

THE OUTSTANDING WATERLOO MEDAL AWARDED TO LIEUTENANT 52ND LIGHT INFANTRY, WHO WAS DESCRIBED BY SIR HARRY SMITH AS A 'MANLY, ROUGH YOUNG SUBALTERN' AND BY ANOTHER FELLOW OFFICER AS 'A TALL, GOOD LOOKING, RATTLING, HARUM SCARUM, DEVIL-MAY-CARE, SORT OF FELLOW', WHO'S DEEDS AT THE BATTLE OF VERA IN OCTOBER 1813 WHEN HE CAPTURED 2-300 PRISONERS, PASSED INTO REGIMENTAL FOLKLORE BUT HE ENDED HIS CAREER 'DRINKING VERY HARD' AND 'INTO SEVERAL VERY UGLY SCRAPES' SOMETHING THAT CONTINUED FOR HIS SHORT LIFE, LATER SPENDING TIME IN JAIL, FAKING HIS OWN DEATH AFTER BEING BANISHED FROM SCOTLAND AND SPENT SEVERAL YEARS IN SOUTH AMERICA, POSSIBLY AS A MERCENARY.



WATERLOO 1815 'LT. JA. STEWART CARGIL, 1ST BATT. 52ND REG. FOOT'

James Stewart Cargil was born at Dunkeld, Perthshire on 19 January 1795 and was appointed Ensign in the 52nd Foot on 23 June 1812, aged 18. Promoted to Lieutenant (without purchase) in April 1813, the same month in which he embarked for the Peninsula to join the 1st Battalion, which formed part of the famed Light Division. He went on to witness extensive action, being present at San Milan, Vittoria, the Bidassoa, the Pyrenees, Nivelles, Nive, Orthes, Tarbes and Toulouse. Though not heavily engaged at Vittoria, the 1/52nd played an important role in the last battles in the Peninsular and especially so during the invasion of France. At the battle of heights of Vera, the quick thinking of the commander of the 1/52nd resulted in the taking of many French prisoners and at Nivelles, 10 November 1813, the battalion helped

to storm the formidable defences high on the Lesser Rhune mountain, losing 242 killed and wounded, highest of any unit in the Allied army.

https://www.napoleon-series.org/military-info/organization/Britain/Infantry/WellingtonsRegiments/c_52ndFoot.html

Lieutenant Cargil appears to have particularly distinguished himself at the 2nd battle of Vera on 7 October 1813. Ensign William Leeke, who carried the 52nd's Colours during the battle at Vera in October 1813, recalls Cargil's gallantry in *The History of Lord Seaton's Regiment*:

'..This was the officer who, when the 52nd were pursuing the French at Vera about two years before [in October, 1813], went over a short mountain path with Sir John Colborne and four soldiers and rushed down on to the road into the middle of the 9th French Light Infantry and summoned them to surrender, which those who were cut off did, to the number of two or three hundred. This officer, Lieutenant Cargil, received on the spot and tucked under his arm the swords of fourteen of the French officers. I have recently heard it mentioned as fact that one of these officers, having hesitated to deliver up his sword, Cargil struck him a blow in his face with his fist which made his mouth bleed and had the effect of making him tractable. In these days such acts of daring would be deservedly rewarded by the grant of the Victoria Cross.'

ENCOUNTER WITH THE DUKE OF WELLINGTON

It was in the Pyrenees, during the aforementioned action at Vera on 7 October 1813, that Cargil came to prominence, his deeds passing into regimental folklore. Yet, as related many years later in Sir Harry Smith's autobiography – in 1813, Smith was at the time serving as Colborne's Brigade Major - an unfortunate encounter with the Duke of Wellington followed hot on the heels of his *'receiving on the spot the swords of fourteen French officers'*:

'By the time our men had got well out of the Pyrenees into the plain of France below and as night was rapidly approaching, I was sent to halt them, ready for Colonel Colborne to take up his position. The prisoners [taken at Vera] were sent to the rear (what became of their arms I never knew) under the charge of Lieutenant Cargil, of the 52nd Regiment, a manly, rough young subaltern, who on his march, just at dusk, met the Duke, who says, "Halloa, sir, where did you get these fellows." "In France. Colonel Colborne's Brigade took them." "How the devil do you know it was France?" "Because I saw a lot of our fellows coming into the column just before I left with pigs and poultry, which we had not on the Spanish side." The Duke turned hastily away without saying a word. The next morning Mr. Cargil reported this to Colonel Colborne, whom I hardly ever saw so angry. "Why, Mr. Cargil, you were not such a blockhead as to tell the Duke that, were you?" In very broad Scotch, "What for no? It was fact as death." It did not escape the Duke, who spoke to Colborne, saying, "Though your Brigade have even more than usually distinguished themselves, we must respect the property of the country." "I am fully aware of it my lord, and can rely upon the discipline of my soldiers, but your lordship well knows in the very heat of action a little irregularity will occur." "Ah, ah!" says my lord, "Stop it in future, Colborne." Nor had his Grace cause to complain of us.'

BATTLE OF WATERLOO

'At the battle of Waterloo, 18 June 1815, the 52nd found were brigaded with the 95th and 71st and started the day in reserve, placed in the centre left, behind Major General Cooke's 1st Division. Following the French cavalry's battering of the British squares over the afternoon, Adam's brigade was brought up to reinforce the right. In this position the 52nd endured a heavy bombardment, of which Ensign Leeke of the 52nd reported afterwards *"the old officers, who had served during the whole of the Peninsular War, stated that they were never exposed to such a cannonade as the 52nd squares had to undergo on this occasion for*

2½ hours from French artillery ½ mile to the front". While the 52nd's squares stood waiting, British artillery fired over their heads.



THE 52ND'S BAYONET CHARGE AGAINST THE IMPERIAL GUARD

Activity was happening elsewhere on the field, however, and as the battle drew to a close, Napoleon's Middle Guard launched an assault on the British line, to the 52nd's left, and were met by a number of regiments including the 1st Foot Guards, who repulsed the 3rd Chasseurs, but had to themselves retreat when the 4th Chasseurs moved forward to threaten their left. The 52nd, under Sir John Colborne, wheeled to the left, deploying parallel to the French column, and fired volleys against their left flank. William Hay, a Light Dragoon watching from the right, later recalled that "so well-directed a fire was poured in, that down the bank the Frenchmen fell and, I may say, the battle of Waterloo was gained. "*Seeing the 52nd begin an advance, Wellington reputedly ordered "Go on, Colborne, they won't stand!"*; the battalion then advanced diagonally across the field. When this was later followed by a bayonet charge by all of General Adam's 3rd Brigade, the Guard broke, forced into full retreat. Having pursued the French down the escarpment of Mont St Jean, the 52nd crossed the valley floor on the other side attacked a square of Old Guard (part of the personal bodyguard of Napoleon,) that had formed up to the British right of the inn La Belle Alliance and forced it to retreat'

POST WATERLOO AND HALF-PAY IN DISGRACE

Having fought with the regiment at Waterloo, Cargil marched with it to Paris where it was to serve with the Army of Occupation. Unfortunately, his time in Paris lasted but a year. Captain Charles Kinloch describes Cargil as;

'a tall, good looking, rattling, harum scarum, devil-may-care, sort of fellow', he ended his career in disgrace in Paris in 1816, where he 'took to drinking very hard during the winter months and got into several very ugly scrapes'

He later talks of Cargil in a letter home to his mother:

'Another countryman of ours has been playing the devil here, Jack Cargil, took to drinking very hard during the winter months and got into several very ugly scrapes; at last about a fortnight ago when in his cups one morning as usual he fired at a countryman with ball, & played of several tricks of the same description, in consequence he leaves the Regiment immediately. I only mention this that you may not be too civil to him if he comes across you, at the same time should be sorry to have it be made public, as he may mend though I have great doubts.'

At the time of Cargil being placed on half-pay in the summer of 1816, the 52nd was commanded by Charles Rowan, Colborne having departed on a tour of Europe with his wife. In his article, *'Lieutenant James Stewart Cargil, 52nd Light Infantry: The Story Behind a Waterloo Medal'* (see The Waterloo Journal, Vol. 35, No. 1, Spring 2013), Andrew Browning discusses the consequences of Cargil's fall from grace; by way of example Colborne later credited the removal of the French officers' swords at Vera to his own servant, further stating that it was he - a man by the name of Macurrie - who met the Duke on making his way to the rear. Had Cargil's bravery at Vera been erased from history owing to his conduct in Paris? It seems likely, given the other officers and the regimental histories accounts of Cargil's deeds at Vera.

FURTHER TROUBLES AND JAIL TIME

As Kinloch had feared, Cargil did not mend his way, indeed his problems with drink and fighting only got worse after being placed on half pay. The National Archives (Ref: HO 17/6/70) holds the following:

Prisoner name: James Stewart Cargill. Lieutenant (on half pay) in the 52nd Regiment of Foot. Circuit Court of Justiciary Perth, 20 April 1822. Crime:

"Indicted for assault, beating and wounding six men.... The convict was tried for the first three charges, to which he pleaded guilty, and the latter three charges were therefore passed."

Cargil was initially sentenced to three months imprisonment and £200 sureties to keep the peace for two years. The surety required reduced to £100 on 4 December 1822. Cargill gave the following four petitions giving grounds for clemency:

"The crimes were not attended with any aggravating circumstances; the crimes were entirely due to his intoxication; his character is well-known to be peaceable and obliging; he pleaded guilty to the first three charges; his army service; he has more than served the initial term of imprisonment and prays for remission of the security as friends cannot find the £200 to secure his release."

The following other papers held relating to the above:

"Printed indictment and copy record of the trial. Report by J H Forbes, Sheriff Depute for Perth. Two reports by D Boyle, Lord Justice Clerk. Judge's report from Lord Gillies. Letter from the jailor stating that the convict has applied to his friends to provide the surety but that

they have declined to do so, and that he believes the convict is totally unable to find any sum whatever. Letter from John Simpson, Jailor of Perth Jail, confirming that Cargill has served 16 months in jail [April 1823]. Two letters from the convict, one transmitting his petition and stating that he is in poor health, the other pursuing a response to his petition. Cover sheet. Additional Information: Held in Perth Jail. He entered the army in 1811 and was present at 18 engagements in the Peninsular War and where he saved the life of his colonel, Sir John Cockburn.”

Having been released, on 17 September 1824, Cargil was yet again in court charged with assault. This time he was sentenced to be banished from Scotland for 10 years!

The High Court trial papers are held in the National Records of Scotland Edinburgh (Ref: JC26/1824/93)

DROWNED DURING THE LOSS OF THE COMET II STEAMER....OR??

Though supposedly banished from Scotland, Cargil clearly hadn't been or at least was still in Scotland in 1825. On 8 February 1827, James's wife Hellen, who he had married at Perth in June 1823, put in a claim before a Magistrate in Perth for her to be placed on the widows pension list for Officers on died whilst on Half Pay (Ref: WO42/163-210). She claimed James Cargil had been lost (drowned), when the Comet Steam vessel was lost on passage from Inverness to Glasgow, 21 October 1825. This claim was approved as a '*deserving object of His Majesty's Royal Bounty*', 17 February 1827. However a later post 1833 note is added '*This Officer did not die until 1833!*'



On 21st October, 1825, when, off Kempock Point, Gourock, on the River Clyde, the Comet II steam-boat was struck by the Steam Boat Aya, and instantly went down with the loss of 73 passengers and crew, with just 13 surviving. This was one of the earliest and worst steam-boat disasters to take place on the River Clyde.

<https://www.dalmadan.com/?p=2408>

An 1826 account of the loss of the Comet II and subsequent raising can be found here:

https://en.m.wikisource.org/wiki/Loss_of_the_Comet_steam-boat_on_her_passage_from_Inverness_to_Glasgow,_on_Friday_the_21st_October,_1825

The names of the vast majority of passengers were not recorded and it seems likely James Cargil used this tragedy to disappear. Whether he had actually been aboard the steamer and whether his wife was aware of the facts are unknown but it seems Cargil immediately left for South America. We know this because he submitted a statement of services, dated at Monte Video on 8 January 1830, in which he noted that during the last five years he had been generally resident '*in the Brazils and other parts of S. America*'. What he was doing there is again unknown but during the 1820's, many unemployed Army and Naval officers were employed in South America as mercenaries; their experiences from the Napoleonic war being put to good use during various conflicts and struggles for independence. The most famous of these was Lord Thomas Cochrane, who among other employment, had served in command of the Chilean and Brazilian navies 1818-25. Given his experience, it is very possible Cargil was employed in this way.

He is next picked up having returned to Britain, for on 29 November 1831, Cargil appeared at the Court House, Liverpool, the charge unknown but presumably drink related brawling again. His address was given as '*late of Trafford-Court, South John's Street, Liverpool*' and this would suggest on his return from South America, this is where he initially resided.

Returning to Dunkeld, Cargill died at Perth on 24 September 1833, aged just 38 years and is buried in Greyfriars cemetery Perth. A memorial to him is at Little Dunkeld Kirkyard and Extension. Why Cargil's life descended into the depths can only be guessed at; was he always a young man looking for trouble or did his experiences in the Peninsular and at Waterloo mark him.



Condition edge bruising and contact marks, therefore about NVF. Fitted with steel clip and ring suspension. Ex DNW March 2008 and May 2016. Sold with copied research and The Waterloo Journal, Vol. 35, No. 1, Spring 2013 edition.

An extremely fine medal to a 'fighting' Officer in a crack Infantry Regiment who's life had a tragic ending