

The Mind of Patrick Sellar (1780-1851)

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Patrick Sellar was an Elgin capitalist who turned his energies to sheep-farming in the Highlands in the early nineteenth century. He was fortunate to start his career in pastoral farming at a time of high prices. Wool was in growing demand as a raw material of the industrialising economy of the south. Sellar's pursuit of profit was crowned with success—by the early 1840s he found himself in a position to invest almost £30,000 in the purchase of an estate in Argyll (Gaskell 1968: 40). He thus became a laird in his own right. An able and astute businessman, Sellar was undoubtedly one of the most effective and influential sheep-farmers in the north; he was one of the select group of large-scale pastoral entrepreneurs who helped to increase the commercial productivity of the Highlands during the era of the industrial revolution. 'He was one of the most active of men', recalled one obituarist, 'and amidst his numerous and important transactions and the various calls on his time, he contrived to keep pace with most of the discoveries of science, and was well informed on the literature and public questions of his day. His intelligence, shrewdness, and energy gave him great influence among his brother sheep farmers, and made him distinguished in every cause in which he embarked' (*John O'Groat Journal*: November 1851). Sellar raised a family which attained a place of very considerable respectability in Victorian society. He reared nine children—a veritable dynasty of talented and aspiring Sellars who made their mark in the later nineteenth century. An Australian scion celebrated their collective achievement in a volume published in Melbourne in 1910 (Selkirk 1910: *passim*). On his own terms Patrick Sellar was a resounding success.

The other side of the story is darker and better known. Sellar's commercial success was purchased at high cost to his public reputation: his name is perhaps unrivalled in the ranks of Highland villainy. For, apart from his own relatives, most observers have depicted him as the personification of evil. He has frequently been pictured not only as the sadistic agent of a resolutely wicked landlord policy which he used for his own mercenary ends, but also as an instrument of genocide in the Highlands. When Dr Ian Grimble describes Sellar as 'the Heydrich of the Highland Clearances' (Grimble 1964: 385) he is only extending into twentieth-century terms the allegations made against him during his own lifetime.

It is well known that Sellar's reputation derives especially from a series of episodes during the clearances in Sutherland in the years 1812 to 1814. The task was that of removing the common people from certain interior straths to new settlement zones

along the coasts of the aristocratic estate of Sutherland. The mountainous interior was then to be given over to the new sheep farmers. Sellar was both factor to the Countess of Sutherland (also known as Lady Stafford) and tenant of some of the land to be cleared. He was directly concerned with the actual process of clearance. In the midst of the great upheaval, accounts began to be circulated (notably in the London-based, anti-clearance newspaper *The Military Register*) that Sellar had personally supervised various acts of grotesque inhumanity while removing the people from their inland homes.

The most often repeated story concerned an old woman—the mother-in-law of William Chisholm, a tinker—at Badinloskin in Strathnaver. It was in June 1814. Sellar, with an eviction party of twenty men, is said to have come across the woman in a hut from which she was due to be expelled. The eye-witness, Donald Macleod, a stonemason of Rossal, told Sellar that she was too ill to be moved. According to Macleod's recollection of the incident, Sellar retorted 'Damn her, the old witch; she has lived too long. Let her burn!' The house was fired and the old woman was carried out by her neighbours, her blankets ablaze. She died in five days. Such was Macleod's account written almost three decades after the alleged incident (Macleod 1841: 12).¹

This and other allegations of atrocity against Sellar were eventually brought before a jury at a court over which Lord Pitmilley presided at Inverness in April 1816. The numerous charges included that of culpable homicide. The outcome of the famous trial was the triumphant acquittal of the Sutherland sheep-farmer. His name was vindicated and his accusers were set to flight.

But in many ways it was a pyrrhic victory. Sellar's warm satisfaction with the verdict of the Inverness Court was quickly cooled by the continuing repetition of the original charges against him. *The Military Register* was rampant still, and many people were persuaded that the trial had been a travesty of justice: mainly on the grounds that the jury had been composed of 'gentlemen', while the key witnesses were Gaelic-speakers who were not given a fair hearing. It was taken to be the case that landlord influence had triumphed over the truth. This view was strongly sustained by the pen of that widely respected champion of Highland causes, Major General David Stewart of Garth, writing in the early 1820s (Stewart 1822: 1, 163 ff.)—though even he veiled his denunciation of Sellar in rather carefully guarded phrasing. And, despite his loud protests, Sellar was persecuted and taunted throughout his life by writers who continued to regard him as guilty of the charges from which the trial had absolved him. Sellar died in 1851 but the stories against him have been repeated in every decade to the present time. Historians, novelists and poets have waxed long and eloquently in their abhorrence of this man who has been seen to embody the forces that created the Highland tragedy.

Few men were more easily provoked into indignation than Patrick Sellar and he made many vigorous efforts to counter the published attacks on his character. Later in the century, long after his father's death, Thomas Sellar also attempted to defend his

name from further assaults, particularly from the pen of Professor Blackie (Blackie 1882: Dialogue V; T. Sellar 1883: Appendix XCIX; N.L.S. MS 2644, fol. iii). These efforts were almost totally ineffectual.

From time to time, notwithstanding the overwhelming volume of writing against Sellar, a note of caution has been sounded. Dr Horace Fairhurst, for instance, has raised doubts about the veracity of some of the literary sources upon which the conventional view of Sellar is based. Few would disagree with Fairhurst when he remarks that Sellar is a 'man about whom so little is known and so much has been said' (Fairhurst 1964: 15).

Further stringent comment has been made by Dr Phillip Gaskell in his recent book *Morvern Transformed*. 'Reading the report of Sellar's trial today with an open mind', writes Gaskell, 'it seems incredible that a jury could have come to any other conclusion.' He defines two aspects of Sellar's character. He was 'in many ways a good man. He was truthful, and honourable in his business affairs. He was a kind and agreeable friend, and he was accorded the complete devotion of his wife and nine children . . . He had a well-ordered mind, avoided humbug, and could express himself in clear attractive prose.' At the same time, Gaskell concedes, Sellar's 'ambition and his liking for efficiency led him to pursue success ruthlessly', and he possessed 'an egotistical certainty that whatever he did was right'.

Gaskell is emphatically critical of what he terms 'the absurdity of the Sellar folk-lore which persists in Scotland' (Gaskell 1968: 38-40). Nor can it be denied that there has been a real deficiency of hard evidence about Sellar; the literary record is shot through with polemicism, and little new material has been employed for almost a century. Yet Sellar was a most industrious correspondent and many of his thoughts have survived—particularly in letters to the administrators of the Sutherland estate (many of which are located in the Sutherland Papers). They allow one to suggest several points about Sellar's character and his actions more certainly than before—although they do not alter the fact that it is unlikely that his innocence or guilt in the events of 1814 will ever be conclusively established. And in any case the importance of Sellar does not begin and end with his notoriety: in some respects he exemplified the new thinking in the Highlands in the age of improvement. His letters tell us about his conception of the world, and how he saw his place in that world. In effect the genuine voice of Patrick Sellar can be heard, perhaps for the first time.

II

Only a little is known of Sellar's parentage. His mother was the daughter of a Dalkeith minister. She was a fervent Wesleyan and when the great preacher visited Elgin he is reported to have put his hand on the infant Patrick's head and blessed him. His mother died while he was quite young. His father Thomas Sellar (1754-1817), was trained as a solicitor in Edinburgh. Taking full advantage of the Morayshire proprietors' 'want of a good lawyer in Elgin', Sellar rapidly became the leading solicitor in the town (Selkirk 1910: 60-1).

Apparently known as 'Trusty Tom', the elder Sellar gathered to himself an extremely wealthy clientèle—including the Duke of Gordon, Sir James MacPherson Grant, Gordon of Clunies, and Russell of Westfield. The last of these owned a run-down estate in the county and the task of its renovation was placed in the hands of Thomas Sellar who was evidently well versed in the latest improvement thinking. He devised a remarkably swift method of resettling the estate population on previously unused land, of rationalising the land system, and of raising rents without incurring heavy capital outlays. Despite these improvements Russell's circumstances compelled him to sell off his Westfield estate in 1808. The buyer was his aspiring factor/solicitor, Thomas Sellar. The new owner then set about a concerted plan to convert the estate into a model of efficiency—and to become a landed proprietor in his own right (Selkirk 1910: 60-1; Young 1871: 77; SP D593P/22/1/21 Sellar to Gower 13 August 1810).

Meanwhile his only son, Patrick, had also been educated in Edinburgh University for a legal career. In 1803 he joined his father's practice in Elgin and he quickly rose to the position of Procurator-Fiscal (Young 1879: 581; Mackenzie 1883: 40-2). Concurrently Thomas Sellar had widened his interests into a number of commercial ventures in road construction and harbour development in Moray. In 1809 he joined a consortium of businessmen whose collective aim was to grasp opportunities for speculative trading in the north-east. They were led by another energetic agricultural improver, William Young (T. Sellar 1883: 21; Young 1879: 305).

In 1809 the consortium reached outwards to create trading links with Sutherland—a territory only then beginning to feel the influence of the general 'improvement' movement in Scottish agriculture. It was at this time that the younger Sellar joined forces with William Young. To these men from Moray Sutherland presented almost unlimited scope for their improving zeal—it was like a colony ripe for development, an entirely new field for enterprise. An account of the development of their ideas and influence in Sutherland has been given elsewhere (Richards 1970). Briefly, the two Moraymen began to exert a dominant sway over the Sutherland family who were already committed to radical change on their vast estate. They became tenants of an arable farm at Culmally in 1809, and soon after Young was installed as commissioner of the Sutherland estate, with Sellar acting as his right-hand man. Between them they gained a considerable degree of control over the design and implementation of the economic plan for the estate. Most important of all, the Moray speculators helped to persuade the noble proprietors that a vigorous coastal economy could be established on a foundation of fishing and diversified industrial activity. Thus evolved the Sutherland experiment in social and economic engineering: in effect the clearance of the inhabitants of the straths to the coasts where they were intended to engage in new and improved modes of subsistence. The interior tracts would be turned over to sheep: rents would rise with productivity, the people would no longer be susceptible to periodic famine, nor would the landlord be liable for expensive relief measures. Such were the assumptions in the minds of the planners.

Sellar himself had initial doubts about the wisdom of clearances. He had once regarded commercial sheep-farming in the Highlands as 'one of the most detestable and abominable things possible to be imagined' (Sellar 1883: 24). He wrote in 1815 that 'I was long a passionate declaimer against the only reasonable improvement of which the Highlands are susceptible. I mean the removal of the people to fishing ground—to allotments where a man in ten minutes in many seasons may catch as many fish as his family can eat in four and twenty hours—and stocking the interior with sheep. The effects of such arrangements in advancing the estate, the country to which it belongs—the very people who oppose it—in wealth, civilisation, comfort, industry, virtue and happiness, are palpable—ask Sir William Grant what his Grandfather was—a removed tenant! But for the *just* views of the proprietor this great man would have been now in a place like Scottany and at a rent of £5—following two or three Highland ponies with a cocked bonnet on his head and a Red top to it, and a ragged philiby reaching half way down his leg, afflicted I doubt not by a hereditary itch which all the brimstone in Scotland would be tardy to cure' (SP Sellar to Loch 28 June 1815). In fact Sellar managed to shake off his prejudice against sheep almost as soon as he stepped ashore in Sutherland. His conversion was, as he said, complete, and he proceeded to bid for the leases of large tracts of territory which were scheduled for clearance—thereby joining the ranks of the great sheep-farmers whom he had once detested (T. Sellar 1883: 23-6).

Between them, Sellar, Young and the Sutherland family, were set to revolutionise the economy of that northern estate. The radical changes, from the beginning, provoked the resistance of the interior people who were ordered to resettle. Sporadic violence erupted—notably in 1812. The response of Young's management was to calm the people and then to press on with its schedule for clearance. It was in this phase that Sellar, while implementing the removal procedures, ran foul of the people of Strathnaver in the episodes which eventually led to his trial in 1816.

III

It was always Sellar's contention that from 1812 onwards there had been a conspiracy in Sutherland to halt the clearances and to check the legal exercise of landlord policy. 'In the Highlands the lower ranks are entirely led by those above them,' he remarked in one letter. The people he believed were crafty, cunning and thoughtful, and they had full leisure to mature their obstructive plans. The leaders, he thought, would be found in the group of half-pay captains, tacksmen, and others whose interest it was to hold back the tide of improvement in the county. Sellar's profound belief was that, as the conspiracy developed, the focus of the assault came to be directed against himself: he saw himself as the victim of the wholly vicious machinations of 'bad men' in the straths of Sutherland (SP Sellar to Loch 23 May 1816, 7 May 1816).

On his own part it is clear that Sellar made very little effort to cultivate a harmonious relationship with the common people of Sutherland—the people whose rents he

collected, whose removal he arranged and, often, whose land he was to acquire for himself. Friction was inescapable, but Sellar did nothing to lessen the tension. He was a rigorous, pressing collector of rents: in September 1813 he congratulated himself on collecting the rents of ten parishes on the Sutherland estate. 'I don't say in figures, but in numbers and extent of business I certainly have the honour to collect the first rental in Scotland'—it was the culmination of a major drive to regularise the estate accounts and press for the payment of all arrears, large and small (SP Sellar to Loch, 9 September 1813). Moreover, Sellar's campaign ran parallel to an outburst of rioting, violence and attendant military intervention in Kildonan and Assynt. Sellar's superior, William Young, wrote of the desirability of bringing 'rogues of every description to punishment . . . if sheep-stealers are convicted we shall be able to rid the country of some very bad characters' (SP Young to Loch, September 1813).

In March 1814 Sellar again toured the Sutherland estate in search of rent evaders. He was obviously pressing hard to remove the blanks in the estate rental. Since Christmas Eve he had devoted his energies to that end; he had resolved that 'my rental [for 1813] should be fully filled up, summed and signed'. Nor would he be cheated by petty trickery: 'I knew that the people would not meet me,' he reported, 'but I also knew that if I was not found at my post, it would stand them as a good apology for not paying at all and, in the numerous removals now going on, and so necessary in the proper arrangement of the estate, it needs *much* vigilance to prevent them from carrying with them their last rent; piously "borrowing from the Egyptians" all that is possible. After several weeks perambulation in this manner, in the course of which one of my guides was nearly lost and has actually lost several of his toes by the frost and returned home, I have been receiving the rents, in *Retail* daily . . . I am now in the middle of my notices for removal' (SP Sellar to Loch, 3 March 1814). There can be little doubt that Sellar regarded the business of estate administration as a contest between the factors and the people.

Sellar did not lack support. William Young, engaged in the general supervision of the forthcoming clearances, paid tribute to Sellar's authoritarian efficiency in matters of rent collection and removal. At Whitsunday 1814 they were to proceed with the greatest clearance that Sutherland had experienced; several hundred families were to be removed and resettled. Young contrasted the methods of removal employed on Lord Stafford's English estates with those in the Highlands: he wrote to James Loch (commissioner of the southern estates), 'As to the merinos (the mania of the day) and your Newcastle [Staffordshire] removals I leave you to Sellar; if there were *no political motives* to the contrary he would have sent George by the Grace of God greetings to these gentry in place of your polite letters—every country has its own laws and customs, here such notice would not have been worth a farthing, and Mr Mackid would have been quite affronted' (SP Young to Loch, 3 March 1814).

Robert Mackid in his capacity as Sheriff-Substitute of Sutherland was periodically involved in the legal aspects of the removals. He had already crossed swords with Sellar

in 1813—they were well-established enemies some time before the incidents which subsequently led to Sellar's trial. Sellar had actually caught the Sheriff-Substitute poaching on the Sutherland estate on at least one occasion; and Mackid believed that Sellar had designs on his own position in the legal hierarchy of the county. In March 1813 Mackid apparently voiced several complaints about Sellar's methods of rent collection. The latter commented that 'Mr. Mackid . . . would very gladly fish out anything improper in my conduct', and William Young sprang to his defence and told Loch that 'With respect to Sellar I know him too well and cannot allow myself to think for a moment that he could be capable to extract a single shilling improperly from the people, far less put it in his own pocket; I have formerly had occasion to ask him about similar charges and always got a satisfactory reply'. Young also alluded to concerted attempts to avoid rent payment and to cheat Sellar (SP Sellar to Young 25 March 1813; Young to Loch 27 March 1813; P. Sellar 1825: 3).

The scene was set for the sequence of events that led to the famous trial of Sellar. It was at Whitsunday 1814 that he personally supervised clearances in Strathnaver and Kildonan for a sheep farm which he was due to take over. Six weeks elapsed before complaints were made against his action—charges which largely concerned muir burning and the alleged insufficiency of notice that Sellar had given the people. It was a further ten months before Mackid took a precognition and incarcerated Sellar in Dornoch Jail—at which time he informed Lord Stafford that 'a more numerous catalogue of crimes, perpetrated by an individual, has seldom disgraced any country, or sullied the pages of a precognition in Scotland!!!' (Mackenzie 1883: 21). It was another eleven months before Sellar was brought to trial at Inverness on charges including that of culpable homicide.

From the moment of his arrest until his acquittal Sellar sustained a level of intense indignation. It was a complex case, and the details are not the concern of this paper. After his imprisonment at Dornoch the accused sheep-farmer poured out his shock and exasperation to the Stafford family and their principal agent James Loch. Hotly and repeatedly he contended that there was a campaign against him and that it was the work of Mackid and his fellow intriguers who had plotted to ruin him and to break the clearance policy. Mackid, wrote Sellar soon after his arrest, had 'acted from first to last in the affair in the most diabolical manner'. Sellar demanded an impartial examination of the case, though he could 'ill-spare £300 to £400 from the improvement of my farm in a question which must *turn out to be a piece of intrigue founded on falsehood*. However, whatever sacrifice is necessary for my honour I cheerfully submit to' (SP Sellar to Loch 15 June 1815).

Mackid had already boasted that Sellar would indubitably be either hanged or sent to Botany Bay, and Sellar believed that he was in league with the correspondents of *The Military Register* and of other newspapers bent on maligning the Sutherland regime. Mackid 'wished to kill me by defamations, not by law', exclaimed Sellar. 'The crimes alleged against me being all *imaginary* . . . I cannot figure that the Lord Advocate will

at all put me to trial. If he do I am satisfied he must fail. It is a matter of course. But in the meantime I have got the weather guage of Mackid and the two Sutherlands [whom he believed to be authors of letters to the *Military Register*] and I shall give them battle.' Sellar asserted that he was innocent, that he could prove the malice of his opponents and, moreover, that he was on the side of progress (SP Sellar to Loch 28 June 1815).

Sellar thus considered himself the victim of a confederation of parties conspiring to spread libels against him and to take his life. Mackid and his associates were, he said, libellous, designing scoundrels whose actions were 'the base machinations of bad men, without the slightest ground or foundation': like Napoleon they had been allowed to go too far. He was convinced that Mackid's recognition of the summer of 1815 had employed the tools of threat and promise to extract perjured evidence from a deceitful and credulous people. And Sellar pointed out that the original complaint (contained in the petition that preceded the precognition)—'that I burned the heath and pulled down the houses and would not allow the tenants possess them twelve months after the term of removing'—was a relatively trivial complaint. It had required a further twelve months to yield the charge of culpable homicide. 'Now is it at all credible,' he reasoned, 'that these tenants who were pushed forward by my enemies with this complaint on purpose to ruin me with my employer would have omitted these more heinous circumstances now brought against me if such circumstances had really existed?' With similar rhetorical indignation he asked Loch, in October 1815, 'Can you believe, my good sir, that I, a person not yet cognosed or escaped from a madhouse, should deliberately, in open day, by means of an officer who has a wife and family, with three witnesses *called to attest his process*, burn a house with a woman in it! or that the officer should do so, *instead* of ejecting the tenant—the said tenant and woman being persons of whom we have no felonious intent—no malice or ill will!' Such were some of Sellar's feelings at the time of the pre-trial investigations (SP Sellar to Lady Stafford 17 July 1815; Sellar to Loch 14 September 1815 and 16 October 1815).

He had few illusions about his obvious unpopularity in Sutherland. His closest colleague, William Young, observed in June 1815, that 'Sellar has many enemies . . . and it might have been more prudent to have steered a middle course' in his dealings with the Kildonan people (SP Young to Loch 15 June 1815). For himself Sellar saw his position in the county with great clarity. Writing in October 1815 he produced a vivid and revealing description of his conception of the world about him. 'An estate in the highlands of Scotland is in the possession of middlemen, subtenants, turfcutters, and whisky smugglers, who poach the game, destroy the woods, destroy the surface of the ground, and pay their rents with or without interest as they please, while the factor gets fat and full, sitting at his own fireside.' Such was the position before his appointment as factor to the Sutherland family. 'The proprietor turns off this factor, engages a keen thin man [*i.e.* Sellar] who trounces the poachers high and low from the Sheriff on his seat of Justice [*i.e.* Mackid] who kills five partridges in the snow at one strath, to John Gunn of Knockfin selling game on the streets of Thurso. He places officers and



PLATE I Patrick Sellar of Ardtornish.

From an oil-painting by Sir Daniel Macnee, 1851 (reproduced by kind permission of the Trustees of the National Library of Scotland)

spies in every parish, scours the country himself, checks the wood stealing, and makes every man pay interest and is the *immediate instrument* in turning out the people of *every parish* from the rent free possessions to fishing allotments, the then object of their detestation.' His dramatisation of his role as factor concluded with the question 'Can such a man fail to have conspiracies against him?'—for, as he pointed out, it was 'the same sheriff' who inflated the complaints and concocted the evidence in order now to 'defame and injure the agent' (SP Sellar to Loch 13 October 1815).

Sellar's sense of persecution was heightened in September 1815 when the Sheriff Depute, Cranstoun, verified Mackid's precognition. Cranstoun examined only Mackid's previous witnesses and refused to see Sellar's own defence evidence. Thus Sellar's frustration and anxiety accumulated until his trial in the following April. Nor did his employers consider the verdict a foregone conclusion: the House of Sutherland remained conspicuously aloof from the proceedings, and their unofficial observer at Inverness expressed real uncertainty about the issue of the legal processes and remarked that 'I fear his conduct may have been culpably harsh' (SP Mackenzie to Loch 21 April 1816).

IV

Sellar, of course, was acquitted at the Inverness trial. His reaction to the verdict was characteristic. His post-trial euphoria rapidly gave way to thoughts of action against his defeated assailants. Alluding to the crisis of authority in the Highlands, and to the long-standing conspiracy against himself, he told the Stafford family that they should not forget that the day had been appointed, by the conspirators, 'for driving every South countryman out of the county'. 'It occurs to me to be very essential,' he wrote, 'to find out and punish the leaders of the people.' Sellar's determination was strengthened by renewed libels against him appearing in *The Military Register*. The people 'have *insinuated* and *sneaked* and *whispered* calumnies through every indirect channel', he complained, and it was time that the lies were finally broken. The troublemakers must be rooted out: 'now is the happy hour to give them battle.' It was the *sine qua non* of progress on the Sutherland estate. 'I confess I am not without forebodings concerning the *future*, that is, if our Noble constituents do not fully avail themselves of the present *sense which the public entertain* of the late most dangerous conspiracy, and place their Country on a footing of *permanent peace and security*. If they, in their wisdom do so, the new colony planted here (through whom I trust it is not vanity to say that the permanent improvement of the estate is to be expected) will flourish and go forward beyond *anything I can figure in the north of Scotland*. If not the *repetition* of these dangerous and atrocious attacks *will ruin* us, and we shall be forced, at length, to quit our concerns to the Highland Captains and Sergeants at what they please to give us. *This I assure you is no dream*,' he emphasised. Sellar's nightmare had lessened, but the troublemakers, apart from Mackid, were not to be easily trapped, and the press attacks continued (SP Sellar to Loch 7 May 1816 and 25 May 1816; Sellar to Lady Stafford 2 June 1816; *The Military Register* 5 June 1816).

Patrick Sellar directed his efforts at Robert Mackid, 'I am very much of Buonaparte's creed in one thing', he wrote in June 1816, 'that a first point is to make the enemy *pay the expenses of the war*; and I think if we don't do this we do the thing by halves'. He had started a legal case against Mackid and had 'secured his property by proper arrestment so that if I carry my point I may not be cheated by any of his shifting tricks and embezzlements, and I think I may count on £1500 or so, of a fund thus secured. If the defendant don't become bankrupt within 60 days of the arrestment I secure a preference on these funds' (SP Sellar to Loch 2 June 1816; Lady Stafford to Loch 18 June 1816).

Mackid was certainly on the retreat, and Sellar made ready to hound him out of the county. It was not until September 1817 that the victorious sheep-farmer, on the advice of James Loch, decided to settle with Mackid without extracting his pound of flesh. 'I found the miserable man involved in such difficulties on all hands, and his family of I believe 9 or 10 young children so certainly about to be beggars by my bringing him to Trial, that I was well pleased to wash my hands of them.' Instead Sellar obtained a letter of confession from Mackid to the effect that the precognition of 1815 had been full of falsehoods and that he was 'fully ashamed' of what he had done (SP Sellar to Grant 23 September 1817; Sellar to Loch 24 September 1817; Lady Stafford to Loch 9 October 1817). In answer to all later critics, Sellar was always able to present this letter as complete proof of his own innocence (The letter is printed in P. Sellar 1825: Appendix).

As for the appointment of a new Sheriff in Sutherland, Sellar again gave no room for doubt about his own feelings: it was of 'great consequence that our new Sheriff . . . be no "Gael" nor "Mac"—But a plain, honest, industrious *South* country man'. It was a principle which, he was convinced, ought also to apply to all 'Parsons and Schoolmasters' (SP Sellar to Loch 31 May 1816).

V

Patrick Sellar may also be seen through the eyes of a number of his associates who knew him well and who committed their opinions to paper during and after the period of his trial. One was James Loch. Writing in June 1815 (at the time of Sellar's arrest by Mackid) he remarked that the sheep-farmer had a 'quick, sneering, biting way of saying good things in the execution of his duty which I do not think has made him popular with anybody whether in the management of the affairs or otherwise' (SP Loch to Adam 10 June 1815; Loch to Young 9 June 1815). Only a few months later Loch described Sellar as 'a faithful and zealous person' (SP Loch to Lord Stafford 14 August 1815). Nevertheless Loch felt himself obliged to advise him to carefully 'avoid a certain ironical mode of expression, which does you more mischief than you are aware of . . . believe me the number of enemies a man makes by doing his duty steadily and honestly are few, the mode of doing it however makes the case very differently' (SP Loch to Sellar, 26 October 1815). Soon after the trial, in May 1816,

Loch again recommended Sellar to avoid taunting the people, and to use moderate language in order to establish a new relationship with the common inhabitants of the estate. Loch was clearly dissatisfied with Sellar's attitudes and methods in the management of the Sutherland estate and he attributed much of the unpopularity to Sellar's 'satirical turn which does him so much harm' (SP Loch to Sellar 15 May 1816; Loch to Grant 8 June 1816).

It was less than a year after the trial that major changes occurred in the managerial organisation of the Sutherland estate. The existing management of Young and Sellar was dislodged and a new agency was established which was more directly answerable to James Loch. The change-over was preceded by confidential reports on the character of the old management. Of Sellar, William Mackenzie (a close adviser to the Stafford family) remarked: 'He is well-versed and active in the usual routine of ordinary business and attentive to the execution even to a nicety, though often he is more the formalist than need be and to a degree to cause him to forget the very essence.' Moreover, he continued, 'whereas taste, temper, or feeling is required, or even ordinary discretion, he is deficient beyond what I ever met in any man, so that I don't know one in the whole circle of my acquaintances so ill-calculated as him to fill the office of a Factor and in such a country as Sutherland' (SP Mackenzie to Loch 19 October 1816).

Loch's opinion was no less candid and he recommended to Lady Stafford that Sellar should leave the management as soon as possible. He possessed 'less discrimination than it is easy to believe [and] was really guilty of many very oppressive and cruel acts'. It was a scathing indictment. Loch emphasised that 'in everything connected with accounts and the business of the office no man can exceed Sellar in accuracy or despatch. In whatever relates on the other hand to the intercourse or management of men, to the knowledge or conduct of the world, or above all to a gentlemanly feeling or understanding, he is deficient beyond measure, and which nothing has counteracted but the attachment which is felt from the highest to the lowest for your Ladyship and your Family.' Loch assured Lady Stafford that his verdict on Sellar was founded 'on most sufficient ground', and that therefore 'He is the most unfit and dangerous person from these defects to be intrusted with the management and therefore with the character of any ancient and distinguished family'. In his view Sellar's factorship was a disaster and had been responsible for much of the antagonism and social dislocation that attended the early clearances in Sutherland (SP Loch to Lady Stafford 3 October 1816, 11 October 1816; *cf.* Sellar 1883: 41).²

Sellar was subsequently removed from the estate administration, but he remained as the largest sheep-farmer in Sutherland. Thereafter his dealings with the estate were frequently cool, often hostile. In 1817 preparations were in train for more clearances, some of which were to provide further sheep-lands for Sellar. Lady Stafford remarked that 'as Sellar is so strict a lawyer . . . he will adhere to the letter of any promise from us [therefore] we must not give him any promise of entry . . . unless sure of being able to keep to it'—her implication being that he would insist upon entry to the lands even

if it entailed cruelty to the people involved in the removals. Lady Stafford also noted that Sellar 'exaggerates in everything relating to them [*i.e.* the common people], and by beginning in that line he has probably drawn upon himself more attacks from them than he would otherwise have had', (SP Lady Stafford to Loch 31 October 1817). She also commented (in November 1818) that 'Sellar is too sly and refining upon his plans by concealing half' (SP Lady Stafford to Loch 11 November 1818).

Sellar firmly believed that the landlord owed him gratitude for his work, both as factor and as the most successful sheep-farmer on the estate—and the management continued to consult him on technical and agricultural matters of policy. But the relationship was never after 1816 a warm one. In 1822 Sellar complained bitterly of the fallen wool prices and suggested that he deserved a temporary rent reduction—after all, he pointed out, he was the tenant 'who is most extensively embarked on his own capital and on that for which I pay his Lordship 6½ per cent interest per annum' (Sellar had borrowed £1,500 from Lord Stafford). He asked plaintively that the estate 'do not insist on the ruin of my wife and children'—and he received some accommodation (SP Sellar to Loch 29 May 1822; T. Sellar 1883: 23). Other problems were less easily settled. In 1836, for instance, Sellar's hostility to the estate agents reached the surface over questions of policy on muir-burning and deer forests. He suggested that many of the estate officers were distinctly less than trustworthy. They were prejudiced against him, he said; in some cases they were 'men who have been, themselves, dispossessed to make room for sheep, or the descendents and relatives of men so situated' (SP Sellar to Loch 21 June 1836). Recurrent irritations continued. The estate administrators, especially Loch, were never happy with the size of Sellar's possession. In the late 1840s thought was given to the idea of breaking up the larger sheep farms on the estate—partly to create a 'middle-class' of occupiers, partly to mollify public opinion. Sellar had a ready answer in his own case—he paid £2,200 a year to the 2nd Duke of Sutherland, and he paid it regularly—if his lands were split this would prove much more difficult. The 2nd Duke conceded the point, but replied there were 'other considerations . . . involved in this concern' beyond the 'pecuniary point of view' (SP Sellar to the Duke of Sutherland 28 September 1847). As a sheep-farmer he was regarded as an unqualified commercial success. But the social consequences of Patrick Sellar were no less evident to the 2nd Duke and his aides whose minds were exercised in ways of erasing the shadow of past misadventures in estate planning.

A persistent ambivalence marked the relationship between Sellar and the Sutherland estate during these decades. His commercial success and his excellent record of rent payment had to be set against his undiminished unpopularity, his crude ambition and his negative attitude to community-building on the estate. His opinion on agricultural matters was genuinely valued for its technical expertise and experience. But even here he was a prickly and acrimonious correspondent and small disagreements with Loch over matters of estate policy left him disproportionately hurt and indignant. It was rare for him to agree calmly to any proposition.

VI

No examination of Sellar's attitudes would be representative without some reference to his trenchant opinions on the Highland problem as he saw it in Sutherland. Having apparently once detested the whole idea of the clearance system, Sellar soon departed for the other extreme and advocated that the people cleared from the interior should depend exclusively on fishing for their future livelihood.³ Any compromise on this issue, he believed, would render the resettlement programme self-defeating. If the people were unable to make a living at fishing then there could be little hope for them. He insisted that sheep-farming in the Highlands was logical, inevitable and, on individual and national criteria, truly beneficial. He wrote in 1829 that 'if the country goes on at the rate it has done during the last century, every part of the Highlands will assuredly be put under stock, although General Stewart . . . may not live to see it'—the population and wealth of Britain had increased at such a rate that the demand for wool could not fail to increase (SP Sellar to Loch 30 March 1820).

Sellar could see no sense in subsidising (by periodic relief and by low rentals) the common people in the hills when better rents could be obtained from sheep farmers. In any case they would be better off along the coasts where fish were abundant. In March 1817, in the midst of famine, Sellar told Lady Stafford that he was 'convinced that the time will come when Sutherland, instead of robbing the industrious mechanic of his meal to support a useless population among ye hills, shall send food as well as clothing to other countries, and if the people on the coast take to fishing as they seem inclined to do, they will already diminish the scarcity among themselves very considerably' (SP Sellar to Lady Stafford 22 March 1817). To him the Sutherland experiment was correct on all counts. When the schemes were the subject of public criticism in 1816, Sellar consoled Lady Stafford with the thought that 'Every reformer of mankind has been abused by the established *errors, frauds and quackery*—from Martin Luther to Mr Coke, and from that prince of improvers to such a miserable cobbler[?] as myself, but where the reformers have been right at bottom, they have by patience . . . and their unabating zeal and enthusiasm got forward in spite of every opposition, and so I trust shall your Ladyship in your generous exertions to better the people in this country' (SP Sellar to Lady Stafford 26 January 1816). There was always something Messianic in Sellar's unalloyed faith in 'improvement'.

The Elgin sheep-farmer was not always patient with the recalcitrant attitudes of the common people of Sutherland. In August 1814 he bitterly condemned their backward and obstructive ways: the common people of Sutherland, he asserted, were 'a parcel of beggars with no stock, but cunning and lazy. Sutherland is a fine farm badly stocked. The people have often succeeded against industry—they have wearied out the agents in subversion by their craft and their intrigue and combination; and although they are driven at present pretty much from their original habits, the mass requires a great

deal more yeast yet before it shall become leaven. They require to be thoroughly brought to the coast where industry will pay, and to be *convinced* that they *must* worship industry or starve.' He continued 'The interior of this country is clearly intended by providence to grow wool and mutton for the employment and maintenance and enrichment of industrious people *living in countries suited to manufacture*. It is part of the territories of the "beasts of the field" where it was not meant that "*man* should dwell in cities"—and the present population of this interior, are, of all others best calculated, when driven to it, for making real, and moving from this latent state, our other branch of wealth. I mean the myriads of valuable fish with which every creek is periodically filled, and which are not sent there to die a natural death or for the feeding of whales and sharks' (SP Sellar to Loch 1 August 1814). It was as if there was a divine sanction for the clearance system.

In similar vein was Sellar's denunciation of what he termed 'the aborigines' when plans for further removals were being prepared in 1817. With a full flow of sarcasm he declared that the sheep-farmers would not be able to get forward until the people and their cattle were completely cleared from the districts. 'The aborigines drain from *us* a full rent, and they *beg or steal too from the proprietor's pocket what we pay him*, but the pleasure of feeding these animals, the enjoyment of seeing them destroy and damage everything in their reach, and the satisfaction of being abused and misrepresented in return for our forbearance'. The people were 'in a state of worse than entire inutility. I thank God the thing is so near a termination (SP Sellar to Loch 16 October 1817). In the following year Sellar rejoiced that 'the aborigines—the common people, are effectively cowed' by the properly unbending vigour of the management in its plans for the forthcoming removals. 'We shall march steadily forward at Whitsunday [1819], and shall make our clearance of the Hills . . . once and for all', he told James Loch (SP Sellar to Loch 13 April 1818).

It came to be Sellar's view that there were too many people altogether in Sutherland.⁴ He quoted the Reverend Thomas Malthus several times with approbation. In 1815 for instance, he directed Loch's attention 'to a very fine passage' in Malthus' work which 'shews irresistably how the increase of population is independent of every other circumstance except the increase of food . . . and in the experience of all countries and ages nothing is more certain than that the country commanding most food, will contain most people, command most labour and contract most strength' (SP Sellar to Loch October 1815). In 1816–17 the supply of food fell short in Sutherland and it created acute suffering. Sellar analysed the problem. He pointed out that until recently the local population had been sustained partly by 'the circulation of Lord Stafford's money (*i.e.* capital expenditures mainly on the new coastal economy), partly by the expenditures on Highland road construction, partly by 'annual drainage to the armies', and partly by the unusually high prices of black cattle. These special circumstances, he reasoned, had eased the pressure of numbers on the local means of subsistence; but the position had since been reversed. 'Population, in spite of everything, increases by returns

from the army and from the south, and many families and individuals to whom I have denied any footing on the estate but who speedily set up a turf cabin under the shelter of a brother or father, or go into family with friends.' Moreover employment opportunities had been reduced and the land of the interior people produced insufficient corn. And the people were able to '*create nothing to export to other countries in exchange for the supply of these wants*'. The price of their cattle had fallen so catastrophically that they could not afford to buy food for themselves, let alone pay their rents. They would either have to emigrate or be freed from the obligation of paying rent (SP Sellar to Lady Stafford, 17 April 1817).

Sellar considered emigration the logical and only practicable remedy to the population problem of the Highlands, and in this opinion he was, at least in the early days, far more radical than his landlord. He saw no other solution to the famine problem of 1816-17. There were, he figured, between 12,000 and 15,000 people on the Sutherland estate, who would be 'destitute of three or four months food'. Most of them possessed 'little or no property to exchange for food—nothing but labour such as it is'. He continued that 'the people have "no skill or capital", they do not convert the produce of the ground into any quantity of value proportional even to the low rents. They conserve of what little they produce, an excessive proportion, in maintaining a multitude of idle families. They are of consequence without property to exchange for meal—money they have none' (SP Sellar to Loch 2 December 1816, 11 December 1816, 29 December 1816). Lord Stafford organised some relief measures in the form of meal and potatoes. Sellar commented that 'This supply of meal and potatoes, with economy, should keep us until the mildew comes again, perhaps about 1821. It is a most charitable donation from a Great Family to a distressed tenantry, but the true benevolence to them is to render them independent of such supplies by setting as many as the country and its fisheries can keep on low ground, and enabling the rest to emigrate to a country more suitable for them' (SP Sellar to Loch 22 March 1817).

When it came to Sellar's attention, in 1816, that a number of small tenants in Strathnaver were contemplating emigration, he remarked 'I confess I think it would be a most happy thing if they did, both for themselves and for this estate. They are just in that state of society for a savage country, very different from the London and Manchester tradesmen, when landed in the woods of America.' The landlord should consider seriously the possibility of subsidising their departures: 'Here you feed them to continue in beggary. By the other [*i.e.* paying their passages to America] you feed them to remove from beggary to independence.' Even better, they might be inclined 'to carry a swarm of their dependents with them' (SP Sellar to Loch 16 October 1816, 20 October 1816, 27 October 1816). Sellar assured Lady Stafford that 'you really will not find this estate pleasant or profitable until by emigration or by draining to your coastside you have got your mildewed districts cleared' (SP Sellar to Loch 11 December 1816).

Governmental efforts to humanize the emigrant traffic were, to Sellar, meddling

and misguided. He regarded the introduction of minimum food requirements on migrant vessels as an absurd obstruction to the exodus from the Highlands—Highlanders did not need so much meat as regulated, they could live on oatmeal (SP Sellar to Lady Stafford 10 April 1817). A similarly characteristic response of Sellar came in 1819 when he heard that, instead of settling on the coastal reception zones on the Sutherland estate, many of the recently cleared people of the interior were departing for Skibo and Caithness. 'Upon the whole', he commented, 'Skibo and Caithness are two receptacles and they have unloaded you a great deal of trash, of which you are well rid' (SP Sellar to Loch 22 June 1819).

A quarter of a century later the tone of Sellar's thoughts on emigration had not noticeably changed. The potato famine created great difficulties in the west and north of Sutherland, and the 2nd Duke and his agents mobilised relief on an unprecedented scale. As always Sellar was ready with gratuitous advice. It was more sensible, he wrote in March 1847, to use ships for exporting destitute people rather than for importing food. Available ships should be employed 'in summer, to carry the redundant population to locations of various sorts in Canada, and kindly and paternally, settling them there, *where provisions are comparatively cheap*. . . . The sons and grandsons of the men you send and *settle there*, in a *spirit of kindness*, would "stand a fall of fire" betwixt you and the Yankees' (SP Sellar to Loch 6 March 1847). A few weeks later Sellar returned to his theme: 'If facilities were given for emigration, there would be a general wish to get abroad. The *difference in cost* of eating Indian corn in America, besides eating it at home would pay the expense of their transport. Ten millions spent in applying the remedy would be a profitable remedy, but ten millions applied, merely to pass through the bowels of the misgoverned people is worse than thrown away. It destroys their self-reliance—makes them a mistletoe on the British oak' (SP Sellar to Loch 17 March 1847). Once more the clarity of his thinking was matched by the vigour of his prose.

VII

Sellar's responses to his critics were also resolute and illuminating. Repeatedly provoked by allegations concerning his conduct in the clearances of 1814, the embattled Sellar took every occasion to abuse his assailants, and to clear his own name with the public. Armed with Mackid's signed apology and with the successive census returns (showing a continuous though marginal increase in the Sutherland population to 1831), he penned letters of retort to a long line of authors and newspapers. In 1825, for instance, he pursued Major-General David Stewart of Garth regarding a section of his first edition of *Sketches . . . of the Highlanders of Scotland* which implied that, notwithstanding the Inverness trial verdict, Sellar had been guilty of heinous crimes. Sellar considered Stewart an ignorant, intermeddling, impertinent man—'a selfish, petty Highland laird who sees no further than the limits of the little sovereignty where Donald approaches him with fear and trembling—hunger in his face—a tattered philibeg of Stewart on his

other end' (SP Sellar to Loch 2 January 1826, 23 January 1826, 4 April 1826, 15 April 1826; Sellar to Stewart 18 May 1826). Not only did he regard Stewart as an incompetent and impecunious estate-manager, typical of his class; he was also hypocritical—he was prepared to drink the health of Lady Stafford at the Celtic Society—a Society which, Sellar sarcastically noted, was established 'on purpose to oppose the demoralising effects of *civilisation* upon Highlanders' (SP Sellar to Loch 18 February 1826). And, though Stewart was basically unrepentant, he substantially toned-down the offending sections of his influential book in its later editions.

The resurgence of criticism—led by Donald Macleod—in several Edinburgh papers in 1841—was the occasion for further indignation from Sellar. 'Radical newspapers,' he exclaimed, were devoting their energies to exciting 'the mob against the powers that be' (SP Sellar to Loch 8 January 1841). 'The libels against the Sutherland family,' he wrote, 'are decidedly part of a system adopted by this paper [*The Chronicle*] to stir up the unwashed part of mankind against those who wash and wear a clean shirt' (SP Sellar to Loch 16 January 1841). When a body of Sutherlanders rioted at Durness in the same year he turned his rhetoric in their direction—they were, he told Loch, 'the most lying, psalm-singing, unprincipled peasantry in the Queen's dominions' (SP Sellar to Loch 1 December 1841). Yet it should be said that, in this instance, the Sutherland estate administration regarded the Durness people at least partly justified in their grievances against a particular rapacious middleman by the name of Davidson.

Sellar's critics were not staunch. In 1848 he again addressed the press in response to renewed attacks on his character. He declared with feeling that 'as the *light* of truth is beginning to dawn upon them, these ghosts of thirty years old fabrications will now be pleased to return to their coffins' (SP Sellar to Loch 4 October 1847). It was a false hope. Even his obituaries, in 1851, were marked by further outbursts—though there were some eulogies. A correspondent of *The Northern Ensign* opined that Sellar had devoted his life and his great talents 'in gratifying an inordinate selfishness' which yielded 'eternal obloquy on the great proprietrix of the day' and destroyed the 'highly moral and respectable population' of the straths (*Northern Ensign* 6 November 1815). Another outraged correspondent, 'A Sutherland Highlander in Glasgow', told again how 'the notorious Patrick Sellar . . . drove away the poor Highlanders in Sutherlandshire to the wilds of America, and to the already too-much-crowded towns of the south of Scotland—burning their houses to ashes, and converted a happy county into a wilderness' (*Northern Ensign* 13 November 1851).⁵

VIII

Patrick Sellar has always been a rather dark shadow in modern Highland history. The somewhat arbitrary selection of his thoughts and attitudes in the preceding sections may allow one to distinguish certain lines of his character. He expressed himself with clarity and astonishing bluntness. He was not a man to withhold his opinion on any

subject, nor one to let sleeping dogs lie. He had little tact and virtually no desire to gain popularity among the common people with whom he dealt. Towards his social superiors, notably the Sutherland family, he was conventionally deferential. In a brief but interesting recollection, his daughter-in-law wrote that he was 'a man of iron will, and was determined not only that his sons should have the best education, but that they should excel, and be at the head of their classes' (E. M. Sellar 1895: 38). This steely determination was devoted to familial advance and commercial gain. His guiding light was 'improvement', in the shape of the calculated rationalisation of economic activity. Among his models of right-thinking he seems to have honoured Coke of Holkham, Luther, Benjamin Franklin and Malthus. His education in the University of Edinburgh during the ascendancy of Dugald Stewart may also have cast an influence on his development. Whatever the sources of his thinking, he became an extreme example of the 'laissez-faire' intellect of the early nineteenth century: he believed that what he did was right because it was founded upon the precepts of political economy.⁶ He was also a religious man—his correspondence is sprinkled with biblical references—and there is more than a suspicion that he believed that the tenets of political economy were revelations of some divine purpose.

The opinions given of Sellar by his colleagues in Sutherland strongly suggest that he was the poorest manager of men. He appears to have been quite incapable of foreseeing the response that his actions were likely to provoke. His indignation against the common people derived partly from his legal entanglements, and partly from his inability to view any situation from any standpoint other than his own. Social protest against the clearances in Sutherland existed before Sellar entered the county, and it continued after his death, but it was he, more than anyone else, who inflamed the feelings of the people against the landlord. His methods were provocative and, on his own admittance, he confronted the people in a deliberately combative frame of mind. It seems likely that the Sutherland family was misguided in delegating so much of the implementation of their elaborate plans for the radical reorganisation of their estate to Sellar. They chose a man who antagonised even his own associates. His ambition and his insensitivity to the temper of the people cannot be discounted in the accumulation of hatred against the landlord and his representatives. Regardless of his innocence or guilt in the events of 1814, Sellar certainly rendered the early clearances even more unpalatable than they might otherwise have been.

In some ways, of course, Patrick Sellar personified the new thinking of the 'colonists' from the south in the Highland economy. He reflected some of the preoccupations and anxieties of the agricultural capitalists of the time. But it would be a misjudgment to say that he was typical of the improving mentality. In stretching the precepts of improvement to their logical extremes Sellar passed beyond the sympathy of his fellows—so that he became a rather lonely caricature of the new entrepreneur in the Highlands.

NOTES

- 1 Compare with the accounts in Mackenzie 1883: 23 and the *Military Register* 14 June 1815.
- 2 The evidence of the Sutherland Papers helps to confirm the allegations made in the *Military Register* 23 October 1816 and 30 October 1816 that both Young and Sellar had been dismissed. The *Register* interpreted the changes in management as a 'signal act of local justice' and reported that 'the joy of the people was unbounded'.
- 3 The development of his ideas on the problems can be seen at great length in the *Report on the Reay Country* 1832, SP D593N/4/1/1.
- 4 Sellar had expressly denied this proposition in the early planning stages of the Sutherland experiment. See Richards 1970.
- 5 I am very grateful to Dr F. W. Robertson for transcripts of these obituaries.
- 6 Sellar, however, was not entirely consistent in his liberal economic thinking. In the 1820s he campaigned vigorously for the protection of sheepfarmers against foreign wool imports which were reducing prices. If free trade in wool were permitted, he claimed, 'the value of Highland estates must go down to nearly the value of the continental mountains, in so far as wool is concerned'. There was no necessity for foreign imports because, he said, there was plenty of competition between sheepfarmers within Britain (SP Sellar to Loch 14 January 1820, and 12 March 1826).

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