the peace and quiet of its established government and constitution, both in Church and State, but likewise, a vile Proteus-like apostate and a seducer of others in point of religion, as the tide or wind changed; and, moreover, that (abstracted from all those, his multiplied acts of treason, abroad and at home) he deserved to be hanged as a condemned criminal, outlaw and fugitive, for the barbarous, cruel and most flagitious rape he had, with the assistance of some of his vile and abominable band of ruffians, violently committed on the body of a right honourable and virtuous lady, the widow of the late Lord Lovat, and sister of his Grace the late Duke of Atholl. Nay, so hardened was Captain Fraser, that he audaciously erected a gallows, and threatened to hang thereon one of the said lady's brothers and some other gentlemen of quality who accompanied him in going to rescue him out of that criminal's cruel hand."

On the morning fixed for his execution, 9th of April, 1747, Lord Lovat, who was now in his eightieth year, and very large and unwieldy in his person, awoke at about three o'clock, and was heard to pray with great devotion. At five o'clock he arose, and asked for a glass of wine-and-water, and at eight o'clock he desired that his wig might be sent, that the barber might have time to comb it out genteelly, and he then provided himself with a purse to hold the money which he intended for the executioner. At about half-past nine o'clock he ate heartily of minced veal, and ordered that his friends might be provided with coffee and chocolate, and at eleven o'clock the sheriffs came to demand his body. He then requested his friends to retire while he said a short prayer; but he soon called them back, and said that he was ready.

At the bottom of the first pair of stairs, General Williamson invited him into his room to rest himself, which he did, and on his entrance, paid his respects to the company politely, and talked freely. He desired of the general, in French, that he might take leave of his lady, and thank her for her civilities: but the general told his lordship, in the same language, that she was too much affected with his lordship's misfortunes to bear the shock of seeing him, and therefore hoped his lordship would excuse her. He then took his leave, and proceeded. At the door he bowed to the spectators, and was conveyed from thence to the outer gate in the governor's coach, where he was delivered to the sheriffs, who conducted him in another coach to the house near the scaffold, in which was a room lined with black cloth, and hung with sconces, for his reception. His friends were at first denied entrance but, upon application made by his lordship to the sheriffs for their admittance, it was granted. Soon after, his lordship, addressing himself to the sheriffs, thanked them for the favour, and taking a paper out of his pocket, delivered it to one of them, saying he should make no speech and that they might give the word of command when they pleased. A gentleman present beginning to react a prayer to his lordship while he was sitting, he called one of the warders to help him up, that he might kneel. He then prayed silently a short time, and afterwards sat again in his chair. Being asked by one of the sheriffs if he would refresh himself with a glass of wine, he declined it, because no warm water could be had to mix with it, and took a little burnt brandy and bitters in its stead. He requested that his clothes might be delivered to his friends with his corpse, and said for that reason he should give the executioner ten guineas. He also desired of the sheriffs that his head might be received in a cloth, and put into the coffin, which the sheriffs, after conferring with some gentlemen present, promised should be done; as also that the holding up the head at the corners of the scaffold should be dispensed with, as it had been of late years at the execution of lords.

When his lordship was going up the steps to the scaffold, assisted by two warders, he looked round, and, seeing so great a concourse of people, "God save us," says he, "why should there be such a bustle about taking off an old grey head, that cannot get up three steps without three bodies to support it?"

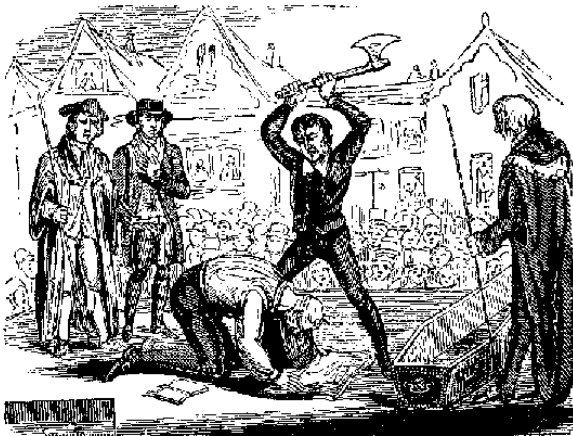
Turning about, and observing one of his friends much dejected, he clapped him on the shoulder, saying: "Cheer up thy heart, man! I am not afraid; why should you be so?" As soon as he came upon the scaffold he asked for the executioner, and presented him with ten guineas in a purse, and then, desiring to see the axe, he felt the edge and said he "believed it would do." Soon after, he rose from the chair which was placed for him and looked at the inscription on his coffin, and on sitting down again he repeated from Horace: "*Dulce et decorum est pro patria mori*" [it is sweet and fitting to die for one's country] and afterwards from Ovid [Met. 13. 140-1]: "*Nam genus et proavos, et quae non fecimus ipsi, Vix ea nostra voco.*" [As for things done by our ancestors and other people than ourselves, I say we can have no credit for them]

He then desired all the people to stand off, except his two warders, who supported his lordship while he said a prayer; after which he called his solicitor and agent in Scotland, Mr W. Fraser, and, presenting his gold-headed cane, said, "I deliver you this cane in token of my sense of your faithful services, and of my committing to you all the power I have upon earth," and then embraced him. He also called for Mr James Fraser, and said: "My dear James, I am going to heaven; but you must continue to crawl a little longer in this evil world." And, taking leave of both, he delivered his hat, wig and clothes to Mr William Fraser, desiring him to see that the executioner did not touch them. He ordered his cap to be put on, and, unloosing his neckcloth and the collar of his shirt, knelt down at the block, and pulled the cloth which was to receive his head close to him. But, being placed too near the block, the executioner desired him to remove a little farther back, which with the warders' assistance was immediately done; and, his neck being properly placed, he told the executioner he would say a short prayer and then give the signal by dropping his handkerchief. In this posture he remained about half-a-minute, and then, on throwing his handkerchief on the floor, the executioner at one blow cut off his head, which was received in the cloth, and, with his body was put into the coffin and carried in a hearse back to the Tower, where it was interred near the bodies of the other lords.

His lordship professed himself a papist, and, at his request, was attended by Mr Baker, attached to the chapel of the Sardinian ambassador; and though he insisted much on the services he had done the royal family in 1715, yet he declared, but a few days before his death, that he had been concerned in all the schemes formed for restoring the house of Stuart since he was fifteen years old.

This nobleman's intellectual powers seem to have been considerable and his learning extensive. He spoke Latin, French, and English, fluently, and other modern languages intelligibly. He studied at Aberdeen, and disputed his philosophy in Greek; and, though he was educated a protestant, yet, after three years' study of divinity and controversy, he turned papist. He maintained an appearance of that facetious disposition for which he was remarkable, to the last; and seems to have taken great pains to quit the stage, not only with decency, but with that dignity which is thought to distinguish the good conscience and the noble mind.

The following lines upon the execution of these noblemen are said to have been repeated with great energy by Dr Johnson, although there appears to be no ground for supposing that they were the Doctor's own composition. They first appeared in the Gentleman's Magazine:



Pitied by gentle minds, Kilmarnock died  
The Brave, Balmerino, were on thy side;  
Ratcliffe, unhappy in his crimes of youth,  
Steady in what he still mistook for truth,  
Beheld his death so decently unmoved,  
The soft lamented, and the brave approved.  
But Lovat's end indifferently we view,  
True to no King, to no religion true:  
No fair forgets the ruin he has done;  
No child laments the tyrant of his son;  
No Tory pities thinking what he was  
No Whig compassions, for he left the cause;  
The brave regret not, for he was not brave;  
The honest mourn not, knowing him a knave."

### Dr. Archibald Cameron

<http://www.exclassics.com/newgate/ng256.htm>

*Executed at Tyburn, June 7, 1753 (greatly lamented) for High Treason.*

As the rebellion was suppressed, and the British nation enjoyed internal peace, we could almost have wished the royal mercy had been extended to Dr. Cameron; as he took so small a part in the crime for which he suffered, and was drawn into it by attending, in his professional capacity, upon his elder brother.

The brother of this unfortunate man was the chief of the family of their name in the Highlands, and had obtained the highest degree of reputation by his zealous and effectual endeavours to civilize the manners of his countrymen.

Dr. Cameron, being intended by his father for the profession of the law, was sent to Glasgow; where he continued his studies some years; but, having an attachment to the practice of physic, he entered in the university of Edinburgh; whence he went to Paris, and then completed his studies at Leyden in Holland.

Though well qualified to have cut a respectable figure in any capital city, yet he chose to reside for life near his native place; and, having returned to the Highlands, he married, and settled in the small town of Lochaber; where, though his practice was small, his generous conduct rendered him the delight and the blessing of the neighbourhood. His wife bore him seven children, and was pregnant of the eighth at the unfortunate period of his death.

While Dr. Cameron was living happy in the domestic way, the rebellion broke out, and laid the foundation of the ruin of himself and his family. The Pretender having landed, went to the house of Mr M'Donald, and sent for the doctor's brother, who went to him, and did all in his power to dissuade him from an undertaking from which nothing but ruin could ensue.

The elder Mr Cameron having previously promised to bring all his clan in aid of the Pretender, the latter upbraided him with an intention of breaking his promise; which so affected the generous spirit of the Highlander, that he immediately went and took leave of his wife, and gave orders for his vassals, to the number of near twelve hundred, to have recourse to arms.

This being done, he sent for his brother, to attend him as a physician; but the doctor urged every argument against so rash an undertaking; from which he even besought him on his knees to desist. The brother would not be denied; and the doctor at length agreed to attend him as a physician, though he absolutely refused to accept any commission in the rebel army.

This unhappy gentleman was distinguished by his humanity; and gave the readiest assistance, by night or day, to any wounded men of the royal army, who were made prisoners by the rebels. His brother being wounded in the leg at the battle of Falkirk, he attended him with the kindest assiduity, till himself was likewise wounded.

Dr. Cameron exhibited repeated instances of his humanity; but when the battle of Culloden gave a decisive stroke to the hopes of the rebels, he and his brother escaped to the western islands, whence they sailed to France, in a vessel belonging to that kingdom.

The doctor was appointed physician to a French regiment, of which his brother obtained the command; but the latter dying at the end of two years, the doctor became physician to Ogilvie's regiment, then in Flanders.

A subscription being set on foot, in England and Scotland, in the year 1750, for the relief of those persons who had been attainted, and escaped into foreign countries; the doctor came into England to receive the money for his unfortunate fellow sufferers. At the end of two years another subscription was opened; when the doctor, whose pay was inadequate to the support of his numerous family, came once more to this country, and having written a number of urgent letters to his friends, it was rumoured that he was returned.

Hereupon, a detachment from Lord George Beauclerk's regiment was sent in search of him, and he was taken in the following manner: -- Captain Graves, with thirty soldiers, going towards the place where it was presumed he was concealed, saw a little girl at the extremity of a village, who, on their approach, fled towards another village. She was pursued by a servant and two soldiers, who



could only come near enough to observe her whispering to a boy, who seemed to have been placed for the purpose of conveying intelligence.

Unable to overtake the boy, they presented their guns at him; on which he fell on his knees, and begged his life; which they promised, on the condition that he would shew them the place where Dr. Cameron was concealed.

Hereupon the boy pointed to the house where he was, which the soldiers surrounded, and took him prisoner. Being sent to Edinburgh, he was thence conducted to London, and committed to the Tower.

While in this confinement, he was denied the use of pen, ink, and paper, and was not suffered to speak to his friends but when the warder was present. On his examination before the lords of the privy-council, he denied that he was the same Dr. Cameron whose name had been mentioned in the act of attainder; which made it necessary to procure living evidence to prove his identity.

Being brought to the bar of the court of king's-bench on the 17th of May, he was arraigned on the act of attainder, when, declining to give the court any farther trouble, he acknowledged that he was the person who had been attainted: on which the lord chief justice Lee pronounced sentence in the following terms: "You, Archibald Cameron, of Lochiel, in that part of Great Britain called Scotland, must be removed from hence to his majesty's prison of the Tower of London, from whence you came, and on Thursday, the 7th of June next, your body to be drawn on a sledge to the place of execution; there to be hanged, but not till you are dead; your bowels, to be taken out, your body quartered, your head cut off, and affixed at the king's disposal; and the Lord have mercy on your soul!"

After his commitment to the Tower, he begged to see his wife, who was then at Lisle in Flanders; and, on her arrival, the meeting between them was inexpressibly affecting. The unhappy lady wept incessantly, on reflecting on the fate of her husband, herself, and numerous family.

Coming to take her final leave of him on the morning of execution she was so agitated by her contending passions, that she was attacked by repeated fits; and, a few days after the death of her unfortunate husband, she became totally deprived of her senses.

On the 7th of June, the sheriffs went to the Tower, and demanded the body of Dr. Archibald Cameron, who was accordingly brought to them by William Ranford, Esq. the deputy-lieutenant.

As soon as he was seated on the sledge, whereon he was to be drawn to the place of execution, he requested to speak to his wife, but being informed that she had left the Tower, after taking leave of him, at eight o'clock, he replied, he was sorry for it; upon which the sledge moved towards Tyburn, among a great number of spectators, who all pitied his situation.

The doctor was dressed in a light-coloured coat, red waistcoat and breeches, and a new bag-wig. He looked much at the spectators in the houses and balconies, as well as at those in the streets, and bowed to several persons with whom he had been acquainted.

At a quarter past twelve the solemn procession reached the place of execution, where he looked on the officers and spectators, with an undaunted and composed countenance; and as soon as unloosed from the sledge, he started up, and with a heroic deportment, stepped up into the cart, whence looking round with unconcern on all the apparatus of death, he smiled. Seeing the clergyman, that had before attended him, coming up the steps, he came forward to meet him, and endeavoured, with his fettered hands, to help him up, saying, "So, you are come: -- this is a glorious day to me! -- 'tis my new birthday! -- there are more witnesses at this birth than at my first"

The clergyman being now at the side of the cart, asked "how he felt himself;" he answered, "thank God, I am very well, but a little fatigued with my journey: but, blessed be God, I am now come to the end of it."

The sheriff asked the clergyman, whether he would be long about his office, Dr. Cameron immediately took the words, and said, he required but very little time; for it was disagreeable to be there, and he was as impatient to be gone as they were.

This truly unfortunate man then told the sheriff, he would no longer presume upon his patience; but the sheriff, with looks that shewed a great deal of concern, begged he would take as much time as he pleased, for he would wait until he was ready. The doctor thanked him. He turned to the clergy man, and said, "I have now done with this world, and am ready to leave it."

He now joined him in some short prayers, and repeated some ejaculations out of the Psalms; then embraced the clergyman and took his farewell.

As the divine was going down from the cart, he had nearly missed the steps, which the doctor observing, called to him in a cheerful tone of voice, saying, "Take care how you go; I think you don't know this way as well as I do;" and now, giving the signal, the cart drew from under him.

The body, after hanging twenty minutes, was cut down: it was not quartered; but the heart was taken out and burnt. On the following Sunday, the remains of Dr. Cameron were interred in a large vault in the Savoy chapel.

<http://andromeda.rutgers.edu/~jlynch/Texts/BLJ/blj39.html>

Samuel Johnson used to be a pretty frequent visitor at the house of Mr. Richardson, author of *Clarissa*, and other novels of extensive reputation. Mr. [William] Hogarth came one day to see Richardson, soon after the execution of Dr. Cameron, for having taken arms for the house of Stuart in 1745-6; and being a warm partisan of George the Second, he observed to Richardson, that certainly there must have been some very unfavorable circumstances lately discovered in this particular case, which had induced the King to approve of an execution for rebellion so long after the time when it was committed, as this had the appearance of putting a man to death in cold blood,<sup>5</sup> and was very unlike his Majesty's usual clemency. While he was talking, he perceived a person standing at a window in the room, shaking his head, and rolling himself about in a strange ridiculous manner. He concluded that he was an idiot, whom his relations had put under the care of Mr. Richardson, as a very good man. To his great surprise, however, this figure stalked forwards to where he and Mr. Richardson were sitting, and all at once took up the argument, and burst out into an invective against George the Second, as one, who, upon all occasions, was unrelenting and barbarous; mentioning many instances, particularly, that when an officer of high rank had been acquitted by a Court Martial, George the Second had with his own hand struck his name off the list. In short, he displayed such a power of eloquence, that Hogarth looked at him with astonishment, and

actually imagined that this idiot had been at the moment inspired. Neither Hogarth nor Johnson were made known to each other at this interview.

Note 5. Impartial posterity may, perhaps, be as little inclined as Dr. Johnson was, to justify the uncommon rigor exercised in the case of Dr. Archibald Cameron. He was an amiable and truly honest man; and his offence was owing to a generous, though mistaken principle of duty. Being obliged, after 1746, to give up his profession as a physician, and to go into foreign parts, he was honored with the rank of Colonel, both in the French and Spanish service. He was a son of the ancient and respectable family of Cameron, of Lochiel; and his brother, who was the Chief of that brave clan, distinguished himself by moderation and humanity, while the Highland army marched victorious through Scotland. It is remarkable of this Chief, that though he had earnestly remonstrated against the attempt as hopeless, he was of too heroic a spirit not to venture his life and fortune in the cause, when personally asked by him whom he thought his Prince [Bonnie Prince Charles].

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