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# THE RISE AND FALL OF TAM SMITH: AN EDINBURGH POLITICIAN'S BRIEF ENCOUNTER WITH THE DUNDAS INTEREST

STEPHEN HOLT

IN THE MID AND LATE 1790s, with British politics governed by anti-revolutionary sentiment, the unreformed town council of Edinburgh could normally be counted on to loyally maintain the dominance of William Pitt's Scottish ally Henry Dundas. Potential causes of discontent were not absent, however. Dissatisfaction was clear for all to see for the six months or so from the autumn of 1799 to the spring of 1800 when Edinburgh witnessed an explosion of pamphleteering. The peace of the city was disturbed by a former city magistrate, Baillie Thomas Smith, who published an address to the town council in which he accused it of fiscal incompetence. Historians have failed to examine and assess the controversy that Smith's act of open defiance precipitated: this article aims to remedy this oversight.

The latter half of the eighteenth century witnessed the cultural florescence known as the Scottish Enlightenment. During this period Edinburgh transformed itself into the Athens of the North. The New Town was built, mental speculation flourished and the city's literati were linked to the Moderate Party which kept a lid on dangerous enthusiasm in ecclesiastical politics. The Jacobite menace was an ever distant memory. The balm of peace, though, carried a price. Order was imposed from above on a nation which had long had a too turbulent and disobedient recent past. The oligarchical bent in Hanoverian politics went unchecked in Scotland. Power and patronage were, in varying degrees of concentration, wielded by a handful of political insiders culminating, at the end of the century, in the supremacy of Henry Dundas. Enlightenment and despotism, in short, flourished alongside each other in late eighteenth-century Edinburgh.

After 1792 growing official opposition to the French Revolution engendered a politics of fear in Britain. In Scotland, where the Dundas interest held sway without challenge, the reaction was even fiercer. Dissent was unwise. Support for even mild political reform was equated with sedition. Thomas Muir and other radicals were exiled to New South Wales. In this uncongenial climate a campaign in Scotland directed against opaque governing practices in the royal burghs that had begun in 1782 withered on the vine. For a while in respectable parts of society repressive attitudes impeded the career path of anyone who was not seen as a friend of the ministerial interest. The removal of the Whig hero Henry Erskine as Dean of the Faculty of Advocates in the winter of 1795–96 was meant to show that Henry Dundas should not be resisted. A few months later, in the general election of 1796, he strove to prevent the return of a single member from Scotland who was hostile to the government. Such a result had not been achieved since the Union of 1707 and in the event after the election all but two of Scotland's 45 MPs and all of its 16 elected peers supported the Pitt government.<sup>1</sup>

The town council of the city of Edinburgh was wholly complicit with the ministerial interest. It operated, as was the case with all the other royal burghs of Scotland, as an entrenched self-perpetuating oligarchy. It was invested with impressive formal powers which it was expected to wield on behalf of the existing political order. The council had both a civil and criminal jurisdiction and had, or had assumed, the right of patronage over the churches of the city and its university. It elected the city's member of parliament without needing to consult the populace. Its members did not tolerate popular interference, their impenetrability

symbolised by their place of meeting – a dark and dingy chamber off a covered passageway connecting Parliament Square and the Lawnmarket.<sup>2</sup>

Edinburgh's citizens and householders, as such, had no say at all in determining their town council's composition. For ordinary purposes it comprised 25 members with full voting rights including six council deacons from the city's fourteen incorporated trades. Each year, in an elaborate filtering process involving the vetting of long and then short 'leets' of candidates, a new council was elected, in part by the members of the fourteen incorporated trades and in part by the outgoing council. In the case of the deacons each of the incorporated trades sent up a leet of six names from which the existing council removed three names after which the trades selected their deacon from the short leet. The council then determined which six of the 14 deacons had ordinary voting rights (although the eight extraordinary council deacons did have a right to vote in the election of the city's MP).

A body so narrowly constituted was bound to align itself with the opponents of change in the 1790s when Britain was at war with the revolutionary government of the infant French republic. The Edinburgh town council's trustworthiness was amply indicated when it elected Henry Dundas as its MP in 1790 and again in 1796. A similar bent was evident in its choice of the city's chief magistrate. During the entire decade of the 1790s the office of Lord Provost alternated between two worthies, James Stirling, a banker, and Thomas Elder, a wine merchant. Elder held the post for six years in all (1788–90, 1792–94, 1796–98) as did Stirling (1790–92, 1794–96, 1798–1800). Both men repudiated the French Revolution and its organised British sympathisers. Elder took an active part in suppressing the activities in Edinburgh of the Friends of the People which staged three 'general conventions' in favour of parliamentary reform: 'without any military aid he broke up the meeting of the British Convention held at Edinburgh on 5 December 1793, and took ten or twelve of the principal members prisoners'. Near the end of Elder's second period in office the town council hailed 'his spirited and prudent conduct while in office, and especially during the late commotions'.<sup>3</sup> Lord Provost Stirling was just as trustworthy. He called in troops in June 1792 to quell anti-Dundas

'riots and disturbances' and, as a reward for his firm efforts, received a baronetcy.<sup>4</sup>

Midway through the 1790s the wonted unity in the council was as strong as ever. Each and every member was reckoned a friend of the established constitutional order and of the Dundas interest in particular. On issues of access to patronage and appointments the followers of Lord Provosts Elder and Stirling formed two easily discernible camps but their worldly interests were capable of being meshed. In the lead up to the 1795 council election there was a meeting between Stirling, Elder and the Lord Advocate Robert Dundas (Henry Dundas's nephew and his factotum in Edinburgh) at which they 'adjusted' a list of approved nominees. Sir James Stirling assured Henry Dundas, when notifying him of the carve up, that all the people agreed on were 'perfectly safe'. A 'most peaceable and harmonious election' was promised and delivered.<sup>5</sup>

The approved nominees included Thomas Smith, a banker from North Frederick Street, who entered the council at the request of Sir James Stirling.<sup>6</sup> This new member of the town council, at the age of either 28 or 29, was a man of promise.<sup>7</sup> His election coincided with his financial career taking off. Around this time he became a partner in the Edinburgh banking firm of Scott, Smith, Stein and Co.<sup>8</sup> He soon had an association with Stein, Smith and Co, merchants, of Fenchurch Street, London.<sup>9</sup>

The Stein connection was good for Thomas Smith's worldly prospects. The Stein family had long been prominent as whisky distillers in Scotland. During the administration of Pitt the Younger the financial position of the Steins and other licensed distillers in the Scottish lowlands was apt to be unstable because the faraway Westminster parliament had the unpleasant habit of from time to time adjusting the excise laws to their financial detriment. This necessitated an involvement in parliamentary affairs on their part, led by the Steins. In 1796 John Stein (whom parliamentary historians have tentatively identified as the nephew of one of Smith's banking partners who shared the same name) entered the House of Commons as the paying guest of the patron of an English borough.<sup>10</sup> His role in parliament was to lobby on behalf of likeminded licensed distillers in the lowlands and Thomas Smith was willing to assist him. Smith attended at least two meetings at Edinburgh (9 August 1797) and Falkirk

(26 January 1799) at which distillers and their agents discussed their situation.<sup>11</sup> He also has been credited with writing a statement of their views on the level of taxation which was presented to the House of Commons in 1798.<sup>12</sup>

Thomas Smith would not have been admitted to the Edinburgh town council in 1795 had he been classed as a threat to established political and civic arrangements and once installed he felt obliged, as a youngish novice, to play safe and keep a low profile. But his involvement in lobbying on behalf of the lowlands distillers had whetted his taste for politics and he was fated not to be a timeserver. The town council was a byword for secrecy and furtiveness and it did not take long for its non-transparent form of financial administration to offend Smith's banker's instincts. He was struck by the absence of regular book-keeping procedures even though large transactions were being conducted in the name of the council. His earlier involvement in the introduction of a new system of book-keeping at Edinburgh's Charity Work House led him to hope that he might likewise be able to bring order into the chaotic financial affairs of the town council.<sup>13</sup>

Smith's concerns with how the council ran its affairs deepened after he became a member of the Lord Provost's Committee where business was debated and prepared before being tabled in the full Council. Nevertheless he maintained his policy of discretion. Being admitted to the Lord Provost's Committee showed that he was still trusted by the powers that be. When reporting (after the event this time) to Henry Dundas on the membership of the new council that was chosen in 1796 (which again included Smith) Sir James Stirling was full of assurance that 'they are all of them decent and respectable Burghers' and 'zealously attached to your Interest'.<sup>14</sup> The Elder and Stirling camps had had no trouble in reaching yet another amicable settlement of the membership of the council.

Smith's first serious opportunity to push for improvements in his city's financial administration came when, in the autumn of 1796, the post of city chamberlain fell vacant. Edinburgh's entire revenue and expenditure passed through this officer's hands and a three way struggle to secure the post ensued. One of the suggested nominees (John MacRitchie) was attached to Thomas Elder, Lord Advocate Dundas favoured a second candidate (though not

emphatically enough), while Smith supported a late starter named Thomas Hay. Much to the Lord Advocate's chagrin Hay was chosen after the Stirling and Elder camps joined together to support him.<sup>15</sup>

But Hay's appointment, while engineered in part by Smith, did little in point of fact to advance council reform. Hay, on becoming chamberlain, assumed responsibility, as Smith later said, 'only of a great load of debt, with 30 or 40 volumes of old musty cash books'.<sup>16</sup> It was soon apparent that things were not going to be put right. Hay quickly teamed up with the city clerk John Gray who was bent on keeping the city's administration on the established murky footing.<sup>17</sup>

There was no question of Smith abandoning the cause of good financial management. Once the council elections for 1797 drew near he sought to become the city's Treasurer. The powers of this position were purely nominal but holding this office would allow Smith to stay on the council. Hay, though, wanted the post to be filled by another candidate. After 'various meetings and communings' a compromise resulted which led to Smith, at the instance of Sir James Stirling, staying on in the council but not as Treasurer.<sup>18</sup> Over the coming months he was vexed when no steps of any significance were taken to open up the state of the city's finances for proper investigation.

Smith's qualms became even stronger once he became convinced that Hay and Gray were acting in concert with James Jackson, an ambitious councillor aligned with Thomas Elder. The tension was palpable as the summer of 1798 set in and Elder's third (and final) period as Lord Provost neared its end. No attempt had been made to arrange a successor as chief magistrate and Smith was disturbed when rumours, which he attributed to Jackson, began to circulate to the effect that Sir James Stirling would not take on the post of Lord Provost again.

These worrying rumours were, in fact, well founded. Back in the spring of 1796 the Lord Advocate had told Henry Dundas that perhaps it would be best if Sir James Stirling, notwithstanding his past loyal service, chose to retire for good from the Edinburgh political scene. The then Lord Provost had become, the Lord Advocate considered, much too greedy of late as evidenced by his desire to top up his income by being given a vacant customs commissionership. The Lord Advocate insisted that

‘all Banks, & all Bankers, are in my opinion alike & by Money only can you govern them’. It was surely time for Sir James Stirling to retire ‘with a Baronetship, & other favours in his Pocket, without picking your Pocket of an office which he does not want [*sic*]’.<sup>19</sup>

So in mid 1798 it was quite uncertain who would become the next Lord Provost. Smith, to maintain his upward political momentum, needed his patron Sir James Stirling to be reinstated as Lord Provost even though the Lord Advocate might not favour such a course. The resulting pre-election jitters generated a brisk exchange of letters which were published in the following year.<sup>20</sup> Smith wrote to Elder, then taking the waters at Peterhead, in a bid to clarify the situation as did Sir James Stirling, the chamberlain Thomas Hay and James Jackson. Elder’s reply to Stirling, as later paraphrased for the public, was that ‘he would support him, as his successor to the Chair, against all mankind’. A letter from Jackson to his fellow councillors asking them to put off coming to any engagement concerning the election until Elder returned to Edinburgh provoked a tart response from Smith. On 21 August he informed Jackson that he (Smith) was determined to secure the election of Sir James Stirling as Lord Provost and moreover also would support him in ‘the choice of such gentlemen as it may be his wish to have along with him, provided they be the friends of Mr Dundas’.

The actual purport of Smith’s coded message was delivered when, as part of the annual election process, the town council was required in time honoured fashion to shorten the leets submitted by each of the 14 incorporated trades. No prior deal had been entered into regarding which candidates were to be kept in or out. On 14 September a contested vote took place in which Smith prevailed over the Elder faction by 13 votes to 12. In a rare break from the usual pattern of civic secrecy and furtiveness newspaper readers in Edinburgh were informed of precisely how each and every one of the 25 councillors had voted.<sup>21</sup> Such a public notification of so contentious an event had been unheard of in Edinburgh of late.

Smith, by bringing on an unwonted outburst of public dissension in the town council, was following a risky course. Lord Advocate Dundas had already condemned his action in convening a private meeting to discuss the forthcoming election without

consulting the current Lord Provost. In London Henry Dundas was alarmed when he learnt about the brisk politicking. In a letter to Elder he indicated that he was perturbed by the evidence of ‘divisions and a difference of parties in the Council of Edinburgh’. This was the first time under his political ascendancy that he had ever experienced such an occurrence in the city. At a municipal dinner after the election he counselled unanimity and cordiality. Maintaining the status quo demanded political unity.<sup>22</sup>

Sir James Stirling’s election as Lord Provost went ahead and was rightly seen as a victory for Smith over Jackson. It had also been an act of defiance of the Dundas interest and so there was a need for some quick fence-mending. Immediately on being reinstated in his old position the Lord Provost ‘expressed his high respect and veneration for Mr Secretary Dundas’.<sup>23</sup>

As soon as the election was behind him Smith capitalised on his success by securing the passage of measures intended to reform the office of chamberlain, including requiring Hay to find security for his transactions involving civic money to the extent of £3000 and prohibiting him from interfering in council politics. Regulations for the conduct of the office of chamberlain were issued and the post was to be made an annual appointment beginning with the following year. It was Smith’s announced intention, once these changes were digested, to move on to regulate the office of city accountant.

Patronage and factionalism were a source of unending contention. In coming months attempts by the town council to exercise the power to appoint commissioners in Edinburgh under the new income tax legislation were represented, in unfriendly circles, as an attempt to boost Sir James Stirling’s own power base at the expense of the overall Dundas interest.<sup>24</sup>

The animosity engendered during the vigorous politicking that accompanied the 1798 council election failed to abate. On 22 November Sir James Stirling wrote to Henry Dundas concerning the latest developments in ecclesiastical patronage, including the matter of a vacant royal chaplaincy. In his letter the Lord Provost indicated that, in the wake of the recent election, there was ‘a rooted aversion’ on the part of his supporters on the council to Thomas



Elder's son-in-law Dr George Husband Baird. His adherents would be put out if Baird (who had become the Principal of Edinburgh University reputedly because of his connection to Elder) received any further immediate signs of favour.<sup>25</sup>

Sir James Stirling was ever ready to mollify Henry Dundas. On 30 November he again wrote to him, taking the opportunity to declare that Thomas Smith was 'decidedly in your interest' (had there not been doubt, such an assurance would not have been necessary). The Lord Provost told Dundas that Smith, because of his 'real abilities & pleasantness of manner' had acquired 'considerable influence in the Council'. There was no need for jealousy on that account though. Sir James Stirling informed Dundas that he could hope to 'indissolubly bind' Smith with a simple act of patronage. The Lord Provost was confident that Smith and his friends on the council would be highly grateful if Smith's father-in-law, the Reverend George Goldie of Athelstaneford (a 'most respectable clergyman with some nine or ten unprovided children'), were to receive, or even was to be merely promised, one of the vacant royal chaplaincies in Scotland (worth £80 a year).<sup>26</sup> This plea, however, was in vain.

A second application followed a few months later. George Goldie was suggested as a possible appointee to another vacant royal chaplaincy on the grounds that 'it would (if that be possible) tend to strengthen Mr Dundas' interest in the Council'. The second application was again unsuccessful. This outcome seemed to indicate that Smith might now not be considered to be indissolubly bound to Henry Dundas.<sup>27</sup>

Smith was still keen to further reform the council's financial operations. To proceed with this task he needed the ongoing support of a reliable group of fellow councillors. Securing such support was an annual chore. In the lead up to the council election in September 1799 he was party to a series of conversations with friends concerning new members to be brought into the council. He later claimed that his intentions extended no further than proposing three incoming merchant councillors; but in reality, with the council split between two contending factions, a sympathetic candidate had to be nominated for each and every position.<sup>28</sup> Thomas Elder, long ailing, had died earlier in the year (29 May) but James Jackson, Elder's man

of business, was intent on keeping the old Elder faction intact.

The election of 1799 precipitated a crisis once it became evident that, as had happened the year before, the Stirling faction would if need be openly deploy its forces to outvote the Elder faction. In a vote to choose the convenor of the council deacons they prevailed by 12 votes to 11. Thereupon the aggrieved Elder forces dispatched a deputation to the Lord Advocate who was reminded that Lord Provost Stirling was failing to keep Henry Dundas informed of the extent of differences on the town council.<sup>29</sup> The Lord Provost had also failed to submit, as he had sometimes done in the past, a list of the names of proposed candidates.<sup>30</sup>

After meeting the deputation Lord Advocate Dundas quickly decided to intervene directly against the Stirling faction. His attention was focused in particular on the choice of the six deacons from the incorporated trades who would be ordinary voting members of the council. Smith was keen to improve on the situation in 1798 when only two of the six voting deacons had supported him in the historic vote of 14 September. He wanted all six to be on his side and he trawled far and wide to secure a full list of friendly candidates. His determined efforts in this regard, though, had unfortunate consequences for his cause. When the candidates were revealed the Elder faction was easily able to allege that the six men picked by Smith were altogether too radical to be trusted with a seat on the council. Three of Smith's candidates, the Lord Advocate was alarmed to discover, had attended a meeting in 1797 which had called for the dismissal of William Pitt's administration, a fourth candidate had attended Edinburgh's ill-famed British Convention while the other remaining deacons on the Stirling ticket were said to be of the same disreputable way of thinking.<sup>31</sup> The rift in the ranks of Edinburgh's municipal insiders had created an opening for supposedly undesirable elements to get on to the council. Such an undesirable development had to be stopped.

The Lord Advocate swiftly brought the schism in Edinburgh to an end and in the process ended Smith's push for reform. There was no future in Edinburgh politics for anyone who, even if only inadvertently, threatened to undermine the Dundas interest in any way. Henry Dundas was the fount of patronage in Scotland. Whoever offended him lost access to

government appointments and favours. His support was also required if private bills designed to improve or benefit Edinburgh were to get into and through Parliament (such as a current proposal to authorise a loan to improve the docks at Leith). Such considerations caused resistance to crumble once the Dundas interest conveyed its displeasure in a message delivered verbally by a representative of the Lord Advocate (this was Charles Hope, who was made Lord Advocate in 1801) to a select group of town councillors. When the vote for the six ordinary council deacons took place the six successful candidates came from a leet drawn up by the Lord Advocate.

The number crunching concluded when the council came to draw up the list of names from whom the four baillies and the other city magistrates for the coming twelve months would be chosen. The two rival factions came armed with competing leets of three candidates for each position. Smith, having gravely offended the Dundas interest, was doomed to defeat. He was outvoted when he proposed that in the interests of economy there should be no election dinner held at the expense of the city. Amid protests by Smith and his remaining supporters, the leets drawn up by the Elder faction were rubber stamped. As a result Thomas Smith was excluded from the short listed nominees. He was the driving force in the Stirling faction and his exclusion pointed to its effective demise. Sir James Stirling remained in office as Lord Provost but without a band of active supporters behind him marshalled by Smith he was an isolated and harmless figure.

Smith, though vested interests had blocked him, did not intend to vanish without trace. Before the short leets of the now dominant faction were formally approved he delivered a forceful address to the outgoing council in which he inveighed against his victorious foes and sought to instil a sense of foreboding. He presented a detailed statement on the need for financial reform. Using available information on the city's revenue and expenditure acquired during his four years on the council, he presented an alarming picture of waste and mismanagement. Smith declared that at a rough estimate the city's accumulated debt as of 1798 was some £160,828. He insisted that this sum was 'rapidly increasing' and that the city's indebtedness had to be combated by a combination of rigid

economy, proper book-keeping, an end to unfunded expenditure and the introduction of a sinking fund. If such measures were not implemented, he contended, the city would one day need to be placed in the hands of trustees.<sup>32</sup> To ensure that his warning was heard outside the dingy and narrow confines of the council chamber, Smith, on 1 October, issued the text of his address as a pamphlet. A second edition followed within 48 hours.<sup>33</sup>

To add to his prophetic aura Smith adorned the cover page of his pamphlet with a quotation taken from the town council election sermon delivered in 1740 by the fiery Edinburgh cleric Alexander Webster. This stamped him as a jeremiah but he was hardly a radical. Though aggrieved by the unfavourable factional developments on the council, he was not calling for changes in the way it was elected. Twenty years earlier during another civic stoush a critic had claimed that 'not to have it in your power either to chuse your own deacons, or to give them a voice in council *ex officio*, is at once the most absurd bondage that ever was heard of in any free country'.<sup>34</sup> Smith, however, did not pursue this issue. The recent selection of the six ordinary council deacons had been determined by a notable act of outside intervention. This did not, however, result in his calling for reform in the method of electing deacons with a view to making membership of the council less narrowly based. Smith had chosen instead in his parting address to stick to the immediate financial issues that he had raised; he had restricted himself, at least for the time being, to proposing purely administrative solutions.

But the shock resulting from Smith's act of dissent was powerful nonetheless. His decision to publish his council address blew, momentarily at least, the tight little world of local politics apart. The Whig lawyer Henry Cockburn later recalled that Smith 'electrified' Edinburgh when he went public with his claim that the city was facing bankruptcy. It was amazing to discover that the town council contained a member who had a mind of his own.<sup>35</sup> The serried columns of financial detail contained in Smith's published *Address* seemed terribly authoritative. Smith's protest was all the more compelling because it was enlivened with information relating to the recent inner history of the council. Smith published the two rival leets of proposed magistrates drawn up by the competing factions and, while not calling

for political reform, documented the role of the Dundas interest in being able to vet candidates for the town council.

Smith's claims provoked a quick response. On 7 October a publication entitled *An Answer to Baillie Smith's Address to the Town Council of Edinburgh* hit the streets. Smith's claims did not impress its author. Writing under the name of 'An Old Magistrate', he presented a rival take on the city's financial data. He denied Smith's contention that the city's revenue was falling behind its expenditure and disputed his claims about the extent of the city's accumulated debt. A more accurate examination of the city's accounts, the *Answer* contended, put the city's debt at £136,445 which could not be seen as a source of alarm because the city's capital stock was on the advance and not in decline. Resorting to personalities, the Old Magistrate attributed Smith's reforming zeal to 'disappointed ambition, and resentment for defeated hopes'. He also took care to put the whispered allegations concerning Smith's supposed links to low-born revolutionary zealots on to the public record. Some of Smith's associates among the would-be council deacons, the Old Magistrate noted, had in the all too recent past been bent on 'expelling his Majesty's ministers, and, for aught I know, [overturning] the government of Great Britain'.<sup>36</sup>

Enough clues exist for it to be possible to uncover the identity of the Old Magistrate. The likeliest author, it is submitted, was the eminent Edinburgh publisher and bookseller William Creech. Creech (1745–1815) was a key figure in the life of the city. He was the friend and publisher of many authors of note, including Robert Burns, Henry Mackenzie and James Hutton. He hosted weekly breakfasts, known as 'Creech's levees', in the room above his shop.<sup>37</sup> Creech was a devoted recorder of Edinburgh's changing scene in articles contributed to the city's newspapers which he eventually gathered together and published in book form.<sup>38</sup> Creech also contributed data bearing on recent developments in the city – both moral and material – to Sir John Sinclair's pioneering statistical account of Scotland.<sup>39</sup>

Creech's enthusiasm for publishing was matched by an enduring passion for civic politics, both as observer and participant. This connection stretched from the 1770s until 1811 when he was chosen as Lord Provost. Creech served as a city magistrate for

a period before 1792 and so had every right to style himself as an Old Magistrate. A 'warm friend to the system and measures' of William Pitt and his ministers, he was 'intimately acquainted' with the family and connections of Henry Dundas.<sup>40</sup> He sided with James Jackson when the decisive split with Smith occurred. An appendix to Smith's published *Address* identified Creech as one of the candidates on the short list drawn up by the Jackson faction for the post of Dean of Guild.<sup>41</sup> (Jackson was the intended candidate; Creech and another colleague acted as dummies with a view to ensuring that Smith's supporters did not have a candidate to vote for in the final election.) Creech was involved in the action when the split with Smith went public and had access to the same sources of information concerning the city's financial situation. It is not drawing too long a bow to suggest that he may well have been the author of *An Answer to Baillie Smith's Address to the Town Council of Edinburgh*.

Creech was a keen publicist and the answer to Baillie Smith, if it can be attributed to him, ratcheted up the controversy. Smith's pamphlet, followed as it was by the response from the Old Magistrate, created a level of excitement which the town council needed to hose down. The Old Magistrate claimed to be a friend but his published estimate of the actual amount of the city's current accumulated debt was only marginally lower than the sum Smith had nominated. A far rosier picture had to be presented. The task of preparing an official response fell on the tireless James Jackson, now head of the majority faction on the town council.

Jackson transmitted a list of the members of the new council to Henry Dundas as soon as they were elected.<sup>42</sup> He then turned his hand to organising a rebuttal of Smith. A statement denying the allegations of impending financial ruin was drawn up on behalf of the town council. Lord Provost Stirling was overruled when he proposed that the draft should be remitted to a committee.<sup>43</sup> The council's official response to Smith was published on 18 October and on the same day Jackson dispatched a copy to Henry Dundas. Smith's pamphlet, he advised, was 'completely erroneous, and his attack upon the credit of the City altogether unwarrantable'.<sup>44</sup> The essence of the council's claim, based on the same accounts that Smith had looked at, was that Smith had 'wilfully overstated' the city's



debt to the tune of some £107,000. Such an inability to get his sums right, the council suggested, did little to inspire confidence in Smith's professional abilities as a banker.<sup>45</sup>

Thomas Smith did not lapse into silence after his initial outburst. Jackson's denigration stung him into taking up his pen again. On 19 October he announced in the press that a speedy response on his part would be published.<sup>46</sup> It would, he promised, provide an accurate statement of the receipts and expenditure of Edinburgh for a period of ten years to show that the unflattering financial picture that could be provided for any single year was not based on extraordinary or exaggerated data. Publication went ahead on 2 November. In his response Smith acknowledged the council's 'extreme industry' in finding fault with his computation to the extent of £107,000. To restore his credibility he entered into a detailed discussion on such matters as the life annuities payable by the council, the issuing of promissory notes and the state of the fund arising from the city's ale duty. The city's debt, he insisted, had to be higher than the £50,000 or so that the council seemed willing to concede since an overview of the receipts and expenditure of the city for the ten years to 1795 indicated that in this period its debt had increased by £63,781. It was clear to Smith that the present set of magistrates had no intention of addressing Edinburgh's financial situation as was indicated by a decision made after his departure to rescind the requirement for the city chamberlain to be appointed for no more than a year at a time.<sup>47</sup>

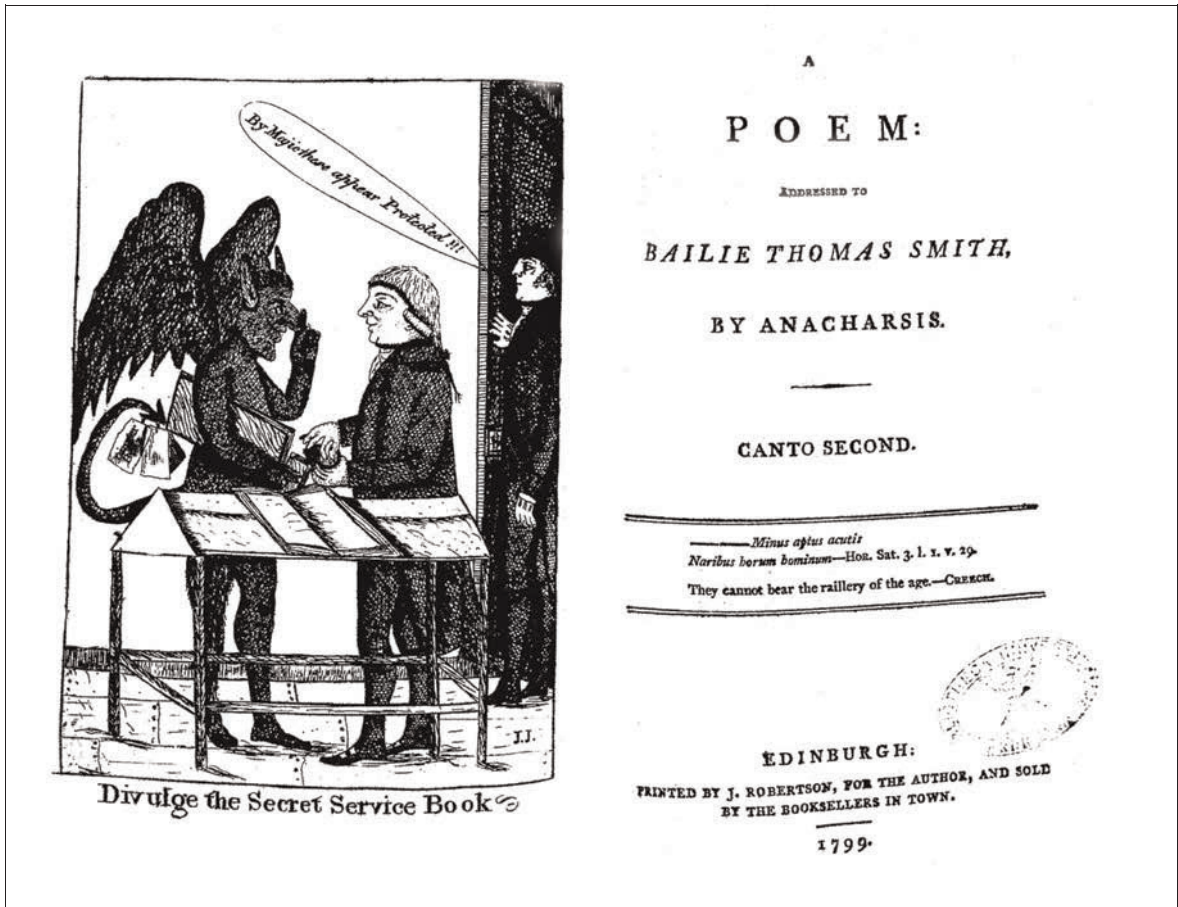
The exchange of published hostilities between Smith and the town council shattered enlightened Edinburgh's normally thick veneer of political subservience. The counter-revolutionary conformity that blanketed the city for much of the 1790s lifted in the immediate wake of Smith's startling claims. In short order the city was inundated with a dozen or so pamphlets and topical publications, some in prose and some in verse, whose anonymous authors canvassed the significance of the startling split between Smith and the town council. The resulting buzz of conversation can only be imagined but undoubtedly the 'variety of pamphlets' produced by both supporters and critics was a boon to the city's book trade. Thomas Creech was not the only prominent Edinburgh book man with a financial as well as a factional interest in boosting the

controversy; on one occasion the keen scholar John Leyden witnessed 'a violent discussion' in the bookshop run by Peter Hill (one of the councillors to whom Charles Hope had delivered the fatal message from the Lord Advocate) as Hill descanted at length on 'the merits of the measures of *Tam Smith*'.<sup>48</sup>

The rival camps in the city, governed by partisanship, ranged far beyond a dispassionate inquiry into the wealth and revenue of Edinburgh. The comments on Smith's call for reform were, following the Old Magistrate's lead, personalised and possible ulterior motives were amply explored. One hostile observer contrasted Smith's vehemence after he was removed from the council with his modest record as a reformer during his actual time as a councillor.<sup>49</sup> It was suggested that his principal aim had been to become Edinburgh's Lord Provost – or even its MP – and that his reforming zeal was an expression of disappointed ambition.<sup>50</sup> More sympathetic commentators marvelled at Smith's boldness in opening up the secretive world of the town council to public observation. He had confirmed that it was customary to send names of would-be city magistrates and councillors to be approved of by Henry Dundas MP, 'making him the *Elector* of his own *Electors*'.<sup>51</sup>

Smith's commercial connection with the Stein family in the distilling industry also was a subject of speculation. Earlier in the year Smith had been in London when John Stein was lobbying on behalf of the lowlands distillers.<sup>52</sup> It was hinted that Smith was willing to destabilise the Dundas interest in Edinburgh to advance the political interests of his commercial associates; but by way of attempted exculpation it was pointed out that there was no need for Smith to campaign in Edinburgh on their behalf since the Steins had shown that they could readily lease a seat in England.<sup>53</sup> 'A Friend of the Public' neatly deflated the idea that Edinburgh had nearly succumbed to a Jacobin takeover by pointing out that the six stigmatised deacons turned out, on closer inspection, to be entirely loyal and law abiding.<sup>54</sup>

The public was regaled with would-be humorous observations occasioned by Smith's attack. There was much merriment at his attempt to curtail the annual election dinner. The frontispiece of 'A Poem Addressed to Bailie Thomas Smith' (by 'Anacharsis') featured a figure, meant to be Smith,



Possibly the only contemporary pictorial representation of Thomas Smith.

in conversation with the Devil who was holding account books and dinner bills (see fig.). Augustan diction was deployed with comic intent in the *Smithiad* ('Mount, Jockey S\_ ! the chariot of the town/O save her credit , and advance thy own!') while yet another would-be satirist (writing as 'An Obscure Edinburgher') adopted a demotic tone:<sup>55</sup>

What bus'ness has the vulgar rabble  
To ken what's done on Council Table?  
Or whether they keep books ava [at all]?  
Or books be free frae stain or flaw?  
What signifies the debts increasing?  
It's no on individuals pressing.

At the height of the pamphlet war it was suggested that Smith's celebrity status merited his being immortalised by the Edinburgh caricaturist John Kay.<sup>56</sup>

The bulk of the claims and counterclaims exchanged between Smith and Jackson took the form of rival detailed analyses of various aspects of Edinburgh's exact budgetary circumstances. On the face of things such dry matter did not seem likely to keep the spirit of public contention alive for too long but the underlying factional considerations kept things bubbling along nicely for a while longer. An all too keen James Jackson, in the spring of 1800, helpfully supplied a new issue for his enemies to hop onto. Hoping always to be useful, Jackson sprang into action when Henry Dundas intimated a wish that an arrangement should be made to, in effect, subsidise an assistant for the elderly Moderate clergyman Hugh Blair. A former Regius Professor of Rhetoric and Belles Lettres at the university and a leading Moderate clergyman, Blair was a pillar of the Edinburgh establishment and needed to be

supported in his duties at the High Church in his declining years. Jackson was worried that the town council, stung by Smith's criticism of its wasteful ways, might react unfavourably if it were to be suggested that the city's funds should be used to supply Blair with an assistant. He considered the matter for a while before coming up with a bright idea which he presented to the council on 12 March. The church of St Andrew's, he proposed, should be made a collegiate charge which would allow the up and coming young minister David Ritchie (a future Moderator and Professor of Logic at the university) to be appointed as its junior minister. Ritchie, once appointed to St Andrew's, would be required to assist Hugh Blair at the High Church. To forestall criticism Jackson got the town council to reserve to itself the power to uncollegiate one of the smaller parishes of the city as a countervailing cost saving measure. The council also authorised Jackson to meet with several members of the St Andrew's kirk session who had indicated that they were willing to contribute to the £200 stipend of their new minister during the period until one of the smaller city churches was uncollegiated.

Faced with Jackson's proposition Lord Provost Stirling and his friends on the council 'anxiously desired' a delay but they gave up when the magistrates and a great majority of the council indicated their determination to act. The plan was endorsed unanimously. For Jackson that was the end of the matter. He assured Henry Dundas that the elements of his deal 'seem to give universal satisfaction to the public'.<sup>57</sup>

But the confident assertion was ill-founded. The voice of dissent as expressed by Thomas Smith was heard again within a matter of a few days (17 March to be precise) when the former baillie issued a hostile pamphlet in the form of an open letter to Sir James Stirling. As befitted someone who held Alexander Webster in high regard, Smith was no friend of the Moderate clergy and their political allies. In his open letter he dismissed Jackson's plan to assist Hugh Blair as 'completely ridiculous'. It was absurd to suppose, he contended, that the elders of St Andrew's would ever provide money to the council after it had appointed Ritchie as a junior minister without making such a payment an explicit condition of the appointment. It was vain to pretend that the council could uncollegiate any church at their pleasure

merely because they could collegiate another. The new minister was sure to be a permanent burden on the city's revenue.<sup>58</sup>

Smith's open letter to Lord Provost Stirling inspired other critics to appeal to the city's sense of indignation. 'A Friend to the Public', who was still drafting a pamphlet on the previous year's Smithian events, had time to insert a late footnote in which he insisted that 'an additional burden is imposed on the City, without the smallest benefit accruing to the public'.<sup>59</sup> On 22 March another anonymous author published his own open letter, addressed to Smith, in which he claimed that 'there is no saying how the desire of patronage, and of providing for their friends, while in office, may hurry men, otherwise incapable of committing a mean or dishonourable action'. The author included a general discussion of other examples of where the city's magistrates had abused their discretionary powers.<sup>60</sup>

Jackson's critics had succeeded in making Ritchie's appointment a matter of public controversy and it remained a contentious issue for the rest of year and beyond. Jackson and his close council ally Thomas Hay presented a memorial to the Edinburgh city presbytery desiring its concurrence in the creation of a collegiate charge at St Andrew's church. The ecclesiastical machinery did not proceed smoothly, however. The anti-Moderate clergyman Sir Henry Moncrieff secured passage of a motion by the city presbytery seeking an opinion from the Solicitor General on the legality of the town council's erection of St Andrew's into a collegiate charge.<sup>61</sup> The Solicitor General's opinion was that the council did have the right, with the concurrence of the presbytery, to make St Andrew's a collegiate charge. There was further delay when the presbytery was informed that the town council had been presented with a bill of suspension against the measure to fund a second St Andrew's clergyman.<sup>62</sup> The Edinburgh presbytery did not get round to formally accepting the new collegiate charge until close to the end of 1800 by which time Hugh Blair, whom Ritchie was originally meant to assist, was near death.<sup>63</sup> Ritchie was finally transferred and admitted to St Andrew's church in the summer of 1801.

By the middle of 1800 the open clash between the Stirling and Elder factions, which had culminated in Smith's engaging in six months of robust

pamphleteering, was nearing its end. Thomas Elder had died in 1799 and Sir James Stirling's third and, now certainly, final period as Lord Provost was drawing to a close. There was a strong desire in the council to end forever its recent rift. An urgent closing of the ranks was needed at a time when there was a renewed fear of popular disturbances. A grain crisis had emerged. On 29 April 1800 Lord Provost Stirling issued a proclamation against 'the wicked views of bad and designing people' after an Edinburgh mob seized a load of oat meal going to market and distributed some of it at reduced prices or gratis.<sup>64</sup> Dearth added to the need to end the Smithian controversy especially given that occasionally the deluge of published commentary had extended explicitly to matters of social distress. 'An Obscure Edinburgher' had lamented:<sup>65</sup>

I'm nae weel vers'd in politics,  
But I've been tell'd o' hidden tricks;  
They say corn-dealers hoard the grain,  
Till mair convenient time for gain.

For the time being there should be no more talk of waste and mismanagement in Edinburgh. The established political scene had to be cleansed forever of the contaminating effects of Thomas Smith and the motley crew that had followed in his wake.

In August 1800, when the time came to tee up a successor to Lord Provost Stirling, a large group of councillors caucused in his absence. The prevailing view among them was that the fittest candidate to represent the old Elder interest was either Smith's deadly rival James Jackson or the tea and wine merchant William Fettes. Initially the councillors considered that Jackson should be chosen but, wisely, he declined and instead joined in recommending Fettes, a far less contentious figure.<sup>66</sup> This intention was notified to Henry Dundas before being rubber stamped in the annual council election in October 1800. A well defined era in Edinburgh municipal politics had been brought to an end. After twelve long years Lord Provost Stirling would no longer alternate with Lord Provost Elder in a stately municipal sarabande.

Thomas Smith's political career ended with the disappearance of the Stirling interest. After 1800 he wisely concentrated on developing his professional career. Banking and associated activities in the distilling industry allowed him to combine material

prosperity with escape from Edinburgh where he was now politically blackballed. Through his partnership in Smith, Stein and Co he had access to the financial world of London, where he was living by the end of the year.<sup>67</sup>

In his commercial guise Smith adopted a far more pragmatic view of bankruptcy. It was not the end of the world for him when, in 1812, a joint commission of bankruptcy was issued against Stein, Smith and Co.<sup>68</sup> By now Smith had diversified. He was involved in two businesses in London, one of which could be abandoned. In addition to the old firm of Smith, Stein and Co at Fenchurch Street there was also the firm Stein and Liptrap, distillers of Whitechapel, with which he had become involved. Smith's new partner here was Samuel Davey Liptrap whose family had operated a distillery at Whitechapel since the 1770s (in 1776 the Liptrap distillery applied for an engine from Boulton and Watt in Birmingham).

Smith's association with Liptrap marked the start of a successful and indeed distinguished career as a distiller. He came to be seen as a leading figure in the industry; in 1808 he provided evidence to a parliamentary select committee on the expediency of admitting the use of molasses in breweries and distilleries.<sup>69</sup> By 1833 Thomas and George Smith (a son) produced almost 15 per cent of all the duty paid by English distillers.<sup>70</sup>

Smith's life and career in business and banking with its associated political activities was a clear case of upward social mobility. In Edinburgh this sheer forward momentum made him, though no radical, a disruptive figure for a while as a factionalised fiscal reformer; once in England the same dynamic force propelled his family's entry into the more genteel ranks of society. This steady process was best exhibited in the case of another son, Thomas, who showed early scholarly promise; he was placed under the care of a Brighton clergyman (the Rev. Dr Hooker) who, 'fearing that his father might design him for trade', was overjoyed when the youth proceeded to Harrow and then to Trinity College, Cambridge, before he died tragically young, aged only twenty-two.<sup>71</sup> His grieving father lived till 1840 when his family could afford to bury him under a newly established chest tomb at St Mary's Church in Little Ilford in Essex. He had led, a message on the tomb proclaimed,



‘a life in which the active pursuits of commerce in various branches were ennobled by the conscientious discharge of his Christian duties’.<sup>72</sup>

By moving to London Smith ceased to be an active divisive force in Edinburgh council politics but his contribution was not forgotten, so spectacular had been its ending. The schism of 1799 was recalled whenever municipal controversy revived in Edinburgh. In 1810 the Dundas interest in the city was momentarily troubled by a minority on the town council which protested when a new city chamberlain was appointed on an *ad vitam aut culpam* basis; the protesters were dismissed as being akin to Smith and his ‘very improper set’.<sup>73</sup> In 1817, when Edinburgh was caught up in renewed demands for burgh reform, Smith’s sombre address to the town council was republished in a collection of documents bearing on the question of mismanagement in the royal burghs.<sup>74</sup> The *Scotsman* invoked Smith’s name when it called for the introduction of effective public control of Edinburgh’s municipal revenue. His figure of estimated debt of £160,000 as recorded in his address still echoed in the city’s consciousness.<sup>75</sup> Two years later Smith, because he was well known to have been ‘particularly informed respecting the affairs of the city of Edinburgh, before his departure’, was consulted and asked for his comments when a select committee of the House of Commons considered pro-reform petitions sent in from the royal burghs.<sup>76</sup> His expertise could not be gainsaid though his political motives could. The votaries of the reborn burgh reform movement were well aware that Smith, while invaluable as a knowledgeable authority on the civic affairs of Edinburgh, was an ambiguous ally. His address to the city, when they republished it, was preceded by this shrewd, if perhaps slightly too harsh, assessment:<sup>77</sup>

Smith appears to have been a man of the same stamp as those whose political conduct he attempted to expose: The man who could openly declare, and glory in the servility to a party, had little claim to disinterestedness and public spirit. And, perhaps, it was more owing to his disappointed ambition, than to his anxiety for the public weal, that the community are indebted for the insight they have received from him. It is valuable, however, as demonstrating the petty intrigues, and interested motives, which occasionally prevail in Burgh Councils.

Between the time when these words were written in 1817 and now no similar attempt to assess Smith’s historical significance has ever been made. Scotland’s latter day historians – apart it seems from the late Alexander Youngson – have failed to make much of the Edinburgh outburst of 1799 and its wider context.<sup>78</sup> The reasons for this are fairly obvious. Thomas Smith ceased to be directly active in Edinburgh politics once he incurred the wrath of the Dundas camp which has led to his being overlooked by modern students of the patronage and deal making conducted by ‘the people above’. At the same time, Smith also inevitably fails to register with historians of a less Namierite disposition. He cannot truly be lumped in with any of the various embattled forces in Scotland who, in the decades before the 1830s, favoured political reform, whether of the burghs or parliament. His base of operations was the Edinburgh town council which was a bastion of unreformed power. Smith sought administrative improvement in Edinburgh but he cannot be regarded as a Whig let alone a radical.

And yet Smith’s municipal career, though rudely truncated, was not without long-term significance. His anomalous position may have evaded the attention of latter day historians but nevertheless the schism of 1799 made a great impression at the time and it reverberated among the citizens of Edinburgh, if ever more faintly, for decades to come. Although he could not be classed as a Whig, the memory of his brief bold act of defiance helped to sustain opponents of Scotland’s long Tory hegemony as Henry Cockburn’s reaction, stored up in his memory long after the event, indicates. Smith’s enduring prophetic role was evident when the old self-perpetuating Edinburgh town council at last passed into history. Its extinction formed a day of financial as well as political reckoning. A day after the Burgh Reform Act of 1833 came into effect an act of parliament was passed appointing trustees for the creditors of the city of Edinburgh. The city’s debt was estimated at £402,000.<sup>79</sup> Four years were spent on deciding the terms of settlement with the creditors. Thomas Smith, now safe and prosperous in England, had the last laugh on all those who had once scorned and mocked him before expelling him from their midst.



# THE RISE AND FALL OF TAM SMITH

## NOTES AND REFERENCES

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