

ART. IX.—*A Jacobite Relic.* By H. S. COWPER, F.S.A.

Read at Appleby, September 6th, 1932.

AMONG the interesting things in the possession of the late Mr. George Browne at Townend, Troutbeck, there was a handsome silver inlaid gun, which had a local history of some interest. This gun he often shewed to me, and I always felt that some record of it and its history should be in our *Transactions*. In 1900 he sold it to our late member Mr. W. Little of Chapel Ridding, Windermere and it now belongs to his son Mr. J. Raymond Little of the Common, Windermere, who has taken great trouble to elucidate its full history.

It will be remembered that the Highlanders in their retreat from Derby, passed through Kendal on the 14th and 15th December, 1745; all apparently having left Kendal on the last named day. The letters quoted in Mounsey's "Account of the occupation of Carlisle, in 1745," bear upon what we have to say.* In one of these dated December 14th, we read that the townsmen of Kendal attacked the Highlanders' vanguard, killed one and took three prisoners.† The Clifton fight was on December 18th.

But the Westmorland men did not have it all their own way at Kendal. The Highlanders also took prisoners, five or six in number, and of these we get some details from the Browne MSS. at Town End.

Prince Charles Edward left Carlisle on December 21st, 1745, leaving John Hamilton, Governor and Commandant

* 1846, pp. 130, 131.

† J. Lamb's letter quoted on p. 131, says "the Duke of Perth with about 110 horse went thro. Kendal, not being allowed to light by the mob who killed one, took two prisoners and three horses."

of the Castle, and the ill-fated Colonel Francis Townley, Governor of the City.* The Duke of Cumberland occupied the Castle on the surrender of Hamilton on December 31st.

Now among the Browne MSS. is the following which bears on the history of the gun:

"(A list of) Prisoners now in confinement in the goals (*sic*) of Carlisle and detained there after the . . . on the 2 inst (? after the prince left on the 21st inst.) for the payment of 500£ Ransome together with the place of their abroad and occupation (and?) where taken Prisoner.

Lancelot Dobson, innkeeper of ye Salutation ye excise officer in Ambleside 10 myles above Kendall, returning home from his private (business?)

George Brown, gentleman returning home on foot having been visiting his brother in Kendall.

William Bateman maltster.

John Pearson, Fellside, Crosthwait, Yeoman.

Isaac Wilson butcher Kendall carrying meat to his customers.

William Kendal of Kendall, weaver.†

Now this George Browne was the son of Benjamin Browne (born 1664) the High Constable of Kendal Ward, and he was great great great uncle of our late member Mr. George Browne; he was Clerk to the Board of Works

* There was certainly friction and probably administrative confusion between the two governors. Hamilton was governor or commandant of the Castle, which contained about 275 Highlanders and the Manchester Regiment. Colonel Townley, who had raised the latter was made commandant or governor of the City by the Prince, because he was an Englishman. Writers on the 1745 have confused these two appointments. Brown (see later) applied for his release from Hamilton, I suppose as a military prisoner of war. See Mounsey "Carlisle in 1745," pp. 146, 148, 153-4, and the evidence of witnesses as given in "The Trial and execution of Colonel Townley," printed at Carlisle, 1839, p. 14.

† Browne MSS., vol. 1, p. 4. The document very faded especially in the fourth line, which I could not decipher with complete certainty, without using a re-agent. It must be a copy of a record made before Hamilton surrendered.

at Berwick on Tweed, and several references to his career will be found in Sir Samuel Scott's book on Troutbeck.*

These Westmorland men, being peaceful citizens naturally wanted release so they and another named Richard Goad presented a petition praying for release to the Jacobite Governor, John Hamilton, and according to a memorandum of Mr. W. Little, they received answer dated 23 Dec., permitting them to leave on giving a bond for 500*l.* Apparently they could not get their bond, for on the capture of the Castle, they had again to petition the Duke of Cumberland for cancelment of the bond and permission to depart, which was granted to them on the day of the surrender Dec. 31st.

Copies of these petitions are among the Browne MSS. In that addressed to Hamilton the petitioners allude to "your noted goodness, charity and general character of your great Humanity." In that to the Duke of Cumberland they say they were stripped of their shoes and horses and marched to Carlisle in the most inhuman manner.†

It was certainly our late member Mr. Browne's belief, that this gun was brought back from Carlisle when his ancestor was permitted to depart from Carlisle, and this assumption was probably based partly on family tradition and partly on the evidence of these documents. Let us however see what evidence an examination of the arm itself will give us.

The gun is a single barrel flint lock, the total length from butt to muzzle being 3 feet 11 inches. The wooden stock which is of no particular character, fits up to within 4 inches of the muzzle and has brass fittings including trigger guard and butt plate. The barrel is very interesting, as it is richly ornamented with silver inlay. Its total length from the back sight to the muzzle is 31 $\frac{7}{8}$ inches.

The decoration consists of five raised transverse bands

* A Westmorland Village, 1904, pp. 56-59.

† Browne MSS., p. 4 and 5.

across the barrel with intermediate ornament. The three bands nearer the lock are only half round the barrel which, of course, fits into the wooden stock. The two close to the muzzle go right round the barrel. Each decorated band has smaller raised bands on each side of it.

The first band is opposite the powder pan; the second band is about 4 inches away, and the third band about $3\frac{1}{4}$ inches from the second. The inlay on these three bands is the same and may be described as an arabesque composed of roses and volutes.

The inlay between bands 1 and 2 consists of three inches of scroll work running along the top of the barrel, on either side of which is a poppy between two leaves of grass and two roses on stalks.

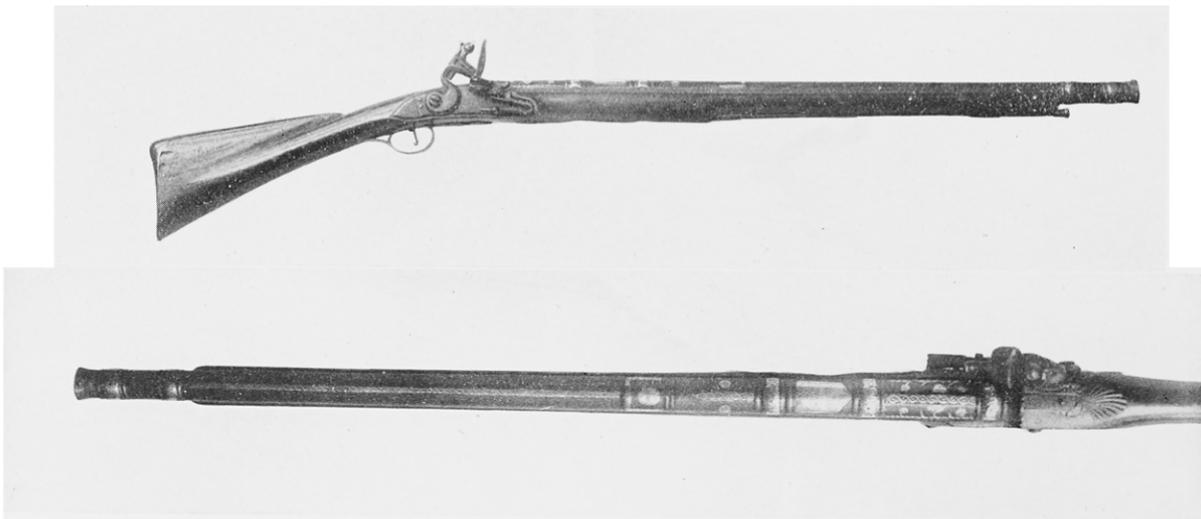
Between bands 2 and 3, is a shield shaped plate $1\frac{3}{4}$ inches long on which is engraved a coat of arms, the description of which I shall shortly give. Above band 3, there is a continuation of the scroll pattern for 2 inches with an eight-leaved rose on each side. There is then, after the double transverse ridge, a circular silver plate engraved with a human front face with hair and apparently whiskers below the chin. Enclosing this face is a 3 sided silver band inscribed in Roman capitals:

GOD GYDE THE HAND THAT I IN STAND

After this, 15 inches more of the scroll pattern beyond which and near the muzzle are two bands of silver inlay going right round the barrel, of similar design to the others.

The arms are sketchily but fairly accurately engraved. They are a buckle between three bears' heads muzzled. An esquire's helmet very poorly drawn surmounted by a crest of a Sun in splendour over which is a motto SPERO. The shield is of a square late type, with a little bit cut out of each side to contain the initial I.F.

Now over the date of the gun, and the identification of these arms, a good deal of trouble has been taken, both by



To face p. 136.

FLINT-LOCK GUN FROM TROUTBECK.

Mr. J. R. Little and myself. Mr. C. E. Whitelaw of Edinburgh, who is the best authority of Scottish firearms, and the author of the Part on that subject in Jackson and Whitelaw's *European Hand Firearms*, tells me that the date of the barrel is about 1675 and of Scottish make. It is a composite or re-stocked gun, and the stock and lock may be dated about 1750, or a little before or after. We have therefore these dates to help us. The puzzle is the coat of arms, which it was hoped would identify the original follower of Prince Charles.

Now the three bears heads muzzled is the general bearing of the Forbes family. But both Mr. Little and I believe we have consulted, not only every available literary source, but also a considerable number of persons, official and unofficial, who are interested in, or qualified to speak on Forbes history or heraldry; and the result is this. None of the numerous branches of the Forbes family ever registered or matriculated either in London or Edinburgh, a shield bearing a buckle, or a sun for crest, or a motto "Spero." Therefore if any Forbes ever had this shield engraved, he used it without official authority. As far as printed Heraldic books go, the bear-buckle combination does not seem to appear anywhere, but the crest and motto do appear in Fairbairn's "Book of Crests," from the first edition of 1860, under "Forbes, Scotland." Whence did the Editor get this information?

There is, however, another point. The family of Fergusson of Kilkerran bears these arms. "Azure a buckle between three *boars* heads couped or." When I pointed this out to Mr. Russell, Lancaster Herald, he thought the arms on the gun were meant for Fergusson, as the buckle in the centre of the shield formed such a distinctive feature. On the other hand the crest and motto of Fergusson are entirely different.

Of course it does not follow that because the coat of arms was never registered, it was not used by some

Forbes, who for reasons of his own, differenced it with a buckle, and adopted his own crest and motto. It was, in fact, not unusual for cadets to assume crests and mottoes differing from those used by the head of the house, or the chief.

Now when Carlisle Castle was surrendered to the Duke of Cumberland, there were captured in all three hundred and ninety-six prisoners. Of these, counting in the Governor John Hamilton, two hundred and seventy-four were Scots. The names of the officers include only one Forbes, a Robert of Aberdeenshire, of Lord Lewis Gordon's Regiment.* It is pretty certain that he was the Captain Forbes, who with his brother officer Captain Abernethy, was sent to the Duke of Cumberland to make arrangements about surrendering the Castle.† How many Forbes there were amongst the 256 N.C.O.s and privates, I do not know. In August, 1746, when the Assizes came on at which the well known trial of prisoners was held, three hundred and eighty two "rebels" were assembled who according to Mounsey were brought from Lancaster, Newcastle, Whitehaven and Scotland. In spite of the approximate number, these do not appear to have been the Carlisle Garrison of 1745. Some of them anyhow were Culloden prisoners.‡ But some were also the Garrison prisoners, for although we are told that when the garrison prisoners were sent away on Jan. 10, 1745 their destination was Lancaster and Chester, we are also told that before the Assizes "It was found requisite to parade the prisoners before successive detachments of fifteen at a time of the people of Carlisle, to afford the means of identifying such of them as had been in arms in the town."§

* G. G. Mounsey, "Occupation of Carlisle in 1745," 1846, p. 154.

† "The Trial of Colonel Townley, Governor of the City of Carlisle" (published Carlisle, 1839, p. 13). Evidence of Samuel Maddox.

‡ "An account of Carlisle during Rebellion of 1745," printed by Jefferson, 1844. In this it is stated that the 382 were Culloden prisoners.

§ Carlisle in 1745, p. 157, 250.

The crush of prisoners was so great, that they were allowed to cast lots as to who was to go to trial, thus reducing the number to 127.* In the list of these given by Mounsey we find the following possible owners of the gun.

Captain Robert Forbes, brother to Forbes of New.

Captain James Forbes.

James Ferguson of Athole.

I think that Mr. W. Little and the former owner of the gun Mr. G. Browne, both believed that the original Jacobite owner was one of the two first named, which was natural. But the evidence is entirely against this. Mr. J. R. Little has worked hard at Forbes family history and I cannot do better than quote one of his letters to me dated Dec. 28, 1931.

“ There is much information printed since my father’s time, e.g. Scottish History Society had printed lists of “ Persons concerned in the Rebellion ” (the originals belonging to Lord Rosebery). These are official returns sent by all the Officers of Excise in each district in Scotland Also 3 volumes of “ Prisoners of the Forty-five ”; † quite recent, a pretty thorough analysis of all the prisoners lists. . . . Also Mr. Alastair and Miss H. Taylor have recently published two books on the Jacobites of Banffshire and Aberdeenshire.

From these I gather there were 30 or more Forbes’ who are known to have been concerned (in the “ Forty-five ”) of all sorts and conditions Mr. H. Taylor has discovered that there were two distinct Roberts at Carlisle. To begin with all officers captured at Carlisle, were sent to London and tried at Southwark, not at

* Mounsey’s statement about this is not clear. He says “ It was arranged that they should have the option of drawing lots for selection of one out of every twenty to stand trial,” but one out of every twenty in 382 prisoners, would be 19 to be tried: yet 127 were tried, which is one out of every three. See p. 127.

† A reference to this has also been sent me by Mr. A. Francis Steuart, of 2 Lymedoch Place, Edinburgh. “ Prisoners of the ’45,” by Sir Bruce Seton of Abercorn, Bart., Scot. Hist. Soc.

Carlisle. On the other hand other prisoners except the leaders, captured in Scotland were tried at Carlisle and York.

The Robert Forbes who was tried and sentenced at Carlisle was Robert Forbes, son to Forbes of Newe, age 19, Captain in Lord Lewis Gordon's Regiment. He was not one of the captured garrison, but deserted later from near Stirling, and was caught making his way to London where he wanted to take up business as a cabinet maker. Reprieved on condition of enlisting for America, but when he got to the embarkation post he refused to sign on conditions of ill-health and after a time in prison he was pardoned.

But there was also Robert Forbes of Corse (another ancient branch) who was captured in the Garrison (also a Captain in Lord Lewis Gordon's) who did not live at Corse, but further north, a tenant of the Duke of Gordon; apparently farming. Age not given, but he would be a youngish married man. Tried at Southwark and acquitted on the ground of having been forced, and having tried to escape from the garrison in woman's clothes. . . . These two have been hopelessly jumbled together by all writers until A. Taylor made it clear.*

It appears therefore pretty clear that that the gun never belonged to Robert Forbes (son to Forbes of Newe), age 19, because he was not of the Carlisle garrison at all, and it is pretty certain that it never belonged to Robert Forbes of Corse, because, although he was of the captured garrison, he would be among the prisoners marched off on Jan. 10th, 1746. It seems most unlikely that the authorities in charge of him between Dec. 31, 1745 (when

* Anyone reading Mounsey, Ray, Blaikie and other writers, should bear this in mind. Even the more recent writer, Sir Bruce Seton seems to have confused the two Roberts in his account. "Robert Forbes, younger, of Newe Aberdeenshire, Captain Lord Lewis Gordons. Prisons, Carlisle, Portsmouth, London. Sentenced to death (at Carlisle, 22 Sept., 1746), but reprieved and pardoned unconditionally, October, 1747. (Home) Corse, Coull, Deeside (age) 18 *Printer*).

permission was given to G. Browne to depart) and Jan. 10, 1746, would allow his gun to pass into civilian hands. Moreover Browne probably returned to Troutbeck immediately. I think we may definitely put this Robert out of court, as the original owner of the gun.

Next we have Captain James Forbes, given in Mounsey's list as one of the 127 tried at the Assizes. He is a mysterious person, and it has, of course, been thought, from the initials, that he was the owner. This, however, he was not. All sorts of statements have been made about him including the incorrect one that he was hung at Bampton.* Sir Bruce Seton, however, in his "Prisoner of the 45," gives his record. He was imprisoned at Edinburgh 14 Nov., 1745, remained there until brought to Carlisle in August, 1746. He was not therefore at Carlisle when it surrendered to the Duke of Cumberland, and the only possible way a gun of his could have got to Carlisle, would be that he was captured as a straggler when the Prince was marching to Carlisle and that as a prisoner he was taken back to Edinburgh and his gun brought to Carlisle. This is so improbable that James Forbes may be told to stand down as a possible claimant to the gun.†

But there was another John Forbes in Glenbuckets Regiment who was one of the garrison at Carlisle. His home was Strathbogie, and we learn nothing more about him. Sir Bruce Seton simply says "subsequent fate unknown." He was apparently not an officer, and of no importance. He is not given in Mounsey's list of Scots officers taken at Carlisle.‡ I think he may be counted

* Ray, History of the Rebellion, 1758, p. 437.

† Forbes James, Roy Stuarts, Prison career, 14, 11, 45, Westport, Edinburgh: Edinburgh Castle, 16. 1. 46, Edinburgh Jail, 8. 8. 46, Carlisle. Home or origin, Caithness, Printer. Pleaded guilty when brought to trial, 9 Sept., 1746, and sentenced to death. Execution ordered for 21 Oct., but reprieved, State Papers: domestic 88, 16, Scots Mag. Sept., 1746, 438. Pat. Rolls 3625, 21, etc. Sir Bruce Seton "Prisoners of 1745."

‡ Carlisle in 1745, p. 154. State Papers Domestic, 79. 26.

out, as an ordinary prisoner who would not be likely to carry a gun of this description.

So far I have no further information about any Forbes whose name is connected in any way, both with the 1745 and Carlisle. But we have seen that the barrel of the gun is of late 17th century work, and that it may therefore be a relic of the 1715, although traditionally a relic of the 1745.

Now curiously there was a fairly well known John Forbes of Inverarnan in Aberdeenshire, who was out in the 1715, who was wounded at Sheriffmuir, and eventually died of his wounds in Carlisle gaol in 1716 the night, it is said, preceeding his execution. He was known at Black Jock and was descended from the Forbes family of Towie Barns, Drummellachie and Skellater, and ancestor of Forbes of Kingerloch and Inverarnan. He was Commissioner of Supply, 1715, and Baillie of the Earl of Mar's Castle of Kildrummie. All this is on record* and there is an interesting letter from the Earl of Mar addressing him as "Jock" which has been quoted by Scott in "Tales of a Grandfather" (Chapter lxvii). The story of his death at Carlisle is authentic, and the Rev. R. O. Ellwood, vicar of St. Mary's Carlisle, examined his registers for me and found the following entry:

(Burials 1716) Castle. Mr. fforbes or Black Jock, prisoner in ye Castle, Nov. 9.

The Cathedral was at that time the Parish church of St. Marys, so Black Jock lies in the Cathedral Close. Mr. Ellwood further tells me that the sepulchral inscriptions have been recorded, but there is none to Jock.

It looks therefore very likely indeed that the gun was Black Jock's. But we know the arms of Forbes of Kingerloch, and they have no buckle nor the crest and motto found on the gun. But I do not think that this puts John Forbes out of court, as he may have adopted

* Burke's Landed Gentry, 1925.

the buckle and sun. Any relic of him might be in private hands in 1745 at Carlisle and would be easier to obtain possession of than anything belonging to the just surrendered Highland garrison.*

It would be a little out of place to detail here Mr. Little's further researches in the history of the different Forbes branches, because the various clues have not led to any real identification. It may be mentioned here that as Black Jock was of the Inverarnan family, I got, through the minister of Strathdon, into correspondence with Col. Forbes-Tweedie, who informed me that he was collaborating in editing a great mass of Forbes papers, and that they had identified over 180 different territorial branches. Under such circumstances it must have been very desirable to difference the Forbes arms, and no doubt there were many such coats unmatriculated and not registered.

The late Sir James Balfour Paul who was Lyon King at Arms, wrote in 1902 to the late Mr. W. Little, that as the barony of Leslie in Aberdeenshire was acquired by a branch of the Forbes, in 1620, they might have differenced their coat by a Leslie buckle; but as they never recorded their arms, this is guesswork. On the other hand Mr. Russell, Lancaster Herald, suggests that the coat is meant for Fergusson which family bears a buckle between three boars heads, and he considers the buckle the outstanding feature in this coat. But there seems no record of the

* With regard to Black Jock's personal history after Sheriffmuir, Mr. R. Little writes me (April, 1932).

"I find in James Browne's History of the Highlands (Fullarton, Edinburgh and London, 1851) that 82 Jacobite gentlemen were taken as prisoners from Sheriffmuir to Stirling. . . . Then I find that a commission of Oyer and Terminer was appointed to sit at Carlisle in December, 1716 to try the prisoners who were brought there from Stirling and other places in Scotland. Nearly 70 were arraigned, 25 were sentenced to death, none were executed (vol. 2, p. 354). It would seem that the statement given in the genealogies in Burke, that Black Jock died on the eve of execution is not quite accurate. On the eve of his trial is more likely."

See also *Tales of a Grandfather* (Cap. lxxiii) where it is shewn why many of the 1715 Highlanders were tried at Carlisle instead of in Scotland. Scott says that none were executed, and that arms of value were not surrendered.

Fergussons having borne the crest and motto, and I do not know that any Fergussons were in the Carlisle garrison, though amongst those tried, there was a James Ferguson of Athole, presumably one of the prisoners brought from of elsewhere.*

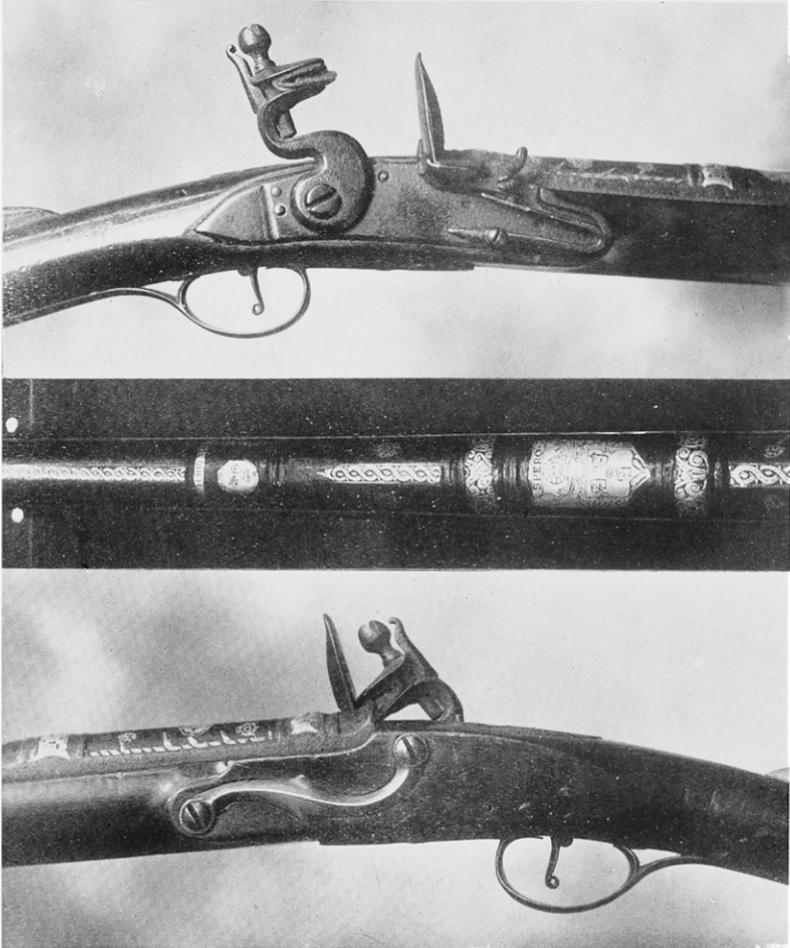
Here so far the quest ends, for we have no further clues to follow. We have seen that the gun barrel is old enough to have been carried in 1715, though it may have been used in 1745. My own opinion is that it was brought back from Carlisle in 1745, either with a broken stock or no stock, and was re-stocked soon after by George Browne, at Kendal or Lancaster. Then there is the puzzle that the crest and motto are given by Fairbairn in his *Book of Crests*, but so far has not been found in any other printed work. The first edition of Fairbairn's "*Book of Crests*," is 1860, and my suggestion is that our late member Mr. George Browne himself sent the crest and motto to the Editor, with the evidence of the gun, and the Editor included it under Forbes.† The fact that the engraving of the coat of arms and I think the face (further up the barrel) is not the work of the same craftsman, who did the inlay is immaterial. As at the present day, the maker left the ownership plate to be filled in by the purchaser of the gun.

And to summarise the evidence of ownership:

1. The gun may have been taken from one of the Highlanders who was taken prisoner, when they passed through Kendal on 14 and 15 Dec., 1745. It may have been sent on to Carlisle and got into the hands of Browne, who was a Westmorland man, with relatives in Kendal. There is no evidence of this, which is only guesswork.
2. It may have belonged to John Forbes of Glenbuckets Regiment, who was in the garrison, but was apparently a private, but it is unlikely.

* Carlisle in 1745, p. 248.

† Mr. G. Browne was born in 1834, and in 1860 would be 26.



DETAILS OF TROUTBECK GUN

To face p. 144.

3. It may have been the gun of Black Jock who died of his wounds and lies in the burial ground at Carlisle Cathedral. As a man of some position he might easily have such a gun and after his death it might get into private hands, from which it passed to George Browne. He is far the likeliest claimant at present, and it was the present owner Mr. J. R. Little who called my attention to him.

Mr. R. Little collected much of the evidence embodied in the foregoing pages, but I have also to thank the following correspondents who have helped me by information in one way or the other.

Miss Clara Browne of Town End, Troutbeck, who allowed me access to her father's manuscripts. The Rev. R. Ellwood, St. Mary's Vicarage, Carlisle, The Dowager Lady Forbes, Brux Lodge, Aberdeenshire, Col. M. Forbes-Tweedie, Mrs. Forbes William, Mr. C. ffoulkes, curator of the Tower Armouries, Mr. F. J. Grant, Lyon King at Arms, Mr. T. Gray, Tullie House, Mrs. Howie, Strathdon, Aberdeenshire, Mr. H. Penfold, Brampton, Mr. H. Frances Stewart, Lynedock Place, Edinburgh, Mr. Charles E. Whitelaw, Midmar Gardens, Edinburgh.