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FIRST REPORT
OF THE COUNCIL OF THE
SCOTTISH ACADEMY
OF
PAINTING, SCULPTURE, AND
ARCHITECTURE,

FOUNDED 27TH MAY 1826.

EDINBURGH:

PUBLISHED BY
DANIEL LIZARS, 5. ST DAVID STREET.

MDCCCXXVIII.

At the Second Annual Meeting of the Members
of the SCOTTISH ACADEMY OF PAINTING, SCULPTURE,
AND ARCHITECTURE, held on the 12th November 1828,
the following Gentlemen were elected Office-Bearers for
the ensuing year, viz.

GEORGE WATSON, Esq. PRESIDENT.

WILLIAM NICHOLSON, Esq. SECRETARY.

THOMAS HAMILTON, Esq. TREASURER.

COUNCIL.

PATRICK SYME, Esq.

SAMUEL JOSEPH, Esq.

JOHN EWBANK, Esq.

WILLIAM SHIELDS, Esq.

To any of whom Communications may be addressed.

CLASSES OF DONORS AND SUBSCRIBERS

TO THE

SCOTTISH ACADEMY

OF

PAINTING, SCULPTURE, AND ARCHITECTURE.

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- I. *Each Subscriber of Twenty-Five Guineas, or upwards, to be called an HONORARY MEMBER, and to have free admission to all Exhibitions of the Academy for himself and three friends for life; also access to the Library, Collection of Casts, &c. at certain periods, to be afterwards specified.*
 - II. *A Subscriber of Ten Guineas will be entitled to free admission for himself and one friend, to the Annual Exhibitions of the Academy for life.*
 - III. *A Subscriber of Five Guineas will be entitled to free admission to the Annual Exhibitions of the Academy for life.*

IV. *Donations of Paintings, Prints, Books, Casts, Architectural Models, and other objects of Art, will be preserved in the Rooms of the Academy, with the names of the Donors attached.*

N. B. The leading objects of the SCOTTISH ACADEMY will be found detailed in Appendix No. III.

REPORT.

IN presenting their First Report, the Council of the SCOTTISH ACADEMY OF PAINTING, SCULPTURE, AND ARCHITECTURE, conceive it altogether unnecessary to enter into any defence of the establishment of a Society of Artists in this city, for the promotion of the Fine Arts. It could not indeed fail to excite surprise among strangers, that a people so eminently distinguished in the paths of literature and science, should have so long continued to evince an almost total indifference in regard to the progress of those Arts, the successful cultivation of which had shed so bright a lustre on other countries.

Scotland having at length, however, been roused from her apathy,—the Fine Arts having begun to engage public attention, and to be fostered by public patronage, it would surely have exhibited to the world a strange and unnatural phenomenon, had the Scottish artists, at such a crisis, remained indifferent spectators,

or failed to avail themselves, to the utmost of their power, of the progress of public taste and liberality, to secure for their professional pursuits those advantages which they enjoy in every other civilized country. It seemed, moreover, the more incumbent on the Artists to bestir themselves, when their friends and patrons had already set them the example, by forming an Institution for the encouragement of the Fine Arts in Scotland, which, although necessarily limited in its plan, may still, under judicious and enlightened management, render them very essential service. It is therefore almost unnecessary to state, that the Scottish Academy was organised under a deep impression,—an impression which pervaded the great body of Artists in Edinburgh, including those associated with the Institution to which allusion has just been made—that a Society of Professional Artists was at length imperatively called for.

The Council deem it superfluous at present to enter on the history of certain occurrences which preceded, or immediately followed, the establishment of the Academy. These they reserve for future disclosure, should circumstances call for them; and if ever they shall see the light, they will form a curious and not uninteresting Chapter in the History of the Fine Arts in Scotland. Nor will the Council occupy the time and attention of the Mem-

bers with unprofitable discussions respecting the necessity or expediency of establishing an Academy in Edinburgh. They have never yet heard a single argument urged against it which merited a serious refutation; and they conceive they may be employed to better purpose than in attempting to remove groundless fears, or eradicate narrow-minded prejudices.

With these few prefatory remarks, the Council proceed to discharge their duty, by presenting a brief account of the proceedings and progress of the Academy. Before entering on details, however, they cannot refrain from congratulating the Members on the distinguished success which has hitherto attended their undertaking—and which may justly be considered as affording a most cheering prospect for the future.

After a considerable time had been spent in maturing the Plan, and framing such regulations as appeared essential at the commencement, the first meeting of the Academy was held on the 27th May 1826, when the Office-bearers and Council were elected. One of the earliest objects of attention with the Council, was to prepare a draft of a Charter of Incorporation, which they hoped would receive the Royal sanction. The history and result of their application are detailed in the course of this Report; and some important documents will be inserted in an Appendix.

A leading design of the Academy being to exhibit annually the Works of living Artists, no time was lost in making arrangements for the first Exhibition. Rooms adapted for the purpose were procured in Waterloo Place, and handsomely fitted up for the reception of Pictures.

The Council cannot look back on the result of their first experiment without the highest satisfaction. Not only did all the Members of the Academy display unremitting zeal and industry, but their cause was warmly espoused, and generously supported, by Scottish artists resident in the sister kingdom, and likewise by many distinguished English artists.

The first Exhibition was opened on the 17th February 1827, and contained, as will be seen on a reference to the Catalogue, 264 Pictures, and 18 Works of Sculpture, furnished by 67 Artists. The result shewed that the labours of the Academy were not viewed with indifference by the public.

At the close of the First Exhibition, the accounts stood thus :

Receipts of Exhibition,	£ 350 19 6
Subscriptions and Donations,...	456 15 0

Amount,	£ 807 14 6
Disbursements,.....	490 0 6½

Balance,	£ 317 13 11½
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The sum of £ 506 was realised from the sale of Pictures ; and many orders were received by the members of the Academy.

During the summer of 1827, the Council continued their strenuous exertions to advance the objects of the Academy. A plan having been proposed for the improvement of the Exhibition Rooms, and approved of, it was, at a very considerable expense, carried into effect, and space thereby provided for the reception of a greater number of pictures, as well as the means of displaying them to greater advantage.

The Second Exhibition of the Academy was opened on the 8th of February of the present year. The number of Pictures it contained was 309, and of Works of Sculpture 16. These were furnished by 104 Artists. This the Council believe to be the most numerous Exhibition of Works of Art which has ever taken place in Scotland. During the season, the receipts amounted to £ 500, 10s. 6d, and Pictures to the amount of £ 490, 12s. were disposed of.

When the general pressure of the times since the establishment of the Academy are taken into account, as well as the formidable competition it has had to encounter, the share of public support which it has received is alike honourable to the taste and liberality of the Metropolis of Scotland.

At the close of the Second Exhibition, the state of the Funds was as follows :

Balance from last year's Account,	£317	13	11½
Receipts of Exhibition,	500	10	6
Subscriptions, &c.	220	10	0
Amount,	£ 1038	14	5½
Disbursements, including expense of application for Charter, }	503	10	6
Balance,	£ 535	3	11½

The incidental expenses attendant on the commencement of such an undertaking were necessarily great; but, as the Academy advances, these will, of course, diminish, and the greater part of the proceeds of the Exhibitions be available for the important purposes contemplated in its establishment.

The Council have not relaxed their exertions during the present season,—several important matters are under consideration, and will be communicated as soon as they are fully matured,—and, from the preparations which have been made, they look forward with confidence to the Third Exhibition, which is already advertised to open in February next.

While, however, the Academy must rely chiefly on the success of its Exhibitions for its pecuniary means, the Council trust that they may now be permitted to make an appeal to the country at large—more especially to those who are professed patrons of the Fine Arts, and who, from their rank and wealth, have it in their power most effectually to promote their advancement. At the commencement of their undertaking, the Members of the Academy deemed it most decorous to refrain from any urgent solicitations for support, anxious, in the first instance, by their own independent exertions, to establish a claim to public confidence. But now that the success of the Academy can no longer be regarded as doubtful, they trust they may look for the countenance and co-operation of the lovers of Art throughout Scotland, and for such support as will enable them ultimately to realize their Plan in its fullest extent. The Council cannot here refrain from noticing the many gratifying communications with which they have been honoured, from the most distinguished quarters, both at home and abroad,—which are calculated to lead to the establishment of those relations with their Professional Brethren, however remote, that ought to unite together the Professors of the Liberal Arts throughout the world.

The Council now proceed to state the result of their

application for a Charter of Incorporation. In an Appendix to this Report, are inserted some documents which render any lengthened detail in this place unnecessary, while they will shew the Members of the Academy, and the Profession at large, that the Council have not shrunk from the discharge of the important trust confided to them.

It has already been mentioned, that one of the earliest objects of attention with the Council, was to prepare a draft of a Charter of Incorporation. Taking the Royal Academy of London as their model, they were careful to introduce only such modifications as circumstances seemed to demand; and, after their Plan had received the approval of the President of the Royal Academy of London, it was submitted to the Right Honourable ROBERT PEEL, his Majesty's Principal Secretary of State for the Home Department. On perusing the Charter, and accompanying documents, the Scottish Academy received the spontaneous and cordial approval of that Right Honourable Gentleman,—an approval expressed in terms which no subsequent resolution can obliterate*. The Charter was, in the course of official routine, submitted to the LORD-ADVOCATE of Scotland, and its history, while under his Lordship's review, will be found in the Appendix†.

* Appendix, No. 2.

† Appendix, No. 5.

It is sufficient here to state, that after a silence of nearly *two years*, his Lordship furnished to the Home Secretary a very detailed Report,—the consequence of which has been to defeat, for a time at least, the Academy's application to the Throne.

The moment that this result was communicated*, a letter was addressed to Mr PEEL, humbly praying to be put in possession of a copy of the LORD ADVOCATE'S Report †, which had so unexpectedly disappointed the well founded hopes of the Academy. This was declined ‡, and here the matter for the present rests.

Although the Council may possess no legal right to be put in possession of the document in question; yet surely it cannot be denied, that, in common justice, the grounds on which the LORD ADVOCATE felt himself justified in opposing the prayer of the petitioners, ought to have been communicated to those whom it so deeply affected; and, if his Lordship's Report contain a fair and impartial history of the establishment and objects of the Academy, why, it may be asked, is it thus shrouded in official darkness? Why have the petitioners been condemned unheard, and on secret evidence? Can they be supposed to sit down contented under such circumstances? or cease to remonstrate until they know the terms in which they have been represented to the Throne by the LORD

* Appendix, No. 4. † Appendix, No. 5. ‡ Appendix No. 6.

ADVOCATE of Scotland?—Whatever this official document may contain, the Council hesitate not fearlessly to assert, that it does not contain a single valid objection to the chartered existence of the Scottish Academy,—or one which would not admit of a clear and decided refutation. It is obvious, indeed, that, whatever arguments his Lordship employs against the Scottish Academy, must bear equally against the Royal Academy of London, the Royal Hibernian Academy, and the other numerous establishments of the same kind throughout Europe.

In so far as can be gathered from the tenor of Mr PEEL'S letters, the LORD ADVOCATE considers the Academy unnecessary, because the Royal Institution has obtained a Charter already. Such an inference the Council cannot for a moment admit; but, at all events, it must be remembered, that this obstacle, such as it is, was entirely of his Lordship's own creating, since the Institution received its Charter *subsequently to the application of the Academy*. But, it will naturally be asked, What are the provisions of this Charter, which has been so recently granted to the Royal Institution, and which the Artists of Scotland are henceforth to regard as their Magna Charta? Does it confer on them as a body, or even on those associated with the Institution itself, any status, any privileges, any power, any controul, any rights what-

ever? No.—Does it make any mention of them,—does it even recognise their existence? No.—In one word —THE ARTISTS OF SCOTLAND AS YET POSSESS NO CHARTERED RIGHTS.

It may be proper to remark in this place, that, after the Institution had been several years in operation, the Artists associated with it, with the exception of three, resolved that it was not, from its nature, however well it might be conducted, calculated to supersede the necessity of an Academy in the Scottish metropolis. This resolution of the Associated Artists, which was not founded on any alleged mismanagement of the Institution, cannot be affected or annulled by the subsequent secession of some of its original framers, when it came to be carried into effect. Of the Royal Institution, the Council are not called on to speak. That it originated in a sincere desire to promote the advancement of the Fine Arts in Scotland, cannot be doubted, and that, by adhering to its proper and legitimate province, it is calculated to do much good, the Academy most freely admit. But, if it should attempt to establish a monopoly of the Fine Arts, and to crush any independent Society of Artists, such as the Scottish Academy, it must be told, that it is assuming an attitude utterly at variance with its original design, and incompatible with the best interests of

those for whose benefit alone it exists. By its constitution, *all Professional Artists are excluded from any share in its management.* How, then, its existence can be, with reason, urged as an argument against an Academy, *to be managed exclusively by Professional Artists*, it is really difficult to conceive.

Can it be the desire of any enlightened Patron of Art, to see its professors in a state of dependence and disunion, and accounted incapable or unworthy of being entrusted with the management of their own affairs? If the artists of every other civilized country have such a trust confided to them, why should Scotland exhibit so degrading an exception? The Council trust the Scottish Academy is destined to wipe off this deep stigma; and that those who are truly alive to the dignity of their profession, and who are not prepared to set the seal to their own degradation, will not hesitate to rally round their brethren, who are manfully asserting their common rights.

The Members of the Academy most pointedly disavow any hostility towards the Institution. They conceive there is ample scope for both Establishments, and are still ready to stretch out the right hand of fellowship, although their advances have hitherto received little encouragement. Those who apprehend danger to the Institution from the success of the Academy, must have read the history of the

Arts to little purpose. By every enlightened mind they ought to be regarded not as enemies, but as friends, employed, although by different means, in advancing the same important cause; or at least as generous rivals, whose honourable competition must be productive of far more extensive good than either of them could separately effect.

If any one should venture to assert that there is not scope for two establishments connected with the Fine Arts in Edinburgh, the experience of the last two years will furnish an ample refutation. The Academy has already been productive of extensive good. Instead of one Exhibition, the public have been gratified by two. Artists have been furnished with a wider field for the display of their works; and the chance of disposing of them necessarily increased. That stimulus which competition alone can give has been called into action, and must ultimately be productive of the best effects.

The Council conceive, therefore, that instead of being viewed with jealousy, or pursued with hostility, the Scottish Academy ought to be hailed with pleasure by the Patrons of the Royal Institution, as affording a most cheering prospect of the future advancement of the Fine Arts in Scotland.

To return for a moment to the subject of the Academy's charter, the Council beg to remark, that, if an

idea was entertained in any quarter, that, by withholding the Royal protection, the efforts of the Academy would be in any degree paralysed, the entertainers of such a notion will find themselves grievously disappointed. The founders of the Academy were well aware that they were undertaking no easy task—that they would have to contend with obstacles of no ordinary magnitude. But for this they were prepared; and instead of relaxing, they must now feel themselves called on to redouble their exertions—and doubt not that, by union, zeal, and perseverance, they will not only overcome every difficulty, and secure a continuance of public patronage and support, but will ultimately receive that protection from the Throne which has been for the present intercepted, when just on the point of being bestowed.

It is with the utmost reluctance that the Council have brought forward these details, involving, as they do, the official proceedings of the LORD ADVOCATE of Scotland. But, however painful the duty which they have had to discharge, they felt that they could not shrink from its performance, without subjecting themselves and their undertaking to the most injurious misconstruction. At the same time, entertaining for the LORD ADVOCATE and others, holding high and responsible official situations, that deference and respect

to which they are so justly entitled; and, aware of the extreme difficulty which must attend the consideration of the numerous subjects which continually solicit their attention, they are willing to believe that the application of the Scottish Academy for a Charter of Incorporation, would have been viewed by his Lordship in a different light, had he been pleased to subject it to a closer and more searching investigation.

The Council, notwithstanding what has passed, cannot refrain from stating their conviction, that the Right Honourable ROBERT PEEL has the interests of the Fine Arts in Scotland most sincerely at heart, and that, had it not been for the “decided and unequivocal opinion” of the LORD ADVOCATE, “that it would not be expedient for the Secretary of State to advise his Majesty to grant a Charter of Incorporation to the Members of the Scottish Academy,” he would have most cheerfully recommended that Association to the protection and patronage of the Throne.

The Council, in conclusion, beg to state, what is well known to every one of its members, that the Scottish Academy is established in no narrow or exclusive spirit; that it knows no personal antipathies, no jealousies. It aims at promoting the advancement of Scottish Art, and the dignity and independence of Scottish Artists. These objects can only be effec-

tually attained by cordial co-operation, and by the absence of all contracted and selfish views. Nor let any one imagine that any undue sacrifice is required of him : for it will generally be found, that, in the end, individual interests are most effectually advanced, by striving to support the general good.

That such an undertaking was to be accomplished without some temporary jarrings, could not be expected, but these it is the desire of the Academy to bury in oblivion—since their continuance can only be gratifying to those who would derive influence and importance to themselves from that disunion and mutual jealousy among Artists, which are as little calculated to promote their interest, as their happiness.

APPENDIX.

No. I.

GEORGE WATSON, Esq.

PRESIDENT OF THE SCOTTISH ACADEMY,

TO THE RIGHT HONOURABLE ROBERT PEEL.

SIR,

Edinburgh, 19th September 1826.

AT the particular request of the Members of the Scottish Academy, I am desired to forward the Draft of a Petition and Charter, and at the same time respectfully to solicit your aid in obtaining His Majesty's sanction and approval to the proposed Incorporation.

Knowing that, amidst the weighty duties of your high office, you are distinguished by a love for the Fine Arts, and a liberal encouragement of living talent, I venture to hope that a measure calculated to promote the success of these Arts in Scotland will not be deemed undeserving of your attention.

In making this application, I beg to assure you that the Scottish Artists are actuated solely by feelings of respect for their Profession, and an anxious desire to place it on such a footing as will insure its regular and progressive advancement.

My knowledge of the zeal with which the different Members are animated, makes me more earnest in this request, as I am fully sa-

tified that the best results would ensue from such an extension of Royal Favour.

The Scottish Artists are anxious to follow, as closely as possible, the Plan of the Royal Academy of London, because experience has shewn that it has abundantly realised the advantages anticipated from it, and amply fulfilled the liberal and enlightened intentions of its most gracious Founder.

The Scottish Artists are fully persuaded that His Majesty's sanction and patronage would contribute greatly to the progress of the Arts in this part of the Kingdom; and when they recollect the munificent and princely encouragement which His Majesty has ever extended to the Arts in England, and, in particular, that a privilege similar to what they now crave was recently granted to the Artists of Ireland, they indulge an earnest hope that their humble Petition will be favourably received.

I trust, Sir, that your goodness will excuse any omission in point of form, which I may, unintentionally, have fallen into. The Members of the Academy are particularly anxious to observe the most respectful mode of application. With this view, and deeply sensible of his former kindness, they have used the freedom to request the President of the Royal Academy of London to present this letter, along with the Petition and other Papers.

I have the honour to be, with the greatest respect,

SIR,

Your most obedient servant,

(Signed) GEO. WATSON, *President.*

No. II.

THE RIGHT HONOURABLE ROBERT PEEL,
To GEORGE WATSON, Esq.

SIR.

Whitehall, 9th November 1826.

ALTHOUGH your Letter bears date the 19th September, it was not, as you are probably aware, placed in my hands by SIR THOMAS LAWRENCE until a few days since.

Feeling a very warm interest in the advancement of the Fine Arts in Scotland, and cordially approving of the Institution which it is proposed to establish in Edinburgh, under His Majesty's sanction, I beg to assure you that I have lost no time in making those references to the King's law officers which precede the final confirmation by the King of a Charter of Incorporation.

The Scottish Royal Academy will have my warmest wishes for its prosperity.

I have the honour to be,

SIR,

Your obedient and faithful servant,

(Signed) ROB. PEEL.

No. III.

JOHN ELDER, Esq. WRITER TO THE SIGNET,
TO THE RIGHT HONOURABLE
THE LORD ADVOCATE OF SCOTLAND.

MY LORD, *Edinburgh, 6th December 1826.*

I HAVE now the honour to lay before your Lordship the proof of my information to you that a Charter was granted in 1765 in favour of the Artists; and I crave your Lordship's pardon for troubling you with the following short sketch of that incorporation, and of the Royal Academy.

About the year 1760, a plan was devised by the Artists of London to draw the attention of the public to their labours, by public exhibitions of their works. Annual exhibitions took place till 1765, when, becoming possessed of funds, arising from the profits of their exhibitions, they solicited and obtained a charter of incorporation from his Majesty, 25th January 1765.

They were scarcely incorporated when dissensions arose, which, in 1768, caused an irreparable breach, and finally the extinction of the incorporated society. This was occasioned by the loose and unguarded manner in which the charter was framed, and the indiscriminate admission of Members; for it did not provide against the admission of men, neither distinguished by talents as artists, nor good conduct as men; and there was no limitation in point of number.

A party was soon formed by the Artists of inferior order, against the Directors who were at the head of their profession, to exclude them from their official situation, and to get the entire management into their own hands.

In consequence of their violent proceedings, the most respectable Artists, who had been the founders of the Incorporation, seeing that no Society of this kind could be lasting, unless it was more limited in its number, and select in the choice of its members, withdrew from it in October 1768, and formed another society, in which they avoided the errors which were destroying the incorporation; and, satisfied that their society could have no national dignity, without the avowed and immediate patronage of the Sovereign, they petitioned his Majesty for his protection and patronage. His Majesty was graciously pleased to approve of their views, and to direct that the plan should be carried into execution; and he commanded Mr Chambers the architect, to digest the plan of the intended society, together with its laws; all of which received his Majesty's signature constituting them the Royal Academy, and are preserved in their archives.

They held their first meeting 10th December 1768. They have no Charter, but the Diplomas to the members are all signed by his Majesty.

After this secession, the Incorporated Artists proceeded to institute a private academy for themselves; but fearing that his Majesty might take offence at their conduct, they applied to him by petition, when he answered, "*That they had his protection,—that he did not mean to encourage one set of men more than another,—that having extended his favour to the Society by his Royal Charter, he had also encouraged the new Petitioners,—that his intention was to patronise the Arts,—that his Royal favour would be extended to both, and that he should visit the exhibition as usual.*" The meetings of this private Academy dissolved in little more than two years.

His Majesty visited their next exhibition, and gave them L. 100.

They continued to exhibit in Spring Gardens till 1771. Up to this date their exhibitions were annual, but after this they had only four, in 1780, 1783, 1790, and 1791, since which period, the Society has become extinct.

The Royal Academy, meanwhile, fostered and aided by his late Majesty with a gift of L. 5000, has flourished in a degree far surpassing the highest expectations of its founders. It is no less respectable as a national establishment than useful in its purposes.

The Scottish Artists have adopted the Royal Academy as their model, modified to suit local and other circumstances. And should his Majesty be pleased to confer on them his favour and protection, they will endeavour to show their gratitude, by a steady adherence to that model which his Royal Father planned in his wisdom, and supported by his munificence.

The objects which the applicants have in view, are,

1st, To have Annual Exhibitions, open to all artists of merit; and, as their funds increase—

2d, To open an Academy where the Fine Arts may be regularly cultivated, and at which the Students in the Arts may find that instruction so long wanted and wished for in this country, free of expence—

3d, To form a Library of Books of Painting, Sculpture, and Architecture, and all objects relating thereto; also of Paintings, Prints, Casts, and Models, and all other things useful to the Students in their Art—

4th, As all are not equally successful, and as some acquire neither fame nor fortune, but, after many years of painful study, at a time of life when it is too late to think of other pursuits, find themselves destitute,—and as others, by the various infirmities incident to man, are rendered incapable of exerting their talents,—and others are cut

off before it is possible to provide for their families, the applicants have it in view to raise a sum for the relief of the Members and Widows;—and,

Lastly, In order to add grace to their Society, and to improve its liberal character, they are anxious to admit Honorary Members, eminent by their talents and attainments.

The President of the Royal Academy of London has entered warmly into their views, and presented their Petition to Mr PEEL, whose letter I am now instructed to lay before you, to show the interest he and Sir THOMAS LAWRENCE take in their application. They refrained from sending the letter of Mr PEEL sooner, lest your Lordship should think they wished to influence you by the weight of his approval.

I again entreat your Lordship's pardon for the length of this detail into which my love for the Fine Arts, and a desire to aid, however feebly, their progress and advancement, have led me, convinced that they are not only an ornament, but of essential utility to the Nation.

I have the honour to be,

MY LORD,

Your Lordship's most obedient

And very faithful servant,

(Signed) JOHN ELDER.

IV.

THE RIGHT HONOURABLE ROBERT PEEL,
To GEORGE WATSON, Esq.

SIR, *Whitehall, 11th July 1828.*

I HAVE referred to the LORD ADVOCATE of Scotland, by the commands of His MAJESTY, the Petition of the Members of the Scottish Academy of Painting, Sculpture, and Architecture, praying that His Majesty would grant a Royal Charter, erecting the Petitioners into one Body Corporate and Politic.

I have received a very detailed report from the LORD ADVOCATE in consequence of this reference; and, upon a full consideration of the several arguments adduced by his Lordship, against the constitution of two Royal Societies in Edinburgh for the promotion of the Fine Arts, (there being one institution for that purpose already established under the authority of His MAJESTY), I do not feel myself warranted in advising the KING to grant the Royal Charter, as prayed for, for the Incorporation of the Scottish Academy of Painting, Sculpture, and Architecture.

I am,

SIR,

Your most obedient humble servant,

(Signed) ROB. PEEL.

No. V.

GEORGE WATSON, Esq.
To THE RIGHT HONOURABLE ROBERT PEEL.

SIR, *Edinburgh, 25th July 1828.*

I HAVE the honour to acknowledge the receipt of your letter of the 11th instant, informing me "that you had received a very detailed Report from the Lord Advocate, on the Petition of the Members of the Scottish Academy of Painting, Sculpture, and Architecture; and that, upon a full consideration of the several arguments adduced by his Lordship against the constitution of two Royal Societies in Edinburgh, for the promotion of the Fine Arts, you do not feel yourself warranted in advising the King to grant the Royal Charter, as prayed for, for the incorporation."

Although we certainly entertained a sanguine hope that the result would have been different, yet I am instructed by the Members of the Scottish Academy to convey to you their respectful thanks for the attention which you have bestowed on their case, and their conviction that you still continue to feel that interest in their concerns which you were pleased formerly so strongly to express.

Under ordinary circumstances, we should have been content to submit in silence to this unexpected award; but there are certain circumstances connected with the history of this transaction, of such a nature, that we feel we should do injustice to ourselves, and still more to the cause in which we are engaged, did we not candidly and frankly bring them under your notice; because we are most anxious that no erroneous impression should be allowed to settle on

your mind, which could not fail to be injurious not merely to the Association with which we are connected, but, what is of infinitely more importance, to the progress of the Fine Arts in Scotland.

Being entirely ignorant of the nature of the objections urged against our Application, in the Report of the Lord Advocate (for his Lordship has, on application being made to him by our Agent, declined to give any information on the subject), it is impossible, of course, for us to make any reply to them; but we trust that the statement which follows will be sufficient to shew that it cannot possibly present an accurate or impartial statement of our case, and that we are justified in respectfully requesting that you will be pleased to permit a copy of it to be furnished to us, in order that we may have an opportunity of being fairly heard; and of vindicating ourselves in the eyes of that Profession whose honour and interest it is our great object to promote.

With regard to the origin of the Academy, it is sufficient to state, that it arose from a full conviction on the minds of a large body of Artists, that, without such an establishment, the Fine Arts in Scotland could not be effectually advanced. An Institution for the Encouragement of the Fine Arts in Scotland had no doubt been in existence for some time before; but it was felt that, although it might be calculated to assist in forwarding some of the objects which the Academy contemplated, it could not, from its nature and constitution, accomplish all, or even the most important of these. Under this impression—an impression which subsequent experience has fully justified—the Academy was organized. Its founders were not guided, however, by theoretical or visionary notions; but resolved to take as their model an institution which had been long tried, and had been found to combine every attainable advantage, namely, the Royal Academy of London. The Institution already alluded to,

being founded on the model of the British Institution of London, it is unnecessary to inform you, to whom these subjects are so familiar, that the Scottish Academy is essentially distinct from it.

Although the founders of the Scottish Academy entertained no doubt of the propriety of their views, yet they were desirous to proceed with all the caution which a matter of so great importance seemed to demand. Accordingly, they resolved to submit their plan, in all its bearings, to the inspection and judgment of the highest professional authority in Britain; and, for that purpose, transmitted their papers to Sir THOMAS LAWRENCE, whose approval was most unequivocally evinced by his consenting, as he did, in the most handsome manner, to place the Memorial of the Scottish Artists in your hands.

The letter which you then did me the honour of addressing to me as President of the Scottish Academy, cordially approving of the Institution, which it was proposed to establish in Edinburgh under his Majesty's sanction, filled our minds with sentiments of the liveliest gratitude; and could not fail to excite the most sanguine hopes that our efforts would be crowned with success.

It is with the utmost pain that I now proceed to detail the subsequent history of our Application; but it is chiefly with a view to bring that history under your notice that I now address you.

When the Application of the Academy for a Charter was put into the hands of the LORD ADVOCATE, the Petition of the Royal Institution for a Charter was already before him, so that the two documents were under his Lordship's consideration at the same time. I shall first advert to the Charter for the Institution. It now appears, that the LORD ADVOCATE had even then resolved to oppose the Charter of the Artists. It might have been expected, therefore, that he would have candidly expressed his opinion to the Members of the Scottish Academy; and have endeavoured to render the Royal Institution,

which he was determined should be the only chartered one, as comprehensive as possible. No such communication, however, was made. The Charter for the Institution was passed without being communicated even to the Artists associated with itself; and, upon examination, it will be found that it does not contain the name of a single Artist, nor secure to the Associates a single privilege of any kind. In short, the Charter of the Institution can scarcely be said to have any connection with the Artists of Scotland, as such; and most assuredly never can, by the most forced construction, be made to exclude their existence as a body distinct from, and independent of, the Institution. Any such idea never could have entered the minds of its framers.

Now, what has been the fate of the Academy Charter? No sooner was it put into his Lordship's hands, than he submitted it to the Directors of the Institution for their remarks thereon. It was, however, returned to his Lordship, accompanied with one single observation, namely, that it was not the intention of the Directors of the Institution to offer any obstruction to the Artists' Charter. From this it may surely be fairly presumed, that they did not regard the establishment of the Academy, even by Royal Charter, as injurious either to the Arts or to the Institution of which they were the guardians. For had they done so, we are bound to suppose that they would have come forward and stated to the Lord Advocate, when called on, the grounds of their objection. Their silence at such a moment must, in all fairness, be held as an acknowledgment that they had no valid objection on which to oppose the establishment of a chartered Society of Artists.

When a considerable time had elapsed without any Report being given on our application, we naturally became anxious for his Lordship's opinion. After the lapse of a twelvemonth, he intimated to our Agent that he had been inclined from the beginning to report

against us. On discovering his Lordship's sentiments, we proferred the fullest explanation on any point on which he might entertain any doubts; but this was declined. In short, without enlarging farther, it is sufficient to state, that, from the moment of our Application being laid on his Lordship's table, up to the date of his Report, a period of nearly two years, his Lordship never started, either to the members of the Academy or their agent, a single objection to the Academy's charter; never called for information; nay, uniformly refused it when offered.

If ever, then, a Case was prejudged, the Academy's Charter has shared that fate. The Report of the LORD ADVOCATE, however full and circumstantial, cannot do justice to the Academy; for, even though favourably disposed, he must necessarily be destitute of that knowledge of facts essential to a complete and impartial statement.

When lately applied to by our Agent, his Lordship informed him "That he had made his Report, which was neither for nor against us; and that he had left the granting or refusing our application very much to you." He said he had stated fairly the history of the two Institutions; but would enter into no discussion on any points contained in the Report, as his duty was then discharged.

Under these circumstances, you will readily conceive our extreme anxiety to be put in possession of a document which has produced such an unfortunate impression on your mind; which has led to a change of your favourable opinion, so strongly expressed on the occasion of our first application, and which has blasted the hopes which we were then permitted to entertain.

Until we have an opportunity of perusing it, it were vain to speculate on its probable contents; but one thing we state with confidence, that we are ready to stand or fall by the accuracy, in every

point, of the facts and statements on which your original opinion was grounded.

It appears from the verbal statement of the LORD ADVOCATE, that, in his Report, he has entered into the history of the two Institutions. The Members of the Academy, conceiving that any detailed review of the proceedings of the Institution is unnecessary for the establishment of their just claims to the protection which they humbly solicit, have purposely abstained from noticing, except in the most cursory manner, the conduct of the Directors towards the Scottish Artists; but, if called on, it will not be difficult to prove, that, even if their case were not established on much higher grounds, nothing more than a fair and impartial history of the Institution would be necessary to demonstrate its utter insufficiency to accomplish the leading objects which the plan of the Academy embraces.

Of the brief career of the Scottish Academy, there can be little to say; but I may be permitted to state, that, amid difficulties of no ordinary magnitude, it has already forced its way to public approbation and patronage. In proof of the zeal and industry of its members, it is only necessary to point to the two Annual Exhibitions which have already taken place.

The members of the Academy, although well aware of the mighty influence against which they had to contend, have been hitherto sustained amid their labours by the cheering hope, that the same blessings which have been so long enjoyed by their brethren in England, and which have lately been extended to the artists of Ireland with the most decided advantage, would soon be imparted to them. If London has its Royal Academy and British Institution, and Dublin its Royal Hibernian Academy and Institution, why should Edinburgh be deemed unworthy of the same privileges? If the prayer of the Scottish Artists be finally rejected, they must necessarily feel

that they occupy a degraded situation, when compared with the artists of the sister kingdoms. It is little consolation to tell them that an association of their friends have received the Royal patronage. The friends of the Artists never can be identified with the Artists themselves; and if the claims of the former to national regard be recognised, surely those of the latter are infinitely higher. To say that the field in Scotland is more limited than in England and Ireland, is no valid answer to the request of the Scottish Artists; for, if Scotland was to have only one chartered Institution, it can, we humbly conceive, admit of little question whether the Artists or their professed friends ought to have held that rank. But, while such are our views, we are far from underrating the value of the Scottish Royal Institution. The good, however, which it is calculated to produce, must arise entirely from the feelings with which it is viewed by the great body of Scottish Artists; and if, instead of being regarded by them as an enlightened and friendly auxiliary, anxious to reward the efforts of native talent, and give effect to the united labours of Scottish Artists, it be considered as usurping the privileges and honours which belong of right to them alone, and even as standing between them and the sunshine of royal favour and regard, it requires little prophetic power to foretel its ultimate effect on the progress of Scottish art. But I refrain from following out these views, however important, because I trust that an opportunity will yet be afforded us of entering fully and fairly into all the merits of this important question.

I have now discharged the duty which I owe to the Scottish Academy, of which, however unworthy, I have been chosen the Head; and I trust that what I have stated will be sufficient to justify the request which I am instructed respectfully to make—namely, that you will be pleased to permit a copy of the LORD ADVOCATE'S

Report to be furnished to us, with permission to answer the same : and if, after reviewing the answer, which we shall furnish without delay, you still adhere to your present resolution, however much we may regret the result, we shall at least have the consolation arising from the knowledge that it has been grounded on a review of the whole merits of the case.

The Scottish Academy now throws itself on your justice, in the confident hope that it will yet receive your favourable attention ; and that, by granting the prayer of its petition, you will extend to Scotland the benefits of that enlightened patronage of the Fine Arts, by which, amid the toils of your eminent station, you are so highly and honourably distinguished.

I have the honour to be,

SIR,

Your most obedient humble servant,

(Signed) GEORGE WATSON, *President.*

VI.

THE RIGHT HONOURABLE ROBERT PEEL,
To GEORGE WATSON, Esq.

SIR,

Whitehall, August 4. 1828.

I HAVE the honour to acknowledge the receipt of your letter of the 25th July.

I do not feel myself justified in communicating to you the report made to His MAJESTY by his confidential legal adviser in Scotland, upon the Petition of the Members of the Scottish Academy of Painting. It is right, however, that I should observe, that your agent must have misunderstood the Lord ADVOCATE as to the purport of that Report.

It expresses a decided and unequivocal opinion, that it would not be expedient for the Secretary of State to advise His MAJESTY to grant a Charter of Incorporation to the Members of the Scottish Academy, and thus to constitute, by royal charter, two bodies-politic for the promotion of the Fine Arts in Scotland.

I have the honour to be,

SIR,

Your most obedient servant,

(Signed) ROB. PEEL.

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