

Skye and the Napier Commission

Brief review of 18th & 19th c. Highland crofting society

The Scottish Highlands had transitioned from communal clan land to that of ownership and inheritance, and turned the status of the society from clan kinship into that of patriarchal tenancy. Instead of being elected, clan leaders became hereditary rulers, passing the title from father to son. Hereditary rulers became lairds, taking personal ownership of the clan's land, and demanding military service, labour, and payment in rent and goods

Rights and privileges were granted by the laird to their own direct relations. These relations became 'tacksmen', acting as estate managers of a 'tack' of land, and controlled the large areas of the land allocated to them by the laird.

The tacksmen kept the best land for themselves, and sub-let the remaining land to anyone who could afford to pay the rent demanded. Rents were collected by the tacksmen from their sub-tenants, some of which was passed on to the laird. Labour was also expected as part-payment in kind to the tacksmen and the laird, and sub-tenants were threatened with eviction by their tacksmen if they couldn't pay their rent.

Thomas Pennant, in 'A Tour in Scotland and Voyage to the Hebrides, writes, "In that year (1750) the whole rent of Skie was three thousand five hundred pounds. By an unnatural force some of the rents are now doubled and trebled. Many of the greater tacksmen were of the same blood with their chieftains; they were attached to them by the ties of consanguinity as well as affection: they felt from them the first act of oppression. The high advance of the price of cattle is a plea for the high advance of rents, but the situation of the tacksmen here is particular: he is a gentleman, and boasts the same blood with his laird: has been cherished by him for a series of years often with paternal affection: has been used to such luxuries as the place affords and cannot instantly sink from a good board to the hard fare of the common farmer."

"When the chieftains riot in all the luxuries of South Britain, he thinks himself entitled to share a due degree of the good things of this life, and not to be for ever confined to the diet of Brochan or the computation of Whisky. During the feudal reign their love for their chieftains induced them to bear many things, at present intolerable. They were their pride and their glory: they strained every nerve in support of them."

"Resentment drove many to seek a retreat beyond the Atlantic: they sold their stock, and in numbers made their first essay. They found, or thought they found, while their passions were warm, an happy change of situation: they wrote in terms favouring of romance, an account of their situation: their friends caught the contagion, and numbers followed, and others were preparing to follow their example. The tacksmen from a motive of independency: the poor from attachment, and from excess of misery."

Tacksmen were the main force driving emigration before 1775, and would place a notice on a church door announcing their plans, requesting others to join them. When the required number of interested persons was reached, the tacksmen arranged with a ship owner for transport. Passengers were asked to pay half their fare in advance, and the tacksmen received a fee for choosing the transportation. The cost of emigrating was obtained by selling possessions and assets, the cost being about £3.10s. per adult and half that sum for children. Cotters or sub-tenants could only emigrate to America if they had sufficient property that could be sold. (ref. Duane Meyer, 'The Highland Scots of North Carolina')

Around this time, the MacDonald lands in Sleat were evacuated by the emigrating tacksmen and sub-tenants, therefore others were invited to re-populate the crofts and pay the rents. With the tacksmen and their sub-tenants emigrating, MacDonald could now receive all the rent money direct from the new crofting tenants. From 1755, despite emigration, the population of the Highlands, including Sleat, increased, but so did the rents.

During the 18th and 19th centuries, crofters land on the coast was in short supply as their small plots, allocated by their landlord lairds or the lairds' tacksmen, were not extended to meet the needs of the growing population. In addition, these plots had been sub-divided over the decades to accommodate the populations that were being evicted from their townships inland to make way for extensive sheep farming.

Parliament was mainly under the influence of aristocratic landlords whose incomes depended on the rents paid by farmers. The Corn Laws (1815) were enacted, imposing an import duty to maintain the high price of all home-grown grain.

The lack of allocated land, the rack-renting and the evictions of the Highlanders continued through the 19th century. Their conditions were made worse by the famines of 1836-37, 1837-38 and 1846-47 due to the wet climate causing potato blight. The Scottish Poor Law of 1845 was enacted to determine which persons should receive food aid, but the able-bodied were not entitled to relief. The Corn Laws were repealed in 1846, but this was too late to prevent mass starvation.

The Battle of the Braes near the hamlet of Gedintailor, Isle of Skye, on the 19th April 1882 and the subsequent unrest in Glendale were examples of protests against the lack of grazing land, rack-renting and eviction. These skirmishes and the brutal treatment of the tenants could no longer be ignored by the British government.

The Napier Commission

Prime Minister William Gladstone ordered a public inquiry, which had previously been rejected by the parliament. Gladstone hoped the commission would solve the disputes and put an end to the unrest, and that in the meantime the news of the commission would halt 'disturbances'.

In May 1883, Francis Napier was selected as chairman of the self-named Napier Commission to investigate, and began gathering evidence at local hearings. The Napier Commission was officially referred to as 'The Royal Commission of Inquiry into the Condition of Crofters and Cottars in the Highlands and Islands'.

The commission gave the crofters an opportunity to reveal their hardships. Landowners considered the government had no right to investigate private property, although they were determined to represent their economic arguments.

Representatives from the Highland Land Law Reform Association toured the Highlands and were able to assist crofters to prepare their evidence. Crofters told the hearings of being denied additional land which would allow them to grow crops and graze more livestock. Landowners and their estate managers stated that the changes they had made were needed as part of an improved economy.

The documentary evidence of the Napier Report in April 1884 gave an insight into the population, and the religious, political and social conditions of the time. The subsequent 'Crofters Holdings (Scotland) Act 1886 granted crofters secure tenancy, fair rents and the right to pass on tenancy to descendants. At the same time the Crofters Commission land court was established to rule on disputes between crofters

and landlords. In 1887 The Crofters Commission sat at Portree, and as part of their 'fair rent' judgements, rents were reduced and some arrears were cancelled.

The Napier Commission on Skye

The commission began its interviews in Braes on the Isle of Skye and proceeded through the Highlands and Islands (including Orkney and Shetland) gathering evidence from crofters, landlords and others, such as religious leaders, who were familiar with the conditions of the crofters and cotters.

Commission location and dates on Skye

Braes, 8th May 1883

Skeabost, 9th May 1883

Uig, 10th May 1883

Stenscholl, 11th May 1883

Waternish, 14th May 1883

Dunvegan, 15th May 1883

Broadford, 16th May 1883

Isle Ornsay, 17th May 1883

Bracadale, 18th May 1883

Glendale, 19th and 21st May 1883

Raasay, 22nd May 1883

Portree, 23rd and 24th May 1883

The interviews conducted at Isle Ornsay on the 17th May 1883 included those for the hamlet of Teangue. The representative for Teangue was Allan Campbell. Allan was the eldest son of Donald Campbell, of whom the life and military service in the Napoleonic Wars is recorded in the book '*Private Donald Campbell 92nd Foot 1803-1822*'.

This is Allan's evidence:

Isle Ornsay, Skye, 17 May 1883

Members of the Napier Commission:

Lord NAPIER AND ETTRICK, K.T., Chairman.

Sir KENNETH S. MACKENZIE, Bart.

DONALD CAMERON, Esq. of Lochiel, M.P.

C. FRASER-MACKINTOSH, Esq., M.P.

Sheriff NICOLSON, LL.D.

Professor MACKINNON, M.A.

Isle Ornsay, Skye, 17 May 1883 - Allan Campbell

ALLAN CAMPBELL, Crofter and Labourer, Teangue (55) [actually 59 years] — examined.

5207. The Chairman.

—Have you been freely elected by the people of Teangue?

—Yes.

5208. Were there a number of the people present?

—All but two.

5209. The statement submitted for the people of Teangue is as follows:

— 'The case of Teangue was first taken up, and the people present from that township were asked to state their opinions as to their circumstances generally. The great complaint seems to be the smallness of their holdings, one man stating that he remembers when eight families resided on the same ground where there are now

seventeen. That the gross rent, moreover, is now considerably more than it was when the families held it. That would be about thirty years ago. At present only two tenants hold entire lots, and these two only have the full complement of stock, the others having less, and some one cow, and others none at all. About twelve years ago an increase of rent of 1s. on some of the lots was imposed. On one particular lot there were no fewer than four tenants and one cottar. It will be apparent, from these facts, that, as is actually the case, the men have to seek employment in the south and elsewhere. It was proposed and agreed to that Mr Allan Campbell and Alexander Buchanan be appointed delegates from Teangue.'

Have you any statement to make on behalf of the people of Teangue in addition to this?

—Only the poverty of the people and the scantiness of their land.

5210. **Professor Mackinnon.**

—Are you able to state what is the amount of stock held upon a lot?

—Six cows and a horse was what was in use to be the case.

5211. And sheep?

—Eight sheep.

5212. And there are only two men who hold a single lot and these are the only two who have the proper stock?

—Yes.

5213. Is the croft quite able to support that amount of stock?

—No.

5214. How much stock could they keep?

—I have half a lot, and it gives me enough to do to feed two cows upon it

5215. You have no horse?

—Yes, a horse and four sheep.

5216. **The Chairman.**

—Why did you say you were a labourer?

—I am a labourer too. I have been a labourer for the past thirty-four years.

5217. **Professor Mackinnon.**

—How much could the whole croft keep well?

—It would be enough to do to feed four cows and a horse and eight sheep.

5218. What is the rent of the full croft?

—The rents vary.

5219. There are only two full crofts altogether. What are the rents of these two?

—£7, 10s.

5220. Without taxes?

—Yes.

5221. Do you consider that croft reasonably big enough?

—It is small enough.

5222. There are seventeen families, but there are only eight lots. If you were to remove

the other nine, how would you propose to deal with them?

—Give them land somewhere else.

5223. Where is there such land to suit them?

—Plenty through the island.

5224. Is there land in this parish and on this estate?

—Yes, plenty.

5225. Where?

—All up and down about here.

5226. Would you name the farms?

—Knock, Ord, Armadale, Ostaig, Tormore, Gillen; plenty land there under big sheep.

5227. Who occupies Knock?

—Mr Kennedy.

5228. If that place were to let, would the people be willing to take it?

—They would take a share of it.

5229. Would they be prepared to pay a reasonable rent for it?

—If they would get it in a way they could live on it.

5230. Would they be able to stock it?

—If they would get enough land that they would take their living out of it, they could stock it in time.

5231. It is stated here that there are some of them that have not stock for the small places they have?

—They cannot feed them.

5232. That is the reason. It is not because they cannot buy the stock, but because the place cannot keep the stock?

—Yes, the place is so small when there are four families on a lot that they cannot keep stock.

5233. But you think if they got a larger place they would be able to put stock upon it?

—Yes, if they would get it at a reasonable rent.

5234. And they would be quite able to pay a reasonable rent for it?

— Yes.

5235. What do you mean by a reasonable rent?

—Rent that we could pay, and for land out of which we could extract a living.

5236. Your complaint is rather that the crofts are too small, not that the present rents are too high?

—We have not much to say about the rent.

5237. It seems reasonable?

—It seems reasonable, if the ground were in the way we could make a living out of it.

5238. **Mr Fraser-Macintosh.**

—Are you well acquainted with this parish of Sleat?

—Yes.

5239. Are you aware that a great deal of land that was once occupied by crofters is now in possession of tacksmen?

—Yes.

5240. Supposing that all the crofters in Sleat were to receive the enlarged crofts you desiderate, would there be still sufficient land remaining for a good-sized tack?

—I think so.

5241. Can you mention the number of large tacksmen there are in Sleat?

—Yes: Mr Macdonald, Ord; Mr Macdonald, Tormore,—he has Ostaig; Duncan M'Innes, Gillen; Mr Kennedy, Knock. Ferrindonald I may include in the number of tacks; it is in the hands of Mr Macpherson.

5242. Are these all the big tacks? There is Kinloch.

—Kinloch is not in this parish.

5243. You have mentioned a Mr Kennedy as a tenant of Kinloch. Is he the man who keeps the shop here?

—Yes.

5244. Have you any complaint to make, or is there any dissatisfaction in the country about there being no other place where you could get articles to buy except at this one shop?

—It is the only shop in the district. Doubtless, if there were four or five or six other shops in the district, it would be easier for people to get goods, and cheaper.

5245. Can you read writing?

—No.

5246. Do you occasionally come down to Isle Ornsay?

—Yes.

5247. Did you ever see or hear of a written document connected with a penalty for going to provision shops, which was put up at the inn here?

—No, I did not hear.

5248. Or any other place?

—No, it might be without my knowing it; should I see it, I could not read it.

5249. Did you hear of such a thing?

—No, I never heard anything about it.

5250. **Mr Cameron.**

—How did the seventeen families get on to the land where there were only nine crofts?

—There is one lot which is subdivided into four shares—these being subdivided to the sons of the family.

5251. Do you think, if the crofters got larger crofts upon these lands you have mentioned, their holdings would likely be subdivided in the course of years, as those places have been?

—Possibly they might come to be subdivided in time.

5252. Are the people very poor in your township?

—Yes, very poor.

5253. Have they any money in the bank?

—Some of them have.

5254. And some of them have not?

—Some of them have not. Very few have money in the bank.

5255. How would they be able to purchase the stock to take these larger holdings?

— Earning it by working for others.

5256. But to make a start?

—If we would get the land we would be trying to stock it.

Napier Commission

Isle Ornsay, Skye, 17 May 1883

Appendix A. XV

STATEMENT by the Rev. FINLAY GRAHAM, Free Church Minister

F. C. MANSE, SLEAT, SKYE,
22nd May 1883.

I think that you will gather, generally, that the crofters are as a rule cooped up and crowded together in the most barren comers; that they have been deprived from time to time of their hill pasture, and that their hill pasture has been added to sheep farms, already large enough; that it is dangerous to have a large population of this kind, little removed from want and deeply sunk in debt to the merchants, while in many places in each parish, and all over the island, there is abundance of land formerly in the possession of tenants, who were evicted thirty years ago. This land should be restored at fair rents. It is also evident that the present holders will not long give the present rents, as the pasture is running to by. I would be sorry to see the landlord suffer in any way unnecessarily, but the Government will have to devise some wise means of breaking up, say, one large farm in each parish, or cut off parts of the large, farms adjoining the townships of the crofters to widen their bounds. Some might emigrate voluntarily, but a general emigration would be unwise, as they would be in poverty in those new lands, if they have no money in hand when leaving their native land. It would be better to assist them at home. Two or more farms in the possession of one farmer is a great evil, and especially when the farmers are non-resident, and take little or no interest in the people in giving work. The tenants should be encouraged to improve their holdings and their houses, and some guarantee that they would not be removed or their rents increase after effecting improvements. The present agitation may have been to some extent assisted by outsiders, but I have no hesitation in saying that they have serious grievances. I earnestly trust that this inquiry by the Royal Commissioners will issue in much good to the people, and that the landlords will not suffer by giving them back the land cultivated by their forefathers. I may be wrong, but I was of the opinion that crofters paid as high a rent in proportion to the large farmers, and it takes more than I have heard yet to convince me that they do not do so. I never met any of the crofters but are willing to pay any fair rent for good land.

FINLAY GRAHAM.