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Walter Francis Montagu Douglas Scott, Duke of Buccleuch and Queensberry, K.G.

UPPER TEVIOTDALE
AND
THE SCOTTS OF BUCCLEUCH

A LOCAL AND FAMILY HISTORY

BY
J. RUTHERFORD OLIVER

With Illustrations of Border Scenery

By T. H. LAIDLAW

UNIV. OF
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ABSTRACTS

*Fifty Copies of this work, printed on large paper, of which this
is No. 22.....*

J. M. C.

Dedicated

TO

THE DUCHESS DOWAGER OF BUCCLEUCH AND QUEENSBERRY,

AND

To the Memory

OF

WALTER FRANCIS, FIFTH DUKE OF BUCCLEUCH

AND

SEVENTH DUKE OF QUEENSBERRY.

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ERRATA.

Page 43, line 16, omit the words 'and Branxholme.'

Page 305, line 3, instead of *Chauder* read 'Chancellor.'

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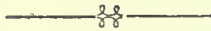
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UPPER TEVIOTDALE

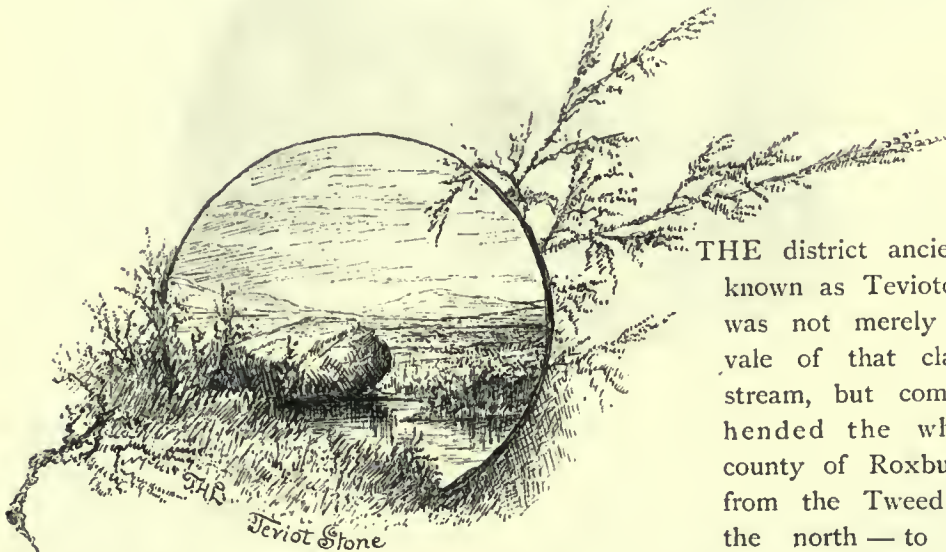
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The Scotts of Buccleuch.



CHAPTER I.

'Teviot ! still shall thy waters hold their way,
Nor fear the fate that makes our race decay ;
Still shall thy waves their mazy course pursue
Till every scene be changed that meets my view,
And many a race has traced its narrow span
Since first thy waters down these valleys ran.' LEYDEN.



THE district anciently known as Teviotdale, was not merely the vale of that classic stream, but comprehended the whole county of Roxburgh, from the Tweed on the north — to the

ridges of the Cheviot Hills—which form the boundary between England and Scotland ; and from Teviot Stone on the west to Kelso on the east ; where the river, after following its winding course for thirty miles across the country, mingles its waters with the Tweed.

Upper Teviotdale and the Scotts of Buccleuch.

The Teviot rises among the hills on the west borders of Roxburghshire. These hills have little grandeur of outline, and the landscape has few striking features. Wild bleak moorlands stretch away in all directions, and one smooth rounded hill-top rises beyond another like waves of the sea. An occasional shepherd's cottage, the only sign of habitation, the cry of the wild fowl and the bleating of sheep, the only sounds which break the silence. A peaceful pastoral district, somewhat dreary and monotonous, it is true, to eyes accustomed to a more varied landscape, yet not lacking a serene quiet beauty of its own, especially when the purple flush of the heather and the warm gold and brown hues of the bent, spread over the green hillsides and marshy uplands.



The upper part of the valley of the Teviot is narrow, the hills sloping steeply down, in some parts almost to the bank of the stream, and again falling in gentle undulations here and there, fringed with natural wood, or clothed with dark fir plantations. The clear stream which issues from the narrow gorge at the head of its course, is increased by many sparking burns which foam and tumble down the hillsides. Gliding quietly along, it receives its tributaries, the Allan, the Borthwick, and the Slitrig, and swells into a considerable river. Below the town of Hawick the valley gradually widens, and its stern aspect changes to the softer

beauty of fertile meadows and cornfields, and well-wooded slopes, varied by such picturesque features as the grey precipices of Minto Crag, or the bold outline of the crest of Ruberslaw.

This, now quiet valley, was the scene of much violence and strife in the olden days; and in its winding course the Teviot passes many a spot associated with deeds renowned in song and story. The lonely graveyard at Teviot-head, where lie 'Johnnie Armstrong, and all his gallant company,' so summarily put to death by James the Fifth. Branxholme, the ancient home of the 'Bold Buccleuch.' Harden, where the 'Flower of Yarrow' entertained her husband to a 'feast of spurs,' as token of an empty larder, and a hint that he must ride for English beef. A mile to the south of the river stands the ancient manor house of Cavers, where the banner of the hero of Otterburn is still preserved with the trophy taken from the gallant Hotspur. A few miles further down, the stream washes the foot of Penielheugh, where 'Scott and Douglas led the Border Spears' and defeated the blood-thirsty soldiers of Henry VIII., and just where the Teviot loses itself in the Tweed stood the ancient stronghold of Roxburgh Castle, the residence of Scottish Kings, and the scene of many a fierce struggle between the English and Scotch.

The 'Lay of the Last Minstrel' has made Teviotdale and Branxholme Towers known all over the world; and vividly recalls the days of old when steel-clad warriors mustered on Teviot's flowery banks, and when its waters reflected the angry glare of the beacon fires, which told of the approach of the southern foe. Many a spirited Border ballad commemorates the wild and warlike deeds of which Teviotdale was the scene in these times of strife and violence. Poets of later times have sung of 'Bonnie Teviotdale,' from Henry Scott Riddle, who tuned his patriotic lays to the gentle murmur of Teviot's infant stream, to Leyden, who in statelier verse celebrated in 'The Scenes of Infancy,' the valley which he loved with all a Borderer's fervour.

The district known as Upper Teviotdale comprises the south-western division of the county from Teviot Stone to a few miles below Hawick, and includes the lateral vales of the Allan, the Borthwick, and the Slitrig. Rule-water and Liddesdale lie between it and the English border. Hawick is the only town in Upper Teviotdale, but in former times there were a number of villages, and a large rural population.

The changes in agriculture, and the centralizing tendency of trade and

manufactures, have drawn the people from the country to the town ; hence the villages have almost all disappeared, while the town has increased in proportion, and has become an important manufacturing centre.

Teviotdale formed part of the ancient Angle kingdom of Bernicia, which extended from the Forth to the Tyne. To the west lay the British kingdom of Strathclyde, which was separated from Bernicia by the great forest of Ettrick, and the Rampart of the Catrail.* The term 'Rampart,' as applied to the ancient earthwork known as the Catrail, is rather misleading. It may be more accurately described as a ditch or trench from eight to ten or twelve feet wide at the top, and four or five at the bottom, and has been formed by digging a trench to the depth of two or three feet, and throwing up the earth on either side, which has thus formed a couple of parallel mounds ; the whole depth from the bottom of the ditch to the top of the embankments does not exceed five feet, in some parts considerably less. The Catrail can be traced from near Rankilburn across the country to Robert's Linn on the borders of Liddesdale ; but it is not a continuous work, it stops whenever a stream or cleuch occurs on its line of route, and is resumed again, often at a distance of several miles. This peculiarity has led to the conclusion that it was originally constructed to mark a territorial boundary. The rivulet or burn being adopted as the boundary line where such could be made available, and the ditch constructed across the hillsides where no such natural landmark existed. The Catrail has been very inaccurately described by Chalmers in the 'Caledonia,' and by other writers, which has led to an entire misapprehension of the nature of the work.

Chalmers describes it as a fosse or ditch twenty-six feet broad, with a rampart on each side from eight to ten feet high, formed by the earth thrown from the interior of the ditch. These measurements have been taken from the Rink Camp near Galashiels, which the writer has assumed to be a portion of the same work. Several isolated trenches in Selkirkshire, though running in quite a contrary direction, he describes as part of the Catrail, though there is no evidence or probability that they are at all connected with it. After minutely tracing its course, real and imaginary, Chalmers says—'There can hardly be a doubt that the Catrail was once a dividing fence between the Romanized Britons of the Cumbrian kingdom and their Saxon invaders on the east.' 'The Britons and the Saxons were the only hostile people whose countries were separated by this

* Skene's 'Celtic Scotland,' vol. 1. p. 235-6.

warlike fence, which seems to have been exactly calculated to overawe the encroaching spirit of the Saxon people.' The author of the 'Caledonia' appears to have had no personal knowledge of the Catrail, for it is still sufficiently well preserved in many places to enable anyone who sees it to judge of its original dimensions and probable use. It seems absurd to describe a mere scratch along the hillsides as a 'war-fence' calculated to overawe the warlike Saxons!

These mis-statements, which might with perfect facility have been tested by personal investigation, have been perpetuated by local writers with reprehensible carelessness. Mr Jeffrey, in the 'History and Antiquities of Roxburghshire,' gives the same description and exaggerated measurements of the Catrail as are given in the 'Caledonia,'* and adds—'This gigantic undertaking was carried through by the Ottadini and Gadeni people after the Romans left, to protect themselves and their possessions from the Saxons, who were advancing upon them from the north and east. It would also serve as a screen, under cover of which the tribes could pass from one place to another without being seen by the enemy. In the same way their flocks and herds might be conveyed without being observed.' Mr Wilson, in the 'Annals of Hawick,' gives the same account of the Catrail, with the additional statement from oral testimony, that 'at equal distances appearances indicate the sites of separate towers, thus giving the work the character of a regular fortification.' †

An examination of the fosse or ditch is sufficient to show that it cannot have been constructed for a defensive or warlike purpose, the mounds being the same on both sides of the ditch. It is too shallow to have served as a screen or covered military way, and as both the inner and outer surface of the trench can be seen from great distances on both sides, it is plain that it never can have served such a purpose. The appearances of towers mentioned by Mr Wilson may possibly refer to several isolated ditches, which have been traced in the immediate vicinity of the Catrail, and are similar in construction, but running in a contrary direction. They vary from four to six hundred yards in length. Their original purpose is, of necessity, quite unknown, and whatever conjectures may be formed regarding them, the wildest imagination could hardly connect them with 'towers.' Though the Catrail may be regarded as approximate to the line of division between Strathclyde and Bernicia, it is doubtful if it was constructed

* 'History and Antiquities of Roxburghshire,' vol. i. p. 196.

† Wilson's 'Annals of Hawick,' p. 7.

either by the Angles or the Britons of Strathclyde as the boundary of their respective kingdoms. An examination of the work is sufficient to prove that it never can have served any defensive purpose. If it was erected as a boundary it must have been a peaceful one, and mutually agreed upon, and was probably the work of the native tribes before the Angles occupied the district.

Teviotdale and Liddesdale were peopled by British tribes belonging to the Brigantes, called by some writers the 'Gadeni,' and the 'Ottadeni,' whose town of Curia is supposed to have been on Carby Hill in Liddesdale. Many of the hill tops in Teviotdale show traces of camps or entrenchments which have all the indications of ancient British origin. Perhaps the best examples of this class of antiquities to be found in the district are the curious and extensive group of earth-works or camps at Chapel-Hill.

These hill forts, as they are sometimes called, are situated at the summit of the rising ground, between the river Teviot and its tributary the Borthwick, a site which commands a most extensive and beautiful view of the surrounding country, and down the vale of the Teviot. The camps or entrenchments are either circular or oval, and have evidently been formed, like the Catrail, by digging a trench or ditch to a depth of three or four feet, and throwing up the earth to form mounds on either side; the outer mound or rampart being heightened in many places by the natural declivity of the ground on the brow of the hill. Inside the outer rampart is a trench four or five feet in depth, which has an inner as well as an outer mound. The interior of these enclosures bear no marks of excavations, but are slightly raised towards the centre. Six of these entrenchments occupy the plateau on the top of the hill, the largest of which encloses a space ninety yards in length by fifty in breadth. The outer rampart measures, in some parts, thirty feet in height. Each entrenchment is complete in itself, but forms part of a station or settlement, the whole having been enclosed and defended by a strong rampart and ditch 13,000 yards in circumference, and surrounding an area of thirty acres. The greater part of this circumvallation is still perfectly distinct, and its whole extent can be traced with little difficulty.

This great camp commanded a view of a regular chain of forts which occupied the surrounding heights to a distance of six or seven miles. Many of these can still be traced, more or less distinctly, and others which have now been completely erased by agricultural operations, were known to have been plainly visible within the last fifty years. So far as can be judged from their remains, these camps are

similar in construction and design to the larger camp at Chapel-Hill, and probably formed part of a complete system of fortification, designed for defence against a common foe. Numerous sepulchral tumuli have been found in the district, which are probably relics of the same tribes who constructed the hill forts.* Many of these ancient graves have been opened, but beyond human remains, they contained little to throw any light on the habits of the people who constructed them. Some rude specimens of pottery, a few flint arrow heads or stone axes, and a few bits of charcoal, have been found,—occasionally some ashes or charred bones. The cists in which the body was placed, generally in a sitting posture, was constructed of large unhewn stones, placed on the surface of the ground, and the tumulus or mound heaped over it. These tumuli or barrows, as they are called, are understood to be the graves of great chiefs, or of those who fell in battle.

Very little is known with certainty about the ancient inhabitants of Teviotdale. Half a century before the Christian era, Cæsar describes the country as very populous, those inhabiting the interior as less civilised than those on the coast. They were clothed in skins, painted their bodies, and lived upon their cattle or wild animals killed in hunting, but they did not cultivate the soil. Cæsar also bears testimony to the bravery with which they defended their rude fortresses, and met the disciplined Roman legions in the field.

The aboriginal inhabitants of Teviotdale had no doubt existed for ages much as Cæsar describes them. These ramparts, trenches and tumuli, they have left behind them, must have cost an enormous amount of labour, constructed, as in all probability they were, before the use of iron was known, and with no better implements than rough wooden stakes or flat stones.

The hill forts must have been the work of a gregarious and settled people, for a nomadic race would never have expended so much toil for the security and defence of temporary dwellings.

Though possessed of considerable skill in the art of fortification, their knowledge of the arts of civilized life was of the most rudimentary description.

The hill forts, which were also the habitual dwelling-places of the tribe, were sometimes still further defended by a stockade or breast-work of felled trees; but there are no traces of buildings of any kind, and the weems or subterranean stone-dwellings appear to have been a later development of domestic architecture.

* Transactions of the Hawick Arch. Society.

There may have been huts within the enclosure, but possibly the hollow trench which encircled their camp, roofed with branches of trees and turf, was their only shelter from the storms of winter. Their flocks and herds too, would most likely be sheltered within the camp at night-fall, to protect them from the wild boars and wolves which roamed the vast forests which surrounded them.

In the earlier half of the fourth century the Angles invaded Britain, subjugated the native tribes, or drove them out, and at length founded the kingdom of Bernicia. Teviotdale was on the western extremity of this kingdom, and at an early period a settlement was formed where Hawick now stands. Local antiquarians have been much exercised regarding the origin and etymology of the name of Hawick.* The only tenable hypothesis which accounts for all the old spellings is that which refers it to the old English (Anglo-Saxon) *ha'za—wic* or *haga—wic* which would mean enclosure or town. *Ha'za* or *haga*, meaning a place fenced in, an enclosure, an entrenchment, the same word as the Dutch *Hague*. *Wic* is a dwelling—abiding-place—*wician* to dwell.

Hawick thus means, the entrenched dwelling-place. It was so named probably because it was a strong camp or entrenchment of the native people, and when the Angles had succeeded in driving out the original inhabitants and taking possession of their stronghold, they named it the Haga-wic; a name its position naturally suggested.

The more ancient part of the town was probably confined to a narrow ridge of land, in the angle formed by the confluence of the Teviot and the Slitrig. The river Teviot has, in later times, shifted its course northward, leaving a strip of level ground for half a mile along its south bank, but it is quite clear that at one time it washed the foot of the steep declivity which sloped down from the narrow plateau on which the ancient town stood. The Slitrig flowed, as it flows still, close to the precipitous scaurs on the other side of the ridge. The narrow sharp angle between the two streams was admirably adapted for security and defence, and being protected on two sides by the rivers, the third could easily be defended by an earthen rampart or a wooden stockade. A town thus triply entrenched by the rivers, with their precipitous banks, and the fence which crowned the declivity, was pre-eminently the Haga-wic or entrenched dwelling-place.

* For the etymology of the name of Hawick and of the Moat, the author is indebted to Dr J. A. H. Murray, Editor of the Philological Society's Dictionary.

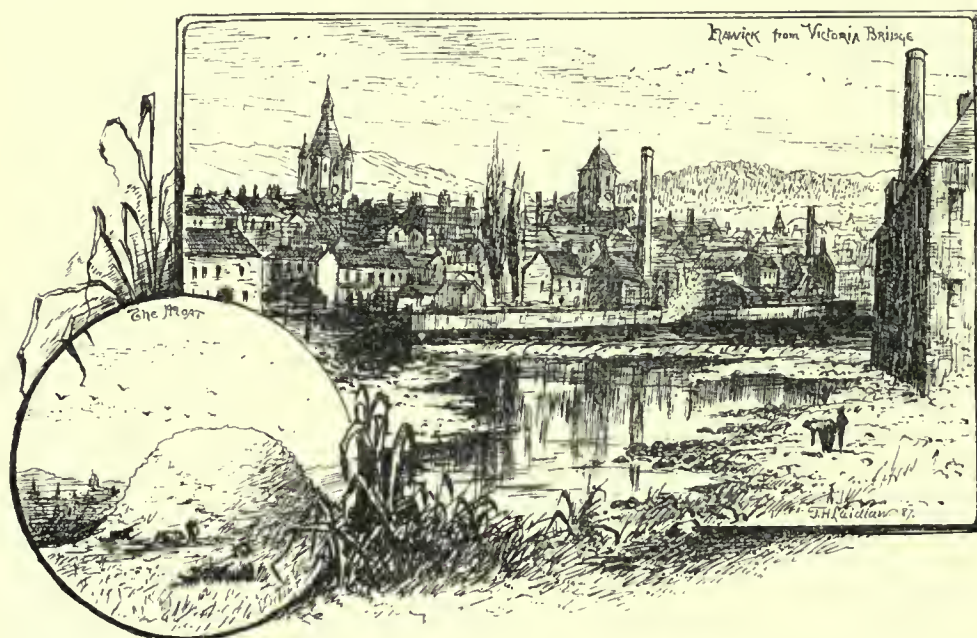
The early history of a small town such as Hawick must necessarily be involved in obscurity. There was no important strong-hold or Royal residence near it, and nothing occurred in its neighbourhood of sufficient importance to call for comment from the pens of the learned monks who took upon themselves the task of chronicling passing events. Therefore its early history can be little more than a series of conjectures, and a study of probabilities.

We may trace the change of dynasties, the commingling of races, and the great political waves which have swept over the country, obliterating the old land-marks and laying down new boundaries—we may run over the list of kings and famous leaders, and may identify the locality where all the great battles were fought; but the part taken in public affairs by an obscure community is unchronicled and unknown, and the local historian who seeks to penetrate the mysteries of the ages previous to the thirteenth century must be content to make what he can, out of sepulchral tumuli, traces of old customs, scanty gleanings from the charters, or incidental notices of the town by old writers. Local antiquaries claim for Hawick a very great antiquity, and contend that it was an important settlement of the native tribes before the Roman invasion; an opinion which they maintain with much archæological and etymological learning. There certainly exists one tangible proof of the antiquity of the settlement which preceded the town, in the old Moat, which there can be little doubt was the work of the aboriginal inhabitants, and exists a solid and veritable fact to the present day.

The Mote or Moat stands on a level plateau close to, and overlooking the old part of the town. It is a conical mound of earth thirty feet high, 312 feet in circumference at the base, and 117 at the top. The perfect regularity of its form, its smoothly dressed sides and its even flat summit, are convincing indications of its artificial character. It is not in the nature of things that there should be any authentic account of the origin of a relic which admittedly belongs to pre-historic times. Its rounded green slopes, and smooth emerald turf, bear no distinctive impress of the hands that fashioned it. Inscrutable from its very simplicity, it carries the mind back to the dim past, and leaves the rest to conjecture and hypothesis.

While archæologists are agreed regarding the great antiquity of tumuli or mounds similar to that at Hawick, there has been considerable difference of opinion as to their primary purpose. Some contend that they were erected

to form a seat of justice where the laws were promulgated and administered ; others maintain that they belong to the class of antiquities known as sepulchral tumuli or barrows. To test this assertion, the Archæological Congress held at Salisbury in 1849, resolved to excavate Sudbury Hill, one of the largest of these tumuli, and the result of these investigations proved that Sudbury Hill was not a sepulchral mound.



Dr Daniel Wilson says, in his 'Pre-Historic Annals of Scotland,' 'These conical mounds or mote hills are not sepulchral barrows, but are designed as the lofty tribunal where the arch-priest administered, and frequently executed the rude common law of the northern races.'

Dr Wilson's name stands so high as an antiquary, that his opinion is no doubt of great authority, yet it is quite within the range of possibility to suppose that what was at first a sepulchral tumulus raised over the grave of some great chief or illustrious priest, might afterwards be used for religious or judicial

purposes; and both sacred rites and legal procedure would acquire solemnity and impressiveness by being associated with the dead hero, who to these primitive and superstitious races, would almost seem to speak to them from his tomb. It is not known whether Hawick Moat is a sepulchral tumulus or not, nor is there any proof that it was associated with religious or judicial ceremonies. That such was its original purpose is merely a conjecture. It is similiar in size and appearance to several others which are to be found in different parts of the country, and are believed to have been constructed by the ancient inhabitants before either Roman or Saxon invaded their shores. Hawick Moat was probably the work of the same people who entrenched themselves on the hilltops around, and whose camps are still plainly visible; and the natural inference is, that it was erected near one of the most important settlements of the tribe to whom it owed its origin.

The name 'Moat' or 'Mote,' has been supposed to be identical with the Anglo-Saxon *Môt*, 'Meeting,' from whence we have *Moot*, *Mute*, *Muit*. Thus, a Moot-hill is the place where meetings or public assemblies of all kinds were held, as the Moot-hill of Scone, which is believed to have been the place of National Assembly under Scotland's early kings. In Upper Nithsdale there is an artificial mound, called the 'Moat of Balagan.' Like Hawick Moat, it is of a conical form, flat on the top, but with the addition of a track or terrace running round it half-way between the base and the summit, thus bearing some resemblance to the Tynwald Hill in the Isle of Man, which, in accordance with early traditions, is still the Witenagemote of the Island. It is supposed, therefore, that the Moat of Balagan was erected for a similar purpose, and was the Moot-hill of the district.

But the word Moat or Mote, has no possible connection with *Môt* or 'Moot,' any more than 'boat' with 'boot,' or bone with boon. The Anglo-Saxon 'Môt' is always 'Moot' in English, and 'Mute' or 'Muit' in Scotch. But 'Moat' or 'Mote' does not point to an Anglo-Saxon word at all, it is from the French, and simply means a mound, hillock, or embankment. In Brittany there are several ancient mounds, similar to Hawick Moat, which are called '*Mottes*,' and 'La Motte,' near St Heliers, is a well known mound out at sea. Sometimes 'Motte' or 'Moat' means the earthen mound of a fortification; and in later times, through some confusion of ideas, it means also the hollow place out of which the earth was dug; as the Moat round the outside of castle walls.

Moot or Mote, as a name, cannot be older than about 1150 or 1200. It is descriptive merely, and throws no light whatever on the original purpose of the Mote, any more than if it had been called the knoll, the mount, or the hill. The 'Moat' of Hawick was, no doubt, so designated by the southern strangers who settled in Teviotdale about the end of the twelfth century, and who, seeing the curious green hillock standing in its conspicuous position, and knowing as little of its history or purpose as we do seven hundred years later, they adverted to it simply as the Moat or Mound. It is obvious that the word 'Moat or 'Mote,' unlike 'Moot,' cannot be used in combination, as the 'Moot' or 'Mute' hill of Scone, which means the Hill of Assembly; but to say the Moat hill, or, as Sir Walter Scott puts it, 'The Moat hill's Mound,' is meaningless tautology, and proceeds from a misapprehension of the meaning of the word.*

After the Angles had conquered the native tribes, and had established the kingdom of Bernicia, they were constantly at war with the Britons of Strathclyde. Hawick was only a few miles from the inland frontier of the kingdom, and its strong position rendered it eminently suitable for a military centre or stronghold. In 603 Aidan, the Scots king of Dalriada, with a great host of Scots, and Britons of Strathclyde, marched against the Angles. 'Approaching by Liddesdale, they proceeded towards a pass into Teviotdale, which would have led them direct to Hawick. Æthelfrith, the Anglian king, had received warning of the great force which was being brought against him, and he collected a large army on the western border of his kingdom, with which he marched into Liddesdale and encountered the enemy at Dawstone, about eight miles or so from Hawick. A fierce and bloody battle ensued, and resulted in the triumph of the Angles. The circle of stones on the Nine-Stane-Rig, which is just opposite Dawstone, are supposed to have been erected by the Angles to commemorate their victory. The Nine-Stane-Rig is so named from the fact that there are still standing nine of the large upright stones of which the circle was composed. A few miles further down the valley there is an enormous cairn, and near it a large standing-stone, which were in all probability memorials of the battle, or the flight which followed

* The Moat of Hawick is never called the Mote hill by old writers, but simply 'the Mote,' as in the Douglas Charter of 1511, 'Seisins' were to be taken by Sir William Douglas for the lands of the barony at the 'Moit of Hawick.' Scott of Satchells mentions 'Willie of the Mote,' as one of the retainers of the House of Buccleuch.

it, or possibly they might have served to mark the place where some great chief fell.*

A relic or reminiscence of these warlike Angles remains in Hawick up to the present day, in the war-cry these pagan warriors shouted, as they brandished their spears and rushed to the onslaught. It has been the slogan of the men of Hawick ever since; and would seem to indicate that Hawick was the rallying point whence the Angles marched against their enemies to the west. In his 'Dialects of the Southern Counties of Scotland,' Dr J. A. H. Murray says—'A relic of north Anglian heathendom seems to be preserved in a phrase which forms the local slogan of the town of Hawick, and which, as the name of a peculiar local air, and the refrain or "ower word" of associated ballads, has been connected with the history of the town "back to fable shaded eras." Different words have been sung to the tune, from time to time, and none of these now extant can lay claim to any antiquity; but associated with all, and yet identified with none, the refrain, '*Tyr-ibus ye Tyr ye Odin*,' Try hæb us, 5c Tyr 5c Odin! Tyr keep us, both Tyr and Odin! (by which name the tune also is known), appears to have come down scarcely mutilated from the time when it was the burden of the song of the gleo'-man or scald, or the invocation of a heathen Angle warrior, before the northern Hercules, and the blood-red lord of battles had yielded to the "pale God" of the Christians.'

The song with which the refrain is now connected sets forth the valiant deeds of some Hawick youths who defeated a party of English marauders after the battle of Flodden. This song is always sung at the common-riding, an annual festival of which we shall have more to say by-and-by. The custom of recounting the brave deeds of their warriors in song with that strange, and, to modern ears, meaningless refrain, has in all probability descended to the Hawick people from their north Anglian forefathers, and '*Tyr ye bus, Tyr ye Odin*,' been the refrain, or the people's chorus to these heroic lays since Teuton and Briton struggled for the mastery. And, doubtless, the victory of Degsastan was sung by the ancient scald while the people shouted their wild war-cry, in exulting approval, at every pause in the recital.

Another custom associated with the Hawick common-riding seems also to have been derived from their pagan ancestors. At the conclusion of the first day's sports, the cornet and his followers always betake themselves, in the grey

* Skene's 'Celtic Scotland,' vol. i. p. 162, 163.

dawn of the summer morning, to the top of the Moat, where, in accordance with ancient usage, they watch for the first beams of the rising sun. There can be no doubt that this custom is a faint reminiscence of the pagan ceremonies which took place at the beginning of the summer solstice. The solemn ceremonial has been long forgotten ; the pagan Frey is no longer hailed in the great orb of day ; the youths of Hawick observe the custom, as their fathers have done for centuries, knowing nothing of those who inaugurated it, or the rites which gave it significance.

The first time we find Hawick mentioned in literature is in the pages of Reginald of Durham, who describes various miracles performed by St Cuthbert, and, amongst others, relates an incident which happened at a chapel dedicated to him. It was St Cuthbert's feast-day, and great numbers assembled at the chapel, bringing with them their provisions ; for the chapel was situated in a wild remote district, far from any habitation. Among the devotees were two women who had come from a town called Hawick—*de quadam villa nominata Hahwick*. These women, who bore the Anglo-Saxon names of Seigive and Rosfrith, having brought their provisions like the rest, set themselves by the altar. While the assembly were at their devotions, suddenly the candle was extinguished, leaving the people in total darkness. According to the chronicler, 'Horror and dread fell on all present, for they were remote on a wild moor,' 'and were totally prevented by the darkness of the night from flying or seeking fire or light.' 'Yea, also, as many of them had hitherto fasted, they could not see to take the food which they had brought.' In this dismal and uncomfortable situation, Seigive, one of the women from Hawick, began to upbraid her neighbour, Rosfrith, for having brought her to this desert place, from whence it was doubtful if ever they returned home in safety. The other, attempting to soothe her, said they were all under the care of St Cuthbert, who would be sure to succour all who trusted in him. 'Forthwith, in most marvellous manner, behold a new candle, larger, taller, and thicker than the other appeared burning in the middle of the altar, which diffused all around its beaming rays, and illuminated the whole church.'

The light so miraculously restored revived the courage of the worshippers, and strengthened their confidence in the patron saint of the church, and all was again peace and harmony.

The chapel where the mysterious light appeared is stated to have been near the *Slitrih*, in a very wild district. It is by some supposed to have been near

Priest-haugh; or, it may have been in the bleak moorland on the borders of Liddesdale, near the source of the Slitrig. It was so far from Hawick that those who went took their provisions with them and remained all night. The story is interesting, because it connects the district with the missionary labours of St Cuthbert, who, while prior of Mailros, laboured with so much zeal to convert the people in the surrounding districts to the truths of Christianity. His biographer relates how he 'frequently went out from the monastery, sometimes on horseback, but more generally on foot, and preached the way of truth to those who were in error.' 'He was also wont to seek out and preach in those remote villages which were situated far from the world in wild mountain places fearful to behold, and which, as well by their poverty as by their distance up the country, prevented intercourse between them and such as could instruct their inhabitants. Abandoning himself willingly to this pious work, Cuthbert cultivated these remote districts and people with so much zeal and learning, that he often did not return to his monastery for an entire week, sometimes for two or three, remaining all the time in the mountains, and calling back to heavenly concerns these rustic people by the word of his preaching, as well as by his example of virtue.' *

It is uncertain when the Angles inhabiting that part of Bernicia, now known as Upper Teviotdale, were first brought under the influence of Christianity. St Kentigern and his successors may have extended their missionary labours to that remote part of the Anglian kingdom, but there is no proof that they did, and it is certain that Christianity made little progress among the pagan Angles until about the middle of the seventh century, when Oswald, the Christian king of Northumbria, gave lands and possessions to build monasteries, and gave every encouragement and assistance to those who laboured to spread the truths of Christianity. Aidan, who had been appointed by king Oswald Bishop of Lindisfarne, founded the monastery of Mailros, and the first abbot was Eata, an Angle, whom Aidan had himself instructed in the faith. Cuthbert, who had been a shepherd boy on the banks of the Leader, entered the monastery of Mailros in 651, and was made prior ten years afterwards. As has been already stated, he prosecuted his missionary labours with untiring zeal, penetrating to the wild upland districts beyond Hawick.

It is not known when the pagan altars were overthrown, and the first Christian church erected in Hawick. It may have been before St Cuthbert preached in

* Bede, 'Life of St Cuthbert,' ch. 1X.

Teviotdale. He founded many churches in the district, but there is no evidence that he founded one in Hawick, possibly because a church had been already established there. There can be little doubt, however, that at a very early period a church stood on the green knoll above the Slitrig; probably a simple erection of turf and wattles merely, as were most of the early Christian churches, the precursor of a succession of churches which have occupied the same site for more than a thousand years.

The first of these of which there is any account was built in 1214. The first humble structure had, doubtless, been rebuilt again and again, and it is not at all unlikely that the church of 1214 replaced an older building of stone. Nothing, however, is known on that point, and the only proof of the church's previous existence is the signature of Henry, the parson of Hawick,* as witness to a charter in 1183, and of William, the clerk of Hawick,† to a similar document shortly afterwards.

The church of 1214 was built at a time when the art of architecture had arrived at great perfection, and when people gave freely of their substance to maintain and adorn the house of God; for those who gave not for love, gave for fear, or self-interest, since liberality to the church was believed, literally, to cover a multitude of sins, a kind of spiritual investment which would be carried to the donor's credit-account with heaven. The country was prosperous at the time, the church itself was wealthy, and means were not likely to be lacking to erect a substantial and beautiful building worthy of the age which produced the abbeys of Melrose, Dryburgh, and Jedburgh, which still remain to testify to the exquisite taste and skill attained by the builders of the twelfth century.

No description of the church has been handed down to us, but recent discoveries prove that the interior was adorned with beautifully sculptured foliage.

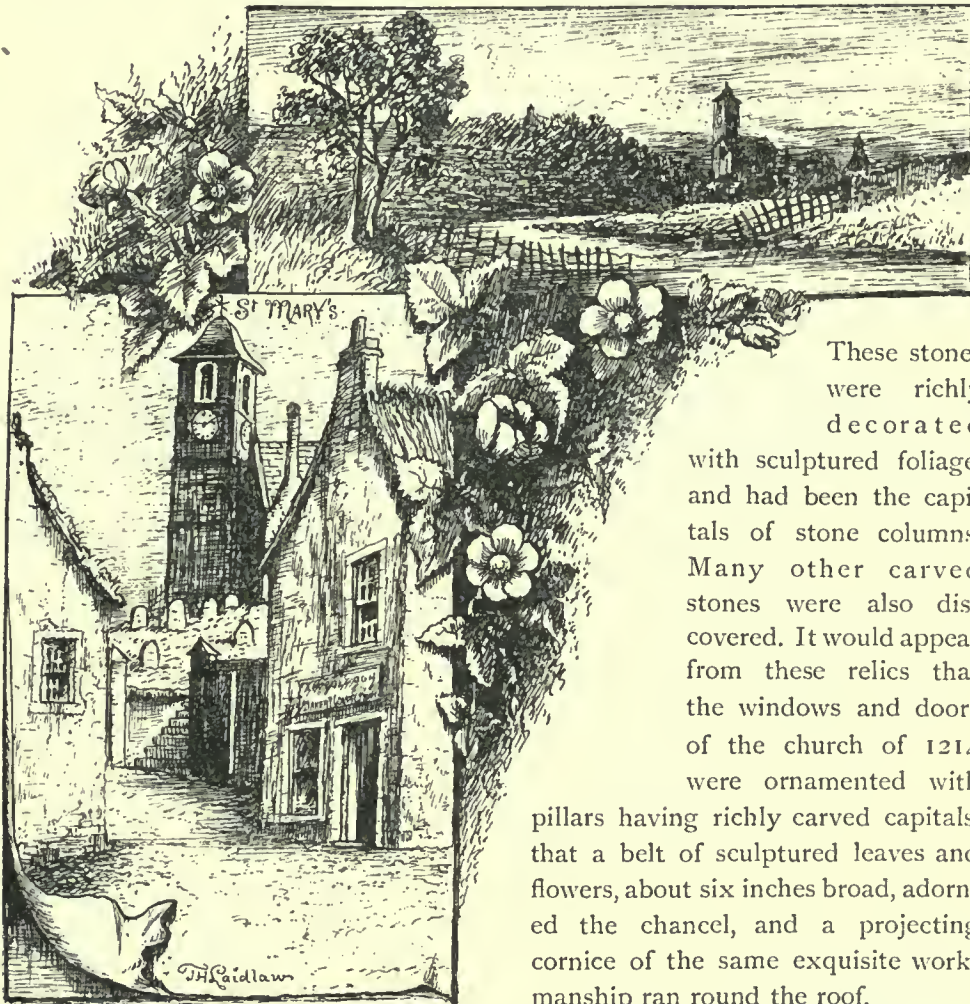
The church, which had become ruinous, was rebuilt in 1763, and the materials of the old building were used in the construction of the new, which was a plain unadorned edifice in conformity with the taste of the times.

Such stones as had any carving or tracery on them had their decorated sides turned inwards as a matter of course, for a few sculptured stones appearing here and there would have presented a very incongruous appearance, and their value as antiquarian treasures was then undreamed of. In the course of some repairs and alterations exactly a hundred years afterwards, many of these stones were

* Reg. Prior S. Andree, p. 261.

† *Ib.* p. 262.

discovered and removed to the museum. Under the floor were found two large stones used as foundations to the wooden posts which supported the gallery.



These stones were richly decorated with sculptured foliage, and had been the capitals of stone columns. Many other carved stones were also discovered. It would appear from these relics that the windows and doors of the church of 1214 were ornamented with pillars having richly carved capitals, that a belt of sculptured leaves and flowers, about six inches broad, adorned the chancel, and a projecting cornice of the same exquisite workmanship ran round the roof.

Several fragments which turned up among the rubbish indicated that the church had stained glass windows, and was roofed with red sandstone flags about an inch in thickness.* It was open to the roof until a loft or gallery was added

* Paper read by Mr W. N. Kennedy before the Hawick Arch. Soc., Sept. 1863.

in 1683. Of the exterior appearance of the building very little is known. The Rev. Robert Cunningham, who was minister of Hawick in 1712, says of the church—

‘With reverence I am strucke,
While as up yonder sacred mount I looke ;
On which the temple that ’s situat on high
Stands much admired by strangers passing by.’

It had a steeple or strong square tower with a flat roof, with a belfry on one of the turrets.* It was very substantially built, and was with great difficulty taken down when the church was rebuilt in 1763. When the church had been completed in 1214,† it was consecrated by Adam,‡ Bishop of Caithness, who had just been ordained to the Episcopal office, having previously been Abbot of Melrose Abbey. The ceremony would, without doubt, be attended by a large body of ecclesiastics from Melrose, Jedburgh, and the neighbourhood, but it derives special interest from the fact, that it was performed by the new made Bishop on the eve of his departure for a distant and very dangerous field of labour.¶ In 1199 a Bishop of Caithness had been cruelly murdered by Harold, King or Jarl of Orkney, who resented the interference of a Bishop being placed by the King of Scotland, in what he regarded as his own dominions. The Bishop’s tongue had been cut out, and his body horribly mutilated, and many other outrages committed in the neighbourhood. This sacrilegious murder roused the ire of the Catholic Church, and Harold was threatened with all the terrors of ex-communication, and severe penances were imposed upon him. But the fierce descendant of the old sea kings only laughed at the threats and evaded the penances, setting the spiritual powers at defiance, till William the Lion marched north at the head of an army, when Harold was completely routed, and the King’s authority firmly established on the mainland.§

These dreadful events were still fresh in people’s minds, and it required great courage on the part of the Bishop to accept the charge of this remote and perilous diocese. If any gloomy prognostications attended his departure, they were terribly fulfilled.

The Bishop was accompanied by a Monk of Melrose, named Serlo, a man of

* Paper read by Mr W. N. Kennedy before the Hawick Arch. Soc., Sept. 1863.

† ‘Chronicle of Melrose,’ p. 115.

‡ *Ibid.*

¶ Buchanan’s ‘History of Scotland,’ vol. i. p. 388.

§ Burton’s ‘History of Scotland,’ vol. ii. p. 11.

great learning and piety, and the author of several books, and amongst these was one on tithes. This was a subject on which the Bishop's flock appear to have been very imperfectly educated, and their idea of the tithes to which the Bishop was entitled was so inadequate, that he insisted upon fuller payment. His demands being met by obstinate refusal, the Bishop pronounced the terrible sentence of ex-communication against his people, which, instead of making them more compliant and obedient, turned all their thoughts towards revenge. On the night of the 11th of September 1222, the Bishop was dragged from his bed by a ferocious mob, and beaten with sticks and stones; and then shutting him up in the house they set fire to it, and burned him to death. Serlo, the Monk of Melrose, was also slain. After the flames were extinguished, the body of the Bishop was found unconsumed, and was buried in the Cathedral Church of the Diocese, where it is asserted many miracles were wrought over his tomb.

When the report of this outrage was brought to King Alexander at Jedburgh, he at once proceeded to the spot, punished the murderers with death, and confiscated the estates of the Earl of Caithness, who was believed to have instigated the crime. For his prompt action in this matter the king received a letter of commendation from Pope Celestin IV.*

From the beginning of the twelfth century there was much friendly intercourse between the royal families of England and Scotland. Henry the First had married the Scottish Princess Edith, afterwards called Matilda, and her royal brothers spent much of their time at the English Court. Prince David, afterwards David the First, married the daughter and heiress of Waltheof, Earl of Northumbria, and thus possessed extensive estates in England. Encouraged by the Scotch Princes, numbers of Norman and Anglian families of high rank came from England and established themselves in the lowlands of Scotland, displacing, or predominating over, the native people, who gave way before them, or took service under the strong-handed strangers.

Among these was a family named Lovel or Lufel, believed to be of Norman extraction, but who held large estates in the county of Somerset as Barons of Castle Cary.† A branch of this family settled themselves in Teviotdale, and either usurped, or obtained a grant of, the barony of Hawick and the lands of Branxholme.

* Morton's 'Monastic Annals,' p. 320; and Wyntoun, viii. 7.

† 'Sketches of Early Scotch History,' p. 10, by Cosmo Innes.

Regarding these Lovels Mr J. Bain says :—

‘ This singularly short-lived family, no fewer than ten of whom occur between 1155 and 1291 as Barons of Castle Cary, Co. Somerset, and of Hawick and Branxholme, who were among the magnates of Scotland from the time of William the Lion, if not earlier, till the wars of the succession, and whose genealogy ‘The History of the House of Yvery’ is one of the rarest and most curious of family histories, has absolutely been forgotten in Scotland, their historian, and even Dugdale, were unaware of their large Scotch possessions, and the editor believes he is the first to show the identity of Lovel of Branxholme and Lovel of Castle Cary, a discovery to which he was led by a notice in Agarde’s invaluable “Placitorum Abbreviatis.” *

They were, no doubt, the first founders of the tower on the bank of the Slitrig, opposite the church, which remained the Baron’s Tower till the days of feudalism had passed away. The exact time when the Lovels settled themselves in Teviotdale is not known, but it was probably in the reign of Alexander the First. Henry Lovel, the first of the family whose name appears in Scottish records, granted to the Canons of St Andrews two oxgang of land in Branxholme, with as much common land as belonged to it. †

Richard Lovel, the son of Henry, afterwards gave in exchange for the land in Branxholme an equal portion in the barony of Hawick, and this, with their other possessions, was confirmed to the Canons of St Andrews by Pope Lucius the Third in 1183. ‡ It may seem strange that Henry Lovel should have given a portion of his lands in Teviotdale to enrich the distant See of St Andrews rather than to Melrose, or one of the other religious houses in the district. But if, as seems probable, the Lovels received their lands from Alexander I., it was both a politic and a graceful act to give a portion to St Andrews, which was Alexander’s favourite Bishopric. || In 1166 the name of Henry Lovel appears as witness to a royal charter conveying to ‘Robert Brus’ his possessions in the vale of ‘Anand.’

In 1207 there was a dispute before the Court in Somerset between Matilda, the widow of Ralf Lovel, and Henry Lovel his brother, regarding her claims on his Scottish barony, which she relinquished on receiving a grant of the manor of Hunewic in Somerset, and a gift of 16 oxen and 23 merks. § Another dispute occurs in 1248, ** which still further proves the relationship of the Lovels of Castle Cary with those of Teviotdale. This was a claim made by Christina Lovel and her second husband, against Richard Lovel, her first husband’s

* Note to introduction of Calendar of Documents relating to Scotland, vol. i., edited by J. Bain.

† Reg. Prior St Andree, p. 261.

‡ *Ib.* p. 60.

|| Calendar of Documents relating to Scotland, vol. i. p. 14.

§ *Ib.* p. 66.

** *Ib.* p. 322.

brother, for the advowson of the Church of Cavers, which she maintained was part of her dower.

It is almost certain that the Lovels were the first to hold the barony of Hawick by feudal tenure. They were of course in the allegiance of the kings of Scotland, holding a high position at Court,* Sir Robert Lovel being one of the procurators of King Alexander the Third, in negotiating his daughter's marriage with Eric, King of Norway; but they were English subjects as well.† In 1263 Richard Lovel, son of Henry Lovel, did homage to Henry the Third, when he obtained possession of his father's lands in Somerset.‡ Hugh, the brother and heir of Richard, after entering into possession, had a dispute with his sisters Christina and Alicia regarding their inheritance in Cary.

It was probably about the time the church was built, or soon afterwards, that the old bridge was erected, which crossed the Slitrig opposite the church, and in close proximity to the Baron's Tower. 'The Auld Brig,' as it was called, was a single arch thrown across the stream at a point where it was hemmed in and narrowed by the rocks on either side. The arch was formed of three ribs, on which were laid two rows of flat slabs, carefully fitted, and filling up the spaces between the ribs, so as to form a firm and secure roadway. It was built of freestone, the blocks of which the ribs were formed being all carefully squared and dressed, and at the spring of the arch a female face was sculptured on the stone. It was well and substantially built, and firmly founded on the rocks. The bridge was high and narrow, and very steep, especially on the west side, and was not adapted for the passage of wheeled conveyances, having been erected long before such things were known, or their use contemplated, in Teviotdale. The stone of which the bridge was built was the same as that found at Whitrop Burn, a distance of ten miles from Hawick. There were no roads, and the stone must have been conveyed over the trackless moors, either on sleds or on the backs of horses.¶ The bridge is supposed to have been built in the time of Alexander the Second. It was a time of great prosperity in Scotland, and public enterprise was shown in the construction of roads and bridges§ in different parts of the country. To build a single arched bridge is not considered any great affair now-a-days, but in the twelfth century

* Origines Parochiales, p. 341.

† Calendar of Documents Relating to Scotland, vol. i. p. 463.

‡ *Ib.* p. 469.

¶ Paper by A. Michie, read before the Hawick Archæological Society, Aug. 1877.

§ Scotland in the Middle Ages, p. 146.

it was a large undertaking. It was very unlikely that any considerable public work would be carried out in the disastrous times which followed the death of Alexander the Third, when the barony of Hawick was constantly changing hands, and when, by perpetual wars, the Borders were brought into a state of the greatest poverty and distress. Unlike the bridge over the Tweed at Berwick, the bridge at Hawick was not required for wheeled traffic, nor was it much needed for foot passengers, for in those days, as for centuries after, the people generally went barefooted, and therefore could easily wade the shallow river. The upper classes, who wore stockings or cloth hose, might desire a bridge for their own convenience, but it was more a luxury than a necessity, and therefore may be regarded as a proof of wealth. Tradition says that the bridge was built by an old lady, who erected it at her own cost, that she might not be prevented from her daily attendances at matins and vespers and other services of the church ;* and the female face under the arch was supposed to be her likeness. The story is a mere myth, suggested by the sculptured face ; but there is little doubt that the bridge, connecting the east and west parts of the town, and situated close to the Baron's Tower, must have been built by one or other of the Lovel family.

After resisting the floods and storms of six hundred years, the Auld Brig was demolished in 1851. The 'Brig' was regarded with great veneration by the Hawick people, as a relic of the past ; and though it was narrow, steep and awkward, many regretted its destruction. When the bridge was destroyed, the magistrates offered a prize of £20 for the best poem commemorative of it. The subjoined extracts, from the poem written by the late W. N. Kennedy, give a fair idea of the associations connected with the ancient arch.

The poem is in the form of a colloquy between the brig and the spirit of old Clint-head, as he was called, according to the general custom which designated all the notable people with a soubriquet. 'Clinty' spent a great deal of his time (as his spirit is represented doing), seated on the parapet of the bridge, with a red woollen night-cap on his head, smoking a pipe. Addressing the brig, he says :—

'Afore ye're numbered wi' the deid,
About the auld folks gies a screed,
An tell me o' the ploys were played,
When your foundation stane was laid ?'

* 'History of Hawick,' p. 60, by R. Wilson.

Upper Teviotdale and the Scotts of Buccleuch.

Brig—‘ Myself I have no wish to praise,
But I was born in pious days ;
And priests were there in solemn state,
The work to bless’ and consecrate.

‘ I was consigned to Mary’s care,
With chaunted psalm and solemn prayer ;
And brethren of masonic art
Were there, to act their mystic part.

‘ Of rainbow shape they made my form,
That I might triumph o’er the storm ;
And in my triple arch you see
An emblem of the Trinity.

‘ Hence Slitrig’s waters had no power
To scathe me in their fiercest hour.
Eight hundred years I’ve firmly stood,
Untouched by time, unhurt by flood.’

Clinty—‘ Wheest, ye daft haveril, gie us facks,
I want nane o’ ye’re Romish cracks.
A bonny life thae Papists led us,
Till they were glifed by Jenny Geddes.

‘ I want to ken boot auld-lang syne,
O’ men an’ things passed out o’ min’ ;
What blithe like lads, and grey-haired sages,
Ye’ve carried in the byegane ages.’

Brig—‘ I’ve borne mail’d knights in grim array,
In eager haste for Border fray ;
And sandall’d monks my summit trod,
Wending their way to worship God.

‘ In time of need I proved a boon
To him that rhymed in Ercildoun ;
And here, though history tells it not,
Has crossed the wizard, Michael Scott.

‘ Upon my summit, Thomas stood
In thoughtful and prophetic mood ;
And books of ancient lore relate,
That thus he showed my coming fate.’

**'Amid destruction Hawick sall flourish,
And sall improve when ye sall perish.'**

'Here Gawain Douglas took his way,
On Sabbath morn and Holy day,
When vested priests, in cope and stole,
Said masses for Drumlanrig's soul.

'Dark Ferniehirst's retainers rude,
Noble Buccleuch, the bold and good,
And many a knight of Border fame
I've borne, and many a beauteous dame.'

These extracts have, of course, no historic value, the poem merely embodies all that was popularly believed about the bridge and its history.

There is little more to tell of the Hawick of the thirteenth century. The ancient Anglic settlement had, of course, long outgrown its original boundaries, and had extended eastward along the Teviot, where the High Street now stands. The church and the Baron's Tower were probably the only stone buildings in the town at that time, and for long afterwards houses were generally of wood, those of the humbler class of ash or birch boughs interlaced, forming an inner and outer framework, with turf piled between. There is nothing to indicate that the people of Hawick pursued any trade, or had any connection with commerce. It is probable that their occupations were agricultural merely,—that they tended their sheep and cattle, and guided the ponderous plough, drawn by its span of twelve oxen. It may be that the art of weaving was not unknown in Hawick even at that early period, for a strong kind of cloth, which formed the dress of the common people, was woven by the inhabitants of country towns and villages. The town was under the protection and rule of the Lovels, who, one would fain hope, made the interests of the people their own. St Mary's Church was under their patronage,* and they, doubtless, contributed towards its erection in 1214. It is very probable that, under their auspices, the town was first erected into a barony, and the election of municipal rulers, and the privilege of self-government, secured to the inhabitants. Under the Lovels the district enjoyed a long period of peace and security, a strong contrast to the storms which swept over it in later years.

* 29th Edward III., Rotuli Scotiæ, p. 777.

CHAPTER II.

'A sound of tumult troubles all the air,
Like the low thunders of a sultry sky
Far-rolling ere the downright lightning's glare;
The hills blaze red with warnings; foes draw nigh,
Treading the dark with challenge and reply.
Behold the burden of the prophet's vision
The gathering hosts.'—

WHITTIER.

THE death of Alexander the Third was the beginning of an entirely new era in Border history—an era of trouble and disaster.

On the day before the King's death the prophetic Thomas of Erceldoune* foretold that on the morrow there should blow the most fearful tempest that ever was heard in Scotland.

The morrow came,—a day calm and still, with no appearance of tempest. 'Where is your storm?' said the Earl of March, tauntingly. 'The day is not done,' answered the seer with laconic dignity. 'And incontinent ane man came to the yet schawing yt ye King was slain. Yone, said ye prophet, yone is the wynd yat sall blaw to ye gret trouble calamity and trouble of all Scotland.'

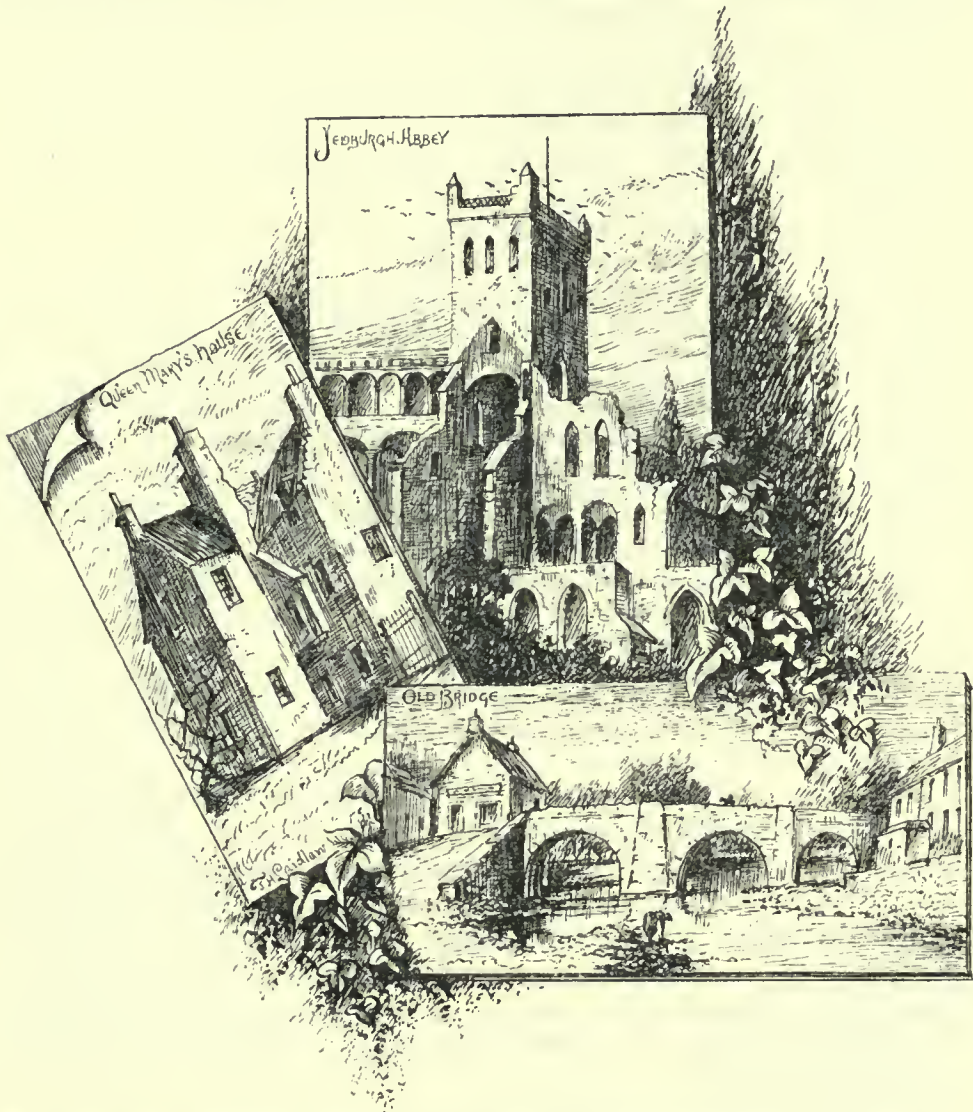
Whatever credence may be given to the seer's foreknowledge, the news brought to the Earl was true. Returning in the darkness along the sea shore, from Burntisland to Kinghorn, the King's horse stumbled over a small ridge of rock in the rough road, and threw him.†

'This noble King than rydand at Kingorne,
Thair with his men, in middis of theme all,
His hors hapint to snapper and to fall
With sic ane ous, quhill that flew wnder
Quhair that his neck bone brist all in schunder.'

* The Romance and Prophecies of Thomas of Erceldoune, by Dr. J. A. H. Murray, Early English Text Society. Introduction, p. 14.

† Hector Boece, 'Cronicles of Scotland,' vol. iii. p. 135.

The King's Craig, where Alexander met his death, is not on the edge of the cliff, as is generally supposed, but is merely a large piece of rock by the wayside, over



which the horse stumbled and threw its rider, who being a tall strongly built man, and consequently heavy, was killed by the fall.* Another supernatural fore-

* Tytler's 'History of Scotland,' vol. i. p. 58.

shadowing of future woe is related by Fordun to have occurred at Jedburgh on the occasion of the King's marriage to Joleta, daughter of the Count de Dreux, in April 1285. When the bridal festivities were at their height, a spectre, resembling death, glided amongst the revellers, and striking terror into the hearts of all beholders, suddenly disappeared. This spectre, probably a piece of clever mummery, was regarded as an ominous prognostication, which had its fulfilment in the death of the King; an event which happened within the year.*

'In the mid revels, the first ominous night
Of their espousals, when the room shone bright
With lighted tapers—the King and Queen leading
The curious measures, lords and ladies treading
The self-same strains—the King looks back by chance
And spies a strange intruder fill the dance,
Namely, a mere anatomy, quite bare,
His naked limbs both without flesh and hair
(As we decipher Death), who stalks about
Keeping true measure till the dance be out.
The King, with all the rest affrighted stand;
The spectre vanished; and then strict command
Was given to break up revels; each 'gan fear
The other, and presage disaster near.
If any ask, What did of this succeed?
The King soon after falling from his steed
Unhappily died. After whose death ensuing
Was to the land sedition, wrack and ruin.' †

On the death of King Alexander the Third, the crown descended to his grand-daughter, the Maid of Norway. This youthful Queen also died four years afterwards when on her voyage from Norway, leaving the kingdom of Scotland a prey to all the evils arising out of a disputed succession. In the absence of direct heirs of King Alexander, no less than thirteen competitors came forward to assert their right to the Crown. It is not necessary to enter into details regarding the claims of the rival aspirants, or the intricacies of the question of the succession. It will be sufficient briefly to recapitulate the leading events which followed the death of the Maid of Norway.

* Tytler's 'History of Scotland,' vol. i. p. 58.

† Heywood's 'Hierarchy of the Blessed Angels,' Book viii.

The question of the disputed succession was referred to the arbitration of King Edward the First of England; who, as a neutral party, and relative of the deceased King, might be expected to give a fair and unbiased decision. But it was a most unfortunate step the Scotch took when they invited Edward to interfere, because it enabled him successfully to assert his claim to the feudal superiority of Scotland. The Kings of Scotland, who held large possessions in England had, as in duty bound, done homage to the King of England for the lands they held from him, and it had, on various occasions, been attempted to induce the Scottish Kings to admit the feudal superiority of England over Scotland. In 1278 Alexander the Third did homage to Edward, King of England, at Westminster, in these words: 'I become your man for the lands which I hold of you in the kingdom of England, for which I owe you homage, saving my kingdom.' 'Then,' said the Bishop of Norwich, 'And saving to the King of England, if he right have to your kingdom.' To whom the King immediately answered, saying aloud, 'To homage for my kingdom of Scotland no one has any right but God alone, nor do I hold it of any, but of God.*' It is obvious, however, that the independent attitude of King Alexander could not be maintained by any of the rival claimants to the Scottish Crown, most of whom were willing to obtain the support of King Edward by acknowledging him as Lord Superior. The settlement of the question was not accomplished without a great deal of trouble. The claims of all the other competitors having been disposed of, the question finally resolved itself into a decision between John Baliol and Robert Bruce, both of whom were descended from David, Earl of Huntington, brother of William the Lion. Judgment was ultimately given in favour of John de Baliol, who was duly crowned at Scone on the 30th of November 1292. King John, according to promise, swore fealty to Edward, 'and signed a statement to the effect that he performed his homage willingly and in honest faith, that it was justly due to the King of England as Lord Superior of Scotland.†

King Edward showed from the first that he had no idea of being content with the mere acknowledgment of his feudal superiority, but was determined to be the supreme and active ruler in Scotland, and that Baliol's authority was merely nominal. Edward's arbitrary proceedings caused great dissatisfaction in Scotland, and complications arose which eventually led to open hostilities. In

* Burton's 'History of Scotland,' vol. ii. p. 41.

† *Ib.* vol. ii. p. 156.

1295 the Scots invaded the northern counties of England,—a rash and ill-considered step,—the only result of which was to provoke the vengeance of Edward. With an army consisting of 30,000 footmen and 5000 men-at-arms, he marched to the north. He halted at Berwick, at that time the most important city of Scotland; the town was besieged and taken, and the defenceless inhabitants treated with merciless cruelty. One writer describes King Edward as ‘rabid, like a boar infested with hounds,’ and gave the order to spare none.* Another says:—

‘This King Edward that furious wes and felloun,
 With all his armie enterit in the toun.
 Within the toun that samin da war slane;
 Wemen and barnis also young and ald,
 War slane that da out of number on tald.
 Out throw the toun abundantlie the blude
 Of tha slane men ran in so greit ane flude,
 Baith deip and wyde that large wes and lang,
 Wes sufficient to gar ane corne myln gang.’ †

From Berwick, Edward proceeded to Dunbar, and afterwards to Edinburgh, Stirling, Perth, and Scone, conquering and destroying wherever he went, and treating all who opposed him with relentless severity. Returning to the Borders, he took Roxburgh and Jedburgh castles, which were yielded up to him without a struggle, for the force he had brought with him was so overwhelming that to oppose it was hopeless. King Edward having now subdued the kingdom of Scotland, was determined that his supremacy should be fully acknowledged, and demanded that landowners, churchmen, and all persons of note should take the oath of allegiance to him, or risk the alternative penalties of death or forfeiture. Among the names of those who did homage to the conqueror were Richard of Wytton, parson of the church of Hawick,‡ and Hugh, William, and John Lovel, also of Hawick,§ Maurice Lovel, parson of Cavers,§ and various other members of the same family. The campaign having been brought to a satisfactory conclusion, Edward returned to his own dominions in the autumn of 1296.

Had Edward shown a disposition to govern Scotland justly, and with some

* Burton’s ‘History of Scotland,’ vol. ii. p. 169.

† ‘Cronicles of Scotland,’ vol. iii. p. 151, by Hector Boece.

‡ ‘Ragman Rolls,’ p. 139. || *Ib.* p. 164. § *Ib.* p. 172.

regard to the liberties and welfare of the people, it is possible that the Scots would have been inclined to submit to his rule; but he seemed determined to humiliate them, and to destroy every vestige of the national independence. The Scotch castles and strongholds were garrisoned with English soldiers, who oppressed the inhabitants of the neighbouring towns and districts, and treated them with every indignity which cruelty could devise.

The Scots did not long submit to this galling yoke. Finding a brave and skilful leader in Sir William Wallace, the Scots defeated Edward's armies, drove the alien garrisons from their strongholds, and triumphantly asserted their independence. The heroic achievements of Wallace are among the most brilliant deeds which Scottish history has to record. In August 1296 Scotland was crushed under the iron heel of the conqueror. In October 1297 Wallace was able to say—'The kingdom of Scotland, thanks be to God, is now delivered from the power of the English.'*

Not content with driving out their enemies, the Scots invaded England, and spread havoc and destruction over the northern counties. Wallace tried in vain to restrain his followers, who wasted the country with fire and sword most cruelly, until the severe weather compelled them to retire.

Wallace was made Governor of Scotland, but his brilliant career soon came to an end. Edward again invaded Scotland, and though the Scots made a brave and obstinate resistance, and the struggle was protracted for some years, yet the superior might of England at last prevailed. Scotland was again subdued, and the patriotic Wallace was betrayed and executed in 1305.

Edward now adopted a conciliatory policy towards the Scots, which, had it been put in practice in 1296, might have led to the union of England and Scotland. But it was now too late; the national hostility which had been engendered by years of struggle and bloodshed was not to be allayed by fair promises; and while Edward was making arrangements for a Union Parliament to be held at Carlisle, the Scots were preparing to renounce his authority at the point of the sword.†

Robert Bruce, the rival competitor of Baliol for the Scottish Crown, was dead. His son preferred to live in peace on his English estates; but his grandson, the

* Letter from Andrew de Moray and William Wallace, to the Corporations of Lubeck and Hamburg.

† Burton's 'History of Scotland,' vol. ii. p. 233.

young Earl of Carrick, was a man of a very different stamp, and he now came forward as the champion of Scottish independence, and asserted his claim to the Crown of Scotland. But the struggle was long and severe, before the victory of Bannockburn placed him firmly on the throne.

It is scarcely possible to estimate the miserable and wretched condition to which the people of Scotland were reduced by the ravages of war. The southern counties were brought almost to the verge of desolation, being exposed to the first shock of invasion, and to the hardly less to them disastrous military tactics of Robert Bruce, which he used against the English with such marked success. This was to starve the enemy, by burning or removing all the food and provender in the districts through which they must pass. The inhabitants, with their cattle and sheep, were all securely hid in the recesses of the hills, the barns and houses all burned, the fields laid waste, and the country left a black and desolate wilderness. Meanwhile the Scots army, avoiding an encounter, harassed the enemy by night attacks, till they were compelled to retreat, starving and dispirited, and as completely baffled as if they had been vanquished in battle. King Robert's stratagem, though admirably calculated to keep a powerful enemy in check, pressed very hardly on the inhabitants of the Border Counties. It is true, that it was only a choice of evils, for the people either had to despoil themselves, or be plundered by the enemy. They were reduced to great straits by famine and exposure, and comfort and security were almost unknown on the Borders during all those miserable years.

The inhabitants of Upper Teviotdale, however, did not suffer so much as their neighbours to the east and west. The two main routes between England and Scotland were by Berwick or Carlisle, and the hilly and less accessible district lying between, was seldom penetrated by the invaders. Hawick had also the advantage of being under the protection of the Lovels, who, being English subjects as well as Scotch vassals, had remained true to their oath of fealty to King Edward. It is evident that the family had served Edward with conspicuous fidelity, for they lost their estates of Hawick and Branxholme in consequence of their loyalty to the English sovereign.

King Robert granted the whole lands of Branxholme, in the barony of Hawick, which had belonged to Sir Richard Lovel, to Sir Henry Baliol, 'except a piece of land which he had previously granted to Walter Comyn, within the said land of Brankisholme, for payment of the third part of a soldier's service in the King's

army.* But King Edward rewarded Sir Richard Lovel of Hawick with a grant of land in 'Old-Rokesburgh.'

Roxburgh Castle, and a portion of Lower Teviotdale, were still in the hands of the English, and consequently in Edward's power to bestow. He accordingly granted the lands in 'Old Rokesburgh,' which had formerly been held by Sir John de Soulis, to Richard Lovel. †

When the government of Robert Bruce was firmly established, Scotland enjoyed a short period of peace, and, in some measure, recovered from the effects of the war, and reviving trade brought some degree of prosperity to the large towns. The southern districts of Scotland had been demoralized by the protracted struggle with England, and a fierce and deadly hatred of their enemies had been engendered. The thirst for revenge was insatiable; and, on one pretext or another, the north of England was again and again laid waste, with the inevitable result of retaliation more or less effective. One dreadful raid followed another, with all the horrors of burning, spoliation, and slaughter. It will, therefore, be readily understood, that the arts of peace found no congenial soil on which to flourish on the Borders, and that the people were given up to poverty and wretchedness, animated, however, by a brave unyielding spirit, and a hardy indifference to outward circumstances, which rendered them superior to danger and privation, taking great delight in daring and warlike exploits.

In 1312 Sir James Douglas succeeded in taking Roxburgh Castle from the English, by a clever and bold stratagem. This famous Borderer was known as 'The Good Sir James Douglas,' the dear friend and companion of Robert Bruce, to whom he entrusted the mission of taking his heart to Palestine.

Roxburgh Castle was well garrisoned; its walls were strong and high, and its position almost impregnable. It was Fastren's E'en, and the soldiers, in fancied security, were holding high revel in the great hall. The few sentries who were left to guard the walls, were pacing up and down, envying their more fortunate comrades, who were enjoying themselves over the wine cup. Some dark forms were cautiously moving on the plain below. It was Sir James Douglas and his men, who were creeping on their hands and knees, with dark mantles covering their armour. A sentinel looking over the castle wall observed, through the darkness, the dim outline of moving forms, and carelessly remarked to his

* Robertson's Index, p. 5. No. 24.

† Origines Parochiales, vol. i. p. 492.

fellow, that 'yonder cattle are late left out.*' Shortly his attention is again arrested by a sound outside the wall, where a rope ladder has been thrown; but, before he can give the alarm, a Scotch dagger is in his heart. The other sentinels rush to the spot, but the battlement is filling with armed men, and they are quickly overpowered.

The noisy mirth of the revellers prevent them hearing what is going forward till the doors are flung open, and the cry 'A Douglas,' 'A Douglas,' makes everyone start to his feet and grasp his weapon. Resistance is in vain; the English are quickly overpowered, and cry for quarter. The governor, fatally wounded, is compelled to surrender, and the Scottish banner again floats over Roxburgh's highest tower.

In 1326 Sir James Douglas saved Teviotdale from an invasion of 10,000 men, led by the Earl of Arundel. Sir James was at Linthaughlee, near Jedburgh, when tidings were brought to him of the approach of an English army, and he at once set off with a small force to intercept it. Passing through Jed Forest, he lay in wait for the English in a narrow, well-wooded glen, on the Jed, which lay on their line of march. He directed his men to twist together the young birch trees on either side to prevent their escape. Then lying concealed till the English were in the narrowest part of the Pass, where the cavalry were only an encumbrance, they suddenly rushed upon them, while the archers, hidden in the thicket, poured volleys of arrows into their midst. Taken by surprise, the English were thrown into confusion and entangled in the thicket, with an unseen enemy surrounding them, they were forced to retreat in utter rout and disorder, and with great loss.†

On another occasion, as a party of English under one Edmund de Cailow were returning from a successful raid into Teviotdale, Douglas met them, and after a sharp encounter Cailow and many of his followers were killed and the plunder recovered.‡

It was King Robert's earnest desire, towards the close of his life, to have the kingdom settled in peace and tranquillity; a desire which the English were only too glad to reciprocate, and negotiations for a treaty of peace were entered into.

It was stipulated as an imperative condition, or rather, as the basis of the treaty of peace, that all further claim on the part of the English King to the feudal

* Barbour's 'Bruce,' Book x. p. 239. † *Ib.* Book xvi. p. 392.

‡ Tytler's 'History of Scotland,' vol. i. p. 341.

superiority of Scotland should be at once and for ever renounced, and Scotland recognised as a free and independent kingdom.

This point, which had been the ground of contention during all the long and terrible wars of the last thirty-two years, was conceded, and 'a solemn instrument of renunciation of all claims of dominion or superiority over Scotland,' was granted by King Edward and his Parliament assembled at York, in 1328.* This important preliminary settled, the other negotiations proceeded without difficulty, and a treaty of 'perpetual peace' entered into between the two kingdoms. To confirm and render more permanent these amicable arrangements, a contract of marriage was entered into between David, the only son of King Robert, and the Princess Joanna, sister of the King of England. The terms of the treaty were in every way favourable to Scotland, and were highly satisfactory and honourable to King Robert.

In due time the marriage was completed, though the bridegroom was little more than five years of age, and the bride barely seven. There were great rejoicings on the occasion, and high hopes were entertained by the people that the union between the royal houses of England and Scotland might lead to a unity between the nations, when they might dwell together in peace and good neighbourhood.

King Robert had welcomed the young couple affectionately. But he had deep cause for anxiety regarding the future of his country, when he could no longer hold the sceptre in his firm grasp, or wield the sword with which he had wrought the deliverance of Scotland. Bruce was not an old man; but the great hardships of war, and the anxiety he had undergone, had at last told upon his giant strength, and he felt that he could not live long. His son was but a child; and he knew that when the crown was placed on his youthful brow, he would need firm and staunch friends to support him and maintain the integrity of the kingdom. Feeling his strength failing, the King sent for such of his nobles and barons as he could trust, 'and very affectionately entreated and commanded them, on their fealty, that they should faithfully keep his kingdom for David his son, and when this Prince came of age, that they should obey him, and place the crown on his head.†' He then entreated his dear friend, The Good Sir James Douglas, to carry his heart to the Holy Land after his death, in fulfilment of a vow he had made when his prospects were at the darkest. To the valiant Randolph, Earl of Moray, he

* Tytler's 'History of Scotland,' vol. i. p. 405.

† *Id.* vol. i. p. 413.

especially committed the care of the young Prince and the Regency of the kingdom, and having settled all his earthly affairs, the hero King departed this life, and his youthful son David the Second, reigned in his stead.

In accordance with the wishes of the late King, Randolph assumed the regency of the kingdom, and discharged the duties of his high office with great firmness and sagacity. But the dim foreboding of trouble which had overshadowed the last hours of King Robert, was soon realised.

Edward, the eldest son of John Baliol, who, since his father's death had resided in France, had never forgotten his own claims to the Crown of Scotland, and he now began to organise schemes to recover the kingdom. He was assisted by those noblemen and others whose estates had been confiscated by King Robert for their traitorous allegiance to the English King, and they readily entered into a conspiracy which afforded a reasonable hope of the recovery of their possessions. The enterprise was secretly favoured by King Edward the Third from the first, and he openly assisted the rebellion as soon as there was a prospect of its ultimate success. The Regent Randolph died very suddenly, and so opportunely for the purposes of the conspirators, that it was more than suspected he had been poisoned. Sir James Douglas had departed with the precious casket containing the heart of his late beloved and Royal Master, and had died on his way to the East, fighting against the Moors in Spain. Had Randolph and Douglas been alive, Baliol would hardly have dared to aspire to wear Bruce's crown ; but they were both dead, and the loyal Scots had as yet found no leader with skill and ability enough to withstand the army of foreign mercenaries and others whom Baliol, and the barons who were in league with him, brought into Scotland.

In the short space of seven weeks they over-ran and conquered nearly the whole of Scotland. Baliol was crowned at Scone, and the country was thrown back into the state of vassalage from which it had been rescued by Bruce with so much toil and bloodshed ; for in order to secure the support of the King of England, Edward Baliol sacrificed the independence of his country, and acknowledged Edward III. as his feudal superior. He also became bound to assist the King of England in all his wars, and to maintain an army at his own cost for the service of England. Baliol's triumph was very transient however ; for in less than three months after he had assumed the title of King of Scotland, he fled from the kingdom in terror of his life when his forces were defeated near Annan.

The Earl of Mar had been chosen Regent of the kingdom on the death of Randolph, and after Baliol's flight he governed in the name of David the Second, who, with his youthful Queen, had been sent to France.

It is very probable that the Lovels of Hawick took part in this rebellion, for they were among the disinherited barons who were Baliol's chief supporters, and both their interest and sympathies were on the side of England. There is also strong presumptive evidence that John Baliol and Walter Comyn had been among Edward Baliol's partisans, as their lands in the barony of Hawick (which had been granted to them by Robert Bruce) were forfeited, and shortly afterwards granted by a charter of David the Second to Maurice Murray, Earl of Strathearn.*

After the defeat of Baliol's army at Annan, the Scots, to the number of 3000 men, made a raid into Cumberland, where they wasted the country with fire and sword, and carried off much booty. This was quickly followed by an incursion of the English into Annandale, where they defeated a Scots army under the Knight of Liddesdale, and Douglas and a hundred other knights and gentlemen were taken prisoners.

The Knight of Liddesdale was a natural son of 'The Good Sir James Douglas,' and his skill and courage were nearly as great as his father's. The Earl of Moray was taken prisoner soon afterwards, and Edward III., who had resolved to invade Scotland, congratulated himself on having the sons of Bruce's two famous captains in safe custody, where neither their own military skill, nor the power and confidence which their very names inspired, could be used against him. Edward was not long in carrying out his purpose, and began his invasion of Scotland by laying siege to Berwick. While that unfortunate town was still making a brave defence, the English army encountered the Scots at Halidon Hill, when the Scots sustained a most crushing defeat. The slain amounted to no less than 14,000. Among these were the Earls of Ross, Lennox, Athol, Sutherland and Carrick, and many other barons and knights. After the battle it was said amongst the English, 'that the Scottish wars were at last ended, since not a man was left of that nation who had either skill, power, or inclination to assemble an army or direct its operations.'† After the battle of Halidon Hill, the English army traversed the country, encountering little opposition, almost the whole kingdom submitting to Edward and his vassal Baliol, who was again placed on the throne of Scotland.

* Robertson's Index, quoted in *Origines Parochiales*, vol. i. p. 342.

† Tytler's 'History of Scotland,' vol. ii. p. 35.

Baliol renewed his oath of fealty to Edward, and proceeded to dispose of his kingdom and its interests according to the pleasure of his liege lord. The estates of many of those who had fallen at Halidon were declared by Baliol to be forfeited, and were given to his English friends. To King Edward he delivered the whole county of Berwick, with the town and castle ; the counties of Roxburgh, Peebles, Dumfries, and Edinburgh ; and the forests of Jedburgh, Selkirk and Ettrick, with all the towns and castles situated within these districts.* This great tract of country was wholly given up to Edward, not as a Scottish fief, but annexed to England, as forming part of that realm. Baliol, thinking no doubt that half a kingdom was better than none, had purchased the support of Edward with the unconditional surrender of the richest and most populous part of Scotland, and by doing homage to the King of England had bound himself to govern the remainder as his vassal ; and he cherished the hope, reasonable enough under the circumstances, that his powerful neighbour and Lord Paramount would enable him to hold his moiety of the kingdom in security, if not in peace.

But Baliol had not calculated upon the patriotism of the Scots, or their jealous regard for the honour of their country. His subserviency to Edward and his readiness to sacrifice the interests of Scotland to his own selfish ends, had made him despised even by his own party, and regarded with hatred and contempt by the great body of the people.

The next few years were occupied by a kind of guerilla warfare between the adherents of David Bruce, and those of Baliol and the English, with no decided advantage to either side. Through all the vicissitudes of warfare, however, the Scotch party increased in power. Sir Andrew Moray and Sir William Douglas, the Knight of Liddesdale, had returned from their captivity in England. Randolph, Earl of Moray, who had escaped to France after the battle of Halidon, had come back to Scotland, and Robert, the Steward of Scotland, who had remained in concealment in Bute for some time, suddenly appeared at the head of his vassals, and overthrew the power of Edward in the west. The confidence inspired by these able soldiers soon brought others to their side ; and many of those who had joined Baliol and the English, returned to their rightful allegiance, and helped to rid the country of the usurper. Though the struggle was long and arduous, and the Scots suffered many reverses, still the advantage was on their side ; and when, after nine years' absence, King David returned to his own dominions, the whole of

* Barton's 'History of Scotland,' vol. ii. p. 320.

Scotland was recovered with the exception of the castles of Lochmaben, Jedburgh, and Roxburgh, and the city of Berwick.

Sir William Douglas, the Knight of Liddesdale, had greatly distinguished himself during these wars, and many daring achievements attest his bravery and military skill. His name was prominent in almost every siege and engagement, and for his knightly qualities he was styled 'The Flower of Chivalry.' He had, by a clever device, taken the strong fortress of Edinburgh castle, which being situated on a high precipitous rock, was almost impregnable to ordinary assault. He had reduced the castle of Hermitage, and had attacked and defeated several large marauding parties of the enemy, and to him was due the credit of having expelled the English from Teviotdale.

Sir Alexander Ramsay of Dalhousie was another brave knight who rivalled the fame of Sir William Douglas, and many brilliant exploits were related, of which he was the hero. His military reputation was so great, that the noblest youths in Scotland strove for the honour of serving under him.

These two knights had been renowned all over Scotland for their courage and daring, and for their loyal devotion to the cause of Scottish liberty. They had been friends and companions in arms, yet the one was cruelly and treacherously murdered by the other; and the tragedy, which ended the life of Ramsay dimmed the lustre of Douglas's fame.

Immediately after King David's return to Scotland, Sir Alexander Ramsay had, by a night attack, surprised and taken Roxburgh castle, an exploit which greatly pleased the King; who, to reward his valour, made him Governor of the castle he had recovered, and Sheriff of Teviotdale. The latter office was then held by the Knight of Liddesdale, whose services to his country had been as conspicuous and important as those of Ramsay, and his valour and intrepidity equally commendable; therefore to strip Douglas of an office of honour and trust for the purpose of rewarding Ramsay, was unjust and unreasonable, and was well calculated to rouse the indignation of the haughty Baron. The King was the principal offender, and his youth and inexperience must be pleaded in excuse. But Douglas's fury was all directed against Ramsay, who had supplanted him. His friendship for his old companion in arms was forgotten, and revenge had obliterated all memory of the dangers and triumphs they had shared.

Sir Alexander Ramsay, in the exercise of his office of Sheriff of Teviotdale, was holding a court at Hawick. Jedburgh, which was the county town, being in

the hands of the English, was, no doubt, the reason why the administration of justice should have been transferred to Hawick. The court was held in the church of St Mary's, probably because there was no other suitable building in the town, though it was not unusual at that period, for assemblies of a secular character to be held in churches; for example, the assembly which elected Wallace Governor of Scotland, was held in the 'Forest Kirk' of Selkirk;* and the practice of holding public meetings in the 'Kirk' at Hawick was continued till the year 1646.†

While the Sheriff was engaged with the business of the court, the people, attracted by interest or curiosity, filled the church or stood in little groups about the open door, or in the churchyard, discussing the different cases that were brought up for trial, a band of armed men, wearing the well-known badge of the Douglas, rode up, but excited little surprise even when the 'Flower of Chivalry' himself appeared, and, dismounting, entered the church followed by a number of retainers. Douglas had professed to be reconciled to Ramsay, who, having no suspicion greeted his old friend courteously, and invited him to take a seat on the bench beside him. But Douglas's rough answer and threatening aspect showed that he had come for no pacific purpose. Sir Alexander drew his sword and attempted to defend himself, but he was quickly overpowered, and cast wounded and bleeding on a horse; and the whole party had galloped off before the bewildered spectators realized what had happened. Douglas carried his prisoner to his castle of Hermitage, away in the wild recesses of Liddesdale, where he thrust him into a narrow dark dungeon, and left him to perish with hunger. On the floor above his prison was a granary, and a few grains of corn, dropping through the chinks of the roof, enabled him to prolong his wretched existence for seventeen days.‡ This horrible outrage was suffered to go unpunished, and not only so, but the murderer was made Sheriff of Teviotdale and Governor of Roxburgh castle, offices vacated by the death of his victim.

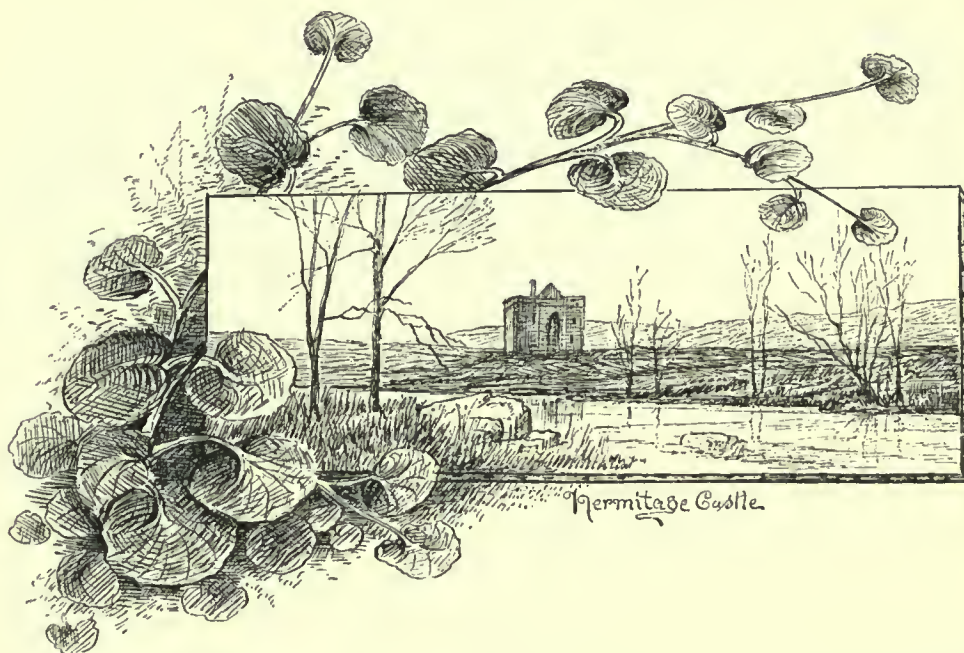
Acts of private revenge were too common at that time to excite much notice. Had Douglas taken the life of Ramsay in fair fight the act would have been considered honourable, or at least excusable. But the circumstances attending the murder of Sir Alexander Ramsay were peculiarly atrocious. Douglas had given him no warning of his fate; had allowed him no opportunity of defending himself; but had cast a brave soldier, and his own companion in arms, into a dismal

* Tytler's 'History of Scotland,' vol. i. p. 150. † 'Annals of Hawick,' p. 66.

‡ Wynton, vol. ii., Book 8th, p. 468, and Tytler's 'History of Scotland,' vol. ii. p. 76.

dungeon, to perish. This crime was revolting even to the lax ideas of the fourteenth century; and though Douglas was never made to answer for the murder in a court of justice, he was condemned at the bar of public opinion.

Shortly after Ramsay's death, Sir William Douglas entered into treacherous negotiations with Edward the Third to join the forces of England; but his prudence, or, it may be, his better feelings, prevailed ere he had finally committed himself, for he drew back, and attested his loyalty by making a raid into Cumberland, when he burned Carlisle and Penrith, and committed great havoc, returning laden with booty.



It was about six years after David the Second returned to Scotland, when King Edward was prosecuting his famous victories in France, that David thought the occasion particularly favourable for an invasion of England. He gathered a considerable army, and crossing the Tweed entered Northumberland, ravaged and destroyed the country, burning villages and carrying off whatever his troops could lay hold of. Sir William Douglas, who was with the army, strongly urged the King to retreat before the English had time to assemble their forces; but David, and most

of his nobles made light of the danger. Believing that the bulk of the English army was in France, and underrating the resources of the country, they continued their depredations, till the Percies, the Nevilles, and other powerful northern barons had had time to muster their vassals, who were joined by a great body of church vassals or troops, led by the Archbishops of York and Canterbury, and the Bishops of Durham, Carlisle, and Lincoln; the English army, which numbered about 30,000, came up with the Scots at Durham, where a terrible battle was fought; and the Scots were defeated with great loss, and King David, with about fifty knights and barons taken prisoners.

King David was detained a prisoner in England for eleven years, during which period troublesome and protracted negotiations were carried on for his release. David might have been liberated much sooner if he would have acknowledged Edward as his feudal superior; and though at one time he might have been willing to obtain his freedom by sacrificing the independence of his country, the Scots would not permit it, and he was at last released on the payment of a large ransom.

After the battle of Durham, and during the captivity of King David, Edward resumed much of his old power in Scotland. Many of the castles and strongholds, especially those on the Borders, were held by his troops, and whole districts were taken possession of, in the name of King Edward. Though his determination to subjugate Scotland was as strong as ever, the tone he adopted towards the Scots was, on the whole, conciliatory.

In 1346 an agreement was entered into between the Commissioners of the King of England, and the Abbots of Melrose, Jedburgh, and Dryburgh, Sir John of Edynham, and other gentlemen, on the part of the Scots, that all who should come to the allegiance of King Edward should have security of 'life, property, and goods,' 'and complete immunity and freedom were granted to all within these bounds, and all Scots, even those taken in battle, who should come to the peace of the King.' The Commissioners undertook, on the part of Edward III., that good Sheriffs should be appointed over them, who would treat the people in 'an easy manner,' according to the laws of King Alexander. Accordingly great numbers swore fealty to Edward, among whom were many from Hawick and Upper Teviotdale.* For several years a great part of the south of Scotland remained under the rule of Edward, and was practically part of his kingdom.

* Acta. Parl. Scot., vol. i. p. 6, and Origines Parochiales, vol. i. p. 483.

He strove to encourage pacific intercourse between the nations, and we find him granting his protection to numbers of merchants, tradesmen, ecclesiastics and others to travel into England.

Amongst these was a clergyman belonging to Hawick who obtained a letter of safe conduct for himself and four companions to visit the places of sanctity in England;* and John of Hawick, along with several others of the clerical profession, obtained letters of safe conduct to enable them to proceed to Oxford to study. †

A merchant from Hawick, with two men and three horses, received, on several occasions, Edward's safe conduct to travel in England in pursuit of his calling. ‡

About a year after Edward had taken possession of Teviotdale, the Lovels put in a claim to have their ancient possessions restored to them. The barony of Hawick and Branxholme had been granted by David II. to the Earl of Strathearn; but he was one of those who fell at the battle of Halidon, and it appears that the lands were in the hands of the English King, who, in 1347, ordered the Sheriff of Teviotdale to restore to Richard Lovel the barony of Hawick and Branxholme, if, on inquiry, it should appear, as alleged, that his ancestors had been seized in it from time immemorial. || This petition appears to have been successful, as we find a notice, nineteen years later, that 'John de Hawick,' chaplain, received the King's letter of presentation to the church of Hawick, vacant, and in the King's gift, by reason of the custody of the lands, and heir of Richard Lovel, deceased, who held in fief of the King. § This instrument was dated at Westminster, and granted by Edward the Third. It proves that Richard Lovel had made good his claim to the barony of Hawick, and had his family estates restored to him; and shows also that he died previous to 1356, and left an heir who was a minor. We cannot tell whether this younger Lovel came into possession of his father's lands or not, but if he did, his tenure must have been short, ending with the fall of the English power in Teviotdale.**

In the same year that Richard Lovel applied to have his lands in Hawick restored to him, he applied, in conjunction with his son James, for a restitution of certain lands in Rokesburgh. They represented to King Edward that they had peaceably possessed the manor of Old Rokesburgh till taken from them by the Sheriff, on pretence of a certain ordinance of the King concerning the taking into

* Rotuli Scotiæ, vol. i. p. 901.

† *Ib.* vol. ii. p. 20.

‡ *Ib.* vol. ii. p. 920.

|| *Ib.* vol. i. p. 699.

§ *Ib.* vol. i. p. 777.

** *Ib.* vol. i. p. 697.

his hands all lands granted by him in Scotland and the Sheriff was ordered to restore the same if it was found to be in the King's hands.

'In 1337 King Edward Third granted to Richard Lovel, and Muriel his wife, the manors of Brehill and Silveston, to be held by them till the King should cause provide them with other lands and tenements of equal yearly value in exchange for the manor of Old Rokesburgh, which was part of the heritage of the said Muriel, and which the King, with consent of herself and her husband, retained in his own hands for the defence of the castle of Rokesburgh. Afterwards the said Richard and James Lovel, his son, entered to the manor of Old Rokesburgh, and held it for a long time, together with the manors of Brehill and Silveston, levying all the profits proceeding therefrom, and the King unwilling that prejudice and injury should thus be done to him, caused a conference to be held with Richard Lovel, touching this matter, when he, considering the King's right, gave up to him the manors of Brehill and Silveston—and the King therefore, by letters patent, quit claimed to Richard and James Lovel the manor of Old Rokesburgh.*

This James Lovel, the son of Richard and Muriel, had also possessions in Eskdale and Ewesdale, as appears by a charter of David the Second, dated 1343, by which he granted 'to Sir William Douglas all the lands which had belonged to Sir James Lovel, Knight, in the valleys of the Esk and Ewes, but which had been forfeited by the said James, the King's enemy and rebel.' In 1347 Edward the Third ordered that certain lands in Eskdale which had been in his hands since the battle of Durham, but which belonged to Richard Lovel, in right of Muriel his wife, should be restored to him, on behalf of his son James.

When the Lovels first settled in Teviotdale, the boundary line between England and Scotland was merely political, and not one of history or race. Northumberland and the south-east of Scotland having originally formed one kingdom, and its inhabitants one people, the purely artificial line which afterwards divided them into different nations had not effected any change in their habits or feelings. They were really one people till the wars of Edward the First set up a barrier of hate which afterwards kept them apart.

The Lovels, however, were English by descent. They had never identified themselves with the Scots, or taken any part in the wars against England, having always given their allegiance to the English sovereigns. Under these circumstances, their consistent loyalty to England was honourable and creditable to them.

* *Rotuli Scotie*, vol. i. p. 697, and *Origines Parochiales*, vol. i. p. 492.

They held the barony of Hawick and Branxholme for a period of 250 years, except when they forfeited their estates for their loyalty to Edward I.; but they were restored by Edward III., and in the interval no one held them long enough to become identified with its interests. The Lovels remained in Hawick so long as Edward III. retained jurisdiction over Teviotdale; but when the south of Scotland was finally wrested from the English, they disappeared from the district.



CHAPTER III.

' I used hostility, and took their spoil,
To pay my underminers in their coin,
My nation was subjected to your lords ;
It was the force of conquest ; force with force
Is well ejected when the conquered can.'

' For what can war but endless war still breed ?
Till truth and right from violence be freed.' MILTON.

UNTIL after the death of Edward Third in 1377, there does not seem to have been any material change in the condition of the Scottish Borders. Almost the whole of Roxburghshire or Teviotdale, was in the possession of the English King, and remained so till his death. He certainly had not held the district in peaceable possession, for there were frequent attempts on the part of the Scots to recover their territory. The most important of these was the siege and capture of Berwick from the English. This was followed next year by another and a last invasion by Edward. He brought with him an immense army, and after retaking Berwick, he marched on to the Forth without meeting an enemy or finding an opportunity to fight a battle. The Scots had made their usual preparations to receive their enemies, and Edward found the country desolate and forsaken, and could neither find food for his army nor an object on which to vent his resentment ; he was therefore obliged to return with his starving soldiers. They plundered and destroyed many churches and monasteries, a sacrilegious proceeding, which was regarded with horror and indignation. There was neither manor, grange nor cottage, which was not bare and deserted, and it was hard for the army to return absolutely empty-handed when rich monasteries lay in their way, and hungry and baffled soldiers were not likely to trouble themselves with religious scruples.

David the Second having died childless, the Crown of Scotland descended to his sister's son, Robert, the High Steward of Scotland, the son of Bruce's daughter Marjory. He had been a brilliant soldier in his youth, and during his regency he

had been distinguished for his promptitude and activity in military affairs, but he was now past middle life, and he seemed more inclined to exercise a pacific influence over his turbulent feudal nobility, and to restrain rather than to encourage their hostility to the English.

In England the death of Edward III. was followed by the minority of Richard II., with troubles of insurrection and other embroilments, which gave the English enough to occupy them at home, and they very readily agreed to enter into a treaty of peace with Scotland, which was accordingly arranged.

It was impossible, however, to restrain the Borderers, who appear to have ignored the truce when it suited them. A great part of Teviotdale being still under English rule, it was only natural that they should endeavour to recover it; and, truce or no truce, hostilities were kept up on the Borders with little interruption. That the Scots had the best of it, is proved by the fact, that from the year 1377, when Edward died, till about 1384, the Scots had recovered Teviotdale and all the territory which had been ceded to King Edward after the battle of Durham.

During all this time the governments of England and Scotland respectively disclaimed all responsibility in these Border raids, and the hostilities never assumed a national character.

In 1383 a treaty of peace was adjusted between England and France, in which it was proposed to include Scotland; but while the terms of the treaty were under discussion, the Earls of Northumberland and Nottingham made an extensive and very destructive raid in Scotland, when they penetrated as far as Edinburgh, committing great havoc and slaughter. The attack had been so sudden, that the people had no time either to defend themselves or to make their escape, and the whole east Border was left a mass of smoking ruins. These outrages interrupted the negotiations for a truce, which the Scottish King would still have agreed to, but the Barons would have none of it.

About this time a party of thirty French Knights arrived in Scotland in search of military adventures. They had distinguished themselves against the English in their own country; but on the conclusion of the war they found no scope for their energies, and becoming tired of a life of enforced idleness, they came to Scotland, and offered their services to King Robert, which, to their great disappointment, he declined to accept.

The people were still smarting under the injuries they had suffered during the

recent raid, and they by no means shared their Sovereign's anxiety for peace. The Barons, whose lands had been pillaged, were not to be baulked of their revenge, and to the delight of the French Knights they received a secret message from the Earl of Douglas inviting them to join him in an incursion into Northumberland. Here the Frenchmen had their first experience of a Border raid. The Scots committed great havoc, and returned laden with booty. Their revenge satisfied, they were willing to cry 'quits,' and to agree to a truce if it could still be arranged. The English were then planning an expedition against Spain, and it was important that they should be unhampered by complications with Scotland; they therefore admitted the validity of the plea made by the Scots, that the one raid should be held to extenuate the other, and a truce for two years was agreed to.

At the end of this period the war was renewed at the instigation of the French. The English love of conquest, from which the Scots had suffered so much, had been equally grievous to the French, and a solemn alliance had been made between France and Scotland for their mutual protection against their common enemy. The terms of this league bound the two nations together by the strongest ties. They were bound as faithful allies to assist each other when attacked by the English, and neither country was to make peace or war with England without the consent of the other.

The French Knights who had visited Scotland returned to their own country, giving a glowing account of the Border raid at which they had assisted, and represented how advantageously the English might be checked and harassed by attacking them from the Scottish Borders. Accordingly the King of France determined to send an army into Scotland to join the Scots in the war with England, which was then impending. The French auxiliaries consisted of two thousand men, one thousand of whom were knights and mounted men-at-arms. They were under the command of John de Vienne, Admiral of France, a soldier of great experience and celebrity. The King of France also sent a most acceptable present of 50,000 gold pieces, and 1400 suits of fine armour, a gift which was highly prized by the Scottish Knights.

The Scots found the entertainment of such a large host of allies a little embarrassing; and their resources were taxed to the utmost to provide suitable accommodation for the French Knights, who were accustomed to luxuries and refinements to which the Scots were strangers, and who were inclined to grumble at the simple fare and comparatively humble quarters provided for them.

The hope of soon seeing active service, however, consoled the French for the hardships they had to endure, for Richard the Second was marching northwards at the head of an army of 70,000 men, while the Earl of Douglas, who commanded the Scottish army, was making active preparations to resist the impending invasion.

He had put in practice the tactics recommended by Bruce. The sheep and cattle were driven off to the recesses of the hills, food, provender, and everything of value were removed or destroyed, and the country left barren and deserted, for the invaders to do their worst.

Douglas, who was perfectly informed of the movements and strength of the enemy, was determined not to risk an encounter, for his available forces did not number half those of the English. He therefore retreated as the enemy advanced. The French, to whom the military tactics of the Scots were entirely new, impatiently taunted them with cowardice, and urged Douglas to take the initiative, and prepare for battle. In order to convince them of the imprudence of such a step, Douglas conducted de Vienne and the French knights to an eminence from which a distant view of the English host could be obtained, and an estimate formed of its vast numbers. They at once concurred with Douglas as to the futility of attacking such an enormous army, and by his advice withdrew, and invaded England from the west, where they burned in Cumberland and Westmoreland a great number of towns and villages, and returned laden with plunder.

Richard, with his unwieldy army, advanced to the Forth, plundered and defaced the Abbeys of Melrose and Dryburgh, burned Edinburgh, and committed great havoc in the Lothians; but the difficulty of procuring provisions soon obliged them to retreat starving and dejected, multitudes having perished from want.

No sooner were the English gone than the solitary waste was enlivened by the return of its population, who came pouring back from their concealment, bringing with them their oxen, their sheep, their corn, and what household gear they possessed, which was certainly not a great deal. With a few logs of wood, a sod or two of turf, a few bundles of straw, or, if that was not available, some branches of trees or bundles of heather, they soon reconstructed their burnt cottages, and, in a few hours, things were much as they had been before.

The people were quite accustomed to such proceedings, and regarded with cool indifference what had become a familiar episode of these unsettled times. They

considered themselves indemnified for any inconvenience they might have suffered, by receiving a share of the booty brought from England ; and, on the whole, they gained more than they lost by the invasion. Richard's formidable host returned from their abortive expedition as crest-fallen and weakened as if they had been defeated in battle ; and the French were constrained to admire the military skill of Douglas, who could conquer his adversaries without striking a blow.

The Scots were not anxious to retain the services of the French contingent, whom they had found very troublesome guests. The Scotch soldier was ready for active service with little further equipment than his armour, and with a bag of oatmeal, and a thin iron plate on which to bake his cakes, he was provisioned for several days. Simple and hardy in their own tastes and habits, they had little patience with what they considered the fastidiousness of their allies, nor could they tolerate their arbitrary manners, and with scant courtesy gave them to understand that they were an encumbrance rather than a help in the war. The French therefore departed to their own country, greatly disgusted with the inhospitable rudeness of the Scotch.

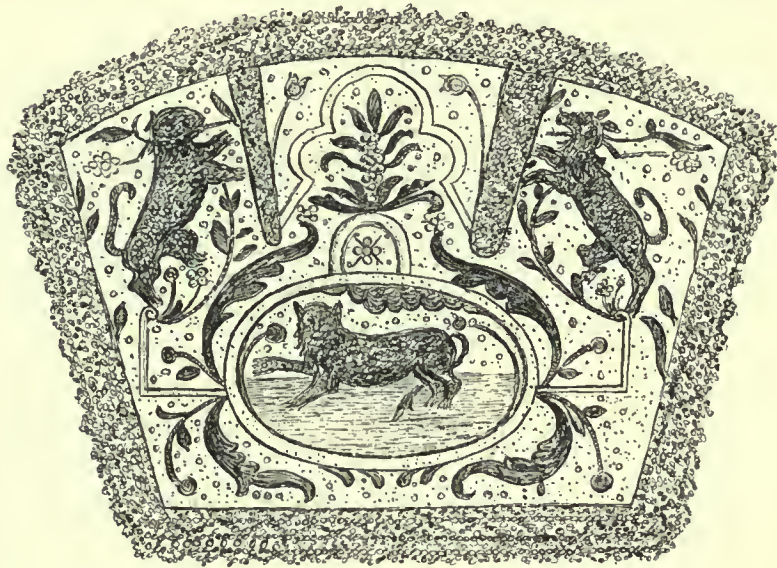
King Richard disbanded his troops after his fruitless inroad ; but the Scots, not inclined to rest satisfied with what they had accomplished, resolved to pursue their advantage. King Robert was opposed to any further hostilities, but the Earl of Douglas, and other powerful barons, were determined on another invasion, and made preparations, carefully concealing their purpose from the King.

They assembled their forces at Sudon, or Southdean, in Jedwater, a place conveniently near the Border, and about ten miles from Jedburgh. From whence they pressed on, by rapid marches, to the neighbourhood of Durham, where they began their accustomed work of pillage and destruction.

In a skirmish near Newcastle the Earl of Douglas, and Henry Percy, better known as the famous Hotspur, had a personal encounter, when Douglas won from Percy a trophy, which he boasted that he would hang on the Tower of his Castle of Dalkeith. 'That,' said Percy, 'no Douglas shall ever do.' Douglas challenged him to recover it, promising he would wait three days to give him the opportunity, and that the trophy would be found in the front of his tent. This trophy has been described by historians as a pennon, but it really consisted of a pair of gauntlets, evidently a lady's, bearing the lion of the Percies, embroidered in seed pearls, and fringed with filagree work of silver. These gauntlets had probably

been worn by Percy in his crest, according to the knightly usage of the times, and may have been a *gage-de-amour*. They are still in the possession of the descendants of the Earl of Douglas.

After sending the challenge to Percy, Douglas entrenched himself in a strong position at Otterburn, to wait the specified time, and employed himself in the interval by storming the castle of Otterburn. The army of Hotspur came upon the Scots after sunset, on the evening of a hot August day, while most of the soldiers were asleep, wearied with the heat and the toil of the siege, and the knights were



Percy Gauntlet.

seated at their evening meal. They were suddenly startled with the cry of 'A Percy'—'A Percy,' hastily buckling on their armour, which they had just laid aside, they prepared for battle. It was a bright moonlight night, calm and clear, and almost as light as day. The battle, which raged fiercely till sunrise, was desperately contested. Froissart says, that 'of all the battles described in history, great and small, that of Otterburn was the best fought and the most severe ; for there was not a man, knight, or squire, who did not acquit himself gallantly, hand to hand with the enemy.' Earl Douglas was slain, after having performed prodigies of valour.

The Earl had fallen severely wounded in the head and neck, and a priest named Lundi, the Earl's private chaplain, stood over the dying hero, wielding his battle-axe, and defending his beloved master from injury. When the tide of battle had ebbed away from the spot where he lay, Sir James Lindsay discovered his wounded leader, and eagerly inquired 'how he did?' 'But poorly,' said Douglas, 'I am dying in my armour, as my fathers have done before me, thanks be to God, but raise my banner and press forward, for he who should bear it lies dead beside me.' Raising the banner Lindsay rushed into the thickest of the fight, crying, 'A Douglas—'A Douglas.' The Scots believing that their leader was still in the field, fought valiantly, and before daybreak the victory was theirs. Douglas expired shortly after Lindsay left him.* He desired those about him to conceal his death, saying—'It is an old prophecy that a dead man should win a field, and I hope it will be accomplished this night.' In one of the Border ballads, commemorative of this battle, allusion is made to the prophecy as an ominous dream, when Douglas says—

' I dreamed a dreary dream
Beyond the Isle of Skye ;
I saw a dead man win a fight,
And I think that man was I.'

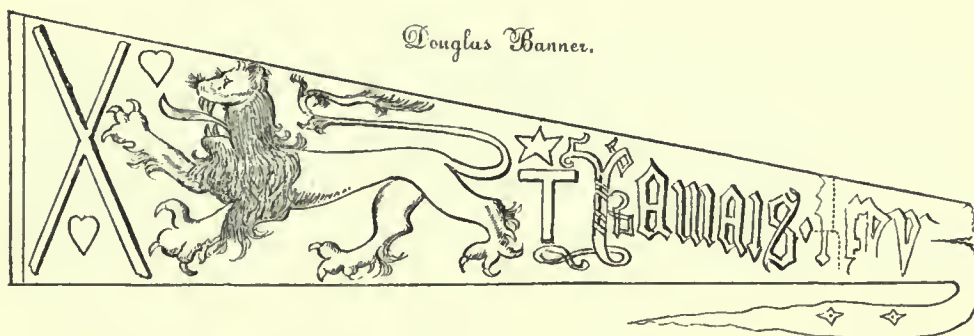
A large number of English knights were taken prisoners, including Hotspur and his brother Sir Ralph Percy. But the return of the victorious army resembled a funeral rather than a triumphal procession, for the body of their brave leader was borne with them on a car to his last resting-place in Melrose Abbey, and sorrow for his loss damped the exultation with which the news of the victory was received in Scotland.

Douglas was married to a daughter of Robert the Second, but left no family by his wife. He had two natural sons; Archibald the elder was the founder of the family of Cavers. He is understood to have been present at the battle of Otterburn, and retained possession of the Douglas Banner, which was borne before Earl Douglas in the field, and also of the gauntlets taken from Percy. Both these interesting relics are still preserved by the descendants of Archibald Douglas at Cavers House.

The other son, Sir William Douglas, who was also at the field of Otterburn, was the founder of the family of the Douglasses of Drumlanrig. He had received

* Godscroft.

from his father, some years before his death, a grant of the barony and lands of Drumlanrig. The charter specifies 'the entire barony of Drumlanrig, lying in the shire of Dumfries, with the mills, woods, fishings, the right of jurisdiction, those of hunting and hawking, and all other rights belonging to the barony, except the right of regality only, which Earl Douglas reserves to himself.' The deed is signed by nine witnesses, but the date having been omitted from the charter, rendered it of none effect. Sir William obtained from John de Swintoune and his wife Marguerite, Countess of Douglas and Marr, the mother of James, second Earl of Douglas, a recognisance of the foregoing grant, by their faithful promise never to call it in question.



Sir William obtained another confirmation twenty-three years afterwards, from the captive James the First, in a letter written on vellum, in the King's own hand. It is still preserved in the charter-room of Drumlanrig. The confirmation is in these words:—

'James, throw the grace of God, Kyng of Scottis, till all this letter heries or seis, Sendis gretynge. Wit ye that we hane grantit, and be thir present lettre grants a special confirmacion in the mast forme till our traiste and wele belofit cosyng, Sir William of Douglas of Drumlenrig, of all the lands that he is possessit and Charterit of within the kyngdome of Scotland; that is to say, The Landis of Drumlenrig of Hawyke and of Selkirk; the which charter and possessions by this Lettre we confirm and will for the mair sickerness, this our confirmacion be formabilli after the fourme of our Chaunsellere and the Tener of the Charteris seled with our great Seal in time to come. In witness of the Whilkis thir presentis Lettre we wrote with our proper hande under the Signet ussit in Seling of our lettris, as now at *Croidinn*, the last day of November the yeir of our Lorde 1412.'

The first of these charters was granted by the Earl himself, and makes no mention of the lands of Hawick, which were, no doubt, granted by the Earl to his son by a separate charter, immediately after he had recovered them from the

English, which was shortly before his death, and was confirmed in his possession of the barony of Hawick by the charter of King James the First, already cited.

On the death of Douglas the Earldom passed to Archibald Douglas, Lord of Galloway, a natural son of the Good Sir James. The Lordship of Liddesdale did not pass with the title, but was retained by the widowed Countess, and at her death passed to George Douglas, First Earl of Angus.

The battle of Otterburn was followed by a truce for ten years. An interval of peace, much needed by the country, which, through war and invasion, had sunk into great poverty and wretchedness, and ten years of peace was much to be desired, if it only gave people the chance of gathering in a few harvests. To reap what they had sown had become so uncertain on the Borders, that people were beginning to neglect husbandry altogether, and to depend on the spoils of war for a living. Bread was a luxury almost unknown to the poor, and grain was so scarce that it was often taken instead of money for the ransom of English captives. Not only agriculture, but every branch of industry was neglected, and Scotland was dependent on foreign markets for almost all kinds of manufactured goods. The long wars had also a very demoralizing effect. It is true, that the Borderers, through being inured to danger and privation, had become remarkably hardy and daring, and would endure the greatest privations with stoical unconcern; but they were also becoming indifferent to the blessings of peace, and enjoyed the fierce excitement of war and bloodshed, as they found robbery more profitable than honest industry.

The King, and those who had the best interests of the nation at heart, anxiously endeavoured to put an end to the hostilities between the kingdoms, and hoped that prosperity would return to Scotland with the truce. But the truce only gave the combatants a little breathing time, and the end of the ten years found them like dogs, which have been held in leash, ready to fly at each other with greater ferocity.

Robert the Second died very shortly after the truce was signed. His son, Robert the Third, like his father, was a man of peace, infirm in body and of an indolent yielding disposition, he preferred his personal ease and comfort to the cares of State, and retired to Rothesay castle, in the Isle of Bute, where he lived the life of a recluse, leaving the sole power in the hands of his brother, the Duke of Albany, who acted as Regent.

Albany was ambitious, and more zealous for his personal aggrandisement than

for the welfare of the people. Though not exactly of a peace-loving disposition, like his brother, he was not fond of war, and was believed to be deficient in personal courage,—a trait which did not increase his influence with a warlike people, nor enable him to impose a check on the powerful feudal lords, who, with their large following of armed retainers, were independent of authority, and could make war against England, or each other, when it suited them, or transfer their allegiance, as revenge or self-interest dictated.

Albany was powerless to prevent a renewal of hostilities, which the Scots began by making a raid into England immediately on the expiry of the truce, when they committed great depredations, and carried off much plunder. This was followed by an invasion of Scotland, led by Henry the Fourth, who was now on the throne of England. He, like his predecessors, had his schemes for the conquest of Scotland, and revived the claim of feudal superiority. He accomplished very little by his inroad, which was quickly followed by another invasion of England, when the Scots were completely defeated at the battle of Homildon.

But the recital of these invasions and reprisals becomes as tedious as the tale of the eastern story-teller, who went on relating, with the most monotonous exactitude, how a certain tower was emptied of its stores, as 'a locust came and took away a grain of corn,' 'and another locust came and took away another grain of corn,' and so on till the patience of his auditors was exhausted.

An episode which took place shortly after the battle of Homildon mingles a touch of comedy with the tragic events of the times. Shakespere has made us familiar with the rebellion against Henry IV., which was raised by the Percies in conjunction with the Welsh, and it was while making arrangements for the insurrection that the incident referred to occurred.

As a reward for the victory of Homildon, which had been gained by the Percies, Henry IV. had granted them the whole of Teviotdale, and all the territory of the Douglases in Scotland; but as the district in question was not within the English jurisdiction, the grant simply meant a commission to invade Scotland. The Earl of Northumberland and his son Henry Percy, the celebrated Hotspur, marched a day's journey into Scotland, ostensibly to take possession of Teviotdale, but in reality to mature their plans for rebellion. Earl Douglas, who had been taken prisoner at the battle of Homildon, was set at liberty by Percy, and had been induced to join the enterprise. He was secretly collecting troops, it is believed, with the concurrence of the Regent. While these arrangements were being made, and to prevent

the King from having any suspicion of their real design, the Percies led their large army into Teviotdale, and laid siege to a small Tower or private Laird's Peel called Cocklaw. There has been some difference of opinion regarding the site of Cocklaw. Mr John Hill Burton mentions the siege, but does not identify the locality. In the 'History and Antiquities of Roxburgh' it is said to be at the head of Bowmont Water, within a mile of the English Border, where there is a Tower so named. That, however, could not have been the scene of the siege, which we are distinctly informed was in Teviotdale, in the Douglas country, and a day's march from the Border.* As the names both of Ormiston and Cocklaw occur in the account, it has been conjectured by Mr Pinkerton that Ormiston, near Roxburgh, was the site of Cocklaw, but there is no evidence that it was ever so named. The tower and castle of Roxburgh was then held by the English, and it would have been impossible to play at besieging a Peel Tower so near a well fortified castle. There is, however, every probability that the real scene of the siege was at a place called Ormiston, situated about two miles south-east of Hawick, but which for three centuries was called Coklaw. It belonged at the time of the siege to a family named Gledstanes,† and Gledstanes of Coklaw was a well-known name in Hawick nearly two hundred years later.‡

It was in Teviotdale, and in the very heart of the Douglas country, and so answers in every particular to the description of the ancient historians.

A portion of the lands adjoining the tower was called Ormiston; and when the castle fell into decay, and the property passed to other hands, it retained the name of Ormiston only, by which it is now known. A green mound in front of Ormiston house is believed to cover the ruins of the castle, and a thicket of hawthorn sheds its fragrant blossoms over it in spring. Close by is a spring of clear water, called the castle well, but there are no further traces of the tower which once resisted the might of the Percies. A discovery was made a few years ago at Ormiston, near the site of the old castle, which may have had some connection with the siege. This consisted of an earthen jar full of coins, which was found buried in the earth, a foot or so from the surface. The coins were mostly English of the time of Edward the First and Second, and a few Scotch ones of the time of Alexander III. and Robert I. They were all small silver coins, such as were used to pay soldiers, and it is very possible that the jar was

* Wyntoun, vol. iii., Chapter xxiv., p. 89.

† *Id.* vol. iii., Chapter xxiv., p. 89.

‡ Reg. Sec. Concilii, p. 289.

filled from the treasure chest of Percy's army, probably by some thief, and that the marching orders had been given so suddenly as to leave him no time to remove his hoard. There have also been found, near the same place, one or two stone balls, such as were used for cannon on their first introduction, and a very curious ornament or brooch of iron, which appears to have formed some part of the equipment of a horse.

There is something ludicrous in the thought of a powerful army, led by two of the most renowned generals of the age, encamping round a little border tower, battering away at its walls, and summoning Greenlaw, the squire in charge—who was defending the tower in all good faith—to parley, and finally entering into a treaty with him, that he should deliver up the tower on a certain day, unless relieved by battle.

Northumberland carried the joke so far as to write to the King telling him that he held indentures for the delivery of the castle, and bragged a little of the great things he was doing in Scotland.* Meanwhile Gledstanes, the proprietor of Coklaw, had hurried off to the Regent to acquaint him with the danger to which his tower was exposed, and was delighted with the readiness and spirit with which Albany announced his intention of marching to the relief of the castle. He knew that the siege was a mere ruse; but he summoned an army, and marched to Coklaw, ostensibly to raise the siege, but with the secret purpose of joining the Percies. When he reached the Borders, however, he found the tower in its native loneliness, and the army gone. News of the defeat at Shrewsbury, and the death of Hotspur, soon after reached Scotland, and Albany disbanded his army and returned to the north.

In 1408 Sir William Douglas of Drumlanrig, with a party of his retainers and others from Upper Teviotdale, stormed the castle of Jedburgh.† For nearly a hundred years it had been in the hands of the English, and secure in their strong fortress, the garrison could plunder and ravage the country at their pleasure, and it was for the purpose of stopping this that the siege was undertaken. The castle was taken, and the garrison either made prisoners or put to the sword. The castle, being so near the Border, had been more used to shelter enemies than to protect the country, and it was judged safest to raze it to the ground. But this was a work of great difficulty, as the walls were so thick, and the masonry so strong, and it was proposed to defray the cost of levelling it by a household tax of two

* Pinkerton's 'History of Scotland,' vol. i. p. 77.

† Ridpath's 'Border History,' p. 262.

pennies. The Regent Albany, who was unpopular, but was very desirous of getting into favour with the public, declared that rather than impose a tax on the people he would himself pay the money from the royal treasury, which was accordingly done.

In 1411 Douglas of Drumlanrig,* in conjunction with Gavin, a son of the Earl of March, made an attack on the town of Roxburgh, still in the hands of the English. They burned the town, and broke down the bridge over the Tweed. Sir Robert Umfraville, Vice-Admiral of England, had just been appointed keeper of the castle, and in revenge for the outrage committed in his jurisdiction, fitted out a squadron of ten ships, with which he committed great depredations on both shores of the Forth. He also captured fourteen Scottish merchant ships, laden with grain, and took them to England. There was a great scarcity of grain in England at the time, and the corn brought from Scotland so reduced the price of provisions, that Umfraville was afterwards known by the soubriquet of 'Robin-Mend-the-Market.'

This Umfraville had charge of the education of young Gilbert Umfraville, titular Earl of Angus. In order to celebrate the boy's fourteenth birthday, when his banner was to be unfurled for the first time, he made a raid into Scotland. Making a sudden descent on Jedburgh on the fair day, he completely destroyed and pillaged it. It forms a dreadful commentary on the manners of the times, when the sacking and burning of a town, with all its attendant horrors, was regarded as a holiday pastime.

The Duke of Albany, who still held the supreme power, had never commanded great respect, but the popular feeling against him was intensified by the report, which was generally believed, that he had caused the death of his nephew, the Duke of Rothesay, the heir to the crown. It had been suspected that he had designs against James, the second son of Robert III., and to remove him from the risk of harm, he was sent to France for his education. The vessel in which he sailed was captured by an English ship off the Yorkshire coast, and the young Prince detained a prisoner, and it was suspected that his captivity was connived at, if not instigated, by his uncle the Regent.

When the news of the capture of his son was brought to Robert III. he sank under his troubles, and died a few months afterwards, and the captive boy was now King of Scotland.

* Ridpath's 'Border History,' p. 263.

It would not have suited Albany's plans for the young King to return to his dominions. He was determined to retain his authority in Scotland, and was aware that it would be at an end should his nephew be released. He, therefore, encouraged the hostilities on the Borders, and tried to thwart all amicable negotiations which might be likely to result in the King being set at liberty. In this way twelve years passed and found the King still in captivity. Though a prisoner, King James had been well and liberally educated at the English Court. He was endowed with a good understanding, and with every grace and accomplishment which could adorn his station, and much was hoped for the prosperity of the country on his return. The Scots were very anxious to secure his release, and in 1418 they were so far successful that the King of England was ready to deliver up the King of Scots, and only a few final arrangements required to be adjusted before the treaty was signed.

Albany, who had been the chief cause of his protracted exile, had reason to dread his return, and he and his son Murdoch determined to make another effort to prolong his captivity, and prevent the power from slipping out of their hands.

To carry out their selfish designs, they hesitated not to plunge the country into war. Collecting a large army, Albany and his son laid siege to Roxburgh and Berwick; but on the news that an English force, under the Duke of Bedford, was approaching, they abandoned their enterprise with such pusillanimous haste, that the expedition was sarcastically termed the 'Fuil, or Foolish Raid.' Albany, however, cared little for the ridicule he had incurred, so long as his object was accomplished, and the restoration of King James indefinitely postponed.

As usual, the Borders felt the full effect of the renewal of hostilities, for Albany's 'Fuil Raid' was followed, in the natural order of things, by an inroad by Umfraville, Mend-the-Market. He invaded Scotland from the east, and burned what were called the rich Border towns of Hawick, Selkirk, and Jedburgh, Lauder and Dunbar, with many hamlets and granges in Teviotdale. This is the first time we hear of Hawick having been burnt by the English. Jedburgh, Roxburgh, and Berwick had been destroyed, but Hawick, owing probably to its remote situation among the hills, and partly also to the fact that the barony in early times belonged to an English vassal, seems to have enjoyed an immunity from the dangers to which other Border towns were exposed. After this period, however, Hawick fared like the rest. Beyond the bald statement that Hawick was left in ashes, we have no details regarding its destruction. The houses being mostly of

wood, were easily consumed and as easily reconstructed. The burning of the houses was the least of the evils the people had to dread on such occasions, it was rare that they had sufficient warning of the approach of an enemy to remove the sick or aged to a place of safety, or to secure their goods and valuables. Plunder was an important consideration in these raids, and to secure that, it was necessary to take people by surprise. Nor were the soldiers at all scrupulous about the shedding of blood, and they appear to have regarded the sufferings they caused with indifference. Though the whole south of Scotland was laid waste on this occasion, the Scots had little right to complain; they endured nothing worse than they had often inflicted on their neighbours across the Border.

The notices of Hawick about this period are few and meagre; and until after the battle of Flodden, nearly a century later, there are no local records whatever, a fact which is sufficiently accounted for by such visits as that of Robin *Mend-the-Market*, when such records as existed perished in the flames.

Andrew of Hawick, Canon of Dunkeld, and Rector of the church of Linton, was secretary to the Duke of Albany for twenty years, and his name frequently occurs as witness to charters by the Duke, in the Register of the Great Seal.

Hawick at this period is spoken of by historians as a wealthy Border town, but what its wealth consisted of is left to conjecture.



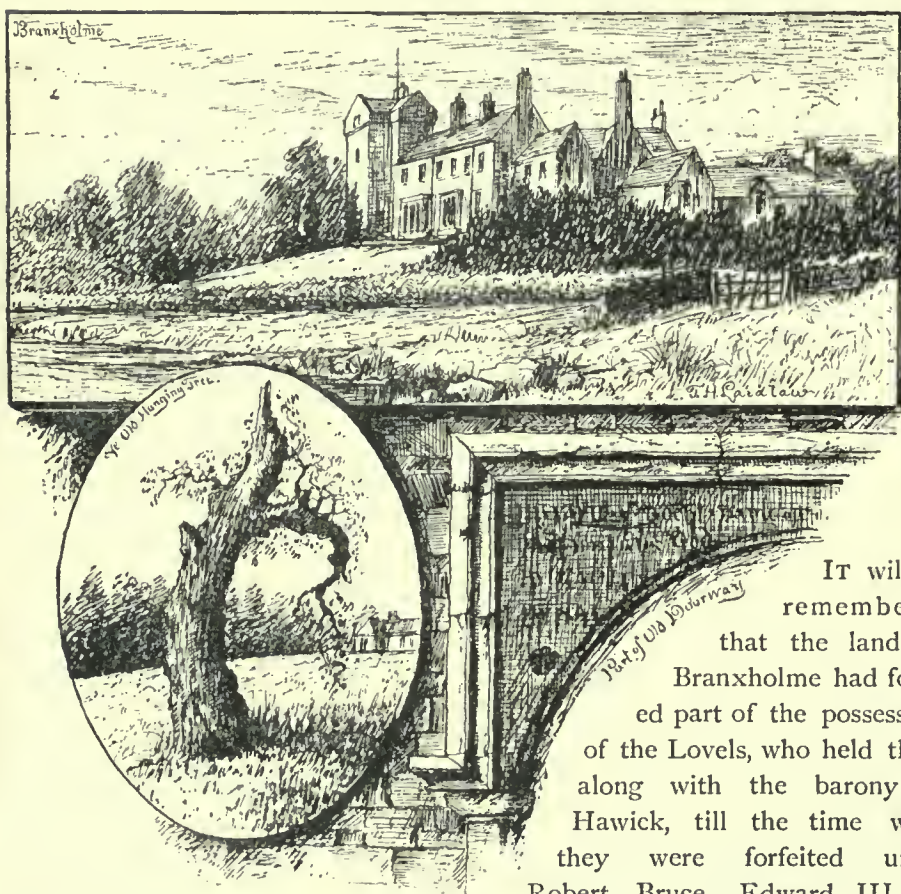
CHAPTER IV.

'Here I speak nought but truth, all men may note
The very true antiquity of the name of Scot.'

SCOT OF SACHELLS.

'Slaughter and knocking on the head,
The trade to which they all were bred.'

HUDIBRAS.



It will be remembered that the lands of Branxholme had formed part of the possessions of the Lovels, who held them, along with the barony of Hawick, till the time when they were forfeited under Robert Bruce. Edward III. re-

stored the barony of Hawick to its original owners in 1347; but Branxholme had passed into other hands. It had first been granted to the Baliols, and afterwards

to the Murrays of Strathearn. It then came into the hands of a family called Inglis. 'Inglis' is the ordinary Scotch way of spelling English, and is the regular and only form of the word to be found in Scotch writers. So the name in this case may have merely indicated the nationality of the family; and as in other similar cases of 'Welsh,' 'French,' etc., it became at length a surname.

We have no information as to the time when Inglis became possessed of the lands of Branxholme. Probably they were granted by Edward the Third after he took possession of Teviotdale.

When Richard Lovel petitioned Edward to restore his lands in the barony of Hawick, his claim did not include Branxholme, though the grounds on which he rested his petition, viz., 'that he had been seized in it from time immemorial,' would have applied with equal force to Branxholme; and its omission can only be accounted for on the supposition that it was in the hands of one whom Edward would not wish to disturb.

This Inglis of Branxholme was a man of some renown, and could claim kinship with the Royal Stewards. In 1396 King Robert the Third granted to his kinsman, Sir William Inglis, in reward for his notable exploit in slaying Sir Thomas de Strother, an English Knight, in single combat on the Marches, the whole barony of Manor, to be held blench of the Crown, together with the Lordship of the barony.* It was usual in those days of chivalry for knights to challenge each other to mortal combat; but there must have been more than ordinary interest attaching to this encounter, when the victor was so nobly rewarded by his sovereign.

About thirty years later—in the reign of James the First—Inglis of Manor effected an exchange of lands with Robert Scott of Rankilburn, when he gave half the barony of Branxholme for part of the lands of Murthockstone in Lanarkshire. It is traditionally related that this transaction arose out of a conversation between Scott and Inglis, when the latter complained of the losses he sustained through the incursions of the English borderers, who frequently plundered his lands of Branxholme, and Scott at once offered to give him Murthockstone in exchange for them. When the bargain was concluded, Scott made the significant remark, that 'the cattle in Cumberland were as good as those in Teviotdale.'* However that may be, the transaction had apparently

* Robertson's Index to the Charters, p. 137.

been satisfactory to both parties, for twenty-six years afterwards the Scotts acquired the remainder of Branxholme.

It was in this way that the Scotts, who afterwards became one of the most powerful Border families, first obtained a footing in Teviotdale, a district with which they have ever since been closely identified.

Scott is a name of the same class as Inglis or English, Irish, Welsh, French, Fleming, etc., etc., that is, a national name which became first a personal surname in the case of some individual or family of that nationality who happened to settle in another country, and was naturally cognominated by his new neighbours from his nationality, and then at the time when personal surnames became hereditary (from the tenth to the thirteenth century), descended to his children. Names of this kind were so natural and so common in the middle ages, that no connection can usually be presumed between their bearers. There might be any number of distinct families of Scott in England, France, Flanders, or elsewhere. The national name *Scot* had, moreover, a changing meaning. Down to the eighth century, and often to the tenth, it meant 'Irishman,' Ireland being the original *Scotia*; from this till the twelfth or thirteenth, it meant a native of the country north of the Forth; after the War of Independence, it meant any subject of the political Scotland, then first sharply marked off from England. Hence the celebrated *Johannes Scotus*, or John Scott, was, as his further title of *Erigena* shows, a native of Erin; and the famous schoolman, *Duns Scotus*, is claimed both by Scotland and Ireland. Those, like that of Marianus Scotus, are personal surnames only. As a family name, in what is now the south of Scotland, the name must have originated while the district was still divided between Strathclyde and Northumbria. The first Scots here, were doubtless, either Scots from Ireland, the original *Scotia*, who settled in Strathclyde (as we know they did in Galloway), or Scots from the second Scotia beyond the Forth, who, at a later time, came south and settled either among the Strathclyde Britons, or the Northumbrian Angles of Lothian or Tweeddale. No evidence exists to show to which of these two sources we are to assign the Scotts of Buccleuch.

The legendary history of the Scotts of Buccleuch goes back to a very early period, according to Walter Scot of Satchells, who wrote a 'History of several honourable families of the name of Scott.' The author in question was an old

* 'Lay of the Last Minstrel.' Note 1.

soldier who served under the Earl of Buccleuch in Holland, in the early part of the seventeenth century, and employed the later years of his life in writing his rhyming chronicle of the great deeds of the Scotts of Buccleuch.

At the beginning of his work the author gives the following account of himself:—

‘I once was a man, tho’ now I’m but a poor decriped one,
Fifty-seven years arms did I bear abroad or in Scotland.’
‘I never was an hour at school, although these lines I dite
I never learned the catechism, and now I none can write
Except the letters of my name, which I scarce understand,
These I was forced to learn for shame, when I was in command.’

The work of the honest old soldier is a quaint and curious production, and is of considerable historical value regarding matters of which the writer was himself cognisant, although its accuracy cannot otherwise be depended on. He relates each romantic incident or marvellous legend connected with the Scotts with every embellishment and amplification of detail which his imagination can suggest. His high flown panegyrics are, at times, somewhat ludicrous; but he had all a clansman’s veneration for his chief, and it is plain that his extravagant praise was the expression of a genuine feeling.

He claims for the Buccleuch family a very great antiquity, and says:—

‘Some late start up, bran new gentlemen
That hardly know from whence their fathers came.’

But it was not so with the Scotts, whom he undertakes to prove, can trace their descent for a thousand years, and he begins his genealogical chronicle by claiming as members of the family the two illustrious scholars, Johannus Scotus and Duns Scotus. As has been already shown, the surnames of these two great men were personal only, and merely indicated their nationality. There is no proof or likelihood that either of them was connected with the Scotts of Teviotdale.

The origin of the name of Buccleuch, according to Satchells, was from an incident in the reign of King Kenneth, who came to hunt at the Cacara-Cross in Ettrick:—

‘King Kenneth to the hunting came
To the Cacara-Cross he did resort,
And all the nobles of his land
They hither came to see the sport.’

A buck, which was pretty hard run, got into a deep ravine, and turning at bay, a young man, a stranger to the district, pressed forward, scattered the dogs, and seizing the deer by the horns swung it on his back, and carried his prize up the steep bank and laid it before the King, who was so delighted with this proof of his strength and courage, that he made him ranger of Ettrick Forest. The ravine or cleuch, as it is called in Scotch, where the exploit occurred, is a narrow deep hollow formed by the burn or small stream which runs through it. It is about half-a-mile long, and at the spot where the doughty hero 'breasted the brae,' it is about a hundred feet deep, with steep banks formed of red earth. This cleuch was named Buck-cleuch in commemoration of this incident, and the hero of the story, whose name was John Scott, was afterwards known as John Scott of Buccleuch. So much for tradition.

The first of the family of whom there is any authentic account was Richard Scott, who in the time of Alexander the Third was made ranger of Ettrick Forest, and received a grant of the lands of Rankilburn and Buccleuch in Selkirkshire. It is possible some incident connected with this appointment formed the basis of the popular tradition, related by Scot of Satchells, the period at which it is said to have occurred being shifted back a century or two.

This Richard, who was styled the first lord of Rankilburn, married the daughter and heiress of Murthockstone of that Ilk, in the county of Lanark, and through this marriage the Scotts came into possession of the lands which, at a later period, were exchanged for Branxholme. Richard Scott is believed to have built the stone house or tower which stood on the rising ground between the Buccleuch burn and Rankil burn, close to their junction. The farm house of Easter Buccleuch now stands near the site formerly occupied by the old Peel. It was a strong and pretty extensive building, if one may judge by its foundations, which were excavated in 1832, when some improvements were being carried out. This Tower or Peel was the principal residence of the Scotts till they removed to Branxholme.

It was a wild bleak district where Richard Scott had fixed his habitation. High hills rise on all sides, with hardly a trace of cultivation, and the valley or haugh is scarce a hundred feet wide. There was, however, a mill built on the stream, though there could have been little corn grown there, as Satchell says—

'If heather tops had been corn of the best,
Then Buccleuch's mill had gotten a noble grist.'

There are still some traces of a mill-lade ending near the traditional site of the old mill. It is probable that the valley was at one time pretty well peopled, as all along the burnside traces of the sites of old houses are distinguishable. We are told by the same authority (Satchells), that Buccleuch built a church at Rankilburn, for the use of himself and his household, and that it was the burial place of the family in very early times. This church, which had become a ruin, was, in 1566, cleared out at the wish of the then lord of Buccleuch, who was curious to see the tombstones of his ancestors which were believed to be buried under the rubbish. Walter Scot of Satchells had the account from his father, who was present,—he says—‘The most part of the wall was standing then, and the font stone within the kirk door, the rubbish and earth being casten out, and the stones clean swept, the lord and many of his friends came to see them, where they did discern one stone which had the ancient coat of arms (of Buccleuch) on it. The other stones had drawn upon them like unto a hand and a sword, and others had a sword and lance all along the stone. Robert Scott (of Thirlstone) said he believed it was four hundred years since the last of these stones had been laid.’

If Thirlstone’s surmise was correct—which does not necessarily follow—these tombstones must have been erected long before the Scotts came to Rankilburn. There is no evidence to show when or by whom the chapel was built, but it is scarcely likely to have been by the Scotts, who occupied Rankilburn as a residence for little more than a hundred years during the most stormy period of Scottish history, when country lairds had other things to occupy them than building churches. Much of the land in the neighbourhood belonged to Melrose Abbey, and the church was doubtless a dependency of that monastery.

Richard Scott of Rankilburn was one of those who swore fealty to Edward I. He died in 1320 and was succeeded by his son, Sir Michael Scott, who fought under Sir Archibald Douglas at Halidon Hill. He survived that disastrous field, but was killed at the battle of Nevill’s Cross in 1346.

Sir Robert Scott, who succeeded his father, inherited the lands of Kirkurd in Lanarkshire, which had belonged to an elder branch, and was the most ancient of the family properties. Sir Robert died in 1389, and was succeeded by his son Sir Walter Scott, who was killed at the battle of Homildon. The next in succession was Robert Scott, the son of Walter, who in 1415 exchanged with the monks of Melrose the lands of Glenkerry for Bellendean. Glenkerry lay at the head of Ettrick, remote from the other possessions of the Scotts, while Bellendean is

immediately adjoining Buccleuch and Rankilburn. Bellendean afterwards became the rallying point, and watchword of the Scotts. Robert Scott also made the exchange with Inglis of Manor of part of Murthockston for the half of Branxholme. The proximity of Branxholme to Buccleuch and Rankilburn appears a more reasonable and likely motive for the exchange than a hankering after English beef, the motive ascribed to Scott by tradition. He died in 1426, and was succeeded by his son, Sir Walter Scott, the sixth laird of Rankilburn. He completed the excambion, which had been initiated by his father, and gave to Sir Thomas Inglis of Manor the remainder of the lands of Murthockston. This Sir Walter was the first of the Scotts who was styled 'Buccleuch,' their territorial designation having previously been 'of Kirkurd.' The earlier title was used in conjunction with the later one for a generation or two, till it gradually fell into disuse. When Branxholme became the family residence, it was also adopted one of the family titles, and the Scotts were styled 'of Buccleuch' or 'of Branxholme' indifferently, so long as they remained in Teviotdale. When Dalkeith house became the principal family seat, the title of Branxholme was also dropped, and that of Buccleuch only retained.

There is no notice of Branxholme castle, or indeed of any considerable building there, till the property came into the possession of the Scotts. When the lands of Branxholme formed part of the barony of Hawick, the principal messuage was 'the black tower' in the town. After the property was divided, it changed hands so frequently, that it was unlikely that any extensive building operations were undertaken. Sir Walter Scott began to build the castle of Branxholme, and fixed his residence there, and it continued to be the principal family seat till the seventeenth century. The 'fair orchards' and gardens for which Branxholme was afterwards celebrated, were probably laid out at the same time, for the King, who had great taste for gardening, had laid out and embellished the grounds around Falkland and other palaces, an example which was followed by many of his nobility.

During the prolonged exile of the King, when Scotland was under the government of Albany and his son Murdac, there was no check upon the nobles, whose power was frequently carried to the utmost extent of tyranny and oppression, and the people had none to whom they could appeal for justice and protection. The return of the King was therefore eagerly desired by the people. At length, after having remained for twenty-six years in captivity, James the First returned to Scotland in 1424, and was received by his subjects with every demonstration of joyful welcome.

The King had heard of the cruelty and wrong to which his people were subjected, and he found, on personal investigation, that the report had not been exaggerated. He set himself promptly and energetically to the task of reform, his zeal being stimulated by the abuses he witnessed, he indignantly exclaimed, 'Let God but grant me life, and there shall not be a spot in my dominions where the key shall not keep the castle, and the furze bush the cow, though I myself should lead the life of a dog to accomplish it.*

The legal reforms which were inaugurated by James the First were undertaken with a thoroughness and adaptation to the circumstances which showed that he had made it the subject of deep study. The privileges of the nobles were greatly curtailed, and the middle, or commercial class, obtained a voice in the councils of the nation, by having their representatives admitted to Parliament.

In carrying out his measures of reform, the King had been obliged to take up a position of antagonism to his nobility. It was a task requiring great boldness and resolution, for under the regency of Albany the nobles had acknowledged no authority higher than their own will, and they deeply resented any interference with their privileges. The King was bound, however, to restrict their power, and make them conformable to the law, or his legal reforms would have been stultified, and rendered null and in-operative. He carried out his purpose, therefore, with firmness, entailing, in many cases, great severity, consequently he made many enemies. The feeling of hatred towards the King, which had been gradually growing, was intensified by his retributive vengeance against the family of the Duke of Albany. It had been the King's purpose from the first to punish those who had conspired to prolong his exile, but in the pressure of other affairs this purpose had been kept in abeyance. At length the blow fell with startling suddenness and force; and Murdac, his two sons, and the Earl of Lennox, were arrested, tried and condemned to death. They were beheaded on the Castle Hill at Stirling. Twenty-six nobles, who had been Murdac's partisans, were arrested at the same time, but were released after a short imprisonment. These proceedings were the cause of the rebellion against the King, and ultimately led to his assassination, which was accomplished with great cruelty in 1437. The antagonism against the King had been almost solely confined to the barons, but there were many of them who were wise enough and public-spirited enough to understand and sympathise with the King's measures of reform, and to second his

* Fordun a Goodall, vol. ii. p. 511.

efforts for the good of the people. One of the most active and devoted of the King's supporters was Walter Scott of Branxholme, and James had rewarded his services by a grant of the lands of Eckford in Roxburghshire, which was afterwards confirmed by a charter of James the Second. The lands were to be held of the Crown by the grantee and his heirs for rendering three suits annually, if asked, at the head courts of shire of Roxburgh.*

James the Second was only six years of age at the time of his father's murder, and the possession of his person, and the power which that possession conferred, forthwith became the object of fierce contention between the rival factions. The barons, freed from the restraint imposed upon them by the late King, bore themselves more arrogantly than ever, and the good that had been accomplished with so much labour and care appeared to be completely nullified for the time.

During the minority of James the Second, the young Earl of Douglas became conspicuous for the splendour of his retinue and for his display of power. He was possessed of vast estates and unbounded wealth. A thousand men-at-arms, many of them of knightly rank, rode in his train, and his vassals were so numerous that he could at once muster a large army. He openly insulted the authority and trampled on the restraints of the laws, and seemed almost to usurp the royal prerogative. The Douglasses had, in fact, become a separate power in the state, and a struggle between them and the Royal House was inevitable.

When James was in his tenth year, the Earl of Douglas and his brother were seized and beheaded on a charge of high treason; and this event was the immediate cause of the war between the Douglas faction and the King's party, which lasted many years, and deluged the land with blood, but which finally resulted in the overthrow and banishment of the Douglasses. The last battle between the opposing factions was fought at Arkinholm, near Langholm, where the Earl of Angus, with a large party of Borderers, defeated the Douglasses, who were commanded by the Earls of Moray and Ormonde, brothers to the Earl of Douglas.

The Earl of Moray was killed in the battle, and Ormonde taken prisoner, and afterwards executed. The Earl of Douglas retired to England, and his estates were confiscated to the Crown, large grants of the lands being bestowed on the Earl of Angus.

Walter Scott of Buccleuch and his son David had served the King faithfully during the Douglas rebellion, and had distinguished themselves in the battle at

* Fraser's 'Scotts of Buccleuch,' vol. ii. p. 48.

Arkinholm. They were rewarded by the King with a grant of the lands of Quitchester. The charter, dated at Stirling, 10th September 1455, sets forth that Sir Walter Scott, knight, and David Scott, his son and heir, were granted:— ‘The lands of Quitchester, in the barony of Hawick, which were forfeited by John St Michael, traitor, for the faithful services rendered to us in the victory obtained by them against our traitors, Archibald Douglas, called Earl of Moray, and Hugh of Douglas, his brother, Earl of Ormonde, killing of Archibald and capturing of Hugh, etc., and for other meritorious deeds and services rendered in many ways, and to be rendered to us by the said Sir Walter Scott,’ knight, and David Scott, etc.*

The Scotts rose high in favour with the King, and received further grants of land in the Forests of Ettrick and Selkirk, and on the 22d February 1458-9, Sir Walter Scott obtained a charter of lands in the barony of Crawford-John.†

England was at this time almost torn asunder by the wars of the Roses, and the English were so fully occupied fighting with each other, that there seemed some reason to hope that Scotland might enjoy a respite from her ancient enemy. King James, however, indulged in no such feeling of security. He had vanquished the Douglasses, whose exorbitant power had so long harassed Scotland, and almost deprived him of his kingly prerogative, but he felt that there was still danger to be apprehended while the Earl of Douglas lived. When Douglas escaped to England, he, with other rebel lords, had joined himself to the party of the Duke of York, afterwards Edward IV. He was in the receipt of a pension of £500 a year from the English Government, ‘to be paid to him for services to be rendered by him until he should recover the whole, or the greater part of his possessions, which had been taken from him by the person calling himself the King of Scotland.’‡

King James had favoured the cause of Henry VI. and the House of Lancaster. The attitude of the House of York was inimical to Scotland, and since Douglas and the other rebel barons had joined the Yorkists, there was reason to apprehend hostilities whenever the party should be in the ascendant. Douglas and his friends would have hailed the prospect of an invasion of Scotland, which might enable them to regain their estates, and recover their position and power in their native country. The Scottish King, therefore, set himself actively to work,

* Fraser’s ‘Scotts of Buccleuch,’ vol. ii. p. 53. † *Id.* vol. i. p. 38.

‡ Ridpath’s ‘Border History,’ p. 288.

with the help of his Parliament, to organise measures for the defence of the kingdom. The Earl of Angus, who held great estates on the Borders, was appointed warden of the middle marches of Scotland. This office had previously been hereditary, as indeed were most of the great offices under the Crown. But by Act of Parliament it was ordained that for the future the office of warden and similar offices were no longer to be granted 'in fee or heritage,' but should be given to the person who appeared best qualified to discharge the duties it involved. It was important that the office of warden should be held by one whose loyalty was beyond question, and Angus had proved by the services he had rendered to the Crown, that he was fit to be trusted. The warden appointed Sir Archibald Douglas of Cavers and his son, bailiffs of Liddesdale and keepers of Hermitage castle.

At a meeting of Parliament held at Stirling in 1457, regulations were made for warning the people against any sudden invasion of the English by means of beacons. At the different fords of the Tweed, between Roxburgh and Kelso, where the English forces had been in the habit of crossing when they invaded Scotland, watchmen were placed whose duty it was to keep a constant look-out, and when they received information of the approach of an enemy, they were to light a bale-fire, which was so placed as to be seen from Hume castle, where another fire was instantly lighted. This again could be seen from Edgerston, where a watchman was constantly kept, who again sent forth the blazing signal which flashed onwards to Soltra, Dunbar, Haddington and Dalkeith, till all Lothian was roused. A huge beacon on Edinburgh castle warned Fife, Stirling, and East Lothian. One fire signified that an enemy was approaching; two fires that they were coming in great force; four fires, 'each beside the other like four candellis and all at ayns,' indicated that the invading army was of great strength, and that the danger was imminent.

The arming of the people had been regulated by a statute of the previous reign.

All persons who were possessed of property affording a yearly rental of £20, or of movable goods to the value of £100, were to be well-horsed and armed from head to heel, as befits the rank of a gentleman. Those whose property only amounted to half that sum, were bound to provide themselves with a gorget, rere-brace, vaunt-brace, breast-plate and greaves, leg splints and gloves of plate, or iron gauntlets.

Every yeoman whose property amounted to £20 in goods, was bound to arm himself with a good doublet of fence or a habergeon, an iron hat or knapsull, a bow and a sheaf of arrows, a sword, buckler and dagger, and the lowest class of all, who had 'no skill in archery,' were to have a good suir hat, a doublet of fence, with sword and buckler and an axe, or at least a staff pointed with iron. The burgesses, and all dwellers in cities, were to be armed in like manner, according to their degree, and it was made imperative on the barons, within their jurisdiction, and the magistrates within the burghs, to see these enactments put into force.

These Acts were strictly enforced in the reign of James the Second, and statutes were passed for regulating the assemblage of the troops to meet the enemy; and as the army passed through the different towns, the burghers and merchants were directed to join it.

It was further enacted, that two hundred spearmen and two hundred bowmen were to be maintained at the expense of the Border lords, on the east and middle marches—and on the west a force of one hundred bows and a hundred spears. The Border lords and barons being strictly enjoined to have their castles in good repair, well-garrisoned, and amply provided with military stores. The barons themselves were to assemble their vassals at their chief residence, and be prepared to join the warden, and march wherever he pleased to lead them. It is very curious to notice also, that the proper division of the spoil, after a warden-raid, was regulated by Act of Parliament. No man was allowed to help himself to any part of the plunder, until it had been divided according to the ancient Border custom, in presence of the chief leader, and any one disobeying this law forfeited life and property. It was also set forth that to steal the prisoners belonging to the leaders or their men, was an offence worthy of death, as also to supply the English garrisons of Roxburgh or Berwick with provisions, to give warning to the English of a proposed invasion, or to journey into England without the king or the warden's safe conduct. It was impressed on the leaders of any expedition, that they should make these regulations known before starting, to all the host, that none might plead ignorance of the law as an excuse for its violation, which was to be punished as treason.

During the temporary re-establishment of the House of Lancaster, James II. was able to conclude a treaty of peace with Henry VI., but, notwithstanding the truce, the banished Earl of Douglas and the Earl of Northumberland, with a large force, invaded the east border, and committed great havoc in

Berwickshire. While still engaged in the work of devastation, an army of Borderers, under the Earl of Angus, came upon them, and fiercely attacked the renegade Scots and their English allies, and completely defeated them, nearly a thousand English were slain and seven hundred taken prisoners. The Earl of Douglas was again obliged to take refuge in England. After this his English friends appear to have lost confidence in him, at least they were disinclined to fight his battles, and he was forced to leave his native country in peace. Angus received still further grants of land for his successful bravery, and was becoming almost as wealthy and powerful as his exiled kinsman had been. After this inroad, the efforts for keeping the Borders in a state of defence were resumed with extra vigilance. It was provided by Act of Parliament that all men between the ages of sixteen and sixty should be ready to rise in defence of their country, the moment they received warning of the approach of an English host, either by the sound of the trumpet or the lighting of the beacon.

The first mention of field artillery for the Scottish army was, in an Act of the same Parliament, where it was recommended that some of the richest and most powerful barons should make 'carts of war,' 'and in each cart to place two guns, to be supplied with the proper warlike tackling, and to be furnished also with a cunning man to shoot them.' *

The condition of things on the Borders must have improved considerably after Angus's victory, for the Three Estates did not think the Borderers required the same supplies as the previous season, on the grounds that they were better, and their enemies worse provided. 'Considering that during this last summer the English have experienced great losses, costs, and labour in the war, and *as it is hoped* will have the same in the summer which is approaching.' The Borderers, who had not suffered nearly so much, were, it was thought, perfectly able to defend themselves, but if threatened with an invasion of any extent, the Midland barons were enjoined to be ready to offer them immediate assistance and supplies.

Wapinschawings, or armed musters, were directed to be held four times a year. A pair of 'butts' were to be erected near each parish church, where shooting was to be practised every Sunday, every man being obliged to shoot six shots at least, and any one failing to attend was liable to a fine of twopence, which was to be given to the bow-makers for drink money. In every town there was to be a good

* Acts of Parl. of Scot., vol. ii. p. 45.

bow-maker, and a fleshour, or arrow-maker, who were to be furnished by the town with materials for their trade.

Among the voluminous Acts of Parliament passed in this reign, are measures to regulate every detail of public, commercial, and social life. The sumptuary laws, which had been passed in the reign of James I., were revised, and made more stringent, and it proves that the country was increasing in wealth and prosperity, when it appeared necessary to restrict the richness and cost of the apparel of men and women. The Act sets forth:—

‘That Sen the Realme in ilk Estaite is greatumlie pured throwe sumptuous claithing, baith of men and women, and in special within the Burrowes and Commouns of Landwart. The Lordes thinkis speidful, that restriction be thereof in this maner: That na man within Burgh that lives be merchandice, bot gif hee be a person constitute in dignitie, as Alderman, Bailie, or uther gude worthy men that ar of the Council of the towne, and their wives weare claithes of silk, nor costly scarlettes in gownes, or furringes with mertrickes. And that they make their wives and daughters in like maner be abuilzied, gangand, and correspondant for their estate, that is to say on their heads short cruches, with little lindes, as are used in Flanders, England, and uther cuntries. And as to their gownes, that na woman weare mertrickes nor letteis, nor tailes unfitt in length nor furred under bot on the Halie-daie. And in like manner the Barronnes, and uthir puir Gentlemen, and their wives, that are within fourtie pound of auld extent. And as anent the Commounes that na Laborers nor husbandmen weare on the warke day, bot gray and quhite, and on the Halie-daie bot licht bleu greene, redde, and their wives richt-swa, and cruches of their awin making, and that in exceed not the price of xi pennyes the elne. And that na woman cum to Kirk nor mercat with her face muffalled, or covered, that sche may not be kend under the pane of eschiet of the courchie (head-covering). And as to the Clerkes, that nane weare gownes of scarlet, nor furring of mertrikes, bot gif he be ane persone constitute in dignitie in Cathedral or Colledge Kirk: or else that he may spend two hundred markes, or greate Nobiles or Doctoures, and that this be now proclaimed, and put in execution be the first day of Maii, under pane of escheit of the habite.’*

Numerous quarrels having taken place at foot-ball matches, the game of foot-ball, and also that of golf, was strictly forbidden.

* Acts of Parl., James II., No. 70, March 6th, 1457.

Laws were also passed for the preservation of such 'birds and wild fowls as are gainful for the sustaintation of man,' and it was strictly forbidden to destroy their nests or eggs, or to kill the birds when unable fly. Salmon were also forbidden to be taken in close time, under the heavy penalty of a fine of forty pounds, but it was recommended that all persons should be encouraged to extirpate 'all fowls of reiff,' such as 'erns, buzzards, gleds, mytalls, rooks,' etc. Wolves, which were still common in Scotland, and were great pests to the shepherds, it was specially desirable should be exterminated, and every inducement was offered for their destruction. In districts infested by wolves, the sheriff or bailies were to assemble the population, for the purposes of hunting and destroying the whelps, and whoever refused to attend was to be fined a wedder. 'He who slew a wolf was entitled to receive a penny from every household in the parish where it was killed, and upon bringing the head to the shirriff or baron of the district, he was to be his debtor for that sum.' If he brought the head of a fox he was entitled to a reward of sixpence.

It was about three years after the Douglas rebellion had been finally quelled, that James the Second raised an army for the purpose of laying siege to Roxburgh castle. This strong Border fortress had been held by the English since Edward III. had taken possession of Teviotdale after the battle of Durham, and James was determined to recover it. The Earl of Angus, Sir William Douglas of Drumlanrig, and nearly all the men of note in the east Border had joined the besieging army. The town of Roxburgh was taken and levelled to the ground, and then the castle was besieged. A number of the rude pieces of cannon, which were coming into use, were brought to play upon the walls. Amongst these was a large gun of Flemish manufacture, which had been purchased by James I., but had scarcely been used. It was made with long iron bars fixed with hoops, made tight with iron wedges. A very rudely constructed piece it was, and the engineer having overcharged it, the gun exploded, and one of the pieces struck the King, who was standing near, killed him. The Earl of Angus was also severely wounded. A messenger was sent with the melancholy tidings to the Queen, who was over-powered with grief, yet controlling her feelings, she set out for the camp, taking her son with her, a boy eight years of age, whom she presented to the assembled nobles as their sovereign.

Through her tears the Queen entreated them not to abandon the siege till they had succeeded in taking the fortress, the possession of which was of so much

importance to Scotland. Her appeal was not lost on the soldiers. The attack was resumed with such ardour and determination, that the castle was soon in their hands. Wark castle was taken immediately afterwards, and both were dismantled and destroyed in accordance with the policy which dictated the demolition of Jedburgh castle.

The Scotts of Buccleuch had now attained great power and distinction on the Borders, and had received large grants of land for their public services. Sir Walter Scott, the first of the family who settled in Teviotdale, was distinguished both for his bravery and good sense, and he always proved himself a friend to order and constitutional authority. He took an honourable part in the many struggles which occurred during the reigns of James the First and James the Second, until his death in 1469, in the reign of James the Third. He was for more than forty years a loyal and energetic supporter of the government in all its vicissitudes and efforts for reform. It is not absolutely certain, but there is reason to believe, that he was buried in the church of St Mary at Hawick, which afterwards became the family burying-place.

David Scott was the next lord of Buccleuch. He had been associated with his father in all his wars, and, like him, was distinguished for courage and active loyalty. He was appointed, by the Earl of Angus, keeper of Hermitage castle, and he and his son, whose name was also David, were appointed conjointly and severally to be bailies of the Lordship of Liddesdale, Ewesdale, and Eskdale, for the term of seventeen years, with the power of letting the lands, raising the rents, holding courts, punishing trespassers, and other powers belonging to the office. David Scott, the younger, was married to Lady Jane Douglas, daughter of the Earl of Angus. It may give some idea of the insecurity of property in these districts, if we instance a clause from their marriage-contract. Certain farms in Liddesdale and Ewesdale were to form part of the dowry of the bride, but 'gif through war with Englishmen can nocht hafe these farmes,' then Angus bound himself to provide an equivalent elsewhere.

Though the Lord of Buccleuch was the owner of extensive tracts of land, his possessions were of little value in consequence of their proximity to the Borders. From a valuation of the Buccleuch estates taken at this time, we learn that half the Branxholme estate was waste.* In *time of peace* the lands were valued at twenty-four merks yearly. In time of war it was nothing. The lands of Elrigg

* Fraser's 'Scotts of Buccleuch,' vol. i. p. 47.

Mylsinton, Quhitchester, and several others, were all waste. These lands were, without doubt, despoiled by lawless depredators, which seems to have been such a common occurrence that little notice was taken of it at the time. In such cases the injured party must either submit to his loss quietly, or take his revenge as he found opportunity. David Scott does not appear ever to have sought legal redress for his losses; indeed such a course was generally futile, and seldom resulted in bringing the depredators to justice, and still more rarely in compelling restitution, so that on the Borders an appeal to the laws was apt to be regarded as a useless formality. But in at least one instance David Scott's losses were brought before the Council by—'Walter Scott, grandson and heir of the deceased David Scott of Buccleuch, who obtained, on the 25 of June 1494, a decret of the Lords of Council in his favour in reference to the theft and plunder of his grandfather's property, by certain depredators of the Borders,—Simon Routledge of the Prowis, Mathew Routledge his son, and their accomplices, had taken from and despoiled David Scott and his tenants, of five horses and mares, forty kye and oxen, forty sheep, household plenishing to the value of £40, two chalders of victual, thirty salt martis, eighty stones of cheese and butter, and two oxen 'besides burning and spoiling of the place and manor of Buccleuch.'* This account shows in what a thorough manner the depredators did their work. They literally left

'Nocht on bed or baulks.'

The manor of Buccleuch, which had formerly been a residence of the family, was never rebuilt, the principal family seat being at Branxholme. The Routledges had, no doubt, taken advantage of the isolated position of Buccleuch, and the absence of its warlike lord and his sons, to plunder it, at their leisure, very much at their leisure apparently, when they had time to clear the premises of all its furniture, to trundle out barrel after barrel of beef, and all the numerous cheeses and crocks of butter, before they set fire to the house.

Sir David Scott made large additions to the castle of Branxholme, and strengthened and made it more secure. He also repaired and put in a state of defence the castle of Hermitage, of which he was keeper, and garrisoned it with a hundred men.

The Earl of Angus, from whom the Scotts of Buccleuch held their appoint-

* Fraser's 'Scotts of Buccleuch,' vol. i. p. 62.

ments in Liddesdale, was the celebrated Archibald Bell-the-Cat, who received that soubriquet for the part he played in the tragedy at Lauder Bridge, where five of the King's favourite companions were hanged.

This outrage was the beginning of a systematic course of rebellion and opposition to the King by Angus and his confederates, which about five years afterwards resulted in the murder of the King, who was stabbed by an assassin after the battle of Sauchie-burn. Neither the Scotts of Buccleuch nor the Douglasses of Drumlanrig joined the insurrection, and they and their followers served the King with devoted loyalty. Young David Scott fought with the King's army at Blackness with distinguished bravery, and Sir William Douglas of Drumlanrig, lost his life at the battle of Lochmaben, where he fought under the Royal banner against the Duke of Albany and the Earl of Douglas. Albany, the King's brother, who had been exiled to France for treasonable practices, invaded Scotland in conjunction with the long banished Earl of Douglas. They brought with them a body of five hundred horse, and expected to be joined by their own vassals and the disaffected barons. In this, however, they were disappointed. They reached Lochmaben on St Magdalene's day, when a fair was held in the town, and a great number of merchants, hawkers, and country people had assembled, armed according to the usual custom. These country people offered a stout resistance, but must have been overwhelmed had not a body of the King's troops come to their assistance, when, after a grievous slaughter, the invading force was scattered. Albany was compelled to fly into exile again, and the Earl of Douglas was taken prisoner.

James III., with his usual clemency, spared the life of the old Earl. Struck by his venerable and noble appearance, his heart was filled with pity, and he forgave his many traitorous acts, and allowed him to drag out the remainder of his days in the Abbey of Lindores. On hearing his sentence, Douglas muttered, with a bitter smile, 'He who may no better, must needs turn monk.'

Sir William Douglas, who was killed at Lochmaben, was succeeded by his son Sir James Douglas. He had married Janet Scott, daughter of Sir David Scott of Buccleuch, thus forming the first alliance between the two families, which three centuries later were merged into one, when the Duke of Buccleuch inherited the Dukedom of Queensberry.

Sir David Scott of Buccleuch died in 1492, at the age of sixty-two, having out-lived his two eldest sons. Walter, who died young, and David, who married

Lady Jane Douglas—the daughter of Bell-the-Cat. He left a son named Walter, who succeeded his grandfather.

Sir David's will gives some idea of the wealth of a great lord of the middle ages. The inventory of his goods consisting of oxen, sheep and cows, besides growing crop, amounted to £740 Scots money; the debts owing to him were £43, 16s. 8d., and his liabilities £337. He left a sum of money to the churches of Hawick, Rankilburn, and St Mary of the Forest, for a suitable priest to pray for his soul.

This very small valuation was to be explained by the fact, that such a large portion of his lands were waste. Besides, the money value of live stock and farm produce was very little. The price of an ox was only about six or seven shillings, and of a horse, thirteen or fourteen shillings; a boll of wheat was worth two shillings; rye, barley and pease, about one shilling and fourpence per boll, and oats, sixpence. Money seldom appeared in the transactions of a feudal baron, and his tenants or vassals held their lands on condition of rendering certain military or other services to their feudal lord, with perhaps a certain proportion of their farm produce. The scarcity of money was the chief reason why special services were so frequently rewarded by grants of land, which had the additional advantage of attaching another retainer to the granter's service.

Some of the feu charters granted about this period afford a curious glimpse of the legal procedure of feudal times. No man could sell, bestow or alienate his lands, without consent of the King or Over-lord from whom he held them. When lands changed hands, the infiefment was conducted with some ceremony in a public place, such as a church or churchyard. When Sir Walter Scott obtained the lands of Hiep, in the parish of Wilton, from James Langlands of that Ilk, he took a public instrument in the churchyard of Hawick. Shortly after this, Sir Walter Scott exchanged Hiep for Mylsinton, by a charter of excambion from John of Langlands, for the annual payment of a red rose and sixpence Scots, if asked, at the feast of St John the Baptist.

Douglas of Drumlanrig held his lands direct from the Crown, on the payment of an arrow as *blanche ferme*, if demanded, at the principal messuage, viz., the Tower at Hawick, at the festival of the blessed Virgin. Sir Walter Scott held the lands of Elrigg in fief of the Baron of Hawick, to whom he must pay one penny yearly at the feast of St John the Baptist.

Hiep, which for a short period was the property of Sir Walter Scott, but soon

returned to the possession of its former owner, Langlands of that Ilk, is situated about a mile to the north of Hawick. This place was the scene of a murder, which was committed in 1494 by Langlands of that Ilk.

Sir George Farnylaw, a chaplain belonging to the Abbey of Melrose, had been deputed by the abbot to collect the tithes due to the abbey, which, in the case of Langlands, were considerably in arrears. The laird encountered the monk at Heip, and on being pressed for the money, Langlands flew into a violent passion. In those days a man's weapons were always ready to his hand, and his hand ready to his weapon. The monk was, of course, unarmed; but presuming on the sanctity of his office, he still further irritated the laird, who, in a moment of ungovernable rage, stabbed the priest and killed him. Bloodshed was common in those days, and had it been any other than a priest, the friends of the murdered man would have squared accounts with the murderer, but it was a serious and heinous crime to take the life of a monk.

A local writer, who gives a graphic and highly coloured account of the murder, tells how Langlands hurried off to the King, and gave his own account of the affair, but only admitted having insulted a monk. A somewhat grave offence, for which, however, the King was inclined to be lenient, and granted him a free pardon for having, as he said, 'knocked off a priest's bonnet.' The wily laird then bribed the clerk, who was deputed to draw up the pardon, 'to put the head in the bonnet,' which was done, apparently without any trouble, and Langlands was in a position to defy the monastic vengeance.* The story is not a bad one, and bears a distant relation to the facts.

The case was brought before the Sheriff Court at Jedburgh. Sir Robert Ker and John Rutherford of Edgerston were sureties for the appearance of Rodger Langlands to stand his trial, but he failed to appear, and they, consequently, were amerced in the sum of twenty pounds each. Langlands being declared rebel, and put to the horn, and his goods escheated to the Crown.†

It is very probable that the King's well-known clemency had been exerted in his behalf, for he was soon after found in peaceable possession of his estates.

* The 'History of Hawick,' by Robert Wilson, p. 43.

† Pitcairn's 'Criminal Trials,' vol i. p. 20.

There was a rude cross erected at the spot where the murder was committed, which bore the following inscription :—

‘ This is the place where Langland’s slew
The holy priest of Melrose ;
And Langland’s shall be of that Ilk nae mair
When time has levelled this cross.’

The prophecy embodied in these lines was not fulfilled, for the name of ‘Langlands of that Ilk’ existed at least half a century after the cross was destroyed. Miss Langlands, the last of the old line, died in 1815, and the family is now extinct.

The clergy appear to have experienced some difficulty in collecting their tithes, for the Laird of Langlands was not the only one who resisted them. In 1478 Master Alexander Murray, the parson of Hawick, pursued David Scott of Buccleuch ‘anent the soume of 44 merkis of the rest of a mair soume of the taxt of the kirk of Hawick pertaining to the said Mr Alexander Murray, and wrangwisly taken up by the said David Scott, as was allegit.’* The case was adjourned, with what result is not known.

It has been stated by local and other writers, that the celebrated Gawyn Douglas, Bishop of Dunkeld, was appointed rector of Hawick, but a careful examination of authorities proves that this must have been a mistake. In Miln’s ‘Lives of the Bishops of Dunkeld,’ a Latin MSS. in the Advocates’ Library, it is stated that in 1496 Gawyn Douglas was made parson of Linton and rector of Hawick. Dr David Irving of Langholm, who gives an account of Gawyn Douglas in his ‘Lives of the Scottish Poets,’ states, on the authority of Miln, that Douglas was appointed rector of Hawick, having manifestly been misled by the similarity of the names. Hauch or Hawche, is well known as the old name of Prestonkirk, and has no connection with Hawick. In the article on ‘Gawyn Douglas’ in the ‘Encyclopædia Britannica,’ it is stated that he was appointed rector of Hauch or Prestonkirk, and parson of Linton in East Lothian ; and in a note it is added, that the ‘authority for the former designation is ‘Miln’s Vitæ Episcop. Dunkeld,’ by misreading of which, Douglas is, by Bishop Sage, called rector of Heriot, and by Dr Irving and others, rector of Hawick. Dr David Laing says, ‘Hawche is an ancient synonym of Linton or Prestonhaugh, better known as Prestonkirk near Dunbar.’

* Acta Dominorum Auditorum, p. 83.

The late Dr Small of the University Library, Edinburgh, in a biographical account of Gawyn Douglas, prefixed to a recent edition of his works, also identifies Hauch with Prestonkirk. These authorities are so conclusive, that there can be no longer any doubt on the matter; but, if further proof were wanting, it is to be found in the fact that Hawick belonged to the regular, and not to the secular clergy, and being a vicarage, could not have a rector. The blunder is perfectly apparent to anyone who has any knowledge of church history or ecclesiastical antiquities.

NOTE.—The error which local historians have fallen into regarding Gawyn Douglas, has been pointed out in an able paper read before the Hawick Archæological Society in March 1883, by Mr Goodfellow of Hawick.





P A R S

E V I Æ

Part of Eusdail.

Mospatrik hogfuyire

L I D A L I Æ P A R S

Part of

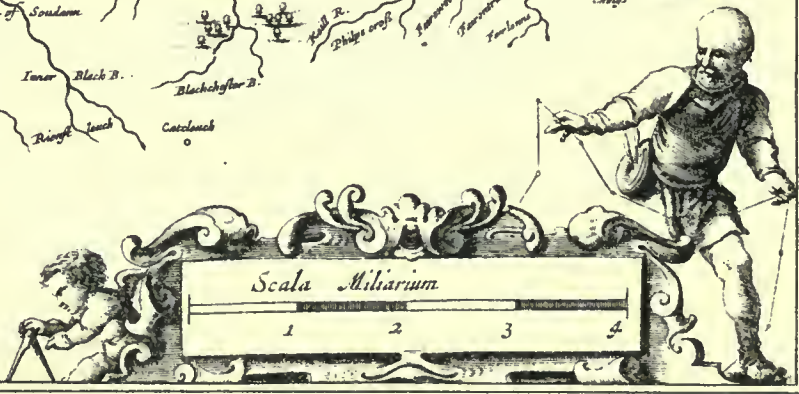


TEVIOTIA
Vulgo
J J V E D A I L

...OTS OF BUCCLEUCH," from Blaeu's Atlas, 1654.



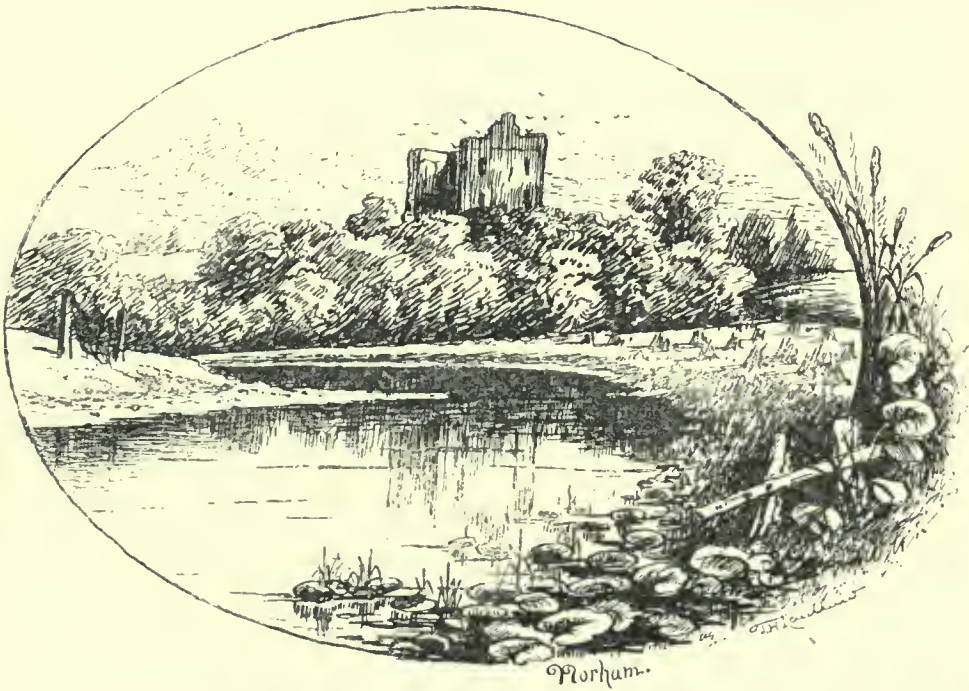
Auct. Tim. Ponse.
Io. Blaeu Excudit



CHAPTER V.

'He gave the riven banner
To the old man's shaking hand ;
Saying, "That is all I bring ye
From the bravest of the land !"
'Sirs ! I charge you, keep it holy,
Keep it as a sacred thing,
For the stain ye see upon it
Was the life-blood of your king.'—*Edinburgh after Flodden.*

AYTOUN.



Northam.

NO event in history has made a deeper and more lasting impression on the minds of the people of Scotland, than the battle of Flodden. On the Borders especially, where the disastrous effects of the battle were most severely felt, the remembrance

of Flodden, added bitterness and intensity to the feelings of hatred with which the Borderers regarded their ancient enemies across the Cheviots. Four hundred years have scarcely sufficed to eradicate these feelings, although the whole condition of things is changed. The English and the Scotch have become one nation, subjects of the same Queen, fighting side by side in the same wars, and bound together by the same national interests, even yet old Borderers have been heard to talk of the battle of Flodden with as much personal resentment as if they themselves, and not their remote ancestors, had been the sufferers.

A very amusing story, illustrative of this feeling, is told in Lockhart's 'Life of Scott.' When travelling in Northumberland, Sir Walter Scott met with a Scotchman practising as a physician, whom he had previously known as a somewhat indifferent veterinary surgeon. On asking him how he succeeded as a medical man without any knowledge of his profession, he replied, that his pharmacopœia contained but two simples, calomel and laudanum, and if one did not do he tried the other. 'But surely,' said Sir Walter in astonishment, 'you must kill the greater part of your patients with such treatment!'

'Oh aye!' the pseudo-Esculapius answered coolly, 'I kill a gude wheen, but it'll take an awfu' lot to make up for Flodden.'

The causes which led to that battle were so insignificant in themselves, and the issues at stake of such restricted importance, that it is well-nigh incomprehensible to modern ideas, how men should have been willing to risk their lives and to peril the safety of the kingdom.

An outrage which was committed in the reign of Henry the Seventh, but which was still unredressed, formed one cause of complaint. This was the murder of Sir Robert Ker, warden of the Middle Marches of Scotland, a knight high in favour with King James, who made him his principal cup-bearer, and Master of the Ordnance. He was firm in compelling obedience to the laws, and his severity towards offenders incurred the hatred of the Borderers, who were determined to be revenged. At length, at a march meeting, Sir Robert Ker was set upon by three Englishmen, named Heron, Lilburn, and Starhead, who cruelly murdered him. Henry VII. seemed anxious to punish the perpetrators of this outrage, and Lilburn was delivered up to the Scots, along with Heron of Ford, the brother of one of the murderers, who, with Starhead, had made his escape, and remained in concealment till the beginning of the reign of Henry VIII., when they reappeared in public. Starhead was afraid to trust himself too near the

Borders, and established himself at a place about ninety miles distant. Andrew Ker, the son of the deceased warden, determined to avenge his father's death, and persuaded two of his dependents, named Tate, to kill him, which they did, and cutting off his head, brought it to their master, who had it publicly exposed in one of the most conspicuous places in Edinburgh.*

Heron, trusting to the support of his kindred, lived openly upon the Borders, and committed many outrages in Scotland. Henry VIII. not only overlooked his former crime, but was accused by James of encouraging his excesses. Another cause of complaint was the seizure of certain Scottish ships by an English cruiser, for which no redress could be obtained. King James was still further incensed against his brother-in-law, because he had failed to pay the dowery of his sister, the Queen of Scotland, and he had also withheld a legacy of jewels left to Queen Margaret by her father, Henry VII.

These comprised the whole indictment against England, barring a general sense of injury and antagonism, from which the Scots were never free. These questions might have been amicably settled, however, for Henry was by no means anxious to quarrel with the Scots, as he was making great preparations for prosecuting the war with France. The Scots were bound by the ancient treaty of alliance with France to assist the French when attacked by the English. The French accordingly called upon their old allies to help them by invading England. A letter, conceived in the prevalent spirit of knight-errantry, was received by King James from the Queen of France, wherein, in the language of chivalry, she appointed King James of Scotland her chosen knight, and described herself as a lady 'in dolorous plight, with an enemy at her door,' and as her champion she entreated him to march for her sake three feet into English ground. This appeal was accompanied by a present of fifteen thousand French crowns, which were very acceptable in the low state of the royal exchequer, but an insignificant payment for the service demanded.

It was the age of chivalry and romance, when men were trained to be soldiers from their earliest youth, and the proudest ambition of the young knights was to distinguish themselves by feats of arms. When the country needed defenders, this military ardour found its legitimate vent, but in times of peace the warrior was fain to betake himself to the tilt-yard, and keep his arms from rusting by trials of strength and skill.

* Buchanan's 'History of Scotland,' vol. ii. p. 352.

These were not mere mimic contests; severe wounds were often given and received, even in the *joust à plaisance*, which was the more common form of the tournament, but the combat *à la outrance*, which was to the death, was not unusual. James IV., who was himself well skilled in all military exercises, gave splendid tournaments in Scotland, though they were going out elsewhere, and 'when the noise of these tournaments came to foreign nations, many strangers, and especially from France, came to show their prowess, who were all liberally entertained by the King, and as bountifully dismissed.*

In addressing James in the language of chivalry, Queen Anne of France knew that her appeal would have more weight than if it had been expressed in the ordinary terms; and the result showed that she was right, for James received the letter in the spirit in which it was written, and vowed, like a true knight, to obey the lady's behest, and he soon afterwards issued his writs for a general muster of the whole force of his dominions.† It had been evident, for some time, that events were tending towards a war with England,‡ and James had plainly intimated to Henry, that peace with France was the only condition upon which an amicable correspondence could be maintained between the two kingdoms;|| but after the receipt of the letter from the Queen of France, all peaceful negotiation was at an end, and James at once made his preparations for war.

James the Fourth was very popular among all classes of his subjects; for in spite of his extravagance and his love of pleasure, he took a deep interest in all the details of government. He was ready to listen to every tale of distress, and to punish every act of oppression. He was most solicitous that the laws should be obeyed, and good order maintained, and with untiring energy he kept the whole legal machinery of the country under his personal supervision. Possessed of a strong healthy frame, which his warlike training had developed to the utmost point of hardihood and endurance, he would travel great distances, often at night and in the most inclement weather, that by his unexpected appearance he might surprise the judge on the bench, and secure the impartial administration of justice.§ So prompt was he to punish crime and to expose injustice, that wrong-doers of every degree were inspired by a wholesome dread of this energetic and ubiquitous King. It was in no spirit of adventurous bravado that King James rode without a

* Buchanan's 'History of Scotland,' vol. ii. p. 347.

† Pinkerton's 'History of Scotland,' vol. ii. p. 87.

‡ Buchanan's 'History of Scotland,' vol. ii. p. 353.

|| Tytler's 'History of Scotland,' vol. v. p. 58.

§ *Id.* vol. v. p. 8.

single attendant from Stirling, through Perthshire and Aberdeenshire, to the shrine of St Duthoe in Rosshire, through what had been one of the most turbulent and lawless districts of the country, but to prove the truth of his proud and kingly boast, that under his rule the inhabitants were not only peaceful and law-abiding themselves, but that a traveller alone and unarmed could pass through their midst in safety and tranquillity. In consequence of the firm rule maintained by James, and the peace which had prevailed, with but trifling interruptions since he ascended the throne, the different industries were in a flourishing condition, and the country was prosperous notwithstanding the severe drain on the national resources, caused by the King's extravagances and his shipbuilding and other enterprises.

The war was unpopular throughout Scotland, for many thought, like Sir David Lindsay, that

'When peace and wealth their land had blessed
T'were better to sit still and rest
Then rise, perchance to fall.'

Many of the King's councillors strove to dissuade him from his warlike purposes, or at least to delay hostilities, but without avail. Signs from heaven and portents of evil were not wanting, to foretell that the enterprise would be disastrous. It is related, that when the King was attending vespers in the chapel of the palace of Linlithgow, a stranger of stately appearance entered. He wore a robe of russet colour, with a linen girdle about his loins, and his long hair flowing on his shoulders. A feeling of awe and dread filled the beholders, as the venerable stranger walked up to the King, who was kneeling at his devotions, and said, 'Sir, I am sent to warn thee not to proceed on thy present undertaking, for if thou dost, it shall not fare well with thee, or those who go with thee. Further, it hath been enjoined me to bid thee to shun the familiar society and counsels of women, lest they occasion thy disgrace and destruction.' Then without reverence or salutation he disappeared among the crowd, who stood spell-bound with awe and dread, for they supposed it to be an unearthly visitant. The King, however, was not greatly impressed with the vision, which he suspected was only a stratagem, got up by the Queen, to frighten him from his purpose.*

* Buchanan's 'History of Scotland,' vol. ii. p. 358.

Unheeding alike ghostly warnings and appeals to his better judgment, the King raised his standard at the Borough Muir, near Edinburgh, and so great was his personal popularity, that he soon found himself at the head of a numerous army, who came from the remotest parts of Scotland to obey the royal summons. It is computed that not less than a hundred thousand men were assembled. With such a host to follow his banner, it were no wonder if James felt confident of victory, and any true soldier who looked upon that splendid army, must have felt with Marmion, that

‘ The King from warfare to dissuade
Were but a vain essay.
For by St George, were that host mine,
No power, infernal nor divine,
Should once to peace my soul incline,
Till I had dimmed their armour’s shine
In glorious battle fray.’

Ere the army departed from Edinburgh, a mysterious herald was reported to have been heard at the Cross at midnight, calling over a long list of names of those who were summoned to another world within forty days ; and the citizens remembered afterwards, that none whose names had been mentioned escaped from the fatal battle of Flodden.

Nothing daunted, however, King James and his army set forth and crossed the Border on the 9th of August 1513. He laid siege to Norham Castle, which surrendered in a week ; and then proceeded to Wark, which was also taken, and then the army marched to Ford, which was taken after some further delay. James was apparently satisfied with his achievements so far, and he does not seem to have been aware of the mistake he committed, in bringing a large army into an enemy’s country, and wasting time over such petty victories. But the King was guilty of greater and more reprehensible folly, for, after taking Ford, he yielded so far to the fascinations of the Lady Heron, as to remain several days idling in her society, while the army remained inactive. It was now September, and the weather was cold and wet, and the difficulty of procuring provisions was becoming greater every day. Many left the camp in disgust, and returned to their homes, while James, heedless of danger, and deaf to the remonstrances of his more experienced leaders, idly basked in the smiles of the lady of Ford, who, it was suspected, was instigated by the Earl of Surrey to exercise her fascinations

on the susceptible monarch, and procure delay.* The English were, meanwhile, profiting by James' folly, and busy assembling their forces and preparing for battle.

Surrey, the English commander, was now at the head of an army of 26,000 men. In passing through Durham he obtained the banner of St Cuthbert, for the purpose of inspiring the courage of his soldiers. He then sent a challenge to King James, offering him battle on the following Friday, and charging him to abide the issues. James replied that he would certainly abide where he was, and give him battle.

This message was received on the 6th of September, and James had pledged himself to remain where he was until the 9th, when Surrey had engaged to meet him. The Scottish leaders were impatient at all this delay. It was contrary to all their traditions to enter England and calmly wait until their enemies were ready to fight. They would have cheerfully marched on, as far as James chose to lead, storming the castles and towns in their way, but to sit inactive while the English were making their preparations, was carrying chivalry beyond all reasonable limits. The weather was most unpropitious, indeed it had scarcely ceased to rain for more than an hour at a time, and the Scots had no shelter, except a few straw huts they had erected. The commissariat difficulty too, was becoming serious. The resources of the neighbourhood were completely exhausted, and foraging parties scoured the country for great distances with indifferent success. Exposed to hunger, rain, and cold, it is no wonder if the ardour of the troops began to cool.

King James had drawn up his forces on the brow of Flodden, a hill lying a little to the north-east of the Cheviot range. It lies about half-a-mile from the village of Ford, and about four miles from the river Tweed, so that the army was scarcely an hour's march from Scotland. The ground was remarkably well chosen, the hill sloped in a gentle declivity towards the south, where lay the extensive plain of Millfield. The river Till, with its steep broken banks, pursued its slow winding course at the foot of the hill, and made James' position almost impregnable on the side from whence the English army must approach. To the rear of their position was a pretty extensive plateau, where the huts and other equipage of the camp were placed, and on the north the hill sank steeply to the level ground stretching towards the Tweed.

* Lindsay of Pitscottie.

On Thursday, the 8th of September, the English army appeared crossing Millfield plain in full view of the Scottish camp; and Surrey, seeing the strong position James occupied, endeavoured to draw him down to the plain by an appeal to his overstrained sense of honour. Surrey appears to have been well acquainted with the weakness of James' character, and showed his skill, as a general, by playing upon it for his own advantage. He sent a letter to the King, saying that he had failed in his promise, for instead of abiding where the herald found him he had removed himself to a position more like a fortress than a camp; he,



Branston, a village now standing on Flodden Field.

therefore, desired the King to come down from the heights, and draw up his army on the side of the plain nearest his own position. But this message failed of its effect. The position Surrey invited the Scots to take up, was one in which no general would have been willing to risk a battle, with soft marshy ground, an unfordable river, and a steep hill to the rear. To occupy ground so completely hemmed in, and with no facilities for retreat, would have been simple madness. The cool effrontery of this proposition seems to have struck the King, and roused his resentment, and he would not admit the herald to his presence, but sent a message by a servant, to say 'that it became not an Earl to

behave in that manner to a King, and that he would use no sorcery, nor did he trust to the advantage of the ground.’*

Surrey was determined, however, not to attack the Scots from the south, and towards evening he drew off his forces to Barmore Wood, about two miles distant, to spend the night. Next morning the English were observed crossing the Till at Twisel Bridge, near Ford. The Scots, knowing that the English were even more distressed for provisions than themselves, at first supposed that they intended to cross the Tweed also, and make a raid into the rich districts of the Merse, and many of the nobles urged the King to retreat. He had, they said, done enough to satisfy his honour, in abiding the attack of the English, who now appeared to be retiring, and there was no use in tarrying longer; but James determined to remain where he was. It was soon evident, however, what Surrey meant by his detour to the north. He had gone round to the rear of the Scottish camp and took up a position between the Scots and their own border, and immediately prepared for battle. It was observed that the English had received large reinforcements under the Lord High Admiral, Surrey's son, while the Scottish force had gradually diminished in numbers. It was evident that the Scots would have gained an immense advantage by following the tactics of Wallace at the Bridge of Stirling, and attacking the English when their forces were separated by the river. The King was urgently entreated to take this course. The master of the artillery came before him and asked leave to fire on the English host, for, he said, he had directed his artillery against the bridge, which he undertook to destroy, and prevent the bulk of the English from crossing the Till, while those who were already over could be completely ‘devoured.’† The King answered ‘like a man who had been bereft of his wit,’ saying to him, ‘I shall hang thee, quarter thee, and draw thee, if thou shoot one shot this day. I am determined that I will have them all before me on a plain field, and see what they can do all before me.’ The King acted as if the enterprise on which he was engaged was a tournament on a grand scale, of which the preliminaries should be arranged with the same punctilious formality. He had generously resolved that the English should be allowed, unmolested, to take up their position and prepare for battle; but it was carrying magnanimity to the utmost verge of folly, to allow the enemy to occupy ground which cut off the only way of retreat. By his skilful manœuvre Surrey reversed the position, and placed the Scots at a

* Hall's ‘Chronicle.’

† Lindsay of Pitscottie.

disadvantage; but he could scarcely have encountered the risk involved in this movement had he not trusted to the chivalrous temper, or perhaps to the carelessness and inexperience of his opponent. Among the Scots there were experienced soldiers, who saw clearly the fatal mistake James was making, and urged the importance of an immediate attack. The old Earl of Angus had repeatedly urged the King to activity, and on venturing a further remonstrance, was told by James to go home if he was afraid. 'Sire,' said he with dignity, 'my grey hairs, and my faithful service, might have spared me that taunt.'

The King received all such appeals with angry impatience, and stubbornly determined to take his own way. When the English had all passed the bridge, and formed in order of battle, and were advancing against the Scots from the north, King James caused the straw huts and litter of the camp to be set on fire, and descended the hill. The smoke, which was blown between the two armies, concealed them until they were within a quarter of a mile of each other. It was about four o'clock on the afternoon of the 9th of September when the battle began, by a furious charge of the Earl of Huntly and Lord Home, upon the English van, led by Lord Howard, which, after some resistance, was driven back, but the English cavalry, under Lord Dacre, galloped up, and Huntly and Home were in turn routed with great slaughter.

It is unnecessary to describe the battle. The disastrous result to the Scots is well known, and has been attributed to various causes. The English cannon were well placed, and directed with telling force. The Scottish artillery, on the other hand, was placed high up on the hill, and the shot was carried right over the heads of the English, and did little damage. The English archers too, committed great havoc among the Scottish host. They directed their efforts against the Scottish gunners, the chief of whom was killed very early in the engagement, and the others fell in such numbers that the guns had to be abandoned. The King, instead of directing and controlling the movements of his army, was engaged in a desperate encounter with the Earl of Surrey, in the centre. Though a poor general, King James was a brave soldier, and placing himself in the front rank, he fought with reckless courage. His nobles gathered round him, leaving their men without leaders to fight blindly and desperately, with no concerted plan of action, and with none to direct their movements. The combatants 'fought manfully on both sides, with uncertain victory, till that the streams of blood ran on either side so

abundantly, that all the fields and waters were made red with the confluence thereof.*

The scene, which Sir Walter Scott describes with such graphic force, can scarcely be exaggerated, when as the shades of evening fell—

‘More desperate grew the strife of death,
The English shafts in volleys hailed,
In headlong charge the horse assailed
Front, flank, and rear, the squadrons sweep
To break the Scottish circle deep
That fought around their King.
But yet though thick the shafts as snow,
Though charging knights like whirlwinds go,
Though billmen ply the ghastly blow
Unbroken was the ring.
The stubborn spearmen still made good
Their dark impenetrable wood,
Each stepping where his comrade stood
The instant that he fell.
No thought was there of dastard flight,
Groom fought like noble, squire like knight,
As fearlessly and well.’

When darkness fell, and the fighting ceased, it was hardly possible to tell which side had the victory. Pitscotie says, ‘The field was discomfiest on both sides; for neither England nor Scotland knew who had the better in that battle.’ And Hollinshed says, ‘Though the victory thus remained with the Englishmen, yet they bought it deere, loosing no small number of their people, as well those that were slain in the field, as of others that were taken prisoners, for the Scots fought very stoutlie.’

As the Scots gathered together their shattered columns after the battle, they could scarcely realize the extent of the disaster that had befallen them. The King was slain, and 10,000 of Scotland’s best and bravest had perished with him, for it was said, that there was not a family of distinction in Scotland but owned a grave on Branxton Moor. The King had fallen, pierced by an arrow, and severely wounded in the head,† the knights and nobles who gathered round him disdained to fly or render themselves prisoners, they formed a circle round the

* Pitscotie’s ‘Chronicle.’

† State Papers, vol. iv. p. 2.

body of their sovereign, and defended it till darkness compelled the combatants to desist.* Sir David Lindsay says of Flodden—

‘I have never read in tragedy or story
At ane tourney so many nobilis slain
For the defence and luv of their sovaine.’

Those who fell by the side of James the Fourth were fighting for no great principle,—not to free their country from foreign yoke, or to defend it from invasion,—but from simple loyalty to their King, and in the sorrow and wailing which prevailed all over Scotland, there was no voice raised to blame the King, though it was well known that his obstinacy and rashness, was the cause of all the disaster. There was sincere mourning for his death, mingled with the general lamentation. Buchanan, writing within the first half century after the death of the King, says of him,—‘As he was dear to all whilst living, so he was mightily lamented at his death, and the remembrance of him stuck so fast in the minds of men as the like was not known of any other King that we have heard or read of.’†

The first Parliament which met after the battle of Flodden was a most melancholy scene. It was the hereditary council of Peers, but there was hardly one present who had composed that assembly at its last meeting, their places were either vacant, or occupied by the next generation.

Apart from the sorrow for the dead, the people of Scotland had good reason to dread an invasion, which was the natural sequence to defeat. Deprived of their natural leaders the people were helpless, and at the mercy of their enemies. Nothing can be more suggestive of the state of despair into which the people were plunged, than the proclamation which was made in Edinburgh, that no woman should be seen crying or wailing in the streets, under the penalty of banishment. The sight of so much grief threatened to unnerve the men whose strength and courage were so urgently required for the defence of the city, and the women were therefore recommended to repair to the churches and to pray for Divine help and protection. But the desperate bravery of the Scots had saved their country from invasion, for the English loss was so great that Surrey found himself unable to pursue his advantage, and was compelled to disband his army. While the Scots were apprehensive of invasion, and uncertain of the intentions of

* Tytler's ‘History of Scotland,’ vol. v. p. 80.

† Buchanan's ‘History of Scotland,’ vol. ii. p. 369.

the English, the Borderers were in a most critical and dangerous position. The muster of Borderers, before the battle of Flodden, had been much greater in proportion to the number of inhabitants than in other parts of Scotland.



Norham Castle.

This was attributable to the fact, that the frequent interchange of hostilities kept their feelings of enmity towards their 'auld enemies' in a lively and active state, and both lord and vassal welcomed the chance of an encounter with them. Their

loss, therefore, was correspondingly great, and in hundreds of homes on the Borders there was mourning for those who had been left 'to feed the crow on Flodden's fatal plain.' The muster from Hawick is stated in the 'Annals of Hawick' to have been about two hundred, who marched under the banner of Douglas of Drumlanrig; but as no authority is cited, the statement must be regarded as traditional, or conjectural perhaps, but there is no reason to doubt that it is approximate to the truth. Sir William Douglas was killed in the battle, and it is asserted that his followers were nearly exterminated. Sir Walter Scott of Buccleuch also led a large force of his retainers to the field. He was one of the few noblemen who survived the battle, where he fought with distinguished bravery. The archers of Ettrick Forest perished almost to a man; and although it is impossible to arrive at an accurate computation, there can be no doubt that the loss was very great on the Borders. The sorrow and wailing which prevailed in the district is touchingly expressed by the authoress of the 'Flowers of the Forest'—

'I've heard the liltin', at our yowe milking,
Lasses a' liltin', before the dawn of day;
But now they are moaning on ilka green loaning
The Flowers o' the Forest are a' wede away.

'At bughts in the morning, nae blithe lads are scorning,
The lasses are lonely, and dowie, and wae,
Nae daffin, nae gabbin, but sighing and sabbing,
Ilk ane lifts her leglin, and hies her away.

'Dule and wae for the order, sent our lads to the Border,
The English for ance by guile wan the day.
The Flowers o' the Forest, that fought aye the foremost,
The prime of our land, are cauld in the clay.'

While the loss had been greatest on the Borders, the danger to which its inhabitants were exposed was most imminent. Bereft of their defenders, and an enemy within a few hours' march, the people were a prey to the liveliest apprehension, for they naturally expected that the English would follow up their victory, and that the country would be overrun with their marauding bands.

The Teviotdale peasantry had good cause for dread, for though Surrey disbanded his army, he did so on his own responsibility, and his action so displeased the King, who was in France with his army, that he at once sent

orders to the wardens Dacre and Darcy, to make incursions into Scotland both from the east and west Borders. The wardens were not in a position to make an extensive and simultaneous invasion, but they committed a number of separate and very destructive inroads. On the 29th of October 1513, Lōrd Dacre reports to the Bishop of Durham the particulars of a raid into Eskdale, where he burnt many houses, and carried off hundreds of sheep and cattle, and a large quantity of 'insight gear,' or miscellaneous plunder, and goes on to say:—

'Sens I mett the Chamberlayn on Satterday was sevinnight I caused four raids to be made in Tevidale; one to the toure of Howpaslot, and there burnt, took and brought away twenty-eight score sheep, with insight and goods; another roode to Carlenrig, made be the inhabitants of Tyndale and Riddesdale, to the castle of Ancrom, and brynt the town of the same, and took and brought away nine prisoners, with much goods, cattle and insight. And three roods in Annandale, where as great destruction was, both of burning and taking of goods. And over that I entend Tevidale shal be kept waking whils I deal with them myself.*'

In November of the same year Dacre wrote to King Henry giving still further details. He entered Scotland with a thousand horsemen, and there set forth two forays—

'My brother, Philip Dacre, with three hundred men, which burnt and destroyed the town of Rewcastle, with all the cornes in the same, and thereabouts, and wan two towers in it, and burnt both rooffe and flores, and Sir Rodger Fenwick, with three hundred men, burnt the town of Langton (Lanton), and destroyed all the cornes therein, which towns are in the hert of the country two miles beyond Jedburgh, on the water of Chevyot (Teviot). and I come to a place called the Dungyon (Dunion), a myle from Gedworth, and so went to Sclaterford on the water of Bowset (Bowmont probably), and there the Scots pursued us right sore. They bickered with us, and gave us hard stroks. The laird of Walghope (Wauchope) was hurt there with an arrowe, and his horse slane. Mark Turnbull was strikken with a spear, and the hede left in him, his horse was won, and diverse Scottesmen were hurt there.' 'My said brother come in at Cressopbrige (Kershope), and there entered the Middle March, and so come through Liddesdale to the Rugheswyre, twelve miles within the ground of Scotland. They burnt the town of 'Dyker, six myle from the said swyre, with a towre in the same, and laid corn and straw to the door and burnt it both rooffe and flore, and so smoked them out,' also 'they burnt the towns of Sowdon (Southdean) and Lurchestrotther (Lustruther), with a toure in it, and destroyed all the cornes about them, and took diverse prisoners, with much insight and goodes.' They came homeward, but 'rode no faster than the nowte, sheip, and swyne that we had won would drive, which was no great substance, for the country was warned of our coming, and the bekyns burnt from midnight forward.'

The remainder of the winter passed without further outrages having been committed; but with the spring the work of destruction was resumed, and a party of English invaded the east Border. Advancing up Teviotdale they afforded the youths of Hawick an opportunity of proving their courage.

* Cottonian MSS., Caligula B. 7.

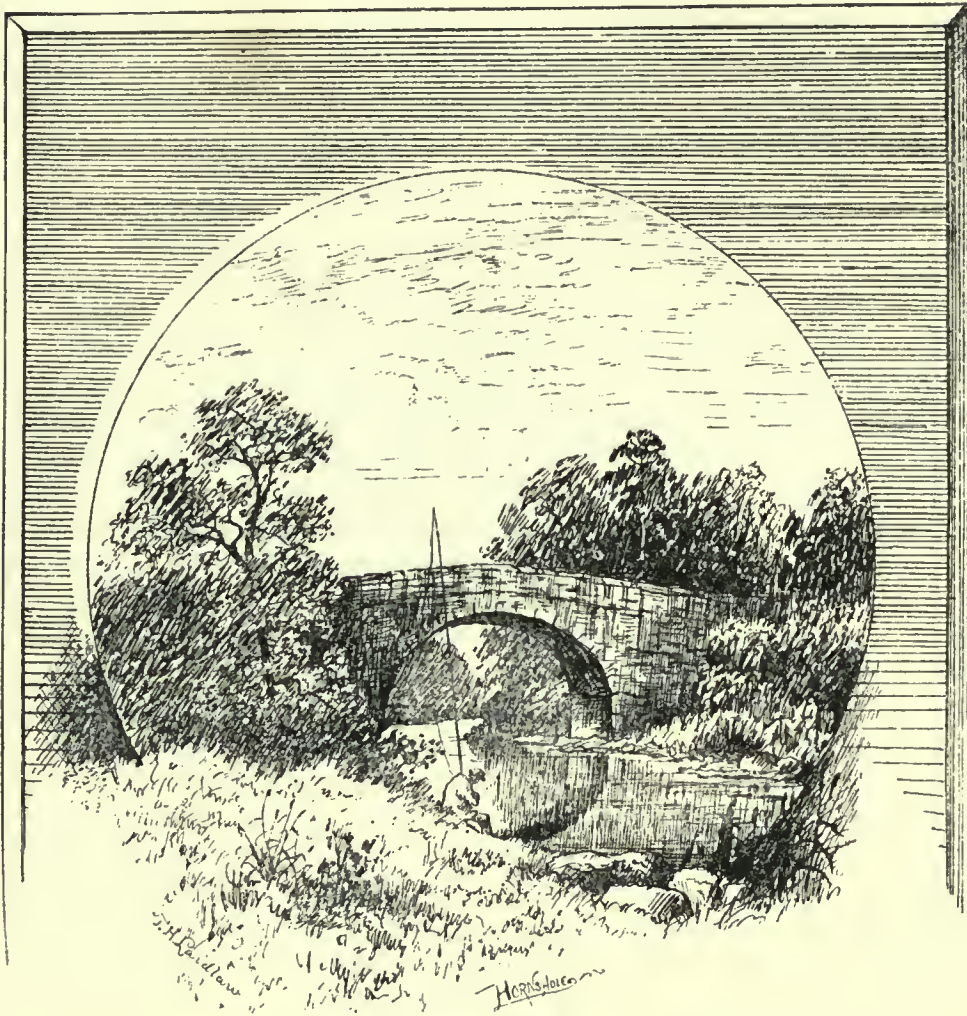
It was early in the spring of 1514 that news reached Hawick, that a party of English marauders were advancing towards the town, burning and destroying all that came in their way. Their number and strength were unknown, but it was hastily resolved to go out and meet the enemy, and, if possible, prevent them from entering the town, and subjecting it to pillage. Many of the able-bodied men had perished at Flodden, but the youths mustered bravely, along with those who had escaped that fatal field, and with the recollection of its losses and defeat to nerve their arms, they took their way down the Teviot, determined on resistance and revenge. The danger was too real for bravado or thoughtless temerity, and they took their way down the riverside, silently and cautiously, screening themselves with the trees and brushwood wherever it was possible.

About two miles from the town, where the river narrows into a deep dark pool, called Hornshole, on the steep shady banks of the stream, they found a band of English soldiers, supposed to have been about forty or thereabouts. They were resting after their fatigues. Most of them had laid aside their arms, and were lying half asleep under the trees, when suddenly a party of youths sprung on them from the bushes. The Hawick slogan rang out, and many of the soldiers were slain before they had time to grasp their weapons. The Hawick 'Callants' had their foes at a disadvantage, and had they been given to pious ejaculations might have exclaimed, 'Surely the Lord hath delivered them into our hands!' No such idea ever entered their heads as to spare any of these marauders, whose swords had been steeped in the blood of their countrymen, whose hands were encumbered with plunder, and whose arms were weary with the work of destruction. The whole band were slain, and the Hawick youths returned triumphantly to the town laden with the spoil they had recovered from the English, and covered with glory in the eyes of their admiring kinsfolk and neighbours.

The account of this exploit is founded on local tradition, which, though probably in the main correct, and in harmony with the events of the time, is not found in print anywhere before the present century.

The marauders who were slain at Hornshole, apparently belonged to the party of English who invaded the east Border, but was speedily met by the Earl of Home, who was enabled, not only to offer a decided check to the English, but also to effect something in the way of retaliation. Henry the Eighth and his council do not appear to have been satisfied with what had been done against the Scots, and

on the 17th of May 1514, Lord Dacre wrote a letter to the council, evidently in reply to one rebuking him for not having kept the Scots in check, He says*—



Hornshole Bridge.

‘For oone cattle taken by the Scots, we have taken and brought away out of Scotland a hundred, and for oone sheep, two hundred, of a surty. And as for the townships and houses burnt in any of the said east,

* Caligula, B. ii. f. 190.

middle, and west marches, within my reull, from the beginning of this warr unto this day. I have caused to be burnt six times more townys and howsys within the west and middill marshes of Scotland in the same season than is done to us, as I may be trusted, and as I shall evidently prove. For the watter of Liddall being twelve miles in length, whereupon was a hundred pleughes, the watter of Ewse being eight miles in length, together with the dales of Ludder. The head of Tevyot, Borthwick, and Ale, lyes all every one of them waste now, no corne sawne upon none of the said grounds.'

The government were apparently satisfied with this report, and a peace being concluded through the course of the summer, this predatory warfare ceased for a time.

The remembrance of the exploit achieved by the Hawick 'Callants' has been cherished with peculiar pride by the townfolk, and is still commemorated at the annual festival called the Common-riding. It is held in the first week in June, or the last Friday of May (old style), and as its name indicates, included the practice of riding round the common-lands and property of the burgh.

A flag, or banner, is carried by a young man on horseback, who is called the 'Cornet,' and a song descriptive of the battle of Flodden, and the subsequent encounter at Hornshole, is sung. The flag, which is carried on these occasions, is a blue square, with the St Andrew's Cross and the date of the fray, 1514, inscribed thereon. It is a copy of an ancient flag, which one tradition asserts was taken at the battle of Flodden, and another, that it was a trophy of the encounter at Hornshole. The original has long been lost. In 1707 the flag being 'altogether torn and useless,' was replaced with a new one, on the authority of the Bailies and Town Council, who furnished the price thereof out of the burgess money.* This may or may not have been the original; at all events it has not been preserved, and was probably cast carelessly aside when the new flag was purchased. Regarding the origin of the flag, Mr David Watson, a local antiquary, who has devoted much attention to the subject, read a paper before the Hawick Archæological Society in June 1867, in which he points out, that the emblem on the flag being Scottish, it was not likely to have been carried by English soldiers. Indeed, being only a detached party of marauders, whose chief object was plunder, it is unlikely that they would encumber themselves with a flag of any kind, and the probability is, that the date of the exploit was put upon the Town's Standard, in accordance with an ancient custom which still prevails, of emblazoning on the colours of the regiments the date of any memorable victory in which they took part or were distinguished for bravery. This hypo-

* 'Annals of Hawick,' p. 120.

thesis is further borne out by the fact, that the flag has not been preserved, which it assuredly would, had it been a trophy.

The 'Cornet,' who plays a very important part in the celebration of the Common-riding, is elected by the Magistrates from a list furnished by the young men, only unmarried men being legible for the honour of carrying the colour. The first Cornet of whom any notice has been preserved was James Scott, who carried the colour in 1703. This by no means implies that the municipal body had elected a Cornet for the first time. It is entered in the Burgh Records, in a matter-of-course way, as if it were part of the ordinary business of the Council; and the omission of any earlier notice of an election may easily be accounted for, on the supposition that the Town Clerk thought it unnecessary to record an ordinary event, of which every one was fully cognisant. This is proved by a subsequent entry in the Council Records, in 1706, when a dispute arising about the Cornet, the Bailies decided to carry the 'Pennil' themselves. The young men of the town, regarding it as their peculiar privilege, got a flag of their own, which they carried in defiance of the Bailies. This led to a serious riot. A number of the ringleaders were apprehended, and, in the indictment against them, it is stated that as they, '*contrari to all ancient custom and practice of the said town for many generations, and hundreds of years past, made and patched up ane mocke colour of their own.*'

The song which is sung at the Common-riding contains a description of the battle of Flodden, and an eulogium on the bravery of the Hawick youths. None of the versions now extant are older than the end of last century. The oldest of these was written by Arthur Balbirnie, who was foreman dyer at the carpet factory. It contains as little of the fire of the ancient bard as the grace of the modern poet, and is only interesting because it has been associated with the Common-riding for the best part of a century. It is sung by the Cornet and his lads before mounting their horses, as a sort of preliminary to the festivities. A few verses are subjoined as a sample:—

We'll a' hie to the Muir—a-riding—
 Drumlanrig gave us for providing—
 Our ancestors of martial order,
 To drive the English o'er the Border.

Up wi' Hawick's richts and Common,
 Up wi' a' the Border Bowmen:
 Teribus and Teri Odin,
 We are up to ride our Common.

Upper Teviotdale and the Scotts of Buccleuch.

At Flodden field our fathers fought it—
 Honour gained, though dear they bought it ;
 By Teviotside they took this colour,
 A dear memorial of their valour.

Round our Cornet now we'll rally—
 Forth on horseback let us sally ;
 Round our marches we'll escort him,
 Pledging firmly to support him.

Though twice of old our town was burned,
 Yet twice the foeman back we turned ;
 And ever should our rights be trodden,
 We'll face the foe by Teri Odin.

Up the Loan we'll go like fire—
 Round the Vertish Hill ne'er tire ;
 End's-lang Pilmuir-rigg we'll canter,
 Down by the Bailie's Knowe we'll scamper.

At the Ca'-Knowe we'll halt a little,
 Slack the girth, and ease the cripple,
 Tak' a glass o' cheering whisky,
 And down o'er Hawick Moss-brow fu' frisky

The Common-riding song, which is sung in the afternoon, was written by a local poet named James Hogg (not the Ettrick Shepherd), the sole relics of whose genius are 'Flodden field' and 'The Colour.' Both are on the same subject, but the latter is the more popular, and is called emphatically—The Common-riding Song. It is too long to quote entire, but the following will give a fair idea of it. The writer has certainly availed himself of the poet's licence in the highly coloured account he gives of the warlike exploits of the 'Hawick Callants :'

Scotia felt thine ire, O Odin !
 On the bloody field of Flodden ;
 There our fathers fell with honour,
 Round their King and country's banner.

Teribus, ye Teri Odin,
 Sons of heroes slain at Flodden,
 Imitating Border Bowmen,
 Aye defend your Rights and Common.

'Twas then Drumlanrig, generous donor,
Gave (immortal be his honour) !
What might soothe Hawick's dire disaster,
Land for tillage, peats, and pasture.

.
After Flodden was decided,
Surrey had his troops divided,
When he turned them loose to plunder—
O, Heaven just ! why slept thy thunder ?

.
Hawick they left in ruins lying,
Nought was heard but widows crying ;
Labour of all kinds neglected ;
Orphans wandering unprotected.

All were sunk in deep dejection,
None to flee to for protection ;
Till some youths who stayed from Flodden,
Rallied up by Teri Odin.

Armed with sword, with bow and quiver,
Shouting ' Vengeance now or never !'
Off they marched in martial order,
Down by Teviot's flowery border.

.
Hawick destroyed, their slaughtered sires—
Scotia's wrongs each bosom fires—
On they rush to be victorious,
Or to fall in battle glorious.

Down they threw their bows and arrows,
Drew their swords like vet'ran heroes,
Charged the foe with native valour,
Routed them and took their colour.

Now with spoil and honours laden,
Well revenged for fatal Flodden,
Home they marched, this flag displaying—
Teribus before them playing.

.
High the trump of fame did raise them,
Poets of those times did praise them—
Sung their feats in muirland ballants :
Scotia's boast was *Hawick Callants !*

Upper Teviotdale and the Scotts of Buccleuch.

Scarce a native glen or mountain—
 Rugged rock or running fountain,
 But have seen these youths with bravery
 Fight the tools of southern slavery.

Thus we boast a Muir and Colour
 Won by deeds of hardy valour—
 Won in fields where victory swithered—
 Won when Scotia's laurels withered.

Annual since our flag's been carried
 Round our Muir by men unmarried—
 Emblem grand of those who won it—
 Matrimonial hands would stain it.

• • • • •
 'Hawick shall triumph 'mid destruction,
 Was a Druid's dark prediction ;
 Strange the issues that unrolled it
 Cent'ries after he'd foretold it.

Back to fable-shaded eras
 We can trace a race of heroes,
 Hardy, brave, inured to perils,
 Foreign wars, and feudal quarrels.

• • • • •
 Peace be thy portion, Hawick, for ever !
 Thine arts, thy commerce, flourish ever !
 Down to latest ages send it—
 'Hawick was ever independent.'

This last line is sung over and over again with great fervour, and then loud and prolonged cheers from the crowd make the welkin ring at the conclusion of the song.

The other version of the Common-riding song is merely a high-flown description of the battle of Flodden, and is of no particular local interest, except that it relates how

'Our sires roused by Tyr ye Odin,
 Marched and joined the King at Flodden.'

Flodden Field' has been pronounced to possess high poetic worth by no less

an authority than Sir Walter Scott, who said that any poet might have been proud to have been the author of the following verse :—

‘ Sol, with broaden’d orb descending,
Left fierce warriors still contending ;
Brilliant Vesper shed her glances
Ere they sheathed their blood-stained lances.

With all deference to such a high authority, we cannot help thinking that Sir Walter must have been in a complimentary mood when he passed such a high eulogium on the ballad. With his usual discrimination he has selected the best stanza, the next one is scarcely deserving of such high praise—

‘ Low at last, in heaps promiscuous,
Haughty chiefs and hinds obsequious,
Husband, father, friend, and lover,
Night’s all-blending shade did cover.’

But it is on the whole a creditable composition, and is conceived in a spirit of exalted patriotism. The chorus of ‘ Flodden Field ’ is a little different from that of ‘ The Colour ’—

‘ Tyr hæbbe us, ye Tyr ye Odin,
Sons of heroes slain at Flodden,
Imitating Border Bowmen,
Aye defend your Rights and Common.’

This form of the refrain is supposed to be the more ancient one. There has been a good deal of learned discussion on the subject of this peculiar refrain, or ‘ ower-word.’ The most reliable authorities agree that it is a war cry or invocation to the heathen god of battles, and has been handed down scarcely mutilated from the time when our pagan ancestors raised their altars to Tyr and Odin.

Though all the ballads with which Tyr ye bus is associated are modern, there can be no doubt that it formed the refrain to heroic lays, back to the time when the gleoman, scald, or bard, recited or sung in improvised verse, the valiant deeds of the warriors ; the assembly shouting their war cry as an applauding chorus to their panegyrist.

As far back as written history can take us, we find that every nation had its Homer or its Ossian to commemorate the great deeds of its heroes, and transmit them to future generations on the waves of tuneful song. At all festivals or commemorative celebrations, the local minstrel excited the ardour of the people,

by pouring forth a poetical and thrilling narration of the heroic deeds of their ancestors, ending with a recital of their own valiant exploits; thus keeping the memory of the old heroes fresh and green, and inspiring their descendants to emulate their valour.

There can be little doubt that the bard of Teviotdale delighted the Hawick people, at the next May festival in 1515, with a glowing account of the valorous exploit at Hornshole, while the people exultingly shouted their slogan or war cry.

This exploit, and the celebrated battle of Flodden, held a prominent place in the minstrels' verse ever afterwards, and when Hawick was no longer obliged to hold her own 'In foreign wars or feudal quarrels,' but became a peaceful industrious trading community, furnishing no fresh matter for the minstrels' heroic strains, the brave deeds of their forefathers have formed the subject of the verse of successive poets, which, with the same strange 'over-word,' and set to the same wild air, old as the invocation to Odin itself, is still sung at the annual festival down to the present year of grace 1887.

It is worthy of notice that though the choruses of these ballads differ considerably, they both make special reference to the 'Border Bowmen.' These songs having been written long after archery had fallen into disuse, clearly proves that the refrain must have been handed down from an earlier period. The older ballads are lost, though their general purport is retained in the modern version. Oral tradition has, however, preserved the refrain, which being repeated after every verse, was remembered when the rest had been forgotten. The variation may have occurred through its having been imperfectly transcribed, or altered to suit the taste of the modern bard. The prominent reference to the 'Border Bowmen,' and the men of Hawick, being addressed as 'Sons of heroes slain at Flodden,' would seem to imply that they distinguished themselves there, the bowmen especially, and deserved to be held in perpetual admiration by their descendants. Leyden, in his 'Scenes of Infancy,' alludes to this important event in the history of Hawick—

'Boast ! Hawick, boast ! Thy structures reared in blood
Shall rise triumphant over flame and flood.
Still doomed to prosper, since on Flodden field
Thy sons, a hardy band, unwont to yield,
Fell with their martial King, and glorious boast,
Gained proud renown, where Scotia's fame was lost.'

The place where the song is sung, is in an obscure back street running at right angles from the High Street, where a platform is erected for the purpose, on the top of a wall, close to the railway bridge. An old thatched cottage stood on that spot before the railway was constructed, and the song was formerly sung from the 'rigging.' Why this spot should have been selected is a mystery. Tradition is silent on the subject. The locality is in no other way connected with the day's sports or ceremonies; but from time immemorial the people of Hawick have repaired thither every Common-riding afternoon, to hear Tyr ye bus sung.

Till about seventy or eighty years ago, all the ground occupied by Slitrig and Allars Crescents was a level green haugh, called the Deidhaugh. It lay along the banks of the Slitrig, and was sheltered by a steep and high bank. This was in all probability the place where the 'Buttis, or Bow Markis,' stood. In a statute of James the First, it was ordained that 'All men do busk them to be archeries,' and that 'Buttis' should be erected near to 'Paroche Kirkes, quhaire upon halie daies, men may meet, and at the least schutte thrise about, and have usage of archerie.'

The place where the 'Butts' stood in the burgh of Hawick cannot be identified with certainty. The 'Wellbutts Park' and Sillerbut indicate their position in Wilton parish, but these could not have sufficed for Hawick, for to satisfy the requirements of the Act, the 'Buttis' must be within the burgh. There is no place within the prescribed limits so suitable as the Deidhaugh, within a bowshot of the parish kirk, and in close proximity to the Baron's Tower, and the principal part of the town. The level ground near the Moat was suitable so far, but it is very much exposed, which rendered it quite unfitted for the practice of archery; while the Deidhaugh was well sheltered, and was really the only place which fulfilled all the necessary conditions for the practice of these military exercises, which the people were bound to follow, and in which they took such delight.

In warlike times, the sports at the annual festival, would include trials of strength and skill in all sorts of military exercises; shooting at the 'Buttis,' tilting, and so on, and these games and sports were most likely to be held where the 'Buttis' stood, and when the people were assembled for the sports, the heroic minstrel poured forth his lays, just where the old cottage before-mentioned stood. When the sports lost their warlike character, and horse-racing was introduced, the larger field at the common haugh was resorted to for that part of the programme, while the song was still sung at the spot hallowed by

the 'use and wont' of generations. The pleasant green haugh is now occupied by a quiet street, a railway bridge crosses just at the time-honoured spot, but a platform is erected as near it as possible, and there the Cornet repairs when the races for the day are over, and mounts the platform, accompanied by his supporters, all in the traditional dress, namely, a green coat and white trowsers, a crimson silk sash distinguishing the hero of the day, who stands in front next the singer, holding the flag, which he waves triumphantly at appropriate parts of the song, he and his followers also joining in the chorus, and all the crowd cheering vociferously when it is concluded.

The festival, of which the Common-riding is a survival, was inaugurated far back in the dim unrecorded ages, and originated in the worship of the heathen deities. The slogan, which forms part of the Common-riding song, is an invocation to the heathen gods of our Saxon ancestors, and has survived the mutations of a thousand years. The oak chaplets, and more recently the sprigs of oak leaves with which those who took part in the festivities were wont to decorate themselves, were also a reminiscence of that remote period. Another custom, which must be attributed to the same source, still forms part of the Common-riding programme. The young men conclude the first day's proceedings, by repairing to the top of the ancient Moat, in the grey dawn of the morning, there to watch for the first beams of the rising sun. The 'Lads' have not the remotest idea of the meaning of this custom, or what ceremonies were connected with it in the olden time; but they would consider that they had been guilty of a neglect of duty were this omitted, so they faithfully repair to the top of the old mound, at the accustomed hour, and consume a bottle of whisky in toasts, more or less relevant to the occasion.

The festival is now divested of a great part of the ancient ceremonial associated with it. As its name indicates, it included the practice of riding round the common and burgh lands, for the purpose of defining the boundaries, and preventing encroachment, a necessary precaution when the lands were unenclosed. The practice of 'riding and *meithing* the common,' probably dates from the time it was granted to the town by Sir James Douglas of Drumlanrig. It is traditionally asserted that he bestowed that valuable gift upon the town in recognition of the faithful services of the men of Hawick at the battle of Flodden, and in commiseration of the great loss they sustained.

The charter, or instrument by which this gift was secured to the town, shows

that so far as the 'particates' or small parcels of land, lying behind the houses on both sides of the street within the burgh were concerned, the deed was merely a renewal of investures formerly granted, or a ratification of a previous charter, which had been lost or destroyed. But with respect to the common lands and the right of pasture, these appear to have been granted for the first time in 1537, the date of the Drumlanrig charter. This date, it is true, is twenty-four years later than the battle of Flodden, where Sir William Douglas was killed. Sir James Douglas was only five years of age when he succeeded, and could not grant a charter so long as he was a minor. The privileges conferred by the charter may have been given verbally long before, and Drumlanrig may have deferred, from year to year, giving legal effect to his promise. The delay does not at all contradict the general belief, that the common lands were granted with immediate reference to the services rendered at the battle. James the Fifth granted similar privileges to the inhabitants of Selkirk, and though no mention is made of the fact in the charter, which is dated only two years previous to that of Hawick, it is universally believed that the King granted the lands and other privileges to the citizens of Selkirk in recognition of their services to his father at Flodden, and their sufferings in his cause. In following the example of his Sovereign, therefore, we have every reason to believe the truth of the tradition, that Drumlanrig was actuated by a wish to do honour to the memory of his father, and to make a public and lasting acknowledgment of the bravery and fidelity of the men of Hawick, who had followed the banner of their late lord. His liberality took the form which, above all others, was calculated to relieve the distresses of the people, and to perpetuate his memory. Drumlanrig is still known as Hawick's 'generous donor,' who gave what has now become a most valuable property, which, at the present day, is productive of great good to the town, and greatly lightens the local taxes for municipal purposes. That the Drumlanrig charter of 1537 was the renewal of an older one, in so far as the property within the burgh is concerned, is clearly shown on reference to the charter itself, as given in 'Annals of Hawick,' page 322.

'It plainly appears, and is known to me from my old evidents, that my town of Hawick lying within my said barony of Hawick, and in the sheriffdom of Roxburgh, from of old created, continued to subsist a free burgh of barony, and because the charters and evidents of the tenants and inhabitants of the said town and burgh, through the inroads of the English, and thieves in by-past times of enmity and war, have been lost or destroyed, from whence that no prejudice may arise to the said tenants, but in respect that I am willing rather to help and relieve them. Know ye therefore that I have granted, and by this my present charter

confirmed, to the persons underwritten, tenants of my said town and burgh of barony, all and sundry my lands following,—To Robert Scott of Howpaslot six particates of land; Robert Scott of Allanhaugh three particates; the Chaplain of the altar of the blessed Virgin Mary within the parish church of Hawick, two particates, etc. In this way the tenants, with the land they held, are all enumerated and described. The “particates” were small portions of land lying to the back of the houses on both sides of the public street, from the lands commonly called the Bourtries on the east, to the common vennel at Myreslawgreen on the west.’

Then the common lands are defined, and with the exception of a portion of land lying to the south of the street, probably contiguous to the town, he grants the whole in

‘feu and heritage, and free burgage in barony as formerly, for ever by all their just marches old and divided, as they lie in length and in breadth, with houses, buildings, yards, beams, timber, common pasturage, and free entry and out-gate, together with all and sundry other liberties, commodities, profits, easments, and just pertinents of the same whatsoever,’ etc., ‘and that freely, quietly, fully, completely, honorably well, and in peace, without any impediment, revocation, contradiction or obstacle whatsoever.’ The charter also stipulated that one James Blair, ‘his heirs and assignees were to find and maintain one lamp, or pot of oil, before the great altar of the parish church of Hawick, in time of high mass and evening prayers, on all holydays throughout the year, in honour of our blessed Lord and Saviour Jesus Christ, and for the souls of the barons of Hawick, founders of the said lamp, and their successors.’

The half particate of land, of which the said James Blair held possession, was apparently granted for the purpose of ‘finding and maintaining’ the lamp. After the Reformation, this stipulation being considered Popish and idolatrous, it was therefore decided that it was not obligatory.

The charter of Sir James Douglas of Drumlanrig was confirmed by Royal Charter in 1545, in the third year of the reign of Queen Mary.

When the burgh lands were unenclosed, it was necessary that the boundaries should be visited at frequent intervals, so as to keep them fresh in the minds of the people. The line of division was generally some natural feature of the landscape, such as a morass, a cleuch or valley, the course of a stream, or a straight line from one prominent object to another, and the boundary line was marked at intervals by turning a few spadefuls of turf, and setting up stones or stakes as landmarks. The annual visitation of the landmarks was thus a most important ceremony, and was attended with a considerable amount of military display. The Bailies, and members of the Town Council headed the procession on horseback, and were followed by the whole body of the inhabitants, either mounted or on foot, and all armed according to their degree. Every burghess was bound to attend the annual ceremony of riding the common, and whoever

absented himself without a good and sufficient reason, was liable to fine and imprisonment. This law was rigidly enforced, as the Town Council Records show. In 1644 a burghess who was charged with not being present at the Common-riding, was assoilzied on pleading that he was present at the Watch Knowe ; and another, who excused himself on the same grounds, had the penalty and fine remitted on that occasion, but was cautioned, that if ever he committed the like offence again, he should suffer double fine and imprisonment.

The Common being now enclosed, it is unnecessary to ride round the marches, and the practice has been discontinued. The military display, which was wont to attend the Common-riding, is reduced to a couple of burgh officers bearing halberds. Much of the old ceremonial has been forgotten, or fallen into disuse, and the festival is now little more than a race meeting, one of the oldest in Scotland. But shorn as it is of its ancient grandeur, it is still the day of days to Hawick folks. The shrill music of the fifes and drums playing the old air of 'Teribus,' has power to stir their blood as nothing else will. So well is this understood, that when it is desired to rouse the ardour of the Hawick people for any political or civic struggle, it is customary to send the drums and fifes round the town playing Teribus, and it never fails to have the effect anticipated.

The Common-riding has an irresistible attraction for old Hawick people, who come from great distances to take part in the annual celebration, even from America and Australia for no other reason than an intense longing to see another Common-riding, to hear again the shrill *reviellé* of the fifes in the early morning; to watch the flutter of the old blue flag, borne gallantly by the Cornet, as he gallops down the Haggisha Brae, with his followers in hot pursuit; to stand again in the mill path, and hear the song sung with all the old fervour, and to revive the old associations connected with the day. These things may appear trifling to the uninitiated, but to a descendant of the

'Sons of heroes slain at Flodden,'

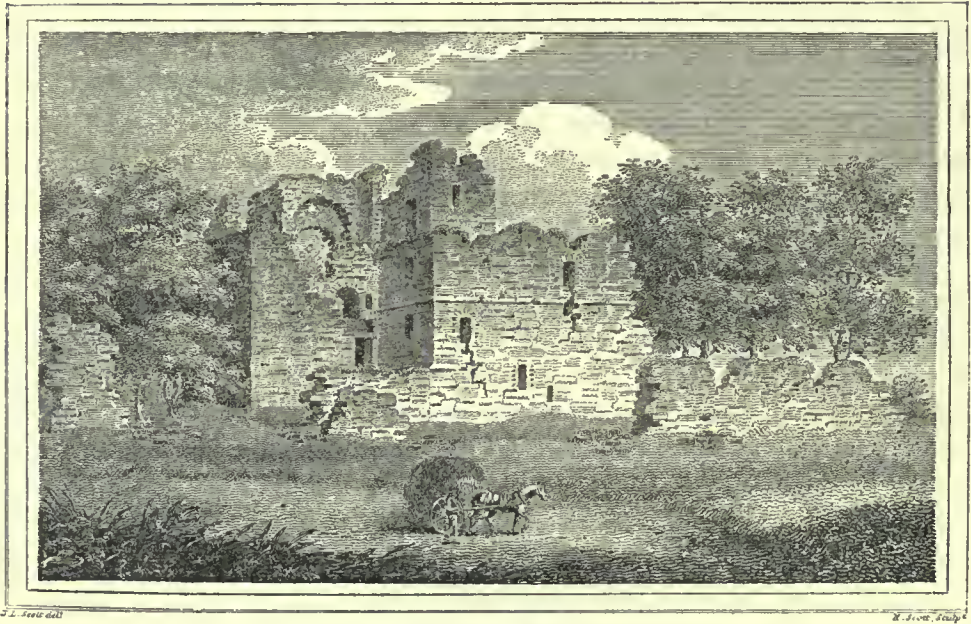
they are well worth a journey from the other side of the world.



CHAPTER VI.

'Of Liddisdail the common theifis
Sa peartlie stellis now, and reifis.
That nane may keip
Horse, nolt, or scheip,
Nor yett dar sleip
For their mischeifis.'

SIR R. MAITLAND.



Cessford Castle.

AFTER the battle of Flodden the government was entrusted to Queen Margaret, who, by the will of the late King, ratified by Act of Parliament, was appointed Regent of Scotland, and guardian of the youthful sovereign, so long as she remained unmarried. The Queen was an imperious, pleasure-loving woman, fond of power, but careless of the interests of her subjects.

She had not been a widow many months till she fell in love with the handsome young Earl of Angus, the head of the house of Douglas, whom she married within the year. By her marriage Queen Margaret forfeited her right to the regency, which was now offered to John, Duke of Albany. He was the son of Alexander, Duke of Albany (brother of James III.), who had been obliged to seek refuge in France after his treasonable insurrections in Scotland, and was killed at a tournament in Paris in 1485. John, Duke of Albany, had risen to great wealth and power in the court of Louis XI., and was created Lord High Admiral of France. Failing the infant sons of James IV. he was next heir to the Scottish throne, and consequently had a deep interest in the welfare of the kingdom. He readily accepted the regency, and set out for Scotland accompanied by a splendid retinue.

It was whispered that Albany expected, at no distant date, to wear the Scottish crown. A prophecy was circulated regarding him, that he should conquer England, and rule Britain from sea to sea. It obtained general credence, and its fulfilment was looked forward to with confidence.* The prophecy was attributed to Thomas the Rymour, but was merely an adaptation of some lines from *Merlyne and the Rymour*, with an original prediction containing a clear reference to Albany, and was probably the work of some mendacious soothsayer, hired to advance the views of the French faction. The seer says—

‘ The French wife shall bear the son
Shall weld all Britain to the sea,
And of the Bruce’s line shall come
As near as the ninth degree.’

The ‘French wife’ was Albany’s mother, who was a daughter of the Count of Boulogne, and he fulfilled the other condition by being in the ninth degree from Bruce. But nothing came of this prediction as far as Albany was concerned, though there can be no doubt it was originally intended for him.† It was afterwards fitted to James VI., and was believed to be fulfilled when he ascended the English throne. The Queen Dowager regarded the Duke of Albany with antipathy and distrust. Her maternal solicitude for the safety of her children made her fear that, like another Richard III., he would have little regard for the two infant lives which stood between him and the object of his ambition. Her worst

* Introduction to the ‘Romance and Prophecies of Thomas of Erceldoune.’ Early English Text Society.

† ‘Remarks on the History of Scotland,’ by Lord Hailes.

fears were confirmed when Albany procured an order from Parliament to have the custody of the royal children transferred from their mother to himself. There is no proof that he had any sinister design in this; but the possession of the person of the young King gave a certain amount of power to the Queen and the Douglas faction, of which Angus, her husband, was the head, and which was opposed to the authority of the Regent. The Queen's apprehension for the safety of her children was natural, and warranted by circumstances. In order to secure their safety, therefore, she attempted to carry off the children and place them under the care of her brother Henry VIII., but her design was discovered and frustrated. The people appear to have had no sympathy with Queen Margaret's motherly feelings. Her attempt to place the King of Scotland in the hands of his natural enemy, the King of England, was regarded as treason, and raised a perfect storm of indignation against her; but her suspicions of Albany's motives were so far believed, that the children were placed in safe hands. The Queen herself, with her husband, fled to England shortly afterwards.

Though a Scot by birth, Albany had spent all his life in France, and had little in common with the people he had come to govern. He was luxurious and splendid in his tastes and in his mode of life, while the poverty of the Scots, no less than their hardy nature, compelled them to live plainly and even penuriously. He did not understand the character of the rough, yet proud Scotch Barons, and often gave offence when he thought he was acting most judiciously; but his wholesome distrust of English interference went a long way in gaining the confidence of the people, for their great fear in allowing the supreme power to remain in the hands of the Dowager Queen was, that her brother Henry VIII., might use his influence over her in a way inimical to the honour and independence of Scotland. Though not popular, Albany had the support of the majority of the people in Scotland, and he might, had he been more disinterested, have maintained the efficiency of the government, and checked the general lawlessness which prevailed. When he saw there was no immediate prospect of obtaining the Crown of Scotland, he took the earliest opportunity of returning to the gay and congenial society of the French capital.

Five years elapsed before Albany could be induced to revisit Scotland and discharge the duties of Regent; and the country was given over to the intrigues of selfish and ambitious nobles and churchmen. There was a great struggle for power between the Hamiltons and the Douglasses, and most of the nobles took

part with one or other of the rival houses. Fierce and bloody quarrels between the partisans of the opposing factions disturbed the peace of the kingdom, and were subversive of all firm rule. The commercial and industrial interests of the country suffered, and vice and oppression flourished unchecked. In no part of the kingdom was the weakness of the government more severely felt than on the Borders, which were 'in grete ruyne, and out of all good order.'

The distress in Teviotdale and other Border districts caused by the war with England, has been already described. The truce, which was arranged the year after the battle of Flodden, afforded a respite for a few years; but the inhabitants of Liddesdale and the Debateable Lands were as great a scourge to the peaceably disposed inhabitants of Teviotdale as their English enemies had been. It was during the long exile of James I., under the weak and selfish government of his uncle, the first Earl of Albany, that Liddesdale began to acquire that character for which it afterwards became so notorious, as the haunt of thieves and outlaws.

The district of Liddesdale stretches for twenty miles along the Scottish border, nearly in the centre of the country, with an average width of about twelve miles.

Its general aspect was bleak and dreary, high bare hills rising height above height, and stretching away into swelling uplands, where peat bogs and treacherous morasses abounded. The hillsides barren of all save heather and brackens, and the dark pools and the sour stunted herbage of the level ground gave to the scene a look of dreary desolation. But a more intimate acquaintance with the district revealed the existence of several fertile valleys, where many strong peel towers, and clusters of humbler dwellings, showed that a numerous population was sheltered among the recesses of the hills.

At the entrance of one of these narrow valleys, on the banks of a clear rushing stream stood the castle of Hermitage. It was built and fortified by Walter, Earl of Menteith, in the early part of the thirteenth century, and was a royal fortress, designed as one of the defences of the kingdom. The King of England considered himself aggrieved or defied by the erection of this stronghold, so near the Borders, and it was the acknowledged cause of the assembly of an army for the purpose of invading Scotland in 1243.* The Lordship of Liddesdale then belonged to the powerful family of De Soulis, and

* Fordun, lib. ix. p. 74.

the castle soon afterwards came into their possession. William, Lord Soulis, who was of royal descent through his grandmother, a daughter of Alexander II., had formed a conspiracy to assassinate King Robert Bruce and seize the crown. The plot was discovered, the conspirators apprehended, and Lord Soulis having confessed his guilt, his life was spared, but he was imprisoned in Dumbarton castle, where he died.* His estates were forfeited, and a considerable portion, including the castle of Hermitage, came into the hands of Sir William Douglas, the Knight of Liddesdale.

Hermitage castle has always been associated with the name of Lord Soulis, to whom tradition ascribed every attribute of wickedness with which it was possible to invest a human being. He was also credited with supernatural power, and was attended by an evil spirit, by whose aid he perpetrated the most cruel and wanton outrages. The young laird of Mangerton had been invited to a feast at Hermitage castle, and treacherously murdered by his host. 'The Cout of Keilder' was drowned in a pool near the castle, the retainers of Lord Soulis holding him under the water, with their spears, till life was extinct. Many other atrocious crimes were laid to his charge; and such frequent complaints of these outrages had been carried to the King, that in a fit of irritation he exclaimed, 'Go, boil Lord Soulis an ye list, but let me hear no more of him.' Interpreting the King's hasty exclamation as a literal command, they proceeded to put the sentence into execution by boiling him alive :

' On a circle of stones they placed the pot,
On a circle of stones but barely nine ;
They heated it red and fiery hot,
Till the burnished brass did glimmer and shine.'

' They rolled him up in a sheet of lead,
A sheet of lead for a funeral pall ;
They plunged him in the cauldron red,
And melted him, lead, and bones, and all.

' At the Skelf-hill the cauldron still
The men of Liddesdale can show ;
And on the spot where they boiled the pot
The sreat and the deer-hair ne'er shall grow.'

At the Nine Stane Rig, where this horrible tragedy was supposed to have been

* Barbour's 'Bruce,' book xix.

enacted, is the remains of a circle of stones alluded to in the first chapter of this work, as a probable memorial of the battle of Degsastan. The two stones which supported the iron bar on which the fatal cauldron was suspended, are still pointed out. A large pot, which was found near Hermitage castle, and is now in the possession of the Duke of Buccleuch, is supposed to have been used at the boiling of Lord Soulis, though, on what grounds the supposition rests, is a mystery. Nor is there any reason to assume that it was not a simple domestic utensil. The castle is said to have sunk half-way into the ground on account of the crimes perpetrated within its walls, and its ruins were regarded by the peasantry with superstitious awe, and were carefully avoided after nightfall. The legend concerning the tragic fate of Lord Soulis was implicitly believed in Liddesdale, and no one would have credited the fact that he died a natural death at Dumbarton castle.

The ancient castle of Hermitage was a massive structure, evidently designed for strength and resistance rather than for convenience or baronial state. There was no attempt at architectural adornment or picturesque effect in the construction of its strong square towers and solid outer walls. It stood on a slight eminence, surrounded on three sides by a morass, and on the fourth by the stream. Even now, when its stern outlines have been softened by decay, Hermitage castle looks grim and formidable, standing in the midst of dreary hills, and haunted by weird and tragic memories of superstition and crime. Its gray towers are a fitting memorial of the scenes of violence, for which these, now lonely and peaceful glens, were once so notorious.

The inhabitants of Liddesdale were a fierce and lawless people; a people who for centuries had been inured to the perils and vicissitudes of warfare to which their frontier position exposed them.

John Lesley, Bishop of Ross, gives a very interesting account of the Borderers, in a work published at Rome in 1577. He says of them:—

‘In time of war they are readily reduced to extreme poverty by the almost daily inroads of the enemy. So, on the restoration of peace they entirely neglect to cultivate their lands, though fertile, from fear of the fruits of their labour being immediately destroyed by a new war. Whence it happens that they seek their subsistence by robberies, or rather by plunder and rapine (for they are particularly averse to the shedding of blood), nor do they much concern themselves whether it be from Scots or English that they rob and plunder and carry off

their booty of horses, cattle, and sheep.' Their residences consisted of 'strong Peel towers which cannot be demolished by fire, or thrown down without great force and labour.' In these the chiefs entrenched themselves, while the humbler members of the clan inhabited huts or cottages, about the burning of which they were no wise concerned. They were not addicted to the use of beer or wine, in which they did not take much delight, even when they obtained them. They rarely used bread, but lived chiefly on flesh, milk, and boiled barley. They were all good horsemen, and possessed a small nimble breed of horses, which they trained to cross dangerous bogs with bent knees, at places where footmen would scarcely dare follow.

Their moral code permitted the freest interpretation of the rights of property. 'They have a persuasion that all property is common by the law of nature,' and in taking what was needful for their necessities, they were only doing what was natural and right, and they never said their prayers with more fervour of devotion than when bound on some plundering expedition. The shedding of blood being contrary to Divine law, they were careful to avoid, unless it was done to revenge some insult or injury. An honourable trait in their character was their fidelity to their plighted word. Violated confidence or trust they regarded as the greatest crime a man could be guilty of; and a Borderer would rather have suffered death than incur the odium attaching to one who had broken faith.*

The Borderers were composed of several clans, of which the Armstrongs and the Elliots were the most powerful. The Armstrongs could muster about 3000 strong, and inhabited the western district of Liddesdale, spreading into Eskdale, Euesdale, and Wauchopdale. The Elliots held the eastern portion more immediately adjoining Teviotdale. There were a great number of smaller clans, the Nixons, the Croziers, the Bells, the Littles, Irvings, and Battersons, who were all in league with each other, and pursued the same nefarious calling.

Scot of Satchells, who regarded with much sympathy and even admiration, the Liddesdale clans, wrote in their defence—

' I would have none think I call them thieves,
For if I did it would be arrant lies,
For all Frontiers, and Borderers, I observe
Where 'ere they lie are freebooters.

* 'Account of the Borderers,' translated from Bishop Lesley. 'Border Antiquities,' vol. ii. Appendix No. vi.

And do the enemy much more harms
Than 5000 marshal-men in arms.
The freebooters venture both life and limb,
Good wife, and bairn, and every other thing ;
He must do so, or else must starve and die,
For all his livlihood comes of the enemy.
His substance, being, and his house most tight,
Yet he may chance to lose all in a night,
Being driven to poverty, he must needs a freebooter be.'

' He spoils more enemies now and then,
Then many hundreds of your marshal-men,
Near to a border frontier in time of war,
There's ne'er a man but he's a freebooter.'

In these last two lines Satchells stated what was quite true. The Liddesdale freebooters were what their situation and circumstances made them, so much may be pleaded in their favour, but their crimes cannot be regarded with his indulgent leniency.

It is true that in time of war they were very valuable auxiliaries, and their marauding proclivities found a useful and legitimate outlet in harassing the enemy, and though their raids might be taken for their own advantage in the first instance, they were serviceable to their country at the same time. But in time of peace their predatory instincts were indulged in, in spite of national treaties and conditions of truce, and were a constant source of trouble to the government, and might at any time form the pretext for an outbreak of hostilities. Nor did they confine their operations to the enemy's country, but harried with equal impartiality in Cumberland and Teviotdale, and were as great a scourge to their countrymen as to the English. The nice distinction which Satchells draws between a freebooter and a thief had not been discovered in the sixteenth century. In 'Ane Satyre of the thrie Estaits,' a play written by Sir David Lindesay previous to 1535, common theft is represented as a personification of the Liddesdale clans, and as thieves and outlaws they were denounced, and punished, when they could be taken. The thieves were so numerous and powerful that it was impossible for the peaceful inhabitants of the neighbouring districts to resist them, and they were in the habit of compounding for their exactions by voluntary payments to the chiefs of the clan, which not only procured exemption from robbery, but ensured protection from other predatory clans.

This thieves' tax was called 'black mail,' and those who refused to pay it were never safe from their attacks.

With such a population Liddesdale offered singular attractions to criminals and outlaws, who, having fled from justice, found a safe retreat either from public law or private vengeance in the wilds of Liddesdale. These 'broken men,' as they were called, having nothing to lose, and their lives being already forfeited for their crimes, were perfectly reckless, and committed the most daring outrages in defiance of law, and were at the call of anyone who had a private quarrel to avenge or an enemy to punish.

The valley of a small stream, called the Leven or Levyn, was a noted haunt of outlaws. The stream, which is now called the Line, rises in the north-east of Cumberland, and flowing through the district of Bewcastle and Kirkclinton, falls into the Solway Firth between the Esk and the Eden. The thieves who infested this district were familiarly known as 'the traitors of Levyn.' They were always ready for any violence, and their doings bulk largely in the criminal records of the sixteenth century. The inhabitants of Teviotdale frequently, suffered from the attacks of these depredators whose outrages were often committed at the instigation of some neighbour to avenge a quarrel or perpetuate a feud. Walter Scott of Howpaslot was indicted for 'bringing in the traitors of Levyn' to the burning of Harehede,* and in 1510 John Dalglish was convicted of the traitorous inbringing of 'Black John Routlesche and his accomplices, traitors of Levyn to the burning of Branxholme, and the herchip of horses, oxen, grain, and other goods,' and also along with the Armstrongs, burning and harrying Ancrum, and committing many other outrages. David Scott in Stirkschawis, close to Hawick, brought certain of the Armstrongs and the 'traitors of Levyn to the burning of certain houses and horses at the Craigend of Mynto,' and also to the stouthrief of sixteen oxen and cows, four horses, with other goods. The Armstrongs also carried off 180 cattle, and 20 horses, besides other property from the tenants of Lyntowne, and killed two persons at the same time, and many other outrages and depredations are reported.† The insecurity which prevailed over the whole Scotch Border is well described in the poem of Sir Richard Maitland of Lethington, written in the sixteenth century, and called—'A Complaynt against the Thieves of Liddisdail'—

* Pitcairn's 'Criminal Trials,' vol. i. p. 69.

† See Pitcairn's 'Criminal Trials.'

‘Of Liddisdail the common thiefis,
Sa peartlie stellis * now and reifis, †
That nane may keip
Horse, nolt, nor scheip,
Nor yett dar sleip
For their mischiefis.

‘They plainly throw the country rydis,
I trou the niekil devil thame gydis
Quhair thay onset
Ay in thair gait ‡
Thair is na yet ||
Nor dor thame bydis. §

‘Thay leif richt nocht, quhair ever thay ga ;
There canna thing be hid thame fra ;
For gif men wald
Thair housis hald,
Than wax they bald,
To burne and slay.

‘Thay thiefis have ne'erhand herrit hail
Ettrick Forrest and Lawderdail
Now are they gane,
To Lawthiane,
And spairis nane,
That they will waill. ¶

Bot commun taking of blak mail
They that had flesche and breid and aill
Now are sae wrakit
Made bair and nakeit
Fane to be slakit
With watter caill

‘Thay thiefis that steillis and tursis hame **
Ilk ane o' thame has ane to-name ††
Will O' the Lawis
Hab O' the Schawis
To mak hare wawis ‡‡
They think nae schame.

* Steals.
¶ Choose.

† Robs.
** Pack up and carry off.

‡ Way.

|| Gate.
†† Nickname.

§ Hinders.
‡‡ Walls.

Upper Teviotdale and the Scotts of Buccleuch.

'Thay spuilye * puir men o' their pakis,
 Thay leif them nocht on bed nor bakis
 Baith hen and cok,
 With reil † and rok ‡
 The Lairdis Jok
 All with him takis.

'Thay lief not spindell, spoone, nor speit ;
 Bed, bolster, blanket, sark nor scheid,
 John of the Parke
 Ryps || kist and ark
 For al sic wark
 He is richt meit.'

'Quhat causis thieffis us ourgang,
 But want of justice us amang?
 Nane takis care,
 Thocht all for fear ;
 Na man will spair
 Now to do wrang.

'Of stouth thocht now thay come gude speid,
 That nother of men nor God has dreid,
 Yet, or I dee,
 Sum sall them see
 Hing on a tree
 Quhill they be deid—
 Quo' Sir R. M. of Lethington, Knight.'

These verses give a graphic and faithful description of the daring freebooters who rode openly through the country, helping themselves to whatever they chose in open defiance of law. Horses, oxen, and sheep were the chief object of their forays, but nothing came amiss to them ;—

'Spindell, spoone, nor speit ;
 Bed, bolster, blanket, sark, nor scheid,'

and in short everything in and out of the house was carried off. The house burned down, and if the owner attempted to resist the spoilers, he ran a great risk of being murdered. Bishop Lesley took much too favourable a view of the character of the Borderers when he said, they were averse to the shedding of blood.

* Spoil.

† Reel.

‡ Distaff.

|| Searches.

Plunder was their main object, and when that could be secured without violence, so much the better; it saved trouble, but the slightest opposition proved how little they regarded human life. The criminal records of the sixteenth century contain many instances of violence and bloodshed committed during these marauding expeditions, when women and children were often the victims. So rapacious were these thieves, that even those who were willing to propitiate them by the payment of black mail, were likely to be brought to poverty by their exactions.

How to deal with the thieves was becoming a serious problem to the government, for the public morale was becoming so debased, that men of good family were not ashamed to join the forays of these banditti. Among others the Lairds of Tushilaw and Henderland distinguished themselves by daring robberies. The former, Adam Scott of Tushilaw, was called the King of Thieves, and exacted black mail from many of the poor tenants in his neighbourhood.

Another noted freebooter, named Barnhill, had a tower on the Teviot, near Minto. A projecting platform in front of Minto Crag is called Barnhill's bed—

'On Minto Crag the moonbeams glint,
Where Barnhill hewed his bed of flint.'

This platform, which commanded an extensive and beautiful prospect, was used by the outlaw, both for purposes of reconnaissance and concealment.

As nothing is so contagious as a bad example, even the prominent Border Barons could not restrain their followers from committing depredations for which they were held responsible. Archibald, Earl of Angus, had formerly been Lord of Liddesdale, and keeper of Hermitage castle, and the Scotts of Buccleuch had been his deputies. But in the reign of James IV. the Lordship of Liddesdale, with all the dignities and pertinents belonging to the office, was conferred upon the Earl of Bothwell. This was in consequence of a secret and treasonable agreement which the Earl of Angus had entered into with Henry VII. In the event of a war breaking out, the Earl and his son bound themselves, under certain conditions, to deliver to the King of England the castle of Hermitage and all the lands belonging to it. Henry, on his part, undertook to indemnify the Earl with lands and goods of at least equal value in England.* Some knowledge of this transaction having reached King James IV., he compelled Angus to give up his Border possessions, for

* Cottonian MSS., Caligula D. II. f. 14.



it was of the utmost importance that Hermitage castle should be held by one on whose fidelity he could depend. But Angus's treason was not punished by forfeiture of his lands; he was only made to exchange Hermitage for Bothwell castle. In December 1491, Angus resigned the Lordship of Liddesdale and Hermitage into the hands of his Sovereign, and on the 6th of March following, Patrick, Earl of Bothwell, Lord Hailes, Great Admiral of Scotland, received a grant of the lands and castle. On the 4th of July of the same year, the Earl of Angus received from the King a grant of the barony and castles of Bothwell which had been resigned by the Earl of Bothwell. Thus Angus

'left the dusky vale
Of Hermitage in Liddesdale,
Its dungeons and its towers,
Where Bothwell's turrets brave the air,
And Bothwell's bank is blooming fair,
To fix his princely bowers.'

This new Lord of Liddesdale died in 1508, and was succeeded by his son, who was killed at the battle of Flodden. He left a son named Patrick, who was a child at the time of his father's death, and the management of the estates was entrusted to his uncle, the Master of Hailes, on whom also devolved the duty of keeping order in Liddesdale. He appears, however, to have left the Borderers very much to their own devices, probably because he found them little disposed to submit to his authority. Their fidelity and allegiance could not be so easily transferred as lands and titles, and when the Earl of Angus placed himself in opposition to the government, he had no difficulty in attaching the Border clans to his cause. They had not forgotten the ancient feudal ties which had bound them to the house of Douglas; and Angus, on the other hand, was willing to secure their allegiance by shutting his eyes to their lawless practices. While there was no power strong enough to hold the freebooters in check, the Lowland districts were exposed to robbery, murder, and every species of outrage.*

In 1518 the Lords of the Council brought some pressure to bear on the Master of Hailes, to force him to exert himself for the purpose of keeping good rule within his jurisdiction. He was either to give up Hermitage castle to the Lords of the Council, who would place such persons therein as would keep good order, or else find responsible landed men who were willing to pledge themselves

* Balfour's 'Annals,' vol. i. p. 231.

for the peaceable behaviour of the clans to which they belonged. The Master of Hailes accordingly went into Liddesdale, and succeeded in getting a number of pledges from the Elliots, and others. The Armstrongs, were agreed with England, and would not give pledges, and continued their lawless practices without let or hindrance. To check such disorders, proclamation was made at the market crosses of Jedburgh and Selkirk, forbidding the inhabitants to furnish the thieves and traitours of Liddesdale, Eusdale, etc., with food or assistance under the pain of death, or forfeiture of lands and goods.*

The Kers of Cessford and Fernihirst, who were rulers of the Middle March, appeared before the Lords of the Council, and recommended that the Master of Hailes should be directed to remain in Liddesdale. They promised to accompany him, and give him every assistance in maintaining order, and their efforts appear to have been successful for a short period.

In 1523 it was found that the thieves of Liddesdale had spread themselves over Teviotdale, and that the inhabitants of the district, either from fear or favour, did not oppose them. The Warden was repeatedly urged to expel them, but this he found impossible to do without the help of the 'heid men' of the district. Therefore an order of Council was issued, commanding the Lairds of Cessford, Buccleuch, Fernihirst, Mark Ker, and other Border lairds, 'to rise and pass within eight days apoune the theiffis of Liddisdale, Ewisdale, and utheris, theiffis and traitours remanande in Teviotdale, and put them, thair wifis and barnis, furth of the samin, byrne thair housis and feuale, tak thair gudis, and destroy their cornis, so that thair sall have na refuge in Tevitdale, and tharefter halde thame out of the samin.' †

The Lairds of Cessford and Buccleuch were then at feud, but they were commanded by the Council to lay aside their private quarrels, and each give assurance to the other for their kin, friends, and 'part takaris,' that they would each assist the other in expelling the thieves and traiters. Cessford, who was then in ward, signified his willingness, if he were released, to co-operate with any Lord the Council might appoint, to expel the Liddesdale people from the country, and that he would be ready 'with all his folkis to pass tharto, and put them furth, and hald them furth of the cuntre at his power, sa that the laif of the heidis men do sic like.' ‡

* Act. Dom. Con. MS., xxxii. f. 124.

† *Ib.* vol. xxxiv. f. 201.

‡ *Ib.* vol. xxxiv. ff. 201-b.

The Lords directed that on Cessford's brother entering himself in his place, he should be released from Edinburgh castle, that he might do the King service.

Though these and similar edicts were, from time to time, issued by the Council, and were obeyed with more or less zeal, yet any good result which followed was partial and transitory; for there was another influence at work which tended to increase the general lawlessness, and added greatly to the distress on the Borders.

In 1523 there was every indication that a war with England was imminent. Henry VIII. was insidiously extending his influence in Scotland, with the object of obtaining control of the affairs of the kingdom. The Regent Albany, and the French faction, were strenuously opposed to English interference, but Queen Margaret, to serve her own purposes, secretly played into the hands of her brother. The young King, James V., was carefully guarded in Stirling castle by the partisans of the Regent, who was in France, but was expected to return in a short time, and bring with him a sufficient force of French auxiliaries to repel an English invasion, or, if need be, to carry the war into the enemy's country.

On the 24th of August 1523, the Queen wrote to the Earl of Surrey, who had been appointed chief Warden of the English Border, desiring the assistance of the King, her brother, against the Regent, and to induce his party to set their youthful Sovereign at liberty, for he was completely removed from her influence.* Surrey replied to her at great length, saying that the Regent had oppressed the Scots, had misappropriated the revenues, had bestowed all lucrative public offices on his French followers, passing over the Scots, and now, he said—'it is sore to be doubted that he would attempt something against the person of the young King your son.'† This letter was intended by Surrey to be shown to the Lords of the Scottish Council, and after adducing every argument he could think of to prove that the Duke of Albany was not to be trusted, he urged the Lords to abandon the Duke and take upon themselves the government of the kingdom. If they would agree to do this, he promised that all hostility on the part of England should cease; if they refused, he significantly added—'I pray God that the vengeance for the hurts that the poor people shall sustain may light upon them that shall be the occasions of the same.'

Surrey was at Newcastle when he wrote to Queen Margaret. He had

* State Papers, vol. iv. Part 4th, p. 3.

† *Ibid.* p. 7.

arranged to invade Scotland, and to burn Jedburgh, and spoil the adjacent country; and in a letter to Wolsey he gives full particulars regarding his proposed expedition. 'As touching the journey to Jedworth,' he says—

'I have as yet delayed the same for diverse causes, whereof the principal is that the powder, shot, and carts as yet is not come; without which the said journey cannot be accomplished, as I wrote to your Grace in my former letters. Also I, being in no surity of the munitions coming by sea, dare not assemble the people that should go with me to the same journey, nor also make provision of victuals for the same unto the arrival of the said munitions, and now the moon being waned four days before the assembly might be made, though the premyssis were arrived the moon light should little serve us, without help whereof I dare not adventure to invade, and to lie in Scotland two or three nights as I intend to do. Wherefore all the premyssis considered, there is no remedy but to defere the said journey for twenty days. The deferring whereof, if the said Duke come not, shall be much more hurtful to the Scots, than if it were accomplished now, their wheat, rye, and barley by that tyme being for the most part inned, and ready with little pain to be burned, which now shall take nothing so much hurt. Also the Council of Scotland being appointed to meet at Edinburgh on Monday next, might fortune to take such ways that no such invasion shall need, whereby much money might be spared. And if they at that time fall not from the Duke's faction it may stand with the King's pleasure, and your Grace's, that I may send for the two thousand Yorkshire men. I trust the moon being dark, to do such displeasures in the Merse that the King's Highness and your Grace shall be content with the same, and then when the moon shall serve, to send for the power of the Bishopric, and my Lord Dacres with three thousand men, and with them to perform the journey to Jedburgh, and by this means peradventure to accomplish, as much as the great army appointed to have entered at Mychelmas should have done, and no little money to be spared by that means; and the King's Grace shall not be charged with this 2000 men passing 10 days more then he should be if they served only for the journey to Jedburgh, and nothing in the Merse. Wherein I humbly beseeche your Grace I may know the King's pleasure and yours with all possible diligence; for it requireth great expedition.'*

It would have suited Surrey's purpose better to have crossed the Border and attacked Jedburgh without delay, for if the Regent and the troops from France should arrive in the meantime, it would render his expedition more hazardous, and his success less certain; but since he was compelled to postpone the invasion for a few weeks, he employed the interval in endeavouring by promises and threats to induce the Scots to abandon the Regent and seek an alliance with England, and he readily availed himself of the opportunity afforded by the Queen's correspondence with him of addressing the Lords of the Council through her. In a second letter to the Queen he says, that the King his master 'would never cease to make war on Scotland unto the time that the Duke of Albany shall be clearly abjected and abandoned by them, and that they (the Lords) would take upon themselves to govern and rule the realm, and sue to his

* State Papers, vol. iv. Part 4th, p. 11.

highness, for peace as before, which being by them done, I have not only ample and full authority to treat upon the same, but also to give them assistance of men and money, as largely as of reason they can demand.* By holding the threat of immediate invasion before them, Surrey hoped to induce the Lords of the Council to come to terms with him.

Queen Margaret wrote to him saying—

‘As to your coming into Scotland, the Lords is advertized of it, but me think they set nought by it for they say ye dare not come nearer them than their border; and that they set not by, for they will do as mickel ill hereafter. Therefore my Lord, if ye think at this time to cause the Lords to leave the Governor, and the part of France, you must come nearer Edinburgh or else to the same, for I ensure you if ye will do it, that the Lords will do what ye will desire both for the taking of the King furth, and for peace. And if ye do not, no nearer than the Merse or Teviotdale, all the great expenses and costs will be for nought; for the Lords set not by the hurt of the poor folks but laughs at the same, and this is of truth. Wherefore, my Lord, either come to Edinburgh or near about it, and I shall take upon me that the Lords shall send to you and make offer themself, and put forth the King, for I ensure you that 1000 men with artillery may do with Edinburgh, and the Lords in the same, as they will, without any impediment, and they come suddenly, as now ye may.’ ‘Therefore now it is in your hand, do as ye will, and either go at it shortly, or let it be, for an ye first destroy the poor commons, ye will tire all their hearts, and the Lords will not set by you; but first put the Lords in fear of this town, but I would ye did no evil in it.’

Surrey could not take the advice so urgently pressed upon him by the Queen. He was unable to procure baggage-horses in sufficient numbers to carry provisions for the army; and if he had not caused each soldier to carry a wallet filled with food, it would not have been possible for him to accomplish any part of his enterprise. He proposed, if provisions held out, to march to Melrose Abbey, and set his face as if he would go to Edinburgh, resolving however, to go no further.

Meanwhile the inhabitants of the Merse and Teviotdale had been busily engaged gathering in the harvest, unconscious of the ruin and misery hanging over their heads. The Lords of the Council were indifferent to their fate, and Surrey made his preparations for their destruction with much skill, and with an utter absence either of enmity or compassion, only anxious to save expense if his purpose could be accomplished in any other way. The Scots, however, in hourly expectation of the arrival of the Regent and the French troops, were not inclined to treat with Surrey; and he seeing there was nothing to be gained by further delay invaded the east Border with a force of 10,000 men, and after committing much havoc in the Merse, advanced towards Jedburgh. It

* State Papers, vol. iv. Part 4th, p. 23.

† *Ib.* vol. iv. P. 4, p. 26, 29.

was described by Surrey as a well built town, containing twice as many houses as Berwick, and with six good towers. The town was taken after some resistance, and its walls towers 'and fair houses' 'cleanly destroyed, burned, and thrown down.' The ancient and beautiful Abbey was taken at nightfall, after an assault which lasted two hours, and was cruelly defaced and destroyed. Next day Lord Dacre, with a force of 800 men and several pieces of ordnance, proceeded up the Jed to the castle of Fernihirst, which stood on a steep well-wooded bank overlooking the river, and which was taken with considerable difficulty and some hard fighting.

In the evening a serious mishap befel the English. Their horses broke loose, scampered wildly past the camp, and caused great alarm. Thinking it was an attack by the Scots, the English shot about a hundred sheaf of arrows at them, and killed many. Several fell down the precipitous banks of the river and were killed, and others in their fright rushed among the flames of the burning town and were severely scorched, many more being caught and secured by the country people. Above eight hundred horses were lost in this way, but the night's adventures did not conclude with the stampede of the horses. Surrey, in a letter to Wolsey, says—'I dare not write the wonders that my Lord Dacre, with all his company do say they saw that night, six times of spirits and fearful sights, and all their company say plainly, the divil was that night among them six times,'* whatever might be the nature of the 'fearful sights' which Dacre and his followers attributed to the powers of darkness, it is more than probable they could be explained by some of the inhabitants of the neighbourhood in a perfectly natural manner. The loss of the horses had evidently caused Surrey to abandon the latter part of his programme, for he concludes his letter—'Which misfortune hath blemished the best journey that was made in Scotland these many years. I assure your Grace I found the Scots at this time the boldest men and the hottest that ever I saw in any nation, and all the journey, upon all parts of the army kept us with so continual skirmish that I never saw the like.'

Albany and the French troops arrived at Arran on the 24th September, the day that Jedburgh was burned, and the English Wardens were soon actively employed preparing for the expected invasion. The Regent assembled a large

* Cott. MSS., Calig. B. ii. fol. 29. This letter, which is quoted in the *Border Minstrelsy* as addressed Henry VIII., was really addressed to my Lord Leggat, *i.e.* Wolsey.

army, and marched towards the Border in the end of October, but when about to cross the Tweed at Melrose, a great many of the Scots deserted his standard and refused to enter England. He was thus obliged to change his plans, and encamped on the north bank of the river, which he crossed lower down, and laid siege to Wark castle in the beginning of November. The French stormed the castle and took the outer court, and endeavoured to storm the tower, but hearing that a large English army was approaching, Albany retreated across the Tweed without having taken the castle. The Scots army encamped at Eccles, about six miles from Wark, and next day Albany continued his retreat in the midst of a severe snowstorm. The Regent was severely blamed for his flight, which was attributed to cowardice. His excuse, that no dependence could be placed on the Scots was a perfectly valid one, for they had defied his authority, and disobeyed his orders at the very commencement of the campaign, and under these circumstances he was not in a position to encounter a large and powerful army. The Borderers, however, appear to have been anxious to give battle to the English. A passage which occurs in a letter from Surrey to Wolsey, would indicate as much :

‘This day before sun rising came one of my spys unto me, who confirmed the shamefull departure of the Duke from the Abbey of Eccles at midnight upon Tuesday, and saith, upon pain of his head to be stricken off, he was present, when the gentlemen of Merse and Teviotdale said to him when he was going to horseback, these words ensuing “My Lord Governor, ye have remained on our borders a long season, so that all that the Earl of Surrey hath left undestroyed, ye and your company have clearly wasted and destroyed the same, and by the said Earl our Border is for ever undone ; and ye promised us to give him battle, whereby we might recover us, and never by other means. Wherefore we beseech you to abide and give him battle as ye have promised.” Whereunto the said Duke answered angrily : “I will give him no battle, for I have no convenient company so to do,” and with that went towards his horse, with which words the said gentilmens being evil contented, said with one voice, “By God’s blood we will never serve you more, nor never will wear your badge again,” and tore them of their breasts in great anger, and threw them on the ground saying, “Would to God we were all sworn English,” and so departed from the Duke in great anger.’*

The French troops were shortly afterwards withdrawn, and in the spring Albany departed to France, resolving never more to set foot in Scotland. After his departure, the Queen having succeeded in getting possession of the King her son, brought him to Edinburgh, where, though only thirteen years old, he was declared of age, and invested with the supreme power, but the government was really in the hands of the Queen, the Earl of Arran, and a council overruled by

* State Papers, vol. iv., Part. 4, p. 52.

England. Surrey, with a large army, was stationed on the Borders, ready to invade Scotland if any opposition were offered. The Queen was very unpopular on the Borders, and her authority had little weight, and the Wardens found it impossible to maintain order. They were called before the Queen and Council, but failed to give satisfactory assurances that good rule should be kept. Writing to Norfolk the Queen says, 'There is great despite between the Laird of Cessford and the Laird of Buccleuch, and slaughter, therefore, I thought best to put them both in ward while they may find a way how the Borders may be ruled, seeing it is in their hands to do.'*

Buccleuch soon afterwards made his escape and returned to the Borders. Though Arran had intimated his intention of making an expedition into Liddesdale against the thieves, Norfolk thought he would hardly dare to do so since Buccleuch had made his escape,† and it would appear that his surmise was correct, for though Arran had actually set out on his expedition to the Borders, he 'returned to Edinburgh without having done anything of great effect.'‡ The Queen accused Buccleuch of taking part with the thieves, and of having appropriated certain of her jointure lands in Ettrick Forest. Accusations which were not without foundation. Indeed Buccleuch's enmity and opposition to the Queen Dowager was manifested on every possible occasion, and he actually refused to give up the keys of Newark castle when she came thither attended by sixty horsemen and twenty-four foot runners, to hold a court upon her jointure lands.||

A few months after the final departure of the Duke of Albany, Angus, the husband of Queen Margaret, who had been in exile for two years, returned to Scotland, and sought a reconciliation with the Queen; but she had found a new object on whom she bestowed her errant affections, her former love for Angus had turned to bitter hatred, and she met all his proposals with determined opposition. Angus readily received the support of the Borderers, notwithstanding that it was known that he was encouraged by the English King in his attempt to recover his power in Scotland.

Angus having failed to induce the Queen to hold any communication with him, had recourse to a sensational demonstration to make known his purpose. A Parliament was sitting in Edinburgh, when, early on a dark November morning, a body of armed men effected an entrance into the city, some of them scaled the

* State Papers, vol. iv. p. 129.

† *Ib.* p. 183.

‡ *Ib.* p. 185.

|| *Ib.* p. 133.

walls, and overpowering the warders, opened the gates to the main body. They marched up the street to the Mercat Cross, to the alarm of the citizens, who, however, were somewhat reassured when a proclamation was made that they came as faithful subjects of the King on a peaceful errand; but recognising some of the Border freebooters among those who had invaded their city, they were naturally apprehensive as to the safety of their goods. The party, which consisted of four hundred men, was led by Angus, included the Earl of Lennox, Scott of Buccleuch and other chiefs, who strictly forbade their followers to commit the slightest outrage.* They declared before the Council that the King was in the hands of evil-disposed persons, and prayed them to assume the custody of the Sovereign, and exercise the chief rule in the government. Meanwhile the castle, which was in the hands of the Queen's party, opened fire upon the city for the purpose of expelling Angus.

The immediate result of all this was a coalition between Chancellor Beaton and the Douglasses, and the defeat of the Queen and her faction.

Shortly after Angus's return to Scotland, a truce was concluded with England, and in order to preserve peace, as well as for the security of the inhabitants of the adjoining districts, it was desirable to take energetic measures to subdue the lawless Borderers.

Angus was appointed Warden of the east and middle Marches of Scotland, and Lord Maxwell of the west. Though Angus had formerly been supposed to favour the unruly clans, he seemed really anxious to curb their excesses and punish their crimes; but this was not to be accomplished without great difficulty, for entrenched in the fastnesses of their bogs and hills, the Liddesdale reivers had prospered in the national distress, and were rich with the fruits of successful plunder. Magnus wrote to Wolsey that he had 'advertized' the Earl of Angus of the grete robbingges and depredations made upon the Bordours by the subjects of booth sides using to ride in grete noubres with banners displayed, spoiling and taking all that they may have or gete, and how, whenne they be pursued in Englande, furthwith they flee and be received in Scotlande, and howe that sembably the Scottis robbing in Scotlande doe flee for their refuge into Englande.† Angus determined to march into Liddesdale, and attack the thieves in their strongholds. Keeping his purpose secret, he suddenly came upon them, and captured twelve, two of whom were notorious thieves

* State Papers, vol. iv. p. 256.

† *Ib.* p. 370.

familiarly known as 'Sym the Lord,' and 'Davy the Lady.' After burning many houses, Angus carried off 600 nolt, 3000 sheep, 500 goats, and many horses.*

This punishment produced no good effect. The Warden's raid, though backed by law and authority, bore such a resemblance to the freebooter's marauding expeditions, that it inspired them with no other feelings than those of retaliation and revenge, and they took the earliest opportunity of indemnifying themselves for their losses by levying contributions on the byres and sheepfolds of the Douglases.

The power of the Church was next brought to bear on the lawless Borderers, and a monition of cursing was fulminated against them by the Archbishop of Glasgow, which was read in all the churches of the diocese, and circulated all along the Borders. The curse, though very long, is so curious and so characteristic of the Pre-reformation times, that it cannot fail to be interesting to modern readers.

'Gude folks hear at my Lord Archbishop of Glasgow's letters under his round seal, direct to me or other chaplain, making mention with great regret, how heavy he bears the peteous, lamentable, and dolorous complaint, that pass over all the realme, and comes to his ears, by open voice and fame, how our Sovereign Lords true leiges, men, wives, and bairns, bought and redeemed by the precious blood of our Saviour Jesus Christ, and living in His laws are saikleslie part murdered, part slain, burnt, harried, and spoiled, and reft, openly, on day-light, and under silence of the night, and their lands laid waste, and their-self banished therefra, as well kirk lands as others, by common traitors, reivers, thieves, dwelling in the south part of the realme, such as Teviotdale, Esdale, Liddesdale, Ewisdale, Nedisdale, and Annerdale, whilk has been diverse ways pursued and punished by the temporal sword and our Sovereign Lord's authority, and dreads not the same. And therefore my said Lord Archbishop of Glasgow has thought expedient to strike them with the terrible sward of Halykirk, whilk ye may not long endure and resist, and has charged me and any other chaplain to denounce, declair and proclaim them openly and generally cursed at this Market Cross, and all other public places. Herefer, through the authority of Almighty God the Fader of Heaven, His Son our Saviour Jesus Christ, and of the Halygaist; through the authority of the Blessed Virgin St Mary, St Michael, St Gabriell, and all the angels; St John the Babtist, and all the holy patriarchs and prophets; St Peter, St Paul, St Andrew, and all holy apostles; St Stephen, St Laurence, and all holy martyrs; St Gile, St Martin and all holy confessors; St Anne, St Catherine, and all holy virgins and patrons; and of all the saints and holy company of Heaven; by the authority, of our Holy Father the Pope, and his Cardinals, and of my said Lord Archbishop of Glasgow, by the advice and assistance of my Lords, Archbishop, Bishops, Abbots, Priors, and other Prelates and Ministers of Halykirk, I denounce, proclaim, and declair, all and sundry the committers of the said saikles, murders, slaughters, burning, heirships, reiffes, thefts, and spulzies, openly upon day light and under silence of the night as well within temporal lands as kirklands, together with their part takers, assisters, suppliers, wittandlie resetteris of their persons, the goods reft and stolen by them, art or part thereof, and their counselars and defenders

* State Papers, Henry VIII., vol. iv. p. 379.

of their evil deeds; generally cursed waryit, aggregite, and reaggreite with great cursing. I curse their head, and all the hairs of their head; I curse their face, their een, their mouth, their nose, their tongue, their teeth, their craig,* their shoulders, their breast, their heart, their stomach, their back, their wame, their arms, their legs, their hands, their feet, and every part of their body, from the top of their head to the sole of their feet, before and behind, within and without. I curse them gangand,† I curse them riding; I curse them sitting, and I curse them standing; I curse them eating, and I curse them drinking; I curse them waking, and I curse them sleeping; I curse them rising, and I curse them lying; I curse them at hame, and I curse them fra hame; I curse them within the house, and I curse them without the house; I curse their wives, their bairns, and their servands participant with them in their deeds. I wary‡ their corns, their cattle, their wool, their sheep, their horse, their swine, their geese, their hens, and all their quick gudes.¶ I wary their halls, their chambers, their kitchens, their stables, their barns, their byres, their barnyards, their kaleyards, their ploughs, their harrows, and the gudes and houses that is necessary for their sustentation and welfare. All the malisons and waresouns that ever gat worldly creature since the beginning of the world to this hour might light upon them. The malediction of God which lighted upon Lucifer and all his fellows, that struck them from the high Heaven to the deep Hell, might light upon them. The fire and sword that stopped Adam fra the yetts of Paradise, § might stop them from the glory of Heaven while they forbear and make amends. The malison that lighted on cursed Cain, when he slew his brother just Abel saiklesly, might light on them for the saikles slaughter that they commit daily. The malediction that lighted upon all the world, man and beast, and all that ever took life, when all was drowned by the flood of Noah, except Noah and his ark, might light upon them and drown them man and beast, and make this realme cumberless of them, for their wicked sins. The thunder and fireflaughts ¶ that set down as rain upon the cities of Sodom and Gomorah, with all the lands about, and burnt them for their vile sins, might rain upon them and burn them for their open sins. The malison and confusion, which lighted on the giants for their oppression and pride, biggand** the Tower of Babylon might confound them and all their works, for their open reiffs and oppression. All the plagues that fell upon Pharoah and all his people of Egypt, their lands, corn, and cattle, might fall upon them, their takkis, rowmys, and steadings, corns and beasts. The Water of Tweed and other waters, where they ride, might drown them as the Red Sea drowned King Pharoah and the people of Egypt, pursuing God's people of Israel. The earth might open riffe, and cliffe and swallow them quick to Hell, as it swallowed cursit Dathan and Ahiron, that ganestude Moses and the command of God. The wild fire that burned Thore and his fallowis to the number of 250, and other 14,000 and 700 at once, usurband against Moses and Araon servants of God, mot suddenly burn and consume them daily ganestandand the commands of God and Halykirk. The malediction that licted suddenly upon fair Absolom riding contrair to his father King David servand of God through the wood, when the branches of a tree fred him of his horse and hanged him by the hair, might light upon them, riding against true Scots men and hang them sicklike that all the world may see. The malediction that lighted upon Holifernus, lieutenant to Nebuchadnezzar, making war and heirschippis upon true christian men. The maledictions that lighted upon Judas, Pilate, Herod and the Jews that crucified our Lord, and all the plagues and troubles that lighted on the city of Jerusalem theirfore, and upon Symon Magis fer his Symony, bloody Nero, cursit Ditius, Makcensius, Olibrius, Julianus Apostita, and the laive of the cruel tyrants that slew and murdered Christs Holy servands, might light upon them for their cruel tyranny and murderdom of christian people. And all the vengeance that ever was taken since the

* Neck.

† Walking.

‡ Excrete.

¶ Live stock.

§ Gates.

¶ Lightning.

** Building.

world began for open sins, and all the plagues and pestilence that ever fell on man and beast might fall on them for their open reiff, saiklese slaughter and shedding of innocent blood. I dissever and part them from the kirk of God, and delivers them quick * to the Devele of Hell, as the apostle St Paul delivered Corinthian. I interdite the places they come in, from Divine Service, ministrations of the sacraments of Halykirk, except the Sacrament of baptizing allenerly,† and forbids all kirk men to shrive or absolve them of their sins, till they be first absolved of this cursing. I forbid all christian men and women to have any company with them, eating, drinking, speaking, praying, lying, ganging, standing, or any other deed doing under the pain of deedly sin. I discharge all bands, acts, contracts, oaths and obligations, made to them by any person, either of law, kindness or manrent so long as they sustain this cursing, so that no man be bound to them, and they be bound to all men. I take from them and cry down, all the good deeds that ever they did or shall do, till they rise from this cursing. I declare them partles of all matins, masses, evensongs, dirigies or other prayers, on book or bead of all pilgrimages or almous deeds done, or to be done in Halykirk, or by christian people enduring this cursing, and finally I condemn them perpetually to the deep pit of Hell, to remain with Lucifer and all his fallowes and their bodies to the gallows of the Burough Muir, first to be hanged and then to be riven and ruggit with dogs, swine, and other wild beasts, abominable to all the world. And as their candillis gangs fra our sight, so may their souls gang from the visage of God, and thair gude faune from the world, till they forbair their open sins aforesaid, and rise from this terrible cursing, and make satisfaction and penance.' ‡

This fearful curse, so comprehensive yet so minute, and so horrible in its details, might well strike terror to the hearts of those against whom it was directed ; but though superstitious on many points, the thieves had no particular veneration for the priesthood, and they looked upon my Lord Archbishop's terrible anathemas as so much bad language, which, as 'hard words break no bones,' they regarded with profound indifference, and apparently cared as little for the terrors of excommunication as they did for the majesty of the law. They lived a free, jovial, careless life, among the moors and mosses of the Borders, their thieving propensities showing little sign of abatement notwithstanding all the efforts that were put forth against them.

The Earl of Angus had higher aims than that of being Warden of the Marches. He coveted the supreme power in Scotland, and he succeeded, by a crafty stroke of policy in obtaining the guardianship of the King, who being fourteen years old, had attained the age when he could assume the Royal prerogative and authority. The King's authority was merely nominal, as all public affairs were absolutely under the control of Angus, who wielded his power in the most arbitrary and unscrupulous manner, and every office of trust in the kingdom was filled by a Douglas, or an adherent of that great House. The King was helpless in the hands of Angus, who made him do as he pleased, and sign whatever

* Alive.

† Only.

‡ State Papers, vol. iv. p. 417.

documents were put before him.* James, though but a boy, felt keenly the degradation of his position, and longed to emancipate himself from the thralldom in which he was kept. He had all a boy's ambition to be thought a man, and many little personal traits regarding him are preserved. Magnus, the English Ambassador to Scotland, in a letter to Wolsey, suggested that the heart of the boy King might be won by certain judicious presents being sent to him, particularly a good buckler—'for of that he is most desirous, insomuch that when His Grace doth see my servants, he commendeth and praiseth much their swords and London bucklers; and the buckler to be provided for his Grace may not be ordained as if it were for a child, for that His Grace loveth not, but to have everything like a

man; insomuch that the swords he daily useth are a yard afore the hilts, which His Grace will as roundly and as quickly draw forth and put up again as any man in his Court.' †

In the middle of the summer of 1526, Angus brought the young King to Jedburgh to hold a justice court, and to quell some disturbances on the Borders. King James had managed to communicate with Sir Walter Scott of Buccleuch, and entreated him to try to rescue him from the tyranny of Angus. The despotic rule of the Earl of Angus alienated many of his former adherents, and Buccleuch had every reason to believe that

if once the King could be taken out of his hands, a numerous party would soon be ready to support his authority, and he was therefore very willing to attempt the rescue.

Buchanan, who being a contemporary, had personal opportunities of knowing

* Tytler's 'History of Scotland,' vol. v. p. 201.

† State Papers, vol. iv. p. 368.



the truth mentions, it was arranged that Sir Walter Scott should invite the King to Branxholme, there to remain at his Royal pleasure, protected by the Scotts till greater forces came in; but some hint of this plan having been discovered, it had to be abandoned, and at the suggestion of the King, Buccleuch prepared to intercept him on his way back to Edinburgh, and take him from Angus by force.* Getting together an army of about 600 men, Sir Walter Scott marched to Melrose, where he came up with the Royal party. Lord Home, and the Lairds of Cessford and Fernihirst had accompanied the King thus far. They had just taken leave, and with their followers had set out on their way home, when Buccleuch and his company appeared over the crest of a hill, and boldly advanced to attack the King's party. Angus, in name of the King, ordered him to dismiss his followers, but Scott bluntly answered, that he knew the King's mind as well as he, or any Baron among them, and he would keep his ground. When Angus saw that he meant fighting, and suspecting his purpose, he turned to the King and said— 'Yon is Buccleuch, and the thieves of Annandale with him, to unbeset your Grace from the gait,† I avow to God they shall either fight or flee, and ye shall tarry here on this knowe, and my brother with you, and any other company ye please, and I shall pass the thieves of the ground, or else die for it.' The King had no choice but to do as he was told, and remain on the 'knowe,' where he was well guarded, and watch with an anxiety he could not conceal, the struggle he fondly hoped would give him his liberty. The victory seemed to be at first with the Scotts, but Lord Home and the Kers returning, attacked the followers of Buccleuch with such fury that they were completely routed and fled. They were hotly pursued, when James Elliot, a follower of Buccleuch turned, and killed the Laird of Cessford with a stroke of his spear. Buccleuch lost eighty of his followers in this skirmish, much to the grief of the King, who, helpless and impotent, witnessed the defeat and slaughter of his friends, and was obliged to listen with the best grace he could, as Angus, with grim irony, congratulated him upon his victory. A similar attempt to procure the King's freedom was made by the Earl of Lennox a few months later, but was also unsuccessful. When the issue of this latter attempt appeared doubtful, Angus threatened to tear the King to pieces rather than surrender his person. James had to endure three more years of this galling submission to his tyrant, and was compelled to be the instrument of many acts of oppression against his best friends.

* Buchanan's 'History of Scotland,' vol. ii. p. 405.

† Way.

A charge of treason was brought against Sir Walter Scott for having taken up arms against the King. Though he had acted on the King's behalf, and by his secret orders, James was powerless to protect him, and he found it necessary for his own safety to retire to France.

A most disastrous result of the skirmish was the slaughter of the Laird of Cessford, which was the beginning of a long and bloody feud between the Scotts and the Kers. Elliot, whose spear had killed Cessford, was taken prisoner, tried for the crime of treasonably coming against the King at Melrose, and was convicted and hanged.*

When James at length succeeded in making his escape, and able to assert his authority, he did not forget his friends. Buccleuch was recalled from exile, and received from the King a full vindication from the charge of treason. James declared that in appearing at the head of his followers he only obeyed his instruction, and he was therefore fully absolved from the charge against him by Parliament and by the Royal mandate.

Sir Walter Scott, who was familiarly called 'Wicked Wat,' gained some renown by his attempt to rescue the King. Johnstone, a professor in the University of St Andrews, celebrated the exploit in Latin verse :—

'Valterius Scotus Bulcluchius,'
'Egregio, suscepto facinore libertate
Regis, ac aliis rebus gestis clarus,
Sub Jacobo V. Anno Cristi 1526.'

Intentata aliis nullique audita priorum
Audet, nec pavidum morsve metusve quatit,
Libertatem aliis soliti transcribere Reges :
Subreptam hanc Regi restituisse paras,
Si vincis, quanta o succedunt præmia dextræ,
Sin victus, falsas spes jace pone animam,
Hostica vis nocuit : stant altæ robora mentis,
Atque decus. Vincet Rege probante fides.
Insita queis animis virtus quosque acrior ardor,
Obsidet, obscuris nox premat an tenebris?'

Translated thus in Fraser's 'Scotts of Buccleuch:'—

Walter Scott of Buccleuch, distinguished for his famous enterprise to set the King at liberty, A.D. 1526.

* 'Pitcairn's 'Criminal Trials,' vol. i. p. 133.

‘He dares do that which even his ancestors
 So bold and fearless, would have shunned.
 Unknown to him is fear, on death
 He looks with calm untroubled eye ;
 For when the King hath lost
 The freedom he was wont to give,
 Thou art, with ardour keen and ready hand,
 Prepared to give thy life, that he may be free.’

James Douglas of Drumlanrig, who was feudal superior of Hawick, took part, along with his followers, in the attempt to rescue the King at Melrose, but he does not seem to have suffered any loss or inconvenience afterwards, as did the leader of the expedition, who was naturally regarded as the chief offender.

While Angus held the chief power, the disturbances on the Borders increased to an alarming extent. In defiance of the treaty of peace which had been made with England, the Borderers rode boldly in open day, and made great havoc on their English neighbours. Their depredations were the subject of constant complaint by the English Wardens, and Angus felt himself bound to take some action in the matter. As on a former occasion, he made a sudden dash into Liddesdale in the spring of 1527, and profiting by his knowledge of the country, he took the thieves by surprise, and captured and slew many of them. Twelve were summarily hanged, and twelve kept as hostages, who were put to death a few months afterwards, on finding their clansmen did not forbear their nefarious practices.*

The Warden's severity had a very slight influence in diminishing the amount of crime ; and the English Warden complained that the Armstrongs and others had entirely destroyed the head of Northumberland and the water of Tyne, and recommended that a body of horse should be constantly maintained on the Borders, or else the whole district would soon be laid waste. †

In 1528 Lord Dacre, writing to Wolsey, gives an account of a foray, in which several of his servants were killed :—

‘Since my last letters sent unto your Grace, certain Scottis men, as Elwalds, Nyksons, Crosiers, with their adherents, Liddesdale men to the number of thirty persones, upon Thursday at night last, came into this realm by Bewcastel and Thirlwall, in Northumberland, 3 miles above my house, and there took John Bell, a tenant of mine, and certain of his cattell, and so the affray roose. And I caused my servants to go

* Buchanan's ‘History of Scotland,’ vol. ii. p. 410.

† State Papers, Henry VIII., vol. iv. p. 482.

forth with the country, and when as my said servants com to Bewcastell the said Scotts men was past by Bewcastell homewards. And so a myle a this side of Kirrsop, not passing two-and-a-half miles from Bewcastell, my said household servants gat as far furth as the Scottesmen, and as they should have sett upon them, trusting to them that they had been no more, notwithstanding they had abushement lieing at the same place of their kin and friends of the Elwalds, Nyksons, Armistrangis, and Crosiers, to the number of 300 personnes, as well on horse as foote. And unbekest about my said servants, and such of the country as was with them, and there tooke 40 persons, whereof 30 of them was of my household servants, and after they were taken, and their swords and weapons given from them, and holdin, they cruelly and shamefully murdered and slew eleven of my said servants, and the residue took, like as your Grace may perceive by a cedull herein enclosed, who was slain and who was taken.*

Magnus and his colleagues were directed to obtain redress for the murders committed upon Lord Dacre's servants, and demand release of the prisoners taken by the Armstrongs, but they could get little satisfaction. Magnus writing to Wolsey, however, stated that

'oonless it were for the great and heinous attempt done and committed by the Scottes to the Lord Dacre's servants, and also one or two high roberies done of late by the said Scottes in open forray, made in Northumberland, where there were reved and taken away above 24 score hede of cattel and a grete number of prisoners, taken and conveyed into Scotland, there is as farre as we can conceive as great or greater redresse to be made by the partie of Englande as by the partie of Scotlande sethenne the time and season this present truce was concluded.†

In 1528 James V. succeeded in making his escape from the custody of his stern and arbitrary stepfather, and the party who had so long kept him in thraldom. When he obtained the supreme power, the overthrow of the Earl of Angus and the Douglas faction followed as a natural consequence, and sentences of forfeiture and banishment were pronounced against them; but they defied the King's authority, and placed themselves in open rebellion, which entailed still further complications in Border affairs.

Northumberland wrote to Wolsey, 'that the Borders were now in much un-stableness, not only by the troublous affairs of the Earl of Angus, but also by occasion that the commonality of the same Borders, be in doubt whether they shall have peace or war.‡

Roger Lassels, steward to the Earl of Northumberland, wrote from Northam:—'As touching the order of the Borders, the thieffs of both sides never did steal so faust, for they reckon none other, but that it will be plain war, and flees

* Cottonian MSS. Caliguli B. ii. f. 198, quoted from Armstrong's 'History of Liddesdale,' Appendix 22.

† State Papers, Henry VIII., vol. iv. p. 524.

‡ *Ib.* p. 511.

away with their goods from the Borders on both sides; that if there be not a stay to it shortly, I fear me it shall be past making of redress, for the King's company doth rob and spoil all the tenants and friends of the Earl of Angus, and the Earl likewise and his friends doth rob and spoil all them that takes the King's part, where they may attain and come to, and by reason thereof the Borders of both sides taketh all they may get.'*

James forbore to take proceedings against the Borderers until the rebellion was suppressed. Had he done so, he would probably have driven many of them to join the standard of Angus, and he therefore affected to disbelieve the reports that were brought to him.

The Earl of Northumberland, wrote to Wolsey:—'I cannot perceive that any redress can be made upon the Borders, for the King of Scots doth maintain all the thieves and rebels of the same, and when I do write to him for redress, he giveth answer at all times to my servants, that he cannot believe they do any such offence.'†

James was at length successful in subduing the rebels. Angus sought refuge in England, and his forfeited estates were divided amongst Argyle, Arran, Hamilton, Bothwell, Buccleuch, Maxwell, and others, whose loyalty and support had enabled the King to vindicate his authority. A treaty of peace for five years was arranged between the two countries, and ratified on the 14th of December 1528. After that he was at leisure to direct his attention to the pacification of the Borders. He attributed much of the disorder which prevailed to the Earl of Angus, 'who,' he said, 'being our chancellare wardane of the est and midil marches, and lieutenant of the samyne, procurit divers radis to be maid upon the brokin men of our realme; he usit our authority not against yam, but against our barons and others our lieges yat wald not enter in bands of manrent to him to be stark of power; that we suld not be habil to reign as his prince, or haif domination aboun hym, or our lieges.'‡ James declared also that the thieves had been fortified and maintained by Angus, who granted remissions and pardons to offenders, for the purpose of binding them to his service. They had, he said, so little dread of him as their Sovereign, that it was not in his power to reform them, so long as Angus received the support of his uncle, and was maintained against him by the favour of England; and being now determined to have better order established, he bound the Earl of Bothwell, Lord of

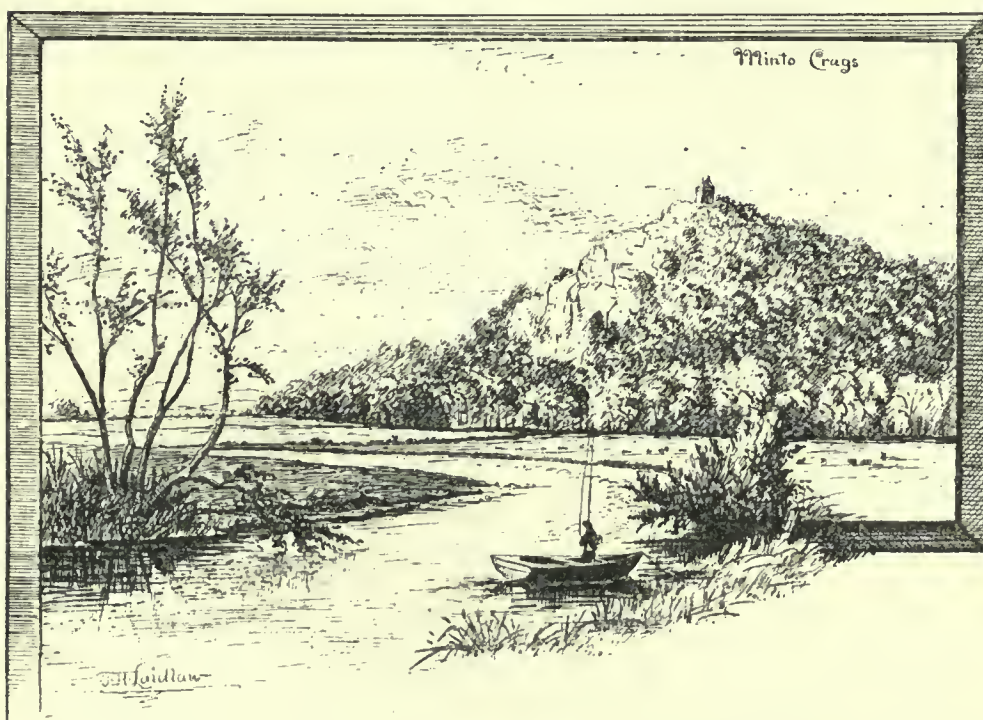
* State Papers, Henry VIII., vol. iv. p. 510.

† *Ib.* p. 514.

‡ *Caligula*, B. ii. 244.

Liddesdale, under penalty of forfeiture of his lands, to subdue the country to justice and to make redress for outrages.*

The Border Barons were once more commanded to expel the thieves from Teviotdale; and Ker of Cessford became bound, under forfeiture of life, lands and goods, to keep good rule in Lower Teviotdale, from Minto Craig east through to England, and to answer for all that part of the country; and Sir Walter Scott of Buccleuch, under the same penalties, became answerable for Upper Teviotdale, from Minto Craig to Craikcross.†



It was necessary, however, to take firm and energetic action; for in the spring of 1529, a short time after the treaty of peace was concluded, above a hundred of the Liddesdale thieves made an open foray, at mid-day, on Byrkshawes, and seized all the cattle in the vicinity. The inhabitants, with some servants of the Earl of Northumberland, having pursued the reivers, fell into an ambush, and eighteen were taken prisoners and four of them slain.

* State Papers, Henry VIII., vol. iv. p. 556.

† Act. Dom. Com. MSS., vol. xxxviii. b. 131, t. 132.

Northumberland complained of this outrage to James V., and intimated that unless redress were made, the matter must be laid before King Henry, which might possibly result in a rupture of the peace.

The Border lairds had never displayed any active hostility towards the thieves except in their own quarrels; and numerous instances prove that the relations between them were of a friendly character. The party which Buccleuch mustered for the rescue of the King at Melrose, was principally composed of Elliots and Armstrongs. Drumlanrig's following, on the same occasion, was designated by Angus as 'the thieves of Annandale.' Angus himself had many a time profited by the valour of these same thieves, and notwithstanding his raids against them, was accused of favouring and protecting them.* Lord Maxwell and Buccleuch were spoken of as 'the chief maintainers of all the misguided men on the Borders.'† It will be understood, therefore, that as far as the Border lairds were concerned very little was done to restore order or enforce the laws; and raid followed raid, and outrage upon outrage was committed almost unchecked. Lord Dacre, the English Warden, bitterly complained to Wolsey, that 'there was no appearance of good rule, redress or justice, to be had of Liddesdale.'‡ The Borders, and a great part of Northumberland, were laid completely waste by the Armstrongs, and the Scots plainly affirmed, in answer to the remonstrances of the English Wardens, that they could not be responsible for the thieves of Liddesdale, and could see no prospect of their reformation. It had actually been proposed that a clause should be annexed to the treaty of peace, that the English should have liberty to pursue the malefactors into Liddesdale, and seek redress at their own hand.||

The need for some urgent measures of reform on the Borders was very earnestly impressed on King James by Magnus, who wrote to Wolsey:—'Hearing that the Armstrongs of Liddesdale reported presumptuously that they would not be ordered neither by the King of Scots their Sovereign Lord, nor by the King of England, but after such manner as their fathers have used before them. I moved this to the said King of Scots, showing that without justice and due correction to be had within his own realme, he could not continue and reign like a king, and thereupon inferred how that the said Armstrongs avaunted themselves to be the destruction of two-and-fifty parish churches in Scotland, besides the unlawful and ungracious attempts by them committed within England.'§

* State Papers, Henry VIII., vol. iv. p. 414.

|| *Ib.* p. 528.

† *Ib.* p. 502.

§ *Ib.* p. 555.

‡ *Ib.* 508.

King James wrote to Henry VIII.:—‘As touching the rule of the Borders, we trust, God willing, to bring all to a good way.’ ‘Ye west Borders are at ane gude point of gude order, there is no great complaint of the Middle Marches, and as to Liddesdale the matter is in syk ane train that as we trust, neither you nor your officers shall be greatly troubled in time coming.’*

It is thus evident that James had resolved on some extraordinary effort to vindicate his power on the Borders, and compel obedience to the laws. His letter to King Henry was written in February 1529, but until the spring was further advanced, and the days longer, it was impossible to carry out his resolution. The few months were, no doubt, profitably employed in maturing his plans and making preparations for the invasion of Liddesdale. It does not appear that he took any one into his confidence regarding the course he intended to pursue, but he was determined that his rebellious subjects should have good cause to fear his vengeance if they defied his authority.

The task was one of no ordinary difficulty; for the thieves had grown so powerful and daring, that they held the whole neighbouring country in subjection; they acknowledged no authority save that of the chief of their clan, and were practically independent of the Sovereign.

James was aware that he could not depend on the assistance of the ‘Heid men’ of the Borders in his proposed expedition against their Liddesdale neighbours. They might have been glad to see their power curtailed and their crimes punished, but they would make no active demonstrations of hostility against them, and though obeying the Royal summons, they might have given some warning to the thieves, and thus frustrated the whole purpose of the expedition. The King judging it safer, therefore, to remove them beyond the possibility of interference, caused Bothwell, Home, Maxwell, Johnstone, Buccleuch, Drumlanrig, Wamphray, and several others, to be apprehended and placed in ward; some in Edinburgh castle, others in Falkland, and in various places at a distance from the Borders. The reason given for their apprehension was, ‘that they were the chiefs of the broken men on the Borders, and had winked at their villanies, and given them way, whereas by their power and authority they might have restrained them.’†

The King then collected an army of 8000 men, under leaders who could not be suspected of having any sympathy with the thieves, and proceeded by

* State Papers, vol. iv. p. 550.

† Balfour’s ‘Annals,’ p. 260.

Tweeddale and St Mary's Loch over the hills to the chapel of Carlenrig on the Teviot, ten miles above Hawick. It had, in all probability, been the King's



Gilnockie Tower.

purpose to penetrate into Liddesdale and attack the Armstrongs in their native fastnesses ; but at Carlenrig, Johnnie Armstrong of Gilnockie, attended by a large body of followers, presented himself before the King. There are several contemporary accounts of this incident, which, though differing in details, agree in all essential points. The laird of Gilnockie, the great robber chief, whose name had spread terror from the Tyne to the Solway, who had enriched himself by plunder,—who had insulted the King's authority, despised the laws,

and endangered the peace of the kingdom, voluntarily approached his Sovereign in the hope that by submitting to the King he would receive a pardon for his offences. His appearance was not that of a humble suppliant for the King's grace. He came in all the magnificence of feudal display, attended by about forty followers, all richly dressed and well mounted. If Johnnie Armstrong had hoped by the splendour of his retinue to impress the King in his favour, he was quickly undeceived. James appeared to be indignant that a thief and outlaw should so ostentatiously display his ill-acquired wealth in the very face of his Sovereign, and without deigning to listen to his promises of future service, he sternly ordered him to be instantly executed, along with the greater part of his followers, who were hanged on the trees growing near the chapel of Carlenrig. One of Armstrong's followers, named Sandie Scott, was burned, because it was proved that he had burned the house of a poor widow, she and her children being inside.*

The most interesting and graphic description of the execution of Johnnie Armstrong is given by Lindsay of Pitscottie. He describes him 'as guid a chieftain as ever lived upon the Borders, and though a loose living man, he never molested any Scotsman, but there was not one from the Scots Border to Newcastle but payed tribute to him, to be rid of his cumber.' After alluding to the gorgeous apparel of Armstrong and his followers, he adds,—'the King bade them take that tyrant out of his sight, saying, "what wants that knave that a king should have?"' When Armstrong saw that the King's anger was stirred against him, he offered, if his life were spared, to sustain himself, with forty men, ready for the King's service, and never to take a penny from Scotland; and promised that there was not a subject of England, Duke, Earl, Lord, or Baron, but within a certain day he would bring to the King, either quick or dead.' Seeing no hope of the King's relenting, he said proudly, 'I am but ane fool to seek grace at a graceless face, but had I known that you would have taken my life this day, I would have lived on the Borders in spite of King Harry and you baith, for I know that King Harry would down weigh my best horse with gold to know that I am condemned to die.' These picturesque details probably rested on no higher authority than popular rumour, for Pitscottie was known to be somewhat credulous, and his statements are accepted with reserve, unless corroborated by other writers. It is likely enough that Johnnie Armstrong pleaded

* Anderson's MSS. 'History of Scotland,' and Lesley's 'History of Scotland.'

for his life in some such fashion as Pitscottie describes, but there is no warrant for the assertion that Armstrong confined his depredations to the English side of the Border, and never molested any Scotsman. A reference to the State Papers and Criminal Records of the time proves that the Armstrongs not only committed many outrages in Scotland, but openly boasted of these achievements.*

Only the previous year a party of Armstrongs were hired, like common assassins, by Lord Maxwell, to be the instruments of his revenge against the Laird of Johnstone, with whom he had a private quarrel. Three of the Johnstones were killed, and the party lay in ambush purposely to kill the Laird of Johnstone himself.† Many other instances might be given, for there was hardly a lawless exploit or a deed of violence perpetrated on the Borders in which the Armstrongs were not implicated. Though Johnnie Armstrong may not be personally mentioned, there is no doubt that he took an active part in the outrages committed by his followers, for whom, as their captain and chief, he was responsible. His reputation for patriotism is entirely without foundation, nor does it appear that he had any scruples about robbing his own countrymen. The statement made by Pitscottie that 'monic Scottis men heavilly lamented' the death of Johnnie Armstrong, is very questionable. It undoubtedly created a great sensation when it was known that he had been hanged; for Johnnie Armstrong was a very great and notable thief, whose name had long been a terror on the Borders, and who reigned as a king over his lawless clansmen; and except among his kin and friends it is hardly likely that his death caused any profound sorrow.

The people who had shuddered to hear of the cruel outrages committed by the Armstrongs, or perhaps had themselves been the victims of their violence and rapacity, could feel little commiseration for those who had only met with their deserts. The ballad of 'Johnnie Armstrong,' which has long been popular on the Scottish Border, gives substantially the same account as Pitscottie's chronicle, from which it has evidently been taken, but it must have been written at a much later date, as the whole style and sentiment is utterly unlike anything of the sixteenth century, and it is much more likely to have been written in the seventeenth or eighteenth. It was first printed by Allan Ramsay in his 'Evergreen,' who says he had it from the mouth of a gentleman called Armstrong,

* State Papers, vol. iv., Part 4, p. 555.

† *ib.* vol. iv. p. 492.

who was in the sixth generation from the hero of the ballad, and he assured him it was a genuine old ballad.* As it is too long to quote entire, a few extracts will serve to illustrate the style :—

‘ Sum speikis of Lords, sum speikis of Lairds,
And sic lyke men of hie degrie ;
Of a gentleman I sing a sang,
Sum tyme called Laird of Gilnockie.

‘ The King he wrytes a luving letter
With his ain hand sae tenderly,
And he hath sent it to Johnie Armstrang
To cum and speik with him speidily.

‘ The Elliots and Armstrangs did convene ;
They were a gallant cumpanie,
We’ll ride and meit our lawful King,
And bring him safe to Gilnockie !’

‘ When Johnie cam before the King,
Wi’ a’ his men sae brave to see,
The King he movit his bonnet to him,
He ween’d he was a King as well as he.

May I find grace, my Sovereign Liege,
Grace for my loyal men and me ?
For my name is Johnie Armstrang,
And a subject of yours, my Leige,’ said he.

Away, away, thou traitor strang,
Out o’ my sight soon mayest thou be,
I grantit never a traitor’s life,
And now, I’ll not begin wi’ thee.’

Armstrong then offers many handsome gifts to the King if he will spare his life. The first is four-and-twenty milk-white steeds, and as much English gold as four of their broad backs can carry. Then when his prayer is again rejected, he offers four-and-twenty mills, with as much wheat as their hoppers can hold, and last of all he says :—

* Note to Johnnie Armstrong in the Minstrelsy of the Scottish Border.’

'Grant me my life, my Leige, my King,
And a great gift I'll gie to thee,
Bauld four-and-twenty sisters sons,
Sall for thee fecht tho a' should flee.'

But this offer, like all the others, meets with the same inexorable reply—and then Armstrong exclaimed proudly—

'To seik het water beneith cauld ice,
Surely it is greit folie,
I have asked grace at a graceless face,
But there is nane for my men and me.

'But had I kenn'd, ere I cam frae hame,
How thou unkind wadst been to me !
I wad ha keepit the Border syde,
In spyte of all thy force and thee.'

Johnnie's magnificent apparel is next commented upon, and he is asked by the King where he obtained all these costly ornaments ; and Johnnie answers,

'I gat them in the field fechtin,
Where, cruel King, thou durst not be.'

'John murdered was at Carlinrigg,
And all his gallant companie ;
But Scotland's heart was ne'er sae wae,
To see sae mony brave men die.

'Because they saved their country deir
Frae English men ! Nane were sae bauld
Whyle Johnie lived on the Border side,
Nane of them durst cumm neir his hauld.'

The character of the redoubted freebooter, given in these lines, is one that would have considerably astonished himself could he have heard it. The gallant defender and protector of his countrymen, and the inveterate enemy of his country's foes, existed solely in the imagination of a later generation. The real Johnnie Armstrong was a lawless bandit, who was renowned for his deeds of violence, and who, with his reckless and cruel accomplices, was feared over all the Borders. The contemporary estimate of the Liddesdale thieves was no very

exalted one. In the play of the 'Thrie Estates,' already alluded to, a representation of the Border freebooters thus describes himself—

'Huirsun, they call me common theft;
For quhy? I had na other schift
Sen I was borne.
In Ewisdale was my dwelling place;
Mony ane wife gart I cry alace;
At my hand they *never* gat grace,
Bot aye forlorn.'

And in the same play, a Pardoner who has relics for sale offers, along with such chattels as 'the gruntle of St Anthony's sow'—

'Ane coird, bath gret and lang,
Quhilk hangit Johnie Armstrang.
Of gude hemp, soft and sound,
Gude halie pepill, I stand for'd,
Quha ever beis hangit with this cord
Needs never to be droun'd.'*

The King was much more likely to be praised for his firmness than blamed for his severity. The Earl of Angus sometimes captured a score or two of the thieves, and hanged or drowned them; but the loss of a few subordinate members of the clan was little regarded, and produced no very lasting impression. The King had seized the chief and leader, and condemned him to the same fate as his followers, and thus taught the Liddesdale clans the wholesome lesson, that there was a power and an authority higher than that of their chief. 'After this execution the whole Border men were in great fear for a long time and were in great quietness.'† The Armstrongs deeply resented the insult involved in putting their chief to an ignominious death, and many of them left their homes and passed over in bands to England.‡ It was natural that the Armstrongs should magnify the power and extol the patriotism of their chief, whose tragic fate filled them with such sorrow and indignation; and his memory was not likely to be allowed to fall into oblivion. By and bye, when his deeds of violence began to fade from the memories of the people, and the dread inspired by his name had been forgotten, the figures of the undaunted marauder and his band loomed picturesquely

* 'A Satyr of the Three Estates,' by Sir David Lindsay.

† Anderson's 'MSS. History,' vol. i. f. 154.

‡ Buchanan's 'History of Scotland,' vol. i. p. 164.

through the mist of years, and the thief and oppressor became a popular hero. The spirit-stirring ballad of Johnnie Armstrong is a great favourite on the Borders, and the lonely graves at Teviothead, where Johnnie and his followers lie, are pointed out, with pity for their untimely fate. There was a tradition—when originated is unknown—that to manifest the injustice of the execution, the trees on which the Armstrongs were hanged withered away. There is no proof of this, nor can the leafless trees be remembered by the oldest inhabitant, but the poetic fiction has been beautifully portrayed in Leyden's 'Scenes of Infancy'—

' Where rising Teviot joins the Frostylee,
Stands the huge trunk of many a leafless tree,
No verdant woodbine wreaths their age adorn,
Bare are the boughs, the gnarled roots uptorn.
Here shone no sunbeam, fell no summer dew,
Nor ever grass beneath the branches grew,
Since that bold chief, who Henry's power defied,
True to his country, as a traitor died.'



CHAPTER VII.

'What? Think you then at length,
To enjoy the fruits of toil? Believe it not.
Never, no never, will you see the end
Of the contest! You and me, and all of us
This war will swallow up!'

COLERIDGE.

'He came not from where Ancram Moor
Ran red with English blood;
Where the Douglas true, and the bold Buccleuch
'Gainst keen Lord Evers stood.'

SIR WALTER SCOTT.

WHEN James V. first found himself an independent Sovereign, his zeal and anxiety for the welfare of his kingdom and people were great, yet his rule was neither politic nor judicious. His position was surrounded with difficulties, for he had before him the hard task of reconciling opposing factions, and inspiring with a respect for the laws, a people who had been demoralised by a long course of misgovernment.

During his minority, especially the last few years when under the tutelage of his step-father the Earl of Angus, James had been subjected to the most galling restraint, and was forced to give his sanction to acts that were hateful to him, often to the injury of his best friends, and he cherished a deep and bitter resentment against those who had so abused their power. His hatred to the Earl of Angus was most implacable, and extended to all of the name and kin of Douglas. Sentences of banishment and forfeiture were pronounced against them, and they were compelled to take refuge in England.

James set himself to the task of reform with all the ardour of impatient youth, but unfortunately his zeal exceeded his judgment. In the administration of justice he was stern and relentless, and thus made himself many enemies. He sought also to limit the prerogatives of the feudal nobility, without reflecting how dangerous it was to incur the enmity of a class on whom he was dependent for the protection of the country in time of war; a contingency which even the most

shortsighted could not ignore. All the Scottish subjects who had been banished, or had cause of resentment against King James, were welcomed in England; for it was part of the policy of Henry VIII. with regard to Scotland to foment discontent and disunion, and to attach to his service all who, by their treason or crimes, had made themselves obnoxious to the government.

Angus and the Douglasses, on being expelled from Scotland, had transferred their allegiance to the King of England, and others followed their example. The Earl of Bothwell was one of the malcontents who complained that James had bestowed part of his lands on the 'Carres of Teviotdale,' had kept him in prison for half-a-year, and threatened further proceedings against him and his followers. These noblemen urged King Henry to go to war with Scotland, hoping by this means to recover their lands and be revenged on the King. Bothwell promised if Henry would invade Scotland, to serve him with a thousand gentlemen and six thousand commons, and prophesied that, 'within brief time he should see King Henry crowned in Edinburgh.' *

Henry VIII. was not to be rashly hurried into war to satisfy the importunities of James' discontented subjects, yet he gave the matter his serious consideration. In answer to inquiries on the subject, the Earl of Northumberland wrote that King James' unpopularity was still increasing, and that it would be impossible for him to collect an army strong enough to resist an invasion. † The Earl of Rutland received instructions to entertain all Liddesdalers, and all other Scotsmen who could be gained over to the service of England. Information was conveyed to Henry, that in case of an invasion the Armstrongs would remain neutral, giving signs by which they might be known, and if the invasion were of sufficient force to ensure their safety, they would join the English.

In the winter of 1532 Northumberland received the 'King's most dread command' to invade Scotland. He was accompanied by Angus and other Scots, and entered Scotland by the east March. They committed great depredations in Berwickshire and East Lothian, and returned without loss or hurt, but took many Scotsmen prisoners, and burnt and destroyed every peel, grange or cottage they came across, and carried off an immense quantity of booty, including 2000 nolt, 4000 sheep, with much 'insight gear.' ‡

Although this raid was through the lands of the Earl of Angus, he was not joined by any great number of his vassals. Indeed it would appear in this as in

* State Papers, vol. iv. p. 598.

† *Ib.* p. 619.

‡ *Ib.* p. 629.

many other instances in Scotch history, that treason and rebellion were confined to the nobles, many of whom seemed void of patriotism, while the great body of the people were loyal to their King and country.

After his foray in the east March in the late autumn of 1532, Northumberland writes to the King that he will do all in his power for the annoyance of Scotland, and in brief and convenient times send forth forays into Teviotdale and elsewhere, but he complains of the severe frosts which hinder his operations.*

In the February following (1533) Clyfford, in company with the Earl of Angus and his uncle and brother, made a raid upon Lower Teviotdale, and burnt a large number of farms and steadings, 'as well as all the corne within the said townes and steadings, a great substance, which by the Scottes inhabitants ther hade ben removyd furth of the townes, for the more safeguard thereof, and made in the felde and felles ther about in stakes, and took the Laird of Grawden and oder Scottesmen prisoners. And so burning and spoiling in the country ther, remained in Scotland the Saturday until four of the clock at afternoon, and then returned homewards without eny loss of your subjects, bot onely by reason of the sore handling of us at divers chaises, the Scottes acquytting theym selffes verray sharpely, that one of my Lorde of Angwisch Servaunttes was slayne, and oone of myn takin. Never the les the Scottes was alwaís overthrown and put to flight, and we were masters at all times.†

There was also a foray into Upper Teviotdale about the same time, the principal object being to kill or take prisoner the Laird of Buccleuch. The particulars are given in a letter from Northumberland to Henry VIII. in 1533. A force, consisting of 1500 men, entered Scotland by the wheel causeway in Liddesdale, and approached Branxholme during the night. Knowing Buccleuch's custom of 'rising to all frays,' they left a number of their party in ambush at some distance, their plan being to attack Branxholme, and then retreat and draw him after them in pursuit, so that he might fall into the ambush, and be taken or slain; but Buccleuch was not at Branxholme, and so this stratagem was frustrated. They burnt Branxholme however, and several of Buccleuch's servants 'who did issue forth from the gates, were taken prisoners.' They also burnt Whitechester and other places in the neighbourhood, and did not leave 'one house, one stack of corn, nor one sheaf,' unburnt. They re-entered

* State Papers, Henry VIII., vol. iv., P. 4, p. 629.

† Letter from Clyfford to Henry VIII., State Papers, vol. iv., Part 4, p. 633.

England the following day about noon, with eleven prisoners, one being a kinsman of Buccleuch, 300 nolt and nine horses.*

In revenge for this foray, Buccleuch, with 3000 riders, penetrated into Northumberland, and laid waste a large tract of country, and returned loaded with booty.†

James at length found it expedient to divide the whole fighting men in Scotland into four parts, to each of which the defence of the Marches was entrusted in rotation, and by this means some degree of tranquillity was preserved.‡

The following order of Council was issued about the same time :—

‘Item, it is statit and ordainit for saiffing of men, thare gudis and gere vpoun the bordouris in tyme of were and all vther trubulous tyme that every landit man duelland in the inland or vpoun the bordouris, havand thare ane hundreth pund land of new extent sall big ane sufficient barnikyn vpoun his heretage and landis, in place maist conuenient, of stane and lyme, contenant thre score futis of the square, ane eln thick, and six elys height, for the resset and defenss of him, his tennentis and thair gudis in trubulous tyme, with ane toure in the samin for himself, gif he thinks it expedient, and that all vther landit men of smaller rent and renew, big pelis and great strenthis as thai pless for saifing of thare selfis, men, tennentis and guidis. and that all the saidis strenthis, barnikynnis and pelis, be biggit and completit within twa yeris.’||

It must not be inferred from this notice that strong peels and towers were then built for the first time on the Borders. There is ample proof to the contrary. In the accounts given of English raids, we are told that they put straw to the doors, and burnt the roof and the floor of various towers, plainly showing that the walls were impervious to fire.

Surrey says that there were six good towers in Jedburgh, and the strong peels of Liddesdale are frequently alluded to. Many new towers would, doubtless, be built in obedience to the order of the Council. Goldilands’ Peel was probably one of these. It was situated about halfway between Hawick and Branxholme, and was called ‘the Watch Tower of Branxholme.’

In 1534 Bishop Barlo, in a long letter to Cromwell, comments on the disorder and ruinous decay on the Borders, and miserable condition of the people. He said there was no knowledge of Christ’s gospel, though there were plenty of priests, sundry sorts of religions, multitudes of monks and flocking companies of friars.§ This of course refers to the English Border.

In 1535 Sir Walter Scott of Branxholme was accused of having given assist-

* Caligula, b. viii., f. 222.

† Pinkerton’s ‘History of Scotland,’ vol. ii. p. 318.

‡ Tytler’s ‘History of Scotland,’ vol. v. p. 240.

|| Records of the Parl. of Scot., 1535.

§ Calander of State Papers, Scot., Henry VIII., vol. iv. No. 36.

ance to Lord Dacre and other Englishmen, at the burning of Cavers and Denholm. No particulars regarding this raid, or the causes which led to it, have been preserved. It was probably undertaken at the instigation of Buccleuch to avenge some private quarrel. He was summoned to appear before a Justiciary Court held at Jedburgh, and answer for his crime, when he 'came in the King's will,' and was punished by being kept in ward during the pleasure of the King, but was restored to his lands and honours the following year.*

Among the Buccleuch muniments is a ratification by Queen Mary of Acts of Parliament for restoring Sir Walter Scott of Branxholme to his offices and honours. The following is a short extract from the document:—

'Having consideration that Walter Scott of Branxholme, knight, at the justie air haldin at Jedburgh the six day of Aprile 1535, become in umquhile our sourane Lords will for fear of his life, for the allegit assistance given to the Lord Dacres and Schir Cristell Dakir, Englishmen, and their complices in time of the burning of Cavers and Denman quhairfoir his Grace thocht that the said Walter deserved na further position, thairfoir, than to be put in ward for ane certain tyme at his Grace's will and pleasour, and our said umquhile Soverane Lord, ane little tyme afoir his decease remembered vpon the said Schir Walter's trew gude and thankful service done to his hienes, aganis his auld enemies of Ingland, and siclike of his innocence in that behalf, relaxt the said Schir Walter furth of ward and ordaint to restore him to the samyn estait he was in befor the said accusation.'†

During the next six or seven years England and Scotland enjoyed a cessation from active warfare; but the elements of strife were never absent. Henry VIII. had thrown off the power of Rome, and would have had his nephew follow his example; but this, even if he had been willing, James was unable to do. He had already alienated the nobles, and could not afford to make enemies of the churchmen, who were his chief counsellors. Causes of quarrel arose, which it is unnecessary to describe. At length Henry proposed that James should meet him at York in order to discuss the questions on which they were at variance. James had given a reluctant consent to this proposition; but his advisers entertained such a distrust of the motives of King Henry, that they earnestly opposed the intended visit to England. There seemed good grounds for distrust, for a plan to kidnap the King had been proposed by Henry shortly before.‡ When Henry arrived at York and found that his nephew had failed to keep his appointment, his wrath was aroused to the highest pitch. He considered himself insulted and defied, and retributive war could alone

* State Papers, vol. v. p. 47. † Fraser's 'Scotts of Buccleuch,' vol. ii. p. 184. ‡ Burton, vol. iii. p. 71.

satisfy his ungovernable fury. The Borderers rushed into hostilities with all their old precipitancy, and mutual inroads followed each other so rapidly, that it was impossible to tell who were the aggressors. A large force, consisting of about 3000 horse under Sir James Bowes, accompanied by the Earl of Angus, penetrated into Teviotdale, which was met and completely routed by the Earl of Huntly and Lord Home. Six hundred prisoners, including the English Warden, were taken.

This loss still more incensed King Henry, who sent orders to 'the Scourge of the Scots,'—as he had named the Duke of Norfolk,—to levy a force of forty thousand men, and to destroy all the castles on the Scottish Border. Norfolk replied, that 'there were none, he himself having burned them all twenty years before.* He crossed the Cheviots, however, and burned Jedburgh, and many towns, villages, and granges, on the east Border. The harvest had just been gathered in, but the corn was all ruthlessly destroyed, and Norfolk only ceased from pillage and rapine when the wretched country could no longer supply food for his forces.

James had assembled an army near Edinburgh for the defence of the country, but on his march southward news reached him that Norfolk had withdrawn his troops. James eagerly proposed to follow and avenge the injuries that had been inflicted on the Border districts, but to his surprise and indignation his nobles refused to follow him. They were ready, they said, to fight to the utmost to resist invasion as became loyal subjects of the Crown, but they were in no way bound to invade the enemy's country. Their refusal may have been dictated by wise and prudential motives, for their strength undoubtedly lay in the defensive; but it also seemed as if they wished to make James feel the limits of his power. He had striven to curtail their privileges, and they appeared determined to make him realise his dependence on them. The King urged and entreated his nobles to proceed, using every argument he could think of. It was wretched cowardice, he said, to turn back without striking a blow, when the army of the invader was before them, weakened by privation, and could be easily defeated. Remaining deaf both to reproach and reasoning, they would not move a step, and the King was forced to retire.

James was not altogether deserted by his nobles, however, Lord Maxwell, and several others assembled a body of 10,000 men in the west, and proposed to invade England. The King did not accompany this expedition, but remained at

* State Papers, vol. v. p. 219.

Caerlaverock castle to await the result of the invasion. He entrusted the command of the expedition to Oliver Sinclair, a favourite of his. This person had not assumed any authority till after the army crossed the Esk, and had commenced operations by burning the farm-steadings, etc., on the English Border. As daylight appeared, and there was a likelihood of encountering the enemy, Oliver proclaimed himself the leader, and produced the King's commission. This announcement was received with strong expressions of indignation, and most of the leaders refused to obey him. Lord Maxwell, and a few others more loyal than the rest, endeavoured to reason with the malcontents, and the whole army were engaged in a confused squabble, when they were suddenly surprised by a party of horse, under Lord Dacre, who, finding the army utterly disorganised, gained an easy victory, taking many prisoners. That 10,000 Scots had fled before 300 English was a shameful tale to carry into Scotland, and was a terrible blow to the King, whose first idea was that his nobles had conspired to deliver him into the hands of King Henry. Full of sorrow and shame, and completely broken in spirit, James withdrew to Falkland Palace, where, within a fortnight, he died of that inexplicable disease called a broken heart, leaving as his successor an infant daughter, only a week old.

When the news of the death of the King of Scots, and the birth of his daughter was carried to London, Henry at once conceived the project of an alliance between his son Prince Edward, and the infant Queen of Scots, and with that promptitude which characterised him, he began to prepare the way for carrying out his design.

Angus and the other expatriated nobles promised to use their influence to further Henry's views; for now that James V. was dead, there was nothing to prevent them returning to their native country, and Sir George Douglas, brother to the Earl of Angus, set out for Scotland with full powers to negotiate the marriage.*

The prisoners who had been taken at the recent engagement at Solway Moss, had at first been treated with great harshness and rigour, but they suddenly found their condition very much improved, and were promised their liberty if they would undertake to promote the proposed marriage of the infant Queen. Most of them were very glad to purchase their release on this condition, for there

* State Papers, vol. v. p. 302.

could be no doubt that the union of the two kingdoms, by such an Alliance, provided it was conducted on fair and equal terms, would be most advantageous to both nations, and seemed the most direct way to put an end to the wars, which had been so destructive and disastrous. The proposal was at first received most favourably by the Scots, but on further negotiation it was found that the Alliance was hampered with conditions to which they (the Scots) could never agree; and Sir George Douglas found it impossible to arrange the marriage on the basis proposed by Henry VIII. He said, if there were any attempt at dictation from England, there is not so little a boy but he will hurl stones at it, and the wives will handle their distaffs, and the commons universally will rather die in it, and many noblemen and all the clergy be fully against it.*

There were many, however, who had pledged themselves to forward Henry's views, and the negotiations went on for some time, Henry all the while making great professions of friendship and good will towards the Scots. But one significant circumstance shows how these professions were distrusted. The child Queen was all this time at Linlithgow palace, where she was born, a place which was not sufficiently strong to ensure her safety; and Arran, the Governor, was suspected of favouring the designs of England by keeping the Queen in such an insecure place, whence she could easily be carried off, if it suited Henry to do so.

An army between ten and twenty thousand strong, consisting largely of Borderers, followers of Lord Home, Ker of Cessford, and Scott of Buccleuch, along with Lennox, Argyle and Huntly, with their followers from the north, appeared before the palace of Linlithgow, and took peaceful possession of the Queen and her mother, and removed them to Stirling castle, which being well fortified and near the Highlands, was a more secure retreat than could have been found further south. This action, though unauthorised, was highly approved of by the Estates, which assembled some months later; and it was declared that those concerned in it did nothing contrary to the 'weel of the realm.'

It was soon evident that Henry's object in seeking the alliance with the Scotch Queen was that he might attain the dominant power in Scotland. One of his most imperative conditions was that the Queen should be brought up in England, and that her authority should in a great measure be vested in himself. When he found this would not be agreed to, he swore that he would seize the child by force, and would drag her out of the strongest castle they could hold her in. The

* Sadler's 'State Papers,' vol. i. p. 70.

negotiations were at length broken off, and Henry, who could not brook opposition, vowed to punish the Scots for their obduracy. Some idea of his anger may be gathered from a letter of instructions addressed to Lord Hertford, the commander of the expedition sent against Scotland, which was believed to have been written by his own hand. Hertford was to make an inroad into the kingdom,

‘there to put all to fire and sword, to burn Edinburgh town, and to raze and deface it, when you have sacked it, and gotten what you can of it, as there may remain for ever a perpetual memory of the vengeance of God lighted upon it, for their falsehood and disloyalty. Do what you can out of hand, and without long tarrying, to beat down and overthrow the cattle; sack Holyrood House, and as many towns and villages about Edinburgh as ye conveniently can; sack Leith, and burn and subvert it, and all the rest, *putting man woman and child to fire and sword*, without exception when any resistance shall be made to you,’ etc.*

Hertford sailed for the Forth with a large army, and landing at Granton on the 1st of May 1544, proceeded at once to carry out his instructions by pillaging and burning Leith. Edinburgh was next attacked, and after some ineffectual resistance was given to the flames. The city was at that time concentrated on the lofty ridge rising towards the castle, and the conflagration, which lasted three days, was seen far over Fife and the Lothians. The army then moved eastward, spreading havoc and desolation on every side. A scribe who accompanied the army, for the purpose of giving an account of the expedition to the Lord Privy Seal, thus calmly describes the burning of Dunbar :

‘That night they looked for us to have burned the town of Dunbar, which we deferred till the morning, and by reason we took them in the morning,’ ‘who having watched all night for our coming, and perceyvyng our army to dislodge and depart, thought themselves safe of us, were ready gone to their beddes, and in their fyrst slepes; closed in with fire, men, women, and children, were suffocated and burnt.’ †

The terrible atrocity of this deed needs no comment, nor is it possible to contemplate without horror and indignation, the fiendish barbarity of men who could calmly wait, till their victims overcome with watching and lulled by a false security, were in their first deep slumber, and then to burn men, women, and innocent children in one fearful holocaust.’

The chronicler gives these details with the most matter-of-fact indifference, and piously congratulates the leaders on the success of the expedition, saying, ‘for all this, who is to be most highest lauded, but God? For the countynance of Godde’s favour towards us, and for this let us pray for the prosperous estate of our noble, good, and victorious Lorde, Governour, and King, for whose sake doubtless

* Burton’s ‘History of Scotland,’ vol. iii. p. 232.

† Dalzell’s ‘Fragments,’ pp. 10, 11.



God hath spread his blessing over us, in peace to have mirth, and in warres to have victory.'



Scarcely were the ashes of Edinburgh and Dunbar cooled, when another large army came over the Carter Fell one morning in July, and commenced a series of destructive raids which lasted till November. This force was commanded by Sir Ralph Evers or Eure, and Sir Brian Latoun, who gave an account of the havoc they committed in a series of short business-like despatches, describing succinctly and without comment, how they had spread ruin and desolation over the whole east border, from Upper Teviotdale to Berwick, and from the Cheviot Hills to the Tweed. Over all this district nothing was to be seen but blackened ruins. The country was wasted as it had never been before. Towns, villages, farms, towers, and even churches, shared the same fate. The beautiful monasteries of Dryburgh, Melrose, and Kelso, with the towns and villages in their vicinity, were plundered and defaced ; Jedburgh and the

Church of the Grey Friars burnt, the Abbey destroyed, and above 100 horse loads of spoil taken away. Here is a brief summary :—

192 towns, towers, stedes, barnekyns, paryshe-churches, bastell-houses, burned and destroyed ; 403 Scots slain, and 816 taken prisoner ; and 10,386 cattle or nolt, 12,492 sheep, 1296 horses, and an enormous quantity of corn and insight gear or plenishing carried off.'

The manner in which all this destruction was accomplished was by a succession of sudden raids, which keeping the country in the constant terror of expectation, yet in ignorance where the next blow was to alight, prevented the Scots from concentrating their strength, so as to offer any effectual resistance.

Sir Walter Scott of Buccleuch had made himself very obnoxious to the English, by his sturdy loyalty and his determined hostility to the 'auld enemyies,' having led several formidable raids on the English Border ; and Lord Hertford, writing to Henry VIII., recommended that a garrison of two or three thousand men should be left on the Borders to annoy the Lairds of St Johnstone and Buccleuch, and those who, like them, were not Henry's friends.*

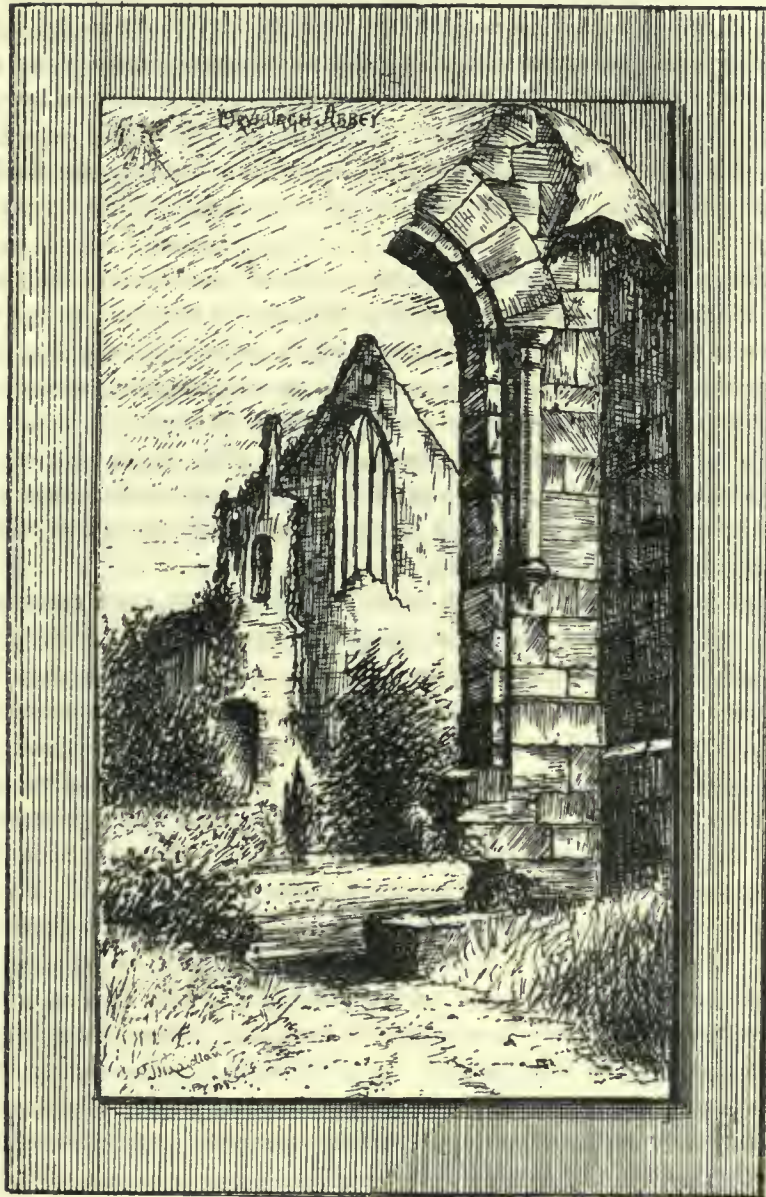
This letter was written in March 1544, and Hertford's advice, though not immediately acted upon, was not lost sight of. On the 27th of August following, Lord Wharton wrote that he

'invaded West Tividall upon the Lord of Buccleuch's lands, and burned divers towns and stedes in their way, and went and burned the Barmkyn to the Lords of Buccleuch's towere at Branxham, and have brought away 600 oxen and kyen, 600 shepe, certen horses and nags, 200 gayt, and as much spoil of insight gear as they could carry away, and have taken 30 prisoners and slayn 8 Scots.'

The fact that eight of the Scotts were slain, and so many prisoners taken, proves that the spoilers had met with some resistance. Simultaneously with the attack on Branxholme, Evre, Latoun and others, made a raid on Scott of Buccleuch's other possessions in Kale Water. This raid being under the direction of the principal leaders, and on the same day as the attack on Branxholme, was evidently meant to divert Buccleuch's attention while they might with more facility destroy his family seat. It is stated in Lord Ever's despatch that

'Sir Bryan Layton, Henry Evre, etc., renged the woods of Wooden, where they gat much baggage, naggs, shepes and nolt, and hath slain about the woods thirty Scots ; and from then they went to a towre of the Lord of Buccleuch's, called Mosshouse, and won the Barmkyn, and gat many naggs and nolt, and smoked very sore the tower and took thirty prisoners, and so have brought away horses and naggs, 180 or 200 nolt, 400 shepe, moche insight gear, and burned the town of Wooden, and many shells and houses in the said wood, and other stedes and mylnes in their way, Scotts slayn thirty.'

* State Papers, vol. v. p. 360.



These two despatches are a fair example of the reports which were daily sent to Henry. Laconic as they are, and dictated in a spirit of business-like indifference, these brief epistles give some idea of the fearful amount of misery and wretchedness inflicted on the Scots. With the exception of Jedburgh, they do not appear to have burned any of the Border towns; though in the plan of the expedition, laid down the previous winter, it was proposed to burn and destroy the market towns of Hawick and Selkirk, with the towns of Cavers and Denholm.* That this was not done was probably because they did not wish to encounter any formidable or united opposition, they preferred to make a sudden attack, and depart with their booty before the people had time to collect in sufficient numbers to oppose them. They did not molest the town of Hawick, which was doubtless owing to the fact that Drumlanrig, who was Lord Superior, had an understanding with Henry, and had received £100 for his services, and a promise of a pension of 500 crowns.† Before the invasion, Wharton was instructed to write to Drumlanrig, for the encouragement of himself and the rest of King Henry's friends, advising them to stand firmly together, and be loyal to the King of England, and they should receive much benefit and protection.‡

The 'towns' reported as having been burned were, in most cases, only farm steadings, which with their cluster of labourers' cottages are still called 'towns' in Scotland. These raids were made by large bodies of men numbering from 1000 to 1500, rendering opposition on the part of the people utterly hopeless, and when they surrounded a bastell-house, a farm or a humble village, the wretched inhabitants had no alternative but beg for mercy, or fly and hide themselves, at the first signal of the approach of their enemies. Sometimes they were spirited enough to resist, and then, we have inevitably the brief enumeration of the Scots slain and taken prisoners, along with the number of cattle, etc., carried off. For instance, Sir Ralph Evre, with 1400 men, burnt Bon Jedworth and Ancrum Spittle, and east and west Nesbet,—and '*slew all the Scottishmen in them to the number of eighty.*' We have several notices too, that they 'renged the woods,' where, as in the woods of Wooden, they found and slew many Scots and carried off much baggage. These were probably fugitives who had fled with such of their possessions as they could carry with them, but even there, they were hunted and slain like wildbeasts. The 'shells' which were burned along with 'towers and towns,' were the sheilings or cot houses of the humblest of the peasantry.

* State Papers, Henry VIII., vol. v. Part 4, p. 345. † *Ib.* vol. v. Part 4, p. 366. ‡ *Ib.* vol. v. p. 370.

It has been represented by a recent historian that Henry the Eighth, instead of being a monster of cruelty, was a most just, humane and wise ruler, and that he was severe only when forced by necessity. But we see by these reports that no position was too humble to escape his vengeance or vindictiveness. The poor labourers had no share in the political sins of the Lords of the Council, and a humane King would have given orders to spare them, if only in consideration of their poverty and insignificance. But not so Henry: There was no pity or mercy shown in the instructions he gave; nor can it be pleaded that his officers exceeded their commission, for every aggravation of cruelty they committed in carrying out their orders was faithfully reported to the King, a sure proof that such tidings would not be displeasing to him.

The perpetrators of these outrages returned to London towards the close of the year, and were received by King Henry with all the gracious expressions of approval their distinguished services demanded, and by way of reward he granted to Lord Evers and the other leaders of the expedition all the country they should conquer in the Merse, Teviotdale, and Lauderdale. This, however, was going a little too far. The Earl of Angus whose lands formed part of this handsome, but premature grant, swore that if they dared to come and take possession, he would write the deed of investiture on their skins with sharp pens and bloody ink. Evers and his colleagues cared nothing for such threats, and rendered confident and arrogant by their former successes, they came northwards again early in the following year, in order still more effectually to subdue the Borders:—They talked indeed of conquering the whole country from the Cheviots to the Forth,—and meant to take possession of the broad lands their generous Sovereign had bestowed upon them.

The aspect of affairs had somewhat changed during these few winter months. Henry's wanton destruction had been intended partly to punish the Scots, and partly to intimidate them, and he hoped by this means to attach to his interest by fear those who could not be won by favour, but in this he showed his ignorance of the character of the Scotch, who had never shown any disposition to kiss the hand that oppressed them. The sufferings they endured roused anew all the fierce hatred towards England, which was never far from the surface in the breast of a Scotch Borderer; and the news of this second invasion inspired them with the most determined feeling of resistance; while some of Henry's most assured partisans returned to their true allegiance, and even Angus, who had

been in league with England for fifteen years, became again a Scot when his lands were given to reward the oppressor of his country.

The possessions of Sir Walter Scott of Buccleuch had received a considerable share of attention from the invaders during the previous incursion; and his flocks and herds and many horse loads of plenishing carried off to increase the wealth of the English spoilers. He had never given any assurance that he would serve the King of England, and it was most important that he and his powerful following should be secured. It was hoped the lesson he had received would prove salutary, and that he might now be found more conformable to Henry's views. A meeting was arranged between Lord Wharton and Buccleuch; the latter anxious in some way to avert a recurrence of the horrors of the past season, and willing, even by a little concession, to conciliate the English commissioner, whose only desire was to persuade him to transfer his allegiance to England. Wharton told him that all the dwellers in the Debateable Lands were sworn to serve King Henry, and he pointed out to him that it would be better to follow the example of his neighbours and live at peace with them, 'otherwise, in brief time,' he said, 'they will do you no little damage and destruction, and if you serve his Majesty ye may be sure there is none in authority in Scotland who will dare annoy you in Teviotdale.' Buccleuch said he had come to discuss what could be done to put an end to the war, and not to talk of going over to the enemy, but he saw how it was 'they would have him "sing the shameful carol," and to avoid the utter destruction of his house, seek the the favour of England.' The conference broke up without Buccleuch giving any definite answer;* and within a week or two he was able to show, at the Battle of Ancrum, in what contempt he held the overtures that had been made to him.

Evers and Latoun had returned to Scotland with a force of 5000 men, of whom about 700 were renegade Scots, wearing the red badge on their arm, the distinguishing mark of their servitude to England. They were chiefly the Turnbells, the Armstrongs, and others of the broken clans of Liddesdale and Ewesdale, men well accustomed to the work of pillage and destruction. They ravaged the country with even more than their former barbarity; burned a tower called Broomhouse, with its mistress, an old and noble lady, and her family inside, and searched the woods, and killed all the fugitives they found there.

* Burton's 'History of Scotland,' vol. iii. p. 239.

They revisited Melrose, plundered the village, and still further defaced the beautiful abbey, and with wanton destructiveness, ransacked and destroyed the tombs of the Douglases, including that of the noble hero of Otterburn. The Earl of Angus was not far off, and when the news was brought to him of the desecration of the tombs of his ancestors, he swore to avenge the insult, and that speedily. The English had left the smoking village and the despoiled Abbey, and, laden with plunder, were marching southward towards Jedburgh, when Angus, with a body of about a thousand horse, followed them from Melrose, but hesitated to make an attack on account of the inferiority of his numbers. The English halted on a level plain above the village of Ancrum, and did not seem disposed to advance further, being probably unwilling to cross the river while the enemy were so near.

Angus took up a position on the brow of Penielheugh, a hill just overlooking Ancrum Moor. Here he watched, in moody and impotent wrath, the movements of the enemy, apparently preparing to encamp, and awaited the arrival of reinforcements, for which messengers had been sent. In a short time he was joined by Norman Leslie the Master of Rothes, with 1200 lancers; and soon after Sir Walter Scott of Buccleuch came up with the news that his followers were within an hour's march. According to Buchanan the whole success of the battle was due to the skilful tactics of Sir Walter Scott. Angus, acting on his advice, withdrew from the hill-top, and placed his forces on the level plain behind, where they were concealed from the enemy; then dismounting, and sending the camp boys with the horses to a slight eminence in their rear, they ranged themselves in order of battle.

The English observed the Scots withdraw from the hill-top, and seeing the horses disappearing over the crest of a further hill, imagined the enemy was in full flight. Unaware of the reinforcements received, and anxious only that the retreating enemy should not escape, they dashed after them in careless disorder. Reaching the top of the hill, with horses considerably blown, and the infantry breathless, they found, to their astonishment, the largely augmented forces of the Scots drawn up in compact lines right in front of them. A heron, disturbed by the troops, rose from the marsh and sailed away over-head, when Angus, whose spirits had risen at the prospect of revenge, cried gaily, 'Oh that I had my gay goss hawk, that we might all yoke at once.' The English charged at once, but were driven back with great slaughter; and

the 700 Borderers, who were in the English ranks, tore the red crosses from their arms, and turned their weapons against their former comrades. The leaders made a gallant stand, but they could not prevent the total rout which quickly followed; and the English flying in all directions, the country people, with what weapons they could get hold of, joined in the pursuit, and even the women followed crying for vengeance, and calling on their husbands and relatives to remember Broomhouse, no mercy being shown to such as fell into their hands. Eight hundred were killed, and a thousand taken prisoners, and the joy and satisfaction of the Scots was unbounded when they found among the slain the bodies of their hated oppressors, Evers and Latoun. Among the prisoners was an Alderman of London named Read, who had refused to pay his share of a benevolence which Henry VIII. exacted from the citizens of London, and as a punishment for his contumacy he was sent to serve in the wars against the Scots.* The lesson he received would, no doubt, make him a more submissive subject, for his ransom cost him a good deal more than the benevolence would have done. The Scots recovered a great quantity of spoil which the English were carrying off, besides all their camp furniture. Local tradition tells that a woman took part in this battle, and fought so valiantly as to win the admiration of all who saw her. She was called the 'Maid of Maxton,' a village a mile or two distant, which had been burnt and harried by the English; so the maid had probably private and personal wrongs to avenge, the memory of which animated her courage and nerved her arm. The tradition goes, that she was killed in the action, and a stone was erected over the grave at Lilliard's Edge, near the scene of the battle. The stone is now broken and defaced, but the inscription, which was quite legible about the beginning of the century, ran

'Fair Maid Lilliard lies under this stane,
Little was her stature, but great was her fame,
Upon the English loons she laid mony thumps,
And when her legs were cultit off she fought upon her stumps.

The humorous exaggeration of the lines is suggested by the popular traditions regarding the prowess of the women, who, maddened by the wrongs they had endured, rose against the fugitive English soldiers.

The news of the defeat his forces had sustained, and the death of the two

* Ridpath's 'Border History,' p. 563.

celebrated leaders were received by Henry with feelings of great anger and mortification. He was deeply incensed at the part Angus had taken in the battle, and upbraiding him for his ingratitude, threatened to let him feel the weight of his resentment. Angus answered defiantly, 'Is our brother-in-law offended because, like a good Scotsman, I have avenged upon Ralph Ever the defaced tombs of my ancestors; they were better men than he, and I ought to have done no less; and will he take my life for that? Little knows King Henry the skirts of Kernetable. I can keep myself there against all his English host.'*

The following passage from Leyden's 'Scenes of Infancy' is in allusion to the Battle of Ancrum:—

'From Ala's banks to fair Melrose's lane,
How bright the sabre flashed o'er hills of slain.—
I see the combat through the mist of years—
When Scott and Douglas led the Border spears,
The mountain streams were bridg'd with English dead;
Dark Ancrum's heath was dyed with deeper red;
The ravag'd Abbey rung the funeral knell,
When fierce Latoun and savage Evers fell;
Fair bloomed the laurel wreath by Douglas placed
Above the sacred tomb by war defaced.
Hail, dauntless chieftain! thine the mighty boast,
In scorn of Henry, and his southern host
To venge each ancient violated bust,
And consecrate to fame thy fathers's dust.'

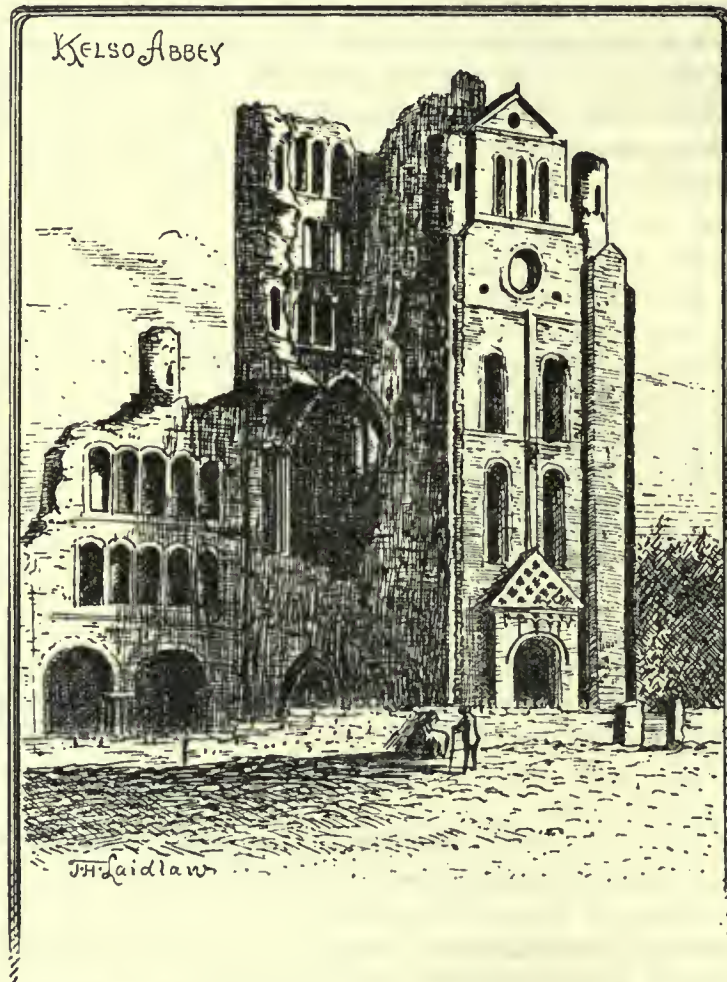
The victory gained by the Scots at Ancrum Moor was not followed by any permanent good result to them. It procured them a few months' respite, raised their drooping spirits for the time, and restored their confidence in themselves, but they had also roused the ire of their implacable and powerful enemy, who could not brook opposition.

Hertford was again sent to Scotland to avenge the deaths of Evers and Latoun. He marched at the head of a large army composed chiefly of foreign mercenaries, whom he judged better suited to his purpose than Englishmen, who could not be depended on to execute the deeds of wanton destruction expected of them in this mission. The English Borderers, Hertford remarks, will not willingly burn their neighbours.† Their reluctance might not proceed

* Tytler's 'History of Scotland,' vol. v. p. 383.

† State Papers (Henry VIII.), vol. v. p. 523, and Burton's 'History of Scotland,' vol. iii. p. 24.

from humanity so much as from fear that they might be exhausting the mine from which they hoped to dig valuable ore for themselves, or, perhaps, it occurred to them that the Scotch might levy a heavy indemnity for all this destruction on their barns and sheepfolds across the border.



The expedition set out in the month of September, just after the harvest had been gathered in, Hertford thinking this the best time; for he wrote, 'the corn being then ripe and shorn, by reason thereof we shall have the better opportunity

to destroy the same, which will be no little annoyance to them, and cause them to live in the more penury all the year after.* The work of devastation then recommenced with greater severity; the 'shells' and houses which had been rebuilt were again burned down, and the abbeys once more spoiled by the sacrilegious hands of Hertford's mob. Kelso was one of the first places visited, and on the 11th September 1545, an attack was made on the abbey, in which were about one hundred persons, including twelve monks. The besiegers opened fire, and a breach being soon made, the soldiers rushed in, but found the garrison had retired to the strong square tower of the church, part of which is still standing. Here again the assault was continued till night coming on the besiegers were obliged to desist. About a dozen of the Scots, favoured by the darkness, got out of the tower by means of ropes, and succeeded in making their escape. In the morning the attack was renewed, the tower quickly taken, and all the Scots within slain.

It had been proposed to fortify the conventual buildings, and place an English garrison therein, but this Hertford found could not be done, the materials at hand not being suitable, and he therefore resolved to raze and deface the buildings, 'so as the enemy shall have little commodity of the same.' Making Kelso his headquarters, he sent out parties to devastate and burn the country round. In a despatch dated from Kelso, he wrote, 'tomorrow we intend to send a good bande of horsemen to Melrose and Dryburgh to burn the same, and all the corns and villages on their waye, and so daylie to do some exploytes here in the Mershe, and at the end of the said five or six days to remove our campe and to march to Jedworth to burn the same, and thus to marche through a great part of Tyvydale, to overthrough their pyles and stone houses, and to burn their cornes and villages.†'

As this programme was ruthlessly carried out, the raid was quite as destructive as any which had preceded it. There was not so much spoil carried off, for the simple reason that there was little left to take, but a great quantity of corn was burned; for it had been an abundant harvest. Hertford reported that they had

'burnt and destroyed suche a deale of corne, as well in townes and lying in the fieldes, as also hidde in woodes and caves, that the Scottes seye them selves, that they were never so brent scourged and punished in no journey, and that they receyved not half so moche losse and detryment by the last journey that was made to Edinburge as they have don by this. Surely the country is very fayre, and so good a corne country

* State Papers, Henry VIII., vol. v. p. 492.

† *Ib.* vol. v p. 515.

and such plenty of the same, as we have not seen the more plenteous in England: And undoubtedly there is brent a wonderful deale of corne, for by reason that the year hath been so forward, they had done moche of their harvest, and made up their corn in stackes about theyr houses, or had it lying in shocks in the fields, and none at all left unshorn, the burnyng whereof can be no little ymperishment to them, besides the burnyng and spoil of their houses; as when the journey is ended, we shall make your majesty a full declaration of the whole.' *

The 'declaration' followed in due course, stating that they had burned and destroyed seven monasteries and friars' houses, sixteen castles and towers, five market towns, two hundred and forty-three villages, thirteen mills and three spittals, and had laid all the country waste on the Tweed, the Teviot, the Jed, and neighbouring districts. Hertford adds, 'we wolde lytell have thought to have found so fayre a country in Scotland.' †

It has been generally supposed that the destruction of the Border abbeys was due to the religious zeal of the Scotch reformers, but Hertford saved them the trouble, by reducing these noble edifices to ruins five years before the Reformation in Scotland, and they now remain very much as he left them, except that nature, with loving and graceful touch, has clothed the smoke-blackened walls with bright green mosses and other forms of beauty, and hung the shattered towers and broken arches with ivy.

Hertford having laid the Borders waste, and done all the injury he could, found himself at last subdued by a foe of his own creation—hunger. Having burned the corn and destroyed all the food in the district, he was obliged to retire, because no provisions could be procured wherewith to sustain his army. The condition of the poor country people left behind was pitiable in the extreme. Their dwellings burned or pulled down, and famine staring them in the face. Like the Israelites of old, 'they had *cleanness of teeth* in all their cities, and want of bread in all their places.'

The deplorable plight in which the Borderers were placed, excited general commiseration, and the government found it necessary to render assistance to those who had suffered most severely. ‡ It was also decided that a body of a thousand horse should be stationed on the Borders for the defence of the realm against 'our auld innymies of England,' and that they should be maintained by a general tax of £16,000 over the whole country.

In 1546 about a year after Hertford's last raid on the Borders, Henry

* State Papers, Henry VIII., vol. v. p. 523.

† *Ib.* p. 515.

‡ Register of the Privy Council, vol. i. p. 19.

VIII. died. On his deathbed he earnestly urged that the war with Scotland should be continued, and expressed his opinion that the Scots would at length be compelled to consent to the marriage. Hertford was made Duke of Somerset and Lord Protector of the Kingdom in the name of his nephew Edward VI. He resolved to carry out the wishes of his late master, and soon set about collecting forces for another invasion. The Scotch being, as Wharton said, 'reduced to great beggary' by the long wars and the great losses they had sustained, the English thought they could make but feeble resistance, and by one decisive blow they hoped to have them at their mercy.

Meanwhile rumours of the Lord Protector's purpose reached Scotland, and Arran, the Governor, began to make preparations for the defence of the country. A proclamation from the Governor and the Lords of the Council was issued, warning the people that their 'auld inemies of Ingland are in reddyne with a navy of Inglis schippis to come and invade the realme, and to land upon sum partis of the samin and to birne, herry, slay, and destroy the liegis of the samin, lik as they have done in times by-past;' therefore, all men between the ages of sixteen and sixty were commanded to hold themselves in readiness to assemble on eight days warning for the defence of the realm. The people were also forbidden to flee from their homes on the approach of the enemy; for it was thought more expedient that every person, both in burgh and landward, should 'remain and dwell at his awin house, and nocht to remove himself or his gudis thairfra, because my Lord Governor is determit and declairs that he will defend this realme and liberty thairof, and *wair** his life thereupon, with the help of God, and the noblemen and subjects of the same.†

Again carefully choosing their time, immediately after harvest in September 1547, an English army, consisting of 15,000 men, crossed the Border and marched direct to the capital, and the fleet sailed for the Forth. The result was the battle of Pinkie Cleuch, where the Scots sustained a disastrous defeat. After their victory, the English devastated all the neighbouring districts on both shore of the Forth.

The Scots, though smarting under their crushing defeat, were as obstinate as ever regarding the alliance, and Somerset, though victorious, was baffled in the object he sought to attain. He was determined, however, to secure some permanent advantage. He had long entertained a project to maintain an

* Spend.

† Register of the Privy Council, vol. i. p. 73.

English garrison in some of the strongholds on the Scottish Border, for the purpose of keeping the district in subjection, and he thought the opportunity favourable for carrying out his design.* With this object he surrounded Hume castle, which was held by Lady Home in the absence of her lord, who was lying dangerously wounded in Edinburgh. Somerset had no time to waste over a siege, and by a cruel expedient he forced the lady to give up the fortress. Her eldest son was a prisoner in the English camp, and Somerset ordered him to be brought bound in front of the castle, and threatened to hang him before his mother's eyes if she did not instantly surrender. Lady Home, though a brave woman, was no Spartan mother, and the castle was delivered up. Leaving a body of men in Hume castle, Somerset next proceeded to the ancient castle of Roxburgh, which, though then in ruins, he thought might be easily strengthened and repaired, and made suitable to receive a garrison. The gaps in the walls were filled with turf, a trench was dug and a wall erected, and so anxious was Somerset to have the work completed as quickly as possible, that he himself laboured at it with his own hands, most of his officers following his example, and in a week the castle was ready for occupation.

The English had made another destructive raid on the west Border simultaneously with the invasion from the east, when they took Castlemilk, burned Annan, destroyed the church and steeple, which had been stoutly defended, overran and harried Annandale, Nithsdale, and Galloway, and compelled most of the inhabitants to take the oath of fealty to Edward VI.

Not long afterwards, however, Wharton with 3000 men, was defeated in a raid in the same district, when the assured † Scots in his army, like those at Ancrum Moor, tore the red badges from their arms, and deserting the English, joined their own countrymen.

While he remained on the Borders, Somerset received the submission of many of the leading men on the east Marches, who, in order to secure the protection of England for themselves and their followers, and avert further calamities, took the oath of fealty to Edward VI.‡

The Earl of Bothwell proposed to deliver up the castle of Hermitage to Edward VI., on condition that the Duke of Somerset would find him a wife in

* State Papers, vol. v. p. 454.

† Scots who had sworn allegiance to the English King, or had entered his service, were said to be in the assurance, or under the protection of England, and were called the 'assured Scots.'

‡ Ridpath's 'Border History,' p. 387.

England, and suggested the Lady Mary, or the Lady Elizabeth, the King's sisters as suitable; or, if his Grace would allow him a hundred soldiers, he would not only deliver up the castle, but become King Edward's servant.*

Buccleuch had not given in his submission when Somerset was on the Borders, but some pressure was brought to bear upon him, and about two months later, on 21st November 1547, Grey writes to Somerset that he had letters from Buccleuch offering to serve his Majesty. Grey appears to have had doubts of Buccleuch's sincerity, for on the 5th of January following, he writes to Somerset that he will show himself a vigilant and cruel enemy to the Laird of Buccleuch if he breaks faith with him.† Grey's suspicions were well founded; Buccleuch remained obstinately opposed to English influence, and a week later Grey fulfilled his threat by attacking 'Buccleuch's house at Newark,' burning the town, and seizing 3000 sheep and 400 cattle.‡ The punishment of Buccleuch was a matter of considerable importance, and Grey appears to have received special instructions on the subject from Somerset, who apparently wished to have him taken prisoner. He reports on the 25th January that he had appointed Sir Oswald Wolstropp, Knight, with three hundred light horsemen, to remain at Jedburgh, and on the Lord of Buccleuch repairing at any time to his house at Newark; he intended to beset the same until a greater power should come, and he hoped to starve Buccleuch into surrender, and present both him and the house to the Lord Governor.§ Two days afterwards, on the 27th January 1547-48, Lord Grey as Lieutenant, Lord Wharton Warden of the west March, and Sir Robert Bowes, Warden of the middle March, when addressing Somerset from Warkworth, reported that nothing could be done at Branxholme except the winning of the castle, and that that was impracticable without cannon.¶

It is quite clear that the English had no portable artillery; they, therefore, did not attack Branxholme, but made a most destructive foray on the Buccleuch lands.

On the 9th of February, Grey wrote to Somerset from Warkworth, the following account of a journey lately taken by

* Sir Rauffe Bulmer, Sir Oswald Wolstropp, Bagshott a servant of mine (Greys) with haebutters on horseback, etc., and others that lay at Jedworth, and some of the footmen at Roxburgh, which company

* Calendar of State Papers, Scotland, vol. i., Edward VI., p. 67.

† *Ib.* vol. iii., No. 3.

‡ *Ib.* No. 12.

§ *Ib.* vol. iii., No. 22.

¶ *Ib.* No. 23.

took their journey on Sunday* late at midnight towards Hawycke and comyng within a myle of the same, put forth a forrey who ranne up the water of Slettricke and burned the townes and houses that thereafter be named, as Hoble Knowes (Hummelknowes) Gallelande (Hillisland) being Clement Crosers, Whyghtlaw, and Lytle Whetlawe the Larde of Bowcloughes. Thornebogg, Marten Crosers, Askerknowe (Acreknowe), Cokes, John Crosers, Torne, Wenerton and Fouleraue being the Larde of Gledstones. All which townes houses and corne war burned to the harde grounde by the forrey. The towne of Hawick was also burned by the footmen both houses and corne save only the towars of stone which they colde not gett, they burned a towar of a Prestes called Sir James Yonge, who did resiste and shott ii. hackebuttess att he footmen, which Priest was burned in the towar and tenne other with hym, there were also slayn in Hawick ii men. They burned in Hawick a house of the Lorde of Bucloughess, and a fyne bed of Flanners making, at wch burnyng one Wyllm Skott cam in and yelded his house and so have him prysonner. They burned in Hawick iii towers of stone. John Crosyer with above xxx others of the best sorte thereawayes are taken prysoners, also there war gotten xxiii score shepe, goats iiiixx (80), note (nolt) six score wch they imparted more largely to that countreyth men, thereby increase there desyres to serve.'

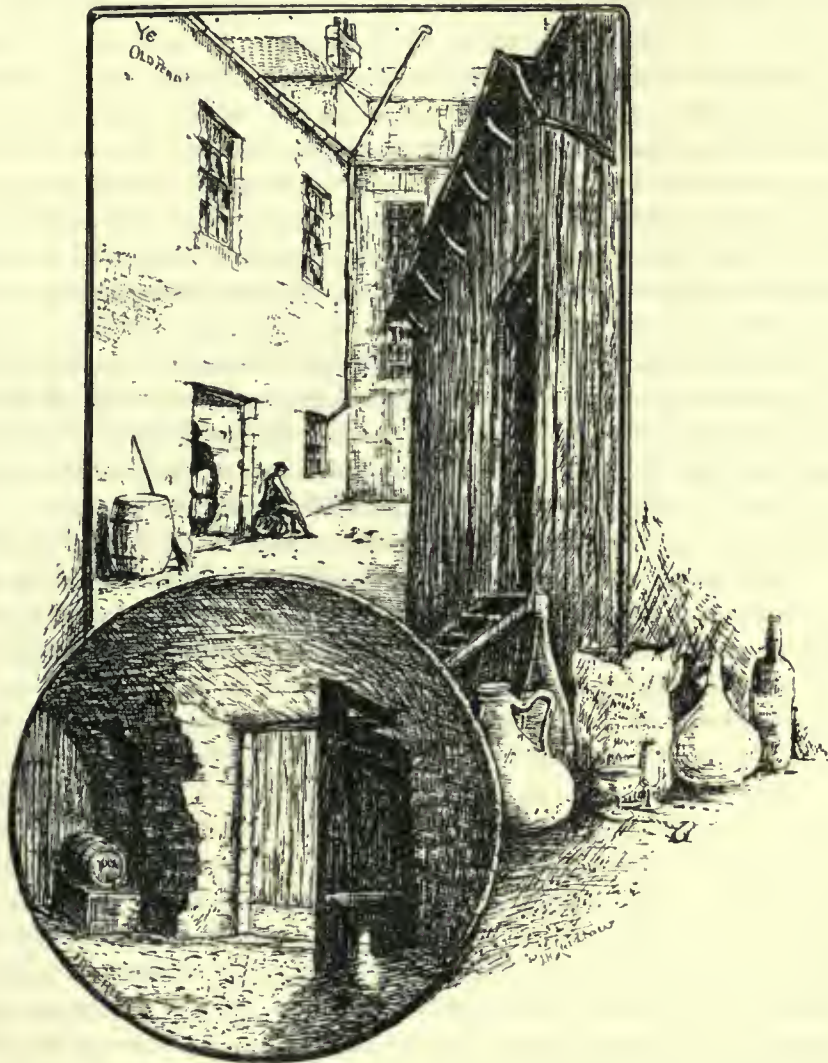
The towers of stone referred to, were the strong pend houses, as they are called, which were built at the different Ports for the defence of the town, and on opposite sides of the street at right angles to each other. These pend houses were of the same construction as the Peel towers, which were common in country districts. The walls were of great thickness, sometimes about half the space on which the house stood was occupied by its walls. The ground floor consisted of a low vaulted chamber called the pend. The only access to the upper floor was by an opening about two feet square in the centre of the arched roof, and through this aperture the inmates ascended by means of a ladder, which could be drawn up after them, and the space covered by a strong wooden door, or sometimes by a flat stone. The vault on the ground floor was also secured by a door fastened by a bolt held by iron staples. There were small narrow windows set in the thick walls, and the roofs were covered with thatch. These houses were calculated to offer a stout resistance to attack, and could not be overthrown except with powder, or with a very great amount of labour. When the town was burned, the pend houses were little the worse except for the doors and the thatch, which were easily restored. It would appear that Buccleuch possessed a house in Hawick; but it must not be confounded with the Baron's Tower, which belonged Drumlanrig.

The feud between the Scotts and the Kers had never been healed, but had

* This must have been Sunday the 3d, as Grey's letter was dated the 9th, which was a Saturday.

The above interesting account of the burning of Hawick has never before been in print. It was extracted from the MSS. in the Record Office, by Mr Armstrong, author of the *History of Liddesdale*, and communicated by him to W. Elliott Lockhart, Esq. of Borthwickbrae, to whom the writer is indebted for it.

been in abeyance during the late disastrous years, when they united to resist a common foe. In obedience to an order of the Lords of the Council in 1545, Ker of Cessford, Ker of Fernihirst, Douglas of Cavers Sheriff of Teviotdale on



the one part, and Walter Scott of Branxholme and Trumble of Bedroul, Cranston of that ilk, Turnbull of Mynto and others on the other part, bound themselves,

with all their kin, friends and followers, to suspend all hostilities, and not to injure each other, that they shall be 'unhurt, unharmit, unpersewit, and untroublit, athir of them by utheris in thair persons, lands, rowmes, possessionis, and gudis, induring the tyme of this present weir betwix the realms of England and Scotland,' excepting that they reserved the right to pursue by civil action in the law courts. They also bound themselves to be loyal to the Queen and her authority, to exert themselves against their English enemies, whom they were never to assist in any way, but oppose to the utmost of their power, and uphold the freedom and independence of Scotland with their lives.* There was nothing heard of the feud for the next two years; but after the battle of Pinkie, the Kers broke faith by taking the oath of allegiance to Edward VI., frequently visited the English garrison at Auld Roxburgh, and were believed to be in league with Lord Grey against Scotland.

In October 1548 Walter Ker of Cessford, John Ker, and Mark Ker of Fernihirst, were apprehended by the order of Arran, the Governor of Scotland, and committed prisoners to Edinburgh Castle. It was suspected by the Kers that Buccleuch had given some information which caused their arrest, and it was probably for this reason that the feud broke out with renewed fury.

Immediately after the arrest of his kinsman, Andrew Ker, brother of Cessford, rode to Roxburgh, and setting forth his complaint against the Scotts, desired Lord Grey to make a foray on their lands. This Lord Grey very willingly agreed to, for it was politic to espouse the quarrels of the assured Scotts, especially when directed against one so obnoxious as Buccleuch.

The Kers, with a large body of English, set out on their expedition in October 1548, and 'coming to the water of Aill they burned, pillaged, and destroyed the corn, goods, and houses of the inhabitants, pertaining to Walter Scott and his friends.' On the Monday following, Lord Grey and the Kers again set out and burned, harrit, and destroyed the town of Hawick, and all the towns, manses, and steadings on the waters of the Teviot, Borthwick, and Slitrig, belonging to Sir Walter Scott. About a week later they burnt, harrit, and destroyed on the waters of Yarrow and Ettrick, every place belonging to Buccleuch. The Dowager Lady Buccleuch was living in the tower of Catslack, which the Kers surrounded, set fire to it, and burned the old lady to death. She was one of the Kers of Cessford, aunt or grand aunt of the leader of the Kers, but the fact that she

* Register of Privy Council, vol. i. p. 22.

was the mother of Buccleuch obliterated all ties of kinship. Selkirk also received a visit from these ruthless spoilers, who burned and harried the town for no other reason than that Buccleuch was Provost. They likewise burned the castle of Newark, killed four of the servants, and burned a woman inside the tower.

Walter Scott took legal proceedings against the Kers for these cruel outrages, and they were summoned to appear before the Lords of the Council to answer for their crimes, but burning and spoliation were of such common occurrence that the case excited very little notice.

In 1550, after peace was restored and the English expelled from Scotland, the Earl of Arran 'the Regent of Scotland' came to the Borders to see what could be done to improve the condition of those who had been harassed and plundered during the wars, and he restored their lands and privileges to those who had been deprived of them. In order to provide for the maintenance of peace and good order, he placed responsible persons in charge of the various districts. Sir Walter Scott, his son William and nine others, all of the name of Scott save one, bound themselves to do their utmost to help and cause to be kept good rule and tranquillity within their bounds. They undertook to prosecute and punish all who should break the law, and also to seize and bring to justice all criminals seeking refuge within the lands over which they held jurisdiction. In the spring of the following year, Buccleuch was invested with still greater powers. He was made Governor-General and Justiciar of all Liddesdale. He was to hold her Majesty's justiciary courts, either at Hawick or Branxholme, with full powers to punish transgressors, and to proceed against offenders as he should deem expedient. He was also invested with the office of Warden of the middle Marches of Scotland, with full authority for summoning courts, appointing judges, and so on. He did not long enjoy these offices of trust and honour, for in less than two years he was murdered by the Kers. Whether the Kers had received any fresh provocation or not cannot be ascertained, neither is it known whether the murder was a pre-meditated act of revenge, or a sudden impulse suggested by a favourable but accidental opportunity. On the night of the 4th of October 1552, Sir Walter Scott, alone and unattended, was walking quietly down the High Street of Edinburgh, when he was attacked by a party of the Kers and their friends. They rushed suddenly upon him, and allowed him no opportunity of defending himself. Hume of Coldenknows thrust his sword through his body, calling to Ker of

Cessford to strike for his father's sake. He then cast the body into a booth saying, 'lie there with my malison, for I had rather gang by thy grave nor thy door.'

Two servants of the Kers passing soon afterwards, and finding him not quite dead, struck him three or four times through the body, stripping him of his cloak and bonnet, which they carried off. They were met and questioned by the Bute Herald, to whom they replied that there was 'ane lad fallen,' a circumstance apparently of such small consequence, that the Herald gave himself no further trouble about the matter.

Cessford and his accomplices were able to procure horses and make their escape from Edinburgh before it was known that the 'lad' who had 'fallen,' was no other than the chief of Buccleuch. A man who held an honoured position in the government of his country, whose word was potent for life or death on the Borders; who was both respected and feared, whose name was associated with many brilliant warlike deeds, who had been staunch and true to his country when many had been false; a brave man and a powerful chief, had been foully murdered by cowardly assassins, and flung into the booth from which the affrighted huckster had fled at the noise of strife. The body of the murdered knight was brought to Branxholme, and was buried in the church of St Mary's at Hawick.

' In sorrow o'er Lord Walter's bier
The warlike foresters had bent;
And many a flower, and many a tear,
Old Teviot's maids and matrons lent,
But o'er her warrior's bloody bier
The Ladye dropped nor flower nor tear;
Vengeance, deep-brooding o'er the slain,
Had lock'd the source of softer woe;
And burning pride and high disdain
Forbade the rising tear to flow.'

The Lady Buccleuch was not one to sit down and weep womanly tears over the bier of her slaughtered Lord. To nurse schemes of revenge was more consistent with her stern character. Nor would she have feared to execute vengeance with her own hand. Shortly after her husband's death, she rode at the head of an armed body of two hundred Scotts to the Kirk of St Mary of the Lowes, in Yarrow, and broke open the doors of the church, and seized the Lord

of Cranstoun, who had in some way incurred her displeasure. She was accused before the Justice of this exploit, but by a warrant of the Queen the proceedings against her were stayed.*

She was a daughter of John Beatoun of Creich, and a cousin of the well known Cardinal Beatoun. She is thus described in the 'Lay of the Last Minstrel,'

'Of noble race the Ladye came,
Her father was a clerk of fame,
Of Bethune's line of Picardie.
He learned the art that none may name,
In Padua, far beyond the sea.
Men said, he changed his mortal frame
By feat of magic mystery.'
'And of his skill, as bards avow
He taught that Ladye fair
Till to her bidding she could bow
The viewless forms of air.'

She enjoyed the dangerous and evil reputation of dealing with the occult mysteries of witchcraft, and was supposed, by this means, to have influenced Queen Mary's attachment to Bothwell. Froude calls her the infamous Lady Buccleuch. As was to be expected, the murder of their chief roused more fiercely than ever the feud between the Scotts and the Kers, and a feeling of enmity filled the breast of every Scott, from the Lady to the humblest of the clan. It was not forgotten how the Kers had brought in the English to lay waste the possessions of the Scotts, or the cruel death they had inflicted on the aged mother of their late Lord, and they were marked out for vengeance. The Kers were declared rebels, and their sentence of outlawry was rigidly enforced, and the clan was reduced to great hardships.

A petition was presented to the Governor and Council, signed by the Kers of Cessford, Fernihirst, and the Hirsell, praying for some remission of their sentence. Their houses, possessions and goods had all been seized, and they had nothing wherewith to sustain themselves and their families, unless they stole and plundered; and being 'at the horn' they dared not resort to their friends, but lay in the woods and fells, their enemies daily sought and pursued them, so that none dared for fear of their lives come to kirk or market, and unless there was

* Fraser's 'Scotts of Buccleuch,' vol. i. p. 123.

some compassion shown them, they and theirs would be brought to perpetual ruin.*

In answer to this petition the Council remitted the sentence of outlawry, but those directly implicated in the murder of Sir Walter Scott received a sentence of banishment. And further, it was enacted that one or two gentlemen of the Kers, who were the Queen's loyal liegemen, should raise from their kin and friends one hundred horsemen well furnished, to go to France with the general, along with others to be raised in the realm; the Scotts, their friends and allies, being excepted.

It was obviously the object of the Council to put an end to the feud by separating the contending parties, and the exception of the Scotts was a wise precaution. Had any of them joined the expedition it would only have removed the scene of their hostilities from Scotland to France.

In reference to this wretched feud, Sir W. Scott writes—

‘ Can piety the discord heal,
Or staunch the death-feud's enmity?
Can Christian love, or patriot zeal?
Can love of blessed charity?
No! vainly to each holy shrine,
In mutual pilgrimage they drew,
Implored in vain the grace Divine,
For chiefs, their own red falchions slew,
While Cessford owns the rule of Carr,
While Etrick boasts the line of Scott,
The slaughtered chiefs, the mortal jar,
The havoc of the feudal war,
Shall never, never be forgot.

An allusion is made in these lines to the bond entered into between the Scotts and the Kers in 1530, to perform a mutual pilgrimage to the four principal places of devotion in Scotland, viz., Scone, Dundee, Paisley, and Melrose, to pray for the souls of such of the other party as had fallen in the battle at Melrose.

* ‘Scotts of Buccleuch,’ vol. i. p. 119.

CHAPTER VIII.

Fierce as the wolf, they rushed to seize their prey,
The day was all their night, the night their day,
Or, if the night was dark, along the air
The blazing village, shed a sanguine glare.
Theirs was the skill, with venturous paece to lead
Along the sedgy marsh, the floundering steed.
To fens and misty heaths conduct their prey,
And lure the blood-hound from his scented way.'

LEYDEN.

'Wha daur meddle wi' me,
And wha daur meddle wi' me ;
For my name is little Jock Elliot,
And wha daur meddle wi' me '

BORDER BALLAD.

THE murdered chief of Buccleuch was succeeded by his youthful grandson, his eldest son Sir William Scott of Kirkurd, having died a few months before his father. The eldest son of the late knight of Branxholme, who was known by the soubriquet of 'Whitecloak,'* had been associated with his father in all the exploits which distinguished his later life, and in the determined hostility which he bore towards England. He made frequent raids across the border, sometimes in company with his father, at other times by himself, at the head of his retainers and friends. In a letter from the English Warden to Henry VIII. he is thus mentioned,†

'As touching the state of your Grace's Borders, the same continueth in such terms as in my former letters I have advertized your Majesty, and our neighbours of Scotland hath done but little harm unto us since the death of their king. But this day I was informed that the Lord of Buccleuch's son was yesterday, in the morning, within your Grace's realme, with an hundred horses, but they had no leisure to carry neither prisoner nor booty away, and since that he hath begone, I trust his father and he to, shall repent it, or it be long.'‡

In the presence of the Lord Governor and the Parliament which met at Linlithgow in 1545, Sir William Scott, and other Border proprietors, took the burden upon themselves, their kin, friends and retainers, setting aside their private

* Satchells.

† State Papers, vol. v. p. 241.

‡ *Ib.* vol. v. p. 241.

feuds and causes of quarrel, 'to concur together' against their enemies of England, and to resist all Scots traitors, and thieves from rieving and stealing within the realm ; to join together at all frays and followings, by night or by day, to take part with all others assured, that they would do no injury to each other.' Those who failed to keep these engagements were to be held guilty of 'perjury and infamy, and of never being reputed an honest man, nor admitted into honest company, but to be held odious and abominable, as breakers of their faith.'

This assurance was signed by Walter Ker of Cessford, Wylzem Scott, John Ker, John Rutherford of Hunthill, Nychol Rutherford of Hindole, and Wm. Douglas.

By a bond of man-rent, dated 1549, granted to Mary, Queen Dowager of Scotland, Sir William Scott bound himself 'to do such service as she should require of him to the uttermost of his power, for advancing the authority and liberty of the realm, and also in all her Graces affairs, against her enemies whomsoever, and especially against the auld enemies of England, and all others, their partakers and defenders, disturbers of this realm.'

Sir William's name also appears with his father's and eight others of the name of Scott, along with Robert Elliot of Redheugh, in a bond they entered into in 1550, to assist the Regent in maintaining good rule on the Borders. It may be remarked, that with the exception of Sir Walter Scott and his son, none of the subscribers could write their names, which were adhibited for them by a notary public.

Sir William Scott died at Branxholme at the early age of thirty-two. He married Grissel Beatoun, a sister of his father's third wife, and left a son and three daughters. This son, who was only three years of age at the time of his father's death, inherited his grandfather's title and estates a few months later.

It is this youthful chief that the 'Last Minstrel' describes, as he 'pursued his infant play' in the hall at Branxholme, among the retainers of his house—

' A fancied moss-trooper the boy,
The truncheon of a spear bestrode,
And round the hall right merrily
In mimic foray rode.'

It need hardly be said that Sir Walter Scott does not aim at historical fact in the 'Lay,' though it deals in the main with historical persons. Nor is the description of Branxholme Hall intended as a true picture of the household of a Border Baron of the sixteenth century.

‘ Nine-and-twenty knights of fame,
Hung their shields in Branksomé-Hall ;
Nine-and-twenty squires of name,
Brought them their steeds to bower from stall.
Nine-and-twenty yeomen tall
Waited, duteous on them all ;
They were all knights of mettle true,
Kinsmen to the bold Buccleuch.’

This splendid but exaggerated account of the feudal state maintained by the ‘Barons of Buccleuch’ was doubtless suggested by the following passage from Scot of Satchells ‘Family History’—

‘ The Barons of Buccleuch, they kept at their call,
Four-and-twenty gentlemen in their hall,
All being of his name and kin,
Each two had a servant to wait on them.’

The names of these gentlemen are then given, with the lands they held for their services. Twenty-three of these were Scotts, the twenty-fourth was Walter Gledstains of Whitlaw, described as ‘a near cousin of my lord.’ Among the Scotts was William Scott of Hawick, called ‘Willie of the Moat,’ brother to Walter Scott of Harden, who held the lands outside the West Port of Hawick, where the ancient moat stands. These gentlemen pensioners were not mere appendages to the feudal state and dignity of the chief. It was an absolute necessity in these times of violence that a Baron should be surrounded by stout and loyal vassals, who were devoted to his service. His castle walls might be high and massive, but his security and chief dependence was placed on the strong arms and trusty swords of his faithful retainers. The number and strength of his following was the criterion of the power of a feudal Baron. Hence his pride in his armed retainers, whose service rendered his position secure, while his protection was the reward of their service. ‘Bellenden,’ the gathering cry of the Scotts, could summon three thousand men to follow the banner of Buccleuch whenever and wherever required. The chief of the Scotts owned a very large tract of country in Upper Teviotdale, in Ale Water, in Ettrick Forest, and Selkirkshire, besides extensive possessions on the Kale, the Bowmont, and in the parish of Eckford, near the country of the Kers. The late Lord of Buccleuch had been appointed by the Abbot of Melrose, Bailie of Melrose, an office which was frequently accepted by the neighbouring barons on behalf of religious houses, for

the purpose of protecting the monks and defending their monastery against all hostile attacks, and managing their lands for them. For this service Sir Walter Scott had received from the Abbot of Melrose grants of the lands of Northhouse and Thirlstane.

It was unfortunate when the chief of a numerous clan was a child, and the duties and responsibilities of his position devolved upon his next-of-kin, who not being the actual head of the house could not command the same unquestioning obedience. The circumstances under which the young chief of the Scotts succeeded to his inheritance were peculiarly disastrous. The murder of their Lord was doubtless felt as a personal injury and indignity by the whole clan, which the humblest member felt himself bound to avenge, whenever opportunity offered, not only on the murderers themselves, but on every individual of their name and kin. Thus the feud with the Kers had broken out with increased fury, till the Kers were obliged to appeal to the Lords of the Council for protection against the violence of the Scotts.

An entry in the Register of the Privy Council of Scotland affords a curious glimpse of the legal procedure of the 16th century, and shows that the punishment of crime was sometimes a question of expediency, rather than of impartial justice. The question of the 'cruel and odious slaughter of the umquhile Sir Walter Scott, was brought before the Queen and Council, and was made the subject of discussion, the point at issue being whether it were best 'to punish the offenders with rigour or accept their offers.' After mature deliberation it was decided that 'in consideration of diverse inconveniences that might follow in case the cruel slaughter were punished, that they should be spared, and resave them in the Lord Governor's will to do as he shall think expedient for the common weal of the realme.'*

Twelve years passed, the expatriated Kers had returned from France; but the feud raged with undiminished fury, and threatened to end in mutual annihilation. The heads of the opposing clans, began to see that it was imperative that something should be done to effect a reconciliation. Sir Walter Ker of Cessford, acting for himself and Walter Scott of Buccleuch through his curators, entered into a bond, which included the principal members of their respective clans, with their families, that neither they nor any of their kin for whom they became bound, should pursue each other, nor any comprehended in the contract, criminally nor civilly, for any slaughter committed in time past, nor move action,

* Register of Privy Council of Scotland, vol i. p. 140.

nor bear hatred on that account, but should bury the same in perpetual oblivion, and live in perfect amity in all time coming.'

It was, however, provided that Sir Walter Scott should be free to act as he thought fit in regard to Sir Thomas Ker of Fernihirst, and others of the clan, who declined to take part in the agreement, though required by the Laird of Cessford to do so. By that contract it was also arranged, that for the more sure removing of all enmity betwixt the contracting parties, Sir Walter Ker of Cessford should present himself on a given day, at the Parish Kirk of St Giles in Edinburgh, and there, in the forenoon, in sight of the people assembled for the time, reverently on his knees, ask God's mercy for the slaughter of Sir Walter Scott of Branxholme, and in like manner ask forgiveness of Sir Walter Scott and his friends, who should be present, and thereafter promise in the name and fear of God, that he and his friends should truly keep their part of the contract, and should stand true friends to Buccleuch and his friends in all time coming.

Buccleuch promised to accept this submission, and in the fear to God to remit his grudge, and never remember the same.*

In order to secure still more effectually the quenching of the feud, and the establishment of peace between the clans, contracts of marriage were entered into between the son of Ker of Cessford and the sister of Scott of Buccleuch, and also between Ker of Fawdonside and Janet Scott, aunt of Buccleuch.

These individuals were all under age at the time of the agreement, but in the event of the death of one or other of the contracting parties, it was provided that a brother or a sister respectively should be substituted; but, notwithstanding all precautions and provisions, they managed to evade their obligations, for the marriages never took place.

It is a singular fact that Sir Thomas Ker of Fernihirst, the only one of the Kers who was excluded from all these bonds and contracts, and would do nothing to promote a reconciliation, was, after all, the one by whose marriage the families of the Scotts and Kers were united. The charms of Janet Scott, the sister of Sir Walter Scott of Buccleuch, effected what no arguments on the part of kin or friends could do; and Sir Thomas Ker at last took the hand of Buccleuch in friendship, and the feud, as far as these two were concerned, was dropped out of remembrance, and they became firm friends and companions in arms.

* Fraser's 'Scotts of Buccleuch,' vol. i. p. 133.

When the treaty of peace between England and Scotland had been signed, one of the first questions which engaged the attention of both countries was the division of the Debateable Lands. The district so named extended from the Solway Firth eastward, for ten miles towards Liddesdale, where it was bounded by the rivers Esk and Liddle. It varied in breadth from two to four miles, and comprehended the parishes of Canonbie in Scotland, and Kirk-Andrews in England. This large tract of country, which lay on the borders of both kingdoms, was under the jurisdiction of neither. Both nations laid claim to all, or portions of it, but these claims had never been adjusted, and had been the subject of dispute for many years. This Debateable Land had become the refuge and haunt of broken men and outlaws, who having fled from justice, found a sanctuary in a district over which neither the English nor the Scotch Sovereign could exercise any authority. Holding all sorts of legal procedure in defiance, they openly made thieving and violence their daily occupation, to the great loss and annoyance of the surrounding country.

It had been proposed to get quit of these 'noisome neighbours' by extermination, and Lord Dacre, by command of Henry VIII., wasted and destroyed the whole of Canonbie. But the thieves soon crept back to their old haunts, rebuilt their huts, and resuming their old habits, levied contributions on their neighbours, and were no whit improved by the castigation they had received.

But the depredations committed was not the only evil caused by these robbers and outlaws. Which country was responsible for their outrages had frequently been the subject of dispute between the respective governments of England and Scotland.

If their ravages were committed on Scottish territory, they could claim to be under English jurisdiction, and to demand redress from the English Warden was to admit this claim, and virtually cede the Debateable Land to England.

In the same way they could rob in England and shelter themselves under the wing of Scotland, while all the time perfectly independent of both countries, and they would join themselves to maurauding bands of either nation, as it suited their interest or convenience. This state of things grew to be such an intolerable annoyance, that at last it was agreed to divide the Debateable Land.

The Lords of the Scottish Council in 1552, considering the 'atemptatis committit upon our Souerane Lady's puir leiges by thevis and utheris malefactoris, broken men, and the diverse murtheris and slaughteris committit be

thaim in tyme bygane, and specialie be the inhabitants of the Debatabill Land, quha nichtlie, day, and continualie rydis and makis quotidiane reiffis and oppressionis upon the puir, and in lykmaner, all evill douris and faltouris resortis to the Debatabill Land, and quhatsumever falt thai commit thai ar welcum and ressett be the inhabitants thairof, and assistis and takis plain part with theif and tratour in their evil dedis, and na trew man offendit can git remeid, nor na trespassour can be put to dew punischment: The Debatabill Land and the inhabitants thairof, has been thir mony yeirs the occasioun of weris, and ay has beine the principall brekaris of the peace.* The Lords of the Council therefore decided that it was better the land should be divided, and they accordingly appointed Commissioners to meet with the English Commissioners for that purpose. The Commissioners for Scotland were Lord Maxwell, The Earl of Cassillis, Sir James Douglas of Drumlanrig, and the Justice-Clerk (Bellenden). In arranging the settlement, the Commissioners were to be guided by their own judgment, and seeing that it was essential that the question should be decided, they were not to let minor difficulties stand in the way. With the exception of the lands of the Priory of Canonbie, which they held belonged to Scotland, and were therefore not to be under discussion, they were given the fullest powers to divide the land as they deemed expedient. The mode of division was a very simple one, a line being drawn across the disputed territory, as will be seen by the annexed copy of a plan drawn by Henry Bulloch at the time, and engraved in the third volume of the 'National Manuscripts of Scotland.' The matter was not settled without some difference of opinion. The Scots drawing the line considerably to the south, and the English to the north of the ultimate boundary finally agreed upon, which extended from the Sark on the west to the Esk on the east, and was marked by stone pillars bearing the arms of England and Scotland, and placed on the north and south sides respectively.

The division of the Debateable Land could not be expected to have any reformatory influence on the inhabitants of the district, which still, as in 'tymes bypast daily nurist ane great cumpany of thieves and tratours, to the great hurt and skaith of the honest liegis.' There was now, however, less difficulty in dealing with the thieves, for the boundary line between England and Scotland being definitely fixed, it was clearly understood how far the jurisdiction of the Wardens of each country extended, consequently people were no longer in doubt

* Register of the Privy Council, vol. i. p. 119.

as to whom they should apply for redress when an outrage was committed, or on whom rested the responsibility of pursuing and punishing the thieves.

It may be interesting to notice that Sir James Douglas of Drumlanrig, who was one of the Commissioners appointed to arrange the division of the Debateable Lands, was the 'generous donor' who bestowed the common lands upon the burgh of Hawick. He was Warden of the West Marches in room of his nephew, the Master of Maxwell, who had resigned his office on the ground that it was too burdensome. The Castle of Lochmaben was lent to Drumlanrig for the convenience of his office.* Though Drumlanrig was Lord Superior of Hawick, and took his second title from the town, he appears to have had little personal intercourse with the people of the district. His principal estates being in Dumfriesshire, his name is more frequently found in conjunction with the Maxwells and the Johnstones, than with the Scotts and the Kers of Teviotdale.

In the earlier part of the reign of Queen Mary, the minds of the people of Scotland were occupied with the great struggle of the Reformation. The Roman Catholic party, backed by French influence, resisted the spread of the new doctrines with all their strength. But the Protestant party obtained the support of Queen Elizabeth, and continued the struggle with steady faith and unflagging energy, till it resulted in the complete triumph of John Knox and the reformers, and in 1561 when the young Queen returned from France, she found the reformed faith firmly established in her dominions.

While the great religious controversy proceeded and absorbed public attention, the Liddesdale clans, perfectly indifferent to the creed of either Church, were pursuing their old nefarious trade with unabated rapacity and violence and

' Stole the beeves that made their broth,
From England and from Scotland both.'

While it was absolutely necessary to check their inordinate excesses, it was impolitic utterly to crush them, since their usefulness during a war with England could not be forgotten or ignored; therefore, the task of maintaining order in Liddesdale was one of very great difficulty.

During any great national struggle, when the reins of government were held with a slack hand, the thieves always became more daring and reckless, and a raid into Liddesdale to execute judgment on them was the necessary

Register of the Privy Council, vol. i. p. 143.

and invariable sequel to the settlement of all national quarrels or political difficulties.

The executive power was not at all times strong enough to exercise a steady restraining influence on these rebellious subjects, and for generations the supreme authority had been manifested in a spasmodic intermittent fashion; a period of laxity succeeded by a period of great severity, when hanging, drowning, and general spoliation forced the thieves into obedience. Then as the authority was gradually relaxed things fell into their old way, increasing laxity on the part of the government leading inevitably to greater temerity on the part of the thieves, till the culminating point of iniquity had again been reached, and another raid, with its summary punishments, spread terror over the district. But the thieves do not appear to have been deeply impressed with the majesty of the law. Its vengeance was a thing to be expected and endured like the storms of winter, but to avert it by any change of conduct on their own part was a course which did not occur to them.

Those who suffered from the depredations of the thieves found that redress by legal process was both slow and uncertain, and they preferred to seek revenge and indemnification for themselves. Each clan might be called a confederacy for mutual defence, and the chief considered it his duty to protect the life and goods of the humblest of his name.

The ballad of 'Jamie Telfer, of the fair Dod-head,' is a spirited description of the harrying by the Border rieviers of Jamie Telfer's kye, and the subsequent raid to recover the stolen property. It was first published by Sir Walter Scott in the 'Minstrelsy of the Scottish Border,' and is described as an ancient Border ballad, but the editor does not say from what source he obtained it. It is doubtless one of these poetical traditions long current on the Borders, which were orally transmitted from generation to generation, and which, from their metrical form, were easily preserved in the memory. In the absence of any evidence of its real antiquity, but judging from the style and language of the ballad its date as a composition can hardly be older than the beginning of the eighteenth century. It may have been founded on an older one, but it has none of the characteristics of the more ancient ballad literature. The event which it recites may be placed about the year 1550, and the 'gude auld Lord' of Buccleuch referred to must have been the same who was killed in the streets of Edinburgh, as to none after his time could the title 'auld' apply, till after the Union, when, of course, the

condition of things was completely changed, and stolen goods were recovered, and thieves punished in a legal and formal manner.

Another proof that the event recorded in the ballad occurred about 1550 is that the 'gude auld Lord' bade them call on Willie his son. Now, at that time, Sir William Scott was associated with his father in all his exploits, and the recovery of 'Telfer's kye,' was an expedition either of them would have undertaken with great willingness. The Dodhead, Sir Walter Scott says, is in Selkirkshire, but a study of the ballad will show that this is a mistake, because to reach Stobs, where Jamie Telfer first applied for assistance, he would have had to pass Branxholme and Harden. The whole description tends to prove that Jamie Telfer's habitation stood in a little upland valley, a few miles above Stobs, where the streams trickle down the hillsides and unite to form the Dod burn, a tributary of the Slitrig. Any one running for assistance would naturally go to Stobs first, as it was nearer than Branxholme, and a much more reasonable distance to 'run afoot' than from Selkirkshire. The historical accuracy of the ballad cannot, of course, be depended upon, but there can be no reasonable doubt that it related to a real event which, allowing for some exaggeration of details, may be accepted as a fair picture of the marauding expeditions which were so common in the sixteenth century. We extract a few passages—

' It fell about the Martinmas tyde,
When our Border steeds get corn and hay,
The Captain of Bewcastle hath bound him to ryde,
And he's ower to Tividale to drive a prey.

“ What tidings, what tidings, my trusty guide?
Nae tidings, nae tidings, I hae to thee ;
But gin ye'll gae to the fair Dodhead
Mony a cow's cauf I'll let thee see.”

' And when they cam to the fair Dodhead,
Right hastily they clam the peel,
They loosed the kye out, ane and a',
And ranshacked* the house right weel.

* Ransacked.

Upper Teviotdale and the Scotts of Buccleuch.

' The sun wasna up, but the moon was down,
It was the gryming * of a new fa'n snaw,
Jamie Telfer has run ten myles a-foot
Between the Dodhead and the Stobs's Ha'.

' And when he cam to the fair tower yate
He shouted loud, and cried weel hie,
Till out bespak auld Gibby Elliot—
" Whae's this that brings the fray to me? "

" " It's I, Jamie Telfer o' the fair Dodhead,
And a harried man I think I be !
There's naething left at the fair Dodhead
But a waefu' wife and bairnies three."

" " Gae seek your succour at Branksome Ha',
For succour ye'se get nane frae me?
Gae seek your succour where ye paid black mail,
For, man! ye ne'er paid money to me."

' Jamie has turned him round about,
I wat the tear blinded his e'e,
" I'll ne'er pay mail to Elliot again,
And the fair Dodhead I'll never see! "

Jamie then turned to Teviot-side, and coming first to Colterscleuch, where auld Jock Grieve mounted him on a bonny black horse. He next proceeded to the house of another friend called 'William's Wat,' who called out—' Oh whae's this brings the fray to me? '

" " It's I, Jamie Telfer o' the fair Dodhead,
A harried man I think I be !
The Captain o' Bewcastle has driven my gear,
For Godsake rise, and succour me."

" " Alas for wae! " quoth William's Wat,
" Alack for thee my heart is sair !
I never cam by the fair Dodhead,
That ever I fand thy basket bare."

* Sprinkling.

' He's set his twa sons on coal-black steeds,
Himsell upon a freckled gray,
And they are on wi' Jamie Telfer,
To Branksome Ha' to tak the fraye.

' And when they cam to Branksome Ha',
They shouted a' baith loud and hie,
Till up and spak him auld Buccleuch
Said—"Whae's this brings the fraye to me?"

" ' It's I, Jamie Telfer, of the fair Dodhead,
And a harried man I think I be !
There's naught left in the fair Dodhead,
But a greeting wife, and bairnies three."

" " Alack for wae ! " quoth the gude auld lord,
" And ever my heart is wae for thee,
But fye gar cry on Willie my son,
And see that he come to me speedilie.

" " Gar warn the water, braid and wide,
Gar warn it sune and hastilie,
They that winna ride for Telfer's kye,
Let them never look in the face o' me.

" " Warn Wat o' Harden, and his sons,
Wi' them will Borthwick Water ride,
Warn Gaudilands, and Allanhaugh,
And Gilmanscleuch and Commonsie."

.
' The Scotts they rade, the Scotts they ran
Sae starkly and sae steadilie,
And aye the ower word o' the thrang,
Was " Rise for Branksome readilie."

Ere long they came up with the kye, but the English would not give them up peaceably, and defied their pursuers. Then Willie Scott the leader of the party gave the word for the attack—

' Then til't they gaed, wi' heart and hand,
The blows fell fast as bickering hail,
And mony a horse ran masterless,
And mony a comely cheek was pale.

Upper Teviotdale and the Scotts of Buccleuch.

' But Willie was stricken ower the head,
And throw the *Knapsap** the sword has gane,
And Harden grat for very rage,
When Willie on the grund lay slain.

' But he's tain aff his gude steel cap,
And thrice he's waved it in the air,
The Dinlay snaw was ne'er mair white
Nor the lyart locks of Harden's hair.

' " Revenge ! Revenge !" auld Wat gan cry,
" Fye lads lay on them cruellie,
We'll ne'er see Teviotside again
Or Willie's death revenged sall be.

' O mony a horse ran masterless,
The splintered lances flew on hie,
But on they wan to the Kershope ford,
The Scotts had gotten the victory.'

The captain was severely wounded and taken prisoner. The Scotts then proceeded to Stanegirthside, where the captain dwelt, and his byres were broken open, and his kye driven back along with Jamie Telfer's, and —

' When they cam to the fair Dodhead,
They were a welcome sight to see,
For instead of his ain ten milk kye,
Jamie Telfer has gotten thirty and three.

' And he has paid the resale shot,
Baith wi' gowd and white monie,
And at the burial o' Willie Scott,
I wat was mony a weeping ee.'

This graphic and picturesque account of a border fray, contains some inaccuracies which proves that it was written when such adventures were things of the past.

'Rise for Branksome readilie' was never the gathering cry of the Scotts. 'Bellenden' was well known over all the Borders as the rallying cry of the followers of Buccleuch. But when it was no longer necessary to muster the clan in warlike array, it might easily be that the word which conveyed the summons

* Headpiece.

of the chief was forgotten. The Liddesdale peasantry had probably never heard of 'Bellenden,' and the poet invented a rallying cry, which occurred to him as probable. Nor was it possible for any one in Jamie Telfer's station to have paid the rescue shot either in 'gowd or white money,'—coin of any kind was exceedingly scarce on the Borders in the sixteenth century, and even Buccleuch himself might have had some difficulty in producing gold and silver money for any sudden emergency. But the rapid warning of the clan, and the ready alacrity with which they set out to rescue their neighbours' gear, was a true picture of these stirring times. Such exploits were cherished in the memory of the people, and idealised by the poet long after the events themselves had receded into the dim and distant past.

It must be borne in mind that distance was necessary to bring out the picturesque features of such exploits, they were rough and prosaic enough to the people to whom they were an ordinary experience. There was little romance in having all one's possessions carried off, and having to rescue them at the risk of a bloody encounter. The aggressors were not always like 'the captain of Bewcastle,' from the other side of the Border. The Elliots, the Armstrongs, and the Croziers made constant 'herschips' on their neighbours. Nor were the depredators confined to the members of the Liddesdale clans, 'Wat o' Harden,' the redoubtable hero of the ballad, was a Border laird of good standing, who is said to have lived on stolen beef from one year's end to the other. According to tradition, when the larder was empty, a dish containing a 'clean pair of spurs' was placed on the table as a hint that it would be necessary to ride for the next meal. Harden's Peel stood on the brink of a steep bank, overlooking a narrow and deep glen, in the recesses of which the stolen cattle were sheltered.

Shortly after Queen Mary's return from France, her attention was directed to the state of the Borders, and to the excesses which had reached the iniquitous maximum calling for special repressive efforts. In 1563 the Queen sent her half-brother James Stewart, whom she had created the Earl of Murray, to Jedburgh, armed with full powers, to proceed against the thieves, and to punish them as he thought fit. He summoned the nobles, freeholders, and fighting men, of the nearest counties, to attend him, and passing into Liddesdale, he took and burned several of their strong houses or peels; hanged twenty-two of the most noted thieves, and took forty of them prisoners to Edinburgh to be tried there.*

* Calendar of State Papers, Scotland, vol. i. p. 182.

In the month of November of the same year, he made another raid on the Borders. Acting on information he had received, he approached Hawick by a sudden and rapid march, and with his soldiers surrounded the town. It was the winter fair day, and the thieves were there in great force, but whether for purposes of plunder, or to dispose of their stolen cattle and goods does not appear. Probably the latter, for Hawick enjoyed the reputation of being a great centre of crime, where 'men who had been publicly outlawed walked abroad, deriding the terrors of justice.' *

The presence of the thieves in Hawick on this eventful fair day was therefore nothing unusual.

There was a sudden panic and commotion when the Earl of Murray appeared in the market place and caused a proclamation to be made forbidding any citizen, on pain of death to receive or shelter a thief. Fifty-three of the most noted outlaws were apprehended, and eighteen of them were drowned in a deep pool at the confluence of the Teviot and the Slitrig. This mode of punishment, which was not unusual, was adopted because of the lack of 'trees and halters.' Six more were hanged in Edinburgh and the others were either acquitted or imprisoned in the castle. This necessary severity had the effect of terrifying the people into sudden quiet, and the Borders enjoyed a short season of tranquillity.

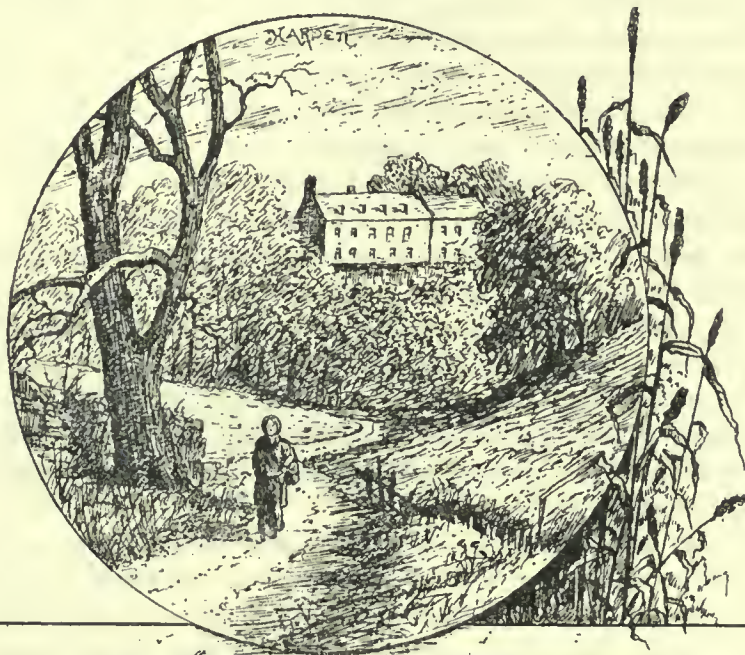
The inhabitants of Teviotdale and the middle Marches generally appear to have had themselves to blame, in a great measure for the disorderly state of the district, for they would take no active part against the thieves, and seemed rather to encourage and propitiate them.

In 1564 Sir Walter Ker of Cessford, who was then Warden of the middle Marches, appealed to the Queen and the Lords of the Council, because the barons, and freeholders of the district would not attend the days of 'trew,' that is the March meetings, for settling disputes, etc., nor support him in the duties of his office, in maintaining order and good rule within his bounds, he complained that they 'abstract thair presence, makes na service bot in a maner lichtlies and esteemis the said Sir Walter of na gritter power nor ony uther common man, nochtwithstanding that he is her hienes officer and Warden, and occupys her place and authority in that part.' † By the authority of the Council, a proclamation was made at the market crosses of Jedburgh, Kelso, Hawick and Selkirk, warning 'all

* Tytler's 'History of Scotland,' vol. vi. p. 302.

† Register of the Privy Council, vol. i. p. 282.

and sindry, baronis, landitmen, gentlemen, and freeholders, and substantial yemen,' to attend the Warden when summond, and give him their assistance and support in the discharge of the duties of his office, and in case of negligence or



failure to attend on the days of 'trew,' they would be liable to be punished by imprisonment at the pleasure of the Queen.*

* Register of the Privy Council, p. 283.

In 1562 the Queen and Council summoned the chief members of the clans of the Kers and the Scotts, for the purpose of bringing their influence to bear on them for the healing of the feud, and inducing them to unite to quell the disturbances on the Borders. The young chief of Buccleuch was a boy of thirteen or so, and the matrimonial projects for the staunching of feud had not been propounded. The heads of the respective clans agreed to refer all disputes and causes of offence between them to arbitrars, whose decision they should accept, so that 'friendship, might continue among them in all time coming, and that the service of the Queen's grace may be done, as becomes true subjects.'

In the meantime, they faithfully undertook, that 'ilkane of them alsweill, Scott with Ker, and Ker with Scott sall ryise, with utheris to all frayis and forrowis, and persew the theives, takaris of ather of thair gudis, as alsua of the gudis of the uther cuntra folkis, liegis of this realme to the recovering of the same, at the utermost of their power; and sua to pass ryid, and gang saiflie and suirlie throw uthers boundis, without danger or trouble, and gif ony of them fails therin, they sal be reknyt as participantis with the saidis thievis and broken men,' and shall be punished as the Queen and Council may judge expedient.* A full reconciliation was effected shortly afterwards.

The feud with the Kers was no sooner at an end than the Scotts were at variance with the Elliots, the most powerful of the Liddesdale clans next to the Armstrongs. Their possessions were on the north-east part of Liddesdale, nearest to Teviotdale, and the country of the Scotts. Martin Elliot of Braidlie, was the leader of the clan at this time, and he had 600 men under his command. The Elliots and the Scotts had been on terms of the greatest amity, and in the time of the late Lord of Buccleuch, the Elliots followed his banner in all great emergencies, but some cause of quarrel had arisen which occasioned a deadly feud. This is supposed to have been the slaughter of the Laird of Hassendean, which was committed by William Elliot of Horselyhill, and several accomplices, who were pursued by the Laird of Buccleuch as Queen's Advocate to answer for their crime on the 21st of October 1564.†

Randolph, the English ambassador at the Court of Queen Mary, mentioned in a letter to Queen Elizabeth's secretary that he expected the Lords of the Council to be engaged all the next day, 'upon a great matter of controversy about a murder committed by the Elliots upon certain of the Scotts.' For this and other

* Register of the Privy Council, vol. i. p. 215.

† Pitcairn's 'Criminal Trials, vol. i. pp. 2, 456.

crimes, five of the Elliots were condemned, and three of them were taken to the Castle Hill by torch-light, and there beheaded.*

The feud between the Scotts and the Elliots raged with increased bitterness after the trial in Edinburgh, and in the following spring the Elliots attacked the Scotts and killed a number of them, burned their houses, and carried off their goods and cattle. These disturbances on the Borders received secret encouragement from Sir John Forster, the English Warden. It was part of his policy to foster dissension and strife among the Scotch Borderers, because, as he shrewdly remarked, 'the more they quarreled among themselves, in better quiet shall we be.' The Elliots who were the chief depredators, sought the protection of England, and their advances were favourably received by the Queen, and their outrages regarded as good service done to England. Acting under instructions therefore, Forster declined to aid the Scottish Warden to keep order, or to obtain redress for injuries, though bound to do so by the treaty made at the division of the Debateable Lands.

Robert Elliot of Redheugh had been appointed deputy keeper of Hermitage castle in 1563, under an engagement to receive therein 'all malafactouris, to be kept suirlye,' under the command of the Earl of Bothwell, and to deliver the castle to Queen Mary when required, under a penalty of 5000 merks, Douglas of Cavers being his surety. The loyalty of Elliot of Redheugh was never called in question. Martin Elliot of Braidlie offered to deliver the castle of Hermitage into the hands of Queen Elizabeth, † but this offer was not accepted; it was not in accordance with Elizabeth's policy to commit such an open breach of faith with Scotland; so though she commended Braidlie's zeal for her service, she declined to accept this proof of his devotion. A war with Scotland did not seem a very remote contingency at that period. After Mary's marriage with Darnley, at which Elizabeth was much displeased, the sweet cousinly letters between the two queens had ceased, and there was no longer a pretence of cordiality between them. Complications on religious and other questions had arisen, and were assuming a dangerous aspect. The Earl of Murray was at the head of a party opposed to the Queen, and it almost seemed as if civil war was imminent. The English Ambassador, wrote to the Earl of Bedford at this crisis, urging him to let the English Borderers loose on their Scotch neighbours, and so keep them employed,

* State Papers, vol. ix. Scot., Elizabeth.

† Register of the Privy Council, vol. i. p. 24c.

which he said would cause the Queen and Darnley great distress.* But Queen Elizabeth was cautious, and had no desire to precipitate matters, and she declined to take the initiative in open hostility; but she judged it prudent to encourage the Elliots in their excesses, and even rewarded them with large sums of money for their more notable exploits. They committed such devastation that the Scotts were obliged in self-defence to ask permission of the Council to take the law into their own hands, so to speak, and to take their revenge on the Elliots whenever they could find opportunity; whereupon as a contemporary says, 'they are fallen into such disorder as they do daily, ride and make spoil, the one party upon the other.'

In 1565 the Elliots, to the number of 300 made a great raid on the country of the Scotts, and burned and destroyed everything for ten miles round Branxholme, and killed many men besides women and children. In the same year the Earl of Bedford wrote to Queen Elizabeth's Secretary, Sir W. Cecil, that 'the Brodies have done great things of late in the burning of a town called Hawick, and are therefore to be considered.'† The 'Brodies' here referred to were probably the followers of Elliot of Braidlie. There was no clan so named on the Borders, nor was there any English raid reported that year; nor indeed any considerable marauding expedition, except that led by Elliot of Braidlie against the Scotts. Their depredations extended for ten miles around Branxholme, and must have included Hawick, which is within four miles. There is little doubt, therefore, that it was Elliot of Braidlie who was recommended to the liberality of Queen Elizabeth. It was, and still is the practice on the Borders to call a laird or farmer by the name of his estate or holding, and the 'Brodies' may have meant 'Braidlie's,' or Braidlie's followers. The orthographical mistake is easily accounted for, as proper names were spelt in a great variety of ways, often very wide off the mark. Braidlie and his followers received a hundred pounds—a large sum in those days—at Bedford's suggestion; and no doubt they were identical with 'the Brodies' who were to be 'considered' for having burned 'a town called Hawick.'

Next summer the Elliots again attacked the Scotts, and carried off great plunder. The Scotts quickly mustered, and set off in pursuit. They reached a place called Ewisdore, in Ewesdale, where four hundred men were lying in

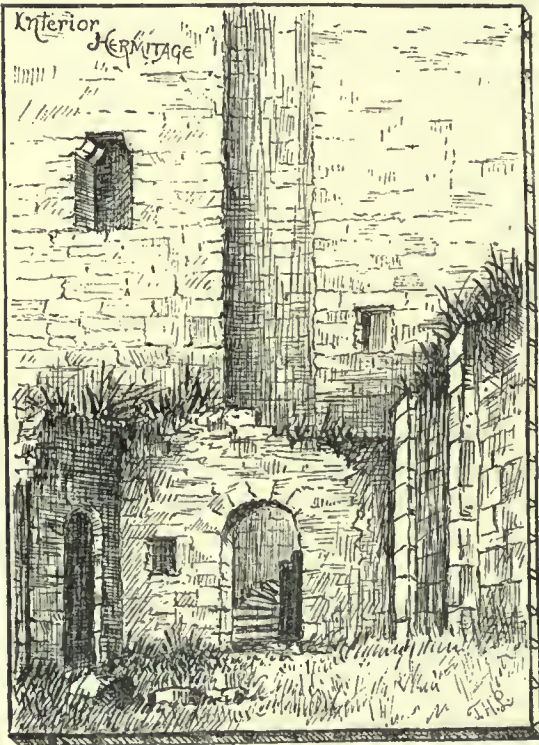
* Tyler's 'History of Scotland,' vol. vii. p. 2.

† Illustrations of Queen Mary's Reign. Maitland Club.

ambush, while the other party decoyed them thither. A sharp encounter ensued, when the Scotts, who were far inferior in numbers, and being taken by surprise, were completely defeated, a number of them were slain, and sixty taken prisoners. The Elliots were highly elated with their victory, for besides gratifying their own private revenge, their exploits were warmly commended by the Earl of Bedford, and at his suggestion they received a reward of an additional £50, and a promise of as much more if they continued to acquit themselves as they had been doing. In all these reprisals and transactions it is impossible to over-estimate the clever diplomacy of the Elliots, who obtained high commendation and substantial rewards for only fighting in their own quarrel, which they would have done in any case. These outrages had the effect which the English desired, of seriously harassing the Borders. As the English Warden declined to interfere to put an end to the disturbances, the combatants had no alternative but to fight it out, and settle their disputes with sword and spear. Sometimes one party, and sometimes the other had the best of it. At one time the Elliots were forced to take refuge in England. Shortly afterwards they seem to have become reconciled, for Sir John Forster writes, in the summer of 1566, that the Scotts and the Liddesdale men were now agreed to ride together, and spoil what they could in England. This can only have been a partial and very temporary reconciliation, as Bedford writes the same summer that the Ellwoods (Elliots) hold out well, and work still for the English. These and other disturbances on the Borders induced Queen Mary to hold a court at Jedburgh in person. It was at first arranged to be held in August, but on consideration that the people would be engaged with the harvest at that time, it was decided to defer her Majesty's visit till October, and she accordingly arrived in Jedburgh on the 8th of that month.

A curious circumstance connected with the Queen's presence in Jedburgh is recorded in the Register of the Privy Council. It appears that the good folks of Jedburgh being anxious to make an honest penny out of the Royal visit, or perhaps having the thieving instincts of the Borderers developed in a different way, mulcted their visitors heavily in their charges for 'meat, drink, and lodging.' So much so that complaint was made to the Queen 'of the great exorbitant, derth, rasi, and extorsion usit, upoun the subjectis reparing thairto in her Hienes cumpany throw rasing of the prices of all kynd of viveries, quhairupoun hir Majestie was movit to call befor hir and the Lords of hir Secretit Counsall, the

Provost and baillies of the said burgh, and to inquire of thame how all thingis wer commounlie sauld within the samyn befor hir Majesteis arryving thairto; quhilkis being considerit and conferrit with the prices presentlie standing, hir Majestic and Counsall foirsaid eftir gude avysement and deliberation, statutis and ordanis that during the tyme of the remaining of hir Hienes and hir cumpany within hir said burgh, the pint of gude aill to be na derare sauld nor vd., sixteen



unce of fyne breid for iiii d. Anc mannis ordinar at the melteth, being servit with bruisse beif, muttoun and rost at the leist, xvij., everie hors in stabilse in the xxiii houris iid.— and so on. Any one who infringed these regulations was to be brought before the court then sitting, and ‘puncist with all rigour, as an exempill to utheris.’*

Meanwhile the Earl of Bothwell was sent to Liddesdale with a commission to reduce the disturbances and punish offenders. The thieves being secretly encouraged by the English Warden treated Bothwell with open defiance, and the disturbances were increased rather than diminished. Bothwell had, however, succeeded in taking several prisoners, whom he lodged in the castle of Hermitage. When in hot pursuit of a

party of the Elliots, in the eagerness of the chase he got a long way ahead of his company, coming up with John Elliot of Park, a noted marauder, he drew a ‘dag’ or pistol and fired at him, wounding him severely in the thigh. The wounded man instantly turned on his pursuer, and attacking him with a two-handed sword bore him to the ground, and left him to all appearance dead. Though severely hurt, Bothwell was not killed, and soon reviving was carried to

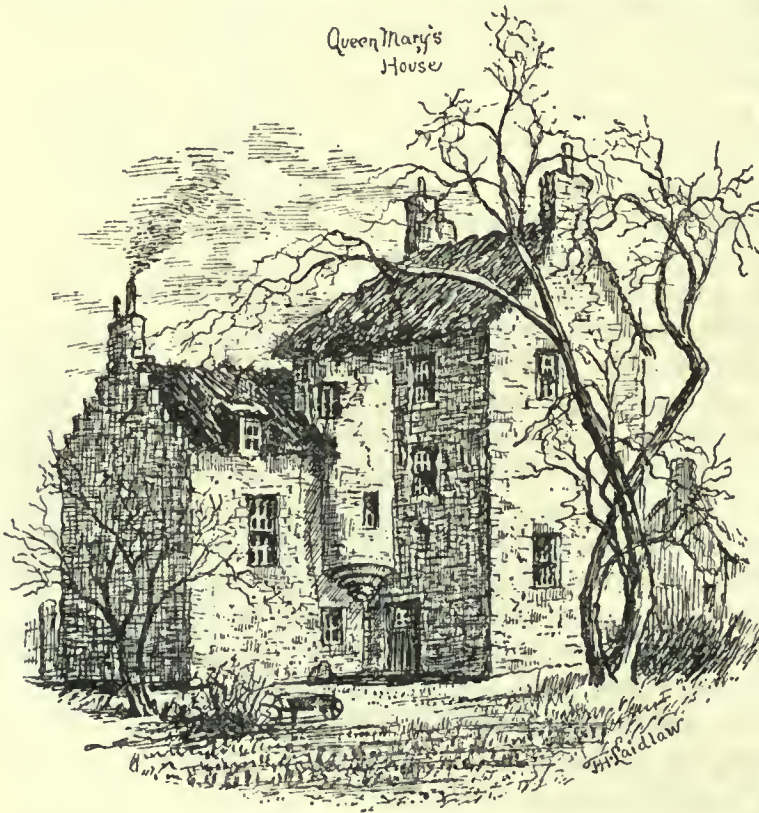
* Records of the Privy Council, vol. i. p. 489.

Hermitage castle. This happened on the 7th of October the day before the Queen arrived at Jedburgh. She came there on the 8th, and opened her court, and was engaged uninterruptedly till the 15th hearing the different cases that were brought before her, and when her business was concluded she, in company with her brother Murray and others of her officers, rode to Hermitage castle. It is a pity for the sake of the unfortunate Queen that John Elliot had not struck a little harder when he was about it, and finished Bothwell, but except for what afterwards took place there was nothing extraordinary in the visit of the Queen to her Lieutenant, who had been dangerously wounded in the execution of his duty, and holding a conference with him on the state of the disturbed district, in the presence of the officers who accompanied her. She only remained two hours at the castle, and then set out on her return to Jedburgh.

The Queen is believed to have travelled by way of Hawick, and tradition asserts that she made a short halt at Drumlanrig's tower, now called the Tower Inn, and a room where she rested for a little was afterwards, and is still called Queen Mary's room. The most direct route was the pass, called the Knott o' the Gate. Though nearer by several miles, it was through a soft boggy country, very dangerous for those not familiar with the district. By Hawick there was firm good ground the most part of the way, and what was of still more importance, it was through the country of the Scotts and others, who were wholly devoted to the interests of the Queen, and on whose fidelity she could rely. Assuming that she travelled that way, she must have ridden by Hawick moor, up the Dod burn to near Priestthaugh, and then entered Liddesdale by a pass at the head of the Braidlie burn, where it was very soft and marshy, and the Queen's palfrey stuck fast, at a place which is called the Queen's mire to this day. A part of a silver spur was found there some years ago, and is believed to be a relic of Queen Mary's disaster. The distance going and coming by Hawick was about forty-five miles, a good long ride certainly, but nothing remarkable for a lady so well accustomed to the saddle as Queen Mary was.

She returned to Jedburgh the same night, and next day she was seized with a dangerous fever. Her illness was said by some to have been caused by the fatigue of her long ride ; but it is more likely that the cause was that assigned by her secretary Lethington, who in a letter to Beaton the Scottish Ambassador in France, ascribed her illness to distress of mind occasioned by the cruel conduct of the King, her husband.

The fever ran its course with great violence for eight days, and her physicians despaired of her life. Mary herself believed that she was dying, and expressed her entire resignation to the will of God, and declared her constant mind to die in the Roman Catholic religion. She touchingly entreated her nobility in case of her death to remain in unity and peace with each other, employing their utmost diligence in the government of the kingdom and the education of her son. To



the great joy of her attendants however, she began to recover, but she seemed herself to have little desire to live, and said often to her attendants that she 'could wish to be dead.' The house in which she stayed when in Jedburgh is still standing. It is situated in a back wynd or lane which runs parallel with the High Street. A large garden extends from the back of the house to the river, and the room occupied by the

Queen looked out upon this garden. The tapestry which adorned the walls is still preserved in the house.

A few months after Mary's visit to Jedburgh, the tragic event which clouded her later life and brought her reign so soon to an end occurred. The murder of Darnley, and the dark suspicion of guilt attaching to the Queen, strongly excited popular feeling against her. Her marriage with Bothwell seemed still further to

increase the disfavour with which she was regarded. Her imprisonment in Lochleven castle, and her forced abdication in favour of her infant son, soon followed. These events and changes drew people's attention from more ordinary incidents, and involved the whole country in fierce party strife.

During these troubles, the disturbances on the Borders increased; for every sign of weakness in the government, and every cause of contention or turmoil was taken advantage of by the lawless clans, who throve on the nation's distresses. The thieves grew bolder than ever, and extended the field of their operations. In April 1567, Forster writes that the Liddesdale men 'had spoiled the town of Biggar, never spoiled before,' and have taken great substance of 'coin, silks, and horses.' They also 'spared not to ride within eight miles of Edinburgh.'

In the following month a proclamation was issued by the Queen and Council, considering the 'great skaith and detriment quhilk the trew subjects of the realme, suffered through the open rieffs, thift, and oppressions committed by the inhabitants of Liddesdale, who besydes the odious crymes abonespecifit, dulie murtheris and staxis the trew liegis in the defence of their awin gudis, in sic sort that diverse gude and profitabill landis are laid waist, and mony honest househalderis constrenit to skaill (to leave) their houssis that the invasion of the saidis rebellis is almaist na les hurtfull to the common weill, nor gif it wer oppin war, with foreign innemeis; and seeing the saidis rebellis ourlukit and winkit at be sic as dwellis maist ewest of thame,' the Queen by the advice of her 'dearest spouse,' James, Duke of Orkney, Earl Bothwell, etc., called forth the force of the 'Incuntries' to suppress the thieves.* But the Queen and Earl Bothwell found their personal troubles accumulate so fast as to absorb all their attention, and the thieves were left to follow their own devices a little longer. Elliot of Braidlie had made a proposition to the Scotch government, that if his offences were pardoned, and a sum of 300 marks given him, he would keep good order on the Scottish Borders from Berwick to Hermitage. His offer was accepted, but he either overrated his power, or did not exert himself, for there was no visible improvement.

In October the same year (1567) the state of the country is thus described in the 'Diurnal of Occurrents':—

'In all this time fra the Queen's Grace putting in captivity till now the thieves of Liddesdale maid greit hirschip on the puir lauboraris of the ground, and that throw wanting of justice, for the realme was sae dewydit in syndrie

* Register of the Privy Council, vol. i. p. 516.

factionis and conspirations that there was na auctortie obeyit nor na justice execute.'

The Earl of Murray had now been appointed Regent of the kingdom, and he issued a proclamation to the forces of the midland counties to assemble with twenty days provisions, and with 'palyeonis (tents) to ly on the feeldis,' for the purpose of invading Liddesdale and punishing the 'rebellious and disobedient subjects there ;' and the provosts, bailies, and inhabitants of the towns of Peebles, Dumfries, Selkirk, Hawick, and Jedburgh, were enjoined to 'prepair and have in readiness, bakin bread, browin aill, horse miet, mannis meit, and other neidfull ludgeing and provision,'* against the 8th of November, the day when the muster was appointed.

The Regent came to the Borders at the date specified, but there is no record of active hostility against the thieves on that occasion. But he issued a proclamation, dated at Hawick,† on the 6th November 1567, wherein, after denouncing the thieves in the usual terms, it set forth that 'diverse subjects of the inland, has taken assurance of the said thieffis, sittand under the same, and payand black mail to them,' and permitted them to rief, harry and oppress their neighbours in their sight without contradiction or stop. They were therefore warned that such trafficking with the thieves was treasonable, and that any one taken along with them would be held partakers of their guilt, and be punished accordingly. They were to give no money to the thieves, neither under the name of black mail nor ransom, nor to assist them in any way whatever. When any company of broken men 'commis over the swyris‡ within the incuntry' all loyal subjects dwelling in the bounds where they resort shall incontinent raise the fray on them, and follow and oppose them, under the pain of being punished as accessory to their crimes.

In May 1568 the Queen effected her escape from Lochleven. Her friends rallied round her, but were defeated at the battle of Langside, and the 'King's party,' with the Regent Murray at their head, were again victorious. Mary relying on Queen Elizabeth's professions of friendship, made her escape to England. Elizabeth had warmly remonstrated against the usage the Queen of Scots had been subjected to, but she was scarcely prepared to defend her cousin on all points, and experienced some degree of embarrassment when Queen Mary

* Register of the Council, vol. i. p. 580.

† *ib.* vol. i. p. 585.

‡ Marshy ground.

threw herself on her protection. Meanwhile all that had happened was the subject of eager and earnest discussion in castle and cottage, in city and hamlet, and party strife was hot and furious; some favouring the King's party, and others through good and evil report were still loyal to the Queen. On the Borders the parties were very much divided. The Kers of Cessford and Faldonside, Turnbull of Mynto, and the Douglasses of Drumlanrig, were adherents of the party of the Regent. Young Drumlanrig, or Sir William Douglas of Hawick, as he was styled, commanded a body of two hundred horse at the battle of Langside against the Queen. The Scotts of Buccleuch and Ker of Fernihirst were as warmly devoted to the Queen's party; in short as a contemporary writer says—'The hail realme of Scotland was sae divided in factions, that it was hard for ony peaciable man as he rode on the high way, to declair himself in favour either of the King or Queen. All the people are casten sae loose, that nane were in account but he that could kill or rieve his neighbour.' About a year after Queen Mary's flight into England the state of matters on the Borders became so intolerable as to call for severe repressive measures. The Regent mustered a force of about 4000 horse and foot, with which he marched into Teviotdale, where Scott of Buccleuch, Lord Home, Ker of Cessford, Ker of Fernihirst, and a number of gentlemen met him with their followers. Buccleuch and Fernihirst were deputed to burn and destroy Liddesdale; but on the arrival of the Regent some of the principal leaders of the clans came and desired to speak with him. Murray received them favourably, and would have pardoned their offences, provided they would give assurances and pledges for their future good behaviour.

The Regent professed to be dissatisfied with the surties they would have given, and so reverted to his original intention to burn and destroy the whole district of Liddesdale, and did not leave a single house standing. He appears to have superintended the work of destruction himself, for he lay on the Sunday night at Mangerton, a principal stronghold of the Armstrongs, and in the morning caused the whole house to be burned and blown up. This expedition took place in March 1569, and in the beginning of April, thirty-two of the principal barons, provosts, and bailies of towns and other chief men in the counties of Roxburgh, Berwick, Selkirk, and Peebles entered into a bond, dated at Kelso, whereby they bound themselves to have no intercourse with the thieves who were proscribed.

‘Not to suffer them to resort to markets or trysts, nor yet allow them to abide or pasture their guidis upon any lands outwith Liddesdaill, except such as within eight days, find sufficient security to the Wardens of the Marches, that they shall reform all enormities committed by them in times bypast, and keep guid rule in time coming, and all others not finding the said surety within the said space, they shall pursue to the deid with fire and sword, and all other kind of hostility; as also in case of resistance or pursuit of any of the said thieves, it shall happen any of them to be slain and burnt, or any of the subscribers to be harmed by them, they esteem the quarrel and deadly feud equal to them all, and shall never agree with the said thieves but together, and in the meantime, shall take plain part ane with another, and specially shall assist the Laird of Buccleuch and the other lairds maist ewest to the said thieves at all occasions convenient.’

Among other names subscribed to this bond were James Douglas of Drumlanrig, Walter Scott of Buccleuch, James Gledstains of Coklaw, Robert Scott, Bailie of Hawick, and most of the men of position and responsibility in Teviotdale.*

For the protection of the district, a considerable body of troops had been ordered to remain in Hawick. This force was levied ‘from the barons and landit men of the middle Marche of Scotland,’ but they entered a protest before the Lord Regent—

‘That albeit at his Grace’s desire for resisting of the present invasion of the rebellis and thevis of Liddesdaill and utheris, they had condescendit to send sum ordinar force of horsemen to ly in Hawick, and utheris parts thairabout for a certain space quhill forder provision may be made,—yet thai protestit that the thing that they did of gude will sould noucht be comptit as of dewitie, nor that thai sould nocht be haldin to sustene sic ordinar feree after the outtryning of ane month, quhilk protestation my Lords Regents Grace admittit, and thairpoun the saidis baronis and landit men askit instruments.’†

On the 5th of May, the Warden, and Sir Walter Scott and other gentlemen came to Hawick to receive assurances in the name of the Lord Regent. A large number of Borderers signed a declaration that they would obey the laws under a penalty of 200 marks each, various gentlemen in the district becoming security for them. The Laird of Buccleuch was surety for a large number of Elliots, a clear proof their feud had been healed. These Elliots were not confined to Liddesdale. There were Elliots of Skelfhill, Falnash, and Dodburn, who were men of substance, and had tenants under them for whom and for themselves they had to find security that they would obey the law. The Laird of Gledstains was answerable for a number of Crosars, members of one of the subordinate Liddesdale clans, who had established themselves at Hummelknows, a place within two

* Pitcaim’s ‘Criminal Trials,’ vol. iii. p. 394.

† Register of the Privy Council, vol. i. p. 650.

miles of Hawick. It is thus evident that the thieves had spread beyond the boundaries of Liddesdale, and that Teviotdale was beginning to acquire the same evil reputation.*

Though the Regent had taken the most stringent measures to have his authority respected, and the laws obeyed, he found it necessary again to visit the Borders in the autumn of the same year, where he spread such terror among the Borderers that the whole 'Sir names' of Liddesdale and 'otherwheres' came in and entered into good assurance and pledges for their obedience. He returned to Edinburgh with sixty, or as some say a hundred pledges, or hostages, who were distributed over the country in Dundee, St. Andrews, and other places. For a brief time afterwards, the thieves were convinced that it would be prudent to give up their evil courses, and submit themselves to the Regent as loyal subjects, and 'there was sic obedience maid be the said thevis, to the said Regent as the lyk was never done to na king in na man's day's before,' † and it was said of him—

'Na theif durst steir, they did him fear so soir,
And that they suld na mair their thift alledge,
Three scoir and twelff he brought of thame in pledge,
Syne wardit thame, whilk made the rest keep ordour,
Then mycht the rasche bus keip kye on the bordour.'

* *Vide* Appendix.

† 'Diurnal of Occurrents,' p. 151.



CHAPTER IX.

' They lighted on the banks of Tweed,
And blew their coals sae het,
And fired the Merse and Teviotdale,
All in an evening late.' OLD BALLAD.

WHEN Queen Mary fled to England after the battle of Langside, her cause seemed almost hopeless, but her followers did not despair of again seeing her on the throne of Scotland, to the confusion of her enemies and traducers.

The Regent Murray who was at the head of the King's party, had received the favour and support of Queen Elizabeth, and as he appeared to yield to her influence, Mary's friends became more bitterly opposed to him, and there was fierce strife between the contending factions. Though these factions were severally designated the King's party, and the Queen's party, the real question at issue was a religious one. In the main, the King's party represented the Reformers, and the Queen's party the Roman Catholics.

When Queen Mary returned from France, she found that the Reformers were by far the strongest party in Scotland, and the Reformed faith already established by law. Though herself a devout member of the Roman Catholic church, she made no attempt to interfere with the religion of the people ; she was wise enough to see the utter futility of opposing the great majority of her subjects, and either from policy or a more enlightened liberalism, she freely admitted the principle that every one should have the right to worship God according to his own conscience.

She solemnly promised to do nothing prejudicial to the Reformed religion, but to support and maintain it as she found it established on her arrival in Scotland. This was so far well ; but when the Queen claimed the right which she freely accorded, she was met by scowling looks, and dire threats of what would ensue should she set up her own form of worship, even in her private chapel. The liberty of conscience so fiercely claimed by the Reformers only meant freedom for their own opinions, liberty of conscience for those who thought as they did.

Nor is this at all to be wondered at. The religious feeling of the times was stern and uncompromising ; and those who fought the battle of religious liberty, had to struggle against a power which knew no tolerance or indulgence for those who dared think for themselves. The arguments used by the Church of Rome against heretics, were tortures and cruel deaths. Arguments which it was impossible to meet in a spirit of temperate calmness, and it is scarcely surprising that Queen Mary's professions of liberality and toleration were received by the Reformers with incredulity and suspicion. They believed that she only lacked the power to be as cruel and vindictive as her French relatives, who were such bitter persecutors.

The young Queen appeared to have had a deep sense of the responsibilities of her position. She had attended to the business of the State with unwearied assiduity ; had interested herself about the poor in various ways ; promoted an organisation for assisting and protecting pauper litigants in the courts of law ; anxiously sought to conciliate the Protestant clergy, and had striven to establish friendly relations between herself and Queen Elizabeth. Though an object of suspicion on account of her religion, Mary's beauty and sweetness, her graceful and dignified deportment, and her kindness and consideration to those about her had soon won her way to popular favour. But popular favour is fickle at best, and when the clouds of adversity closed round the Queen many of those, who had praised and blessed, raised their voices in vituperation against her. Others were loyal to her through good and evil report, and this party included Scott of Buccleuch and Ker of Fernihirst, described as the two most powerful chieftains on the Borders. Lord Hume was also one of her adherents, and the Maxwells, the Johnstones, the Armstrongs, and almost all the leading men of the West Borders, excepting Drumlanrig, and Jardine of Applegarth.

The Borderers had little leisure or taste for polemical discussions, and cared nothing about the religious questions involved ; but their antagonism to England was the ruling passion of their lives, and the fact that the government of the King was favoured by the English was reason enough why they should be against it. Besides the Regent Murray had incurred the hatred of the Border clans for his stern repressive measures against them.

The Roman Catholics who, though in the minority, were still a powerful body in Scotland were loyal to the Queen. Since her captivity in England a reaction

had set in in her favour, and her party was increasing in power, and was ready on the first opportunity to rise in her defence.

In the latter part of 1569 a rebellion, instigated by the Roman Catholics, broke out in the north of England, which favoured the views of the Queen of Scots' partisans, and which they would have joined had it not been so rapidly quelled.

The Reformed doctrines had found little favour in the north of England, where the people clung to the faith of their fathers. A contemporary writer says—'There not be ten gentlemen in all the north but be Catholics at heart, and many of the common people be the same.' 'The old faith lieth like lees at the bottom of men's hearts, which, on the least stirring of the vessel, will rise to the surface.' The Queen of Scots was an object of great interest to these Catholics, who held that she was entitled to the English crown, for in their opinion Elizabeth was illegitimate, and therefore a usurper. A plot was formed to re-establish the Roman Catholic religion by placing Mary on the throne of England; and to strengthen her cause it was proposed that she should give her hand to the Duke of Norfolk, a nobleman of the highest rank, and whose popularity was second to none in the kingdom. The avowed purpose of the promoters of this alliance was the restoration of the Queen of Scots to her own dominions, and to a share of the government, to be in the name of her son and herself conjointly. But the ultimate and secret design of the conspirators had become known before their plans were matured, and Norfolk, with the Earls of Arundel and Pembroke were arrested, and lodged in the tower of London on a charge of high treason. The Earls of Northumberland and Westmoreland, with other gentlemen in the north, who had committed themselves too far to draw back, took the field at the head of their followers; but the rebellion was put down before it had assumed formidable proportions, and the leaders were compelled to seek safety in flight.

They had no recourse but to throw themselves on the generosity of their hereditary enemies across the Border. It was December, and the weather was miserably cold, a biting north wind blew in their faces, accompanied with snow and sleet. The Countess of Northumberland and two other ladies were among the fugitives, who were flying for their lives, pursued by Sir John Forster, who, with a troop of horse was so close on their track that it was with great difficulty they managed to elude him. Crossing the Borders they succeeded in reaching a peel house, belonging to

'Jock-o'-the-side,' which stood near the ancient chapel and burying-ground of Ettleton, on the banks of the Liddle. Jock had attained a great notoriety in his calling—

'He is weel kenned
Jock-o'-the-Syde,
A greater thief did never ride.'

This noted thief however, received the fugitives, and gave them a kindly though rough welcome; and here though surrounded by thieves and outlaws they were comparatively safe; for these rough Borderers had a high sense of the duties of hospitality, and would have scorned to betray those who trusted them, and sought their succour and help in confidence and good faith. But they were placed in a peculiarly dangerous position. Since the preceding spring the Regent Murray had been particularly energetic in his efforts to maintain order and tranquility on the Borders. The raid described in the last chapter, when he had exacted over a hundred hostages for their good behaviour, had taken place only six weeks previously; and immediately on the news of the rebellion reaching him the Regent had issued a proclamation calling a muster of all the able-bodied men south of the Forth to meet him, with provisions for eight days, for the purpose of marching against the English rebels, who were said to be retreating northwards, and were expected to cross the Border in some force, expecting to be supported by the Queen's party in Scotland. As has been already stated the rebellion was completely subdued, and only a few fugitives had sought shelter in Liddesdale; but these fugitives were the leaders and chief offenders, and it is therefore apparent that the Borderers ran a considerable risk in receiving them. With the happy-go-lucky carelessness of consequences which characterised the Liddesdale thieves, having known nothing but danger all their lives, they were indifferent to the risk, so far as it regarded themselves, but they were bound to consider the hostages, who were all members of the principal families, and might be placed in a position of great danger by any indiscretion on the part of their relatives.

The cause for which these rebels had fought was very popular on the Borders; and Scott of Buccleuch, Ker of Fernihirst, and Lord Home were all devoted to Queen Mary, and they warmly welcomed those who had risen in her defence, and for the sake of the old faith. The Liddesdale clans were not particularly attached to either party. If they had a predilection it was for that which was

not in power, and they rather enjoyed outwitting the Regent, and baffling the troops sent to search for the fugitives.



Lord Westmoreland exchanged his rich dress for the greasy suit of a Border outlaw, and spent the cold December days in caves and peat holes, till he

succeeded in reaching Fernihirst castle, where a considerable number of the rebels found a safe retreat.

Fernihirst castle occupies a strong position on a steep bank overhanging the Jed. Jedburgh, where the Regent Murray took up his quarters, is about two miles distant, and a force of 800 men were quartered there. The Regent sent a message to Ker demanding that the rebel subjects of Queen Elizabeth should be given up to him, a demand which Ker treated with scorn. He then set out for the purpose of storming the castle, but in the short half-hour's march from Jedburgh three-fourths of his men deserted, and he was obliged to abandon his purpose.

The Regent had, however, been more fortunate in another direction. The Earl of Northumberland had taken refuge at Harlaw, a small tower situated in the western district of Liddesdale, near the borders of Cumberland. It belonged to one Hector Armstrong, who was under some sort of obligation to the Earl, who hoped to be safe with him. Tempted by a heavy bribe, however, he consented to betray the Earl, and a party of troops was sent from Hawick to take him, but this was not accomplished without a struggle, and the captain in command of the troop was killed. The treachery of Hector Armstrong drew down on his head the contempt of the whole Borders; for these clans, wild and reckless as they were, had a great respect for their pledged word, and regarded breaking faith with those who trusted them as the most heinous of crimes. Hector found that his ill-gotten gold did him little good; he shortly afterwards fell into great poverty, and became so infamous that 'to take Hector's cloak' grew into a proverb to express one who betrays his friend. The Earl of Northumberland was imprisoned at Lochleven castle, and was afterwards delivered up to the English on the payment of a large ransom. He was found guilty of high treason, and beheaded at York. The Countess of Northumberland had been the guest of Jock-o'-the-Syde for nearly a month, and then succeeded in making her way to Hume castle. She afterwards escaped to France, where she spent the remainder of her life in obscure poverty.

With the flight of the leaders the rebellion was at an end, and the smaller gentry and common people who had joined the insurrection had dispersed to their homes, trusting that their insignificance and submission might cause them to be leniently dealt with. But Elizabeth was in no lenient mood; orders were sent to

the Earl of Sussex to arrest and imprison all who had been concerned in the rebellion, and any, he was not sure of, were to be apprehended on suspicion. By close confinement and starvation he was directed to induce his prisoners to divulge the names of as many more as they could remember, who were also to be seized, and he was to be careful to take all priests of whom a notable example was to be made. These instructions were promptly carried out, and a very large number of persons arrested, and six or seven hundred were set aside for summary execution. These were all poor people, small farmers, labourers, and servants, or retainers of the leaders of the rebellion. These were all put to death, eighty were hanged at Durham, forty suffered at Darlington, and scarce a village green in the north of Yorkshire, but bore on its trees, or on gibbets erected for the purpose, a score or two of ghastly corpses, for it was stipulated that the rebels were to be hanged in the neighbourhood of their own homes, and that the bodies were not to be cut down. The terror and consternation that spread through Yorkshire and Durham while these terrible scenes were enacted were indescribable. The search for fresh victims still continued, and the people were goaded to desperation; and seeing no way of escape or hope of mercy, they were ready again to break into rebellion, for they could not be in a worse plight; and if their leaders could have reached them, there certainly would have been another rising. The Earl of Westmoreland, and several of the other rebel leaders were all this time at Fernihirst castle, and though within a days march of England, no effort had been made on the part of the English to arrest them. The Regent Murray had done all in his power to take them, but had only succeeded in the case of the Earl of Northumberland. He had directed all the ports to be watched, to prevent any of the rebels making their escape, and had issued a proclamation, forbidding the people to shelter or assist them.

Queen Elizabeth contented herself in the meantime by sending Sir Robert Constable a spy, who had already done her some service during the rebellion by the exercise of his talents. He was sent into Scotland to see what the rebels were about, and to endeavour, on any pretext that occurred to him to persuade them to return to their own country. Constable gives a lively picture of his meeting with a number of the rebels and their friends at a public house in Jedburgh. 'I left Farncherst and went to my ostes house, where I found many gests of dyvers factions, some outlawes of England, some of Scotland, some neighbours therabout, at cards; some for ale, some for plaks and hardhedds; and after I had diligently

learned and enquired that there was none of any surname that had me in deadly feud, *nor none that knew me*, I sat down and plaid for hardhedds amongst them, where I heard that the Lord Regent would not, for his own honor, nor for thouse of his country deliver the Earles, if he had them both, unless it were to have their Quene delivered to them' and 'that he durst better eat his own luggs (ears), than come again to seke Farnherst; if he did he should be fought with ere he came over Sowtray edge.'*

The Borderers were possibly not so ignorant of the identity of Constable as he supposed, for they favoured him with some significant hints regarding spys and traitors, and remarked that they could wish to have the head of Hector Armstrong boiled for their supper.

Meanwhile the Queen's party in the north were bestirring themselves, and Edinburgh and Dumbarton castles were already in their hands. Sir Walter Scott of Branxholme, and Sir Thomas Ker of Fernihirst, gathered their forces together and prepared to make a raid into England, in company with the English fugitives, who eagerly joined the expedition, with the intention of penetrating as far as Yorkshire, where they expected to be joined by their retainers and followers. It was the very morning after the Regent Murray was shot at Linlithgow that they set out on their raid across the Border. It would appear that the intended assassination of the Regent was known on the Borders. On setting out, Buccleuch was asked, how he dared make such an outrageous attempt when Murray was Regent. 'Tush,' he replied, 'the Regent is as cold as my bridle bit.' The news may have been brought by an express messenger, but there was scarcely time for it to be generally known. When Westmoreland heard of the death of the Regent, he threw his bonnet in the fire in token of his joy. The marauding force, for it was really nothing more, penetrated as far as Newcastle, burning and harrying by the way, but was forced to return without reaching the disturbed districts, or being joined by any of the English.

The Borderers had already incurred the anger of Queen Elizabeth by having sheltered the rebels, and this raid, undertaken for the purpose of renewing and encouraging the rebellion, drew down upon them the full weight of her resentment.

The Earl of Sussex, Lord Hunsdon, and other leaders were sent from York-

* Sadler's 'State Papers,' vol. ii. p. 388.

shire with clear and precise orders to burn, destroy, and lay waste certain districts in Scotland. The Earls of Huntly and Argyle tried to arrest the progress of Sussex till they had sent a message of peace and submission to Queen Elizabeth; but he would not allow the messenger to pass, being probably aware that in the present temper of the Queen all negotiation would be useless, so he replied that he dared not forbear to execute the orders of the Queen his mistress.

Sussex, Hunsdon, Lord Scrope, and Sir John Forster were the leaders to whom the expedition against the Borderers was intrusted, and they met at Newcastle to arrange their plans. They were divided into three parties of 200 horsemen and 800 footmen in each, and it was decided that they should enter Scotland on the east, middle, and west marches simultaneously, so that by keeping the Scots occupied across the whole country at the same time they would prevent them from centralizing their forces.

About four o'clock on the morning of the 17th of April 1570, Sussex and Hunsdon set out from Wark to begin the work of devastation, and Sir John Forster started at the same time from Eppergate. Soon the whole country was in a blaze. The two parties met at Crailing, and burned all that populous district till they came to Jedburgh, where they remained all night. The town, however, was not destroyed because the bailies and principal citizens were of the King's party. Next morning the troops were again divided into two companies, one of which marched up the Teviot towards Hawick and the other up the Jed to Fernihirst castle, which was the chief object of attack on account of the entertainment it had afforded to the rebels. They could not blow up the castle, but Hunsdon says, 'We have so torn it with laborars as it were as good lay flat.' Hunthill was as completely demolished. Bedroule, which was also obnoxious for its hospitality to the rebels, was burned to the ground. Advancing by Rule Water they set fire to every house and farm-steading on the way, and even the humble cottages of the peasantry were not suffered to escape, and the whole country to their rear was a smouldering mass of ruins. The other party had been no less active in the work of destruction on the Teviot, and towards nightfall both parties reached Hawick, where they intended to pass the night.

A message had been received by the English before they left Jedburgh from the bailies of Hawick promising that provisions and horse-meat would be prepared for them. This message was dictated by a wise prudence. Drumlanrig, to whom

the tower and a great portion of the property in the town belonged, was a friend of the late Regent, and was a zealous adherent of the King's, or, as it was sometimes called, the English party, so that his property was entitled to special protection. But though the Lord Superior of Hawick, he seldom resided in the town, and his personal influence was little felt. The action of the Hawick people shows clearly on which side their sympathies were. They clung with unreasoning loyalty to the cause of the Queen, and hated the English as heartily as ever. They had placed their goods in Drumlanrig's tower, where they were assured of their safety, and had apparently acquiesced in the pacific message sent in the morning. Prudence and common sense might have shown them that it was wiser to submit where they could not effectually resist the spoilers; but their feelings were too strong for their judgment. They could not bring themselves to minister to the



wants of their ancient enemies, who were laying waste the whole neighbourhood. As column after column of smoke from burning villages and towers rose against the sky their indignation increased. Heedless of the remonstrances of the more pacifically disposed, they tore the thatch from the roofs of their houses, heaped it up in the streets, and set fire to it, just as the English were seen approaching from the east, and then fled. It is traditionally asserted that their place of concealment was among the recesses of the hills to the southwest of the town called Hardie's Hills. The English were naturally both enraged and annoyed at the reception which awaited them. The thatch mixed with turf smouldered in the streets, emitting a dense smoke which stifled and nearly blinded the men, and made it almost impossible for them to enter the town. They had been engaged all day in raising fire, and now before they could obtain food or shelter they must set to work to extinguish it. There was sort of poetical justice and grim humour in the situation which was no doubt keenly appreciated by those who had planned this surprise for the invaders; for there was neither food nor shelter for man nor beast. The leaders obtained quarters in the tower, but the men had to shift as best they could. Robert Wilson, in his *History of Hawick*, says—without giving his authority—that the Hawick people came during the night and killed a number of the English as they slept, but this is manifestly untrue. There must have been about two thousand men in the town, and if the inhabitants had been so foolhardy as to attack them they would certainly have got the worst of it. In the succinct yet clear account of the invasion given by the leaders there is no mention of an attack, and we may safely conclude that none was made, and that the town's people were wise enough to keep well out of the way.

Describing the progress of the raid Lord Hunsdon wrote—

'We wer promest to be resevyd at Hawyke. Er we came ther, the ynhabitants of the town unthacht all theyr howsys, and sett the thatche a fyer, so as att ovr cumyng there was suche a smoke, as we wer skant able to enter the towne; but cawsyng the same too be quenched with water, and helped with men's hands, we yncampt theare al nyght, with suche vyttels as we brought with us. Apon Thursday as they burnt theyr thatche we burnt the hole towne, savyng one house of Drumlaneryks. We left the whole force of our footmen besyde Hawyke. Sir J. Forster went with his horsemen to burne the towns and vyllages adjoynynge, and my Lord Lieut. and I, with sertan bands of horsemen only went to Branksam, Bukklews pryncypale howse, which we found burnt to our hand by hymselfe as creuely as ourselves cowlde have burnt ytt. But my L. Lieut. thynkyng that not suffycient, fyndyng one lyttell vaute yn ytt, wheryn was no fyer, he cawysd powder too be sett, and so hlew up one halfe from the uthar. Yt was a very

strong house, and well sett; and very pleasant gardens and orchards about ytt, and well kept, but all destroyed.'

Sussex gives a somewhat similar account in a letter to the Queen. After describing how the two divisions of the army had left Jedburgh by different routes, and enumerating the towers and farm buildings they had destroyed, and how they met near Hawick, he says—

'We intended to lye at Hawick that nyght, and were promised by the bailiffs (bailies) to have been well received, but at our coming thither we found the howses of the town unthetched, the thetch sett a fire in the strets, and the people wholly fledde, saving the keper of Doulanwarks (Drumlanrigs) castell, who had received the goods of the whole town, whereby the army was disapointed of lodging, victualls and horse meate, which was borne for that night with patience, and the next mornyng because themselves had begone the fire we made an ende of the rest that they had lefte, saving Doulanwarks castell and the goods in it, which for his sake we saved; and at our departing delivered the keyes to his menne, sawe the gates locked, and left it in saulftly after the departing of the army.

'From Hawick we went to Bransum, the L. of Buckloughs's chiefe howse, which we threwe down with poulder, and burnte all the castels of his friends and kinsmen in these parts.'

There is one circumstance which must strike every one who reads the account of the invasion, and that is, that the Lord of Buccleuch and the people of Hawick showed a marked similarity in the manner in which they received the invaders. They had been met by some with expostulations, by others with humble submissiveness, and in a few cases by resistance; by far the greatest number had fled and left their houses and goods to their fate, but nowhere except at Hawick and Branxholme was the work of destruction begun to the hands of the invaders. The message sent from the Hawick people to the English with promises of entertainment was evidently dispatched in good faith. The idea of setting fire to the thatch appears to have been a sudden impulse hastily acted upon.

The destruction of the towers of Branxholme, on the contrary, must have been more deliberately planned. Buccleuch had conspicuously espoused the cause of Queen Mary. He had been one of the most prominent leaders of the recent raid into England, and hence he was one of those against whom the vengeance of the English was chiefly directed. Knowing that Branxholme would fare no better than Fernihirst, he haughtily determined that no Englishman should be able to boast that he had destroyed the house of Scott of Buccleuch; therefore, since he could not save it, he began with suicidal purpose to tear asunder the walls, and set fire to the towers of his own dwelling. This work must neces-

sarily have been begun at latest on the Wednesday morning. News of what was going on at Branxholme would no doubt reach Hawick in the course of the day, and in all probability suggested to the people the idea of following Buccleuch's example.

The horsemen who went to destroy Branxholme were led by Sussex and Hunsdon; and the latter writes, with a touch of feeling, that it was burnt by Scott himself 'as cruelly as we ourselves could have done it.' He was struck with its fine situation and well laid out gardens and orchards. After completing the destruction of Branxholme, the army set out again and marched eastward, where Hunsdon says:—'I left never a house nor town unburnt savyng suche as cum too my Lo. Lieut. with promes to delyver pledgys for too satysfy such harms as they had done. Sir John Forster went sumwhat of my right hand and dyd the lyke.' And so they all met again at Kelso, and there the Laird of Cessford went to Sussex and asked him to spare Lower Teviotdale, seeing that he himself had neither invaded England nor received the rebels. But as many of his retainers, besides others in the district, had committed both these offences, Sussex would not grant his request unless on certain conditions, which Ker found it impossible to comply with; but he spared Cessford's own residence and that of such gentlemen as had not personally been guilty of any offence towards England. Lord Home also went to Sussex and offered satisfaction for hurts committed by him or his followers. Sussex at once demanded that the English rebels should be given up to him. This Home flatly refused to do, and the interview terminated without any pacific result, Sussex assuring him that Hume castle should be dealt with like the rest. Everything had been arranged for the siege of the castle; but through some misunderstanding, the horses which were required to bring forward the artillery had been sent back to Berwick, and as it was impossible to proceed without cannon the besiegers were obliged to change their plans. Sussex made a very diplomatic use of the interval. Pretending to have delayed storming the castle out of consideration for Lord Home he sent a message to him—'to let him understand that, although we were then in the place wher we might do with him as we had don with the rest, yet that he was a manne of nobility, whom we wolde more gladly drawe to know and amend his faulte by curtesie then by force, we did forbear to do him any hurte at that time, and wished that the same might worke to good effect in him, as it had intencon in us.' This message was sent to Home by

Archibald Douglas, and Sussex hinted that he might 'make reporte of this curteowse dealing to the nobility of Scotland.'

A week later, the horses for the ordnance being forthcoming, the castle was besieged and taken. It proved a rich prize on account of the large quantity of goods which had been placed there by the country people for safety. The people near Mosstower and Crailing had removed their goods to some caves in the neighbourhood, but the English would not leave till they had discovered and secured the booty. Ker of Fernihirst, Buccleuch, Home, and some of the rebels assembled a few of their followers, and took the field; they had 'three small skirmishes' but were in no position to offer effectual resistance to the spoilers.

At length their mission was accomplished, and the English army returned to Berwick, from whence Sussex sent his report to the Queen. The number of towns and villages, towers and houses destroyed was over five hundred, which he enumerated with business like accuracy, and concluded his report in these words, 'we have troubled your majestie over large in the particular discourse of our doings, and therefore we ende with this generality that we thinke ther be very fewe persons in Tevedale that have recyved your rebels or invaded England, which at this time have either castell standing for themselves, or howse for any of ther people, and therewith no person hurt that hath not deserved. So that your revenge is honourable against the ill, and the good have no cause of offence. And we pray God to send your majestie a long and prosperous reigne, and all your enemies to fear you as much as the Scottish Borderers fear you at this present.'

What had been done by Sussex on the east had been done no less effectually by Lord Scrope on the west. Across the whole Borders from sea to sea all was ruin and desolation. All who had been loyal to the exiled Queen of Scots, and consequently hostile to Elizabeth, were marked out for vengeance.

But so far from the Borderers being intimidated by this wholesale spoliation, it seemed rather to stimulate them to fresh effort against the King's party, who, instead of resenting the invasion of the Borders, regarded it as a valuable assistance to their cause. The people generally had such a strong antipathy to English interference that the number of Mary's adherents increased after the invasion, and the Borderers became more violent in their partisanship. The

struggle between the two parties grew fiercer than ever, and the country was given up to the horrors of civil war.

In the following year an incident occurred which deserves to be recorded from the part taken in it by the Borderers. The Regent Lennox, and the leaders of the King's party were assembled at Stirling, and a plot was formed by Kirkcaldy of Grange to take the city by surprise, and seize the Regent and his friends.

The enterprise was entrusted to the Earl of Huntly, Lord Claud Hamilton, Sir Walter Scott of Buccleuch, and several others. They left Edinburgh in the evening with a force consisting of sixty mounted hackbutters, and three hundred and forty Border horse. To prevent their real purpose being suspected, they intimated that their destination was Jedburgh, and set out in that direction, but as soon as darkness closed over them they turned to the west, and reached Stirling in the grey dawn of the morning. They entered the town without opposition, broke open the houses where the noblemen were lodged, and in a short time the Regent and nine other Lords were made prisoners. So far the enterprise had been thoroughly successful, and nothing remained to be done but to remove the prisoners to Edinburgh. When they would have set out, however, it was found that the Liddesdale and Teviotdale men had dispersed in search of plunder, and were busily engaged emptying the stables of horses, breaking up the shops, and loading themselves with booty. The time thus occupied, allowed the bewildered citizens to comprehend what had happened, and prepare for attack. Buccleuch, with a small party was guarding the prisoners in the market place, when the Earl of Mar, with about forty men rushed down from the castle, and compelled him to retreat to one of the side streets where he was assailed and hemmed in by the citizens. The tables were completely turned, and the prisoners were rescued. A certain Captain Calder determined that the Regent at least should not escape, shot him through the back, mortally wounding him. He was able to keep his seat on horseback till he entered the castle, but he died the same evening. Nine of the Queen's party were slain, and sixteen taken prisoners, of whom Buccleuch was one, the rest making their escape as best they might. The Borderers having taken care to carry off the horses, pursuit was impossible.*

Douglas of Drumlanrig, and his son Sir William Douglas of Hawick, were with the King's army under Morton. They were engaged in a skirmish near

* Tytler's 'History of Scotland,' vol. vii. p. 361, 2, 3.

Edinburgh against the Queen's party, and when returning home in company with some others, were attacked by Sir David Spence of Wormeston. Sir William Douglas escaped with some difficulty, but his father, 'Old Drumlanrig' as he was familiarly called, was taken prisoner. Not being certain whether his son had escaped or not he sent him the following curious letter.

'Willie. Thow sall wit that I am haill and feare. Send me word thairfor how thow art, whether *deid or livand*. Gif thow be deid, I doubt not but friendis will let me know the treuth, and gif thow be weill I desyre na mair.' He showed this letter to his captors that they might be sure it contained no treason, and to save his purse he sent it with the letter desiring the messenger to give it to his son. Drumlanrig was not long held in durance, but was exchanged for Lord Home, whom the King's party had taken prisoner shortly before.

Buccleuch also obtained his liberty after a short imprisonment, and soon afterwards he was engaged, in conjunction with Ker of Fernihirst, in an attack on Jedburgh.

The people of Jedburgh were almost all adherents of the King's party, and had incurred the resentment of Queen Mary's friends by their treatment of a herald who had been sent to make a proclamation in the name of the Queen. The herald, standing up at the cross, read the proclamation till he came to the point where it intimated that the Lords assembled in Edinburgh had found all the proceedings against the Queen null, and that all men should obey her only, when he was ordered by the Provost to come down, and was made to eat his letters, and as suggestively told 'received his wages with a bridle.'

To avenge this insult to the herald and the party he represented, Buccleuch and Fernihirst with 3000 men, composed of their own friends and followers, and a number of the Liddesdale men resolved to attack Jedburgh, but their intention having become known, a force was sent from Edinburgh under Lord Ruthven to assist the town's people. Hearing that Ruthven was at Dryburgh, Buccleuch determined to begin the assault of the town early in the morning before the relief party had time to get forward. The burghers were fully prepared for them; and having been reinforced by Ker of Cessford, they made a gallant defence, and Ruthven coming up opportunely the assailants were compelled to retreat. Buccleuch and his followers marched to Hawick, while the Liddesdalers retreated to their own haunts. A severe snowstorm came on the

following night, and thinking that this would prevent any attempt at pursuit no precautions were taken, or preparations made to defend the town; but notwithstanding the difficulties of the march Ruthven made an attack on Hawick during the night. On the first alarm the troops drew off to a place of greater safety up the nearest river, probably the Teviot. The horsemen escaped, but the foot being hotly pursued by the enemy's horse, made a stand in a small wood, where seeing that resistance was useless they yielded themselves prisoners. Ruthven thinking that the custody of so many prisoners would be inconvenient, especially in such severe weather merely disarmed and dismissed them, under a promise to give themselves up on an appointed day, taking a number of hostages for their appearance.*

Soon after this exploit Buccleuch was warded in Doune castle in Mentieth, but in July 1572 he received permission to return home for the purpose of setting his family affairs in order.†

In March 1571 he had begun to rebuild Branxholme, which had been so completely destroyed the previous year. Although his own hands had done the work it must have been with feelings of poignant regret that he saw the ancient home of his forbears laid in ruins; and this probably gave rise to the reflection on the mutability of all earthly things, which he caused to be inscribed over the arched doorway of the new house. It is still perfectly legible, and runs as follows—

'In, varld, is, nocht, nature, hes, vroucht, yat, sal, lest, ay.
Thairfore, serve, God, keip, veil, ye, rod, thy, fame, sal, nocht, deokay.

Schir Walter Scot of Branxholme Knycht.	Margret Douglas 1571.'
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In 1574 Buccleuch was taken seriously ill and died; and the building of Branxholme was completed by his widow in 1576, as appears from inscriptions still to be seen on the walls. Above the original entrance is a stone on which are sculptured the arms of Scott of Buccleuch, and surrounding it is inscribed, 'Sr. W. Scot. Umql. of. Branksheim. Knyt. sone. of. Sr. William. Scot. of. Kirkurd, Knyt. begane. ye. work. of. yis. hal. upon. ye. 24. of. Marche. 1571. Zeir. quha. departit. at. God's. plesour. ye 17 of April 1574.' etc. Another

* Buchanan's 'History of Scotland,' vol. iii. p. 358.

† Ridpath's 'Border History,' p. 442.

stone bearing the arms of Douglas is also surrounded by an inscription, 'Dame. Margret. Douglas. his. spous. compleittit. the. Forsaid. work. in. October. 1576.'

Although Sir Walter Scott had led such a stirring adventurous life, he was only twenty-five years of age at the time of his death. From boyhood he had taken an active and prominent part in the great struggle which agitated Scotland at the time. He was one of Queen Mary's most devoted partisans, and fought in her cause so long as her party could continue the struggle.

Peace having been restored, he spent the last two years of his life in superintending the rebuilding of his house at Branxholme when he resided chiefly in Hawick. He showed great activity in the discharge of his commission to maintain order and punish transgressors; and the year before his death he captured a notorious thief named Hopshaw, whom he caused to be executed according to the summary mode of procedure usual at the time.

Six days before his death he made a will, dated at Hawick the 11th day of April 1574. The document set forth that, 'the Quhilk day Walter Scott of Branxholm, Knycht, seik of body, but hail in spirit, constituted and ordained James, Earl of Morton, Regent of Scotland, tutor and governor to his wife and children, whom failing, Archibald, Earl of Angus, and under them, John Johnstone of that Ilk.' He also constituted and ordained Margaret Douglas his spouse, and Margaret Scott his daughter, his executors. Among the legacies bequeathed in the will, are, 'to John Watsoun forty bolls of beir; to Willie Hutoun threttie or fourtie pundis, as it shall please his said spous and vther frendis, and he to serve his wife befor any utheris; to Willie of Allanhauch the Kirkland his awne roume; to little Wattie of Bowdene, that to be done to him at the sight of friends.'*

In the inventory taken after his death, Buccleuch's wealth is shown to have consisted chiefly of sheep and cattle. The money value of such gear was very small; two-year old stots and queys were appreciated at 3s. 4d., one-year old stots 1s. 8d., new calved kye £5, and a forrow cow 6s. 8d., ewes with their lambs were worth 1s. 9d., and other classes of sheep from 11d. to 1s. 6d. Barley was valued at 4s. 2d. per boll, meal and malt 5s. per boll, and oats with the fodder 2s. 6d. per boll, Scots money. The valuation of his whole effects only amounted to £5882, 12s. 4d. Scots, which after deducting the debts 'awing be the deceasit,' the 'frie geir' only amounted to £1395, 12s. or £116 sterling.

In the settlement of his affairs, there were numerous payments made to different

* Fraser's 'Scotts of Buccleuch' vol. i. p. 158.

tradesmen in Hawick, for all sorts of household and personal necessities, and other furnishing.

Sir Walter Scott was married at a very early age. The exact date has not been recorded, but he must have been under sixteen, as he left a son nine years old. His wife was Lady Margaret Douglas, daughter of David, seventh Earl of Angus. According to Scot of Satchells, Sir Walter left his widow above twenty thousand merks a year of jointure. He says, 'Now lest you should think that I flatter, or am a liar, I will nominate the lands and where they lie for justification of myself.'

'To give a just account of that jointure,
To the Piel and Hathern I will repair
To Analshope and Glengeber,
To Whitup and to Black-grain,
To Commonsie and Milsanton-hill,
And Eilridge is left all alone,
Except some town-lands in Lanton.

'Now, my muse, to the east country go we,
And talk of Eckfoord's barony,
Which barony she none did miss,
But all into her jointure was,
In cumulo I do declare,
Its above twenty thousand merks a year,
It was a worthy conjunct fee,
For a Knight to give to his Lady.'



CHAPTER X.

' The widdefow wardenis tuik my geir,
And left me nowthir horse nor meir,
Nor erdly gud that me belangit ;
Now Walloway ! I maun be hangit.'

SIR DAVID LINDSAY.

THE civil war in Scotland had been prosecuted with great bitterness. At one time it almost seemed as if the two parties would annihilate each other in the fury and intensity of the conflict. Dreadful scenes were enacted all over the country. 'Towns beleagured by armed men. Villages in flames, women and children flying from cottages where their fathers or husbands had been massacred; and even the pulpit and altar surrounded by a steel clad congregation which listened with their hands upon their weapons. All useful or peaceful arts were neglected; the fields left uncultivated, and the country weakened by the struggle, seemed on the verge of ruin.'* At length it became evident that the Queen's cause was hopeless, and that her party must succumb. The people were weary of turmoil and bloodshed, and earnestly longed for rest, peace, and a settled government; whether under King or Queen they were at length disposed to think was of secondary importance. By the year 1573 the government of the young King was established under the regency of the Earl of Morton, and was supported by Queen Elizabeth. It was better to have the Queen of England for a friend than an enemy, as the most bigoted could not fail to see; and there was a general disposition to sink all national jealousies, and to cultivate amicable relations with 'our auld enemies of England.' At all events peace was restored, and the country enjoyed a period of much needed rest from wars, both foreign and domestic.

It can hardly be said, however, that the general harmony and good order extended to the Borders. The Borderers had suffered grievously during the recent troubles. Of the two leaders who had fought in the cause of the Queen,

* Tytler's 'History of Scotland,' vol. vii. p. 370.

Buccleuch had been prevented by his imprisonment from offering any further opposition to the King's government, and his death occurred very soon after peace was restored.

Sir Thomas Ker of Fernihirst did not give in his submission to the new regime, but put himself at the head of a party of his followers, and harassed the burgesses of Jedburgh, and the retainers and adherents of his kinsman, Ker of Cessford who had been his opponents in the civil war. The usual retaliation followed, as a matter of course, and a long list of outrages perpetrated by both parties was laid before the Privy Council for redress. A complaint lodged by Robert Ker of Ancrum Woodheid, against Ker of Cessford, contains an inventory of the 'guidis, geir, and insight plenishing' taken away, and is interesting, because it proves, that even after all the plundering and spoliation to which the Borderers had been subjected they still possessed many of the comforts and elegancies of life.

Sir Robert Ker of Fernihirst and a number of his retainers had been 'ressett' by Ker of Ancrum, who had made great preparations of 'meit and drink for their entertainment.' Sir Thomas Turnbull of Bedroull, and the Provost of Jedburgh, with about five hundred men, made an attack on Ancrum Woodheid, and breaking up the 'yettis and durris, took furth of the said place of Ancrum 11 bollis of heipit meil, 30 bollis of clene quhiet, 50 bollis of malt, 30 martis of salt beif; the aill of 12 bollis brewing of malt, estimate to ten gallownis the boll, ane tun of wyne, to wit 3 puncheonis of clarett, and ane puncheoun of quhyte wyne. 50 stane of cheise, 24 stane of butter, 16 stane weight of candill, ane barrikin of vinagrer containing 6 quarts, ane quart of oy d'olief; four silver tassis, ane silver maser dowbill overgillt, weyand 18 unce; twa dosane silver spunis; twa silver saltfattis, ane thairof partiall gilt with gold, with the cover weyand 12 unce, ane silver fute to ane coupe, weyand five unce; 3 dozen Flander poyder (pewter) plaittis, weyand five stane wecht; 5 dozen Flander poyder trenchers, twa basingis, twa lawers of Flanders poyder, five tyn (tin) flaconis of Flanders work, twa thereof full of aquavite, 12 pottis, 8 panins of Flanders work, four irne rakkis, eight irne speittis, twa frying pannis, twa rosting irnis; 11 Furnist fedder beddis, with scheittis, coveringis, coddis, bousteris, blankattis; three standis of napery of fyne Flanders dernik work; three stand of small linen claith, three gentlewomanis gownis, to wit ane gown of blak champlott silk begareit with velvot, ane Frenche blak begareit with velvot, the third of Scottis russat, begareit with velvot; three

menis dowblattis, ane thairof blak satine, price thairof £10—an e other of violet armosie taffatie, and the third dowblat of blak bumbassy ; three hattis to gentill women, ane of blak velvot, ane uther of blak armosy taffatie, and the third of blak felt with ane string to it ; ane mekill brasin watter fatt.' Besides a large quantity of wheat, oats, barley, peas, etc., which was taken from the barns and barn yards, there was a considerable sum of money carried off, of which a detailed description was given 'to wit—twenty scoir crownis of the sone, 100 auld angel nobillis, 11 rose nobillis, 5 portingall ducattis, five hundred merkis in quhite money, sic as Scottis pecis, Scottis testanis, plakis and babies (bawbees).' The pursuer got very little satisfaction for the 'scaithes' he had sustained ; for the defendants pleaded that all that they had done was in the service of our 'Soverane Lord the King for resisting and repressing of his Hienes declarit tratouris, rebellis and inobedient subjects, and thair wickit interpryses.' Judgment was accordingly given against the 'complenaris.' *

The Lords of the Council may have been influenced in this decision by the fact that Ker of Ancrum had a reputation for helping himself, and that much of the goods thievishly carried off by the burgesses of Jedburgh, was probably stolen from them in the first instance.

A short time previously, the Magistrates of Jedburgh, complained before the Council that certain neighbours on their way to Leith with packs of skins, 'in sober and simple manner,' were seized at the Coble of Dryburgh, by Robert Ker and his followers, and cast into a dungeon at Ancrum. †

In consequence of his vigorous and unyielding opposition to the government of the King, Ker of Fernihirst's estates were confiscated, but by special favour of the Regent, a portion of them was granted to his wife, Janet Scott, sister to the Laird of Buccleuch, that she and her children might not be deprived of the means of living. Fernihirst's mother attempted to take forcible possession, and to expel her daughter-in-law ; but Dame Janet Ker appealed to the Privy Council, and was confirmed in her possession of the estate. ‡

During the civil war and the troubles, which preceded it, the Liddesdale clans had, as usual taken advantage of the general anarchy, and continued their depredations with increased violence and rapacity. The policy of the government, towards these marauders had however undergone a great change. The

* Register of the Privy Council, vol. ii. p. 269.

† *Ib.* p. 110.

‡ *Ib.* p. 320.

protestant party which was now dominant in Scotland, had been supported by Queen Elizabeth, and had triumphed at last by the help of an English army. The ancient League with France had come to an end in the religious struggle of the Reformation; and it was above all things desirable that the Alliance with England should be strengthened and maintained.

The Border clans had long been a source of trouble to the government, but while restraining their lawless proclivities and repressing their outrages, their value for the defence and protection of the country in war with England was never lost sight of, and so long as such warfare, was of likely recurrence it was impolitic to alienate or destroy them. Now, instead of being a bulwark to strengthen the national defences, the Border thieves had become an element of danger and consequent weakness, and their predatory raids into England, could no longer be tolerated, since it was of paramount importance to preserve peace and harmony with the sister kingdom.

The war of extermination against the thieves which had been pursued by the Regent Murray, was vigorously followed up by Morton with great violence and ferocity, as numerous edicts of the Privy Council abundantly prove.

Musters of the Fencible men of the southern counties were frequently proclaimed in order to proceed against the thieves, many of them had been put to death, and had their houses and 'gudis' burned, yet though intimidated for the time, the survivors soon returned to their old habits, and the masterful 'stouths reifs,' and other enormities, were continued as before. The plan had been adopted of making the 'heidmen' of the borders responsible for the obedience of certain of the thieves within their jurisdiction, and the government had also taken possession of certain leaders as pledges, or sureties for the good behaviour of their followers, who it was confidently assumed would do nothing to prejudice the safety of their patriarchal chiefs. These pledges were placed in the 'Incountry, with the nobill men, baronis and utheris, having gude housses, seeing the King's Majesties awin houssis are not well abill to detene sic a multitude as necessarlie for his gude occasioun mon be kept.*'

At first these pledges were treated by their custodiers more as guests than as prisoners, and the surveillance to which they were subjected was gradually relaxed, till bye-and-bye they were found back in their old haunts, and at their old occupations. This laxity led to another act of the Privy Council, by which

* Records of the Privy Council, vol. ii. p. 477.

the receivers of pledges were enjoined to hold them in strict durance—and 'to surely keep them in firmance, in na ways letting them escape or eschew on band or otherwise, quhil they be freed and relieved' by the Regent in the Sovereign's name.* Heavy penalties were exacted from those who allowed their prisoners to escape, and Stirling of Keir was americiated in two thousand pounds for letting Little of Kessoch escape out of his custody.†

In 1573, Sir Walter Scott became surety for Ralph Ker who was imprisoned in Hadokshole, in Berwick, for offences against an Englishman, for which the damages were estimated at three thousand six hundred pounds Scots. Ralph, who had been released from durance, was to remain in ward in the town of Berwick, but he had 'unthankfully broke his ward,' and Scott became liable for payment of his bond, to 'his great hurt and skaith.'‡

A number of reputed thieves had taken up their quarters at different places in the neighbourhood of Hawick. Earlside, Kirkton, and Hummelknows were occupied by Crosars; Priestthaugh, Quheittelbrae and Swinteis by Elliots. These were all people who had made themselves obnoxious to the government by their outrages. William Douglas of Cavers, James Gledstains of Coklaw, and Robert Elliot of Redheugh, had become sureties for these men, that they would pass 'out with the swires' and remain in Liddesdale giving pledges for their obedience to the law.

These gentlemen were bound under a penalty of 5000 merks each, to see that the thieves with their 'wives, bairns, cornes, and guidis' should remove themselves within a specified time. Should they object to leave, they were to be burnt out, their 'cornes and guides desponit, and if trew men could not be found to occupy their holdings they were to be laid waste.' These conditions not having been fulfilled the three sureties forfeited the 5000 merks.¶

The Borderers had been in the habit of sending their stolen goods, cattle, etc., to certain receivers or friends in the 'incountry,' to be disposed of, or for safety when a warden raid was imminent. A proclamation was issued forbidding this practice on 'pain of deid,' and it was enjoined that no one take in hand to reset, supply, or intercommune with any of the said thieves, or give them meat, drink, house, or harbouring—'under pain of death or confiscation of all their goods, and to be reputed and holden participant with the said thieves, in all their theftuous and evil deeds.'§

* Register of the Privy Council, vol. ii. p. 477.

¶ *Ib.* p. 371.

† *Ib.* p. 626.

§ *Ib.* p. 619.

‡ *Ib.* p. 307.

Notwithstanding all the efforts made to suppress crime,—murder, reif, theft, masterful oppression, and other enormities still prevailed to a great extent, and many of the perpetrators went about unpunished.

It was therefore ordained that a roll containing the names of all such malefactors should be sent to the wardens, both in England and Scotland, and to other officers near the Borders, and they and the lieges generally were commanded to seize on the persons named on the roll, and to bring them to justice. All who received or harboured them to be punished as principals.*

These repressive measures had but a temporary effect in reducing the amount of crime, and were totally unavailing to change the character of the Borderers, or induce them to seek an honest calling.

For hundreds of years war had been the Borderers' native element. They had been nurtured amidst danger and bloodshed; exposed to robbery and oppression all their lives, and compelled in self-defence to rob in their turn. They had no peaceful or honest occupation to fall back on, 'rapine, cheating, and resetting' were their ordinary avocations, their only means of subsistence, and they pursued their calling on a small scale or a large one as circumstances permitted.

This hazardous mode of life had singular charms for those who had been trained to it. It was a free and adventurous existence, and the dangers with which it was surrounded added an enjoyable zest to it. Even the very probable contingency of ending their career on the gallows did not greatly trouble the freebooters. Hanging had become such a familiar experience, that it had lost half its terrors. It was therefore manifestly impossible that laws, however stringent, or punishments however severe, could convert these hardy freebooters into peaceful graziers and cattle dealers. Their reformation could only be the work of time; and was only possible when a permanent peace was established between England and Scotland.

The last warlike encounter between these ancient enemies occurred at a warden raid which was held at the Reidswire in 1575. A swire is a high lying marshy piece of ground at the water shed whence the streams descend on opposite sides. The Reidswire is situated among the Cheviot Hills, near the Carter, and at the source of the Reidwater, which flows through Redesdale in Northumberland. On the north side the streams trickle down and form one of the tributaries of the Jed in Roxburghshire.

* Register of the Privy Council, vol. ii. p. 572.

At this spot, on the boundary line between the two kingdoms, the wardens of the respective countries met to settle disputes, and listen to any complaints which might be brought before them, when their deliberations were interrupted by the accidental skirmish known as the Raid of the Reidswire. Sir John Forster was Warden of the middle Marches of England, and Sir John Carmichael was Keeper of Liddesdale. A dispute arose about a prisoner whom the English Warden refused to deliver up, and this led to high words and then to blows.* The English were the first to break the peace. At the beginning of the fray the Scots had the worst of it, but being joined by the men of Jedburgh they rallied, attacked and totally routed the English, many of whom, including Sir John Heron, Keeper of Tyndale, were slain; and Sir John Forster, Sir Francis Russel, and above 300 were taken prisoners and conducted to the Regent, who dismissed the humbler captives, and detained the prisoners of note in hospitable confinement in his castle of Dalkeith.†

The 'Raid of the Reidswire' was the subject of a ballad published in the 'Minstrelsy of the Scottish Border,' from a copy in the Bannatyne MSS. in the handwriting of the Hon. Mr Carmichael, advocate. It first appeared in 'Allan Ramsay's Evergreen,' but in transcribing it he had taken some liberties with the manuscript. No date has been assigned to the ballad, which professes to have been written by a contemporary and eye-witness of the exploit.

'Carmichael was our warden then,'

sounds like an old man telling the events of his youth to a younger generation who 'knew not Joseph.' It looks like an old composition, and though probably not quite contemporary, may have been written shortly after 1600.

The writer describes the encounter with much graphic force and rugged simplicity. It is a strange picture which the ballad presents to us; a picture characteristic of these warlike times, and in striking contrast to our own. It is a summer morning, and a court of justice is to be held in this remote upland valley, where

'The soft souch of the swyre and the sound of the streams,
Micht comfort any creature of the kyn of Adam.'

Scarcely a human habitation is to be seen—nothing save heath clad hills stretching away in every direction. The majesty of the law is not represented

* Burton's 'History of Scotland,' vol. v. p. 153.

† Tytler's 'History of Scotland,' vol. viii. p. 18.

by grave judges and learned lawyers, but by soldierly Wardens, each with a large following of armed men. To a casual observer, had any such been present, the gathering bore somewhat the aspect of a fair. Tents were erected, and travelling merchants appeared with their pack horses, which were quickly unloaded, and their wares spread out to attract the purchaser. The mediæval equivalent for the card-sharper came to tempt the unwary. The vendor of wines and spirits and other creature comforts was there to minister to the wants of the inner man. Then the clients, the complainers and defenders, with their friends and followers came, not in solitary groups, but in hundreds, and the usually silent hills resounded with the ring of their bridles and the trampling of their horses. They were fully armed though bent on a peaceful errand.

The Scotts were there with the Laird's Wat at their head; from Bedrule came the Trumbles, strong and stout. The Rutherfords, who

‘ with grit renown,
Conveyed the town of Jedburgh out.

There were the Elliots, and the Armstrongs, and

‘ A' the lave o' Liddesdale.’

‘ Then Teviotdale came to wi' spied;
The Sheriffe brought the Douglas down,
Wi' Cranstane, Gladstain, good at need,
Baith Rewle Water, and Hawick town.

‘ Of other clans, I cannot tell,
Because our warning was not wide,
Be this our folks hae ta'en the fell,
And planted down palliones * there to bide.’

The writer then describes the muster of the English—

‘ We looked ower the other side,
And saw come breasting ower the brae
Wi' Sir John Forester for their guyde,
Full fifteen hundred men and mae.’

Then they

‘ Saw come marching ower the knowes,
Five hundred Fenwicks in a flock—
.

* Tents.

' With jack and spear, and bowes all bent,
And warlike weapons at their will.
Although we were na weel content
Yet, by my trowth, we fear'd na ill.'

When such a gathering of ancient enemies meet face to face, fully armed, there is a conjunction of inflammable material which the least spark is sufficient to set in a blaze. The meeting, though not exactly friendly, was peaceable. It had for its object the settlement of differences, and the redress of injuries in a quiet and legal manner ; but many, no doubt, would have preferred the old plan of taking law into their own hands.

Their hostile feelings, though held in check, were lively enough, and our author notices an air of '*crouse*' arrogance about the English, which he attributes to their superior numbers—

' Yett was our meeting meek eneuch,
Begun wi' merriment and mowes,
And at the brae aboon the heugh,
The clerk sat down to call the rowes.'*

Then business was proceeded with,—those who had complaints to make came forward to state their grievances, while others passed the time according to their several inclinations—

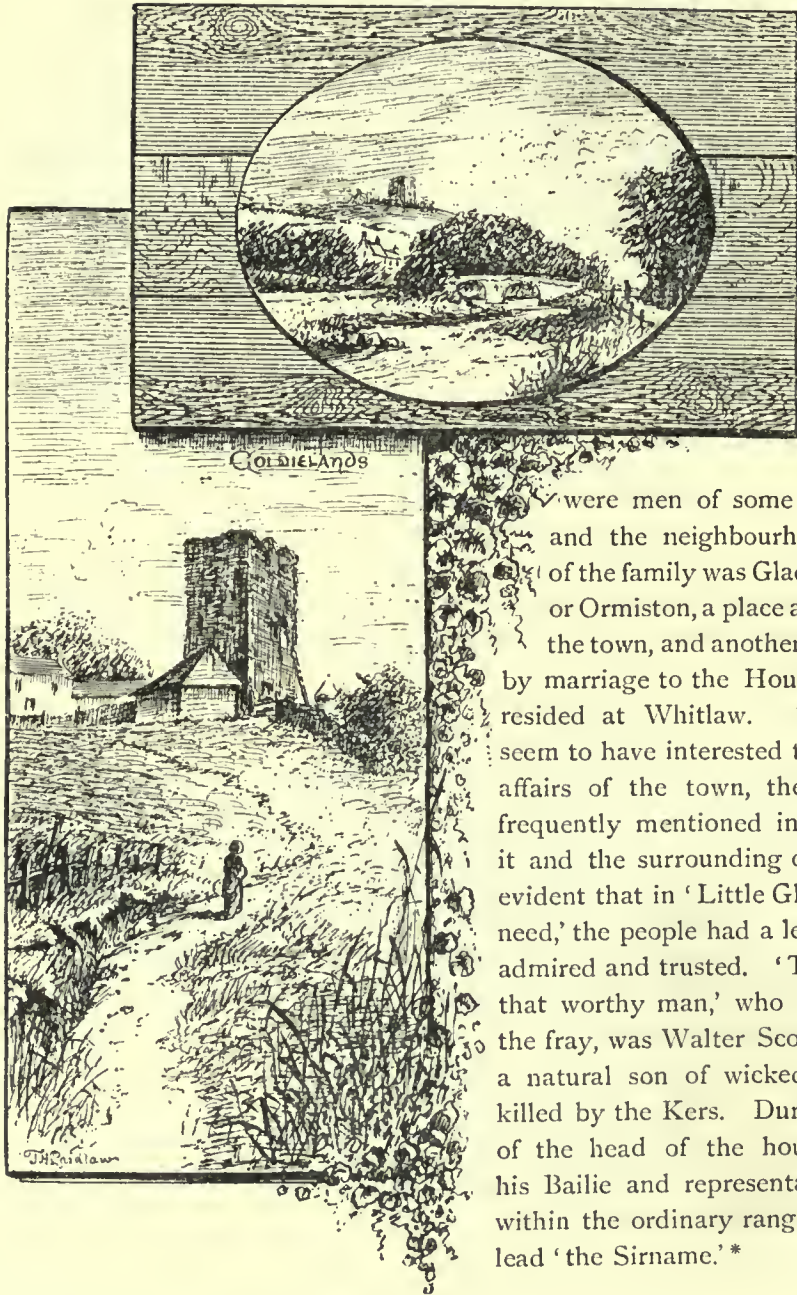
' Some gaed to drink, and some stude still,
And some to cards and dice them sped.'

Then a dispute arose, high words were heard, and the Tyndale men sent a flight of arrows among the Scots, who, nothing loth, rushed to the fray. The slogan of each party echoed from all parts of the field, followed by the rattle of pistols, the clash of steel, and the whirr of hundreds of arrows. The English had the advantage in numbers, and at first it seemed as if they had the victory ; but the merchants, packs were a tempting prize, and the Tyndale men stopped to rifle them, and while busy loading themselves with the 'geir,' the Scots rallied and renewed the attack, and

' With help of God the game gaed right,
Frae time the foremost o' them fell,
Then ower the knowe without good night,
They ran with many a shout and yell,'

leaving the Scots masters of the field.

* Rolls.



There must have been a considerable muster of the men of Teviotdale at the Raid of the Reid Swire. Those from Hawick were led by 'Little Gledstane.' The Gladstones were men of some note in Hawick, and the neighbourhood. The head of the family was Gladstone of Coklaw, or Ormiston, a place about a mile from the town, and another member, related by marriage to the House of Buccleuch, resided at Whitlaw. The Gladstones seem to have interested themselves in the affairs of the town, their names being frequently mentioned in connection with it and the surrounding district, and it is evident that in 'Little Gledstane, good at need,' the people had a leader whom they admired and trusted. 'The Laird's Wat, that worthy man,' who led the Scots to the fray, was Walter Scott of Goldilands, a natural son of wicked Wat, who was killed by the Kers. During the minority of the head of the house he acted as his Bailie and representative and it was within the ordinary range of his duties to lead 'the Surname.'*

* Fraser's 'Scotts of Buccleuch,' vol i. p. 164.

The friendly yet familiar way in which the names of 'Little Gledstane,' and the 'Lairds Wat' are mentioned, and the little homely personal tributes paid them, indicate that both these gentlemen were well known to the writer of the ballad, and would lead to the inference that if not a Scott he was at least a native of Upper Teviotdale.

Walter Scott of Goldilands, was a man held in high esteem by his friends and contemporaries.

The tower or peel of Goldilands still stands, a grey ruin on a hill overlooking the Teviot, about half-way between Hawick and Branxholme. It was called the watch tower of Branxholme, and from its commanding situation it was well adapted to give warning of the approach of danger.*

The tombstone of Walter Scott of Goldilands, formerly stood in the north Aisle of St Mary's Church, but when the church was renovated some years ago, it was removed to Hawick Museum. The inscription on the stone which is here transcribed is still perfectly legible.

'THE DESCRIPTIONE OF VALTER SCOTT OF GOVDILANDIS HIS QVALTEIS.

Heir lyis Bvriet visdome & virthiness,
Heir lyis Bvriet Trevth & Honestie,
Heir lyis Bvriet Fridome & Gentris,
Heir lyis Bvriet Manhude & Cheritie,
Heir lyis Bvriet Largeniss & Lavlie,
Heir lyis Bvriet Hap & Experience,
Heir lyis Bvriet Pietie & Diligence,
Glorie be to God for all.'

On another stone which lay over the grave was the following inscription :—

'VALTER SCOT HIS GENEALOGIE.

Her lyis in this Sepultvre Valter Scot of Govdilandis sone Natvral to Sir Valter Scot the Valiant Laird of Bucklevch yat vas slane crevlie be ye Kerris in Edinbvrghe vithin nicht being vnaccompanyit be his freindis or Servandis onlie except tva of his Dependendis attending on him not respecting nor suspecting thair Intentione. This happinit in September the 53 zeir of his age ye zeir of God 1552.

'This formensonit Valter Scot departit this life at Govdilandis in November ye zeir of God 1596 and vas of age att his deth 64.'

The raid of the Reid Swire was likely at one time to have led to serious consequences. Queen Elizabeth ignoring the fact that her own subjects had

* 'Statistical Account of Hawick,' dated 1738.

been the aggressors in the encounter, by which the laws of truce were violated, was indignant that her Warden should have been taken prisoner; but by the exercise of a little diplomacy on the part of the Regent a quarrel was averted. The prisoners were released with many civil regrets, and Sir John Carmichael was despatched on a mission to Queen Elizabeth, which partook somewhat of the nature of an apology for his victory. The Regent sent with him among other presents to the Queen a cast of valuable falcons. Morton's talent for driving a hard bargain was well known, and this present gave rise to the jest that the Regent had for once made a bad bargain, for he had given live hawks for a dead heron, in allusion to the death of Sir John Heron.*

A proclamation was issued, and ordered to be read at the Market Crosses of Hawick, Jedburgh, and other Border towns.

'Forsamekill as at the lait meeting on the Reid Swyre upoun the vii. day of Julii instant, thair is ane unhappy accident fallin, to the hinderance of the ordinar cours of justice betuix the subjectis of bayth the realmis thair convenit, to the incouraging of wickit men to attempt further mischief and disordour in the prejudice of the peace and gude amyctic, sa lang and happelie continewit betuix our Soverane Lord and his dearest sister and cousignace, the Quene of England of quhais sinceir intentioun to the inviolabill observatioun of the same peace we have had gude pruif, and restis fully assurit. Quhairfoir, and to the effect that all occasioun of forder troubill displeasour and misrule sal be avoidit heireftir, and that the gude peace, amyctic, and ordinar administratioun of justice may be observit, and continwe betuix the subjectis of bayth realmis, without ony violatioun on the part of our Soverane Lord, and his subjectis,—ordanis letters to be direct to officiaris of Armes, Shereffis in that part, charging all and sindry, our Soverane Lords leigis, that nane of thame tak upoun hand to do or attempt onything in hurt or prejudice of the said gude amyctic bot observe and keip the said peace without brek or violatioun of any sort, as they will answer to his Hienes upoun their allegeance at their uttirmost charge and perrel, and under panc of deid.' †

'The troubill and disorder' which happened at the meeting at the Reid Swire was the subject of many orders of council, and great efforts were made to restore the peace, and keep order. The broken men of the Border had made sundry raids on the English, and a muster of the 'carls, lords, barons, frechaulders,

* M.S. letter, State Paper office, Huntingdon to Leicester, 14th August 1575.

† Register of the Privy Council, vol. ii. p. 459.

landit men, gentlemen, and substantial yemen men,' of all the southern counties was commanded to meet the Lord Regent at Jedburgh with twenty days' provision, to suppress the disorders in the middle March.*

Eighteen months later the Regent, who was holding courts of justice on the Borders, caused a proclamation to be made at the market crosses of Jedburgh, Hawick, Melrose, Kelso, etc., commanding that all who had goods taken from the English at the Reid Swire, and had not already made restitution of the same, should bring them to the churchyard at Jedburgh, and there deliver them up in the presence of John Carmichael, son of the Warden. Those who failed to deliver up such goods were to be proceeded against as if they had been the actual thieves. †

In 1579 the plague 'or pestilence' was raging in England, and great precautions were taken to prevent the spread of infection to Scotland, all traffic between the kingdoms being forbidden; and 'as sindry English men now repairs to the common mercattis upon the bordouris of this realm quhair throw there is evident peril of the further infection of the said plague to be spread in this realm without God in His mercy impede the same;' therefore the holding of markets in the Border towns was prohibited. ‡

In spite of these precautions the plague spread to Scotland, and committed great havoc.

In 1581 a proclamation was made that there being 'preparation and down-coming of the forces of England to the Bordouris of this realme, for quhat occasionis is yet uncertain, it is thought necessary that the lieges be in present and full reddyens for defence.' 'Accordingly it is ordained that the fencibles throughout the kingdom weill bodin in feir of weir, be in full reddyens to repair to sic place or places with sa mony days' victuallis and provision as they sall be certified by the next proclamation, upon six hours' warning.'|| It was found, however, that the suspicion of hostile intentions on the part of England, was groundless, and the muster was never called.

In 1580, a large party of English and Scotch reivers made a raid on the lands of Mickle Whitlaw, on the Slitrig, a mile or so above Hawick, belonging to Buccleuch, but held by his relative and retainer John Gladstone, and stole certain nolt, 'to the utter wrack and herchip' of Gladstone; and the 'fray coming to the house of Branxholme,' about fifty of the clan set out the same night, and followed

* Register of Privy Council, vol. ii. p. 460.

† *Ib.* vol. iii. p. 229.

‡ *Ib.* vol. ii. p. 560.

|| *Ib.* vol. iii. p. 366.

the thieves through Liddesdale till they came to Billieheid, in Cumberland, where they searched for the stolen cattle, but were unsuccessful in discovering them.

Their horses being fatigued they turned back, and were proceeding homewards, when they were suddenly attacked by a force of about three hundred of the Liddesdale men. The Scotts, who only numbered about fifty, being taken by surprise, had no chance against such overwhelming odds. They defended themselves gallantly for a time, but were defeated. 'William Gledstain' was killed, and Scott of Goldilands, and Elliot of Redheugh were wounded, along with about a dozen others. All the rest were taken prisoners, and were only released, upon agreeing 'to mak bond and promise unto the Laird of Whit-haugh and his complices, to enter again upon aucht days' warning.*

James Gladstone of Coklaw brother of Gladstone of Whitlaw, Scott of Goldilands, and Elliot of Redheugh, lodged a complaint with the Council, and a large number of Armstrongs, Elliots, and others, were summoned before the Lords of the Council, to answer for this outrage, but failing to appear, they were denounced rebels, and put to the horn.

Robert Elliot of Redheugh, who was with the Scotts, and against his own clan in this affair, was deputy-keeper of Liddesdale. His name appears at different times in conjunction with other gentlemen who were interested in maintaining order and good rule.

Martin Elliot of Braidlie and his followers committed many other depredations against the Scotts. They came under silence of the night, to the land occupied by Lady Margaret Douglas, Countess of Bothwell, and stole forty kye. From her farm of Whitlaw they took one hundred sheep, twenty kye and oxen, and two horses; and from the steading of Walter Scott of Harden eighty cattle and six horses, and the inside gear and plenishing of six of the 'puir tenentis houssis.' †

Appeal was made to the Privy Council for redress, and it was stated that unless some protection were afforded, the complainers would be compelled to leave their lands. The depredators were put to the horn, and their goods forfeited, but as this was a mere form so far as it affected the Liddesdale clans, the Scotts took the matter into their own hands. The feud thus engendered was pursued with great animosity by both parties, so that it became necessary for the

* Register of Privy Council, vol. iii. p. 309.

† *Ib.* p. 335.

Council to interpose, and make each clan give assurances for the 'better quietness and gude rule to be kept in the cuntrie.'

Notwithstanding these assurances, the feud continued for about five years, and harassing raids were made by the Elliots and the Armstrongs, on the estates of Bellendean, Eilrig, and other places belonging to Buccleuch. The Scotts took their revenge as best they could, and the council again passed sentences of horn-ing and forfeiture,—sentences which the Borderers regarded with philosophic indifference, since it was almost impossible to enforce them.*

In 1582, a great muster of the fencible men of all the countries south of the Forth and Clyde, was proclaimed to meet the King at Peebles, to proceed against the Border thieves, whose frequent slaughters, bloodshed, fire-raising, and open reiffis, thefts and oppressions, had become very grievous; the forces were to come well armed and provided with one month's victuals,† 'for persute and invasioun of the saidis thevis, thair mantenaris and resettaris, with fyre and swerd, quhill they be repressit and reducit.'

The young chief of Buccleuch was nurtured among broils and feuds, and at an early age he took part in the exploits in which his clan were engaged. When about seventeen, he was warded in the Castle of Blackness for some offence supposed to be connected with these feuds, but he made his escape after a brief interval, and afterwards received letters of remission from the King.

The legal procedure of the sixteenth century presents some curious anomalies. Though robbery and other minor offences were punished with death, the penalty for murder was a matter of arrangement with the relations of the murdered man, as the following case proves.

Will Robeson of the Rough-heugh Mill, in Wilton, near Hawick, having been guilty of the slaughter of James Hall, in Wollie, (Wolflee), James Langland of that ilk, became surety to Malie Hall, only daughter of the deceased, that Robeson his tenant, would 'satisfei the said Malie for the slaughter of her umquhile fader,' but 'nocht withstanding scho is drifted and delayit to her heavy dampnage and skaith.' Malie appealed to the Lords of the secret council, and charged James Langlands to make payment of the sum of twenty merks for assyithment and satisfaction to her. When the complainer was satisfied, the ends of justice would appear to have been secured.‡

* Register of Privy Council, vol. iii. p. 441.

† *Ib.* vol. iii. p. 524.

‡ Records of the Privy Council, vol. ii. p. 571.

About the year 1591, Francis Stewart, Earl of Bothwell, attained great notoriety on account of his daring attacks upon the King. This eccentric nobleman was a son of John Stewart, secular prior of Coldingham, an illegitimate son of James the Fifth, who had married Lady Janet Hepburn, sister to the infamous Earl of Bothwell the husband of Queen Mary. Francis lost his father when quite a child, and Queen Mary assumed the guardianship of the boy, in whom she took a warm interest, and he was also a personal favourite with King James.

After the forfeiture and banishment of Queen Mary's Bothwell, the Earldom was vacant for a time. At length it was suggested that to confer it on Francis Stewart, his nephew, would be very appropriate, and he was accordingly created Earl of Bothwell in 1587. He had some years previously married Lady Margaret Douglas, widow of Sir Walter Scott of Buccleuch.

During the earlier years of his reign, James the Sixth, always a weak tool in the hands of some dominant favourite, was very much under the influence of the Earl of Arran, a man of an infamous character, and of a tyrannical disposition. An attempt had been made to remove the King from his power, but the enterprise which was known as the Raid of Ruthven, terminated in disaster to the conspirators, most of whom suffered forfeiture and banishment.

In 1585 the exiled noblemen agreed to make another attempt to expel the obnoxious Arran from the King's Councils, and they marched to Stirling where the King was holding his court, accompanied by Maxwell, Home, Bothwell, Buccleuch, and other Border chieftans, with a large force of Borderers; and Kinmont Willie a noted freebooter, with a number of his clan formed part of the expedition. These Borderers repeated the exploits which they or their forbears had performed in the same town nearly twenty years previously, when the Regent Lennox was killed. They pillaged the shops, emptied the stables of horses, and even tore off the iron gratings from the windows and carried them away; though what could be their object in cumbering themselves with such weighty spoil, it is difficult to conceive. Unlike the former expedition, however, the cupidity of the Borderers did not frustrate the object of their enterprise which was completely successful. Arran fled as soon as he heard of the approach of his enemies, and the King yielding to the pressure of circumstances, received the exiled Lords, and restored them to their former honours and estates.

The King noticing Bothwell among the armed barons, said, looking reproachfully at him, 'Francis, Francis, what moved thee to come in arms against thy

prince, who never wronged thee? I wish thee a more quiet spirit else I forsee thy destruction.’*

The King’s friendship for the Earl of Bothwell was as warm as ever, notwithstanding his rebellious appearance at Stirling. When he went to Denmark to bring home his bride, Bothwell and the Duke of Lennox were left in joint authority as his lieutenants.

During the King’s absence, Bothwell was said to have had occult dealings with the witches, by whose means, it was alleged, he sought to procure the death of his Sovereign. It is in the highest degree improbable that he had any such object in consulting these supposed handmaids of the evil one; but whatever was the nature or extent of his dealings with them, it was sufficient to form a pretext for his apprehension and imprisonment. He was lodged in Edinburgh castle, but soon succeeded in making his escape. He was furious at the accusation which had been brought against him, and at what he considered his unwarrantable arrest. In a fit of mad revenge he made the first of these insurrectionary enterprises against the King, which disturbed the next two years of his reign, and which are so remarkable, both for the courage and intrepidity displayed, and for the absence of all definite aim. With a large band of Borderers, Bothwell forced his way into Holyrood Palace, and battering at the doors of the royal apartments, attempted to seize the person of the King, but was at length driven off by the citizens of Edinburgh who alarmed by the noise of firearms, rushed to the rescue. In the same year, 1592, he made an attack on Falkland, where the King was, and was repulsed by the peasantry of the neighbourhood. Again in 1593, he forced an entrance into Holyrood and put the King in terror of his life, till the citizens again came to his assistance. In 1594 he appeared at Leith with 500 Borderers, and in a skirmish with Lord Home’s followers and the Town Guard, several were wounded and taken prisoners, and James narrowly escaped falling into the hands of his rebellious subject.

This succession of outrages directed against the person of the King, who had been a generous benefactor to Bothwell, involving no great political principle, is inexplicable by any of the ordinary motives which regulate human conduct. They could scarcely have for their object any scheme of personal aggrandisement, and would rather seem to have proceeded from an insane desire for notoriety such as often leads people to commit great crimes. As Burton says, he must have

* Spottiswoode, p. 343.

been a likeable madcap, for even the King who had suffered most from his eccentricities, spoke of him in a kindly spirit, and his large body of followers seemed to be sincerely attached to him.*

This popularity at length failed him; the Borderers tired of risking their lives to carry out his wild pranks, he was at last obliged to seek safety in flight. He retired to England, but found it advisable to proceed to France, and subsequently to Spain and Italy, where he dragged out the remainder of his life in extreme poverty, earning a precarious subsistence by the display of his skill in feats of arms, and by fortune telling. He died at Naples in 1612.

His wife the Countess of Bothwell met the King at the gate of Edinburgh castle, shortly after her husband's last attempt, 'and falling on her knees she besought him for Christ's sake that died on the cross to have mercy on her and her spouse.' Her tears and her piteous pleadings moved the King, who 'put out his hand, and would have ta'en her up. She kissed the back of his hand three times. Then he passed into the castle, and the lady came down the street.' †

If the King had really felt any compassion for her it was very ephemeral, for a fortnight afterwards proclamation was made that no man receive the Countess of Bothwell, give her entertainment, or have any commerce or intercourse with her. In spite of all the strange vicissitudes of her career, the Countess of Bothwell lived to a great age, having survived her first husband Sir Walter Scott of Buccleuch for the long period of sixty-six years.

After the rebellion and forfeiture of Bothwell, Sir Walter Scott of Buccleuch was appointed keeper of Liddesdale, in room of his stepfather.

'The King, with the advice of his Council, appoints Sir Walter Scott of Branxholme, to be keeper of Liddesdale during his Majesty's will, and grants to him the fees and duties belonging to the said office, with the same authority to use the same as had belonged to Francis, sometime Earl of Bothwell, or any of his predecessors. The said Sir Walter being present accepts the said office; and intimation of the appointment is ordered to be made at the market crosses of Kelso, Jedburgh, and Hawick, with command to the inhabitants of Liddesdale and other lieges to acknowledge the new keeper, and assist him in all his ways.' ‡

Scott was afterwards involved in the treasonable exploits of his stepfather, but to what extent does not appear. A sentence of exile was pronounced

* Burton's 'History of Scotland,' vol. v. p. 284.

† Scotts of Buccleuch, vol. i. p. 161.

‡ Register of Privy Council, vol. iv. p. 649.

against him, and James Scott of 'Balwery and William Scott became caution under a penalty of £10,000 for Sir Walter Scott of Branxholme that he shall go abroad, within a month from the date of this order, and not return within the next three years.'* A further order of Council sets forth that 'Sir Walter Scott of Branxholme having been licenced to depart furth of this realme, and appointed to remain abroad for a certain period, his Majesty, with the advice of the Council, relieves him of the keepership of Liddisdale.'† He accordingly departed to France.

Scott of Harden was also seriously implicated in Bothwell's treasons; and Scott of Goldilands, and Jedeon Murray received an injunction of the Privy Council to 'demolish the houses and fortalices of Harden and Dryhope, pertaining to Walter Scott of Harden, for having been arte and parte of the lait treasonable fact perpetrate against his Hienes awne person at Falkland.'‡ For failing to appear before the Council and answer for his crime Harden was denounced rebel.§

Buccleuch afterwards obtained letters of pardon from the King under the great seal. He was allowed to return from exile within a year, and was re-appointed in his office of keeper of Liddesdale. The letters of pardon granted by the King, included Sir Walter Scott's kinsmen Scott of Harden, and Scott of Whitslade.

A considerable portion of the forfeited estates of the Earl of Bothwell were granted to Sir Walter Scott. They had been given to Ludovic, Duke of Lennox, but, at the King's desire, he resigned them in favour of Buccleuch. These estates consisted of the lordship and barony of Hailes with the castle and other appurtenances, and several other properties in Haddington, Berwick, Selkirk, and Dumfries, besides the lands and lordship of Liddesdale, and the castle of Hermitage. The cause of granting the charter is thus set forth in the preamble:—

'Know ye, whereas we, understanding the good, faithful, and thankful service done by our well-beloved Walter Scott of Branxholme, knight, in sundry and diverse employments and services intrusted by us to him, as well in pacifying the Borders and middle regions of the Marches of this our kingdom, and putting down the insolence and disobedience of our subjects dwelling there, as in sundry other weighty affairs committed to his trust, tending to the great and singular

* Register of Privy Council, vol. iv. p. 668.

‡ *Ib.* p. 769.

† *Ib.* p. 674.

§ *Ib.* p. 773.

weal of this our kingdom, and of our lieges, and tranquillity of the same, wherein he not only performed his duty honourably and vigorously, with much labour and the greatest dilligence, as became a faithful subject, but also afforded a clear and evident token of his inclination daily, and more and more to persevere in the same service, for which we, deeming it a truly royal part to reward the said Walter Scott of Branxholme, knight, therefore, and for sundry and divers weighty causes,' etc.*

It appears by this ratification of this charter by Lennox, that considerable sums of money had been paid to him by Buccleuch, and a further sum of 2500 merks was paid on the day that Lennox executed the ratification of the treaty. He did not certainly buy the lands, but he gave Lennox a considerable premium for giving them up, and thus enabled the King to confer a benefit, both on Lennox and Buccleuch, two of his especial favourites. Buccleuch was held in high esteem by Queen Anne, James' Consort; and in the year 1595 when the Queen would have had Prince Henry in her keeping in the castle of Edinburgh, she wished Buccleuch to be appointed keeper of the castle; but her wishes were frustrated by the influence of John, Earl of Mar.

The exploit which caused the name of Buccleuch to be popularly known all over Scotland, and to be handed down to posterity as the 'Bold Buccleuch,' was the daring and brilliant rescue of Kinmont Willie from Carlisle castle. This redoubtable freebooter, whose name was Willie Armstrong, is said to have been a descendant of the famous Johnnie Armstrong, who was hanged by James the Fifth.

Kinmont Willie was one of the most renowned of the Liddesdale rieviers. He was a man of great personal strength, and had seven sons, all as brave and daring as himself, who in their time had committed many depredations on the English side of the Border. They had invaded Tyndale with three hundred followers, and had devastated a large tract of country, carrying off an immense booty; and naturally the capture and punishment of Kinmont Willie, and his accomplices was eagerly desired by the English Borderers. The opportunity occurred at a Warden Court, where Willie was taken prisoner in open violation of Border laws.

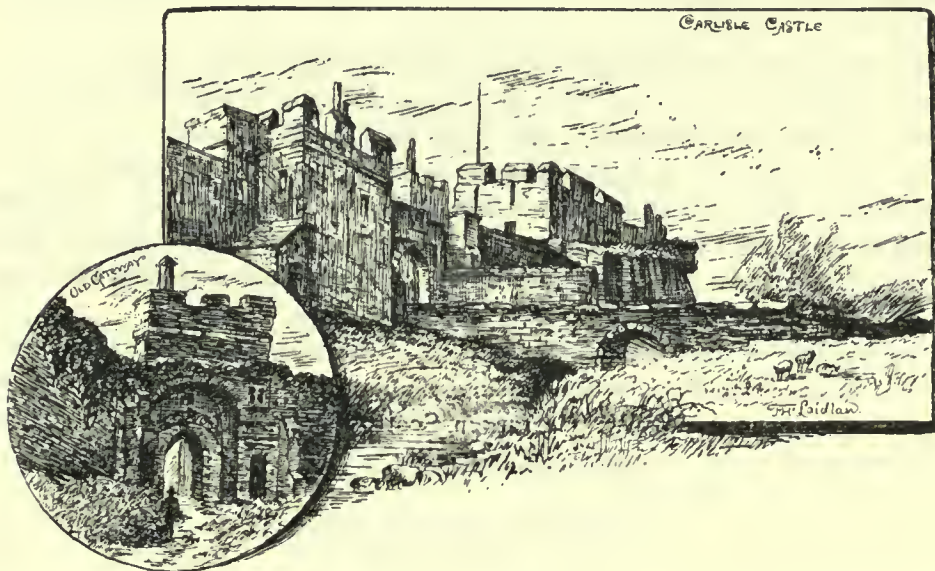
Since the affair of the Reid Swire, these laws had been made more stringent. It was a crime to be punished by death for either English or Scotsman to draw a weapon, even on his greatest foe, from the time of holding the court till next

* Scotts of Buccleuch, vol. i. p. 175.

morning at sunrise ; thus affording a sufficient interval for all to disperse and return home.

It was necessary that this law should be rigidly enforced, otherwise the Warden Courts where sworn enemies were brought face to face, might become more potent in perpetuating strife, than securing the ends of justice.

Kinmont Willie had attended a court held by the deputy Wardens at Dayholm, on Kershope, where a small stream divides the two countries. After the day's proceedings had come to an end, Kinmont and three or four friends were riding homewards, dreading no evil, when suddenly a force of two hundred



English attacked them. Resistance was out of the question, and the little party could only trust to the speed of their horses ; and Kinmont Willie who was chased for several miles, at last was captured and taken a prisoner to Carlisle castle.

There is no doubt that the English had a heavy indictment against Kinmont Willie, and his capture and punishment had been anxiously sought by the whole English Border. Still, great offender as he was, the manner of his seizure was a flagrant breach of faith, and a gross violation of truce ; aggravated by the fact that it was instigated or at least approved by Lord Scrope, the English Warden, into whose custody he was delivered.

Buccleuch, the Scottish Warden, was bound to resent the outrage which was an insult to his country, and a defiance of his authority as Warden ; he therefore wrote to Lord Scrope, and complained of the breach of truce, and demanded the release of the prisoner. Receiving no satisfactory reply, he swore that he would bring Kinmont Willie out of Carlisle castle with his own hand. Before, however, resorting to extreme measures, he resolved, like a well-known statesman of the present day, 'to exhaust the resources of civilization.' Accordingly he again wrote to Lord Scrope, and represented that his prisoner had been unlawfully captured, and was detained in direct violation of Border law. Scrope replied that Kinmont was such an old offender that he could not release him without authority from the Queen.

Buccleuch then addressed the English Ambassador on the subject, and King James himself wrote to Lord Scrope and also to Queen Elizabeth, but without effect, so Buccleuch thought it was time to take the matter into his own hands. He was a man of a proud temper and undaunted courage, and had the reputation of being one of the ablest military leaders in Scotland.* To submit quietly to such insult was intolerable to his haughty nature, and he determined to vindicate his honour and the dignity of his office by taking Kinmont Willie out of Carlisle castle by force.

He took his measures carefully and secretly. Choosing a dark night, Buccleuch set out on his expedition, accompanied by a few of his chosen friends and retainers, among whom were Wat o' Harden, Scott of Goldilands, four of Kinmont's sons, and others to the number of about eighty, all men—

' Who held no crime, or curse or vice,
As dark as that of cowardice.'

They assembled at the Tower of Morton in the Debateable Land, and within ten miles of Carlisle, all well armed and mounted, and provided with scaling ladders, sledge hammers, and all necessary implements.

The rescue is splendidly described in the Ballad of Kinmont Willie, published in the 'Minstrelsy of the Scottish Border,' and which 'was preserved by tradition on the West Border, but much mangled by reciters, so that some conjectural emendations have been absolutely necessary to render it intelligible.'

* Tytler's 'History of Scotland,' vol. ix. p. 221.

It is impossible to vouch for the antiquity of a composition received from oral tradition. Some form of the ballad may have been current shortly after the occurrence of the event to which it relates, but it may have undergone many changes in the course of transmission through two centuries. Scot of Satchells, whose history was published in 1688, dwells with great pride and pleasure on the gallant and daring rescue of Kinmont Willie, in which his father had taken part. He mentions various little incidents noticed in the ballad, and from this it had been supposed that he derived his information from it, but the inference may with equal probability be turned the reverse way, and the writer may have been indebted to Satchells for some of his facts. In all essential points the ballad agrees with the description given by Spottiswood and other historians.

The capture of Kinmont Willie is thus described—

‘ They band his legs beneath the steed,
They tied his hands behind his back !
They guarded him, fivesome on each side,
And they brought him ower the Liddel-rack.

‘ They led him thro’ the Liddel-rack,
And also thro’ the Carlisle Sands,
They brought him to Carlisle Castle,
To be at My Lord Scrope’s commands.

“ My hands are tied but my tongue is free,
And whae will dare this deed avow ?
Or answer by the Border law,
Or answer to the bauld Buccleuch !”

“ Now haud thy tongue, thou rank riever,
There’s never a Scot shall set thee free,
Before ye cross my Castle yate,
I trow ye shall take farewell o’ me.”

‘ Now word is gane to the bauld keeper
In Branksome Ha, where that he lay,
That Lord Scrope has ta’en the Kinmont Willie
Between the hours o’ night and day.’

The indignation of Sir Walter Scott at this breach of truce and contempt of his authority as Warden, is most graphically described, as

‘ He smote the table with his hand,
And garred the red wine spring on hie,’

and exclaimed,

'Oh, is my basnet a widow's cruch?
Or my lance, a wand of the willow tree?
Or my arm, a ladye's lily hand
That an English Lord, should lightly me!

'And have they ta'en him, Kinmont Willie,
Against the truce of Border tide,
And forgotten that the bauld Buccleuch
Is keeper here on the Scottish side.

'And have they ta'en him, Kinmont Willie,
Withouten either dread or fear,
And forgotten that the bauld Buccleuch,
Can back a steed or shake a spear.

'Oh, were there war between the lands,
As weel I wot that there is none,
I would slight Carlisle Castle high,
Though it were builded of marble stone.

'I would set that Castle in a lowe,*
And sloken it with English blood!
There 's never a man in Cumberland
Should ken where Carlisle Castle stood.

'But since na war 's between the lands,
And there is peace, and peace should be,
I 'll neither harm English lad or lass,
And yet the Kinmont freed shall be.'

After describing all the preparations for their enterprise, and the dark tempestuous night,

'With wind and weet, and fire and sleet,'

which was so favourable to their purpose, the poet describes their cautious advance to the castle. They had left their horses at some distance lest their neighing should give the alarm, and

'We crept on knees, and held our breath,
Till we placed the ladders against the wa',
And sae ready was Buccleuch himsell
To mount the first before us a'.

* Flame.

' He has ta'en the watchman by the throat,
And flung him down upon the lead,—
" Had there not been peace between our lands,
Upon the other side thou hadst gaed !—
" Now sound out, trumpets " quo. Buccleuch ;
" Let's waken Lord Scrope right merrilie."
Then loud the Warden's trumpet blew,
Oh, wha daur meddle wi' me.'

The garrison, hearing the uproar, imagined the Castle was in the hands of a large body of men, and all was confusion. The sentinels and soldiers were withdrawn into the inner keep, the bells were rung, and the whole city alarmed—

' They thought King James and a' his men,
Had won the house wi' bow and spear ;
It was but twenty Scots and ten,
That put a thousand in sic stear !'

Lord Scrope had not ventured to leave his chamber, believing, as he afterwards averred, that there were five hundred men at least in possession of the Castle. Meanwhile Buccleuch's men, taking advantage of the confusion, plied the coulters and fore hammers with such effect, that Kinmont Willie was soon released, and hoisted, all ironed as he was, on the shoulders of ' Red Rowan, the starkest man in Teviotdale.' As they passed under Lord Scrope's window, Kinmont roared out a lusty good night, and promised to pay him for his lodging the first time he crossed the Border. Having effected their purpose, the Scots retired as quickly as they had come. The garrison hardly recovered from their surprise, till the rescue had been effected, and the party re-crossed the river and were safe from pursuit.

Buccleuch had been careful to impress on his followers the necessity of doing nothing to give just cause of offence to the English Queen. He had vowed to take Kinmont Willie out of Carlisle Castle, without ' scaith ' to any one, or reasonable ground of complaint on the part of the Warden, and so strictly did he adhere to this determination, that he ordered some prisoners, who had been released along with Kinmont, to be returned. Except some damage to the doors, which a blacksmith could soon put to rights, and giving Lord Scrope

half an hour's serious perturbation, Buccleuch injured no one, and carried off his rescued follower in triumph—

'Then shoulder high, with shout and cry,
We bore him down the ladder lang ;
And every stride Red Rowan made,
I wot the Kinmont's airns play'd clang !'

A tone of hilarity seemed to pervade the party, and Kinmont indulged in a joke at his very unusual mode of locomotion on his friend's shoulders—

'“ O mony a time,” quo' Kinmont Willie,
“ I have ridden horse baith wild and wud ;
But a rougher beast than Red Rowan,
I wot my legs have ne'er bestrode.”

'“ And mony a time,” quo' Kinmont Willie,
“ I've pricked a horse out oure the furs ;*
But since the day I back'd a steed,
I never wore sic cumbrous spurs !”'

The Eden was in flood, but the Scots swam across, to the astonishment of Lord Scrope and his men, who had mustered in pursuit. On the opposite bank of the river they were safe, and their next thought was to relieve Kinmont of his 'cumbrous spurs.' With this object they stopped at the first blacksmith on their way. The worthy son of Vulcan was so fast asleep that all their knocking could not rouse him, till Buccleuch opening the window poked him up with his spear. The blacksmith's daughter being awakened by the noise, relates how she saw a great company of gentlemen on horseback gathered round the house, and how they were all dripping wet, but were laughing and talking very merrily. The fetters were soon knocked off, and the party returned to Branxholme.

When this daring rescue became known in Scotland, the people were loud in their praise, declaring that no such gallant exploit had been performed since the days of William Wallace. But when the news reached Queen Elizabeth it aroused her extreme anger and resentment. To take a prisoner out of an English Castle was in her eyes a flagrant outrage and a national affront, and 'she stormed not a little,' and demanded that the offender should be given up to her.

* Furrows.

It was represented to her that Buccleuch had only rescued a prisoner who had been captured and was detained in defiance of Border law ; that in doing so he had harmed no single English subject, though he had had it in his power to take Lord Scrope prisoner, and to have sacked the whole town of Carlisle. Elizabeth ignoring these facts, reiterated her demand that Sir Walter Scott be delivered up to her, to be dealt with at her pleasure. King James resisted this demand to the utmost of his power. Elizabeth insisted, and it became necessary to bring the matter before the Council, where, however, Buccleuch's adventure had many admirers, and there was a general feeling against yielding to Queen Elizabeth. Much correspondence ensued both between the crowned heads and their ministers, and while this proceeded, fresh complications were added to it by the ever-recurring strife on the Borders.

A party of English moss-troopers (as they had now come to be called), led by one of the Musgraves, made an incursion into Liddesdale and committed many depredations, and Kinmont Willie succeeded in taking Captain Thomas Musgrave prisoner to Buccleuch's great satisfaction.

In a letter written from Edinburgh to one of Elizabeth's councillors, the writer says, ' that Buccleuch had informed him of the capture of Musgrave, and said that he would cause him to be conveyed to Hawick under his custody ; and that the Queen and Council of England should understand, that he ought to be reputed a more lawful prisoner, who was taken red-handed stealing gear in Scotland, than Kinmont was in the day of truce, when neither doing, nor offering to do any injury whatever.'

About three months after the rescue of Kinmont Willie, Lord Scrope made a raid on the Scottish Border, which was attended by circumstances of atrocity unequalled even in that barbarous age. He led two thousand men into Liddesdale, and burned twenty-four out-sets of houses, spoiled and carried away the whole goods and gear within four miles of the Border, apprehended the men and chained them two and two in a leash like dogs. Three or four score women and children were stripped of their clothes and left exposed to the weather, by which ten infants perished.*

To avenge this raid, Sir Walter Scott and Sir Robert Ker of Cessford, made an inroad on the English Border and harried the country on all sides with fire and sword, carrying off thirty-six prisoners, whom he afterwards put to death

* Bowes to the Lord Treasurer, Harlein MSS., vol. 851, and Spottiswood, p. 450.

Other marauding expeditions followed, the hostility being kept up with unabated fury, and it would be hard to say which side was most to blame.

Buccleuch's share in these outrages, which added to his original offence, made the English indictment against him a very heavy one. He was accused of having perpetrated all kinds of hostility against the English Borderers, burning, harrying, and carrying away much spoil, and on one occasion it was alleged he 'had burned innocent creatures within their houses.*' Buccleuch denied having committed slaughter, except of thieves taken red-handed, which was accounted lawful on the Border, and was long practised by both nations; and he gives an account of the raid which was condemned as peculiarly atrocious.

Sixty Englishmen he says had entered Liddesdale and driven off great herds of cattle, and killed two men. The 'fraye' having been brought to Branxholme, he with other gentlemen and their retainers followed the rieviers with the bloodhounds. They found that the spoil had been divided, and a number of the cattle in possession of a party who refused to restore them, whereupon a sharp encounter ensued, and the thieves were slain. The remainder had been taken to sundry houses in Tyndale, which the people refusing to deliver up, though promised safety of life and limb, and security of their own goods, the assailants forced an entry by firing the doors, and the whole houses were unintentionally destroyed.†

These repeated depredations on the English Border, added fuel to the flame of Elizabeth's wrath against Buccleuch, and it is even asserted that with her concurrence a plan was formed to assassinate this powerful chief. Overlooking the fact that her own subjects had been equally guilty, she became more peremptory in her demands that Buccleuch should be delivered into her hands, and among other means of forcing King James to yield to her wishes, she threatened to stop the payment of an annuity which he received in respect of certain lands belonging to him in England. This threat greatly distressed the King, for the Royal exchequer was not in a flourishing condition, and the loss of his English revenue would seriously inconvenience him. 'The majority of his counsellors were of opinion that it would be less dishonour to the King and his kingdom were he to be driven from his throne, than to be thus forced to disgrace himself for money. He could not now deliver up Buccleuch, since it would

* Harlein MSS., vol. 851.

† 'Scotts of Buccleuch,' vol. i. p. 212, quoted from Harlien MSS.

be reported that he had done so by force and for gain.* The position of matters was very embarrassing to James. He was by no means anxious to give up Buccleuch who had done nothing unbecoming a loyal Scotsman ; but Elizabeth insisted so pertinaciously, that it seemed as if the dispute must end in war.

The original offence of the attack on Carlisle castle had become so complicated with other matters that it had almost been lost sight of. The outrages committed on the English Border by Buccleuch and Ker of Cessford were still graver transgressions, and Elizabeth peremptorily intimated that 'without more excuses, deferrings, or lingerings' both these leaders must be delivered up to her, and at length, after eighteen months of negotiation, King James was constrained to yield to the urgency of Queen Elizabeth's demands, and Sir Robert Ker and Sir Walter Scott accordingly yielded themselves to the English at Berwick.

While Sir Walter Scott's affairs formed the subject of international discussion, the fame of his gallant exploit had been noised abroad, and when he entered England he was treated more like a distinguished guest than a captive brought to answer for his offences against the government. He made a very favourable impression on the Queen, for though she had insisted that Buccleuch should yield himself her prisoner, when this was conceded she was satisfied, and treated him with marked kindness, appearing to have forgotten that he had been a most obdurate and implacable enemy. Buccleuch enjoyed great popularity during his stay in London, and was sumptuously entertained by the best society. Satchells says—

' For banquets he had store, and that most free,
Each day by some of their nobility.'

It is reported that Queen Elizabeth asked Buccleuch how he dared undertake an enterprise so daring and so presumptuous, when he answered, 'Madame, What is there that a brave man dare not do?'—A reply so much after the Queen's own heart that she turned to the bystanders and said, 'with ten thousand such men, our brother of Scotland might shake any throne in Europe.'

Buccleuch remained a year in London in honourable captivity, and afterwards visited France, where he stayed another year.

All this time things had not improved on the Scottish Borders, and marauding raids were so frequent and so destructive that much profitable land was lying

* 'Scotts of Buccleuch,' vol. i. p. 195.

waste, and many householders had been forced to leave their homes, but the evil character which the Borderers had earned for themselves was on one occasion utilised by King James for his own purposes. In a riot incited by the seditious ministers of the Kirk, the King had been insulted and put in terror of his life, and had been obliged to leave the city. On his return he caused it to be made known that in addition to the forces of the Earl of Mar his entry was to be guarded by a large train of Borderers. The effect of this news on the citizens is thus described by a contemporary writer—

‘There was ane grate rumour, and word among the tounes-men, that the King’s Majesty sould send in Will Kinmonde, the common thieffe, and so many southland men as sould spulye the toun of Edinburgh. Upon the whilk, the hail merchants tuik thair hail gear out of their buiths or chops, and transportit the same to the strongest hous that was in the toun, and remained in the said hous, thair, with themselves, thair servants and luing for nothing bot that thaye sould have been all spulyit. Sic lyke the hail crafts men and commons convenit themselves, their best guidis, as it wer ten or twelve households in ane, whilk wes the strongest hous, and might be best kept from spulyeing or burning, with hagbut, pistolet, and other sic armour as might best defend themselves.’ *

Buccleuch, it is believed, was in command of the Borderers on this occasion. There certainly must have been some one who had them thoroughly under control, for the ‘guids’ of the citizens were untouched, and no outrage was committed. The King’s purpose was effected, the fear inspired by the visit of the Borderers making the citizens willing to yield to his terms.

In 1598 Sir Robert Carey was appointed Warden of the middle Marches on the English side. He had previously acted as Deputy Warden on the East March, and consequently had some experience of Border affairs. He found the district in great disorder, and says—‘The thieves hearing of my being settled there continued still their wonted course in spoiling the country not caring much for mee nor my authority. It was the begining of summer when I first entered into my office, but afore that summer was ended they grew somewhat more fearfull.’ †

The Armstrongs made frequent incursions into Tyndale and Redesdale, and were generally guided by some of the ‘inbred’ thieves. They had made a raid on Haltwhistle, and had carried off a number of prisoners and a large quantity of spoil. On complaining of this outrage to the opposite Warden, Sir Robert Carey

* ‘Birrel’s Diary, 1596

† ‘Carey’s Memoirs,’ p. 114.

was told that the depredators were all fugitives, and not answerable to the laws Sir Robert Carey says—‘I acquainted the King of Scottes with this answer. Hee signified to me that it was true, but that if I could take my revenge without hurting his honest subjects he would be glad of it.’*

Availing himself of this permission he sent a force of two hundred men into Liddesdale, and recovered some of the stolen goods, but,—‘the outlaws themselves were in their strongholds, and could no way be got hold of.’ Sim of the Cat-hill, an Armstrong, pursued the party, but one of the Riddleys of Halt-whistle, turned on him, and with his spear ran him through the body and killed him. In revenge for the death of their comrade the Armstrongs made another attack on the town. ‘Hither they came and set many houses of the town on fire, and took away all their goods; and as they were running up and down the streets with lights in their handes to sett more houses on fire, there was one other of the Riddleys that was in a strong stone house that made a shott out amongst them, and it was his good hap to kill an Armstrong, one of the sounes of the chiefest outlaw. The death of this young man wrought so deep an impression amongst them, as many vowes were made that before the end of next winter they would lay the whole border waste.’†

The people on the English Border were filled with great terror, when they heard of the threats of the Armstrongs, and intimated unless something were done to restrain them, they would fly the country, and leave their houses and lands to the fury of the outlaws. Sir Robert Carey was a man of great energy and resolution, and he carefully considered the most effectual means by which to ‘abate the pride of the outlaws, and bring the district into order.’ He saw that to make another sudden dash into Liddesdale and to burn, harry, and carry off the goods of the thieves, would only perpetuate the war of reprisals, and would be utterly futile. He resolved therefore to penetrate into the wastes of Liddesdale, entrench himself there, and await his opportunity of taking the chief outlaws, or in some way bringing them to terms. He accordingly marched into Liddesdale with two hundred horse, and took up his position on Careby Hill, where with the help of the ‘foote ‡ of *Liddesdale and Risdale*,’ he built a strong fort or camp, traces of which may still be seen. Here he stayed from the middle of June till the end of August. Carey’s forces were plentifully supplied with provisions; for finding that they paid well for all they required, the country people brought large

* ‘Carey’s Memoirs,’ p. 114.

† *Ib.* 118.

‡ Soldiers maintained by government,

quantities of produce to dispose of, and there was quite a market every day before the fort.

The thieves had retreated into a place called the Tarras, in the heart of an impervious forest of shrubs and bushes, and surrounded by bogs and marshy ground. Believing themselves perfectly secure, 'they sent me word,' says Carey—'that I was like the first puffe of a haggasse, hottest at the first, and bade me stay there as long as the weather would give me leave; they would stay in the Tarras-wood, till I was weary of lying in the waste, and when I had my time, and they no whit the worse, they would play their parts which should keep me waking the next winter.'* It is related, on traditional, and therefore not very reliable authority, that the outlaws sent a party into England, who harried the Warden's own lands, and then sent him one of his own cows, with a message that fearing he was short of provisions they had sent him some English beef.

Sir Robert Carey had in the meantime made himself master of their position, and resolving to attack them from the Scotch side, he sent a party of a hundred and fifty horsemen by a long detour into Scotland. There were three passes from the Tarras on the Scotch side by which the outlaws could retreat if assailed from the south. These were left unguarded as an attack from the north was never apprehended. The horsemen divided, and concealed themselves close to these outlets, and the outlaws being attacked from the English side with a very large force, they were compelled to leave their goods and fly. Being intercepted by the horsemen lying in wait, five of the chief offenders were taken, and such a quantity of sheep and cattle, as were sufficient to 'satisfy most part of the country that they had stolen them from.' The possession of the prisoners enabled the Warden to impose such conditions on the outlaws, as fully secured the tranquillity of the English Border.

The depredations on the Scotch side grew more oppressive, and the criminal records of the time contain the account of numerous outrages committed by the thieves of Liddesdale, aided sometimes by coadjutors from the English border. A few instances will serve to show the daring of the outlaws, and the magnitude of their offences.

Johnnie Elliot of Copshaw, and his accomplices, to the number of a hundred, had gone openly in the day time, to the lands of Wauchope, and stolen eighty cows and oxen, one hundred sheep, and twelve horses. The same individual along with

* 'Carey's Memoirs,' p. 125.

the Laird's Jock, Martin's Hob, etc., with three hundred followers, went to Torwoodlee, and with fore hammers and beams, 'dang up the ycttis,' murdered the master of the house, broke open all the lockfast places, and took away over £1000 in money, a quantity of silver plate, with all the napery, and the 'hail in sight gear,' besides seventeen horses. From Apotsyde in Rule water, the marauders carried off 330 kye and oxen, 800 sheep, and 30 or 40 horses, together with the whole plenishing of Apotsyde and Harwood.* These outrages made the district almost uninhabitable, and many people left their homes.

On his return from abroad, Buccleuch set himself with great energy and determination to restore order, and bring the offenders to justice. It had been customary to issue a special commission for the purpose of dealing with the offences of the Borderers, but it was considered expedient under the circumstances, to adopt some other mode of procedure.

His Majesty had invested Buccleuch with the most ample powers, and had instructed him verbally, both in public and private, to use the utmost expedition to take measures to execute justice on the malefactors, and settle the country in peace; and in a letter of indemnity and approval under the great seal, superscribed by the King, and approved by the Lords of the Privy Council, this passage occurs.

'There occurred to our memory our most dear cousin Walter Scott of Buccleuch, a man of energy, prompt in counsel and action, powerful in fortune, force, arms and following, to whom we found and esteemed that enterprise worthy to be intrusted, on account of his by past, famous and honorable services done to us and the Commonwealth, and on account of his great fidelity in times by past in executing with honour and dignity the affairs which we entrusted to him, and that to the great help and welfare of all loyal and dutiful subjects.'

This letter which is in Latin, narrates the condition of the Borders, with the powers invested in Buccleuch for the repression of crime, the means adopted by him for that purpose, and that he had executed his commission in such a way as to win the entire approval of his Sovereign.

It had been necessary for him to resort to very severe measures to accomplish his purpose, such as burning and casting down their houses. 'In consequence of the lack of prisons, and to prevent the importunate intercession of certain good persons, the most part of these desperate men were hanged immediately on their

* Pitcairn's 'Criminal Trials,' vol. iii,

apprehension ; dispensing with the ordinary forms of justice, as they were well known, and even boasted of their crimes.'

Several who resisted by force of arms, were slain in the field, and many were sent into exile. In all that he did, the letter declares that Buccleuch acted well, and dutifully and honourably, and for the comfort and solace of good well deserving subjects, and the furthering and stablishing the peace and quietness of the kingdom. In England also, severe laws were passed against the marauders, and each parish was ordered to keep a sleuth-hound for the purpose of tracking the malefactors through the mosses ; and a large number of English Borderers were banished to Ireland and the Low Countries.

The proceedings against the Borderers occupied several years, during which many were put to death by hanging, drowning, and by the sword. These measures seem barbarous and cruel, but it must be borne in mind that the evil to be eradicated was a very great one, and the murders, oppressions, and cruel outrages perpetrated by the outlaws, were a sufficient vindication of the relentless severity of their punishment.

The last Border raid occurred immediately after the death of Queen Elizabeth, while James VI. was on his way to take possession of his new kingdom, when the Armstrongs and other western clans penetrated as far as Penrith, and committed great havoc.

When England and Scotland were united under one King, both sides of the Border combined to quell the disturbances, and at length succeeded in breaking up these formidable bands ; and gradually the district was brought under the influence of law and order.

In 1606 Sir Walter Scott was created Lord Scott of Buccleuch by James VI. The commission sets forth that 'it had been an ancient and praiseworthy custom to reward and ennoble, with titles and degrees of honour and dignity, and eminence above others, those whose worthy and distinguished services had tended to the augmentation of the greatness and honour of their princes, and the furtherance of the weal of their country ; therefore this dignity was conferred on Sir Walter for his stout and doughty exertions, to the singular commendation, benefit and praise of the King and the kingdom and commonwealth, and his many and singular abilities, joined with ready and frank inclination, and willingness to the King's service, and love to his native country, its interest and honour.'*

* 'Scotts of Buccleuch,' vol. ii. p. 261.

Lord Scott of Buccleuch was appointed a member of the Privy Council in 1611.

After the union when there was no longer opportunity for the Border warfare, such as Buccleuch and other Border barons had delighted to engage in, they found the change rather irksome. Buccleuch, who had been accustomed to war from his cradle, soon wearied of a life of inaction. He raised a company of two hundred of his followers, and departed to the Netherlands, where he served with distinction under Maurice of Nassau, Prince of Orange. He took part in the last campaign between Spain and the United Provinces, returning to Scotland when the truce was completed.

He was married in his twenty-first year to Margaret Ker of Cessford, and was residing at Branxholme shortly before his death, which, it is believed, occurred there in 1611. His body was embalmed and interred in the family vault in St Mary's Church at Hawick. He left one son, and three daughters. Lady Broch-toun writing of her sister Lady Buccleuch, calls her 'her best sister,' and says, 'sche was a good Ker, if euer there was any.'



CHAPTER XI.

' Fled is the banner'd war, and hush'd the drum,
The shrill toned trumpet's angry voice, is dumb ;
Invidious rust corrodes the bloody steel :
Dark and dismantled lies each ancient peel :
Their native turbulence resigned, the swains
Feed their gay flocks along these heaths and plains ;'

LEYDEN'S 'SCENES OF INFANCY.'

WHEN James the Sixth succeeded to the throne of England on the death of Queen Elizabeth, the hostility between the two nations was practically at an end.

The terror of invasion had been ever present to the Scotch Borderers, and the instincts of self-preservation as well as considerations of patriotism compelled them to be always ready for the fray, for the element of danger was never absent from their lives.

Now, there was no longer need to keep an anxious look-out for the red glare of the beacons, which flashed from height to height the news that the invader had crossed the Cheviots.

There was no longer the imperative call to boot and saddle to resist the tide of war, or necessity for flight to glens or recesses of the woods to avoid an overwhelming force. 'Our auld enemies of England' and their Scotch neighbours were now subjects of the same King, and their interests went hand in hand.

From the time of David the First, Prince of Northumbria, when both banks of the Tweed owned the same lord, and the Cheviot Hills had not become the line of demarcation between alien and hostile races, a barrier of hate, jealousy, and determined opposition had gradually been built up between the English and Scotch. Those living on both sides of the Borders could not realise the change of circumstances brought about by James' accession to the English throne, and it took several generations to break down the barriers of national pride and antagonism, and make them a united people.

Walter, the second baron of Buccleuch, was twenty-four years of age when he succeeded to the title and estates, on the death of his father in 1611. He was

the first of the Scotts since 1470 who had reached man's estate before entering on his inheritance ; the first too of the whole race whose lot had fallen in times of peace. He had been accustomed

' To the clang and clash of steel,
From sword in hand, and spur on heel.'

from his earliest infancy,—had listened to many a tale of the daring exploits of the Scotts from the retainers of his house, as they gathered round the fire in the great hall at Branxholme—had seen the peaceful occupations of the winter evening interrupted by the warning from the Warder's tower, telling of the approach of danger,—and as his clansmen armed and rode forth to the fray, longed for the time when he too should be old enough to bear arms and take his part in the strife. The traditions of his house and his own early training fitted him for the life of a soldier ; but there was no field for his military enterprise either at home or abroad, and he was perforce compelled to settle down to a life of inglorious ease at Branxholme.

The large body of retainers whose services had been a necessity in the old fighting days were still maintained by the Lord of Buccleuch. Satchells says, that he kept in his hall 'four-and-twenty gentlemen of his name and kin,' besides a great number of retainers of lesser degree. His establishment was conducted on a scale of great profusion and magnificence, and his liberal hospitality was widely known.

In the Chamberlain's Accounts there is an entry of payments made to 'three English pypers' who played at Branxholme ; and 'to a little boy of the house of Thirlstane who sang at the Dowcot at Branxholme to Lord Buccleuch.'

His splendid establishment, the immense number of his retainers, and his bountiful hospitality were maintained at a cost which exhausted even his large resources, bringing him into serious difficulties. His kinsman, Scott of Harden, took his affairs in hand, and by judicious management succeeded in extinguishing all his liabilities without leaving any burden on the estate.

Buccleuch was a man of considerable mental culture, and literary taste, and collected a large and valuable library at Branxholme, consisting of about twelve hundred volumes, in Latin, Italian, French, Spanish and English.

The peaceful home life led by Lord Buccleuch, so different from the adventurous life of his father was not without its dangers, for though he was not

exposed to the perils of war, he narrowly escaped the knife of the assassin. He inherited along with his other possessions, a serious feud with a clan of the Elliots, which arose out of a quarrel with his father, a few years before his death.

After the rebellion and forfeiture of the Earl of Bothwell, a large portion of his lands were granted to Buccleuch in consideration of his services to the crown. This grant included the lands of Over and Nether Larriston, Redheugh, and other properties in Liddesdale.* A portion of these lands was held by Robert Elliot and others of that name, who were allowed by Buccleuch to retain peaceable possession, on condition that they bound themselves to be answerable to the king and the laws, and gave security for their good behaviour. As long as they observed these conditions their occupancy was undisturbed; but it being alleged that the Elliots oppressed the tenants in Liddesdale, and plotted to lay waste the whole lordship, Buccleuch charged Elliot to remove. Taking no notice of this warning, Elliot still persisted in his evil courses, and was denounced rebel and put to the horn.†

In 1612, the year after his father's death, Walter the second baron of Buccleuch obtained a decret of removal. It was set forth that Buccleuch and his father had had right to the lands since 1594, and they had suffered Elliot peaceably to possess them without payment of mail duty, or taxation, to his majesty till the year 1612.‡

Elliot enlisted the interest of the Earl of Annandale, who interceded for him and was so successful that Buccleuch, who was then at court, promised to overlook all Elliot's former offences, and on his return to Scotland to grant him an heritable right to the lands—a promise which was in due time fulfilled; but Elliot caused the disposition and charter to be vitiated in the whole of its substantial parts, and included Blaikhope, Greinholles, and Langhauche, of which he took possession, in addition to the lands really disposed to him.¶ When this came to the knowledge of Buccleuch he forthwith caused a new warning of removal to be served against Elliot.

Elliot and his associates were no longer strong enough to take their revenge after the time honoured custom of their clan, but they were none the less determined upon vengeance, and formed the plan of murdering Buccleuch.

* 'Scotts of Buccleuch,' vol. i. p. 245.

‡ *Ib.* 246

† *Ib.* 255.

¶ *Ib.* p. 246.

The thought was suggested by Gib Elliot, called the tutor, who visited his friend Robert Elliot for the purpose of condoling with him upon the hard usage he had received, and said, 'you will never be at rest till Lord Buccleuch is cut off,' and as a proof of his disinterested friendship and sympathy he undertook 'to do the turn within a year,' provided Robert would get him assistance. The proposal being favourably entertained, was discussed between them whenever Gib came to Redheugh. At length it was resolved that Gib should perpetrate the murder at Jedburgh, where Lord Buccleuch would be attending the justice court, but the assassin failed to execute his purpose.

One Gavin Elliot had been told by Robert of their scheme for murdering Buccleuch, and while approving of the design, he expressed his doubts whether Gib had courage to do the deed, calling him 'a feeble fellow.' Several consultations were held, and further plans made as to the intended assassination. Gib was of opinion that it might be done with the least danger in Edinburgh, and they accordingly went to the capital, where they remained for several days watching an opportunity to achieve their object. A knife was bought and shown to the other conspirators, who pronounced it well suited for their purpose, and Robert Elliot gave Gib £20 as earnest of his reward. Gib hung stealthily about, dogging Buccleuch's footsteps, but no opportunity occurred, or if the opportunity did present itself, his courage was not equal to the occasion, and the intended murderers returned home without perpetrating the foul deed.

The foregoing account of the abortive attempt on the life of Buccleuch, is taken from the depositions of Robert Elliot at Holyrood, where he was examined regarding the affair before the Lord Chancellor in 1624.

After the attempt on the life of Buccleuch was brought to light, Robert Elliot of Redheugh, was warded in the Tolbooth of Edinburgh for that and other offences. His wife Lady Jean Stewart, represented to the Privy Council the state of utter distress, misery, and want, to which she and her poor children were reduced, 'having contracted great debts, and *impandit* her abulygements and clothes for the enterteinment of her husband in ward, and she is brocht to that pitch of necessity, that she has nowther means to live nor credit to afford him any further supply.' The council ordered her to receive a sum of one hundred merks for past charges, and a further daily allowance of thirteen pence during pleasure.

A servant of Robert Elliot's was condemned and hanged at Edinburgh about the same time, for sundry acts of theft and cattle stealing. His name was Adie Usher in Birkenhaugh. In most of his lawless adventures he had been accom-

panied by his son Willie, a mere boy who was also indicted and brought to trial, but was spared on account of his youth. The boy was detained in the thieves hole in the Tolbooth for many weeks in a most miserable condition, he having no means to maintain himself; and at last, in consideration that he was only a young innocent boy, not past the age of fourteen years, the Lords of the Council ordered him to be put aboard some ship bound for the Low Countries, and intimated that if he should ever afterwards return without licence 'it should be capital to him.'*

The broken men of Liddesdale and other Border thieves, still maintained themselves by plunder, accompanied by acts of violence. The whole law abiding population was interested in breaking up this strong confederacy of crime, and the Privy Council issued frequent orders for the punishment of criminals, and a most voluminous series of legal enactments were promulgated. When thieves or murderers were apprehended the authorities appear to have had some difficulty in deciding what to do with them. The general custom was to execute summary punishment on those who were taken red-handed, and the Wardens were invested with full powers to hang or drown all well known thieves, whom they might seize, seeing there were no prisons to detain them in.

It was declared before the Privy Council that one of the chief difficulties experienced in executing justice on the Borders lay in the great strength of the houses, in which the 'thieves and limmers,' dwelt or took refuge; particularly the 'iron yetts' with which they were furnished, which could neither be burned down nor broken open; so the Council ordained that 'all iron yetts in houses belonging to persons below the rank of barons should be removit, and turnit into pleu irons, or sic other necessar wark as the awners sall deem expedient.' This order implies that the 'iron yetts,' as well as the superior strength of the houses, had enabled the owners to defy the officers of justice. The King suggested a plan for emancipating the country from the ravages of these freebooters. He proposed that all the well known thieves should be packed off to Virginia, but as the Borders were moderately quiet about that time, it was thought better not to utter such a terrible threat, because, should the thieves hear of it, they would 'mak choice rather to loup out and become fugitives,' than run the risk of encountering the unknown and mysterious dangers that lay across the sea.

Two years later, when there had been a fresh outbreak, and the executive was

* Pitcairn's 'Criminal Trials,' vol. iii.

at its wits end, so to speak, the King's proposal was so far adopted that a hundred and twenty of the broken men of the Borders were apprehended and sent to the Bohemian wars, with Colonel Andrew Grey.*

The summary, and off-hand way in which criminals were put to death, with only the merest pretence of trial, must often have led to great cruelty and injustice. It may be questioned, however, whether hanging had greater terrors than being thrust into the filthy dens which had to do duty for prisons, where the prisoners had to depend on their friends, or on chance charity for their support; for there was no jail allowance. In small towns, the lower squares of church steeples were often fitted with fetters riveted to the wall, where the luckless prisoner was detained to await his trial. The steeple of St Mary's church at Hawick was used for this purpose.

In 1612, John Elliot in Redden, had been committed to ward in the steeple for some offence, and next morning he was found lying 'deid in the irnes.'

It was plain from the evidence that this was a case of suicide, yet the widow of the deceased, and 'five fatherless bairns,' became the pursuers in an action raised against certain parties in Hawick accused of the murder. There does not appear to have been the slightest grounds for the accusation, and the case broke down, as soon as the evidence of the first witness was led.† 'Robert Laing, being sworne in presence of the pairtie and assise, and being inquiryret concerning John Elliot's death, quhat he kens thairof? Deponis, he is ane merchand: being in the kirk-yard of Hawick, priking some skynnis, and hearing that Jok Elliot was hingand in the steeple, came, upon the report thairof, into the steepill, quhair he saw the defunct hingand in his awin belt; quhilk belt he cuttit, and thair being lyfe in the defunct was brought out, bot shortlie thairefter he deccist.' Robert Scott being sworn, corroborated the preceding witness, which was deemed conclusive, and the assize all in one voice, declared the accused persons to be 'clean innocent and acquit of airt and part of the slaughter above specifit.'

In 1616, a most brutal and singular act of revenge was perpetrated in the neighbourhood of Hawick.

Howpaslot, one of the oldest possessions of the Scotts in Teviotdale, had in some way come into the temporary possession of James Douglas of Drumlanrig, to the intense indignation of Lady Howpaslot, who could not endure the thought

* Balfour's 'Annals.'

† Pitcairn's 'Criminal Trials,' vol. iii. p. 219.

that the heritage of her family should be held by a Douglas, and she vowed that he should never profit by his newly acquired possession.

She consulted with her friend Jean Scot of Satchells, on a plan of revenge, and they held a meeting in the town of Hawick, with certain low characters, George, Walter, and Ingram Scott, and Jok Scott, called 'the Suckler,' besides a servant in the employment of Jean Scot of Satchells. These men who were noted rascals, agreed to prevent Drumlanrig from stocking the farms, by maiming and destroying the sheep which had been brought thither, and it was concocted that within three or four days they should forgather under cloud of night, on the farm, and there destroy the 'hail bestial and guidis thereupon,' belonging to Drumlanrig. The 'Suckler' had a dog, of which he was very fond, called 'Hyde the bastard,' and he said—'sae lang as me and my bastard brother,'—indicating the dog 'lives, Howpaslot sall nocht plenish.'

But before the time appointed for the expedition came round, his courage began to cool, and he would have backed out of the affair at the last moment, had Walter Scott not said to him, 'Jok, thou art as guilty now as thou canst be, come forwards with us to the deed, and afterwards we will go north, where we will be well treated, and entertained, for we have a place prepared for our resets.' The Suckler's scruples being thus overcome, they set out from Hawick one April night, and met their other accomplices at Eilrig-burn-foot, and proceeding onwards for about a mile, found the sheep lying in a cleuch, between Eilrig and Howpaslot, and there 'maist barbarouslie and inhumanlie, as savage and cruel beistis, destitute of naturale reasone, with thair drawin swordis and otheris wappones forsaidis ran throw the hail flok of schiep, slew lamet and menzet to the number of three scoir of the said schiep, quhairof fourtie or thereby war slane, by streking off their heidis, and cutting them in twa throw their bakis, and the rest of them thair spaldis and legis were strucken away fra tham in maist barbarous mannar, and war sae left sprawling in thair deid thraws upon the ground of the said lands.'

Active steps were immediately taken by Sir William Douglas of Hawick, son of James Douglas of Drumlanrig, to discover the miscreants. 'Jok the Suckler' was first suspected, and being asked by James Douglas, a follower of Drumlanrig where he was on the night the sheep were maimed, would not answer, but presented a loaded pistol at Douglas, and would have fired at him, had he not been forcibly dispossessed of it by James Weymes, John Scott, 'callit Bony Johnnic,'

and some others. Soon after 'Jok the Suckler' turned informer, having, in all probability, been promised his life if he would give up the names of his accomplices; and George, Walter, and Ingram Scott were apprehended and tried for the offence in Edinburgh, and were sentenced to be hanged.

'The Suckler' was not suffered to escape altogether, for he was too dangerous an individual to be let loose on society, being by habit and repute a thief, and he was soon brought to justice and met his deserts.*

Commenting on this trial, the Author of *Waverley* says, 'Our name was very clannish. I have for the time in my possession a band of association, between Sir Walter Scott of Branxholme and about 150 of the most important members of his clan, dated June 3d, 1589. It proceeds upon an association made by Sir Walter Scott the father of the chief, to secure against any clansman taking any room or possession over the head of another of the name. Any one accused of having done so, bound himself to stand by the award of five men of the same name, to be mutually chosen, to whom the matter was to be referred, and all, including the chief, bound themselves to abide by his decision.'

A Douglas entering into possession of the lands of a Scott was not a case which could be referred to clan arbitration. Scott of Howpaslot was dead, and his widow evidently felt herself aggrieved, whether or not she had reasonable ground of complaint, she determined to be revenged on the usurper.

In order to put an end to the fierce feuds which were of such frequent recurrence, and prevent bloodshed—the usual result of these quarrels—it was agreed by the English and Scotch commissioners, who were appointed to manage affairs on the Borders, to issue a proclamation to the inhabitants to put away all armour and weapons, 'as well offensive as defensive, as jacks, spears, lances, swords, daggers, steel caps, hagbuts, pistols, plate-sleeves, and such like, except noblemen, or gentlemen' unsuspected of theft, and not being of broken clans.' 'And none of what calling soever, within the countrie, lately called the Borders of either kingdom, shall wear, carry, or bear any pistols, hagbuts, or guns of any sort, but in his Majesty's service, upon pain of imprisonment.'

Enactments such as this were but partially obeyed, and weapons were always forthcoming when a use was found for them, and in defiance of all pains and penalties it was quite a common occurrence for men of good position to take law into their own hands. Seeking redress for injuries by the slow and uncertain

* Pitcairn's 'Criminal Trials,' vol. iii. p. 381.

method of legal procedure was not at all to the taste of men whose combative instincts were so highly developed, and who had been accustomed to defend their rights, or take revenge and settle all such matters off hand. Drumlanrig himself furnishes an example of this in a quarrel he had with Douglas of Coshogle, to whom he was allied by marriage. David, a younger brother of Drumlanrig, owned a moss called Knockonie, from which Coshogle had been in the habit of raising peats for his winter fuel. Some cause of quarrel interrupted the friendly relations existing between the two lairds, and Coshogle would no longer ask liberty to cast his peats, but asserted a right to do so. His servants being twice driven off, not to be baulked, he, with his son and thirty-six men, went to the moss well armed with swords, hagbuts, lances, cornforks, and staves to resist any interference. David Douglas, being absent, a friend was sent to remonstrate, and urge on Coshogle the propriety of asking the peats 'out of love, instead of taking them in contempt,' when he returned the defiant answer that he would cast his peats there, 'Wha wald, wha wald not.' At length Drumlanrig arrived, and showing the King's authority commanded Coshogle to desist. His brother losing temper, exclaimed, 'Ye are ower pert to disobey the King's majesty—quickly pack ye, and begone.'

On this, one of Coshogle's servants struck Captain Johnstone, one of Drumlanrig's party, two great strokes over the back and killed him, and immediately the fighting became general. Twice Coshogle's son presented a loaded hagbut at Drumlanrig, fortunately missing him. Several of the party were struck with lances, 'sae that the hail (of Drumlanrig's) company thought they had been killed;' but in the end Coshogle's party were driven from the field with the loss of one of their men.*

To settle petty quarrels, to protect mosses or sheep folds, was scarcely sufficient exercise for men who had been reared in strife, and whose warlike habits had become a second nature. It is not strange, therefore, that when war was again declared on the continent many Scotsmen were eager to join the army. Lord Buccleuch had become heartily tired of the quiet uneventful life he led, and welcomed the opportunity of exchanging its dull routine for the stirring life of the camp, and he entered the service of the States General in 1627. He was accompanied by a detachment of his countrymen, which, according to Satchells included a hundred gentlemen of the name of Scott. The old military chronicler

* Pitcairn's 'Criminal Trials.'

in his profound admiration for his chief, and his desire to exalt the glories of his clan, was given to exaggerate a little, and we must take such statements as the above *cum grano salis*. Buccleuch's company varied considerably in numbers, from 150 to 180, and there was nothing like such a majority of the name of Scott. Sometimes there were not more than half-a-dozen; at least it was so a year or two later. Satchells himself who was then a lad of sixteen went with his chief, and when he wrote his history, was an old man with the natural tendency of age to magnify the golden days of his youth; tho' it must be said, to the honour of the honest captain, his grandiloquent and wordy panegyrics are all in praise of his chief, and he says nothing of himself; yet it is beyond doubt that he was distinguished for his bravery and courage, and on this account was promoted to the rank of captain.

Lord Buccleuch with his company joined Prince Frederick Henry, who had succeeded his Brother Maurice as Stadtholder, and took a distinguished part in the struggle between Spain and the United Provinces. Satchells writes—

'The valiant Earl of Buccleuch when I was young
To the Bush in Brabant with his regiment came
Which is the space of fifty-nine years agone
I saw him in arms appear
Which was in the sixteen hundred and twenty-seven year.
That worthy Earl, his regiment was so rare
All Hollands leagure could not with him compare
Like Hannibal the Noble Earl he stood
To the great effusion of his precious blood
The town was tane, with a great loss of men
To the States of Holland from the King of Spain
His honour's praise throughout all nations sprung
Borne on the wings of fame, that he was Mar's Son
The very Son of Mars, which furrowed Neptune's brow
And over the dangerous deep undauntedly did plow
He did esteem his countrie's honour more
Than life or pelf which peasants does adore.'

Buccleuch was present at the sieges of Bergen-op-Zoom and Maestricht, and acquired such a reputation for courage as fully justified his admiring follower's somewhat highflown eulogium.

'As true valour did inspire his breast
So victory and honour crowned his crest.'

Arthur Johnstone, in a Latin epigram, alludes to the renown gained by Buccleuch,

‘Arva dedit Scoto Rex Scotus. Belga dat Aurum
Estque triumphatusserta daturus Iber,’

which has been translated as follows—

‘The Scottish King gives lands to Scott
The Belgian gives him gold, The conquered
Spaniard will give him wreaths of victory.’

Buccleuch returned from Holland the next year, but remained at home only for a few months. He had executed a commission in favour of his Countess and several of his kinsmen to manage his estate in his absence. Scott of Harden who was chief administrator, managed so admirably, that extensive additions were made to the estate, which included the Lordship of Eskdalemuir and Sinton, which was purchased from the Earl of Mar, in 1619; and the lands of Tinnies in Ettrick Forest, bought from the Pringles of Buckholm for 20,000 merks.

Buccleuch married Lady Mary Hay of Errol, about five years after he succeeded to the estates, and they had a family of three sons and three daughters. The Countess died in 1631, at Newark castle, after the birth of her youngest daughter. The Earl was at home at the time of her death, but he returned to the Netherlands in the course of the autumn. The following letter was addressed to him there by Charles the First.

‘WESTMINSTER PALACE,
27th November 1631.

‘CHARLES R.—Right trusty and well-beloved cosen, we greet you well: Having some important occasions to make use of your service here in our owne affaires, and the time of the year affording a good opportunitie for your absence from the charge and command you hold in the service of our good friends and allies, the States-General of the United Provinces, to whom we have written, as also to our cosen the Prince of Orange in that behalf: We doe therefore require and command to make your speedie repaire to our presence, alsoone as you have performed the respects due to that state in asking and obtaining leave, as in the like cases is accustomed. Given under our signet at our palace of Westminster, the 27th November, in the seventh year of our reign, 1631.

To our right trustie and well-beloved cosen. Earl of Buccleuch.’*

* Original letter in Buccleuch charter room, published in Fraser’s ‘Scotts of Buccleuch.’

In obedience to the Royal command he returned home, and resided at Branxholme a short time. Leaving his children in charge of his sister Lady Ross, he again departed for the wars, and the following letter, written to his sister six weeks before his death, shows that he was then in active service.

‘SISTER,—I have had only one lettre from you befor I understud that my Lord, your husband, had bein heavily seike, and you comed to London to hym. The news off hys seiknes and recuvery come att one tyme to me, quhair as I was sorey for the one I vas glaid for the other of hys recovery. If this come to your hands in London, I pray you send this other pakett to Scotland vithe scure diligence, for they be most about my particular affairs at this terme; the other vithe yours send them as they be directed at London. I have hard no news of my children this long tyme: I long to heir off them. I am to be at home about the terme, so I will remitt all particular business to then I see you, bothe concerning my children and all other business. I am not certaine of any sure convoy off letters, otherwayes I had oftener written to you. I have note had on memorye from your friend, all violent humeurs passes, which is best, I pray you to remember me to your Lord and husband, and tell him from me, thair is none shall wish his health and prosperity more nor I,

Your brother, and his servant, BUCCLEUCH.’

This kindly and affectionate letter was in all probability the last his sister had from him. And the children he so longed to ‘heir off,’ he never saw again. He returned to London in November, and being taken ill shortly after his arrival, died, on the 20th of November 1633, at the comparatively early age of 46.

The deceased nobleman was created Earl of Buccleuch, Lord Scott of Quhitchester and Eskdaill, by letters-patent by King James the Sixth, under the great seal. The patent states that the dignity was conferred ‘in remembrance of the famous actions, good and faithful service done and rendered to the King and his illustrious progenitors, by his well-beloved councillor, Walter, Lord Scott of Buccleuch and his predecessors, as well within Scotland as in foreign nations, in the faithful execution of certain commissions, known to the King, entrusted to him, and that he and other faithful subjects might be stirred up to the performance of such laudable service in time coming.’

The patent, though giving Buccleuch great praise for his good and thankful service, does not condescend upon particulars; and it was supposed that the

Earldom was granted to him partly because it was felt that his father's distinguished services had not been adequately rewarded.

After the Earl's death, his body was embalmed and sent to Scotland by sea. Captain Scot of Satchells gives a most minute, not to say garrulous account of the death of the Earl in London, and the extraordinary perils encountered in the voyage to Leith. If we may believe our author, the vessel might have circumnavigated the globe without encountering such dangers. The whole account would be extremely tedious, but a short extract may be interesting, and perhaps amusing.

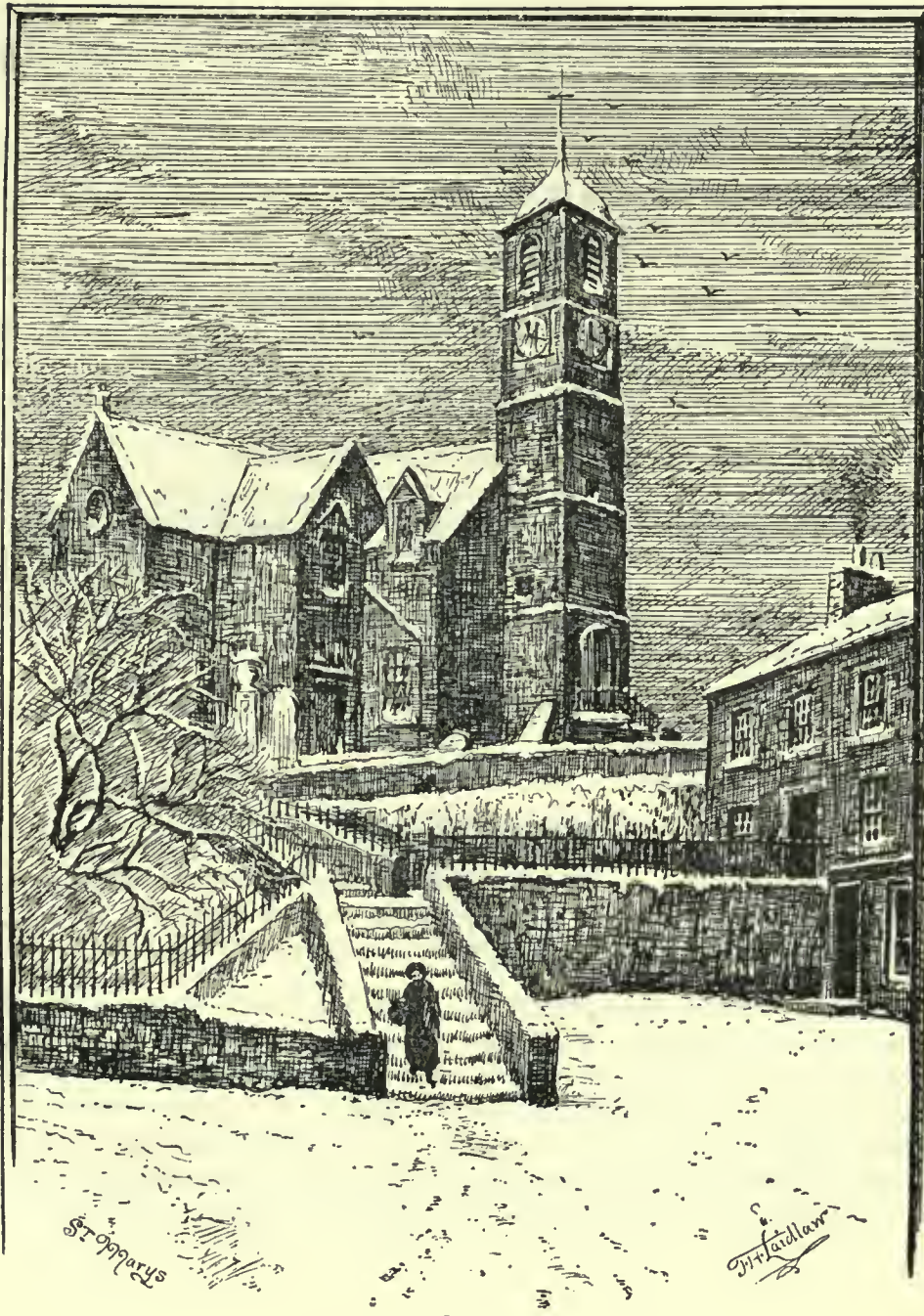
‘ To the bier many friends did come,
To see him lie in state,
The nobles of the court repaired,
Clad in their sable weed.
And country men in flocks came in
To see his corps when he was dead.
Patrick Scott,* then of Thirlstone,
A worthy gentleman,
He took care of all his affairs,
Caused his corps to be embalmed.
All being done that wit of man
Could do or understand,
Then a ship he fraughted on the Thames,
To bring him to Scotland.’

After dropping down the river, and remaining two days at Gravesend, they then faced the perils of the open sea in such weather that our author says—

‘ Since memory of man, or since
Winds and seas to ebb and flow began,
No man can mind such stormy weather,
And continually rage so long together.
‘ Their stalwart ship turmoiled ’twixt shores and seas,
Aloft or low, as storms and floods did please.
Sometimes upon a foaming mountain top,
Whose hight did seem the heavens did underprop,
Then straight to such prophanity they fell,
As if they dived into the depths of hell.’

The vessel was cast ashore on the coast of Norway, but setting sail again, at length arrived at Leith, after a disastrous voyage of fifteen weeks. There, the

* Ancestor of the present Lord Napier and Ettrick.



Stobbs

Stobbs

body was disembarked, and placed in the church, where it remained for twenty days. Then it was taken in great state through Edinburgh, Dalkeith, Lauder, Melrose, and Hawick to Branxholme, where it remained for some time before being laid in its final resting place in St Mary's Church, at Hawick.

The funeral procession from Branxholme was most magnificent. A full description of the cortège, with its accompanying heraldic display, is preserved in the Buccleuch Chamberlain's accounts.

'There were forty-six saulies walking two and two, in black gowns and hoods, and with black staves in their hands, followed by trumpeters "sounding sadly." Then a gentleman of the name of Scott, fully armed, on horseback, carrying the deceased's banner, then his horse, covered with a footmantle of crimson velvet, and led by a lackey in the defunct's livery, followed by more trumpeters, next

'His spurs, carried by Walter Scott of Lauchope.
The sword, „ by Andrew Scott of Broadmedowes.
The gauntlets, „ by Francis Scott of Castleside.
His coat of honour, by Mr Laurence Scott.'

Then came eight gentlemen bearing the arms of the different noble families with whom the Scotts had intermarried, viz.—

'Montgomery, carried by John Scott of Crichton.
Hamilton of Clydesdale, „ by Robert Scott of Dryhope.
Douglas of Drumlanrig, „ by Robert Scott of Bowhill.
Douglas of Angus, „ by John Scott of Headshaw.
Ker of Fernihirst, „ by Andrew Scott of Carshope.
Beatoun of Creighe, „ by Robert Scott of Hartwoodmyers.
Ker of Cessford, „ by Robert Scott of Whitefield.
Scott of Buccleuch, „ by Sir Robert Scott of Haining.'

Then his own standard, penniel, etc., carried by cadets of the house, with trumpeters and pursuivants in blazoned coats of mourning. Sir John Scott of Scotstarvit, next appeared, carrying the deceased's coronet on a velvet cushion. Then last of all came the corpse, 'carried under a faire parte of black velvet, decked with arms, L'armes and cipres of sattin of the defunct, knopt with gold, and on the coffin the defunct's helmet and coronett, overlaid with cipres, to show he was a soldier. And so in this order, with the conduct of many honorable

friends, marched they from Branxholme to Hawick church, quher after the funeral sermon endit, the corpes was interred amongst his ancestors.'

This magnificent and solemn procession, with all its pomp of heraldic display, advanced along the high road above the Teviot, and entered the town by the West Port, passing down the street into the church of St Mary's. Many generations of Scotts had been laid to rest there, but since the vault closed over the mortal remains of Walter, first Earl of Buccleuch, it has never again been opened to receive another of the family.

With Earl Walter passed away that close personal connection which for two hundred years had existed between the people of Hawick and the house of Buccleuch, as soon afterwards Branxholme ceased to be the chief residence of the family.

Earl Walter's personal estate was at his death valued at £196,000, and his library at £2666.

He was succeeded by his second son Francis,—Walter, the eldest, having died in childhood. To David the youngest son, was bequeathed a handsome estate in Dumfriesshire.



CHAPTER XII.

'This court is independent on
All forms and methods, but its own,
And will not be directed by
The person they intend to try ;
Here's no appeal, nor no demurrer
Nor after judgment writ of error :
If you persist to quirk and quibble,
And on our terms of law to nibble,
The court's determined to proceed.
Whether you do, or do not plead.'

BUTLER.

THE general tranquillity which prevailed in Scotland during the earlier part of the seventeenth century, afforded a favourable opportunity to the Bailies and other civic dignitaries to turn their attention to the reform and adjustment of Burghal laws. The Magistrates and Town Council of Hawick set themselves to this work with commendable zeal and energy, and it may readily be conceived that their task was no light one.

Hawick being situated on the verge of the most unruly district of the whole kingdom, the town was apt to be infested by idle worthless vagabonds, who were a perpetual source of annoyance to the more respectable members of the community, and of infinite trouble to the municipal authorities. The Privy Council, however, provided a short and easy method of disposing of these ne'er-do-weels. It was thought by the government that it would be a good riddance to the country, and at the same time *serve the cause of Protestantism abroad*, if all the idle disreputable persons could be shipped off to the wars in Germany, and an order of Council was issued calling upon all Magistrates and others in authority to furnish lists of any such who might be in their districts. In compliance with this order, Robert Scott, Bailie of Hawick, sent in the names of a number of 'idle and masterless men fit to be employed in the wars.'

These men, about sixteen in number, had no ambition for a military life, and objected to be sent abroad. Through some feeling of compunction, the Bailies were slow to execute the order to apprehend and forward them to Edinburgh ; a



weakness which was severely reprimanded by the Lords of the Council, who wrote that, 'It was better that personis of the rank and quality aforesaid should be employed in his Majestic's service, than to be suffered loytering at hame.'

The Bailies were accordingly ordered to produce the men on a certain given day, or they would be denounced rebels and put to the horn, and they had therefore no choice but to obey the order. When the men arrived in Edinburgh, they were carefully examined; seven were set at liberty as not being fit for a military life; two were released under surety to appear again when called upon; and the remainder were delivered to the Earl of Nithsdale, to be sent with the rest of his company to the wars in Germany,

and were lodged in the Tolbooth till the ship was ready to sail.*

* Pitcairn's 'Criminal Trials.'

Though the town contained such unruly members, as those who were compelled to become soldiers against their will, the majority of the townsfolk were well-conducted, industrious people, weaving cloth, dressing skins, and sewing 'shoon,' and conducting themselves as became the members of a thriving community. They were anxious for the education of their children, and set about establishing a school in the Burgh. In a valuation of the lands in the parish in 1627, it is stated that—

'Thair is no foundation for ane schole, bot thair is very great necessity of a schole, since their is ane laurge toune whiche has no common guides at this tyme, nor casualties wherebie they may sustene a schole maister; and since it is in a remote pairt of ye kingdome where there is great ignorance ane of the chief causes thair of being this for want of scholes qr children may be educat.'

The advantages of education being so much appreciated and desired, a school was accordingly established; and in the valuation previously referred to, it is stated that there 'wad be ane hundred pundis allowed for the maintaining of a scool in this large toune.'

In order to secure good government within the town, the Bailies promulgated a code of burgh laws, which was framed with great fairness and judgment, and designed to meet every contingency likely to arise. These laws were formulated with much simplicity, and with no attempt at legal phraseology, and enumerated with extreme minuteness all the different offences likely to be committed, and the punishment to be adjudged for each. The penalties were chiefly imprisonment and fines, regulated according to the heinousness of the offence. Thus, he who drew blood in a 'ryotte,' was liable for a heavier penalty than he who only gave dry cuffs or 'straikes.'

The punishment for theft involved an amount of ignominy, which must surely have had a deterring effect.

'Whatsomever person that steillis ony of their neighbours peittis, turffis, green kail, corne, lint, hemp, hennis, capponnes, duckis, or commits any other pettie theft, sal pay £10 to the bailies, by (besides) satisfaction to the party offendid, and sal lie aucht days in the stockis, and stand with ane paper with the theft written upon their forehead at the mercat cross upon the mercat day.'

The like was to be done to 'resseteris' of theft; and 'whatsomever person committes the said theft twa several times, or that committes greater theft, sall be banyshit the town, and lose their freedom for ever.'

A poor woman, who had stolen an armful of peats from one of the bailies, was brought before the municipal court, and confessing her guilt, was sentenced to lie forty-eight hours in the stocks, and afterwards stand upon the 'mercat cross' upon the 'mercat' day, with the peats on her shoulder, and a paper upon her breast or forehead declaring her fault; a severe punishment for such a petty theft, for the value of the peats was very trifling. The Town Council Records show that stealing peats was a common crime, and was punished with a severity out of all proportion to the value of the stolen property. The peat stack built outside the house was easily accessible to the thievishly inclined, and it was difficult to convict the offenders, from the impossibility of identifying the peats. The civic rulers, therefore, endeavoured by extra rigour to inculcate honesty.

A woman, who had stolen 'ane little new pan,' was pilloried with the pan hanging round her neck.

A maid-servant, in the employment of Walter Scott of the West Port, was induced by a neighbour to steal some meal from her master, which she put in a cod-waire (pillow-case) given to her by her accomplice for that purpose, leaving the 'kyies' in the door where the meal was. Both women were arraigned for the crime before the Bailie, and were sentenced 'to lie in the stocks during the Bailie's will,' and 'to stand at the cross upon the public mercat-day, wt. ane pocke of meal each of them about their necks.'

The exposure at the market-cross was an ordeal much dreaded by criminals; for besides the ignominy of the position, they were subjected to insult and ill-usage from their fellow townsmen; and sometimes offenders would petition the Bailies for a commutation of their sentence.

John Hardie, maltman, was accused of stealing 'ane boll of barley,' and was sentenced to lie in the stocks for eight days, and afterwards 'to be brought to the mercat cross of Hawick on the mercat day, and to stand thereupon with a sample of the stouth upon his shoulder, or else ane paper on his briest or foreheid, to declare the fact and stouth committed by him.'

The culprit

'Most earnestly petitioned the baillies and counsell, to take it seriously to consideration, and hold him from the public shame, and he wald come in their will whatever they wald inflict upon him of his money and gudis.'

They accordingly commuted the public penance to a fine of a hundred pounds Scots.

The penalties for petty theft were severe, but for the same crime on a larger scale, the punishment was barbarous, and included branding with hot irons, whipping through the town, and subsequent banishment.

Elizabeth Millar, convicted of stealing 'out of lockfast chists,' certain goods and gear, was sentenced to remain in prison till the Bailies should decide what public punishment they should inflict upon her, and afterwards ordained that the officers of the town, 'banish the said Elizabeth Millar out of the ports of the said town,' and warn the inhabitants by tuck of drum against harbouring or resetting the said Elizabeth Millar for any night, day, *hour, or moment*, under a penalty of ten pounds.

A man, called 'Wee Shadrack Grey, and his wife, who had been guilty of several acts of theft, bound themselves to remove out of the town of Hawick, and the county of Roxburgh,' 'with certification that if we, or either of us return, or be seen in the said Shire, we hereby consent to our being new again seized and imprisoned either within the Tolbooth of Hawick or Jedburgh for the space of one year, *and to be scourged every month during the sd years imprisonment.*'

'Jeane Thorbrand, Marion Rowcastell, Margitt Gledstaines, and several oyers complaine agt. Margritt Drummond, and Elizabeth Millar, their adherents, complices, and resetters, for stealing out of the complainers' houses, sum tymes under cloud of night, and sum tymes in open day, for ane considerable tyme and space by gane, of ale, malt, peiss, beans, meal, bier (barley), flesh, sugar-loaves, cloths, petticoatts, head-dresses, buskins, laces, linnens, stuffs, and divers and sundry oysr things, goods and gear; and for the better effectuating yrof made use of ane false key, which was found with, and taken from, the sd Elizabeth Millar when about midnight, upon Wednesday's night last, being the 2nd of June inst. She was gripped in the very fact making use of the sd fals key to oppen baylyea Layngs seller-door, having with her two large timber stoops to carry away the ale, as formerly she was in custome and use to doe.

'Imprimis Margitt Drummond and Elizabeth Millar, cohabiting in ane little house togidder, they were eight several tymes in Baylyea Layng's cellar, and stole a great quantity of ale, sumtymes tunned, sumtymes working in batt, at groats and sixpence per pynt Scots. They also took out of said cellar, ane woman's head-dress, called "ane sett out," and ane feathered laced napkined, the lace whereof Margritt Drummond gave to William Hogde's spous, and ane linnen sark of qh she made use herself. The sugar-loaf, weighing three pounds they divided betwixt them, and did eat it, and they also disposed of two double pieces of bacon, as it is specially remarked that none helped to eat it but she and Drummond. A laced pinner stolen from the spous of Richard Inglis perriwigg maker. They were sentenced to be this day, being the public mercatt day taken out of the irons and tolbuith, quin they had layne evir since their compeirance and confessione, and to be publicly whipped and scourged through the hail town; and at the east end of the same to be burnt in their cheicks with the letter "H.", and yairafter to be banished the sd town and liberties yrof, and ane act of banishment to go through the town by towcke of drum. Ye said day q^h was instantly and accordingly done, qrof the tenore follows:—I command and charge, in name of Walter Gledstains and Robert Rowcastell, the two present baylyeas of this town and burgh of Hawick, that no persons, burgeses, freemen, or

unfreemen, inhabitants in the same, sett any of yr houssis fer maill or maill fee, for long time or short tyme to Margitt Drummond and Elizabeth Millar (who, both of them, ar notorious thieves and night house-breakers, and for which they are both of them this day whipped and scourged through the hail town and burnt in the cheick with the letter "H."). Nor yet resett the said personis eyr by night or by day. Each person qt shall be found guilty of harbouring them or eyr of them shall not only incurr the payment of £20 Scots of penaltee, but also be estimate airte and pairt wt them in yr notorious thefts and so lyable to undergo the same or lyke punishment that they have this day suffered.'

This entry in the Town Council Records has been quoted entire, as the details both of the indictment and the sentence are so curious and so characteristic, that it cannot fail to be interesting. Elizabeth Millar, one of the culprits, was probably the same who was expelled from the town for theft two years previous.

The prototype of the Forbes Mackenzie Act is found in an Act of Parliament of James the First, dated October 1436, by which it is ordained—

'That na man in Burgh be foundin in Tavernes of wine, ail, or beir, efter the straike of nine houres, and the bell that sall be rungin in the said Burgh. The quhilkis founden, the Alderman and Bailies sall put them in the Kingis prison: The quhilk gif they do not, they sall pay for ilk time that they be founden culpabill before the Chamberlain, fyftie schillinges.'

After the Reformation the Kirk-session supplemented the Act by ordaining that the public houses should be closed on Sundays during Divine service, and officers, called 'Church Censors,' were appointed to see that the law was enforced. Sometimes this duty fell upon the elders, who were deputed to search the public or change houses between the hours of Divine service.

This law was rigidly maintained in Hawick in the seventeenth century, but the hour to which public houses might be kept open was extended from nine till ten o'clock, when a bell was rung warning all sober citizens to betake themselves to their own homes. Any one found in change houses in forbidden hours was punished by fine, the landlord being also punished for resct. The Hawick Burgh Records prove that the 'Church Censors,' or whoever it was on whom fell the duty of searching the ale-houses, were zealous in the discharge of their duty, and that their office was no sinecure.

'On the 9th February 1702, Henry Hardie, merchand, is fyned in ane gross immoralitie and misdemeanour, in prophaning the Sabbath-day yesterday, by tarreing the time of Divine service in the houss of Geo. Renwick, who keips ane change. Geo. Renwick is also fyned for resett and keiping of them the tyme of sermon within his houss, and for selling of ale to them.

' 7 March 1702, Jeane Forest is fyned for entertaining in her houss some persons after tenn o'clock at night. Francis Gledstaines, wright, is also fyned for being in her house after tenn at night, bot protested yt he was not in drinke, qh. the sd. Jeane Forrest asserted to be true.

' 13 March 1702, John Binnie, late baylyea Patricke Angus, merchand, and John Heart, glover, wer onlawed for being found togedder by the church censers, after the tenn hour bell was rung, in the house of the sd. John Heart, inkeiper.

' Decr. 18, 1702, James Westlands fyned for keiping of company drinking in his house, with the pyper playing, after the ringing of the tenn hour bell.

' Michael Scott, merchand, was onlawed, conformed to Act of Parliament, for drinking after the tenn hour bell.

' James Broun, weiver, fyned for being found drunk yesternight in the house of Robert Broun, merchand, after tenn at night, and also for cursing and swearing their.

' James Scott, declairs that upon the last night of the old yeir, that yr. was none that night after the ringing of the tenn hour bell drinking in yr. houss but two persons.'

Belief in witchcraft was universal in Scotland in the seventeenth century, and many harmless old women were strangled and burned at the stake for this imaginary crime. Instances are on record of these horrible judicial murders having been perpetrated at Jedburgh and Selkirk, but Hawick is free from such guilt, not that the Hawick people were more enlightened or less superstitious than their neighbours. One woman was accused of calling another 'Witches-gait,' 'and said that she devoured her awne child under her arm.' Another person was fined for calling the bailie '*Witches-gait*.' In one instance a woman was judicially accused of witchcraft, but there is no evidence that she suffered the extreme penalty of the law.

' William Elliot, in Harrit, acted him as cautioner and surety for Janet Scott, alleged wiche, spouse to John Glendinning, called *Sowtail*, that she shall compear personally before the Justice-General or his deputes, or bailies of the regality of Drumlanrig, or their deputes, and underlie the law, for all causes of witchcraft, or other causes criminal to be laid to her charge, upon 8 days warning, as he will be answerable under the pains contained in the Act of Parliament thereanent.' *

A form of superstition which was once common in Scotland, and still prevails to a great extent in Ireland, was the belief in the sanctity of 'holy wells,'

* Hawick Town Council Records.

which were supposed to be efficacious in curing disease. There was such a well at Priesthaugh, to which sick people repaired, and, doubtless, expected—‘by charm of priest and miracle,’ to get relief from all their aches and pains. Although no one whose illness was not purely imaginary could have derived much benefit, the belief in the sanctity of the well prevailed long after the Reformation, and in May 1614, it was reported to the Presbytery of Jedburgh, that people resorted to Priesthaugh Well in pilgrimage.*

The weights and measures received a due share of attention from the civic rulers, and any one who was found guilty of using false weights or measures, ‘or committs any falsheid in his calling’—was liable to fine and imprisonment. The various craftsmen were bound to submit their goods to the inspection of those in authority, and any deficiency in material or manufacture was punishable by fine. It was enacted, for instance, that—‘nae wabster sall give any claith to the walker (fuller) without consent of the owner thereof, and any wabster that works any wark that is not fund sufficient, or has tryit to haif dune wrang to any claith, sall pay £10 Scots, and wardit during the bailies will after tryal.’ The cordiners were ordained ‘to try the market for insufficient leather and unbarkit shoon,’ and what fines they received, ‘the ane half thereof sall pertain to the town’s use, and the other half to the craft.’ There was some little licence allowed to the craftsmen as the following entry proves—

‘The quarter master of the shoemakes trade was appointed to try the market, to find if the shoes were all of sufficient barked leather, and reported that if permitted he might find *facke about*, which doth imply only two soles, whereas there is apparent three without, which they said it was *not the custom to search too narrowly*.’

The regulation of the market, and the quality of the produce exposed for sale, were within the jurisdiction of the magistrates. No business was allowed to be done till the bell was rung, and any one who bought or sold before that signal was given, was liable to be punished by fine and imprisonment. A like penalty was incurred by those who should forestall the market.

‘Helen Robson, upon oathe confessed she bought from James Thompson in Hassendeane ane creillfull of salt in quait in the middst of the market and was therefore guilty of forstaling the market, and fined in £10 Scots therefore.’

In the meal market—

‘George Turnbull in Doveshaugh, was found to have seidie and insufficient meal in the mercatt, beieg

* Records of the Presbytery of Selkirk.

about ane gouping of seids or thereby, sifted out of half ane peck of his full sacke, who compeirand came in the bailies will for ten pounds of fyne, and also for the pryse of the said hail meal.'

Various other entries in the Burgh Records testify to the efforts of the Municipal Council to promote honest dealing.

It was highly important that the boundaries of the burgh lands should be clearly defined, and the presence of the burgesses was desirable in order that all might see for themselves exactly where the landmarks were placed, and be prepared to resist any encroachment. For this reason the riding of the marches was something of a warlike demonstration; and a relic of this ancient custom survives in the halberds, carried by the town's officers at the annual commemoration of this time honoured ceremony. The boundary lines of property were a frequent cause of dispute, and the minute-books of the Town-Council formed a kind of register of sales, coups or exchanges, and the general transfer of property. The burgh land being unenclosed, the annual riding of the marches was an important ceremony at which all the burgesses or freemen were bound to be present for— 'Whatsomever person that beis not present yearlie at the common-ryding and setting the fairs was liable to pay a fine of 40 shillings and to be wardit at the bailie's will.' The mode of marking the boundaries is described in the Burgh Records, 'ane lync' thread was stretched from one point to another, and seven large stones, about three feet apart, 'were all buried and set within the ground end-long, and the said stones being only covered kything with and about the supperfacies of the said earth.'

The Hawick Bailies of the seventeenth century were imbued with a due sense of the dignity of their office, and it was enacted that 'whatsomever personnes gevis unreverent language to the bailies, minister or town clerk sall pay £10 efter tryal, *toties quoties*, and waird it during the bailies will.' An enactment such as the foregoing, was by no means superfluous, for respect for dignitaries does not appear to have been a prominent characteristic of the old Hawick folk, and numerous convictions under the act were recorded.

A woman, who was sentenced to pass some time in the stocks, told the sitting magistrate that 'the jouges were mair fit for him nor her,' for which flagrant instance of contempt of court she was duly punished. One Thomas Olipher, accused of giving 'irreverent language to the bailies in the face of the court,' was fined and put in the stocks for eight days, for having refused to come to 'waird' at the command of the municipal authorities, and for drawing 'ane sward to

James Burn, Bailie.' This Olipher must have been a quarrelsome and dangerous fellow, as his name again appears in the Records of the Burgh Court, when he was bound, under a penalty of £40, not to carry 'ane whinger about him within the freedom of Hawick.' That the tongue is an unruly member is amply verified in these old Records, since they contain numerous instances of people being punished for using abusive language.

A woman was fined for bidding Adam Turnbull hang himself, and calling him 'ane land loppon lowne.'

'Andrew Scott is onlawed for coming to Baylyea Purdholm's hous under cloud of night, and abusing not only the house but the company, and also onlawed in ane ryot commit upon John Aitken, by rugging of his hair and rying of his gravatt.'

With a due regard to the sanitary condition of the town, swine or geese were forbidden to be kept within the burgh bounds except in the common. Such matters as clipping the wings of domestic poultry was not beneath the notice of the authorities, nor the liberty of setting a ladder in his neighbour's yard when a man thatched his house.

The fines which were imposed on offenders were at one time the perquisite of the bailies, so it is not wonderful that it was a favourite mode of punishment. In 1470 it was unanimously agreed by the magistrates that in future all fines for 'ryots, blood, and blood wytes,' should be applied for the use and benefit of the Burgh. This resolution, though against their interests, was probably prompted by a desire to secure the ends of justice more effectually. The bailies, however, very soon repented of their self-denial, for only three years afterwards the resolution was as unanimously rescinded, and the fines once more went into their pockets.

The Magistrates and Council were also entitled to certain perquisites of a comforting nature. One of these was the 'wine and pertinents' which every man was bound to provide for the entertainment of the civic rulers, when he was invested with the freedom of the burgh. This was not a matter which was left to individual generosity, but was clearly set forth as part of the price to be paid for the privilege of becoming a burgess.

There is something quaint and patriarchal about these old municipal laws, which were framed in a spirit of equity, and were designed to promote honourable dealing,—to maintain order and to protect the lieges from violence and abuse.

The bailies, who sat day after day dispensing justice, held no sinccure in these times when people were so free with their weapons that they did not hesitate sometimes to draw their swords on the civic dignitaries themselves, and assaulted each other with anything that came handiest, from a sword or pistol to a pint stoup, 'a yairne winnel staff,' or a 'culter irne.'

In 1644, it was ordained by the Town Council that no one should leave the town or neighbourhood to 'scheir' or cut corn, and several persons who disregarded this order were made to remove from the town for a year.

This arbitrary regulation appears to be very tyrannical, but it was intended to protect the people from the plague, which was raging in the north of England. The poor people, who were in the habit of travelling about the country in harvest time in search of employment, were liable to carry the infection; and it was to prevent communication with the infected districts that the order of council was given.

The following year, when the plague or 'pest,' as it was called, was raging in Scotland, the act was renewed with even greater stringency, and severe penalties were imposed on those who left the bounds of the parish, and also on those who employed strangers in harvest.

It was in this year, viz., in 1645, that the town of Kelso, 'with the hail houses, corns, barns, etc., were burnt by fire caused by clenging of ane of the houses thereof, whilk was infected with the plague.'

In Edinburgh the pestilence was raging with great violence, and huts were erected in the King's park, for the accommodation of the infected.

In Hawick three persons were fined and imprisoned for having visited Edinburgh at this time, a slight punishment for having exposed the town to the risk of a deadly pestilence.

Setting the fairs was an important ceremony, conducted by the authorities in accordance with feudal observances, when the Bailies, Town Council, and Burgesses appeared armed, and declared the fair open. These fairs were numerously attended by chapmen and others, who displayed their goods in the open street. In order to secure a good place, it was the custom to mark off or appropriate certain stances along the street a day or two before the fair, a practice which the magistrates put down, and forbade all strangers to 'set down mieths for stances until the day before the fair.' This enactment led to certain abuses on the

part of the Hawick merchants, which in the interest of the strangers, the bailies condemned as readily.

The hail council having taken into their consideration, the wrong and abuse committed by the merchands and others of the burgh of Hawick, upon the fair days, against merchants, strangers that come in the fair days to the burgh, and other weekly market days, do hereby ordain every merchant in Hawick to take up no more room on the fair days or weekly markets, than the length of *ane fr daill*, and that nane within the burgh take money fra ony merchant for liberty to stand before their doors, under pane of 40 shillins, and that none within the town take or marke any stands for anyone, but that every man mark his ain stand under the forcsaid penalty.*

These stances for booths or 'krames,' lined each side of the street, and there was a great struggle for the best places; and sometimes considerable bickering on the subject, ending occasionally in blows, and an appeal to the bailies. The merchandise displayed at the fairs included every commodity for which there was the least demand. There were all sorts of country produce, wool, skins, lint, etc., shoes and cloth, both linen and woollen, crockery, and the simple domestic utensils in use at the time. There were also pipes and tobacco, for there is evidence in the Town Council Records, that the weed was known in Hawick in 1652.†

There was naturally a great concourse of people from the country districts, who were in the practice of laying in a stock of goods to last till the next fair came round. Much mirth and hilarity prevailed at these gatherings, accompanied sometimes with rather riotous proceedings.

The 'pyper' was an important public functionary, and in consideration of a salary of £13, 6s. 8d. Scots, was engaged to perambulate the town 'at even and morn, and other solomn occasions.' On a certain fair day, the piper was found guilty of night revelling, 'and playing through the hail town on his great pype in company of some drunken persons, to the great disturbance of strangers and townsfolk.' The hilarious piper was mulct in a heavy fine, as a lesson not to degrade his office.

These few extracts from the Town Council Records give a faint outline of the mode by which the civic rulers sought to maintain order, and though generally characterised by good sense and judgment, some of their enactments were ridiculously petty and trifling. It is not recorded that they laid any claim to infallibility, but they rarely acknowledged any law superior to their own, and

* Hawick Burgh Records.

† Annals of Hawick, p. 69.

when once their decision had been given, they resolutely defended it against appeal.

The bailies in the plentitude of their power and authority, were apt to be rather arbitrary or even despotic at times. As an instance of this, it is recorded that a certain individual was commanded by the civic rulers to lend his horse to Bailie Purdom, who had occasion to ride to Jedburgh on the town's affairs. This the owner of the horse refused to do, and he was fined for disobedience. Though the magistrates might be absolute while in office, their authority was brief, for it was 'actit statut and ordained, that no person sall bruick the office of bailliarie longer nor the space of twa years together and sall not be put in liet for ane year after the twa years.' Nor was their jurisdiction extensive, for the town did not contain more than six or eight hundred inhabitants. In 1644 when every town was bound to provide soldiers in the proportion of one to sixty of the whole population, the number levied in Hawick was only ten.*

A large number of persons were at sundry times accused of breaking out of the Tolbooth, or refusing to be 'wardit' in the Tolbooth. This may be partly explained by the ruinous condition it had fallen into, which made it a matter of little difficulty to 'break furth of ward.'

'The baylyeas and oysr propossed to Francis Gledstaines and oyers, since there was ane correspondence and friendship betwixt the toun and him, he, as burges in yr said town, should assist them to repair the tolbuith, now ruinous, which he willingly agreed to, and consented to yr cutting and taking away of two trees growing upon the march dyke near Whitlaw, and another lesser one growing upon yt part of yr common which is at the back of the old fallen house at Whitlaw; and also freely offered to give them another of his own better than any of the former three, and desyred that the samen might be marked in yr books, as ane testimony of the mutual kindness betwixt the town and him, and also that oyr neighbouring burgesses, by his example, might be induced to assist in timber or oyr way for repairing ye sd Tolbuith.'

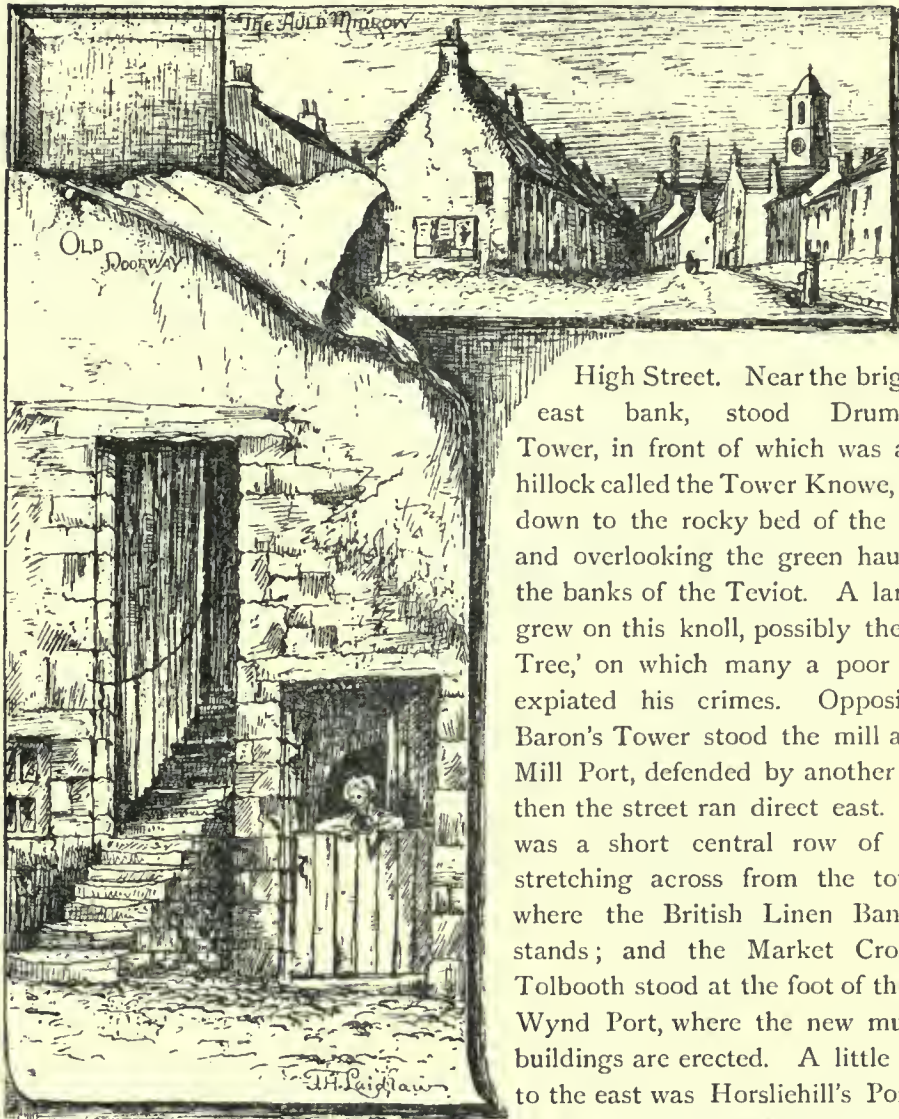
The boundary of the Burgh of Hawick to the west was the common vennel, a pathway leading from outside the West Port towards the Teviot, and passing through where the parish church now stands by Cobblepool Lane, to the river, where a cobble or ferry-boat conveyed passengers across. The boatman lived at Langlands on the opposite bank of the stream. †

The West Port, or entrance to the town, was at the head of the Midrow, a centre row of houses which divided the streets called the Back and Fore rows. From the rows, a short street called the Howegate ran down to the Slitrig. There stood a strong pend house, and on the opposite side of the street was the Garrison

* Burgh Records.

† Town Council Records.

or Lieutenant's Tower, close to the water. A few yards further up the Slitrig was the Auld Brig, which connected the western portion of the town with the



High Street. Near the brig, on the east bank, stood Drumlanrig's Tower, in front of which was a green hillock called the Tower Knowe, sloping down to the rocky bed of the stream, and overlooking the green haughs on the banks of the Teviot. A large tree grew on this knoll, possibly the 'Deuil Tree,' on which many a poor wretch expiated his crimes. Opposite the Baron's Tower stood the mill and the Mill Port, defended by another tower; then the street ran direct east. There was a short central row of houses stretching across from the tower to where the British Linen Bank now stands; and the Market Cross and Tolbooth stood at the foot of the Cross Wynd Port, where the new municipal buildings are erected. A little further to the east was Horslichill's Port, now Walter's Wynd, leading down to the

Teviot, here crossed by stepping-stones. The eastern boundary of the town

was marked by the Bountrees. The Bountree or Elder tree was by the Romans dedicated to the god Terminus, the presiding deity of boundaries, and was therefore usually planted to mark the limits of fields, farms, or towns. It was also one of the sacred trees of the northern nations, and its Anglo-Saxon name of Elln-treou, signifies the tree of might, courage, and virtue.*

The place where the group of elders or bountrees stood is still indicated by Bourtree Place, then the only entrance to the town from the east. Between this and the river intervened one or two fields, in which stood a large dovecot similar to those still to be seen here and there in the vicinity of old mansions, and which were such useful appendages that in the reign of James IV. it was made compulsory for large landowners to erect dovecots and make 'cunningares' or rabbit warrens. In the sixth Parliament of James IV., dated 1503—

'It is statute and ordained anent policie to be halden in the cuntrie, that cverilk Lorde and Laird make them to have Parkes and Deare, stankes, cunningares, dowcattes, orchardes, hedges, and plant at the least ane aicker of woodde quhair there is na greate Wooddes nor Forrestes.'



In the Little Haugh, close to the river, were several slight excavations, surrounded by earthen mounds, formed no one could tell how. These were called

* 'Flora of Teviotdale,' by Dr Murray.—Transactions Hawick Arch. Society.

the 'Fairy Faulds,' and in the popular imagination were peopled by elfin forms, which on moonlight nights disported themselves on the green turf; for people never doubted the existence

'Of airy elves, by moonlight shadows seen,
The silver token, and the circled green.'



CHAPTER XIII.

' For conscience sake rely upon
The holy text of pike and gun ;
Decide all controversies by
Infallible artillery ;
And prove their doctrines orthodox
By apostolic blows and knocks.' BUTLER.

ON the death of Walter, first Earl of Buccleuch, he was succeeded by his second son Francis, who was only seven years of age. Walter, the eldest son having died in infancy.

After the death of the Countess of Buccleuch, Earl Walter had placed his children under the care of his sister, Lady Ross, of Halkhead, with whom they remained for several years after his death. Her affectionate motherly care of her nephews and nieces was always gratefully remembered by them. The young Earl especially regarded her with the most devoted filial tenderness to the very close of his life.

During the minority of Earl Francis, his estates were managed by his three kinsmen, Scott of Harden, Scott of Scots-starvit, and Scott of Clerkington. These three gentlemen discharged their trust with such prudence that they were enabled to accumulate the large surplus of 500,000 merks, with which, when the Earl was in his fourteenth year, they purchased the lands and lordship of Dalkeith, which formerly belonged to Douglas, Earl of Morton. The sum paid for the estate was 450,000 merks, besides the discharge of a burden of 30,000, which was owing by the former proprietor. The castle of Dalkeith then became the principal residence of the Buccleuch family. Earl Francis occasionally resided at Branxholme, but it was afterwards occupied by the chamberlain who managed the property in Teviotdale. When in his tenth year, the Earl and his brother were sent to complete their education at the University of St Andrews. In conformity with the usages of the times, the two boys had an establishment and retinue befitting their rank. These included Mr Scott, their governor, Mr Chisholm, their peda-

gogue ; William Scott, page to the Earl, and a number of servants. They were placed under the care of a Mr Learmouth and his wife, who bound themselves to provide suitable entertainment for the young Earl and his brother, and their household. They appear to have discharged their duty in a highly satisfactory manner, and Learmouth enjoyed a pension for life from the Earl's bounty, which was continued to his widow 'in memory and thankfulness of the pains taken, and service done to the Earl of Buccleuch when he was at the schools at St Andrews.'

In 1641 the Earl of Buccleuch took his place in the Parliament held that year during the visit of King Charles I. to Scotland ; but he returned to St Andrews the next session, when he finished his educational course. He ever afterwards looked back with pleasure on his college days at St Andrews, and he left behind him a lasting memorial of his kindly feelings towards his *Alma Mater* in his valuable and liberal gifts to the library at St Leonards.

The Earl of Buccleuch was married at the age of twenty to Lady Margaret Leslie, daughter of the Earl of Rothes, and widow of Alexander Earl of Balgonie. Some idea of the entertainment provided for the wedding guests may be gathered from the disbursements made on the occasion. Innumerable sums were given as drink money to the various servants who brought presents from the friends of the young couple. These were chiefly contributions towards the wedding feast, of such a substantial character as 'a fat wylde calve,' 'a dusson old capones,' 'fifty-eight pair of dowses,' 'thrie turkey fowles,' wild bucks, fallow deer, and even widders, lambs, etc. The wedding feast usually lasting for several days, such gifts were sure to be generally acceptable, and this is probably the origin of the custom which leads people now-a-days to overwhelm their newly-married friends with salt-cellars, candlesticks, albums, and a variety of articles both useful and useless. Notwithstanding all these liberal contributions to the larder at Rothes castle a messenger was repeatedly sent to Edinburgh to bring more provisions in the shape of 'turkeys, wylde foules, pears, plummes,' sweet-meats, and many other things.

In the intervals of feasting the company were regaled with music, and occupied themselves with various games, for there were several payments to pipers and fiddlers, and 'three dusson spears for running at the glove,' and such like. Captain Scot of Satchells, did not regard Earl Francis, with that warm admiration he felt for his illustrious father, and he speaks of him a little disparagingly—

' Earl Francis, his father, Earl Walter, did succeed,
 Into his Earldom, but not to his head,
 Yet he wanted neither hand, head, nor heart,
 But could not act like to his father's part.
 His father's acts were all military,
 And he was much inclined to study.'

Though a man of literary taste and culture, Earl Francis was no recluse or mere bookworm, as Satchells would imply. He took an active part as became his rank in all public affairs, both civil and military. The storms which gathered on the political horizon while he was quite a youth afforded him ample opportunities of proving his courage and ability.

The struggle between Charles the First and the Scotch Covenanters turned upon a purely ritualistic question. It involved no vital doctrine, nor was the creed of the reformed faith assailed on any essential point. The Scotch regarded the formal prescribed ceremonial of the Episcopal Church as nearly allied to 'the Scarlet Woman,' leading back to Rome, and the spiritual bondage of Popery. The Presbyterians were determined to resist all attempts at dictation, and to preserve intact the severe simplicity of their mode of worship, and the whole troubles arose out of the King's ill-judged and tyrannical attempt to force the liturgy of the Episcopal Church on the Scotch Presbyterians.

The service book prepared by command of the King by Archbishop Laud, was denounced by the Scots as Popery in disguise, and its first introduction into St Giles' Kirk was the occasion of a tumult. When the Dean opened the book and began to read, his voice was drowned in a confused clamour, which waxed louder every moment, till the people, in a frenzy of excitement, threw stools, books, and other missiles at the clergy. In spite of the opposition with which the service book was everywhere received, Charles obstinately persisted in forcing it upon the Scotch, who refused to admit the right of either King or Archbishop to dictate to them in spiritual matters. They resolved to resist this tyrannical attempt to interfere with their religious freedom, and the National Covenant framed for this purpose was subscribed, with the warmest enthusiasm, by the great majority of the people.

One of the first to sign the Covenant in Teviotdale was Douglas of Cavers, and he was followed by most of the leading men of the district. The name of Buccleuch does not appear among these, because the Earl was a boy at the time, and did not reside in the neighbourhood, but even at that early age his sym-

pathies were with the Covenanters. His opinions on the question were freely expressed, and were the subject of comment among his friends.

When the Covenanters decided to oppose the Royal authority, they were not content with the mere withdrawal of the service book, and other obnoxious innovations. They determined never to rest till they had accomplished the complete overthrow of Episcopacy; and animated by religious zeal, they prepared to defend their faith by an armed resistance.

The resolute attitude of the Presbyterians might have induced the King to yield to their demands, had such only been for toleration for themselves, and their own form of worship; but when Episcopacy was assailed he was bound by his own religious convictions to defend it, and he speedily made preparations to subdue the Covenanters, and compel their obedience by force of arms.

In 1639 King Charles led an army of 20,000 men towards the Scottish Border, and about an equal number of Scots mustered under Sir Alexander Leslie, an officer who had had considerable experience in the Continental wars. The Scots took up their position on Dunse Law; a round grassy hill, standing apart by itself, and commanding an extensive view. On the top of the hill was placed a battery of about forty cannon, and the tents and timber huts of the men were on the slopes of the hill. The army of the Covenanters so advantageously encamped, presented a very formidable appearance to the Royal army.

Neither party seemed inclined to push matters to an extremity, for an intimation on the part of the King that he was willing to treat with his Scotch subjects was readily agreed to. The commissioners sent from the Scots camp, included Douglas of Cavers, the Sheriff of Teviotdale, who with a number of followers had joined this, the first army of the Covenant.

The negotiations were so far successful that it was agreed to suspend hostilities and to refer the questions under dispute to a convention of the General Assembly of the Kirk, and representatives from the King; and eventually the Covenanters succeeded in forcing Charles to adopt a more liberal policy towards Presbyterianism.

The disagreement between the English Parliament and the King now began to wear a threatening aspect, which soon resulted in open hostilities. There was no necessity for the Scotch party to take up the quarrel, as they were practically in possession of all they wanted. Their sympathies being with the English Puritans they entered into a solemn league and covenant with the English

Parliament to unite with them in their struggle for civil and religious liberty. In the winter of 1644, a Scotch army, upwards of 20,000 strong crossed the Border and laid siege to Newcastle, held by the Royalists for King Charles.* The Parliament had issued a proclamation forbidding the exportation of coal from Newcastle, because vessels entering the harbour, ostensibly for coal, were in the habit of importing provisions and munitions of war; and Newcastle had become the 'principal inlet for foreign aid, forces, and ammunition.' It had therefore become a matter of great importance that Newcastle should be taken. The Scotch army included a large number of Borderers. The Hawick Burgh Records contain notices regarding the soldiers who went from Hawick. Two hundred merks were allowed by the Earl of Queensberry and disbursed by the town, for 'reiking out of the soldiers,' that is in providing them with arms and the necessary accoutrements, and three baggage horses were to be sent from the town for the use of the army by command of the General.†

The young Earl of Buccleuch, who was now eighteen years of age, anxious to prove his devotion to the cause, had joined the army of the Covenant, and was present at the siege of Newcastle, where he had command of a company. The Scotch army lay before Newcastle for nearly nine months. An observer on the spot says of the Scots—'They do carry themselves so civilly and orderly that the country do even admire them, taking not the worth of a penny from any man but what they pay fully for; and they are not come unprovided, for every soldier hath two or three pieces in his pocket, and there hath thousands come into them and taken the Covenant, and their army doth greatly increase.'‡ This very favourable account of the Scots was written by one of their own persuasion, but we must remember that the Scots were not there as enemies, but to make common cause with the English in defence of their religious freedom. And all Englishmen who had not joined themselves to the Royalist cause were their allies and friends. The account of the final storming of Newcastle is given in a contemporary letter—'We had been so long expecting that these men within the town should have pitied themselves; all our batteries were ready, so many of our mines as they had not found out and drowned were in danger of their hourly finding out; the winter was drawing on, and our soldiers were earnest to have some end of the business, which made the General, after so many slightings to begin this morning

* Burton's 'Hist. of Scot.,' vol. vi. p. 357.

† Annals of Hawick, p. 63.

‡ Burton's 'Hist. of Scot.,' vol. vi. p. 359.

to make breaches, whereof we had three and four mines. The breaches were made reasonably low before three of the clock at night. They within the town continued still obstinate. My Lord Chander's regiment and Buccleuch's entered at Close Gate. The General of the artillery, his regiment and that of Edinburgh entered at a mine at the white tower, in all eight storming parties attacked through mines or breaches and carried them.'

The town was soon in the hands of the besiegers ; and the castle, which held out a few days longer, was obliged to capitulate. The end of the siege was hailed with great delight by the people generally, and 'proved of great importance to the city of London, where the poorer sort of people, for the last two years had been almost starved for want of fuel, coals having risen to the price of four pounds the chaldron, a price never known before that time.'*

The Scots army had done such good service to the Parliamentary cause while in England, that the Royalists despaired of success unless this formidable force could be withdrawn.

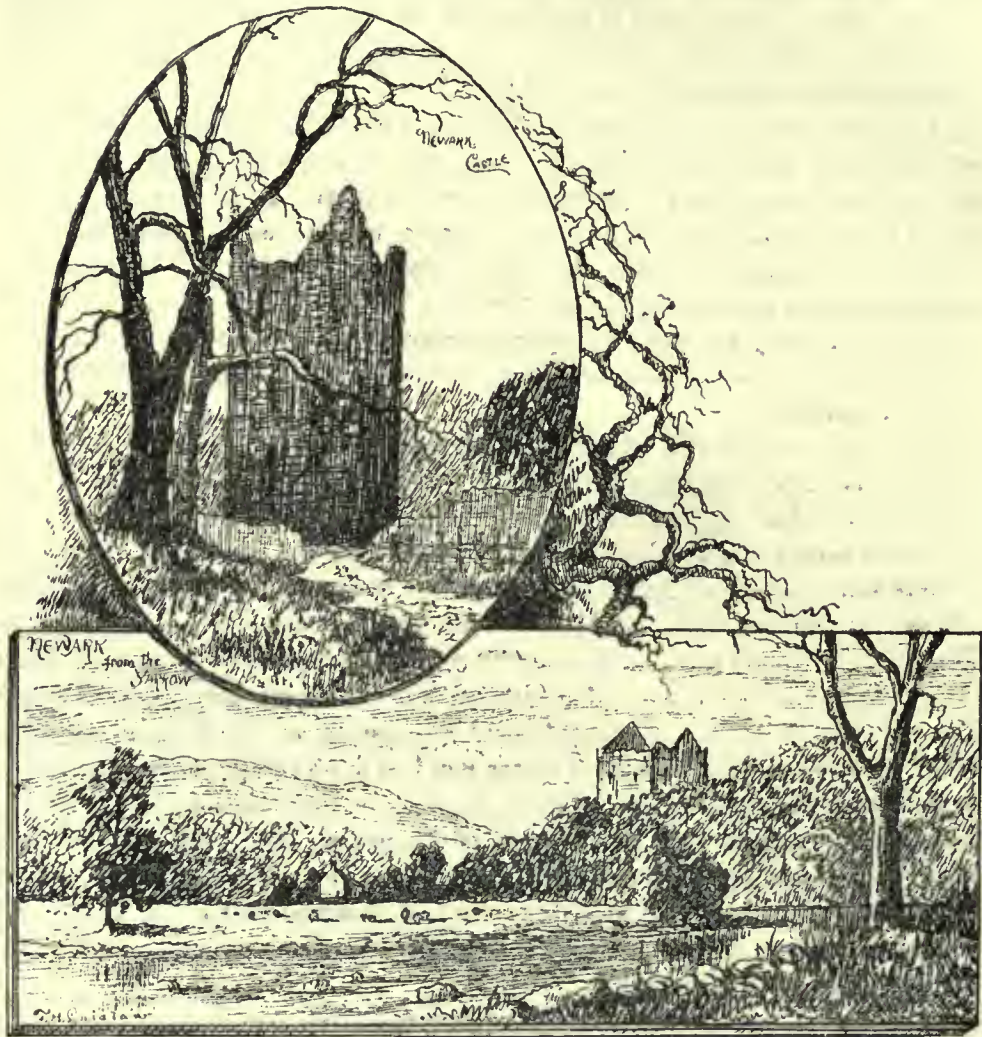
In order to effect this object, the Marquis of Montrose invaded the West Border. A large quantity of arms and ammunition had been stored in Newark Castle by the Earl of Buccleuch, before the army marched into England, and an additional supply was obtained from Government, for the purpose of arming the tenants and retainers of Buccleuch, who, in the absence of the Earl, were called out by Sir William Scott of Harden, and Sir Thomas Ker. The Sheriff of Teviotdale and other gentlemen joined them, and they marched to the west, where they intercepted Montrose, and compelled him to retreat completely defeated. For this service 'an act of approbation' was passed by the Estates, declaring 'that Sir William Scott and Sir Thomas Ker had in all fidelity carried themselves in convening the vassals and tenants of the Earl of Buccleuch, and other gentlemen of the county, to repel the invasion of Montrose. The Estates declair their whole actions and proceedings in that business as done for the honour of their country and the good cause, and that they had deserved well of the public, and carried themselves as loyal subjects of the King, faithful servants of the Estates, and true patriots to their country.' †

The Scots army was still in England, and had given the Parliamentary forces important assistance at the battle of Marston Moor, when the Royalists were de-

* Burton's 'History of Scotland,' vol. vi. p. 360.

† Acts of Parliament, vol. vi. part ii. p. 101.

feated; so the most important service that could be rendered to the Royalist cause was to draw the Scots out of England. There was a large party in the



Highlands inimical to the Covenanters, and to assemble an army of the clans would be a valuable addition to the Royalist forces, and by attacking the

Covenanters from the north they might force the Scotch army to return to Scotland, and keep them occupied there.

With this object in view, Montrose was made General of his Majesty's forces in Scotland. An empty title in the meantime ; for he was still in England, while his proposed forces were in the north of Scotland, and between them lay a wide and populous district of country, the inhabitants of which were wholly devoted to the cause of the covenant. The Royalists were too hard pressed to admit of their sparing any troops, to enable Montrose to fight his way to the north. How to reach the Highlands was, therefore, a question which presented considerable difficulties. Disguised as a groom, Montrose succeeded in reaching Perthshire, and raising the Royal Standard at Blair Athol, he soon collected an army of 3000 men, which was augmented by some Irish troops. The series of dashing and brilliant exploits by which Montrose inflicted such serious loss on the Covenanters, and inspired the Royalists with fresh hope, had an effect on the Lowlanders which may easily be conceived. Montrose's army, consisting as it did of wild undisciplined Irish and Highlanders, was not easily held in check, and his victories were attended by much cruelty and bloodshed. To oppose this army, the Government found it necessary to raise additional levies, and the Marquis of Argyle and Sir John Urry were sent against Montrose, with a large army, including some of the best troops the Covenanters could muster.

They encountered Montrose near the village of Auldearn, in the county of Nairn, where he had established himself in a small fortified camp on a hill, and thus had the advantage of a strong position. The Highlanders charged down hill in one fierce rush, their impetuous onslaught breaking and dispersing Urry's compact, well formed ranks, whose scattered forces were pursued and cut down without mercy, and the Covenanters were defeated with great loss.

This battle has some little local interest on account of a quaint and pathetic entry in an old Bible, preserved in the Archæological Museum of Hawick. The Bible belonged to Mr Gledstanes of Whitlaw, and, like many other old Bibles, contained on its blank pages the family register of births, deaths, and marriages, besides various details of family history of a more or less interesting description. On a blank leaf between the Old Testament and the Apocrypha is the following entry in faint and fading characters difficult to decipher :—

'Upon the 14th day of May 1645, my father, Francis Gledstanes, being

of twenty-ane [or nine] years of age, and ane leftenant, was, with his brother James Gledstones and other nine, sister's sones of Sir William Douglas of Cavers, schyreff of . . . dale, killed at the battle of Auldearn, fought against Montrose.'

There is no reason to doubt the truth of this tragic record, for the Covenant had few more devoted adherents than the Sheriff of Teviotdale and his family, and many stout-hearted Borderers fought under Urry and Leslie all through the war, till the battle of Philiphaugh gave a severe blow to the Royalist cause in Scotland, and checked the brilliant career of Montrose.

The execution of Charles I. produced a rupture between the prominent leaders of the Scotch Covenant and the Parliamentary party in England.

When the Scotch took up arms against the King, they had no other object in view than the defence of their religious liberty, while Cromwell had all along been aiming at a republic. The Scotch declared that their principles were Monarchical, though they had sternly opposed the Sovereign when they considered that he had abused his power and exceeded his prerogative; but to condemn him to death was further than they were prepared to go. Therefore, when Cromwell beheaded the King, and declared England a Commonwealth, the Scotch proclaimed Charles the Second King. Still the Scotch Presbyterians were not inclined to give their allegiance to the young King unconditionally, and he was given to understand that he must sign the 'Solemn League and Covenant' before they would pledge themselves to support his sovereignty. Charles was then in Holland, and Commissioners were sent thither from Scotland inviting him over, and promising him their warmest support provided he would agree to their conditions. These conditions, however, involved much more than merely binding himself to allow the Presbyterians the free exercise of their religion unhampered by State interference or control. The Covenant required that he should, 'without respect of persons, devote himself to the extirpation of popery, prelacy, superstition, heresy, schism, profanity, and whatsoever should be contrary to sound doctrine.' Sound doctrine as defined by the Scotch was strict Presbyterianism, and in signing the Covenant the king bound himself by a solemn oath to thrust the doctrines of the Scotch kirk on the most unwilling of his subjects, just as his father had endeavoured to force Episcopacy on the Scotch themselves.

Charles was naturally averse to sign the Covenant. It required little penetration to foresee the difficulties in which it would involve him; besides, his own

religious convictions, such as they were, were utterly opposed to Presbyterianism ; but as the support of the Scotch could be obtained on no other terms, he signed the Covenant and set out for Scotland.

The Earl of Buccleuch was a member of the party who proclaimed Charles the Second, and welcomed him on his arrival. There was soon a powerful party in favour of the young king ; and Cromwell, who was engaged in reducing the Irish to obedience to the Commonwealth, came in all haste to check the movement in favour of Royalty in Scotland.

He gained a complete victory over the Scots near Dunbar, killing about 3000 and taking several thousand prisoners. The Covenanters were not discouraged ; they crowned the King at Scone, and in the expectation of receiving assistance from the English royalists proceeded south by the west Border, and so through Lancashire. Cromwell, who had marched north to attack the Scots near Stirling, turned south in great haste and following them into England defeated the royalists at the battle of Worcester.

The Earl of Buccleuch remained as a member of the Committee of Estates, to administer internal affairs during the absence of the army in England. The castles of Dalkeith and Newark were taken possession of by Cromwell immediately after the battle of Dunbar, but the Earl had been enabled to have the plate, muniments, and the more valuable of the plenishings removed to the Bass Rock, where they remained in safety till 1652.

The Countess of Buccleuch and many other fugitives had taken refuge in Dundee, and it was here that her daughter Anne, afterwards Duchess of Monmouth, was born. Before the siege of Dundee by General Monk, the Earl and Countess of Buccleuch departed for Aberdeen, where the Earl, who was one of the last to desert the cause, tried to rally his friends and induce them to make another effort on behalf of the King. With this object, letters were sent to those gentlemen who were believed to be well disposed to the Royal cause, calling on them 'to unite for the preservation of all that is near and dear to us,' and characterising Cromwell and his party as a handful of blood-thirsty traitors. These letters gave great offence to the Government, and the signature of Buccleuch being first, he was considered the chief offender, and a fine of £15,000 was imposed upon him. This sum was so much in excess of that exacted from others of his party, that an attempt was made to get it reduced, by the Earl's heirs after his death ; and it having been discovered that Buccleuch had signed the letters in

blank, and therefore, was not responsible for the terms in which they were expressed, a portion of the fine was remitted.*

Various entries in the Hawick Burgh Records have reference to the presence of Cromwell's army on the Borders, and certain English soldiers were quartered in the town for some time. On the departure of the army, one Robert Olipher, a cordiner, was ordered by the Bailies to act as guide to the English soldiers, as far as Langholm, but flatly refusing, he was fined for his disobedience.

It is rare that the name of Oliver Cromwell appears in Scottish border title-deeds, but the following petition proves that 'Old Noll' had granted a charter of the lands of Flex in the barony of Hawick to John Gladstains of Whitlaw, the owner of the Gladstain Bible, and in all probability the same who inscribed the tragic entry regarding his father and the others who perished with him at Auldcarne:—

' COPIE of JOHN GLADSTAINS of Whitelaw his claim presented to and left with the Sheriff-Clerk of Roxburghshire in obedience to the foresaid Act of Parliament this 14th day of October 1743.

' I John Gladstains of Whitelaw crave to be entered and enrolled on the Roll of Freeholders and Electors of this shire of Roxburgh for my lands of Flex with the Pertinents extending to a five-merk land of old extent lying in the Barony of Hawick and Sherifffdom aforesaid holding of the Crown, blench which formerly pertained in property to the deceased John Gladstains of Whitelaw my Grandfather confirm to Charter granted by Oliver Lord Protector dated 26 July 1655, with the Instrument of Sasine thereon dated the last day of November and registered the 20th day of December 1655, and descended on the death of my said grandfather to the also deceased Francis Gladstains of Whitelaw (my uncle) as nearest and lawful heir to the said deceast John Gladstains his father and ded belong in property to my said uncle conform to his special retour as heir to his said father dated the 28th May 1672 with the Precept of Sasine issued furth of the Chancery thereupon dated the first day of February and instrument of sasine following on the samen dated the fourteenth and registered the eighteenth days of February 1673 and whereon I have now right as heir served and retoured in special to my said uncle conform to Retour dated the 25th day of October 1717 with the Precept of Sesien issued furth of the Chancery thereupon dated the first

* Original letter in Buccleuch charter room, 'Scotts of Buccleuch,' vol. i. p. 297.

and instruments of Sesien following or the Samen dated the seventh and registered the fifteenth of November 1717. The Extent or Retoured duly of which lands of Flex is a five-merk land of old extent as does appear by my said Uncle's special retour, above mentioned dated in the year 1672 and the old charter and rights of the same lands all prior to September 1681.'

The presence of the Earl of Buccleuch was frequently necessary on the Borders to keep order in the wide district over which he had been appointed justiciar in 1645. This included all Liddesdale and Ewesdale, besides large tracts in Ettrick, Ashkirk, etc., and the parish of Hawick, not including the lands of the Earl of Queensberry and his vassals.

The vigorous measures pursued by Walter, first Earl of Buccleuch, had reduced this formerly turbulent district to comparative quiet. During the civil wars, however, the stern grasp of authority being relaxed, the dormant propensities of the Borderers revived, and their plundering expeditions began again to assume an alarming character. They went about in parties of sixty or eighty, and carried off whole herds of cattle, large droves of sheep, and numbers of horses. These great bands of marauders offered a formidable resistance to any who made an effort to recover their property, and an encounter with them frequently ended in bloodshed. They had confederates on both sides of the Border to whom they consigned their booty, and regular trysts or markets, of stolen cattle were held in Liddesdale.

The Earl of Buccleuch exerted himself to the utmost to protect the people under his jurisdiction, and to bring the depredators to justice. Though justiciary courts were held at regular intervals by the Earl or his deputies, the means at his command for enforcing obedience to the law was quite inadequate to repress such an organized system of crime, and his zeal only made him an object of resentment to the marauders, who never lost an opportunity of avenging themselves by repeated forays on the lands of the Earl or his tenants. So daring were they in the pursuit of plunder that they even had the audacity to steal several horses from Cromwell's camp, when quartered near the Borders. A letter was sent from Cromwell's head-quarters to Mr John Scott, bailiff to the Lord of Buccleuch demanding restitution from his tenants the moss-troopers for the horses stolen by them 'the night we quartered in their country,' and threatening if restitution be not made, to take satisfaction in another way themselves.

On one occasion, the Armstrongs of Kinmont having stolen fourscore kye and oxen from Northumberland, the owners and their friends mustered to the number of sixty men, to pursue and recover the cattle. Among the pursuers was a Mr Charlton, from whom they had recently stolen twelve score oxen and a number of horses. Two of the Armstrongs having discharged their pistols at Charlton, he, in self-defence, fired at his assailants, killing one of them. Knowing how they would avenge the death of their comrade, he fled for his life, pursued by the whole band of the Armstrongs. After a chase of several miles he was captured and brought back to Burnmouth, where the fatality occurred, and having learned without doubt that Armstrong was dead, they set on Charlton and murdered him. Two of his friends were also slain and another left for dead.*

Two of the Armstrongs on another occasion committed a cruel outrage and robbery on Thomas Alane, minister of Wauchope. They broke into his house, and after beating him and his wife 'verie pitifully,' stole two horses. Hearing that the minister had charged them with the robbery, and having a wholesome dread of Buccleuch, in whose jurisdiction they were, they persuaded a fellow from the English side, a notorious outlaw and as great a thief as themselves, to take the blame, which he did, and boldly declaring that he stole the minister's horses, and that he should never see 'a hair of their tails' unless he gave him five pounds, a sum the minister was obliged to pay before his horses were restored.†

Another incident may be given, which shows that the thieves were not altogether without pity or compunction. Lancy Armstrong of Cat Haugh, Geordie Rackesse, and several others, had made a successful foray in Northumberland, and were driving homewards on the Sunday forenoon with about eighty cattle, the fruits of their raid, when 'a poor English curate, who had some beasts in that drift taken from him, following them, desyred them earnestlie to let him have his twa thrie beastes againe, because he was a churchman. Geordie Rackesse, laughing verie merrilie, wist that he had all the ministers of England as far at command as he had him, and withal bade him make them a little preaching, and he sould have his beastes again. "Oh," says the curate, "good youth, this is a very unfit place for preaching; if you and I were together in church I wold do my best to give content." "Then," said Geordie, "if you will not preach, will you give us a prayer, and we will learn you to be a moss-trooper?" This the curate

* 'Scotts of Buccleuch,' vol. i. p. 305.

† 'Scotts of Buccleuch,' from original Memorandum in Buccleuch charter room.

still refused to do. "If you will neither preach nor pray to us," said Geordie, "yet you will take some tobacco or sneising with us." The curate was content of that, provydeing they wald give him his beasts again ;' which they accordingly did, and the poor 'kirkman' returned home rejoicing.

Though the Earl of Buccleuch could not repress the marauding habits of the moss-troopers, which, indeed, could hardly have been effectually accomplished without hanging half the men in Liddesdale, yet, when the close of the civil war left him at liberty to attend to Border affairs, his energy in pursuing the thieves had a restraining effect upon them, and his exertions earned for him the thanks and approbation of the Council, and also the grateful admiration of the people of Northumberland, for he was most anxious to secure justice and protection to the inhabitants of both sides of the Border.

Shortly after the battle of Worcester, Buccleuch being at Branxholme, wrote to his bailiff at Dalkeith, that he had heard, that owing to the disturbed state of the country, the tenants on the Dalkeith estate meant to delay the cultivation of their fields, and he urged them to work their lands as usual, promising to indemnify them for any losses they might sustain in consequence. Only a few weeks afterwards, Earl Francis died at his castle of Dalkeith after a short illness, and was interred in the church there. Though only twenty-five years of age at the time of his death, the Earl had taken a conspicuous and honourable part in public affairs, attending assiduously to his parliamentary duties, and ready to wield the sword when needful. He was imbued with deep religious feelings from his youth, and was a staunch and consistent adherent of the Covenant. His public career earned for him the respect and esteem of his countrymen, and by his tenants and those more immediately connected with him, he was known by the affectionate title of the 'Good Earl Francis.'



CHAPTER XIV.

'Thou art rich, yet thou art poor,
For, like an ass, whose back with ingots bows
Thou bear'st thy heavy riches but a journey
And death unloads thee.' SHAKESPEARE.

FRANCIS, Earl of Buccleuch, having lost his only son, who died in childhood, was anxious that his estates should descend to his daughters, should he have no son to succeed him. He accordingly took the necessary means to get a new infestment of his lands to be granted to himself and the heirs male of his body, whom failing, to the eldest heir female; or in the event of none of his own family surviving him, to the family of his sister, the Countess of Tweeddale, in the same order of succession.

It was provided that in the case of one of his daughters succeeding, she should marry a gentleman of the name of Scott, or who should assume that name, whose heirs should also bear the name of Scott, and the arms of the family of Buccleuch, under pain of forfeiture of the titles and estates.

Earl Francis, died in little more than a year after making these arrangements, leaving three daughters. His titles and estates were therefore inherited by his eldest daughter, Lady Mary, who was only four years of age when she became Countess of Buccleuch. The Earl had made every provision before his death for the management of his estates and the administration of all affairs connected with them. He had appointed ten of the principal gentlemen of the name of Scott, and Sir Gilbert Elliot of Stobs, to act as tutors and trustees for his daughters, along with their mother. The Earl of Tweeddale was greatly disappointed to find that he was not made one of the tutors. The reason, however, was obvious, his own children being the next heirs, he might have been tempted to abuse the powers given him in their favour.

The Countess of Buccleuch was born in the old castle of Dalkeith, and was living there with her mother and sisters when the castle was taken possession of by the Commissioners appointed by the Commonwealth for the administration of Scotch affairs; they then removed to the mansion of Sheriff-Hall, near Dalkeith,

and while residing there, Lady Margaret, the second daughter of Earl Francis, died. Little more than a year after the death of the Earl of Buccleuch, his widow was married to her third husband, the Earl of Wemyss, who had also been twice married. After her marriage, the Countess went to reside at Wemyss castle, in Fife, taking with her, her two daughters, the Countess of Buccleuch and the Lady Anne Scott. It has been already mentioned that the Earl of Tweeddale, uncle of the young Countess, and her sister, was greatly annoyed, that his late brother-in-law had not appointed him one of the trustees, and so deprived him of much of the power and influence he would have possessed in the management of his nieces' affairs; but he took a great interest in these affairs nevertheless, and seemed anxious to be consulted; and it was believed he contemplated a marriage between Lady Buccleuch and one of his sons.

Gideon Scott of Highchesters, second son of Sir Walter Scott of Harden, had also matrimonial projects regarding the young Countess, and was planning to secure her hand for a son of his own. There was thus a great rivalry between him and the Earl of Tweeddale, each having a party among the trustees.

The Countess of Wemyss was understood to favour the suit of Highchesters, consequently the Earl was extremely anxious to remove the Countess of Buccleuch and her sister from the custody of their mother, and was most persistent in his intrigues to have their guardianship transferred to himself. The Countess of Wemyss fearing that the Earl of Tweeddale would succeed in taking her daughters from her, induced her husband to proceed to London and appeal to the Lord Protector. The Earl of Wemyss accordingly presented a petition to Oliver Cromwell praying him to allow her to retain the custody of her children till they were eleven or twelve years of age. To this petition a favourable answer was returned in a letter from the Protector to Sir William Scott of Harden, which is still preserved in Lord Polwarth's charter-room.

‘WHITEHALL, 17th November 1654.

‘GENTLEMEN,—Having received the enclosed petition from the Countess of Wemyss, concerning her two daughters, heires to her late husband, the Earl of Buccleuch, that their education may be intrusted and continued to her untill they attayne the ages of eleaven or twelve years respectively, which seems to us to be very reasonable, her Ladyship's relacion to those heires, being such as none can be presumed to be more fitt, and meete for that trust, nor that will be more

careful in the management thereof; and therefore we cannot but recommend the same to your consideration and rest.—Your loving friend, OLIVER P.'

Having secured the possession of her daughters, the Countess of Wemyss resolved to use her power while it lasted, and set herself to carry out her own wishes regarding the marriage of the youthful Countess of Buccleuch. The suitor favoured by her was Walter Scott, son of Gideon Scott of Highchesters, and grandson of Scott of Harden.

The Countess was only eleven years of age, and in very delicate health; but her comfort and welfare was a secondary consideration. Her marriage was designed to outwit the other tutors, and obtain complete control over her inheritance. The bridegroom, who was in his fourteenth year, was, on his way to school at St Andrews, brought to Wemyss Castle. In order to secure greater secrecy, a dispensation was obtained to omit the proclamation of banns, and the marriage was celebrated by Mr Wilkie, the parish minister, in the church at Wemyss, in presence of the Earl and Countess of Wemyss, the Earl of Rothes, Lord Balgonie, Lord Melville, and five of the tutors, viz., the Scotts of Harden and Highchesters, Sir Gilbert Elliot of Stobs, Patrick Scott of Langshaw, and Laurance Scott of Bavelaw.

Much indignation was expressed by the other tutors when the hasty and almost secret marriage of the young Countess came to their knowledge, and every effort was made to have it dissolved or declared null and void. She was placed under the care of General Monk and his lady until the case was decided. General Monk was residing in the Countess' own castle of Dalkcith, which had been placed at his disposal, as commander-in-chief of the army in Scotland. While he remained there General Monk paid a rent of £110 a-year for the park and orchards, but only a nominal rent of threepence a-year for the castle.

The Countess was a most amiable sensible child, and thoughtful beyond her years. She professed great affection for her boy husband, whom she always addressed as Earl of Buccleuch, and wrote to him frequently, during their separation, affectionate tender little letters, one of which may be given as an example :—

'MY DEAR HEART,—I am very glad to heir that you came so safe to the Weemys. Be chearfull, and do not value the malis of our enemies, for I sall ever be your affectionate MARIE BUCCLEUCH.'

She also sent him a ring set with diamonds, and the motto, 'No love so true, as mine to you.' While the young Countess remained at Dalkeith, her husband was allowed to see her occasionally, and on her attaining her twelfth birthday, measures were taken to ratify her marriage. She met her husband at Leith, in the presence of General Monk and others, when the youthful couple solemnly declared their adherence to the marriage, and signed a declaration to that effect.

No sooner had the marriage of the Countess Mary been confirmed than the Countess of Wemyss sought to secure the custody of her second daughter, the Lady Anne Scott, who, in the event of her sister's death, would succeed to her inheritance. The Earl of Rothes, brother to the Countess of Wemyss, while pretending to support the aims of his sister, had an understanding with the Earl of Tweeddale, who was secretly plotting for the same object.*

The restoration of Charles II. was planned at Dalkeith Castle, and it was there that the negotiations were carried on which resulted in the march of General Monk to London. The Countess of Wemyss acted between General Monk and the Scottish nobles; and Baillie says of her, 'She was a wittie, active woman, and did oft solicit him to attempt for the King.'

Having so warmly espoused the Royal cause, the Countess was very sanguine that Charles would favour her views regarding the custody of her daughters, and being unaware of the hypocritical part her brother was playing—for while secretly promoting the interests of Tweeddale, he pretended the greatest enmity to him—she was induced to intrust all her affairs to his management.

The Earl of Tweeddale was anxiously trying to negotiate a marriage between the Lady Anne and his son, as the continued ill health of the Countess made it extremely probable that her great estates would soon fall to her sister, and the Lady Anne became, as her sister had been, the centre of a series of plots and intrigues, the sole object of which was to gain possession of her rich inheritance.

The Countess of Buccleuch was suffering from a running sore in her arm, and a Doctor Borthwick had undertaken to cure her for a hundred pounds. She was accordingly entrusted to his care. He applied a plaster, which was not to be taken off, whatever pain the patient might suffer. His directions being strictly followed the pain became so intolerable during the night that General Monk was aroused, and he immediately ordered the plaster to be removed, and seeing the effect it had produced he was most indignant at the blundering, unskilful treat-

* 'The Scotts of Buccleuch,' vol. ii. p. 372.

ment the Countess had been subjected to. After the ratification of her marriage, her health not having improved, it was decided to invite a consultation of doctors to consider the case. The report of this consultation, signed by ten 'Physicians and Chyrurgeons,' would provoke both mirth and amazement were it to appear in the pages of the 'Lancet.' The malady was pronounced to be of a 'heterogeneous nature,' and the treatment, which must have been dangerous even to the healthiest constitution, consisted of bleedings, loch-leeches, 'the actual cautry,' and a formidable list of drugs, including 'mercurials, with little or no salivation.' They also recommended 'Moffat Wells, taken according to the direction of the physician.' As a natural consequence the Countess got gradually weaker, and six weeks later found herself so much reduced that she could not accompany her husband on a visit to his mother Lady Highchesters, so she sent with him a present of a miniature of herself, with the following letter, written and signed by another hand.

WIMYS, *June 9th, 1660.*

'MADAM,—My Lord according to his duty is come to wait on you, since ye was unable to do us the favour to come here, which I do still very much regret. If I were fit for travel I should have been with you likewise at this time, and since I was not able to come myself I have sent my picture, which I hope you will ever keep in remembrance of me. Be pleased to cause a goldsmith to put the picture in the case, for I could not get out the crystal. My Lady, my mother presents her humble service to you, and I desire ever to be esteemed

'Your most affectionate and humble servant, MARIE BUCCLEUCH.'

The letter is still in the possession of Lord Polwarth, the lineal descendant of Walter Scott by his second marriage.

Only a few days after the letter was written the young Countess was hurried off to London by her mother, who was so anxious to thwart the intrigues of Lord Tweeddale that she ignored the risk of such a long and fatiguing journey in her daughter's delicate state of health.

A journey from Fife to London was at that time a very serious undertaking. The roads were in a wretched condition, full of ruts and quagmires, over which it was a heavy task for six horses to drag the big lumbering family carriages, in which people of rank and wealth usually travelled. Sometimes the carriage stuck fast in the mud, and it was necessary to procure a team of cattle from some

neighbouring farm to drag it out. There were no posting establishments where relays of horses could be procured, and the rate of progress was slow and tedious in the extreme.

The popular belief in the efficacy of the Royal touch for the cure of disease had been so strongly impressed on the mind of the Countess that she believed she had only to reach London, and enter the presence of the King, to be restored to health. Her faith in the healing virtue of the King's touch was not so absurd as it might appear, for it was a well grounded and generally accepted belief, that for the King to pass his hands over the diseased parts was a sovereign remedy for scrofula and other skin diseases; and so fully was this recognised that the liturgy of the Episcopal Church provided a special service suited to the occasion. The days on which the King was to dispense the healing influence were fixed at sittings of the Privy Council, and were intimated by the clergy in the different parish churches.

The miracle, or supposed miracle, was performed by the King, with much solemn ceremonial. His Majesty occupied a chair of state, and around him stood many divines in full canonicals. A passage from the 16th chapter of St Mark was read, and at the words, 'They shall lay their hands on the sick, and they shall recover,' there was a pause, and one of the sick was brought up to the King by a surgeon of the Royal household. His Majesty then stroked the diseased part, and hung round the patient's neck a white riband, to which was fastened a gold coin. The other sufferers were then led up in succession, and as each was touched, the chaplain repeated the formula, 'They shall lay their hands,' etc. Then followed the Epistle, prayers, and a benediction. This service may still be found in the prayer-books of the reign of Queen Anne.* Immense crowds repaired to the palace on the days of healing, and Evelyn writes in 1684, that there was such a concourse of people pressing for admission to be touched, that six or seven were crushed to death. Charles the Second touched nearly a hundred thousand persons, and the expense of the ceremony and the gifts which accompanied it cost him little less than £10,000 a year.

William III incurred great odium for refusing to take part in what he characterized 'a silly superstition.' On one occasion only, he was persuaded to lay his hand on a patient, accompanying the action with the words, 'May God give thee better health, and more sense.'

* Macaulay's 'History of England,' vol. v. p. 105.

Shortly after the Countess of Buccleuch arrived in London, she wrote to her husband telling him of the benefit she had derived from the King's touch—

'MY DEAREST HEART,—I am in very good health, and my arm lucks very weel. We think the virtue of His Majestie's touch is like to cause the fresh boon to cast out the roton. Present my service to my sweet brothers and sisters, and to all good friends there.—Your real, MARIE BUCCLEUCH.'

Highchester and his son followed the Countess to London, and the latter was made Earl of Tarras by the King. They were treated with great coolness by the Countess of Wemyss, and others of their former allies, as the prospect of the Countess of Buccleuch's early death entirely altered her husband's position, and it was not worth while to conciliate him; and all the scheming now centred round the Lady Anne Scott.

The young Countess returned from London to Wemyss castle in the autumn, as little benefited by the magic touch of Royalty, as she had been by the united wisdom of the ten physicians. Soon after her return she became sick with measles, and when slowly recovering during the winter, fell into a hectic fever, from which she never wholly rallied, and died on the 11th of March 1661, at the age of thirteen and a half years. Her body was embalmed and buried in the family vault in the church of Dalkeith.

Immediately after the ratification of her marriage, the Countess had executed a will, in which she made Highchesters her executor and her husband's family her principal legatees; but shortly before her death she was induced to make another will of a totally different character, in which her husband and his family were entirely left out, and the Earls of Rothes and Wemyss appointed sole executors and universal legatees. This last testament, Highchester maintained, 'was informal and scarce right subscribed, the lady being then so weak, and was made without the knowledge or consent of her husband or his father, though they were at Wemyss at the time.' He adds that 'all the time of the sickness of the Countess, Lady Wemyss was ever devising quarrels with them, and suggesting hard things of them to the innocent dying lady, to justify the unhandsomeness of the posterior testament.'

The Countess Mary was a gentle, amiable, affectionate child, and her short life is a striking proof of the worthlessness of great wealth to promote happiness. From her fourth year she was the prize for which a host of greedy plotters con-

tended ; her mother, who showed but little of a mother's tenderness, conniving at her marriage at the early age of eleven years, for no other object than to maintain a hold over her great inheritance. It is true, she loved in her gentle childlike way her boy husband, but it is questionable if her feelings would have been taken into account had she expressed any aversion to him. The unseemly wrangling for her possessions was continued over her very deathbed. There is something exquisitely pathetic in the picture of the poor dying girl signing, with weak trembling hands, the will which left everything to her deceitful scheming uncle and step-father, leaving out those she loved and trusted. On her deathbed, as all through her short life, her guardians were indifferent to the welfare of the child entrusted to their care, and used her as a means to advance their own interest. The Earl of Tarras received no advantage from the alliance from which his friends hoped so much. The last will of the Countess, and the success of his opponents in obtaining a reduction of the marriage-contract, deprived him of any provision from the Buccleuch estates. He made repeated efforts to secure the £4000 per annum, to which he was entitled under the marriage-contract, but without success, and neither he nor his family ever received anything from the great wealth of his child-wife.

The following elegy on the early death of the Countess was written by an anonymous poet of the time :—

' Here goes into the grave in glorious prime,
Honour and Fame were but attending time
Of farder ripening, and the bringing on
Of her fair flourish to perfection.
But O ! when time did Fame and Honour call,
Then comes proud death, and swiftly ruins all.
So wise and young ; so young and so complete,
Greatness and Goodness trysted here to meet.
Farewell, sweet Countesse ! it's thy noble dus
Which is committed to this tomb in trust,
The splendour of thy virtues and their rayes
Shall shine in our horizon many dayes.'

CHAPTER XV.

‘ For she had known adversity,
Though born in such a high degree ;
In pride of power, in beauty’s bloom,
Had wept o’er Monmouth’s bloody tomb.’

SIR W. SCOTT.

ON the death of the Countess Mary, her title and estates descended to her sister Lady Anne. She was born at Dundee in February 1651, and was ten years of age when she became Countess of Buccleuch.

When it was apparent from the failing health of the Countess Mary that the honours of the ancient house of Buccleuch would soon devolve upon the Lady Anne, she like her sister became the object of much subtle scheming on the part of her relations and guardians, with the same selfish and unworthy motives.

Only two months after the death of her eldest daughter, the Countess of Wemyss wrote to Charles II., proposing an alliance between her daughter and his illegitimate son, whom he afterwards created Duke of Monmouth. In taking his prompt and bold step, she was anxious to forestall her brother and the Earl of Tweeddale who, she was apprehensive, might succeed in accomplishing their own matrimonial projects respecting the Countess. The King received the proposal very graciously, and the Countess had the gratification of receiving the following reply :—

‘ WHITEHALL, 14th June 1661.

‘ MADAM,—I have received your letter of the 28th May, by William Fleming, and am very sensible of the affection which you show to me in the offer you make concerning the Countess of Buccleuch, which I do accept most willingly, and the rather for the relation she hath to you. I will in a short time send more particulars to you about settling the whole affair, which I look upon now as my own interest. In the meanwhile I must thank you again for it, and be most assured that I am, Madam, your most affectionate friend,

CHARLES R.’ *

The Countess was overjoyed at the success of her application to the King.

* Fraser’s ‘Scotts of Buccleuch,’ vol. i. p. 404.

In order to secure the assistance of the trustees in promoting the marriage, she invited Sir Gideon Scott, Sir W. Scott of Harden, and Sir Gilbert Elliot, to Wemyss castle, where she made a great show of civility, and told them what she had already done, and asked their advice and assistance, saying 'that they were the only persons of honour and integrity of all her daughter's tutors.' She promised she would faithfully study the interest of her son-in-law, Lord Tarras, and would use what influence she possessed with the King for that object.

She sent for Lord Tarras to Wemyss, where she professed a great interest in him and his affairs. Sir Gideon Scott says, 'she was exceeding kind to him, and promised to do great matters for him, all which turned to smoke.' The promises and blandishments of the Countess of Wemyss were successful with the three tutors; and Scott of Harden, and Elliot of Stobs, empowered Sir Gideon Scott to proceed to London, to further the marriage between the Countess Anne and Monmouth. The messenger was very graciously received by the King, and his mission was perfectly successful. The King expressed his entire approval of the match which he considered most advantageous for his son. Lady Wemyss then decided to take her daughter to London, and present her to the King, and make arrangements for the proposed marriage. Before leaving she was the delighted recipient of another letter from the Royal hand, which is still preserved at Wemyss castle:—

'WHITEHALL, 7th April 1662.

'MADAM,—I could not let this bearer return to you, without accompanying him with a letter. I have not much to say to you now, because I find you do intend to come hither with your daughter, which I do very much approve of, and then you and I will adjust all things that shall be best for her and the estate. In the meantime be assured that I am, and ever will be, Madame, your very affectionate friend,

CHARLES R.'

'For the Countess of Wemyss.'

The Countess accordingly proceeded to London with her daughter in June 1662. Sir Gideon Scott says—'The Countess Anne was then a proper, handsome, lively, tall young lady of her age.' The faction, who were anxious to promote the alliance with Tweeddale's son and the Lady Anne, had endeavoured to prejudice his Majesty against her by saying that she was 'of low stature, weakness, and infirmity of body, and uncomliness;' but the appearance of the

handsome, bright, young girl, dissipated all these misrepresentations. The King was most favourably impressed with her, and was more than ever convinced that the union was a most desirable one ; and the negotiations concerning the marriage contract were at once proceeded with.

The fair promises made by Lady Wemyss to the Earl of Tarras were soon forgotten. Being so well received by the King, she did not require his help or that of his family, and as any allowance to him would be taken out of the Buccleuch estates, to urge his claims would curtail the benefits she herself hoped to derive from them.

The plans which the Countess of Wemyss had formed with respect to her daughter were, that immediately after the marriage the Duke of Monmouth should be sent abroad to travel at the King's charges, and that the Duchess should return to Scotland and reside at Wemyss Castle, till she had completed her twenty-first year, the rents and other emoluments to be lifted by the Earl and Countess of Wemyss for the maintenance of their daughter. The Countess found she was not to have it all her own way, however, for the King had made up his mind that the young couple should remain at Court, and she was obliged to yield to his Majesty's wishes.

The settlement of the terms of the marriage contract, and all the necessary preliminaries incidental to the marriage of a great heiress, occupied a considerable time ; but at last all was arranged. The Duke had taken the name of Scott, and was knighted by the King as Sir James Scott, Baron Tindall, Earl of Doncaster, and Duke of Monmouth, and on the day of his marriage he was created Duke of Buccleuch.

The marriage was celebrated on the 20th of April 1663, the King and Queen being present at the ceremony, and the festivities which followed. A passage from Dryden's 'Absalom and Ahitophel,' refers to the union of the Duke with the Countess of Buccleuch, who is described as the 'charming Annabel.'

' Of all the numerous progeny was none so beautiful, so brave as Absalom.

' Early in foreign fields he won renown,
With kings and states allied to Israel's crown,
In peace the thoughts of war he could remove,
And seemed as he were only born for love.
What'er he did was done with so much ease,
In him alone 'twas natural to please.

‘ His motions accompanied with grace,
And Paradise was opened in his face.
With secret joy indulgent David view’d
His youthful image in his son renew’d.
To all his wishes nothing he denied,
And made the charming Annabel his bride.’

United to the brilliant and captivating Monmouth, the youthful Duchess at once took a prominent position at the Court of Charles the Second. Though exposed to its temptations, and partaking freely of its gaieties, she kept herself apart from its wickedness, and no whisper of scandal was associated with her name. Mr Pepys, in his gossipy and amusing diary, mentions the Duchess frequently. How she appeared richly dressed at some great Court festivity, and such like. In describing a play acted by the ladies of the Court, he says— ‘All the ladies, save the Duchess of Monmouth and Mrs Cornwallis, did but make fools and stocks of themselves, but these two did do most extraordinary well.’ *

The King was very partial to his bright lively daughter-in-law, and showed her great kindness and attention. In 1667, on the night that the Dutch fleet entered the Thames and burned some of the English ships, His Majesty, heedless of the danger to which his capital was exposed, supped along with several ladies and gentlemen of his Court, at the house of the Duchess of Monmouth, where the frivolous company spent the evening in hunting a moth.

At the age of eighteen, the Duchess met with a serious accident when dancing, which caused a lameness, from which she never wholly recovered.

The Duchess was frequently alluded to by contemporary writers in terms of the highest praise. Evelyn wrote, “The Duchess of Monmouth is one of the wisest and craftiest of her sex, and has much wit.” † Another writer, that ‘her person was full of charms, and her mind possessed all those perfections in which the handsome Monmouth was so deficient.’

A few years after their marriage the King conferred on the Duke and Duchess of Monmouth a new grant of their titles and estates, which proved of immense importance to the Duchess in after life. Her title of Duchess was only by courtesy as wife of the Duke; but the new grant ‘vested the title of Duke of Buccleuch, Earl of Dalkeith, etc., and the old title of Earl of Buccleuch, in the Duke of Monmouth, and also the title of Duchess of Buccleuch, and the old title of Countess of

* Pepys’ ‘Diary,’ p. 477.

† Evelyn’s ‘Diary,’ p. 372.

Buccleuch in the Duchess, conjunctly and severally, and independently of each other, in the event of death, forfeiture, etc. The rights of the Duchess to the ducal honours were thereby extended from the mere courtesy title as wife of the Duke to the vesting of them in her own person by express grant and creation, in the same way, as she had inherited her own family title, previous to her marriage.*

There is no evidence that the Duke of Monmouth ever visited the Borders, but an incident occurred in 1675, which shows that he took an interest in his Scotch tenantry. In the early spring of that year, a storm of extraordinary severity visited Scotland. It opened with a tempest of east wind, which strewed the coasts of Northumberland and Berwickshire with wrecks. During February, the rough weather continued, and on the 20th a heavy fall of snow, accompanied by intense frost set in, which lasted for thirteen days, the snow-drift never once abating. During all that time the sheep had no food. The cold was intense, and about the fifth or sixth days the young sheep began to fall into a torpid state, and all that were affected in the morning, died over night. The shepherds built up huge semi-circular walls of dead sheep, in order to afford some shelter to the living, but this availed little. When the storm ceased, on many high-lying farms there was not a single sheep to be seen; on more sheltered places a few weathered the storm, yet these were so weakened by exposure and starvation that the greater part perished afterwards, and nine-tenths of the sheep in the south of Scotland were destroyed in what was long afterwards remembered as the 'thirteen drifty days.'

In Eskdalemuir, which maintained upwards of 20,000 sheep, none were left alive except forty young wedders on one farm, and five old ewes on another. The farm of Phaup remained without a stock and without a tenant for twenty years afterwards. On an extensive farm on the Thirlstone estate all the sheep perished save one black ewe, from which the farmer had hopes of preserving a breed, but some unlucky dogs that were all laid idle for want of sheep to run at, fell upon this poor solitary remnant of a good stock, and chased her into the lake, where she was drowned. †

A number of the farms thus laid waste belonged to the Buccleuch estates; and in order to restock them, the Duke and Duchess of Monmouth obtained a licence to import 4800 nolt of a year old and 200 horses from Ireland, the bringing in of live stock from Ireland being then forbidden by Act of Parliament.

* Fraser's 'Scotts of Buccleuch,' vol. ii. p. 417.

† 'Blackwood's Magazine,' vol. lxxv.

About the year 1673, the religious question again assumed a serious aspect in Scotland. Under the government of Charles II. a moderate form of Episcopacy had been restored as the established religion of Scotland, and though quietly accepted by a large body of the people, was violently denounced by the more rigid of the Presbyterians. Numbers of the clergy left their charges, and their pulpits were filled by men whose opinions were orthodox according to the interpretation of the government.

All dictation in ecclesiastical matters was opposed to the principle of religious liberty upheld by the Scotch Presbyterians. They naturally preferred the religious services conducted by their own pastors, to those presided over by the curates who had been so arbitrarily forced upon them, and they flocked to hear sound and comforting doctrine from the ejected ministers, leaving the parish churches empty. This, however, the Government would not tolerate. Conformity to the established form of religion was demanded of the people, and dissent was construed into rebellion, and was punished with fine or imprisonment. The Presbyterian ministers were forbidden to preach or conduct public worship, and the people to attend their ministrations under heavy penalties. Intimidation could not shake their faith, and since they were prevented from assembling openly for the worship of God, they held conventicles, or field meetings, in lonely moors or glens and remote hillsides, far from the busy haunts of men; and there, under the blue vault of heaven, in the heat of summer, or amid the storms of winter, rose the psalm of praise, and the voice of the preacher fell on ears open to receive words of exhortation and comfort. The parish churches were avoided, as if they had been plague-stricken, and the proscribed preachers drew after them crowds of eager worshippers—the men well armed, for the services were frequently interrupted by bands of rough dragoons, when the flock were scattered, and fled to the recesses of the hills or glens for shelter or concealment.

Hunger, cold, and weariness were cheerfully endured. Fines and imprisonment, and the still more oppressive exactions of the rapacious soldiery were calmly submitted to for conscience sake. Even death itself was welcome, for it meant to them the Martyr's Crown. But there was a section of the Covenanters, who, though they gloried in tribulation, had no idea of meekly submitting to it, and the murder of Archbishop Sharp, which was the first act of resistance, was soon followed by open and armed rebellion.

After a few unimportant engagements, the Covenanters assembled some five

thousand strong at Bothwell Brig, where they awaited the approach of the Royal army, which was under the command of the Duke of Monmouth. The Duke of Lauderdale, who was the most bitter enemy of the Covenanters, had induced the King to send positive orders to Monmouth not to hold communication with the insurgents, but to fall on them immediately. These orders were very distasteful to Monmouth, for though he had been sent to suppress the rebellion, he was by no means intolerant of the principles which the Covenanters had taken up arms to defend. The insurgents sent two delegates to treat with Monmouth, but the nature of his instructions precluded him from entering upon any negotiation with the rebels until they had laid down their arms, and he intimated that if they would submit, he would use his utmost influence to induce the King to pardon them, and to grant their demands, 'for he reckoned their desires reasonable and just.'* When Monmouth's reply was delivered to the Covenanters, most of them were unwilling to lay down their arms without some guarantee that their grievances would be redressed, while others were eager for battle, and as the Royal troops approached they remained in a state of painful irresolution. Monmouth advanced slowly in order to give the insurgents time to disperse; and when he came up, he found the leaders wrangling and disputing, neither preparing for battle nor for submission. Bishop Burnet says—'They had neither the grace to submit, nor the sense to march away, nor the courage to fight it out.'

The army of the Covenant was composed mainly of farmers and farm labourers, with a few landed gentlemen, and it was evident that few of them were possessed of any military knowledge or skill. With a good General and a little more discipline the Covenanters might have held their own, for their camp was very advantageously placed, on the opposite bank of the Clyde from the King's forces, and only a narrow bridge was available for the passage of troops. The attack began by the Royalists striving to force a passage across the bridge which was defended by the Covenanters with great courage for more than an hour; but not being supported by the main body of the army, the defenders were at length compelled to give way, and Monmouth's troops poured over. The cannon were brought up, but before they could be put in position, the army of the insurgents was in total rout and confusion. Many fled at the first charge, and twelve hundred laid down their arms and submitted. Those who took to flight were hotly pursued by the King's troops, who killed about three hundred fugitives

* 'Wodrow,' vol. iii. p. 106.

before Monmouth could interpose to stop the slaughter. His humanity was afterwards severely censured by the Duke of York, to whose hard cruel nature pity was unknown. The King said it would have saved all further trouble in disposing of the prisoners had he slaughtered them. Monmouth indignantly replied, that such work was fit only for butchers, that he was a soldier, and could not kill men in cold blood. The following lines in Wilson's 'Clyde,' refers to Monmouth's efforts to prevent bloodshed.

' The hardy peasant by oppression driven
To battle, deemed his cause, the cause of Heaven,
Unskilled in arms, with useless courage stood,
While gentle Monmouth grieved to shed his blood.'

Before the battle of Bothwell Brig, a party of insurgents had besieged and taken the tower of Hawick for the sake of the militia arms which were stored therein. The leaders of this attack were tried before the Lord Justice-Clerk on a charge of treason and rebellion, at the instance of the Lord Advocate, Sir George Mackenzie, who was familiarly known as 'the bloody Mackenzie.' The accused were Thomas Turnbull of Knowe, George Dun of Pielhill, Robert Scott Younger of Hassendean, Thomas Turnbull of Standhill, Walter Turnbull of Bewlie, W. Patterson, heritor in Hawick, Ralph Davidson of Greenhouse, Andrew Young of Caverton, John Scott of Weens, Robert Ker of Priestoun, George Hume of Graden, and James Turnbull of Swanshiel.

The indictment set forth 'that the said Thomas Turnbull and Walter Turnbull, and the other persons above mentioned and their associates and accomplices, shaking off all fear of God, conscience and sense of duty, allegiance and loyalty to his Majesty, their native prince and sovereign, have presumed to commit and are guilty of the said crimes in so far as John Balfour of Kinloch, D. Hackstoun of Rathillet, and others, having in a most cruel and sacrilegious manner killed his Grace Archbishop Sharp, they went into the southern shires and there avowed rebellion against the King, under Robert Hamilton, and on the 29th of May they and their accomplices, having published Acts of their own coining, they burnt Acts of Parliament, and upon a day of June they and their accomplices attacked His Majesty's forces at Loudon Hill, and at Glasgow killed several of His Majesty's soldiers, but being resisted marched up and down the country in a hostile manner. The said Walter and Thomas Turnbull and the hail remanent persons

above named, and their accomplices, to the number of five or six hundred, did likewise rise and join together in arms in the southern shires in an open, avowed, and desperate rebellion against the King's majesty, in the month of June, 1679, marched up and down the shires of Berwick, Roxburgh, Selkirk and Peebles, in ane warlike and military posture, being modelled and framed in troops and companies, . . . did come to the burghs and towns of Kelso, Jedburgh, Selkirk, Hawick, Roxburgh, Melrose, and other burghs and towns in the said shires where his Majesty's militia were posted, . . . did most treasonably besiege the tower and castle of Hawick, and by storm and violence did take the same, carried away with them all the goods and the arms of many country gentlemen, who transported them thither for safety and custody. In the storming and in taking of the which castle several of his Majesty's subjects, who were therein, were dangerously hurt and wounded, particularly Mr John Purdom, schoolmaster, of Hawick, and were at length necessitate to capitulate and submit themselves to the persons above named and their accomplices. And suchlike upon the day of June, 1679, the hail persons above named and their accomplices did most treasonably resist and oppose a party of his Majesty's forces at Bewly-hill, under command of the master of Ross, when several of the said rebels were killed and wounded, and the persons aforesaid having made their escape, they and their accomplices marched to Hamilton, where they joined with the murderers of the late Archbishop of St Andrews, did fight at Bothwell bridge, &c., which being proved they ought to be punished with forfeiture of life, lands, and goods, to the terror of others.' *

Seven of the accused who were among the fugitives from Bothwell Brig and had not been apprehended were outlawed, and the case was continued against Turnbull of Standhill, also one of the fugitives, and Turnbull of Knowe. Several witnesses were called, and among others, Walter Gladstanes, town-clerk of Hawick, who deponed 'that he knew Turnbull of Standhill, and saw him among the rebels who took the castle of Hawick, and took away the militia arms, and the town arms that were there. He believed he had the command because of the deference he had from the rest. He saw him there in arms both in horse and foot. The castle was taken by him and the rest of the rebels on the Sabbath before the defeat of the rebels at Bewly bog.' James Nubie, sheriff-officer in Hawick, deponed 'that he saw Turnbull of Standhill come to the town of

* Justiciary Records.

Hawick, with companies of rebels on horse and foot, and that he was their commander at the taking of the castle.'

There had been a conventicle at Lilliesleaf Muir the week after the castle of Hawick was taken, and a troop of the rebels were there, armed with pikes and muskets, and had a drum with them. The troop guarded the minister, Mr David Williamson, and after the sermon they formed in line and went through their military exercises. Turnbull of Knowe denied having ever borne arms against the Government, or having taken any part in the attack on the tower at Hawick. It was proved, however, on the evidence of several witnesses, that he was present with the rebels at the conventicle, and wore a sword. He replied that he had gone solely to hear the preaching, and was accompanied by his wife, who rode behind him on the same horse, and he only bore arms like other gentlemen when he went abroad. He was acquitted, but Turnbull of Standhill was found guilty of rebellion, and was sentenced to forfeiture of all his lands and goods.

Alexander Hume, portioner of Hume, was also brought before the High Court of Justiciary on a charge of having taken part in the attack on the tower and castle of Hawick. James Nubie, sheriff-officer in Hawick, deponed 'that he saw the man that was called Alexander Hume riding on a bay horse, and that he had pistols before his saddle, and a cloak lined with red, and his own hair, which was blackish. He saw him at Hawick riding at the fore-end of five or six score of rebels, who came to take the castle and take away the arms, which they did the following day.' Hume was found guilty and sentenced to be hanged.

After the capture of the castle at Hawick, the insurgents marched to the west and joined the rebel army which was defeated at Bothwell Brig. The prisoners, who were taken there, were marched in a body to Edinburgh and confined in the Greyfriars churchyard. Here they remained for four months without shelter, and with no bed but the graves under their feet. A party of soldiers kept guard in a corner of the churchyard, and by their barbarous tyranny added much to the misery of the hapless prisoners. While the Duke of Monmouth remained in Edinburgh he caused a loaf of bread to be given to each, and a barrel of ale to be distributed among them daily, but after his departure the ale was very seldom forthcoming. Many of the prisoners were released on subscribing a bond, admitting and declaring that the late insurrection was rebellion, and the slaughter of Archbishop Sharp murder, and that they would never take up arms against the Government. About four hundred, who would not subscribe the bond, remained in

the churchyard until arrangements were made for sending them to the plantations in Barbadoes, a mode of disposing of prisoners for which the country was indebted to Oliver Cromwell.

Two ministers and several others were condemned to death. On the 15th of November, two hundred and fifty-seven of the prisoners were taken out of Greyfriars churchyard and marched down to Leith, strongly guarded, and placed on board ship, where they remained twelve days before sailing. The ship was fearfully crowded, the whole two hundred and fifty prisoners being huddled together under deck in space barely sufficient to have held a hundred.

The vessel encountered stormy seas and was driven ashore among the Orkney Islands. The wretched captives entreated to be put ashore, but the brutal captain ordered the hatches to be firmly fastened down on them. A violent storm came on during the night, and the ship was driven on the rocks. The Covenanters implored the sailors to open the hatches and give them a chance of saving their lives, but their cries were unheeded. Forty or fifty, however, succeeded in making their escape from the wreck and reached the shore, but over two hundred perished, ten of whom were from Teviotdale.*

Though the Covenant had many staunch adherents in Hawick and the neighbourhood, men who were ready to endure all things for conscience sake, the majority had worldly wisdom enough to secure their safety by subscribing the test,—the Magistrates and Town Council setting the example,—to the effect, that ‘they judge it unlawful for subjects, upon pretence of reformation or any other pretence whatsoever, to enter into covenants or leagues, or to convocate or assemble in any councils or assemblies, to treat, consult, or determine in any matter of state, civil or ecclesiastical, without His Majesty’s special command or express licence had thereto, or to take up arms against the King, or those commissioned by him, and that they shall never so rise in arms, or enter into such covenants or assemblies,’ etc.†

The tailors and weavers of the town requested the Council to give them the benefit of the test, which was granted, ‘and immediately thereafter they all took the same upon their knees, by repeating the same after the clerk, word for word.‡

The following year Sir William Elliot of Stobs, Lieutenant in the Earl of Lothian’s troop, was commissioned to administer the oath of abjuration to a number of persons belonging to the neighbourhood of Hawick. By this oath

* Wodrow, vol. iii. p. 131.

Hawick Town Council Records.

‡ *Ib.*

they abjured the covenant, and bound themselves 'to live orderly, and not frequent house and field conventicles.'

It is scarcely possible to imagine a greater tyranny than that which prevailed in Scotland towards the end of the reign of Charles the Second. It was difficult by any course of conduct to avoid persecution. Masters were held responsible for their servants, landlords for their tenants, and parents for their children. To shelter or in any way assist a proscribed person was to be a partaker of his guilt, and a sharer of his punishment. The Covenanters were subjected to all kinds of oppression, and were at the mercy of a careless, irresponsible, and often brutal soldiery, who perpetrated the most cruel outrages. If any one refused to answer certain questions, or gave rise to suspicion in any way, he ran a considerable risk of being shot there and then. It is not surprising, therefore, that many, like the Hawick wabsters, were glad to obtain security by taking the test. There were others, however, who scorned such time-serving expedients, and who would have died rather than be false to their faith, or repudiate the covenant. William Laing was one of these. He was sent to the American swamps, for the alleged crimes of rebellion and harbouring of rebels. Alexander Orrock, afterwards minister of Hawick, was imprisoned for the same offence; and John Scott, and several other inhabitants of Hawick, were compelled to leave their native town, and retire to the north of England, where they did a good work, instructing those who had never heard the gospel preached. The Justiciary records contain the names of many natives of Teviotdale, who suffered fines and imprisonment, and endured great hardships for the same cause.

Sir William Douglas of Cavers was removed from his office of Sheriff of Teviotdale in 1662, for refusing to take the oath which abjured the National Covenant, and for adhering to the ejected ministers. His widow, who was as staunch and true as her husband, and was known as the 'Good Lady Cavers,' was indicted for being present at conventicles. She was fined the large sum of £500 sterling, and imprisoned in Stirling castle for two years. Released at length, through the intervention of her son, who gave a bond that she would either conform or leave the country within fourteen days, Lady Cavers, who could not be false to the Covenant for which she had suffered so much, accepted the alternative of exile, and went to reside in England. While she was in prison, and her son abroad for his education, the tenants on the Cavers estate were grievously harassed to pay the fine, the usual practice being to exact the fine

from the tenantry, when the landlord refused to pay it. They petitioned the Privy Council for relief, stating that 'all our goods consist of a few noute and sheep, which through this stormy winter, that lay very heavy upon our grounds, are now reduced to a very small number, and if they shall be poinded, and driven from us, there will be nothing remaining for us but what we can have by begging our bread in the country.'

The condition of the Nonconformist party in England was very little better than that of the Scotch Presbyterians. The Duke of York being a Roman Catholic gave the people little hope that they would enjoy greater freedom when he succeeded to the crown. Indeed, a bill to exclude him from the succession passed the House of Commons, but was rejected by the Lords. The Duke of Monmouth was very popular with the Nonconformist party, and encouraged by their support, he set up a claim to the succession on the ground that he was the King's lawful son. Though Charles had never acknowledged Monmouth as his legitimate son, his position at court was above that of all the hereditary nobility. He was encouraged to wear his hat in the presence chamber, which none but those of royal lineage were privileged to do. On the death of any foreign prince he wore the royal purple mantle of mourning, which was permitted to no other subject, save the Duke of York and Prince Rupert. He was treated with all the deference due to a member of the Royal family, and from his boyhood the possibility of his being acknowledged by the King as his lawful son had been discussed in Court circles.*

The King's affectionate indulgence might well encourage Monmouth to believe the report that his mother had been married to the King, and that he was entitled by birth to the position he held at Court. Charles was much displeased at his son's pretensions, and emphatically repudiated his claims; and when these claims were asserted by the Nonconformists on behalf of Monmouth he was deprived of his office of Commander-in-chief of the army, and ordered to leave the country. He retired to the Continent, but becoming weary of exile, and having failed to obtain his father's permission to return, he resolved to come to England without leave. Evelyn, in his diary, gives the following account of his return—

'Came over the Duke of Monmouth from Holland unexpectedly, whilst the Duke of York was on his journey to Scotland, whether the King had sent him to

* Pepys' 'Diary,' vol. ii. pp. 90, 108, 136, 152, 273.

reside and governe. The bells and bonfires of the city at this arrival of the Duke of Monmouth publishing their joy to the no small regret of some at Court. The Duke, whom for distinction they call the "Protestant Duke," the people made their idol.* These popular demonstrations increased the King's anger against his son. The Duke was weak, and easily swayed by designing plotters, and was constantly involving himself in their intrigues; but the Duchess of Monmouth acted with great wisdom and prudence, and her influence was constantly used to counteract the advice of those who would urge him to take part in their desperate schemes. Carte, in his 'Life of Ormond,' says—'The Duke of Monmouth had no judgment, and consequently no steadiness in his conduct, when he was forbid the Court he retired to Moor Park, where a day's conversation with his lady would make him repent of his conduct.' When he was suspected of being implicated with the Rye House Plot, he succeeded in evading the serious consequences of his indiscretion by a full confession to the King, stipulating that nothing that he should reveal should be used against his friends. Carte, the authority quoted above, states—'His lady, who was a prudent and valuable woman, had been a great means to bring him to that confession, which had released him from his confinement, but as soon as he got to his old companions he no longer paid any regard to her advice and entreaties, but despised her judgment, as much as he magnified his own.'

The retirement of the Duke to Holland removed him from the beneficial influence and prudent counsel of his wife, and he gave himself up entirely to the advice of those who stimulated his ambitious hopes, and lured him to his destruction. On the death of King Charles, Monmouth at once proceeded to prosecute his designs. The Earl of Argyle set sail for Scotland with the hope of raising forces for the Duke among his own people, and among the persecuted Covenanters of the west; but information of his plans had been obtained from a boat's crew who were sent ashore at Orkney, and taken prisoners; and when Argyle landed he found that the militia had been called out, and preparations made which rendered his expedition hopeless. He was joined by about 2500 of his clan, but they gradually disappeared as the troops advanced; and Argyle was forced to seek his own safety by flight, as he was then under sentence of death for his previous connection with the Covenanters. He was captured soon afterwards, taken to Edinburgh, and beheaded.

* Evelyn's 'Diary,' p. 414.

Monmouth was equally unfortunate in his enterprise. He landed at Lynn, in Dorsetshire, with a small company, and was readily joined by a large number of country people. He then marched into Taunton, where he was welcomed with transports of joy. Every door and window was adorned with wreaths of flowers. The men all wore a sprig of green in their hats, the badge of Monmouth's party. The ladies wove colours for the insurgents, and a banner, splendidly embroidered with the Royal arms, was presented to him by a train of young girls, one of whom also presented him with a valuable Bible, which he accepted reverently, saying—'I come to defend the truths contained in this book, and to seal them, if it must be so, with my blood.'*

Monmouth was proclaimed King of England in the market-place of Taunton, and he published a declaration charging his Majesty, James II. with usurpation, on pretence of his own title, and offering to call a free Parliament. His declaration was ordered to be burnt by the common hangman, the Duke was proclaimed a traitor, and a reward of £5000 offered to any one who should kill him.†

The Government having had timely information regarding the expedition, were able to send an army to stop the rebellion before it had assumed a formidable character, and the invasion on which Monmouth had built such ambitious hopes, ended in the disastrous defeat of Sedgemoor, when a thousand of his followers were killed, and fifteen hundred taken prisoners.

The battle was fought during the night, and was bravely contested, the Mendip miners and Somersetshire peasants, who composed the rebel army, fighting with the steadiness and courage of veteran soldiers; Monmouth himself was seen on foot, sword in hand, encouraging his troops by his example. By daybreak it was evident that the struggle must end in defeat, and Monmouth, seeing that nothing could avert the calamity, sought safety in flight. From the rising ground on the north of Sedgemoor he saw the last volley fired by his followers, the ground strewn with the wounded and slain, and the King's troops pursuing and ruthlessly cutting down the hapless fugitives. Turning from the scene of ruin and disaster he paused a moment to conceal the blue ribbon and the George with which his Royal father had decorated him many years before, and mounting a fresh horse, and accompanied by two faithful friends, Lord Grey of Wark, and Anthony Buyse, a German officer who had accompanied him from Holland, he hastened towards Hampshire, hoping to find shelter and concealment among the deer-stealers

* Macaulay's 'History of England,' vol. ii. p. 164.

† Evelyn's 'Diary,' p. 479.

of the New Forest. He and his friends rode on all day, avoiding villages and inhabited districts, till their tired horses could go no further, and they were forced to dismount and turn the animals loose. Having concealed the saddles and bridles, and changed clothes with some country people, they proceeded onwards on foot. After walking sixteen miles, and being overcome with fatigue, they hid themselves in a copse adjoining some small fields surrounded by thick hedges. Before morning they were hemmed in on all sides by the troops who were scouring the country in search of them, their zeal stimulated by the hope of sharing the reward, which it was intimated would be divided among all who assisted at the capture of the Duke. Grey, who had wandered from his friends, was taken early in the morning, and a woman reporting that she had seen two strangers lurking in the copse, the covert was encompassed by a complete cordon of sentinels. Often during that dreadful day the hunted fugitives peered through the hedges, hoping to find some unguarded point at which they might elude the vigilance of their pursuers, but everywhere they found a soldier on the alert. Once the Duke was seen and fired at. Darkness coming on, the pursuit was suspended, but the outer fence was strictly guarded, and at daybreak the search was resumed. Buyse being caught, admitted he had parted from the Duke only a few hours before. The rye, peas, and oats growing in the fields were high enough to conceal a man. These, with the copse, were all carefully beaten, and at length the Duke was discovered lying in a dry ditch, covered with fern brakes, clothed in the rough garb of a shepherd. Worn with watching and fatigue, travel-stained, gaunt, and famished-looking, the once brilliant and graceful Monmouth was hardly recognisable, but the George which was found in his pocket, removed all doubt of his identity. Some peas with which he had tried to satisfy his hunger, were also found in his pocket, besides his money, watch, etc. His beard was of several days growth, he looked pale and haggard, trembled exceedingly, and was not able to speak.* The game was played out; the shadowy prospect of a throne had vanished, and only the scaffold and the headsman's axe were before him.

He was taken to London and imprisoned in the Tower. At first he cherished a hope that James would pardon him, but he was quickly undeceived. Relentless

* Evelyn's 'Diary.' Bishop Burnet's 'History of his own Times,' and Macaulay's 'History of England.'

Note.—It is related as an instance of second sight, that a French nobleman being in the theatre one evening when the Duke of Monmouth entered, he pointed to him, exclaiming, '*Voilà Monsieur comme il entre sans tête.*'—Evelyn's 'Diary,' p. 485.

and implacable in his judgments, and unmoved by Monmouth's despair, James refused to grant even the small boon of a few more days of life, for which he pleaded with tears and abject protestations of penitence and remorse. Sentence of death was pronounced, and in two days he was beheaded.

A contemporary manuscript,* written by an eye-witness, of some of the scenes described, and preserved among the Buccleuch muniments, gives an interesting account of the demeanour of the Duke, from the time of his imprisonment in the Tower, till his execution. The Duke had not seen the Duchess for more than a year. He had formed a connection with Lady Henrietta Wentworth, at which she was justly incensed, and though she obtained the King's permission to see her husband, yet she desired that the Lord Privy Seal might be present all the while, 'that no discourse might pass between them but what was fitting the King should know.' Monmouth spoke chiefly on reasons that might induce the King to save his life. 'Then the Duchess took the liberty to interrupt him in these digressions and imaginary expectations of life, and after some general things, asked him if ever she had the least notice and correspondence with him about these matters, or had ever assented to, or approved of his conduct during these four or five last years; if she had done anything in the whole course of her life to displease or disoblige him, or ever was uneasy to him in anything but two, one as to his women, and the other for his disobedience to the late King, whom she always took the liberty to advise him to obey, and never was pleased with the disobedient life he led towards him. If in anything else she had failed of the duty and obedience that became her as his wife, she humbly begged his pardon for it. To which moving discourse he answered that she had always shewn herself a very kind, loving, and dutiful wife toward him, and he had nothing imaginable to charge her with, either against her virtue and duty to him, her steady loyalty and affection toward the late King, or kindness and affection towards his children; that she was always averse to the practice of life and behaviour towards the late King, and advised to great compliance and obedience towards his commands.'

In this interview the Duchess appears as the outraged wife, whose affection had been slighted and her counsel despised, and who is now chiefly anxious to save her children from suffering the consequences of their father's crimes. On Monday, the day after this interview, the Bishop of Bath and Wells intimated to

* 'Scotts of Buccleuch,' vol. ii. p. 447.

Monmouth that his execution was to take place on the Wednesday following. Seeing that all his importunities for a pardon, or even a respite, were of no avail, 'he layed down his hope of living, and bethought himself of the well employing the few hours that remained.'

On the morning of his execution his wife and children came to see him for the last time. During this trying ordeal, and in the near prospect of death, 'his behaviour was brave and unmoved, and even during the last conversation and farewell with his lady and children, which was the mourningest scene in the world, and no bystanders could see it without melting in tears, he did not show the least concernedness. He declaired before all the company how averse his Duchess had been to all his irregular courses, and that she knew nothing of his last design, not having heard from him for a year before, which was his own fault and no unkindness in her, because she knew not how to direct her letters to him. In that he gave her the kindest character that could be, and begged her pardon for his many failings and offences to her, and prayed her to continue her kindness and care to his poor children. At this expression she fell down on her knees with her eyes full of tears, and begged him to pardon her if ever she had done anything to offend and displease him, and embracing his knees fell into a swoon, out of which they had much ado to raise her up in a good while after. A little before his children were brought to him all crying about him, but he acquitt himself of these last adieus with much composedness and sincerity of temper showing nothing of weakness or unmanliness.

'About ten o'clock he was carried out of the Tower in a coach, and after having passed the bridge, was delivered into the Sheriff's hands, who led him along up to the scaffold. No man observed more courage, resolutione, and unconcernedness in him any time before, than appeared in him all the while he walked on the scaffold, while he mounted the scaffold, and while he acted the last part on it. As he walked to it, all the horse and foot guards were drawn up round about the scaffold on Tower Hill. He saluted the guards and smiled upon them. The Sheriff asked if he had anything to say. He told him he was never good at the making of speeches, and would not begin now. The axe he took into his hand and felt the edge of it, saying to the executioner that sure the axe did not feel as if it were sharp enough, and prayed him that he would do his office well, and not serve him as he was told he had done the late Lord Russell, for if he gave him two strocks, he would not promise him that he would lie still to receive the third,

and putting his hand in his pocket gave him six guineas, telling him that if he did his duty well he left six more in his servants hands to be given him after he was dead, providing he did his business handsomely. All this he said with much indifference and unconcernedness, as if he were giving orders for a suit of clothes. No change or alteration of countenance from the first to the last, but stript himself of his coat, and having prayed, layed himself down and fitted his neck to the block with all the calmness of temper and composure of mind that ever hath been observed in any that mounted that fatal scaffold before. He would have no cap on his head, nor be bound, nor have anything on his face. And yet, for all this, the butcherly dog, the executioner, did so barbarously act his part, that he could not at five strocks sever the head from the body. At the first, which made only a slender dash in his neck, his body heaved up and his head turned about, the second strock he made only a deeper gash ; the third not doing the work, he threw away the axe and said, "God damne me ; my heart fails me, I can do no more." The bystanders had much ado to forbear throwing him over the scaffold ; but he was made to take his axe again, and finish his work, and if there had not been a guard to protect the executioner, the people would have torn him to pieces, so great was their indignation at the barbarous usage the late Duke of Monmouth received at his hand. There were many that had the superstitious curiosity of dipping their handkerchiefs in his blood and carrying it away as a precious relic.

Before his execution Monmouth expressed deep regret that his rash enterprise should have brought such heavy calamities on his brave followers, yet far from casting blame upon him for the heaps of slain at Sedgemoor, or the victims of the barbarity of Judge Jeffrey's at the 'bloody assize,' the surviving remnant of his adherents cherished his memory most reverently, and 'buckles, ribands, butons, and other trifles he had worn were carefully preserved, and treasured as relics of their unfortunate hero.' The descendants of those who fought for Monmouth think they still have a claim on the Duke of Buccleuch, through his ancestor, which entitles them to ask his help when any bill affecting their interests is before the House of Lords.

The sorrow of the Duchess of Monmouth and her demeanour at the time of her husband's execution, is referred to by the writer already quoted :—

'The Duchess of Monmouth has demeaned herself during this severe trial and dispensation of Providence with all the Christian temper and composition of spirit

that possibly could appear in a soul so great and virtuous as hers. His Majesty is exceedingly satisfied with her conduct and deportment all along, and has assured her that he will take care of her and her children. In the afternoon many ladies went and payed the compliment of condolence to her, and when they had told her how great reason she had to bear this dispensation with that virtue that had ever appeared in the actions of her life, and how the world celebrated her prudence and conduct during her late Lord's disloyalty and behaviour to the late King, and his unkindness to her, that justly gave her a name that few arrived at.' Such commonplace reflections and condolences in the midst of her anguish could scarcely have a very soothing effect, and the Duchess answered with dignified reserve that 'she had bought that commendation dear.'

Fearing that the children of the Duke of Monmouth might be used for factious purposes, the King caused them to be placed in the Tower, and thither the Duchess followed them of her own accord and shared their confinement; and a few weeks after her husband's execution, she had another heavy bereavement to suffer, in the death of her only daughter. The child, a delicate girl, about ten years of age had been so overwhelmed with horror at her father's tragic fate, that she never recovered the shock, and died shortly after she had been sent to the Tower. This accumulation of sorrow was keenly felt by the Duchess, and months after, her 'sad afflicted countenance' was remarked when she appeared in public.*

In consequence of the treason of Monmouth, his English estates were forfeited, and proceedings were taken in the Scotch courts by the King's advocate to have the Scotch estates confiscated also. The counsel for the Duchess contended that the Duke, having only a life interest in the estates belonging to his lady by hereditary right, the sentence against the husband could not prejudice the rights of the wife, and that her property could not be forfeited for his fault. The result was, that with the consent of the King, the Duchess made a resignation of all her honours and lands to the Crown, and obtained a new grant for herself and her heirs.

The well-known loyalty of the Duchess of Monmouth induced the King to meet her wishes in this matter very willingly. In a letter to the Earl of Cromarty the Duchess says, 'The resignation was very readily consented to by his Majesty, and very kindly he spoke to me which I do value very much, and indeed he has

* Evelyn's 'Diary,' p. 497.

ever shown me much favour in whatever concerns me.'* The whole of the Duke's English estates were eventually restored to his family.

The Duchess of Buccleuch and Monmouth's position at the Court of King Charles the Second, where her husband held first rank after the Royal princes, was a very brilliant one. The handsome revenues of the Buccleuch estates enabled the Duke and Duchess to live in a style of great splendour. Their town house was a lofty and magnificent mansion in Monmouth Square, now called Soho Square. Its rich sculptures and splendid satin hangings were much admired. The Duchess maintained a kind of royal state, and was attended by pages, and served from the knee. After the death of Monmouth, although it was inconsistent with her open repudiation of her husband's pretensions, 'she was inflexible in her demand to be treated as a princess,' † and exacted the same deference and maintained the state and dignity to which she had been accustomed. In several of the charters granted by her as superior of the town of Dalkeith, she adopted the style of 'Mighty Princess.' Her cousin, Lady Margaret Montgomerie related that while dining with the Duchess at Dalkeith castle, she, being a relative, was permitted to be seated, but all the rest of the guests stood during the repast.

During the last few years of the life of Monmouth, he spent enormous sums in promoting his ambitious schemes, and almost the whole revenue of the Scotch estates had been swallowed up; and it was found after his death that a thorough system of retrenchment was necessary to relieve the estate from embarrassment, which the Duchess, who was an excellent woman of business, very readily agreed to.

About three years after the death of the Duke of Monmouth, the Duchess married Lord Cornwallis, and continued to reside in England. It was a subject of great regret among her Scotch tenantry that the Duchess should reside so far from her estates. Her absence had altered in a great measure the relations which formerly existed between the chief and the other members of the clan, and Old Satchells thus laments the change—

' In England now the Duches dwells,
Which to her friends is a cursed fate,
For if they famish, starve, or die,
They cannot have a groat from that estate.

* Scotts of Buccleuch, vol. i.

† Johnson's 'Life of Gay.'

‘The times of old are quite forgot,
How inferior friends had still relief,
And how the worthiest of the name,
Engaged themselves to hold up their chief.’

The Duchess was scarcely responsible for the change, which had been brought about by circumstances rather than choice. After her mother's marriage to the Earl of Wemyss she had never resided on her paternal estates, and was so young when she left Scotland that her personal recollections of the land of her birth must have been somewhat faint. Still she was true to the traditions of her house, was proud of her ancient possessions, and had all the patriotism of a real Scotswoman. She took a personal interest in all her affairs in Scotland, and in her letters repeatedly alluded to her ‘Scotch heart.’

It was represented to her, when in need of money, that she would make a considerable addition to her revenue if she farmed her own land, but to this she would not listen for a moment; in any system of retrenchment to be adopted she would be no party to the oppression of her tenants. Writing to the Earl of Melville, she says—

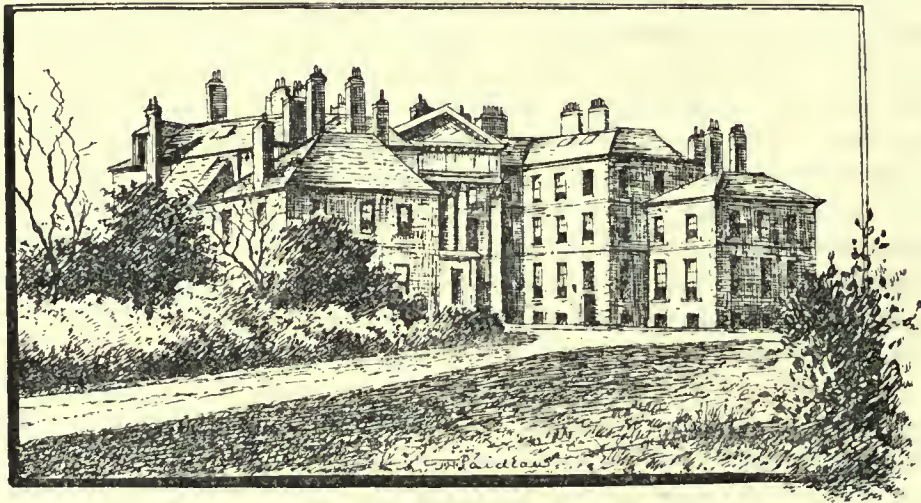
‘As to the new farmers, they are like to get the old answer from me, that I think I will never farm my estate whilst I live, and I am sure I will not do it now. You know, I think it would ruin the tenants, or else, I am sure, oppress them, which I will never do, and I am resolved, nobody ever shall do it whilst I live. I think myself sure of your approbation in the matter, knowing you to be both just and good-natured.’

It was not till the summer of 1701 that the Duchess returned to Scotland, after an absence of nearly forty years. The journey from London to Edinburgh, which now occupies only a few hours, was then a long and fatiguing one, requiring more forethought and preparation than would now be given to a voyage across the Atlantic, and to Londoners of that period Scotland was as remote and as little known as Central Asia is to their descendants of the present day. This is very amusingly illustrated in a letter written by the Duchess to Lord Melville, before leaving London—

‘I am obliged to you for your intimation of what I must carry with me, from hence. The Duchess of Queensberry told my daughter Dalkeith, that the ladies sent to England for their clothes, and that there was no silk stuffs fit to be worn there. Pray ask your lady if this be so, for if it is, we will furnish ourselves here,

but if it be not so, we will buy as we want when we come there, and be drest like other good ladies, and break none of your Acts of Parliament.'

The Duchess made considerable additions and alterations on Dalkeith castle, so that its appearance was completely changed, and the present mansion is very much as she left it. She spoke of her extravagance in marble, saying it was to show she did not despise her old castle.



Dalkeith House.

Until the time of Earl Francis, the Duchess's father, the greater portion of the Buccleuch estates lay in Teviotdale, and Hawick had been the town round which the chief interests of the family centred; but after the purchase of Dalkeith castle there was little intercourse between the Burgh and the House of Buccleuch, until they acquired the Barony in 1675. Up to that date the Earl of Queensberry, the representative of the Douglasses of Drumlanrig, was Lord Superior of the Barony.

The Douglasses seldom resided in Hawick, and their transactions with the town's people being conducted by deputy, was confined to a mere discharge of legal obligations, without the personal interest, and interchange of good offices which formed the strongest bond of union between the overlord and his vassals. There was a feeling of jealousy manifested between the Bailie of the Regality, and the Magistrates of the Burgh; a sort of determination on both sides to stand out

for their rights and suffer no encroachment ; a feeling which was perhaps intensified by a proposal, on the part of the Earl of Queensberry in 1672, to divide the common between himself and the Burgh. A deputation from the corporation and the trades was sent to represent the interests of the Burgh before the court in Edinburgh. It is not known how the case was decided. It must either have been abandoned by the Earl, or decided in favour of the Burgh, for the common remained intact for another century. In the following year a serious quarrel took place between the Earl's deputy and the town's Bailies at the setting of the fair. It was the custom for the Bailie of Regality, as representing his lord, to ride the fair, attended by the town's two Bailies, 'with the officers, and the whole body and corporation of the town,' as the Earl's tacksman then collected the customs. The people had expressed somewhat roughly their indignation at the (alleged) oppression and impoverishment they suffered at the hands of the Earl's representatives, and when they were about to set the fair, they were attacked by about two hundred of the town's people, well armed, 'who did impede them from setting the fair, and did assault and invade John Leathen, with drawn swords, and masterfully pulled him off his horse, tore off his clothes and struck him.' The Bailies had also confined William Hardy, the Earl's tacksman, in the Tolbooth. For these and other offences of a less specific nature, the Earl of Queensberry brought an action before the Privy Council against the Bailies and thirty-two others, burgesses of Hawick.

In an appendix to his 'Memories of Hawick,' Mr Wilson says regarding this case—'Nothing can well be conceived more frivolous than the indictment before the Privy Council. The heterogeneous charges of riot, convocation of the lieges, abusing the King's authority, making arbitrary acts, oppression and wrongous imprisonment, all so unlike each other, lumped together to give a colourable appearance to the complaint, show how little solid grounds existed for instituting the proceedings.' The Magistrates, however, were able to repel all the charges against them, and showed that so far from being blameworthy, they had acted with moderation and judgment on the occasion referred to. As to the convocation of the lieges they pointed out that it was usual for them to assemble the people to attend them at the riding of the fair ; that they had done what they could to quell the riot ; and they repudiated all connection or responsibility, as it occurred outside the West Port, which was then held to be beyond their jurisdiction. As to the tacksman, his imprisonment was just and legal. He had

exceeded his commission by exacting more custom, than he had a right to ask and thereby oppressing the lieges who repair to the 'mercats.' On being reproved therefore by the Bailies, he gave them most opprobrious and injurious language. And for these faults, he was only detained some few hours in prison, and instead of affording grounds for a charge against them, the Bailies considered they had treated him with great clemency.

These disputes, in which the Superior had the worst of it, had probably some influence in inducing Lord Queensberry to dissolve his connection with the Burgh, and in the following year, 1675, the Barony came into the possession of the Duke and Duchess of Monmouth and Buccleuch, who purchased it. The lands and barony of Hawick were forfeited by the treason of Monmouth, but were restored the following year to the Duchess by special grant from King James, afterwards ratified by Act of Parliament. The clause in the Act relative to Hawick is to the following effect:—'And of all and hail the lands and barronic of Hawick, comprchending therein the lands, mylnes, mylnlands, woods, fishings, coals, coal heughs, burgh of barronie of Hawick, and customs thereof, with the yearlie faires, with the privilege of free barronie and regality, free chaple and chancellarie, within the bounds of the said barronie, manor-place, houses, biggings, yairds, orchards, and others specified in the said charter heirby ratified.'

The Duchess of Buccleuch having failed to take the test oath, she was deprived of her right to appoint the Bailie of Regality for Hawick, and the office was conferred by the King upon Walter Scott of Alton.

A great number of the Duchess Anne's letters have been preserved. Many of these are interesting, because they give a good idea of the true character of this great lady. There are pleasant, chatty letters to her family and friends, full of kindness and sympathy; and clever, shrewd, business letters, which show that the writer must have been a clear-headed, sensible woman, who took a wise personal interest in the management of her affairs, who had a due sense of the duties and responsibilities of her position, and an earnest wish to promote the best interest of her tenants and dependents, and though somewhat arbitrary, yet just and liberal in all her dealings.

She was fond of power, and by no means inclined to delegate her authority to any one. Her second husband, Lord Cornwallis, does not appear to have interfered in the management of her estates; and when urged to transfer her estates

to her eldest son in fee, reserving only a life interest, as is sometimes done by parents, she steadily and firmly declined. On this subject she writes in 1698 :—‘ I would have put my son in fee of my estate when Grahame would have had me give him half, but till I change my mind I will keep all the rights I enjoy from God and my forefathers. I did not come to my estate before my time. I was my sister’s heir, and I bless God I have children, which I trust in his mercy will be mine when I am dead. The Duchess of Hamilton is but a woman, and we are not such wise creatures as men, so I will follow no example of that sort till I see all the noblemen in Scotland resign to their sons—then I will consider of the business.’

In another letter to her brother-in-law, she thus expresses her determination on the same question :—

‘ I’ll say no more to trouble you with the matter, only this, I’ll never light anybody downstairs in my own house, as the Emperor Maximilian did, for fear I should repent it. Though I love my child as well as anybody living ever loved their own flesh and blood, but will never be so blinded whilst I keep my reason as to lessen myself in my own family, but will keep my authority, and be the head of it, whilst it pleases God to give me life. By this time, for all your gravity, I am sure you laugh at your sister, for so I am to you but a man in my own family.’

The Duchess, though no follower of King Lear, made liberal provision for her family. James, her eldest surviving son, was married to Lady Henrietta Hyde, daughter of the Earl of Rochester. He died at his residence in London, 1705, in his thirty-first year, leaving a family of four sons and two daughters. Francis, the eldest son, was ten years of age when he became Earl of Dalkeith, and heir to his grandmother. At the age of twenty-five he married Lady Jane Douglas, daughter of the Duke of Queensberry. It was through this marriage that the Buccleuch family inherited the Queensberry Dukedom and estates. An alliance had been projected with another lady, Jane Douglas, sister of the Duke of Douglas.

The Duchess warmly approved of this union, and expressed her pleasure in the subjoined letter to Lord Royston :—‘ I have to inform you of a most agreeable undertaking I am about, which is to see my Lord Dalkeith married to his own satisfaction. It is to the Duke of Douglas’s sister, Lady Jean, whom I had heard much commended before I saw her, and since that she has lost no ground with me. I think her person very agreeable, and my great project of having my

grandson no stranger to his own country, is in all likelihood not to be disappointed by marrying a Scots lady. Though I have lived the greatest part of my life in England, you see I am not corrupted to love any part of the world so well as my native country.'

The intended marriage did not take place. A month later, she writes to the same correspondent:—'My Lord—Mr Somervill has acquainted you with my disappointment in the marriage of my grandson. Her Noble Grace of Queensberry I impute it to, because she has the same fate which some others have in this world,—more power than they deserve. If you are so good as to go to Hawick this land setting, I hope the good air will agree with you, otherways I would willingly stand by the loss I shall sustain by your absence.'

In the same month a marriage was arranged between the young Earl and the other lady, Jean, sister to the Duke of Queensberry, and the wedding took place in the following April. Lady Dalkeith was a fair, sweet, gentle looking lady, who soon won the affections of her husband's grandmother. She died of small pox after being married about nine years. The Duchess thus writes of her death to her friend Lord Royston:—'My Lord—I know by experience your Lordship's friendship to me, therefore I am sure you will regret the affliction I have for my granddaughter, Lady Dalkeith's death, who died of small-pox on Sunday morning at Langly. I must say she was as good a young woman as ever I knew in all my life. I never saw any one thing in her that I could wish were otherwise.'

Lord Royston acted as Commissioner to the Duchess, and took the management of her Scotch estates, thus many of her letters relate to business—such as the following—'My Lord, by yours of the 6th, I find you are resolved to purchase half Scotland for me. I own it will be for my credit when I am dead that I have improved my estate, and that I have made choice of so good a friend to rely on, whose friendship I absolutely depend on. Few can furnish St Boswells Faire with sheep better than I can, but after this be not tempted to purchas more till I am out of debt.' She was anxious to increase her possessions in Scotland, and on a subsequent occasion she wrote to her friend and adviser, that she greined (or longed) to hear more of an estate in Ettrick forest which Harden was willing to sell, and she was anxious to buy. At the same time she thanked Lord Royston for 'buying that piece of ground at Hawick. 'Tis most convenient for me of any belonging to that little house.' She also writes about the choice of a school-master for Dalkeith, and recommends that one should be chosen who is qualified

for the place as a scholar, 'but not high flown on any account.' Concerning a minister for Hawick the Duchess writes—'of all the candidates for Hawick I am for the moderate man.'

She first visited Hawick in April 1702, when, in a book recording the setting of the Buccleuch lands at Hawick, her Grace's name is signed at all the sederunts. Then, and on all her subsequent visits to the town, the Duchess resided in the tower, and people living at the beginning of the century could remember the elevated chair of state and canopy she occupied on solemn occasions.*

In the Kirk-session records, there is notice of a hundred pounds Scots sent by the Duchess for the relief of the poor. In various ways she showed her interest in the old town, and was ever ready to assist in any public improvement; for instance, when the streets were paved she paid for the work, the inhabitants providing the stones and sand.

Dalkeith was her principal residence, and she took a warm and kindly interest in her neighbours, and in the poor of the surrounding district. Not a mere languid ladylike almsgiving interest, but an active, energetic, personal attention to all that was going on around her. Shortly after she took up her residence at Dalkeith castle, a case was brought under her notice of a poor man who was condemned to be hanged for drinking the health of the banished King James the Seventh. It appears that the man had been induced to drink the obnoxious toast by an innkeeper promising him as much liquor as he could drink for a whole day. There was probably no thought of treason in the man's head,—he only swallowed the toast that he might swallow the liquor,—but by so doing he brought himself under the stringent and cruel laws which punished such indiscretions with death. It seemed a hard case, and the Duchess, who had made herself acquainted with all the particulars, exerted herself to save him, and wrote to the Earl of Leven, who was a member of the Privy Council—

'Your Lordship will think me solicitor for all mankind, but where there is no murder I would have nobody die before their time; all I know of this matter you will see in this enclosed. Now, I know not which way to endeavour the preservation of this poor man, but if it can be done, if you would give me direction or help in this, do not laugh at me. I am no soldier, but a poor merciful woman.—I am, your Lordship's, humble servant.

'As I just now hear this story since I began to write, the landlord of the

* Scotts 'Border Antiquities,' vol. ii. p. 201.

house betrayed this man, and by promising him drink for a whole day if he would drink the health he bade him. This were no excuse for a sober man, but he was too full before.'

The Duchess's ideas on capital punishment were in advance of her time. She says—'Where there is no murder, I would have no one die before their time.' In her long life she had seen many noble lives sacrificed for political offences, and hundreds hanged, whose real sins against the government were not greater than this poor man's; and she who—

' In pride of power, in beauty's bloom,
Had wept o'er Monmouth's bloody tomb.'

was pitiful to all who suffered like herself. Sir Walter Scott relates another instance where the Duchess interested herself to procure the pardon of a Jacobite. The Novelist's great grandfather was a staunch Jacobite, and took up arms under Dundee and Mar. He was called 'Beardy,' from leaving his beard unshorn in token of regret for the banished Stuarts; and he would have lost his life on the gallows for the same cause had it not been that the Duchess of Buccleuch interfered to save him.

After a long, useful, and honoured life the Duchess of Buccleuch and Monmouth died on the 6th of February 1732, at the mature age of eighty-one, and was interred in the family burying-place in Dalkeith church. She had held the titles and estates of Buccleuch for the long period of seventy years. Born in the midst of tumult and civil war, when Oliver Cromwell ruled the destinies of Great Britain, she lived during the reigns of six successive sovereigns, and before her death, saw the government firmly and peacefully settled under the Hanoverian dynasty in the reign of George the Second.



CHAPTER XVI.

‘ Our thistles flourished fresh and fair,
And bonnie bloomed our roses,
But Whigs came like a frost in June
And withered a’ our posies.

JACOBITE SONG.

ON the death of Anne, Duchess of Buccleuch, the family titles and estates descended to her grandson, Francis, eldest son of James, Earl of Dalkeith. James was the second son of the Duke and Duchess, Charles the eldest having died in infancy. During the life-time of the Duke of Monmouth, his son James bore the courtesy title of Earl of Doncaster, but after his father’s death and the forfeiture of his English estates, he was styled Earl of Dalkeith.

When the Earl attained his majority, it was suggested by some friends of the family that the Duchess should resign her titles and estates in favour of her son. It would have been intolerable to a woman of her energetic temperament and dominant will, to occupy a secondary position, and she declined, in most emphatic terms, to divest herself of her station and authority. Though James, Earl of Dalkeith, never bore the highest titles of his family, some admirers of his late father would have given him a still more exalted position.

The Duke of Monmouth had been regarded by many people as a martyr to the cause of religious liberty, and a few still survived who cherished a lingering enthusiasm for his memory, and believed, in spite of all evidence to the contrary, that his family were the rightful heirs to the crown.

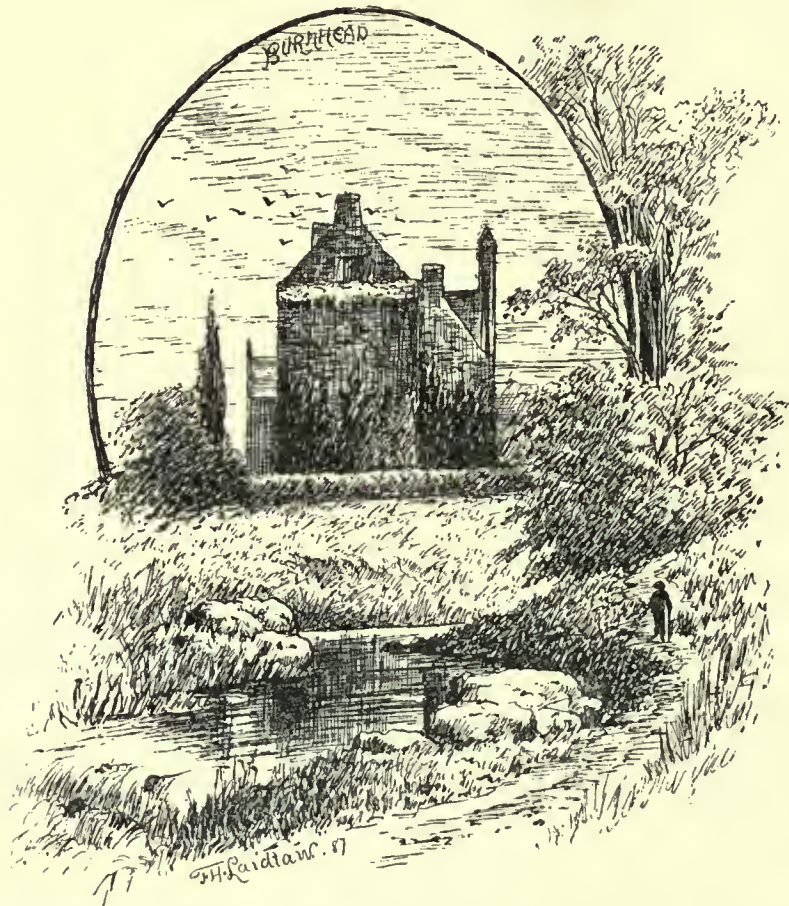
In the year 1692 a party of Covenanters, headed by Robert Hamilton, the leader at Airmoss, assembled at the cross of Sanquhar and astonished the inhabitants of that quiet little town by proclaiming the young Earl of Dalkeith, King of Great Britain and Ireland.

An old manuscript memorandum-book, belonging to Mr David Scrimgeour of Cartmore, General Receiver to the Duchess of Monmouth, supplies the following note regarding this singular incident :—

‘ October 31st, 1692.—In the end of July, or the beginning of August, 30 or 40 wild men came to the cross of Sanquhar, and proclaimed the Earl of Dalkeith King ; and in September thereafter, Robert Hamilton, who was commander at

Bothwell Brig was taken at Earlstoun House, and after he was examined before the council, was sent to Haddington tolbooth' to answer for his treasonable appearance at Sanquhar.*

This demonstration was of such an isolated character that it had no political



significance and is merely related as a curious episode in the family history of the Scotts of Buccleuch.

The Earl of Dalkeith served with the army in Flanders during the reign of William III., but returned to England on the accession of Queen Anne, by whom

* Scotts of Buccleuch, vol. i. p. 483.

he was invested with the Order of the Thistle. He died in 1705 at the early age of 31, leaving a family of four sons and two daughters. His tomb and that of his Countess are in Henry the Seventh's chapel in Westminster Abbey.

Francis, the eldest son, had been styled 'Lord Whitchester,' by the Duchess Anne, who thought that it sounded better than 'Lord Scott,' and this title he bore till he became Earl of Dalkeith on the death of his father. Born in 1695, he was 37 years old, when, on the death of his grandfather in 1732, he became second Duke of Buccleuch. It is remarkable that he was only the second of the family who for 250 years attained his majority before succeeding to the titles and estates. He was made a Knight of the Thistle, and in 1734 was elected one of the sixteen representative Peers of Scotland to sit in Parliament. In 1740 Sir Robert Walpole opened negotiations for the restoration of the forfeited barony of Tyndale to the Duke, and in 1743, an Act of Parliament was passed which restored to him the titles of Earl of Doncaster and Baron Tyndale, with the rights and privileges of the patent granted to his grandfather, James, Duke of Monmouth. From that time the Dukes of Buccleuch have sat in the House of Lords as Earls of Doncaster. By his marriage with Lady Jane Douglas, his grandson succeeded to the Estates of Drumlanrig and the Dukedom of Queensberry.

Though so nearly connected with the Royal Stuarts, the Scotts of Buccleuch were no Jacobites. The Duchess Anne was precluded by her sex from taking an active part in public affairs, and she gave neither sympathy nor encouragement to the Rebellion of 1715, by which the friends of the exiled Stuarts sought to win back the Crown for the ancient Royal line of Scotland, having no doubt a vivid recollection of the sorrow and bloodshed which was caused by her husband's ill-starred attempt to grasp the Crown.

The authorities in Hawick were in much the same mind as their noble liege lady, and were content to enjoy the blessings of peace under the Hanoverian dynasty. In 1715 the magistrates of Hawick declared themselves in favour of King George's peaceable accession to the throne; and the following autumn, when the Earl of Mar took up arms for the Stuarts, a day was set apart to 'pray for King George and the Royal Family, the preservation of the Protestant religion, and the peace and tranquillity of the kingdom.'*

There was, however, a numerous party of the lieges whose political opinions

* Hawick Town Council Records.

differed from that of their 'pastors and masters,' and the town was seriously disturbed by the rebellious inhabitants, so much so as to interrupt the public ordinances of divine worship. On the 16th of October there was no sermon in the church, 'in regard to the tumult occasioned by a numerous multitude in arms against King George and his government.'

A fortnight later the Hawick people were again deprived of a sermon, 'Kenmure, Englishers, and Highlanders being in the town.*' In Paton's 'History of the Insurrection of 1715,' Hawick is described as a 'poor market town belonging to the Buccleuch at whose house the English lords and their relatives took up their abode.' These were the Earl of Derwentwater and General Forster of Bamburgh, who commanded the troops of horse levied on the Northumberland frontier, and Kenmure with his followers from Galloway and Dumfriesshire, and the young Earl of Winton, who commanded the Highlanders. These leaders all stayed at the Tower, probably without the consent of the Duchess, for she took no part in the Rebellion.

The rebel leaders lingered in Hawick in some doubt as to their further movements. The English lords and gentlemen were anxious to cross the Border, being sanguine that many would flock to their standard in the northern counties. Others proposed to march to the west and join the Earl of Mar.

At length, on receiving news of the approach of General Carpenter, they decided to move forward; and to evade him it was proposed to march into the west of England. When this decision was made known to the Highlanders, they separated themselves from the main body of the army, and taking their stand at Hawick Moor, they positively refused to move a yard if their destination was to be across the Border. Nothing could induce them to alter their determination. They would not, they said, go into England to be kidnapped into slavery, as they were in Cromwell's time. To force them to obedience was equally impossible. The horse were drawn up in line ready to attack them if they persisted in their refusal to submit to their military leaders; but they promptly cocked their pieces and prepared for action, saying, that if they must be sacrificed they would prefer to die in their own country, and they would sooner fight the Southern than confide in them.† Eventually, however, they agreed to advance to the west, on the distinct understanding that they were not to be required to cross the Border. A few afterwards consented to march into England; but about four hundred deserted,

* Kirk-session Records.

† Burton's 'History of Scotland,' vol. viii. p. 299.

and made the best of their way back to their native mountains. The failure of the expedition, and the fate of its gallant leaders, are well known.

In the following spring a party of English dragoons and Pilstown's regiment of foot passed through Hawick on their way to join the Duke of Argyle, and assist him to subdue the insurgents in the north. So strong was the Jacobite feeling in Hawick, that some of the burgesses refused to admit the soldiers billeted on them, and neither the commands of the magistrates, nor the liberal promises of reward on the part of the officers, could induce others to carry the baggage of those engaged on such an unpopular mission.

In the second insurrection, thirty years later, the feelings of the Borderers had undergone a considerable change, and the army of 'Bonnie Prince Charlie' received few recruits from Upper Teviotdale.

When the Jacobite army, led by the Prince, marched against the city of Edinburgh in 1745, the Duke of Buccleuch undertook with his tenantry, and the trained bands and volunteers, to defend the walls of the city against the Highlanders. The citizens of Edinburgh could not be accused of Jacobite tendencies, but their warlike spirit had died out; so though they had no desire to get into trouble by favouring the cause of the 'Young Pretender,' neither had they the courage to take up arms for the defence of their city against the rebels, and the Duke of Buccleuch being but feebly supported, the rebel army entered the city without encountering much opposition.

Prince Charles Edward took up his residence in the Palace of Holyrood, which had been the home of his Royal ancestors for hundreds of years, where his grandfather, when Duke of York, had kept Royal state, and where his aunt, the Princess, afterwards Queen Anne, initiated the Edinburgh ladies into the delights of tea drinking.

The Jacobite cause made triumphant progress during the next few weeks, and the followers of Prince Charlie were in the highest spirits, full of enthusiasm for the cause, and devotion to their leader. But this transitory gleam of prosperity, which was the only bright spot in the whole disastrous enterprise, soon came to an end. Elated by the success which attended his arms and the new adherents who daily joined his standard, the Prince decided to advance into England.

While making preparations for this enterprise, the army took up a position near Dalkeith, and the Prince was for two nights the guest of the Duke of Buccleuch. The Duke's political opinions had not changed since he had borne

arms against the Prince, nor was his loyalty to the reigning Sovereign ever called in question, and his hospitality was considered an act of courtesy merely. It was dangerous, however, for those whose fidelity to the government was at all doubtful to show any civility to the 'Young Chevalier.' The Duchess of Gordon, who entertained the Prince to breakfast, as he passed her residence on his march southwards, forfeited in consequence a pension of £1000 a-year, which she enjoyed from the government.

The army marched south in three divisions. One proceeded westward by Peebles and Moffat towards Carlisle. The second column, commanded by Lord Balmerino, went by Galashiels, Selkirk, and Hawick, and thence up the Teviot. The third division, led by the Prince himself, took a course more to the east, and advanced towards the Borders by Kelso, Jedburgh, up Rule water, and over by the Knot-o'-the-Gate into Liddesdale, meeting the party who had gone by the Teviot, about four miles below Langholm.*

Though it was understood that the exiled Stuarts had friends and sympathisers in Hawick, they must have become cautious and lukewarm, as there was no manifestation of welcome when the followers of the Prince entered the town. They were entertained hospitably enough for the night, but their departure was witnessed without enthusiasm.

The Gladstones, who held some small properties in the neighbourhood of the town, were all staunch Jacobites. One member of the family who was Town Clerk, refused to take the oath of allegiance to George the Second; and Mr Gladstone of Whitlaw, was the only Hawick man known to have taken an active part in the Rebellion. He was an officer in Prince Charles' army, and was deprived of his property in consequence of his devotion to the Stuarts. During all his after life he cherished a most inveterate hatred to the reigning family, and used to anathematize the east wind which racked his rheumatic joints, saying it was like everything else that came from Hanover.

Another staunch adherent of the Jacobite cause, named Charlie Millar, spent the last years of his life in Hawick, where he acted as beadle in the West United Presbyterian Church. In his youth he had joined the rebel army as servant to the Laird of Gorrenberry, and followed his master through the whole campaign, from Prestonpans to Culloden. Strange as it may appear, he never lost hope of seeing the restoration of the Stuarts, and indeed had some expectations of a personal

* Chambers' 'History of the Rebellion of 1745,' p. 17.

character depending on that event, having once carried an important message to the Prince, who promised to reward him when he became King. The news of the death of Prince Charles Edward, which put an end to all his hopes, was communicated to him by the minister one Sunday morning just before service. Poor Charlie was overwhelmed with grief, for to him the gallant and genial Prince was a hero. 'Oh, sir,' he said to the minister, 'I wish ye had'na telled me till the afternoon; I'll get nae gude o' the preaching the day. Had it been the German Lairdie, there wad be naething to make a mane* about.'

In order to maintain their credit with the Government the Bailies of Hawick were very solicitous that the King's birthday should be kept with every demonstration of loyalty, and contributed towards the celebration out of the Burgh funds. This practice was discontinued in 1747, and the burgesses were recommended to keep the King's birthday at their own expense.

In the middle of the Eighteenth century, Hawick was a very small and primitive town, increasing, however, in a slow but steady fashion, as the desire for improvement began to develope. The Tower was the only building in the town which was roofed with slate. The Tolbooth, the churches and all the houses were thatched with straw or heath. The houses, which in the times of predatory Border warfare were built with a view to strength and security rather than comfort, had very thick walls with narrow apertures for windows, through which the light faintly struggled, but scarcely illumined the gloomy interior. The shops were small, badly lighted, often with unplastered walls and unpaved floor. The only entrance to the upper storey was through a trap door in the centre of the vaulted roof, which was reached by means of a ladder; but when people no longer lived in fear of the Border thieves or the 'auld enemies,' security gave way to convenience, and stairs were built outside the houses for the purpose of reaching the first floor. These forestairs, as they were called, abutted some way into the street, forming most inconvenient impediments to the thoroughfare. The erection of these stairs had gone on unchecked for half a century or so, until the municipal authorities, being seized with a zeal for reform, ordered their removal to the rear of the buildings. The streets were paved for the first time, and various public improvements carried out. The Tolbooth, after repeated tinkering, was taken down and entirely rebuilt. The Parish church, which had fallen into a ruinous condition, was also re-erected, and a new manse built at the same time.

* Lament,

The old cross which had seen so many changes, and was so characteristic of a bygone age, was also removed. The date of its erection cannot be ascertained, although there is every probability that it was coeval with the church of St Mary's, which was built in 1214. At first, a religious emblem consecrated to sacred uses, it gradually came to be appropriated for secular purposes. It was the place where public proclamations were made, and the pillory where evil-doers expiated their offences. At length the venerable emblem, which had long ceased to command the reverence of the devout and was no longer needed as a place of punishment, came to be regarded as a useless obstruction, and its demolition was decreed. It was accordingly taken down in 1762, and the stones sold for 11s. 6d. The large flat stone containing the socket in which the upright shaft of the cross was fixed, was turned upside down, sunk level with the street, and a large iron ring fastened into it, and to this ring the bulls were tied when the Hawick people enjoyed the barbarous amusement of bull-baiting. A belief prevailed that this cruel practice improved the quality of the meat, and when an ox was to be slaughtered it was tied to the bull-ring, and irritated to madness by a yelling crowd of tormentors, assisted by all the dogs in the neighbourhood. Humane people will be glad to know, however, that beef was not an every-day article of diet at that time; working people seldom tasted it, and it was rarely in the market. At the annual letting of the Duke of Buccleuch's lands—the land-setting as it was called—an ox was killed for the entertainment of the Commissioners. This was quite an event in the town; the children, and not a few of the old people going to meet the ox, which was escorted into the town with a chaplet of flowers flung over its horns, like a heathen sacrifice, and the town's piper playing at the head of the procession.* The custom of bull-baiting being abolished, the stone with the ring attached was removed to the tanners' pool on the Teviot, and the hides and skins which were being steeped in the river were fastened to it. When the Teviot road was made, the stone was in danger of being covered up, and some members of the Archæological Society had it removed to the museum.

Cock-fighting was also a popular amusement in Hawick, and even the children were initiated into the sport by their teachers. At Candlemas it was customary for the schoolmaster to receive a present of a small sum of money from each of his pupils, and the day was observed as a holiday, which was spent in cock-fighting. The school-benches were carried to the haugh, by the Teviot, and arranged

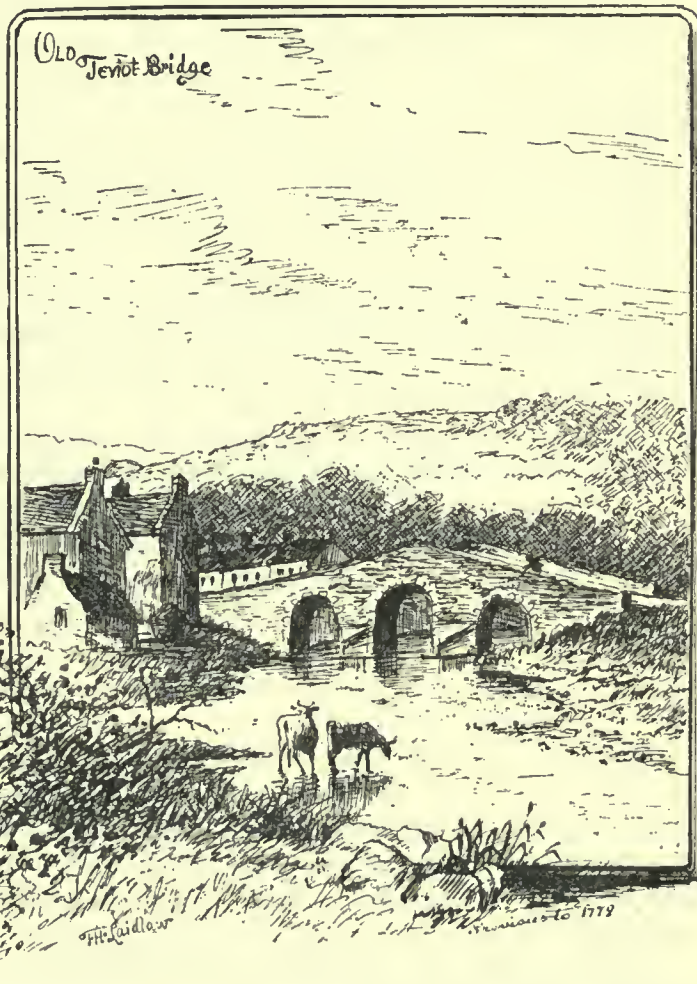
* Paper by Mr A. Michie in the Trans. Hawick Arch. Society, 1867.

in a square for the accommodation of the spectators. The cocks were provided by the master and his scholars mutually, and the master presided over the sports. This amusement was also suppressed, and the game of football substituted at the annual holiday.

Until the year 1767, Hawick had no connection with any postal system, and letters and newspapers were transmitted to and from Edinburgh by the carrier, who made the journey once a week; but through the exertions of Sir Gilbert Elliot of Minto, permission was that year obtained from the Government to establish a post three times a week to Edinburgh and Berwick, on the understanding that the Government should be guaranteed against loss.

Mr Elliot, a tanner in Hawick, gave his services as Post-master gratuitously for the first year; and the experiment was so far successful that a surplus of £40 was realised after paying post-boys and other expenses. There was no provision for delivery, and when the mails came in, people

who expected letters, called for them at the Post-office. As might be expected,



letters often lay unclaimed for days, and even weeks; and on market or fair days it was customary to exhibit them on a table or krame outside the door of the Post-office, so that passers-by might examine and claim them. With the same object, they were spread on the flat tombstones in the churchyard on Sundays, and in the leisurely ten minutes or so, usually spent there before service, the worshippers had an opportunity of satisfying themselves as to the destination of the different letters, and appropriating their own, or carrying home a neighbour's.

The greatest public undertaking and the one which engaged the largest share of attention in Hawick was the building of a bridge over the Teviot; for with the exception of the ancient bridge over the Slitrig, there was none in the town, and the only means by which the Teviot could be crossed dry-shod, was by stepping-stones. When the river was in flood, which was frequently the case in the autumn and winter months, all communication with the opposite bank was cut off.

The question of building a bridge was a serious one in those days, and was discussed for nearly ten years before the work was begun in earnest. The following enigmatical notice regarding the bridge appears in the town treasurer's-books:—

'Paid to my wife when ye workmen went to see where ye brige should be, 18s.'

It looks somewhat odd that the wife of the town treasurer should receive a sum of public money because the site of a new bridge was being surveyed. The explanation, however, is quite simple. The treasurer combined with his public functions, the occupation of an innkeeper, and the money was paid for, that 'something to drink,' which was supposed to facilitate the transaction of business. The progress of the work was marked by similar entries in the Burgh Records—such as the brandy which was consumed when the foundation of the middle pillar was laid; when the 'kystone' of the centre arch was perfected; and on various other occasions the Bailies were pretty liberal with drink money, so that everything was done to bring good luck to the undertaking which was finished in 1741.

The bridge was estimated to cost about £450. Of this sum the Duke of Buccleuch guaranteed £250, to be paid at the finishing of the bridge, and for the remainder the burgesses were to be stented or taxed according to their means. It was found necessary, however, to borrow part of the money, and the debt thus contracted was proposed to be paid out of the surplus funds of the Burgh revenue. After paying ordinary expenses, however, the margin left over was so incon-

siderable that the council resolved to adopt some system of retrenchment. They began by curtailing all 'superfluous expenses'; such as giving the Burgh officers broad cloth coats and fine hats, for which was substituted 'coarse home-made cloth coats,' and 'coarse hats, each coat not to cost above three half-crowns, and each hat not above fourteen pence.'

The town piper was no longer to have any allowance from the public treasury for playing at the common ridings and other festive occasions, but was to depend for remuneration on what the people might choose to give him out of their own pockets. It was resolved at the same time to discontinue drinking the health of his most sacred Majesty at the public expense. It gives some idea of the limited revenue of the Burgh when such petty measures of economy were considered useful or necessary. Horse-racing formed part of the amusements at the common-riding at the very beginning of the Eighteenth century, and the racecourse at Hawick Moor is among the oldest in Scotland. In 1723, the Town-Council gave a saddle to be run for; two years later they contributed £2 to the town's plate, and the following year gave a cup to be run for, and were generally speaking, as liberal as their means would permit, in giving encouragement to the sports of the people.

The ordinary municipal court of the Burgh exercised co-ordinate jurisdiction with the court of the Lord of the Regality, who held almost unlimited powers in criminal cases over the whole Barony. From the time of James the First, this power had been vested in the Douglasses of Drumlanrig, who held courts in Hawick at regular intervals. Latterly, the Duchess of Buccleuch and her grandson exercised the functions of justiciaries through their deputies. These Baron's courts were abolished by Act of Parliament, and in 1747, the Duke of Buccleuch received £400 from the Government as compensation for the loss of that privilege.

In 1748, the freedom of the Burgh was presented to the Earl of Dalkeith when on a visit to the town. This was Francis, the eldest son of Duke Francis, who was born in 1721. He married Lady Caroline Campbell, eldest daughter of the Duke of Argyle, in 1742. Through this marriage the Buccleuch family inherited a valuable addition to their properties. By the death of John, Duke of Argyle, without male issue, Lady Caroline and her descendants became heirs general of the House of Argyle, and inherited the lands of Granton, with right and privilege of building a harbour. The Dukedom being entailed on heirs male, went

to another branch of the Campbells. Had the entail been in the female line, the Scotts would have inherited the Dukedom of Argyle, as they inherited that of Queensberry.

The Earl of Dalkeith was Member of Parliament for Boroughbridge, in Yorkshire, and was made a doctor of civil law by the University of Cambridge. He died of smallpox in 1750, being cut off from a life full of usefulness and promise, at the early age of twenty-nine—by the same disease which had been fatal to his mother. He left a family of two sons and two daughters, two other sons having died in infancy. On the day of his death, the Earl made a will, leaving his personal property and the guardianship of his children to the Countess. The Countess survived her husband many years, and in 1755, married the distinguished orator and statesman, The Right Honourable Charles Townshend.

In 1751, just a year after the death of the Earl of Dalkeith, his father, Francis second Duke of Buccleuch died, and was succeeded by his youthful grandson, Henry, who at the age of five, became Duke of Buccleuch.



CHAPTER XVII.

' Sweet Teviot ! on thy silver tide
The glaring bale-fires, blaze no more ;
No longer steel-clad warriors ride,
Along thy wild and willowed shore.' SIR WALTER SCOTT.

' All now is changed, and halcyon years
Succeed the feudal Baron's sway ;
And trade, with arts and peace appears,
To bless fair Scotland's happier day.' ANON.

HENRY, third Duke of Buccleuch, was born in 1746, and succeeded his grandfather at the early age of five years. He was educated at Eton, and at the age of eighteen went abroad to travel along with his brother, the Hon. Campbell Scott. Dr Adam Smith, the well-known author of 'The Wealth of Nations,' accompanied them as their preceptor and travelling companion. Dr Smith was Professor of Moral Philosophy in the University of Glasgow, and had attained a high reputation in the literary world by the publication of his first great work, 'The Theory of Moral Sentiments.' Charles Townshend, the stepfather and guardian of the Duke of Buccleuch, admired the book greatly, and was anxious to secure for his Ward the instruction and companionship of such an able thinker. He made very liberal proposals to Dr Smith to travel with the young Duke, which he agreed to, although it involved the resignation of his Professorship ; but an annuity of £300 a year was secured to him as an equivalent. Dr Smith and the young noblemen remained abroad for nearly three years, moving in the best society, and cultivating the acquaintance of the most eminent literary and scientific men on the continent of Europe. Their pleasant sojourn was brought to a sad end by the death of the youngest of the party, the Hon. Campbell Scott, who took ill and died at Paris, and Dr Smith and the Duke immediately returned to England.

Dr Smith always spoke of these three years of travel with pleasure and gratitude ; and the Duke felt the influence of his association with the genial, kindly,

and learned philosopher during his whole life. In a letter written by the Duke shortly after the death of his distinguished friend, this passage occurs:—'In October 1766 we returned to London, after having spent nearly three years together without the slightest disagreement or coolness. On my part with every advantage that could be expected from the society of such a man. We continued to live in friendship till the hour of his death; and I shall always remain with the impression of having lost a friend whom I loved and respected, not only for his great talents, but for every private virtue.'

On the 2d of May 1767, the Duke was married to Lady Elizabeth Montague, only daughter of the Earl of Cardigan. The Duchess was a very beautiful woman, tall and graceful, and gifted with rare intelligence and good sense. Her amiable disposition and warm heart led her to delight in works of charity and mercy. She had been educated in great retirement, and hence was shy and reserved when she first appeared in society; but she soon acquired that elegant and dignified manner for which she was afterwards distinguished. Louis Philippe, who visited the Duchess at Dalkeith, said that 'he had met and conversed with nearly all the crowned heads of Europe, but in no instance did he feel so embarrassed as by the formal and dignified bearing of the Duchess of Buccleuch.'

The summer following his marriage the Duke of Buccleuch resolved to visit his various properties in Scotland, accompanied by his young bride, and to celebrate his majority there. His Grace had not hitherto resided on his hereditary estates, and his visit was looked forward to with eager expectation by his tenantry and dependents. Great preparations were made for the celebration of the Duke's majority, but the festivities had to be postponed on account of the sudden death of Mr Townshend, the Duke's stepfather, which occurred in the brief interval between his arrival in Scotland and his birth-day. This sad event cast a gloom over the happy occasion, for Mr Townshend was both loved and respected by his step-children, and his loss filled them with deep sorrow.

Dr Alexander Carlyle, the minister of Inveresk, gives an interesting account of the first visit of the young landlord to his estates. He says:—'The family had been kind to their tenants, and the hopes of the country were high, that this new possessor of so large a property might inherit the good temper and benevolence of his progenitors. I may anticipate what was at first only guessed, but became soon known, that he surpassed them all, as much in justice and humanity as he did in superiority of understanding and good sense.'

On the morning of his birth-day the Duke received a birth-day ode, which was sent anonymously, but was afterwards acknowledged to be from the pen of Dr Carlyle. Sir Walter Scott says that 'the minister of Inveresk was no more a poet than his precentor was;' yet, inspired by his subject, he produced an ode which is above the average of such effusions. It concludes—

'Illustrious youth I trace back the rolls of fame,
Pursue the annals of thy warlike name;
Call the best honours of thy noble race,
Join to Scott's daring genius Monmouth's grace;
Add, if thou wilt, the strenuous Douglas ire,
And temper all, with Campbell's patriot fire.
Yet, midst the glories of thy Princely line,
The virtues of Humanity be thine;
Our hapless land in vain has long complained
Of chiefs in Syren bondage still detained;
Idly in courts, who waste their tedious days,
Asleep alike to pleasure and to praise.
Break thou the charm; with merit all thine own,
Seek an untrodden path to high renown,
Be thine fair Montagu the generous part
To aid the purpose of a patriot heart.
Be this thy country; thou her pride and boast,
And full repay her the long years she's lost.'

The author of these lines was manifestly of opinion that the appropriate sphere of a great land-owner was to live on his own property, be the friend of his people, and the guardian of their interests; and it was this mode of life the young Duke chose for himself.

He had previously intended, by the advice of his stepfather, to devote himself to politics, for Mr Townshend believed that he was well qualified to take a prominent position in Parliament; but when deprived of the help and encouragement of that able politician, he decided to adopt the unobtrusive, but not less honourable and useful career of a resident landlord, devoting himself to the administration of his estates. Recognising in the fullest and broadest sense the duties and responsibilities devolving upon him, he settled down among his tenantry, and turned his attention to the improvement of his property. He also sought, by every means in his power, to improve the condition of the poor, and to relieve their distresses.

The Duke adopted a somewhat eccentric mode of getting acquainted with the

peasantry, and gaining a knowledge of their social condition. Following the example of certain illustrious personages, renowned both in Eastern story and Scottish history, he visited his cottagers disguised as a humble wayfarer. Perhaps a youthful love of adventure had as much to do with these odd freaks as philanthropy, but there is something very pleasing in the idea of the young nobleman sitting by the hearth of the shepherd or ploughman, sharing their humble meal, and 'cracking' in simple homely fashion with his entertainers, listening to their complaints, drawing out their opinions, and learning to understand their feelings, their difficulties, and their hardships.

One of Duke Henry's gabrlunzie adventures is described by Henry Scott Riddle, in a poem entitled the 'Cottagers of Glendale.'

The Duke spends the night with an old couple in a half-ruinous hut, where among a great deal of interesting information, the *incognito* had the gratification of hearing a very favourable report of himself.

'They say, of landlords east and west, our ain Duke Henry is the best of a' the Lairds in Britain.'

As a consequence of this visit, the poet goes on to relate that the cottage was rebuilt, and other substantial benefits filled the hearts of the old folks with transports of gratitude.

Duke Henry paid his first visit to Hawick shortly after his arrival in Scotland, when he was received with every demonstration of rejoicing, and presented with an address, welcoming him to 'His ain toun of Hawick.' He had hitherto had no opportunity of taking a personal interest in the affairs of the Burgh, but he showed a great willingness to assist in all public improvements, and to encourage the trade of the town, which was then in its infancy.

Though most of the Duke's time was occupied by business connected with his estates, his literary tastes led him to court the society of such eminent and learned men as Lord Elibank, Lord Pulteney, Dr Black, Dr Gregory, David Hume, and their distinguished contemporaries. He was a member of a literary society which flourished for some years in Edinburgh under the name of the 'Poker Club,' where much wit, wisdom, and learning were concentrated. As the facetious title of their club would imply, the meetings of these philosophers were not wholly given up to grave deliberation on weighty subjects. They could be gay as well as grave, and if the traditions of the club are to be relied on, these genial *literati* spent some merry evenings together.

The Duke of Buccleuch was the first President of the Royal Society of Edinburgh, which was instituted in the year 1783, and his portrait, along with the portraits of other distinguished presidents, is hung in the library of the Society. The Duke contributed a paper to the Philosophical Transactions of the Society — 'On certain meteorological observations kept at Branxholme for ten years.'

At the beginning of the French Revolution the Duke raised a regiment at his own expense, called the 'Midlothian Fencibles,' in which the Rev. John Home, author of the tragedy of 'Douglas,' served as lieutenant. A story is told in connection with this regiment, which illustrates the kindly unassuming manners of the Duke. His Grace was walking in the uniform of the Fencibles, towards the Castle of Edinburgh, where his regiment was stationed, when he was accosted by a country girl, who enquired of him how she would find her brother 'Wull,' who was a private in the Duke's army. His Grace did not know 'Wull,' but he offered to conduct her to the parade ground, where she would be sure to find him. On passing a couple of sentries, who presented arms, the girl asked the meaning of the action. The Duke smilingly replied, 'It was done either to you or to me.' 'Wull' was astonished to see his sister approach with the Duke, and asked her if she knew who she had been walking with? 'Na,' said the girl, 'I dinna ken wha he is, but he's a vera civil lad.'*

When the Duke was walking in one of the country roads near his residence of Bowhill, he was accosted by a boy who was driving a cow which had become unmanageable, and he appealed to the Duke to help him with the 'camsterie beast.' The Duke taking no notice, the boy became more urgent, saying that he was driving the cow to the big house, where he was sure to get something, and if he would help him, he would give him half. The Duke good naturedly came to the boy's assistance, and between them the 'camsterie beast' was safely driven to its destination, and the Duke agreed to wait in the road to receive the promised reward.

As soon as the boy had disappeared, the Duke entered the house, and giving the butler a guinea, directed him to give it to the boy who had just brought a cow. He then returned to the rendezvous, and presently his young acquaintance came back, and saying he had received a shilling, offered the Duke sixpence.

* 'Border Memories,' by W. R. Carre, p. 360.

'Is that all you got?' said the Duke, in some doubt whether it was the boy or his servant who was dishonest.

'Aye,' replied the boy, 'it's all I got, and plenty too.'

'If you will come back with me to the house,' said the Duke, 'and point out who gave you the shilling, I think I can get more for you.' The boy agreed, though in some surprise, and returning to the house the Duke summoned the butler, and asked the boy if that was the person who had given him the shilling? Seeing he was found out, the man implored forgiveness, but the Duke sternly ordered him to make restitution to the boy, and to quit his service.

Like most good-natured people, the Duke's kindness was often imposed on. He was in the habit, when he went out walking, of taking a quantity of small change in his pocket, for the purpose of bestowing a trifle on the numerous applicants for charity he met with. Having no silver one day, he asked one of his servants before going out if he could give him change for a sovereign. The man replied that he was sorry he had no change, adding significantly, 'I have no doubt many of the beggars you meet are quite able to oblige your Grace.'

At the meetings of the General Assembly in 1778, when the question of Catholic emancipation was discussed, Principal Robertson, the historian, Mr John Home, and other leaders of the Moderate party, successfully defended the cause of toleration; but though the court of the Church set an example of liberality, the general public were as bigoted and intolerant as in the days of John Knox, and popular feeling was strongly opposed to the Bill for the relief of the Roman Catholics in Scotland.

The narrow-minded prejudice which the people mistook for religious zeal was manifested by open violence, and a vast mob having assembled, and burned to the ground a Roman Catholic chapel in Edinburgh, a large body of Buccleuch's 'Fencibles' was called out, and under the personal command of the Duke did good service in allaying the tumult. Next day the mob attempted to seize and destroy the residence of Principal Robertson, in the University buildings, the learned advocate of toleration having been compelled to take refuge in the castle from the fury of the rioters, when the 'Fencibles,' aided by the dragoons, succeeded in preventing serious mischief. Sir John Dalrymple, a leading promoter of the Bill, wrote at the time to Bishop Hay—

'You ought to write with a thousand thanks to the Duke of Buccleuch; he ventured his life over and over again to save your house and your people.'

During the lifetime of Duke Henry, the Buccleuch family received magnificent additions to their titles and estates. Through his mother, who was a daughter of the house of Argyle, and had been created Baroness Greenwich, his Grace inherited Caroline Park, in the county of Edinburgh, and the other portions of the Argyle estates which had descended to her.

On the death of William, Fourth Duke of Queensberry, in 1810, he succeeded to the title and estates of Queensberry, and other hereditary dignities of the Douglasses of Drumlanrig. He also succeeded, through his marriage, to large estates in England.

The Duke died at Dalkeith House, on the 11th of January 1812, and was interred in the family vault at Dalkeith church.

A passage in a letter, written by Sir Walter Scott, thus describes the funeral of his Grace—*

‘Yesterday, I had the melancholy task of attending the funeral of the good old Duke of Buccleuch. It was by his own direction very private; but scarce a dry eye among the assistants, a rare tribute to a person whose high rank and large possessions removed him so far out of the social sphere of private friendship. But the Duke’s mind was moulded upon the kindest and most single-hearted model, and arrested the affections of all who had any connection with him.’

Among all those who were attached to the Duke, by ties of affection or gratitude, none loved and appreciated him more than the great Novelist, and his correspondence contains many allusions to ‘The Good Duke.’ The following sentences concerning him formed the introduction to a tribute to the memory of Duke Henry’s son and successor, which appeared in the ‘Edinburgh Weekly Journal,’ for 1819—

‘It is so lately as the year 1812 that Scotland was deprived of one of the best patriots, and most worthy men to whom she ever gave birth, by the death of Henry, Duke of Buccleuch. . . . There never lived a man in a situation of distinction so generally beloved, so universally praised, and so little detracted from or censured. The unbounded generosity of Duke Henry, his public munificence, his suavity of disposition, the sound and excellent sense, enlightened patriotism and high sense of honour, which united in that excellent person rendered him the darling of all ranks, and his name was never mentioned without praises by the rich, and benedictions by the poor.’

* Lockhart’s ‘Life of Scott,’ vol. ii. p. 391.

The Duchess of Buccleuch survived her husband for a great many years. Her Grace was very active in her habits, an early riser, and very fond of walking exercise. She enjoyed excellent health till a few months before her death, at the advanced age of eighty-four. She died at Richmond, near London. An obituary notice, in an Edinburgh journal, alluded to her Grace in these eulogistic terms—

‘She was possessed in a remarkable degree of the dignified yet courteous manners which became her elevated rank and station. But she was still more distinguished by the beneficence of her disposition, and a liberality which seemed to exceed the bounds even of her princely revenue. It was not only that her Grace’s name was found upon every record of public beneficence—It was not only that her bounty was extended to all meritorious applicants for private assistance, but her charity taking a wider as well as a nobler circle, sought out and relieved in secret those who were pining in humble silence. Widowed mothers, orphan children, the indigent of every description who had known better days, were frequently by her, raised from penury to that decent competence which cheats poverty of half its bitterness by concealing its shame.’

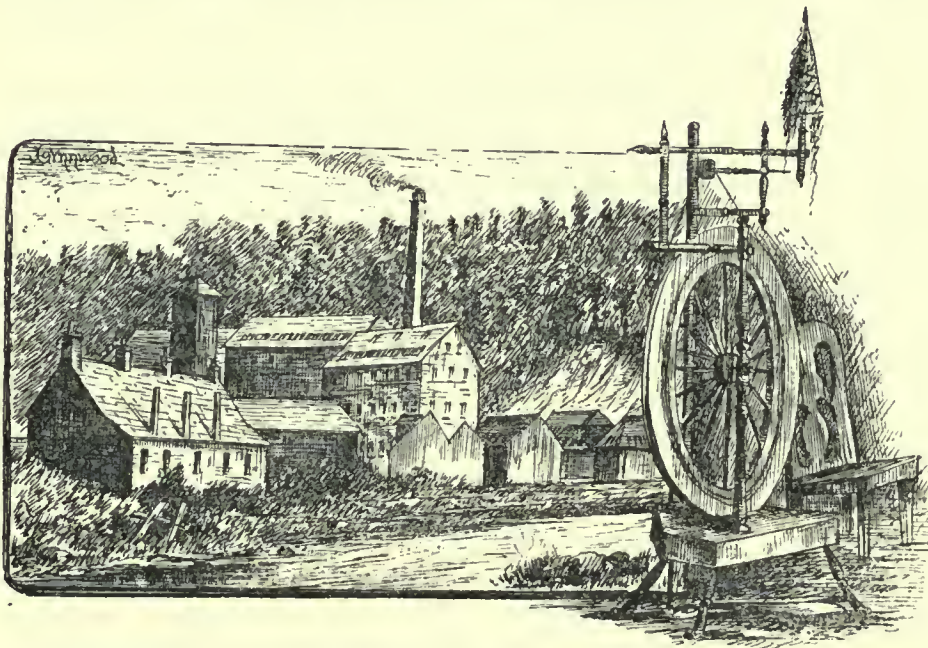
The period embraced by the life of Duke Henry was a notable era in the history of Hawick, when the trade of the town, from a very small nucleus developed into an important industry. The weaving trade had been established in Hawick from the earliest period of which there are authentic records, and the ‘wabsters’ or handloom weavers had formed themselves into a corporation or guild for the protection of their interests. This body exercised a jurisdiction not only over the members of the craft in Hawick, but also over the weavers in the country districts.

About a century ago the rural population was much more numerous than it is at present, and many villages existed in Upper Teviotdale, and around Hawick. Those of Flex, Northhouse, Slatehills, Hawick-Shiels, and several others have now been swept away. In these villages, colonies of weavers had established themselves, and wove linen cloth and sheetings, woollen plaidings, blankets and tweels. The loom usually stood in the ordinary living-room of the family, and in the long winter evenings, while the guidman plied the shuttle, the guidwife was no less diligently employed in spinning at the big wheel, the red glare of the peat fire serving both for light and warmth.

The weavers continued for many generations to execute their work at their own homes. The first weaving factory, where several looms were gathered under one roof, was established about the middle of the last century, in the Cross-wynd, where linen checks were woven. The yarn was all spun by the women, spinning

being the universal occupation of the fair sex, both in hall and cottage. The spinning wheel was intimately associated with the domestic life of Scotland; it was the most important article of a bride's plenishing, and its cheerful hum seemed like a musical accompaniment to all the different phases of a woman's life. Every true housewife took the greatest pride and pleasure in the products of her industry—the warm woollen garments in which her family were clothed, the strong serviceable household linen, and most dearly prized of all, the snowy damask table-cloths and napkins.

It was the custom in Hawick for the servant lasses, and their mistresses too



at times, to carry their wheels into the house of some neighbour, or on bright sunny afternoons, to sit outside their doors in the High Street, where they could observe all that passed, and while the busy wheels revolved, lighten their labours with a little pleasant chat, and the discussion of all the latest gossip.

The cottagers and working-people in Hawick, and surrounding districts, sold the yarn they spun, and a large trade, both in linen and woollen yarn, was done at the fairs. The handloom weavers wove the yarn into cloth, which also formed

a staple article of merchandise at the various fairs, or it was transported on pack horses to Kendal, Newcastle, or Stirling.

Bailie Oliver and James Dickson were two Hawick merchants, who for many years travelled with their goods into England, each with a pack horse, which they loaded on their return journey with cutlery, hardware, leather goods, or such articles of English manufacture, as were likely to command a ready sale in Hawick.

For hundreds of years, this simple domestic mode of manufacture and homely way of doing business continued without change till 1752, when three enterprising individuals started a carpet manufactory in the town. These were John Elliot of Borthwickbrae, Walter Elliot of Ormiston, and Thomas Turnbull of Minto. Mr William Robertson was brought from Dunfermline to supply the practical knowledge of the business and get the manufactory started; and he was afterwards taken into partnership. The weaving factory and warehouse were in Orrock Place, the looms being on the ground floor, and the warehouse above. The magistrates had sent a present of a carpet manufactured in Hawick to the Lord Chief Baron Montgomerie, who had rendered them some professional service, and in returning thanks for the present, said—'I assure you it gives me the greatest pleasure to see that your manufacture of carpets is so far advanced. I did not know that carpets of such a size, without a seam, had been made in this country.' The carding and spinning of wool by machinery was begun on a small scale about the same time, in the waulk mill, at the Tower-Knowe, and the yarn used by the carpet manufacturers was spun there. The carpet weaving was discontinued in 1806.

Another branch of trade which flourished for some time in Hawick was the inkle weaving, or manufactory of linen tapes. The exact date of its commencement is uncertain—probably about the time the carpet weaving was started. The yarn used in making the tape was imported; and the processes carried on in Hawick were the weaving, boiling, bleaching, and putting up for market. The weaving shed was near the Roughhough mill. Ground was granted by the Duke of Buccleuch for a boiler house, and the company had a lease of part of the Common haugh for a bleach field, the Council reserving the right of holding the winter fair annually on the unenclosed parts, and also of riding and perambulating the haugh at the Common-riding. The part used as a bleachfield was enclosed, and channels were cut across it for carrying the water to different parts of the

ground, whence it was thrown by means of big iron ladles over the tapes spread out on the grass. This bleaching process required several weeks to complete ; and as the tapes lay exposed to the influence of the air and sun both night and day, a sort of sentry box was erected in the field, in which a watchman was stationed to protect the goods during the night. When the tapes were finished and put up ready for the market, they were labelled 'Harlaam,' and sold as the product of that town ; probably owing to the yarn being produced there. The inkle weaving, like the carpet manufacture, was discontinued during the period of dull trade at the beginning of the century. The carding mill which belonged to Mr Thomas Turnbull, familiarly called 'Bailie Tammy,' was temporarily shut about the same time under rather amusing circumstances. When the carpet trade began to decline the mill was partly employed in country carding, the money for which was drawn by the foreman, and the necessary expenses for the mill and wages defrayed out of it. The foreman who liked a dram, was tempted sometimes to indulge a little at the expense of his employer, and the profits of the carding gradually diminished. One evening he appeared before the Bailie, and demanded money for candles. 'Rob,' said the Bailie, 'if your mill cannot buy candles for itself, ye'd better bring in the key.'

Hawick was the first place in the south of Scotland where the stocking frame was introduced. The hosiery trade, which has long occupied an important and prominent place among the industrial enterprises of the town, was commenced on a very small scale by Bailie Hardy, in 1771. The stockings, at the beginning, were made of linen and worsted, and afterwards of lambs-wool, the yarn being all spun by hand until 1799. It was given out in batches of a few pounds each to women in the town to be carded and spun, but on the introduction of improved carding machines at Galashiels, the hosiers sent the wool there to be carded. It was taken to Galashiels on the back of a pony, which may give some idea of the small beginning from which the hosiery trade, now employing hundreds of hands, has sprung.

In 1787 the Duke of Buccleuch granted ground and a waterfall to William Richardson for a mill at the top of Slitrig Crescent, then known as the Whiskey House Mill. There a blue cloth was made, and a coarse kind of flannel called duffle.

Carpets were also made at this factory at a later date. Muslin or shirting weaving employed several looms towards the end of the last century, the work

being done for a Carlisle firm, but, with the exception of the hosiery, all these different branches of trade successively died out, or were superseded.

The great impetus given to trade, from the middle of the Eighteenth century, naturally led to the extension of the town. The population in 1750 was only between two and three thousand, which gradually increasing, rendered additional house accommodation necessary. The Sand-bed, which was literally what its name implies, was feued for building purposes about this time, and the houses on both sides of the Loan outside the West Port were built. The Council also brought in a supply of fresh spring water to the town, and erected two wells, one at the Cross-wynd, and the other at the foot of the Mid Row. To meet the wants of the increasing population a further supply became necessary, and about twelve years later the water was brought in leaden pipes from the Sclider Springs, and six additional wells were erected in different parts of the town.

On the 5th of August 1767, there was considerable destruction of property caused by an extraordinary flood in the Slitrig. There had been no great fall of rain that day, and the Teviot maintained its ordinary level; but the Slitrig rose with alarming rapidity and rushed into the streets, carrying everything before it, threatening to sweep away all the lower part of the town. The stream began to rise about four o'clock, and by six it had risen 22 feet above its ordinary level. Fifteen dwelling houses, with the corn mill at the end of the town were swept away, and the very rock on which they were founded, washed so completely that not a vestige of a building was left. The old Millport Tower was undermined and the walls rent. The parapets and the east side of the old bridge were carried off, and a great number of houses much damaged. Three houses were covered with water up to the chimneys, but being in an eddy, saved them from being washed away. The Tower was also in the utmost danger. Its walls, though partly undermined, were fortunately strong enough to resist the flood. Many people narrowly escaped being drowned, the water filling the under flats of houses before the inmates had time to get out, they had to be rescued at great risk by the windows. Six men were swept away when trying to save some of their goods and furniture, but were taken out a little lower down the river. A servant maid, who knew that her master, who was from home, had a large sum of money in the house which was then surrounded by water, begged some of the bystanders to try to recover it. None being willing to venture, the brave girl made the attempt herself and succeeded in reaching the bag containing the money,

but in coming out, she was carried away by the current, and was cast ashore a little further down, more dead than alive, firmly clutching the precious bag for which she had risked her life. The people were in a state of the greatest terror and consternation ; and when the flood was at its height, the good old minister, Mr Laurie, persuaded the awe-stricken spectators to adjourn with him to the church and implore Heaven to avert the impending destruction. Here he offered up a most fervent and pathetic prayer ; and when the people left the church, says an eye-witness, ' they found the water was considerably assuaged, although there was not the least appearance when they went to church.' The same spectator relates that the ravages caused by the flood were so great that ' if you were to take a view from one of the Tower windows, unless by the kirk, and the new bridge, you would not imagine it to be Hawick.' The loss was estimated at £4000, and most of the Burgh Records were carried off. Fifteen families were rendered destitute, having saved nothing but what was upon their backs ; and collections were made in many of the neighbouring parish churches for the sufferers. According to Mr Gledstones, the town-clerk, whose description has been already quoted, Mr Laurie, the minister, exerted himself greatly on behalf of his destitute parishioners, and ' yesterday being the Sabbath-day, he made an extraordinary day, suited and calculated for so awful an occasion. He preached from Luke, chapter 13th, from the 2d to the 5th verse, and was so affecting in his discourse that he *teared* [drew tears] in almost every sentence.'

The inundation was understood to have been caused by the bursting of a water-spout on Windburgh, the hill from which the Slitrig takes its rise. The traditions of the country people ascribe it to the indignation of the fairies, who inhabited a small lake on Windburgh hill. A shepherd having cast a stone into the lake and disturbed their revels, the fairies caused the sides of the mountain to open and sent down the waters of the lake on the town. Many superstitious beliefs prevailed on the Borders a century ago, and these holes or lakes on the mountain tops were regarded with great awe. They were believed to be the entrance to the subterraneous haunts of the fairies, and all sorts of unearthly sounds were confidently believed to proceed from them. In allusion to this fairy legend, Leyden, the poet writes:—

' From yon green peak, black haunted Slatra brings
The gushing torrents of unfathom'd springs :
In a dead lake, that ever seems to freeze.
By sedge enclosed from every ruffling breeze,

'The fountains lie ; and shuddering peasants shrink
To plunge the stone within the fearful brink ;
For here, 'tis said, the fairy hosts convene,
With noisy talk and bustling steps, unseen ;

'Not long the time, if village saws be true,
Since in the deep a hardy peasant threw
A ponderous stone ; when, murmuring from below
With gushing sound he heard the lake o'erflow.
The mighty torrent, foaming down the hills,
Called with strong voice on all her subject rills ;
Rocks drove on jagged rocks with thundering sound,
And the red waves impatient rent their mound ;
On Hawick burst the flood's resistless sway,
Ploughed the paved streets, and tore the walls away,
Floated high roofs, from whelming fabrics torn ;
While pillared arches down the wave were borne.'

This flood was no solitary experience, for the high hills which surround the narrow channel of the Slitrig often send down the waters like a dashing torrent. Gawain Douglas is supposed to have witnessed a similar flood 350 years before, and the following passage in the second book of the 'Enead' might well be a description of an outbreak of the Slitrig :—

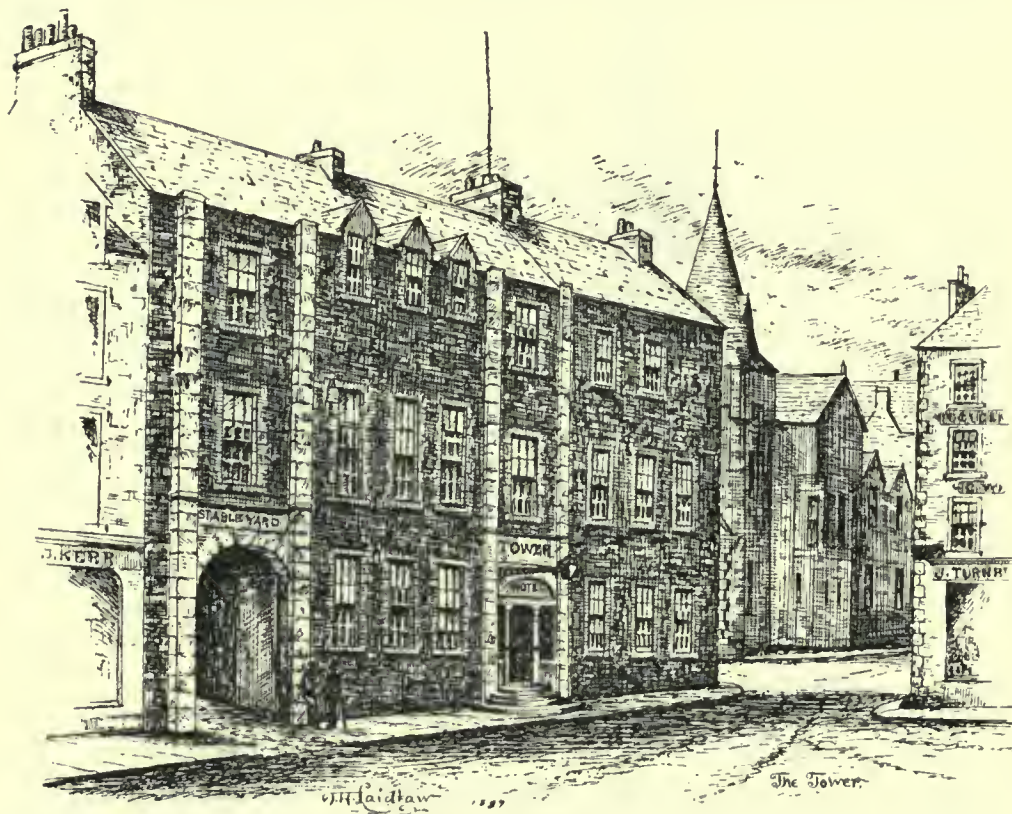
'Affrayit, I glisnit of slepe, and sterte on fete,
Syne to the house hede ascend anone,
With eris prest stude thare, als styll as stone ;
Ane sound or swanck I heard there at the last,
Like quhen the fire be felloun wyndi's blast,
Is driuen amynd the flat of cornes rank,
Or quhen the burn on spait hurlis doun the bank,
Uthir throw ane watter brek or spait of flude
Ryvand up rede erd as it war wod ;
Doun-dingand cornes all the pleuch labour attanis
And driuis on stiffly stökkis, treis and stanis.'

In 1846 the town was again inundated from a similar cause, when great trees, which had been torn up by the roots and hurled down by the flood were left on the Tower Knowe and other places far above the ordinary level of the river.

The auld brig over the Slitrig, though exposed to the full force of these impetuous torrents stood unshaken. The small arch at the east side was carried

away by the flood of 1767, but the solid masonry of the main arch remained firm as the rock on which it was founded. This bridge which was so steep and narrow as to be unfit for wheel traffic, was the only connection between the east and west parts of the town, which was divided by the Slitrig; and about ten years after the great flood, another bridge was erected by subscription a little below the old one.

The increasing trade of the town was greatly facilitated by the new roads which



were being constructed in the district chiefly through the exertions of the Duke of Buccleuch. The roads in upper Teviotdale were mere tracks, or bridle paths, which crossed and re-crossed the river about a dozen times between Hawick and Moss-paul. The Tower, which had been a private residence of the Buccleuch family

after the Barony had been acquired by them, was now converted into an inn, under the management of a Mr Stevenson, who was made a burgess of Hawick in 1773.*

A Farmers Club, the first in Scotland, was established in Hawick in 1776, its meetings being held in the Tower Inn. A subscription library, containing a considerable number of valuable books, was also instituted.



A new Town Hall was erected somewhere about 1782; the old one, which was built in 1724, was of a very homely description, the rafters being open from beneath, and the roof thatched. The streets were all levelled and paved, and many other minor improvements carried out to all of which the Duke contributed liberally, and in many ways manifested his interest in the prosperity of the town.

* 'Annals of Hawick,' p. 163.

There was, however, a strong feeling of antagonism to the Duke among a certain class of the inhabitants, in consequence of the action taken by His Grace regarding the division of the common. The Burgh claimed the common as their exclusive property. This the Duke disputed, on the ground that he and the other conterminous proprietors had a mutual right of pasturage thereupon; and he raised an action of declarator and division before the Court of Session. Though feeling ran pretty high, still a great majority of the inhabitants were alive to the advantages that would accrue to the town were the common divided, so that it might be enclosed and more profitably utilised. They, therefore, were anxious to have the question settled, and all litigation terminated. A meeting was at last held, when the following resolution was adopted:—

‘ 3rd July 1769.—Which day the Magistrates and Town Council of Hawick, with the proprietors of Particates and other inhabitants, burgesses of the said town, under subscribing, being convened in the Council House, and taking into their serious consideration the present state of the common or common muir of Hawick, from which the town as a community *reap no manner of benefit*, although some of the burgesses send their cows, horses, and sheep to pasture there, under the care of a common herd, being the only use to which the common can be applied in its present uncultivated state; and that the community of the town of Hawick have no other common good, or public fund, to be applied for the exigencies, benefit, or utility of the said town, and considering that his Grace, Henry, Duke of Buccleuch, who pretends that certain farms belonging to him, lying adjacent to the said common, have a right of pasturage upon the same, has raised a process of declarator and division of the said common before the Court of Session, in which proof has been led, and that, until either the said process shall be determined in course of law, or amicably settled with his Grace, and either the whole or a certain part of the said common be allocated to the town as their undisputed property, the same cannot be set in tack or disposed upon by them, or the rents thereof applied for the public uses or benefit of the said town.’

The meeting therefore appointed certain of their number to act as their representatives and commissioners to treat with the Duke, with full powers to settle all disputes by compromise, or in any way they might see fit, and binding themselves to abide by any agreement their delegates might come to. This resolution was signed by 144 out of 200 burgesses and owners of particates.

An arrangement having thus been happily brought about, a reference was made to Lord Advocate Montgomery, whose award, pronounced in 1777, apportioned the common among the different claimants thus:—

	A.	R.	F.
The Burgh of Hawick, . . .	852	1	28
The Duke of Buccleuch, . . .	329	3	10
Thomas Turnbull of Fenwick, . . .	15	2	33

	A.	R.	F.
Robert Oliver of Burnflat,	10	1	22
John Laing of Flex,	6	3	36
	Scots measurement.		

The town's share amounted to 1075 imperial acres, exclusive of Myreslaw green and the two haughs. These, it was decided, made no part of the commonty, and were declared to be the sole property of the Burgh—an important decision for the town, as these 20 acres were worth ten times as many of the the common lands.

Although this arrangement was entirely satisfactory to most of the inhabitants, a number, still believing that the common was wholly and solely the property of the Burgh, were determined to resist any encroachment, and vituperation and abuse were freely hurled at the Duke, his agents, and all the town's people who had, it was alleged, been false to the interests of the town by agreeing to a compromise. The dissatisfaction culminated in a riot, and the commissioners appointed to mark out the line of division were pelted with stones.

Mr Wilson, town clerk, who in an appendix to his 'Annals of Hawick,' has gone into the subject in a clear and exhaustive manner, states :—

'Although the division of the commonty has generally been considered as a measure injurious to the interest of the community, no exposition of the real circumstances of the case has ever been made public from which a just inference could be drawn regarding it. Declamation, indeed, there has been in abundance, but little or nothing in the shape of facts or explanations.

'The early history of the property is involved in obscurity. The first mention of the lands occurs in the charter of 1537, which shows that Douglas of Drumlanrig was the lord of the manor, and which then gave a clear right of property therein to the Particate vassals. Although not so set forth in the charter, it is probable, nevertheless, that, as the vassals of Drumlanrig, they enjoyed the privilege of pasturage anterior to that date, but without any written grant, and that it was the charter which first conferred on them an indefeasible title to the estate, a conjecture to which the *tenendas* clause of the deed gives some probability. But however the fact may be as to this, undoubtedly Douglas of Drumlanrig, either in his own right or as representing a predecessor, must be viewed in the position of Lord Paramount of the commonty. In this light he was, agreeably to a rule of law of general application, held to reserve to himself a right of property therein in common with the grantees, provided there had been continuous possession by him and his successors subsequent to the date of the grant. Thus the lands were never completely alienated; all that was conveyed away being merely an admission to equal privileges with the granter, in so far as regarded the fruits of the soil. There is a striking proof that this was the understanding of the Town Council themselves on the subject, contained in their minutes in the year 1710. From these it appears that they solicited the permission of the Duchess of Buccleuch before venturing to enclose the lands called Myreslaw green. The Duchess consented conditionally, under the provision that such consent "should

not infer ane property to the town, but that it should always be ane commonty and part of the common in all time coming thereafter." The mode of occupation of the commonty corresponded with this construction of the grant. In the evidence adduced, and still extant, it was established, by the testimony of many witnesses, and placed beyond the possibility of doubt, that the occupiers of the Buccleuch lands, as well as those of the other circumjacent heritors, at all times pastured their cattle on the common as freely as the burgesses of Hawick. It was no doubt very anxiously endeavoured to be shown that the cattle of the burgesses enjoyed a certain pre-eminence over the rest, and that all the other hirsels often gave way to theirs; but this was probably owing to their being superior in numbers to any of the other detached flocks, and perhaps also to the tactics incident to the exercise of such an anomalous right of property, in which the veteran shepherd, Mungo Armstrong, was no doubt a proficient; and the fact of regular enjoyment of the pasturage was too palpable and decisive a circumstance to be overcome by occasional squabbles between shepherds having no precise notion of the rights of parties.

'The right being thus from the first, a limited one in the person of the burgesses, it is difficult to understand how they came to believe that the claims of the neighbouring heritors were founded on mere usurpation. The Duke of Buccleuch and some of the other heritors had the privilege of the commonty embodied in their titles, in addition to which the Duke had a parliamentary ratification of his right; they had also possession in accordance with the terms of their deeds, and the burgesses themselves had no more. But looking to the distinct way in which the boundaries of the lands were indicated in the charter, and judging perhaps from the titles of their burghal tenements, though not analogous they seem to have been unable to comprehend how these boundaries could have been circumscribed without their express consent.

'Although, however, such was undoubtedly the general feeling, there were not wanting at the time individuals who perceived the error of this reasoning, and the advantages which would result from an exclusive in lieu of a common occupation of the lands. This is proved by the minutes of the Council, which show that the Council not only foresaw the advantage of a change, but had the courage to brave popular odium in order to accomplish it.'

Previous to the division of the common the burgesses had the privilege of pasturing their cattle thereon free of charge; but now the Council proceeded to let a part of it as a small farm, reserving a portion for the burgesses' cattle, a stent or tax of 2s. being charged on each animal. A number of burgesses, chiefly those whose cows had been pastured on the common, objected to the payment of the stent, which they said was an iniquitous tax the Council had no power to impose. They also questioned the right of the Council to let any part of the Common, maintaining that the whole should be reserved for the use of the burgesses as had been the custom from time immemorial.

The malcontents instigated by Walter Freeman, who had constituted himself their leader, elected a town herd independently of the Council, and deputed him to take charge of their cattle on the muir, and to drive them on the part let on lease, as well as on the part reserved for the use of the burgesses. For this rebellious action and contempt of authority the magistrates caused the ring-

leaders to be apprehended, and Walter Freeman and James Dryden were imprisoned in 'the loathsome wretched jail of Hawick' from Saturday till Monday, when they were taken to Jedburgh county prison, and detained there for two days more, and then were liberated on bail.

These two individuals raised an action against the Town Council, calling in question their power to let any part of the Common, or to impose stents on the cattle of the burgesses pasturing there. They also contended that the election by which the Bailies and Councillors held office was illegal and invalid.

It had been the practice for the Town Council to furnish a leet or list of such persons as were considered eligible to fill any municipal office that might be vacant, and the choice of the electors was limited to this leet. Freeman and his co-adjutors maintained that it was not lawful for the Council to nominate candidates, or to restrict the choice of the electors, and that the burgesses had the right to elect whomsoever they chose, irrespective of the wish of those who were already in office. The Council were obliged to institute a counter action in order to ascertain the extent of their powers. The division was given against the Council, but an appeal to the Court of Session resulted the following year in a contrary verdict.

Fortified by the legal ratification of their powers, the Council proceeded to let and improve their property, and the lands were enclosed, drained, and suitable portions planted.

Previous to 1777, the town had no revenue except what arose from the dues or entry money of the burgesses, which was inconsiderable, and the Bailies were compelled to meet all extra demands on the public funds by the imposition of stents or taxes which, though trifling in amount, were levied with difficulty.

The division of the common brought about an immediate change. Instead of being a mere private benefit to a fraction of the inhabitants, these lands at once became an important source of revenue, which has gone on increasing, and now amounts to the handsome sum of £1100 per annum, which is applied to the general expenses of the town; and besides greatly ameliorating the assessments, enables the municipal authorities to carry out many public improvements, which would otherwise be impossible without imposing intolerable burdens on the community.

The friendly interest manifested by the Duke towards Hawick was in no degree lessened by the disputes which had arisen between his Grace and the town's

people. After these were settled their amicable relations continued undisturbed, and His Grace was ever ready to assist any public undertaking, and to promote the interests of the Burgh whenever he had the opportunity.

In the beginning of the present century the wars of Napoleon Bonaparte had deluged Europe in blood. His victorious armies had conquered Egypt, Italy, and Austria; Holland and Spain were in abject subservience to him; most of the German States were under his control, and Prussia sought his alliance. Britain alone stood firm and unsubdued, and with her powerful navy offered a resolute and formidable resistance to the conqueror.

In 1803 the French army numbered nearly a million. Napoleon was gathering his forces near the English Channel, and as it was known that his ambition aimed at the conquest of England, the alarm of invasion spread rapidly through the country. The patriotic and martial spirit of the people was roused, and men of all classes were ready to take up arms in defence of their native land. Ninety thousand militia and four hundred and twenty thousand volunteers were soon enrolled, and numerous offers were made of horses, carts, and waggons for the use of the troops, and for the conveyance of baggage and military stores. Every town and village had its parade ground, where there were constant drilling and reviewing of troops, and active preparations were everywhere in progress to repel the invaders. The call to arms was most loyally responded to north of the Tweed, and it was well that this was the case, for the whole force of regular troops stationed in Scotland was only one regiment of dragoons and two battalions of reserves.

‘Auld Scotland heard the boding sound,
And threw her crook away,
And foul fa’ ilk coward loon
Wha wadna join the fray.
Syne banged her gun fra aff the wa’,
Wi’ belt and bayonet keen,
And swore to conquer or to fa’,
To keep her thistle green.’

Earl Moira (afterwards Marquis of Hastings) was appointed commander of the forces in Scotland, and he entered with great spirit and energy into the patriotic enthusiasm of the people.

‘The Scots,’ he said, ‘were neither to be contaminated by the principles of the French, nor conquered by their arms. They were fully equal to the protec-

tion of their country, without reinforcement, and if ever the day arrive when the enemy shall dare to put his threats into execution, he will only afford them a fresh opportunity of justifying the character they now enjoy. It will be an arduous, a rough day, but it will be a day more glorious than any that stands recorded in their country's history.'

In October 1803, Sir Walter Scott wrote—

'God has left us entirely to our own means of defence, for we have not above one regiment of the line in all our ancient kingdom. In the meantime we are doing our best to prepare ourselves for a contest, which perhaps is not far distant. A beacon light communicating with that of Edinburgh castle, is just erecting in front of our quiet cottage. My field equipage is ready, and I want nothing but a pipe and a *schneurbartchen* to convert me into a complete hussar.'*

There was a gallant muster of Borderers among the ranks of the volunteers. Men were only eligible for enlistment between the ages of seventeen and fifty-five, but many, though over age, were willing to serve. Tam Dyce, the old and eccentric minister of Teviothead, would not allow either his age or his sacred calling to deprive him of the honour of serving his country, and he insisted upon joining the ranks. There were gallant youths like Walter Grieve of Southfield, who was under age, but begged that he might not be exempt on that account. Many suffering from bodily infirmities had themselves enrolled, determined to fight the French if they had a leg to stand on. The roll of names contain such entries as the following—James Lun, shepherd, Berryfell, infirm, yet willing to serve if it be in his power. Charles Hall, butler, Sinton, lame of a leg, but willing to serve. George Thorburn, New Woll, Ashkirk, ready to go against the French with gun and bayonet, etc.

Amid all the glow of patriotism there were some, who, calling themselves 'The Friends of Universal Liberty'—professed to see in Bonaparte a great protector of the rights and liberties of the people. These men were familiarly called 'black nebs,' a name which was used as a by-word, and a term of reproach; for Napoleon was generally abhorred as a tyrant and oppressor.

For many months the greatest excitement prevailed, and the people being kept in a constant state of suspense and expectation, for it was impossible to tell where the French would land, the whole coast was carefully watched. In order to give immediate warning of the expected invasion, a system of signals

* Lockhart's 'Life of Sir Walter Scott,' vol. ii. p. 156.

was prepared, and upon the highest hill tops sentinels were placed who could communicate with each other by night or day.

During the day the signal was a red flag, and at night a beacon fire. The Border beacons were signalled from Dowlaw, in the parish of Coldingham, to Duns Law and Hume Castle, on to Caverton-Edge, Pennielheugh, and the Dunion, onwards to Upper Teviotdale, by Crumhaughhill, Tudhope, and the Wisp, and from the summit of Black Andrew into Selkirkshire. At each of these stations a hut was erected for the accommodation of the staff of watchmen, which usually consisted of an old soldier, and a few volunteers.

The following lines, on the Border beacons, appeared in the 'Kelso Mail' in 1804,

' Meteor of woe, that gleams afar,
Dread harbinger of war unblest,
Thou com'st not like the evening star,
To give the toil-worn peasant rest.
Thy lonely blaze, that flings on high
Its terrors through the midnight sky,
Flames from the castle's towery form
The herald of the fateful storm,
And calls the warrior from his sweet repose,
To meet with vengeance dire the invading focs.

• • • • •
' Hark ! 'tis the drum's discordant noise
That bids the burthen'd echoes roll ;
Loud swells the trumpet's warrior voice—
To glory wakes the hero's soul
Arm ! arm ! ye sons of freedom, arm !
To shield your hallowed land from harm ;
Urge to the coast your glorious way—
Give to the sword your fated prey ;
Let vengeful ruin seal th' invader's doom,
And on the spot you meet them—be their tomb !'

The Hawick people frequently visited the Watch Knowe at Crumhaughhill, and anxiously asked the serjeant in charge of the beacon, 'If he saw anything o' the French yet?' Scanning the distant country the while, and seeing in every moving group—a string of coal neddies, a few carts, or the like, indistinctly visible in the distance—the advance guard of the French army.

At length the anxiety and expectation came to a crisis on the evening of the

2d of February 1804. The person who kept watch at Hume castle saw, what he conceived to be the warning blaze on the signal station in Northumberland, and he immediately lighted his own beacon, which was flashed onward from station to station till the whole Border beacons were streaming forth the fiery summons.

The warning blaze on Crumhaughhill was first observed in Hawick by a volunteer, who lived at the Damside. Running to the Tower Knowe, he fired the signal gun, thereby gaining a prize of 20s., which was offered to the first who should give warning. The whole town was quickly in commotion, the bells were rung, the town's drummer beat the alarm, and the volunteers instantly prepared to obey the call to arms.

A trumpeter was despatched up the Slitrig to sound the warlike signal in Liddesdale, where there were no beacons, and the doughty dalesmen responded as readily as when in days gone by, an Elliot or an Armstrong summoned them to the fray. Swords were sharpened, and girded on; horses were saddled, and they were soon dashing with eager impetuosity to join the ranks at Hawick; and though many of them had twenty-five miles of moor and morass to cross, they were all in the ranks by daybreak. Other troops kept pouring in from the surrounding districts, for nearly a thousand infantry had been enrolled in the country parishes, besides a troop of yeomanry, one hundred and eight strong, commanded by Colonel Lockhart of Borthwickbrae. In Jedburgh, Kelso, and Lower Teviotdale, the summons met with a prompt and willing response, and volunteers from the skirts of the Cheviots, and from the most distant hills and glens came in an incredibly short time.

In Selkirkshire it was thought that the French had landed at Musselburgh, and the muster and march of the 'Yeomen of the Forest' is thus related by Sir Walter Scott, in a note to 'The Antiquary.'

'The Selkirkshire yeomanry made a remarkable march, for although some of the individuals lived at twenty or thirty miles' distance from the place where they mustered, they were nevertheless embodied and in order in so short a period, that they were at Dalkeith, which was their alarm-post, about one o'clock on the day succeeding the first signal, with men and horses in good order, though the roads were in a bad state, and many of the troopers must have ridden forty or fifty miles without drawing bridle. . . . Two members of the corps chanced to be in Edinburgh on private business. The lately married wife of one of these gentlemen, and the widowed mother of the other, sent the arms, uniforms, and chargers

of the two troopers that they might join their companions at Dalkeith. The author was very much struck by the answer made to him by the last-mentioned lady, when he paid her some compliment on the readiness she showed in equipping her son with the means of meeting danger, when she might have left him a fair excuse for remaining absent. "Sir," she replied, with the spirit of a Roman matron, "None can know better than you that my son is the only prop, by which, since his father's death, our family is supported. But I would rather see him dead on that hearth than hear that he had been a horse's length behind his companions in the defence of his king and country."

The Hawick volunteers mustered bravely, and several who had not been enrolled asked permission to join the regiment. When the different companies were assembled and waiting for the order to march, there were many sad partings—partings which, for aught they knew, might be for ever; but when the bugle sounded, they set out with cheerful alacrity, those left behind watching their departure with dim eyes and beating hearts. The Roxburgh volunteers marched to Kelso, and the cavalry had advanced to Duns when they were informed that it was a false alarm, and that no foreign foe had as yet dared to plant a foot on our shores. Shortly after the beacon was lighted at Hume castle, it was discovered that the sentinel had mistaken the burning of charcoal at Shoreswood Priory for a lighted beacon, but it was too late to stop the alarming blaze. Fortunately the watch at St Abb's Head had all his wits about him, and considering that if there had been an actual invasion the alarm would have come from the coast and not from the inland stations, he did not light his beacon, and thus saved the Lothians and the north of Scotland from being roused.

The commotion caused by the false alarm was not altogether fruitless, for it proved that the volunteers of the Borders were 'men of mettle true,' whose stout hearts and willing hands were to be depended on in the hour of danger.

The promptitude and courage with which the call to arms was obeyed, and the perfect discipline and organisation of the different corps were well calculated to inspire confidence in the volunteer forces, on which the country was so dependent for her defence and safety; for the danger was still imminent, and the threat of invasion hung like a dark cloud over the land.

Napoleon had assembled a hundred and fifty thousand of his best troops on the shores of the channel, and two thousand vessels were prepared for their transport; but the English fleet held command of the waters, and made it im-

possible to convey them across. Napoleon is reported to have said to Admiral Treville, 'Let us be masters of the Channel for six hours, and we are masters of the world.' Could the French army effect a landing in England he felt certain of victory.

In order to decoy the English fleet into distant seas, that the passage of his troops might be unobstructed, Napoleon ordered his fleet to proceed towards the West Indies, with secret instructions to return immediately. Nelson gave chase across the Atlantic, but soon discovered the stratagem, and sent his swiftest ships back in all haste to give warning of the impending danger. The warning was fortunately in time, and the French fleet found a strong squadron ready to oppose them. A naval battle ensued, the French were defeated and driven back, and the invasion for that time was prevented. The battle of Trafalgar which followed three months afterwards made it impossible for Napoleon ever to renew the attempt.*

As an instance of the folly of 'counting chickens before they are hatched,' it may be mentioned that Napoleon had a die prepared for a medal which he intended should be struck in London to commemorate his conquest of England, but '*L'homme propose, et Dieu dispose.*'

* 'History of the Nineteenth Century,' by Mackenzie, p. 40.



CHAPTER XVIII.

‘ The generous pride of virtue
Disdains to weigh too nicely the returns
Her Bounty meets with. Like the liberal Gods,
From her own gracious nature she bestows,
Nor stoops to ask reward.’ THOMSON.

HENRY, Duke of Buccleuch, was succeeded by his eldest surviving son, Charles William Henry. He was born in London in 1772, and was forty years of age when he became Duke of Buccleuch and Queensberry. While Earl of Dalkeith, he entered Parliament as member for Marlborough, and was subsequently returned for Luggershall, and afterwards for St Michaels. He attended assiduously to his Parliamentary duties, and was an energetic supporter of Mr Pitt. When he became Duke, he gave up politics and devoted himself to the management of his estates.

Recognising the responsibilities of his position, and profiting by the example of his wise and philanthropic father, he set himself with all earnestness to perform the duties devolving upon him as the owner of great estates. One of the most obvious of these was the encouragement of agriculture, in which he took a personal interest, making himself acquainted with the practical details of farming. He made many valuable experiments which were of material assistance to the farmer, and such enterprising tenants as were anxious to improve their farms, he treated in the most liberal spirit.

He took great pride and pleasure in adding to the beauty of his estates by laying out extensive plantations, and many wooded hillsides and shady ravines in Teviotdale and Ettrick bear witness to the taste of Duke Charles. He also replanted large tracts of woodland in Dumfries-shire which the last Duke of Queensberry had destroyed. ‘Old Q.’, as the Duke was familiarly called, had ruthlessly levelled the rich woods which made the banks of the Nith one of the loveliest scenes in the south of Scotland. Nor did he hesitate to bring the woodman’s axe to do its destructive work on the banks of the classic Tweed. Deaf to all remonstrance, Old Q. cut down hundreds of fine old trees, which had

withstood the storms of centuries, and were the glory and pride of the district, leaving the braes around Neidpath castle bare and desolate.

Wordsworth, who visited Tweeddale in 1807, was so indignant at this wanton destruction, that, with a severity rarely manifested by the gentle poet, he denounced the perpetrator of such havoc in these lines—

‘ Degenerate Douglas ! Oh the unworthy Lord
Whom mere despite of heart could so far please,
And love of havoc (for with such disease
Fame taxes him) that he could send forth word
To level with the dust a noble horde—
A brotherhood of venerable trees.
Leaving an ancient dome, and towers like these
Beggared and outraged !’

Another poem, supposed to be from the pen of Burns, was written on a window shutter of a small inn in Nithsdale, and is equally severe on him who had denuded the banks of the Nith of its lovely overhanging woods. The genius of the stream is supposed to appear to the poet, in the midst of the desolation, and says—

‘ There was a time, it’s nae langsyne,
Ye might hae seen me in my pride ;
When a’ my banks sae bravely saw
Their woody pictures in my tide
When hanging beech and spreading elm
Shaded my stream sae clear and cool ;
And stately oaks their twisted arms
Threw broad and dark across the pool.

‘ When, glinting through the trees, appeared
The wee white cot aboon the mill,
And peacefu’ rose its ingle reek,
That slowly curling clamb the hill.
But now the cot is bare and cauld,
Its branchy shelter’s lost and gane,
And scarce a stunted birk is left
To shiver in the blast its lane.

‘ “ Alas ! ” said I, “ what ruefu’ chance
Has twin’d ye o’ your stately trees ?
Has laid your rocky bosom bare ?
Has stript the cleading aff your braes ?

‘ Was it the bitter eastern blast,
That scatters blight in early spring ?
Or was't the wil'fire, scorched their boughs
Or, canker-worm wi' secret sting ? ”

‘ “ Nae eastlin blast,” the sprite replied ;
“ It blows na here sa fierce and fell ;
And on my dry and halesome banks
Na canker-worms get leave to dwell
Man ! cruel man ! ” the genius sigh'd,
As through the cliffs he sank him down—
“ The worm that knaw'd my bonnie trees,
That reptile wears a Ducal crown. ” ’

Indifferent alike to criticism and remonstrance, the Duke of Queensberry cleared the woods, with the remorseless energy of a settler in the primeval forests of the Far West. This wholesale destruction had no pecuniary considerations to justify it, for ‘ Old Q. ’ was enormously wealthy ; his sole reason is believed to have been a wish to annoy his heir, the Duke of Buccleuch, against whom he had some grudge. Death at last put an end to this mischievous havoc, happily before the magnificent trees with which Drumlanrig castle is surrounded were cut down. Some splendid old oaks, supposed to have been planted in the 14th century, were condemned to the axe ; but the ‘ degenerate Douglas, ’ who would have sacrificed them to gratify his spleen, was gathered to his fathers before his order was executed, and the oaks were saved. To restore the woods to their pristine splendour was impossible, but all that the hand of man could do to clothe the naked slopes, was done. Time alone could replace, with fresh growth, the umbrageous forest glades. During the seventy odd years which had elapsed since the death of the Duke of Queensberry, the woods of Drumlanrig, had begun to assume much of their old beauty, when, in 1884, thousands of trees were torn up by the roots and thrown down by a terrible storm which swept over the country and committed even greater havoc than the axe of ‘ Old Q. ’

The same motive which made the Duke of Queensberry cut down all the timber on his estates, caused him to allow Drumlanrig castle to fall into an almost ruinous state of dilapidation. For years he could not be persuaded to spend a penny on repairs, and he took a positive pleasure in leaking roofs, broken windows, cracked ceilings, and the general progress of decay. Consequently, when it came into the possession of the Buccleuch family, it was almost

uninhabitable. Duke Charles put the castle into a thorough state of repair, and it cost him no less than £60,000 to make it wind and water tight. He spent altogether on the Queensberry estates eight times as much as he received from them during the whole term of his occupancy.

Some of the repairs and improvements on the Drumlanrig property are described by Sir Walter Scott in a letter to 'Joanna Baillie.'

'I was for a fortnight at Drumlanrig, a grand old chateau, which has descended, by the death of the late Duke of Queensberry, to the Duke of Buccleuch. It is really a most magnificent pile, and when embosomed amid the wide forest scenery, of which I have an infantine recollection, must have been very romantic. But old Q. made wild devastation among the noble trees, although some fine ones are still left, and a quantity of young shoots are, in despite of the want of every kind of attention, rushing up to supply the place of the fathers of the forest, from whose stems they are springing. It will now, I trust, be in better hands, for the reparation of the castle goes hand in hand with the rebuilding of all the cottages, in which an aged race of pensioners of Duke Charles and his pious wife, "Kitty, blooming, young, and gay," * have, during the last reign, been pining into rheumatisms and agues in neglected poverty. All this is beautiful to witness; the indoor work does not please me so well.

Thus a noble gallery, which ran the whole length of the front, is converted into bedrooms—very comfortable indeed, but not quite so magnificent; and as grim a dungeon as ever knave or honest man was confined in, is in some danger of being humbled into a wine-cellar. It is almost impossible to draw your breath when you recollect that this, so many feet under ground, and totally bereft of air and light, was built for the imprisonment of human beings, whether guilty, suspected, or merely unfortunate. Certainly, if our frames are not so hardy, our hearts are softer than those of our forefathers, although probably a few years of domestic war or feudal oppression would bring us back to the same case-hardening both in body and sentiment.'

Though the Duke of Buccleuch spent large sums of money in improving and beautifying his various properties, his object was not the mere gratification of his taste, for he often projected extensive improvements for the sole purpose of giving work to the people. There was great poverty and distress in the country at that

* The predecessor of old Q. was Charles, Third Duke of Queensberry; his wife was Lady Catherine Hyde, so celebrated by the poet Gay.

time, and the poor were reduced to the direst straits owing to the scarcity of provisions and their consequent high price. Oatmeal, which formed the staple food of the Scotch peasantry, rose to 7s. 6d. per stone, about four times its normal price, while other provisions were proportionally high. Nor was the high price of food the only hardship. It was often difficult to procure at any price, and it happened more than once that there was not a particle of meal to be had in the town of Hawick. A gentleman used to relate an incident of his boyhood, which occurred in the 'dear year,' as it was called, when he walked no less than nine miles, and applied at four different corn mills before he could obtain half a stone of oatmeal, with which to prepare the family breakfast.

In Hawick, subscriptions were collected, and public assessments made, in order to help the poor; and the money raised in this way was laid out in oatmeal, which was sold to the people at 2s. per stone below current rates.

In these calamitous seasons, the Duke exerted himself to the utmost of his power, to ameliorate the sufferings of the poor, in the different districts with which he was connected. A friend asked him on one occasion why he had not gone to London as usual in the spring. His Grace replied that he required his money for other purposes, at the same time showing him a list of day-labourers, employed on different parts of his estates, whose number, exclusive of his regular staff, amounted to 945. To provide for these poor people, who would otherwise have been destitute, the Duke had denied himself the privilege of a season in town, and curtailed his expenditure in other directions.

When Earl of Dalkeith, he married the Honourable Harriet Townshend, daughter of Viscount Sidney. In the introduction to the 'Lay of the Last Minstrel,' which Sir Walter Scott says was written at the request of the Duchess, she is thus described:—

'The lovely young Countess of Dalkeith, afterwards Duchess of Buccleuch, had come to the land of her husband with the desire of making herself acquainted with its traditions and customs, as well as its manners and history. All who remember this lady will agree that the intellectual character of her extreme beauty, the amenity and courtesy of her manners, the soundness of her understanding, and her unbounded benevolence, gave more the idea of an angelic visitant than of a being belonging to this nether world; and such a thought was but too consistent with the short space she was permitted to tarry amongst us. Of course, where all made it a pride and pleasure to gratify her wishes, she soon

heard enough of Border-lore; among others, an aged gentleman of property near Langholm, communicated to her ladyship the story of Gilpin Horner, a tradition in which the narrator and many of that country were firm believers. The young Duchess, much delighted with the legend, and the gravity and full confidence with which it was told, enjoined on me as a task to compose a ballad on the subject. Of course, to hear was to obey; and thus the goblin story, objected to by several critics as an excrescence upon the poem, was in fact the occasion of its being written.'

A warm and true friendship existed between the Duke of Buccleuch and Sir Walter Scott, a friendship which had as little of patronage on the one side as of servility on the other. Highly as the Duke admired the genius of his brilliant clansman, he valued him still more for his strong good sense, his genial disposition, and eminent social qualities, and he was a frequent and honoured guest at Drumlanrig Castle and Dalkeith House.

Sir Walter Scott's correspondence furnishes ample proof of the admiration and esteem with which he regarded the chief of his name and clan, and it may be interesting to quote one or two of these letters. He had been offered the post of Poet-Laureate just about the time when his financial troubles with the Ballantynes began to cause him serious uneasiness, and in writing to Mr James Ballantyne he says—'An odd thing has happened. I have a letter by order of the Prince Regent, offering me the Laureateship, in the most flattering terms. Were I my own man, as you call it, I would refuse this offer (with all gratitude); but as I am situated, £300 or £400 a-year is not to be sneezed at upon a point of poetical honour.'

Before deciding, however, he sought the advice of the Duke of Buccleuch, and at the same time it occurred to him to ask for the help of his noble friend in his serious pecuniary difficulties.* Having explained to the Duke the position in which he stood—obliged either to procure some guarantee which would enable him to raise £4000, or to sell abruptly all his remaining interest in the copyright of his works, he added, 'I am not asking or desiring any loan from your Grace, but merely the honour of your sanction to my credit as a good man for £4000; and the motive of your Grace's interference would be sufficiently obvious to the London Shylocks, as your constant kindness and protection is no secret to the world. Will your Grace consider whether you can do what I propose in con-

* Lockhart's 'Life of Sir Walter Scott,' vol. iv. p. 103.

science and safety, and favour me with your answer?—I have a very flattering offer from the Prince Regent, of his own free motion, to make me Poet-Laureate; I am very much embarrassed by it. I am, on the one hand, afraid of giving offence, where no one would willingly offend, and perhaps losing an opportunity of smoothing the way to my youngsters through life; on the other hand, the office is a ridiculous one, somehow or other—they and I should be well quizzed—yet that I should not mind. My real feeling of reluctance lies deeper—it is, that favoured as I have been by the public, I should be considered, with some justice, I fear, as engrossing a petty emolument which might do real service to some poorer brother of the Muses. I shall be most anxious to have your Grace's advice on the subject. There seems something churlish, and perhaps conceited, in repelling a favour so handsomely offered on the part of the Sovereign's representative; and on the other hand, I feel much disposed to shake myself free of it. I should make but a bad courtier, and an ode-maker is described by Pope as a poet out of his way, or out of his senses. I will find some excuse for protracting my reply till I can have the advantage of your Grace's opinion; and remain in the meantime very truly your obliged and grateful

WALTER SCOTT.'

'P.S.—I trust your Grace will not suppose me capable of making such a request as the enclosed upon any idle or unnecessary speculation; but as I stand situated, it is a matter of deep interest to me to prevent these copyrights from being disposed of either hastily or at under prices. I would have half the booksellers in London for my sureties, on a hint of a new poem; but bankers do not like people in trade, and my brains are not ready to spin another web, so your Grace must take me under your princely care, as in the days of langsyne; and I think I can say, upon the sincerity of an honest man, that there is not the most distant chance of your having any trouble or expense through my means.'

The Duke's prompt response to this appeal justified Sir Walter Scott's confidence in his friendship; the following reply was dated from—

DRUMLANRIG CASTLE, *Aug.* 28, 1813.

'MY DEAR SIR,—I received yesterday your letter of the 24th. I shall with pleasure comply with your request of guaranteeing the £4000. You must, however, furnish me with the form of a letter to this effect, as I am completely ignorant of transactions of this nature. I am never willing to offer advice, but when my opinion is asked by a friend, I am ready to give it. As to the offer of His

Royal Highness to appoint you Laureate, I shall frankly say that I should be mortified to see you hold a situation which, by the general concurrence of the world, is stamped ridiculous. There is no good reason why this should be so, but so it is. *Walter Scott, Poet Laureate*, ceases to be the Walter Scott of the 'Lay,' 'Marmion,' etc. Any future poem of yours would not come forward with the same probability of a successful reception. The Poet-Laureate would stick to you and your productions like a piece of *court plaster*. Your muse has hitherto been independent—don't put her into harness. We know how lightly she trots along when left to her natural paces, but do not try driving. I would write frankly and openly to His Royal Highness, but with respectful gratitude, for he *has* paid you a compliment. I would not fear to state that you had hitherto written when in poetic mood, but fear to trammel yourself with a fixed periodical exertion, and I cannot but conceive that His Royal Highness, who has much taste, will at once see the many objections which you must have to his proposal, but which you cannot write. Only think of being chaunted and recitativated by a parcel of hoarse and squeaking choristers on a birthday, for the edification of the bishops, pages, maids of honour, and gentlemen-pensioners! Oh horrible, thrice horrible! Yours sincerely,
BUCCLEUCH.*

His Grace's letter elicited the following reply :—

* ABBOTSFORD, *Sept.* 5th, 1813.

' My Dear Lord Duke,—Good advice is easily followed when it jumps with our own sentiments and inclinations. I no sooner found mine fortified by your Grace's opinion, than I wrote to Lord Hertford declining the laurel in the most civil way I could imagine. I also wrote to the Prince's Librarian, who had made himself active on the occasion, dilating at somewhat more length than I thought respectful to the Lord Chamberlain, my reasons for declining the intended honour. My wife has made a copy of the last letter, which I enclose for your Grace's perusal,—there is no occasion either to preserve or return it, but I am desirous you should know what I have put my apology upon, for I may reckon on its being misrepresented. I certainly should never have survived the recitative described by your Grace—it is a part of the etiquette I was quite unprepared for, and should have sunk under it. It is curious enough that Drumlanrig should always have been the refuge of bards who decline Court promotion. Gay, I think, refused to be a gentleman-usher, or some such post; and I am determined

* Lockhart's 'Life of Scott,' vol. iv. p. 105.

to abide by my post of Grand Ecuyer Trenchant of the Chateau, varied for that of tale-teller of an evening.

‘ I will send your Grace a copy of the letter of guarantee when I receive it from London. By an arrangement with Longman & Co., the great booksellers in Paternoster Row, I am about to be enabled to place their security, as well as my own, between your Grace and the possibility of hazard. But your kind readiness to forward a transaction which is of such great importance both to my fortune and comfort, can never be forgotten—although it can scarce make me more than I have always been, my dear Lord, your Grace’s much obliged and truly faithful

WALTER SCOTT.’*

James Hogg, the Ettrick Shepherd, found in the Duke and Duchess of Buccleuch liberal patrons and kind friends. He had been brought under their notice by Sir Walter Scott, who took a warm interest in his brother bard, and was frequently the means of extricating him from the difficulties in which he seemed to be always involved. But the greatest service he rendered him was when he succeeded in interesting his noble friends in his behalf, for the Duke and Duchess became the most generous benefactors to the shepherd poet, and treated him with unflinching kindness and consideration. The Duchess especially was warmly interested in him. While Countess of Dalkeith, Hogg having sent her, through Sir Walter Scott, a presentation copy of his ‘ Forest Minstrelsy,’ she made him a gift of a hundred guineas.

This was followed in 1814 by a more valuable and permanent benefit. Hogg was living in Edinburgh, where he had been for five years, feeling sadly out of his element, and longing grievously for a home in his native forest, when he was surprised to receive a letter from Charles, Duke of Buccleuch, giving him, unasked, a lease of the farm of Altrive at a nominal rent. This was so unexpected, and so exactly what he had been hopelessly longing for, that the heart of the Ettrick Shepherd was filled with gratitude and joy. The little farm lay just between the Ettrick and Yarrow, among the scenes he loved best in the world. This well-timed and appropriate gift, which enabled Hogg to spend the remainder of his life in peace and comfort among his native hills, he owed to the thoughtful kindness of the Duchess. By the early death of this lady, Hogg lost a generous friend, but she bequeathed her interest in him to her noble husband, who, to use his own words, ‘ considered this poor man’s case as her legacy.’

* Lockhart’s ‘ Life of Scott,’ vol. iv. p. 111.

A pleasing though unimportant ceremony, which took place under the auspices of the Duke, is worthy of being recorded, not from any particular significance attending it, but because both Sir Walter Scott and the Ettrick Shepherd have made it the subject of an ode.

This was the feudal ceremony of unfurling the ancient banner of Buccleuch, which was made the occasion of a great football match.* For ages the Scotts had rallied round the old banner at the summons of their chief, and followed it through many a hard fought field, but it had never waved over the grim strife of battle since Francis, Earl of Buccleuch, unfurled it in the cause of the Covenant a century and a half before.

The warning blaze which told of English invasion was no longer flashed from height to height along the Borders. Liddesdale was no longer inhabited by a race who acted upon 'the good old rule,' 'that they should take who have the power,' and supplied their wants by the simple plan of appropriation. And as if to point the contrast between the old times and the new, the ancient feudal ceremony was performed amid peaceful sports, and a friendly, though perhaps rough, struggle for victory in a game of football.

The scene of the day's sports was the plain of Carterhaugh, near the junction of the Ettrick and Yarrow, and at no great distance from where—

' Newark's stately tower
Looks out from Yarrow's birchen bower :
.
.
.
Whose ponderous grate and massy bar
Had oft roll'd back the tide of war.'

The match was played between the men of the Vale of Yarrow and the 'Souters of Selkirk.' The Yarrow lads wore a sprig of heather as their badge, and the 'souters' were distinguished by a twig of fir. The Duke, with his family and a large party of the nobility and gentry of the district, were present, and thousands of spectators assembled from the neighbouring towns and the surrounding country districts.

The banner, emblazoned with armorial bearings and with the word 'Bellendaine,' the ancient gathering cry of the Scotts, was handed by Lady Anne Scott to Master Walter Scott, younger of Abbotsford, and was unfurled amid ringing cheers. The sports were begun by the Duke himself, who threw up the first ball,

* 5th December 1815.

and an animated contest followed. Both Sir Walter Scott and the Ettrick Shepherd took part in the game, and, as before stated, they each made it the subject of a poem. These poems, from which we give short extracts, will be found in the works of their respective authors.

Hogg's muse takes a retrospective view, and he apostrophises the Banner, thus—

‘ And hast thou here, like hermit grey,
Thy mystic characters unrolled
O'er peaceful revellers to play,
Thou emblem of the days of old ?
Or comest thou with the veteran's smile,
Who deems his day of conquest fled,
Yet loves to view the bloodless toil
Of sons whose sires he often led ?

.

‘ I love thee for the olden day,
The iron age of hardihood—
The rather that thou led'st the way
To peace and joy through paths of blood ;
For were it not the deeds of weir,
When thou wert foremost in the fray,
We had not been assembled here,
Rejoicing in a Father's sway.

.

‘ Then hail ! memorial of the brave,
The Liegeman's pride, the Border's awe !
May thy grey pennon never wave
On sterner field than Carterhaugh !’

Sir Walter Scott gives in his flowing verse, an animated description of the day's proceedings.

‘ From the brown crest of Newark its summons extending,
Our signal is waving in smoke and in flame ;
And each Forester blithe, from his mountain descending,
Bounds light o'er the heather to join in the game.

Chorus—‘ Then up with the Banner, let forest winds fan her,
She has blazed over Ettrick eight ages and more ;
In sport we'll attend her, in battle defend her,
With heart and with hand, like our fathers before.

'When the Southern invader spread waste and disorder,
 At the glance of the crescents he paused and withdrew,
 For around them were marshal'd the pride of the Border,
 The Flowers of the Forest, the bands of Buccleuch.
 Then up with the Banner, etc.

'A stripling's weak hand to our revel has borne her,
 No mail-glove has grasp'd her, no spearmen surround.
 But ere a bold foeman should scathe or should scorn her,
 A thousand true hearts would be cold on the ground.
 Then up with the Banner, etc.

'Then strip, lads, and to it, though sharp be the weather,
 And if, by mischance, you should happen to fall,
 There are worse things in life than a tumble on heather,
 And life is itself but a game of football.
 Then up with the Banner,' etc.

The life of Charles, Duke of Buccleuch, exhibits few salient points such as might form the subject of an entertaining biography. His virtues were of that calm unobtrusive sort which shrinks from notoriety, and his life was passed in peaceful retirement. Apart from all distraction and excitement he found his greatest happiness and his most congenial occupation in attending to the business of his estate, in promoting the interest of the farmer, and improving the condition of the poor.

His health, never robust, received a severe shock by the death of the Duchess which took place in 1814. Her amiable qualities endeared her to all who had the privilege of knowing her, and her generous disposition led her to take a warm interest in all her husband's philanthropic schemes, and her death was a great loss to her family and friends. The Duke never recovered the shock, and his health visibly declined from that time. In 1818 the disease to which he eventually succumbed was making rapid progress, and Sir Walter Scott, who visited him at Drumlanrig, was seriously alarmed by his altered appearance. He communicated his fears to the Duke's brother, Lord Montagu, and recommended a change of climate. He wrote—

'I feel I am communicating much pain to your Lordship, but I am sure that, excepting yourself, there is not a man in the world whose sorrow and apprehension could exceed mine in having such a task to perform; for, as your Lordship well knows, the ties which bind me to your excellent brother are of a much

stronger kind than usually connect persons so different in rank. But the alteration in voice and person, in features and in spirits, all argue the decay of natural strength, and the increase of some internal disorder. Much has been done in these cases by a change of climate. I hinted this to the Duke at Drumlanrig, but I found his mind totally averse to it. Your Lordship can judge whether he can or ought to be pressed upon the point. He is partial to Scotland, and feels the many high duties that bind him to it, but the air of this country, with its alternations of moisture and dry frost, though excellent for a healthy person, is very trying to a valetudinarian.

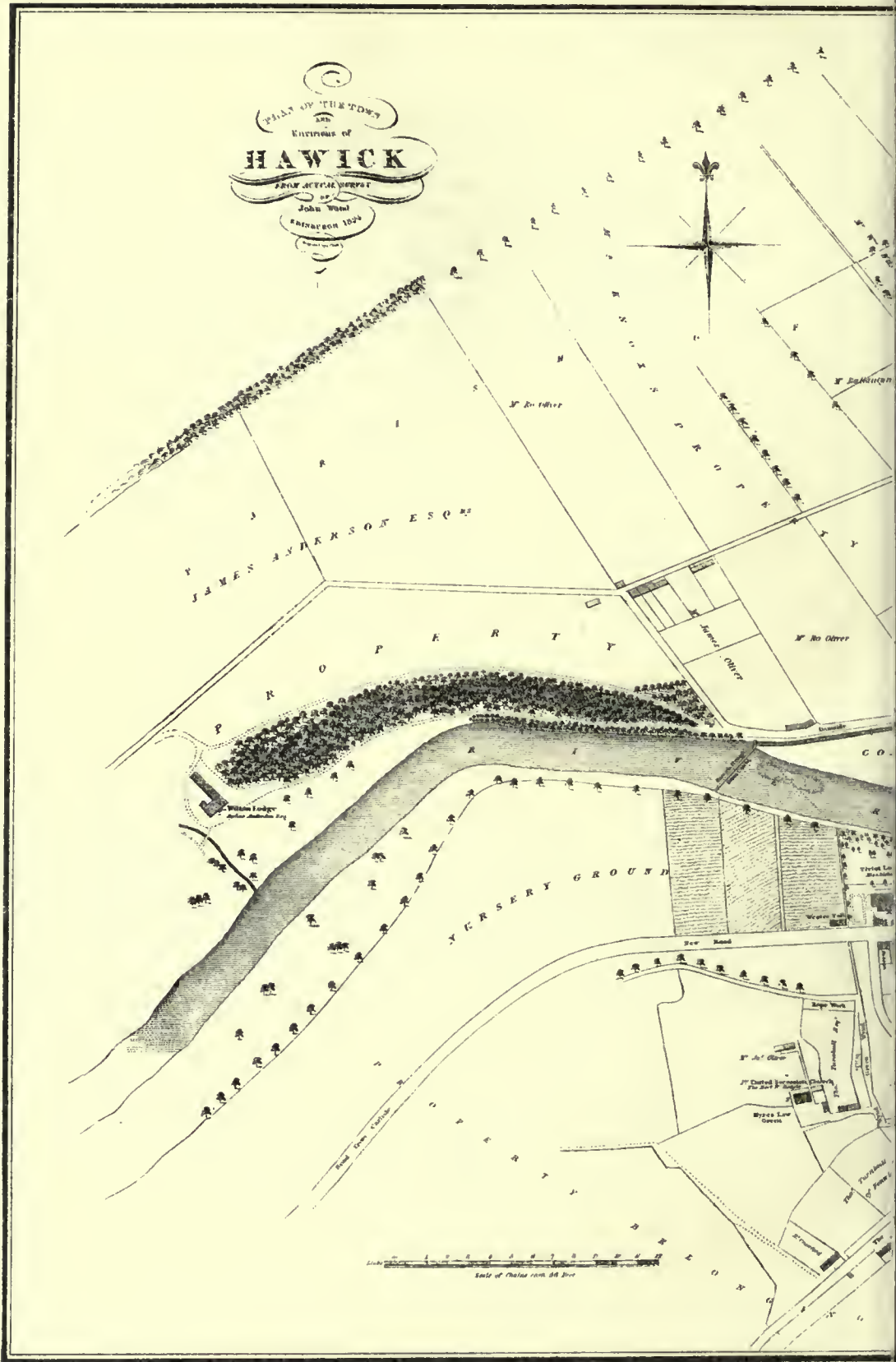
I should not have thought of volunteering such unpleasant news but that the family do not seem alarmed. I am not surprised at this, because, where the decay is very gradual it is more easily traced by a friend who sees the patient from interval to interval than by the affectionate eyes which are constantly beholding him. His life is invaluable to his country and to his family, and how dear to his friends can only be estimated by those who know the soundness of his understanding; the uprightness and truth of his judgment, and the generosity and warmth of his feelings.'

On the earnest persuasion of his friends the Duke was induced to go to the south of Europe for his health, and though there was a temporary improvement he derived no real benefit from the change. He died at Lisbon on the 20th of April 1819. This sad event was deeply mourned not only by his relatives and personal friends, but by a wide circle of all ranks and conditions, who had esteemed him for his private worth, or had received of his generous kindness and sympathy. The general public knew very little of his good and noble qualities, for he led a most retired life, but those who did know him admired as much as they loved him. In a paper written after the death of Duke Charles, Sir Walter Scott thus alludes to him—'It was the unceasing labour of his life to improve to the utmost the large opportunities of doing good and benefitting mankind with which his station invested him. Others might be more missed in the resorts of splendour and of gaiety frequented by persons of distinction, but the peasant while he leans on his spade, age sinking into the grave in hopeless indigence, and youth struggling for the means of existence, will long miss the generous and powerful patron, whose aid was never asked in vain when the merit of the petitioner was unquestioned.'

The Ettrick Shepherd, out of the fulness of his grateful heart, wrote—'I was

a frequent guest at his Grace's table, and as he placed me always next him, I enjoyed a good share of his conversation ; and I must say of my benefactor that I have never met with any man whom I deemed his equal. It is natural to suppose I loved him and felt grateful towards him, but exclusive of all feelings of that nature, if I am any judge of mankind, Duke Charles had every qualification both of mind and heart which ought to endear a nobleman to high and low, rich and poor.'





AND THE SCOTTS OF BUCCLEUCH,"



CHAPTER XIX.

‘ That youth’s fair open front behold
His step of strength, his visage bold,
And hail a genuine Scott.’

J. MARRIOTT.

‘ The beacon fires that blazed of yore
Have vanished from the hill ;
The slogan cry is heard no more
That pealed so wild and shrill.
But childhood loves the tale to tell
Of Border bow and brand,
For memory holds the legends well
Of our brave Border land.’

THOMSON,

WALTER FRANCIS MONTAGU DOUGLAS SCOTT was born at Dalkeith House on the 25th of November 1806. He was the second son of the Earl of Dalkeith. After the death of his elder brother, he bore the title of Lord Whitcheater, and on his father’s succession to the Dukedom became Earl of Dalkeith. On the death of his father he succeeded to the honours and dignities of the head of the House of Buccleuch at the age of thirteen. Deprived thus early of the care and guidance of his good and wise father, the young Duke was singularly fortunate in his guardian, Lord Montagu, who was most solicitous that his young charge should be educated in such a manner as to fit him for a just and beneficent discharge of the duties of his high station. Sir Walter Scott also took a deep interest in the young chief, to whom he had transferred the loyalty and affection he had felt for his late father. In a letter to Lord Montagu, relating chiefly to electioneering matters, he writes—‘ I hope my dear young namesake and chief will not find his influence abated while he is unable to head it himself. It is but little I can do, but it shall always be done with a good will, for I owe much more to his father’s memory than I can ever pay a tittle of.’

The young Duke was sent to Eton, but his delicate health having caused some anxiety to his friends, he was temporarily removed from school. With reference to this Sir Walter Scott wrote to his guardian—‘ I am sorry there should be occasion for caution in the case of little Duke Walter, but it is most lucky that the necessity is early and closely attended to. How many actual valetudinarians

have outlived all their robust contemporaries, and attained the utmost verge of human life, without ever having enjoyed what is usually called high health. This is taking the worst view of the case, and supposing the constitution habitually delicate. But how often has the strongest and best confirmed health succeeded to a delicate childhood, and such, I trust, will be the Duke's case. I cannot help thinking that this temporary recess from Eton may be made subservient to Walter's improvement in general literature, and particularly in historical knowledge. The habit of reading useful, and at the same time entertaining books of history, is often acquired during the retirement which delicate health imposes on us.' 'Though classical learning be the *Shibboleth* by which we judge, generally speaking, of the proficiency of the youthful scholar, yet when this has been too exclusively and pedantically impressed on his mind as the one thing needful, he very often finds he has entirely a new course of study to commence just at the time when life is opening all its busy or gay scenes before him, and when study of any kind becomes irksome.' 'I think Walter has naturally some turn for history, and would be disposed to read as much as could be wished in that most useful line of knowledge; for in the eminent situation he is destined to by his birth, acquaintance with the history and institutions of his country, and her relative position with respect to others, is a *sine qua non* to his discharging its duties with propriety.*

The beneficial effects of a study of history in forming the ideas and ripening the judgment of the student, was a favourite theory of the great Novelist, and he lost no opportunity of pointing out its importance to those who had the charge of the young Duke's education. Lord Montagu had written informing him that he had placed his nephew under the charge of Mr Blackney, an old friend and fellow student of his own, and in reply Sir Walter Scott observed—

'I am delighted that you have got such a tutor for Walter as entirely satisfies a person so well acquainted with mankind as your Lordship.' 'I think it is an argument of your friend's good sense and judgment that he thinks a knowledge of domestic history essential to his pupil. It is in fact the accomplishment which of all others comes most home to the business and breast of a public man, and the Duke of Buccleuch can never be regarded as a private one. Besides, it has in a singular degree the tendency to ripen men's judgment upon the wild political speculations now current.†

* 'Life of Sir Walter Scott,' vol. vi. p. 323.

† *Ib.* vol. vii. p. 152.

On another occasion he wrote to Lord Montagu—

‘I agree entirely with your Lordship’s idea of leaving the young chief to have the grace of forming his own ideas on many points, contenting yourself with giving him such principles as may enable him to judge rightly. I believe more youths of high expectation have bolted from the course, merely because well-meaning friends had taken too much care to rope it in, than from any other reason whatever. There is in youth a feeling of independence, a desire, in short, of being their own master, and enjoying their own free agency, which is not always attended to by parents and guardians, and hence the best laid schemes fail in execution from being a little too prominently brought forward. I trust that Walter with the good sense which he seems to possess, will never lose that most amiable characteristic of his father’s family, the love and affection which all the members of it have for two generations borne to each other, and which has made them patterns as well as blessings to the country they lived in. I have few happier days to look forward to (and yet, like all the happiness that comes to grey-headed men, it will have a touch of sorrow in it) than that in which he shall assume his high situation with the resolution which I am sure he will have, to be a good friend to the country in which he has so large a stake, and to the multitudes which must depend upon him for protection, countenance, and bread.’*

It is pleasing to think that the fond hopes centred in the young Chief of Buccleuch were fully realized. As a youth his quiet unassuming demeanour was remarkable in one so prominently brought forward. And as he grew older it was seen that he united in a singular degree the amiable qualities and practical good sense of his father and grandfather. Far from showing any disposition to ‘bolt from the course,’ the ruling principle of his life seemed to be to do his duty. Not in the easy careless fashion which satisfies the consciences of too many of us, but with a deep sense of the responsibilities of his position, he devoted himself to promote the best interests of all who were in any way dependent on him.

When only sixteen years of age he had the honour of entertaining his Majesty, King George the Fourth, who stayed a fortnight at Dalkeith house. This was the first time a reigning Sovereign of the Hanoverian dynasty had visited Scotland, and the occasion was one of great rejoicing. People flocked to Edinburgh from all parts of the country to see the King, or participate in the

* ‘Life of Sir Walter Scott,’ vol. vii. p. 14.

loyal demonstrations which attended his appearance in public. His visit was one round of magnificent festivities, from the time he landed at Leith, and was escorted in splendid triumphal procession to Dalkeith house, till he left, when every part of the road from Dalkeith to Edinburgh was brilliantly illuminated. The Duke of Buccleuch entertained his royal guest with princely hospitality, and the King was greatly charmed with his youthful host, treating him with fatherly familiarity, slapping him playfully on the back as he sent him on some little message, or exclaiming when liquor was offered to the Duke after dinner, 'No, no, it is too strong for His Grace to drink.'

In commemoration of his visit to Dalkeith, the King presented a full length portrait of himself to the Duke. It was painted by Sir David Wilkie, and represented his Majesty in Highland costume.

An incident connected with the Royal visit is worthy of notice as an instance of the enterprise of a Hawick stocking-maker. An ingenious and expert workman, Matthew Lyon, had invented some improvement in frame work, for which he received a prize of £40 from the Board of Trustees for the encouragement of manufactures in Scotland. During the French war, when trade was dull and work scarce, Lyon supported himself by making cloaks and different articles of attire, which he sold as opportunity offered, the Duchess of Buccleuch being one of his customers. The idea occurred to him to execute a larger and handsomer piece of work than had hitherto been attempted on the stocking-frame, which was to make a cloak for the Duke of York, should his Highness honour him with an order. This preliminary being satisfactorily arranged, through the Duke of Buccleuch, Lyon set to work in his little stocking-shop, near Hawick mill, and in due time produced a handsome garment made of fine lambs wool, woven in a richly coloured tartan pattern, which before being sent to its destination, was exhibited in the Town hall. The Duke of York was much pleased with the product of Matthew's skill, and sent an order for another of a different colour, along with a cheque for the price. Having succeeded so well in this speculation he resolved to make a cloak for the King himself, whose visit to Scotland was then talked about. He produced a magnificent garment, woven of blue silk, fleeced with scarlet wool, which was pronounced a right royal robe. The cloak was presented to the King at Dalkeith house, and Lyon, standing behind a folding door, had the pleasure and gratification of beholding his Sovereign, with the product of his handiwork on his shoulders, turning round before a mirror and

laughing heartily at his gorgeous array. It was liberally paid for, and Lyon received further orders; but his satisfaction with the financial success of his enterprise was exceeded by the pleasure he felt at having a long conversation with Sir Robert Peel—the minister in attendance on his Majesty—who, finding him to be an intelligent man, asked a number of questions concerning the social condition of his fellow-workmen, their wages, and such like, and even drew him on to give his opinions on the great political questions of the day.

Shortly before the King's visit to Scotland, Sir Walter Scott was employed in superintending the repairs on the ruins of Melrose Abbey. Until within the last sixty years or so, little respect was paid to old ruins, which were merely regarded as convenient accumulations of hewn stones, to be profitably utilised in any building operations going on in their vicinity, and many beautiful buildings of great historical interest have been ruthlessly demolished for the sake of the materials. But now a great change has come over the public taste in this respect, and such relics as the ravages of time and the vandalism of our grandfathers have spared are guarded with scrupulous care, and every means which can be used to arrest the progress of decay is employed to preserve them in all their picturesque beauty. No man has done more than Sir Walter Scott to educate the public taste to perceive the beauties of these relics of a bygone age, and his exquisite description of Melrose Abbey by moonlight, has brought thousands from all parts of the world to look on—'The ruins grey.'

It pained Sir Walter to observe the havoc the frosts and storms were making upon all that remained of 'St David's ruined pile,' and he had frequently directed the attention of Duke Charles, and different members of the family to the state of the Abbey without anything being done; and seeing how fast the interesting ruins were mouldering to decay, and that unless some means were immediately taken to preserve them, that 'poem in stone,' would soon be only a memory, he appealed to the young Duke and his guardians, which resulted in his being empowered to carry out such repairs as he thought necessary. Sir Walter entered on the work with enthusiasm, and his letters are full of allusions to its progress. Writing to Miss Edgeworth, he remarked—

'I must break off, being summoned to a conclave to examine how the progress of decay, which at present threatens to destroy the ruins of Melrose can yet be arrested. The Duke of Buccleuch, though but a boy, is very desirous to have something done, and his guardians have acquiesced in a wish so reasonable

and creditable to the young chief. I only hope they will be liberal, for a trifle will do no good—or rather, I think any partial tampering is likely to do harm. But the Duke has an immense estate, and I hope they will remember that though a moderate sum may keep up this national monument, yet his whole income could not replace it, should it fall.’

There was no attempt made at restoration ; to preserve what remained of the Abbey was all that was desired, and ample means were placed at Sir Walter’s disposal. To Lord Montagu he wrote,—‘ I am quite delighted with the commencement of the Melrose repairs—Please God, I will be on the roof of the old Abbey myself when the scaffolding is up. When I was a boy I could climb like a wild cat, and entire affection to the work in hand, must on this occasion counterbalance the disadvantages of increased weight and stiffened limbs.’ *

The work was at length completed to the entire satisfaction of the Poet, and in such a manner as to preserve the beautiful and classic ruin for ages to come.

The Duke, who studied at Cambridge, and took his degree as Master of Arts, is thus described by Sir Walter Scott when at the age of twenty ;—‘ The Duke has grown up into a graceful and apparently strong young man. I think he will be well qualified to sustain his difficult and important task. His heart is excellent, so are his talents,—good sense and knowledge of the world picked up at one of the great English schools (and it is one of their most important results), will prevent him from being deceived ; and with perfect good-nature, he has a natural sense of his own situation, which will keep him from associating with unworthy companions. God bless him ! his father and I loved each other well, and his beautiful mother had as much of the angel as is permitted to walk this earth.’ I trust this young nobleman will be

‘ A hedge about his friends,
A heckle to his foes.’

I would have him not quite so soft-hearted, as his grandfather whose kindness sometimes mastered his excellent understanding. His father had a temper which better jumped with my humour. Enough of ill-nature, to keep your good-nature from being abused, is no bad ingredient in their disposition who have favours to bestow.’ †

Preparations on a magnificent scale were made to celebrate the majority of the Duke, when the death of his grandmother, the Duchess Elizabeth cast a gloom

* Lockhart’s ‘ Life of Scott,’ vol. vii. p. 38.

† *Ib.* vol. viii. p. 392.

over the festivities. Her large-hearted benevolence and unflinching sympathy with poverty and distress, made her name loved and revered; and her death was mourned in hundreds of homes which her kindness and bounty had cheered and brightened. In consequence of this bereavement the celebration was divested of its joyous character, but it could not check the popular enthusiasm which was manifested in Teviotdale and Dumfriesshire by bonfires, illuminations, and other demonstrations of rejoicing.

In Hawick the occasion was celebrated in a manner suggestive of the rough yet bountiful hospitality for which Branxholme was famed in the olden times. A huge fire was lighted in the market-place, and an ox was roasted whole on a great spit. There are still alive those who, as youngsters, watched the gigantic roast revolving before the glowing fire. The cooking was superintended by Tam Robson, a well-known townsman, and when the process was completed or had reached as near an approximation to that state as Tam deemed necessary, the ox was hoisted to a platform where it was cut up, and distributed to the poor along with loaves of bread and flagons of nut brown ale.

The Duke did not take formal possession of his heritage till the following autumn, when he was entertained by the gentlemen of Dumfries and Galloway to a sumptuous congratulatory banquet. His Grace was supported on his right hand by his illustrious clansman, Sir Walter Scott, who, with anxious solicitude, had watched him grow from childhood to youth, and from youth to manhood, and who now evinced a fatherly pride and pleasure in the young chief who seemed to realise his fondest hopes. He spoke with deep feeling of Duke Henry, to whom he owed the first encouragement in his literary career—of Duke Charles his dear friend, and of him 'whom we are now placing in his father's chair,'—he said, 'I know him better than he knows himself, and I speak with confidence when I predict of him, that he will be found foremost to support every good measure. That he will take the lead of our generous youth in every noble and manly exercise, and will lead them too, should occasion require it, in opposing the enemies of his country.' The Duke's modest yet manly replies to this and other speeches, impressed all with the conviction that the career on which he was just entering would be an honourable and useful one.

The Duke took his seat in the House of Lords as Earl of Doncaster, his Parliamentary title. In 1829 he was married to Lady Charlotte Anne Thynne, daughter of the Marquis of Bath.

In 1839 when the Duke returned from a lengthened sojourn on the Continent he was welcomed by his friends and tenantry at a great banquet, held at Branxholme. A pavilion was erected on the castle green in the form of an old baronial hall. The chair was occupied by Mr Grieve of Branxholme Braes, one of the Duke's tenants, whose farm was in close proximity to Branxholme, and whose ancestors had lived under the shadow of its walls for three hundred years.

In his speech Mr Grieve spoke of the Duke's liberality and public spirit, and of the peculiar regard in which he was held by his tenantry, 'who,' he said, 'enjoy better opportunities of appreciating his worth and private virtues, and are bound to acknowledge his unceasing kindness and liberality. The old ash tree near which we are seated, must have witnessed many generations of the noble House of Buccleuch, in those times when numerous bands of retainers were ready to shed their life blood at the summons of their chief, but we live in happier and more peaceful times, and we are not called upon to show our attachment to the family by sharing the dangers and the glories of the battlefield.

'No longer steel clad warriors ride,
By Teviot's wild and willowed shore.'

'Instead of the ancient banner of Buccleuch, the Union Flag now floats over Branxholme Tower, and we have the distinguished honour of seeing at the same festive board, the Bold Buccleuch and the gallant Graham, no longer mixing in the bloody strife of a Border foray, but cultivating the arts of peace, improving their estates, and diffusing happiness and contentment around the hearths of their tenantry. But, however distinguished the ancient possessors of Branxholme might be in feats of arms, I am sure that we as tenants can say that its oldest tower could never boast a better landlord than the present.'

His Grace replied in a tone of deep and earnest feeling; dwelling on his conception of the duties of a great land owner he said. 'Where much is given, much shall be required. That I feel is my case. Providence has blessed me with much, and providence will require much at my hands. What has been entrusted to me has not been given that it might be wasted in idle or frivolous amusements; nor would I be justified in wasting the hard earnings of the tillers of the soil by carrying them away and spending them in foreign countries, but I wish to see them employed as the means of producing good to them and to the country at large.'

After dinner speeches are not generally understood to carry much weight; but

the Duke's remarks were not a string of meaningless platitudes ; they embodied his heartfelt convictions. Nor was it an empty promise when he said—'You will find that this meeting will only prove a stimulus to greater exertions on my part. . . . You will find me ready to promote every scheme that is for the benefit of the country. Should I err, do not impute it to any intentional omission ; it may be an error of judgment, it will not be an error of intention.'

This pledge was nobly fulfilled. The rural population on his estates were naturally his first care, and besides attending to their spiritual wants, he made it his business to see that the means of educating their children were placed within their reach ; and he built churches and schools in outlying districts, wherever they appeared necessary or desirable. He exercised an almost patriarchal care over the aged and poor, and gifts of clothing, coals, etc., which were dispensed with discriminating liberality, helped to soften the rigours of winter to many poor families. All who served him, with ordinary faithfulness, were never allowed to want, and when old age overtook them they were provided for, during the remainder of their lives.

The working of the Wanlockhead lead mines was a striking example of the Duke's consideration for his work people. These mines, which are on the Queensberry estate, had long ceased to be remunerative ; in fact, were worked at a considerable loss, and his Grace was again and again advised to shut them up, but his invariable answer was, 'I cannot do it,' 'What would become of the poor people of the village if I did?'

The Duke was a true philanthropist, and was a liberal promoter of every scheme for the diffusion of knowledge, or the improvement of the circumstances of the working classes. He was one of the founders of the Association for promoting improvement in the dwellings and domestic condition of agricultural labourers of Scotland, and his address as President of the British Association at Dundee, was full of suggestions for social reform. He was also a Patron and active promoter of every organisation for the advancement of science and the encouragement of art and industry. He was President of the Architectural Society of Scotland ; Vice-President of the Royal Institution for the encouragement of the Fine Arts, was a leading member of the Board of Trustees for manufactures, and of a host of similar Institutions.

The public spirit and enterprise of his Grace was conspicuously shown in the building of Granton harbour, the largest undertaking ever carried out by a private individual in Scotland.

Great inconvenience was felt by those interested in navigation through the want of a harbour on the east coast, which could be entered by vessels at all states of the tide. The suggestion to erect a pier which would allow the largest ships to be run up alongside, commended itself to the Duke's favourable consideration, and Messrs Robert Stevenson & Sons, were employed to examine and report upon the proposed works. Being thoroughly satisfied as to the practicability and usefulness of the undertaking, operations were forthwith commenced. It was a gigantic enterprise, and the cost must have exceeded half a million. It was begun in 1835, and three years afterwards the pier was so far advanced as to admit of its being opened with great festivities on the day of the Queen's Coronation; and the harbour, with its breakwaters and other works, form as complete and commodious a seaport as any on the coast of Scotland.

The encouragement of the different branches of agriculture, which may be regarded as the legitimate business of an extensive landowner, occupied the attention of his Grace from the time he entered into possession of his estates. He became a member of the Highland and Agricultural Society, and took great interest in its affairs, frequently giving prizes for different classes of stock at the annual shows held by the Society. In recognition of his valuable services he was elected President in 1831—and again in 1866 the same honour was conferred upon him.

Believing strongly in the value of competition for stimulating farmers to improve the quality of their live stock, he was a liberal patron and promoter of many local agricultural associations, and the medals and premiums given by him were keenly contested and highly prized. He was himself a thoroughly practical farmer, and had acquired a considerable reputation as a breeder of stock, the Drumlanrig herd of Galloways having a wide celebrity, and almost invariably carried off first honours at the shows; and the Ayrshires from the same farm were by general consent pronounced 'bad to beat.'

The Duke's estates were always managed with generous liberality, and the farm houses, steadings, and cottages constructed in the most substantial and commodious manner; and, in all the relations between landlord and tenant, he was most considerate and just. He particularly disliked changes among his tenantry. Many of his farms had been in the hands of the same family for generations, and it was always his anxious wish that the line of succession should be prolonged. The usual practice, when a lease expired, was to offer a renewal

of it at a fair valuation; thus, a tenant having a reasonable security that his occupancy would be permanent, had some inducement to carry out improvements, while at the same time feeling sure that his landlord would take no unfair advantage. Though a strict preserver of game the Duke was too just to do so regardless of the interests of his tenantry, to whom it was never a grievance.

An eloquent tribute to the Duke's high character as a landlord was delivered by Mr Adam Black at a public dinner in Edinburgh in 1843, at which his Grace was chairman. Mr Black's opinion was the more disinterested, as he was the Duke's political opponent. He said—'In our chairman we recognise one of the most zealous and successful promoters of the agriculture of our country. While he has been improving his vast estates he has been every year adding to the wealth of the kingdom, and to the comfort of the people. His has been no stinted outlay wrung from him by the importunities of husbandmen; but his place has always been in advance of his tenantry in the march of improvement, and lavish in the encouragement he has afforded.' These sentences, laudatory as they are, contain nothing but the simple truth, for the Duke had earned for himself the honourable distinction of being known as 'the best landlord in Scotland.'

Though in many respects Duke Walter resembled his grandfather, Duke Henry, unlike him, he took a keen interest in politics. The more active part of his political career was between the years 1842 and 1846. In February 1842 he became Lord Privy Seal in Sir Robert Peel's Ministry, an office he held till January 1846, when he was made President of the Council. While he held office a great part of the Government business of Scotland was administered by his Grace. The question of the repeal of the Corn Laws was at that time agitating the public mind, a question of considerable difficulty to such a prominent representative of the landed interest as the Duke of Buccleuch, whose obligations to the agricultural class, personal friendships, and many other ties, bound him to the party of resistance; but when the decisive moment came he threw all personal considerations aside, cast in his lot with Sir Robert Peel, and gave the whole weight of his influence in support of the principles of free trade involved in the repeal of the Corn Laws. In speaking upon the subject many years afterwards, he said—'It was a question, I felt, of such vital importance to the whole wellbeing of the country,—one not affecting one class only, but all classes, from the highest to the lowest,—that it gave me the greatest anxiety to decide what course I should take. I felt

that the time had come when it was impossible to maintain the Corn Laws as they then were. I had then to consider the opinions which I had entertained and had expressed. I had to brave the taunts and anger of those who said I was a renegade, and had betrayed their interests. I had also to meet those who would freely flatter a new convert, as they would call it, and therefore it was not without much anxiety, and more than one sleepless night, that I decided that it was my duty to alter and to avow my change of opinion on the subject. . . . I felt the manly course was not to desert my post in the Government of the day, but to share with others the responsibility and obloquy if there was any.'

Though the Duke advocated such an eminently liberal measure, he was hereditarily a Conservative, and his early training and the whole tendency of his education was calculated to strengthen his convictions in that direction. Still his Conservatism was invariably discriminating and moderate, and his influence and advice were of the greatest value to his party.

When death had levelled all political distinctions, men of all shades of opinion united in testifying that in politics as in every other aspect of his life his career was alike honourable to himself and loyal to his country. No better illustration of the feeling with which the Duke was regarded could be given than in the words of Mr Brown, one of the leading Liberals of Selkirkshire, whose remarks have all the weight of an independent and unbiased opinion.

At a meeting held in Selkirk a few days after the death of the Duke, Mr Brown paid the following graceful tribute to his memory, which though anticipating events may be inserted here.

'We have met together for a political object, but our ordinary political vocabulary in the presence of death is apt to be a little thin and insufficient, for if we could not call the late Duke of Buccleuch a liberal in the political and therefore restricted sense of the word, we have ample testimony to prove, both from rich and poor—especially the poor—that in the highest sense of the word, in the sense of his justice, gentleness, and generosity, the late Duke of Buccleuch was the most liberal of men. Talking of politics, it is worth while at the present moment to recall the fact that the Duke of Buccleuch, as a member of the Second Administration of Sir Robert Peel, gave his decided support to one of the greatest liberal measures and one of the greatest liberal triumphs of this century—the repeal of the Corn Laws. Some of you may remember these exciting times nearly forty years ago. There was famine in the land; it was the year of the potatoe disease

in Ireland, the 4lb. loaf was at tenpence, and everything else in proportion. The Duke of Buccleuch looked the crisis in the face, and had no hesitation as to what was his duty. Born in the ranks, and brought up after the strict manner of his forefathers, on that great occasion he left the traditions of his party and the supposed interests of his order to take care of themselves. At that time he wrote a letter to Sir Robert Peel, which will take its place in the history of that great movement, and will never be read without a feeling of pride by the people of Scotland. In that letter the Duke declared—"I feel it my imperative duty to my Sovereign and my Country to make every personal sacrifice. I am ready, therefore, at the risk of any imputation that may be cast upon me, to give my decided support not only to your Administration generally, but to the passing through Parliament of a measure for the final settlement of the Corn Laws." We find the real key to the Duke's high character in the sentence—"My imperative duty to my Sovereign and my country;" and in the face of the lawlessness which this country has recently seen, it will be difficult to find a higher motto wherewith to blazon the shield of any honest politician.'

The Duke held several offices of honour and dignity under the Crown. He was a Knight of the Most Noble Order of the Garter. He was appointed Lord Lieutenant of the county of Mid-Lothian when he came of age—a dignity he held till the close of his life, along with the Lord Lieutenancy of the county of Roxburgh. He was also Captain-General of the Royal Company of Archers, a body composed of noblemen and gentlemen, who claim to inherit all the honours and privileges of the ancient Scottish Archer-Guard. In virtue of this office he was entitled to occupy the post of Attendant on the Queen on all State occasions during her residence in Scotland; and his official position at the Coronations of King William IV. and of Queen Victoria, was due to his connection with the Scottish Guard.

In 1842, when the Queen paid her first visit to Scotland, she like her royal uncle George IV. was the guest of the Duke of Buccleuch.

It had been intended that Her Majesty should occupy Holyrood Palace during her stay in Edinburgh, but a case of fever having occurred within the Palace, it was declared by the medical authorities to be unsafe for the Queen to take up her residence there. So she and the Prince Consort accepted the hospitality of the Duke, and remained a week at Dalkeith House. Her Majesty's journal alludes to her pleasant visit, and to the kindness and attention of the Buccleuch family.

On the day previous to her departure the Queen held a Reception at Dalkeith house, when the Duke, as Captain-General of the Queen's Body Guard in Scotland, performed an interesting feudal ceremony. Kneeling before the throne, he presented to Her Majesty 'ane pair of barbed arrows,' being the reddenda to the Sovereign by their charter.

When the Royal party visited Edinburgh, the freedom of the city was conferred on the Prince Consort, the Duke of Buccleuch, the Earl of Aberdeen, and Sir Robert Peel. The Duke's burgess ticket bears to have been given, 'in testimony of the sense entertained by the council of the virtues which adorn his high rank, the patriotic improvements he has accomplished, and the manner in which his Grace has discharged the duty of host to Her Majesty the Queen, on her visit to this Metropolis.'

Though not a literary man in the sense of having made any personal contribution to English literature, the Duke did much for the encouragement of learning. When the question of enlarging the University buildings in Edinburgh came before the public, his Grace took a great interest in the scheme, and headed the subscription list with £2000, which he subsequently doubled on hearing that more money was required. He brought the scheme before the Prime Minister, and obtained assistance from Government, and the success of the undertaking was largely due to the Duke's indefatigable exertions.

In 1837 he presented to the Bannatyne Club an edition of the 'Chartulary of Melrose,' prepared at his own expense, containing a series of ancient charters from the Eleventh to the Fourteenth century. These charters are highly interesting to archæologists, and of great value to students of early Scottish history. For these and other important services the Duke had many literary distinctions conferred upon him. He was made a D.C.L. of Oxford; an LL.D. of Cambridge, and the same degree was conferred upon him by the Senatus of the Edinburgh University; and in 1878 he was unanimously elected Chancellor of the University of Glasgow.

The generous and liberal disposition of the Duke is best illustrated by his numerous gifts and favours to the towns and villages situated near his various family seats. Dalkeith being in close proximity to his birthplace and principal residence was, perhaps, the town with which he was most intimately connected. From childhood, his Grace was well-known to the people of Dalkeith, and the arrival of the Ducal family was always a welcome event to the townspeople.

The lovely gardens and fine park were no *terra incognita* to the public. Twice a-week the gates were opened to all who chose to enter, and it was their own fault if every terrace and flower-bed, every lawn, avenue, and bosky dell, were not as well known to the poorest in Dalkeith as to the Duke himself. The townspeople have many pleasant reminiscences of gala days, when the county militia were reviewed, or some cricket match played within the park, and all were freely admitted and welcomed; for nothing gave greater pleasure to the genial spirit of the Duke, than to contribute to the enjoyment of his humbler neighbours. Fond of all kinds of manly sport himself, the cricket, curling, and bowling clubs of Dalkeith received his heartiest support.

Of more substantial benefits the Duke was unsparing. The Parish church which was founded by David the First, in the twelfth century, was almost rebuilt by his Grace, at a cost of £6000. He also defrayed the greater part of the expense of building the West Parish Church, and contributed largely towards the building of a manse. A beautiful little Episcopal Chapel, within the park, was erected and maintained by him, and is largely taken advantage of by the Episcopalians of the district. He was equally liberal in the cause of education, and till the Education Act came into operation, the schools in Dalkeith received substantial support; and even after that, he continued to maintain the Episcopal and Infant schools. He erected a commodious Hospital at his own expense, and such undertakings as the building of a Corn Exchange received material assistance from him.

Thornhill, which is near Drumlanrig castle, owes its existence to the Buccleuch family, and five hundred of its inhabitants were constantly in his Grace's employment. It is a prosperous, pleasant looking village; its houses are well built and comfortable, and its wide streets and roadways planted with trees give it quite a continental aspect. The inhabitants of Selkirk and Langholm, especially the poor, have had some experience of the Duke's goodness and generosity, but no community has received more numerous or greater favours from him than the 'Auld Town o' Hawick.'

From a small primitive country town, Hawick has expanded into one of the busiest centres of industry in the south of Scotland. Previous to the introduction of the hosiery trade its whole adult population only numbered about twelve hundred. Being an inland town, and having little communication with the outside world, the simplicity of manners and mode of life, which had pre-

vailed for a couple of centuries, was little disturbed by the importation of new ideas. Its old thatched houses had undergone little change, and some of the shops were still in the dark pends, whose arches had probably been reared before the battle of Flodden. Many of these had doors opening in two halves, the upper part standing open all day to admit light and air, the lower half being a convenient support on which the shopkeeper might lean half-in and half-out, and in the intervals of business, note all that passed in the street and enjoy a little social intercourse with his neighbours. The development of the hosiery trade after its first introduction was slow, but gradual. It had the effect of drawing the rural population into the town, necessitating increased house accommodation, and as the town extended the enterprise of the inhabitants was stimulated to carry out various improvements. The churchyard which had previously been a public thoroughfare was enclosed with a wall. The streets, in which utter darkness prevailed after nightfall, were illumined by some sixty oil lamps; the roadways and pavements received some degree of attention, and a supply of water was brought into the town.

When Walter, Duke of Buccleuch, succeeded to the family estates, the trade of the town was still in its infancy. Steam-power was beginning to be applied to manufacturing, but its use was unknown in Hawick, and could scarcely have been made available in a town whose chief supply of coal was brought on the backs of ponies. At this time the carpet-weaving and inkle manufacture had both been discontinued, and the trade of the town was almost confined to carding and spinning yarn and making stockings. About 12,000 stones of wool were annually made into yarn, and somewhere about 300,000 pairs of stockings produced. The hosiery trade becoming greatly depressed, the weaving of blankets and flannels and subsequently of tweels were started. This brought the Hawick manufacturers into competition with the English makers of these goods, and obliged them to introduce the power-loom and other improved machinery into their works. The work people of Hawick, like others of their class, were extremely prejudiced against the substitution of mechanical for manual labour, and when the first spinning jennies were brought to the town, the cart in which they were conveyed was accidentally upset, and the machinery a good deal damaged; and this was thought by many to be a special manifestation of the divine displeasure at the new fangled inventions for taking the bread out of people's mouths. But the introduction of steam-power was viewed more

philosophically, Providence having smoothed the way for the steam-engine in a very remarkable manner.

The summer of 1826 was long remembered as the 'drouthy summer.' No rain fell from May till August, and the rivers were almost dried up. As water was the only motive-power the Hawick manufacturer had at his command, the failure of the water supply brought the works to a stand still, and threw a number of people out of employment; and with this experience fresh in their minds, they were glad to welcome any device by which human ingenuity could prevent the recurrence of such a contingency.

Steam-power was first introduced into Hawick in 1831, and after this, the trade of the town rapidly increased. The chief product was tweels, a cloth very similar to that produced on the old-fashioned hand-loom, and which is now universally known as tweeds. The change of the name of the cloth was accidental, and occurred thus. William Watson & Sons, one of the Hawick firms, when sending a parcel of these goods to a customer in London, had written the word 'tweels' rather indistinctly, and the London merchant read it 'tweeds.' Sir Walter Scott's writings had rendered the Tweed famous, and the merchant thinking that tweed was a very appropriate name for a material which was much used for sporting and fishing suits, at once adopted it. The name proved a decided 'hit,' and was soon universally used to designate that class of goods.

The hosiery trade still flourishes in Hawick, but the manufacture of tweeds has become the leading industry, and now there are over twenty firms of tweed and hosiery manufacturers, giving employment to eight or nine thousand people, the population of the town being nearly twenty-one thousand.

The workmen employed in the mills and stocking-shops are an intelligent, well-informed class of men, and are keen politicians. As in most manufacturing towns their politics are of the advanced liberal type, and they are accustomed to discuss all public questions with great warmth and energy. About the time when the Reform Bill and other great political questions were agitating the public mind, party feeling ran to great extremes. The Duke of Buccleuch, being a leading Conservative, was opposed to many of the popular movements of the day; and it is matter of regret, but scarcely of surprise, that there sprung up a feeling of antagonism towards his Grace, which was entirely attributable to the fervour of political strife. The Duke was then personally a stranger to the Hawick people, and was in no way to blame for the coolness that had come between him and the old

town, with which his fore-fathers had been so intimately associated. When they came to know him better, their relations with each other grew to be as cordial as when the Bailies bade his Grandfather welcome to 'his ain town o' Hawick.' This expression must not be understood to imply any literal proprietorship. It is rather a friendly acknowledgment of the affinity which united them to the Duke, in whom they felt they had a kind of vested interest, and whose help might always be relied on to further any public undertaking.

After the 'Disruption,' St Mary's Church was still the Parish Church of Hawick. The accommodation it afforded was quite inadequate to the requirements of the now rapidly increasing town, and moreover it was becoming rather dilapidated, so a new church, or a thorough repair and enlargement of the old one was urgently required. The Duke took the matter into his own hand and erected a handsome and commodious edifice on a most convenient site, and handed it over to the Parish complete and ready for use. He then improved and repaired the old church, obtained for it the status of a *quoad sacra*, and endowed the living. He subsequently built St Cuthbert's Episcopal Chapel at a cost of £7000, and afterwards erected a parsonage and schools in connection with it. The Buccleuch schools, with ample play-ground, and the schoolmaster's house and garden adjoining were a gift from his Grace to the Parish, and he also erected, at his own expense a school for St Mary's Parish, and gave a site for the Industrial school. The old Parish school-house, which had become his property, he presented to the Archaeological Society for the purpose of being converted into a lecture-room and Museum.

When the erection of a Corn Exchange was projected, application was made to him for a site which was freely granted, and on the day the foundation-stone was laid, he handed over the feu-charter with a subscription of £200 towards the building fund. About the same time the Town Council approached his Grace with a proposition to remit the customs leviable by him. These customs, which yielded a revenue of about £400 a year, he freely gave up for the nominal sum of £150, which he handed over to the Exchange company as an additional donation. Another great boon was conferred upon the rate-payers, when he cancelled a large debt, due to him by the Road Trust. The trustees had on various occasions borrowed large sums of money from the Duke's progenitors for the purpose of making and repairing the roads; and these sums accumulated as the years went on, till the capital and interest amounted to nearly £70,000. His

Grace handed over a receipt for the whole debt for £5! When the Working Men's Building Society was formed, their application for ground for feuing purposes was readily granted. Two beautiful fields near the town he leased at a nominal rent to the Bowling and Cricket clubs respectively. Many other gifts and benefactions might be enumerated, for every local undertaking which was for the general benefit, found in him a willing promoter, and every charitable scheme might count on a liberal subscription. But the greatest boon conferred upon the town was the plentiful supply of water granted by the Duke with every facility for conveying it to the town.

In the Municipal Records the first mention of a scheme for bringing water into the town was in 1783, when the Council resolved to introduce spring water and erect two street wells, and to borrow £200, to defray the expense. About fourteen years later an additional supply of water was brought, in leaden pipes, from the Sclidder springs, and other six wells erected at a cost of £500. This sufficed for the domestic requirements of the inhabitants for half a century when a reservoir was constructed and some other springs led into it. As the town increased and the sanitary conditions of dwelling houses improved, the water was quite inadequate, and a further and much more extensive supply became necessary.

After various schemes had been proposed and discussed, the Allan water, one of the tributaries of the Teviot, was suggested as the source of the supply. The stream runs through the Duke's property, and he with that cordiality which characterised all his generous actions, at once consented to give the water with every facility for carrying out the necessary works.

When the undertaking was completed, the Duke kindly consented to be present at the opening ceremony. The day was observed as a general holiday, and the townspeople formed themselves into a procession to accompany his Grace to the reservoir, nearly four miles distant. On arriving at the works, an address was presented to him, expressing the thanks of the community for his many liberal gifts to the town, and particularly for the abundant supply of good water which was about to flow into the town. He then turned on the sluice amid the cheers of thousands of spectators. The Provost, in a speech delivered on this occasion, said—'We have felt the want of water, but now we are safe for generations to come.' He proved a false prophet, however, for in little more than a dozen years, the town had increased to such an extent that the water supply was again found to be insufficient, and once more the

Hawick people were discussing various sources whence an increased volume and a higher pressure of water could be obtained ; and at length it was decided that the Dod burn, a tributary of the Allan, was the best and the most practicable. Again the Duke was appealed to, and as on the former occasion, he granted the water, and all needful privileges, with the same readiness and liberality.

The new works were on a much more extensive scale than the previous ones. A reservoir covering nearly twenty acres was constructed about three miles from Hawick, and at a sufficient altitude to reach the highest buildings within the Burgh. The supply is ample, the volume of water being calculated to give about fifty gallons per day to each person, and provision has been made for taking in a still further supply from Priestthaugh and Skelfhill burns, should the town increase so much as to make it necessary. And now it may be, with confidence, said that the pure and abundant supply of water is secured for 'generations to come.'

When the undertaking was nearly completed, the Duke was once more asked if he would be present at the opening of the water-works, and take part in the proceedings as he had done seventeen years before ; and he at once expressed the great pleasure it would give him to meet the Hawick people again. When his reply was received, it was unanimously resolved that the reception on his forthcoming visit should exceed anything of the kind that had ever been attempted in Hawick. The idea was embraced with the greatest enthusiasm by all classes, the efforts of the members of the Town Council, who took the lead in making arrangements, being ably seconded by the general public.

With one accord the people set to work, and all the different trades and corporations vied with each other to make an effective display ; and when the festal day came, the sober old Border town was quite metamorphosed, and looked like a gay continental city *en fête*. Triumphal arches spanned the streets at various points. Banners of every hue and device floated from the mills, workshops, and public buildings, and lines of gay streamers fluttered in the breeze in every direction, and along the principal streets the house fronts were decked with bright draperies, evergreens, and floral devices. The general effect was extremely brilliant, the bright and varied colours of the flags and banners contrasting splendidly with the deep green of the laurels and fir boughs, which were largely used in the decorations.

The day appointed for the demonstration was observed as a general holiday. The mills were all shut,—no smoke issued from their tall chimneys, and the busy

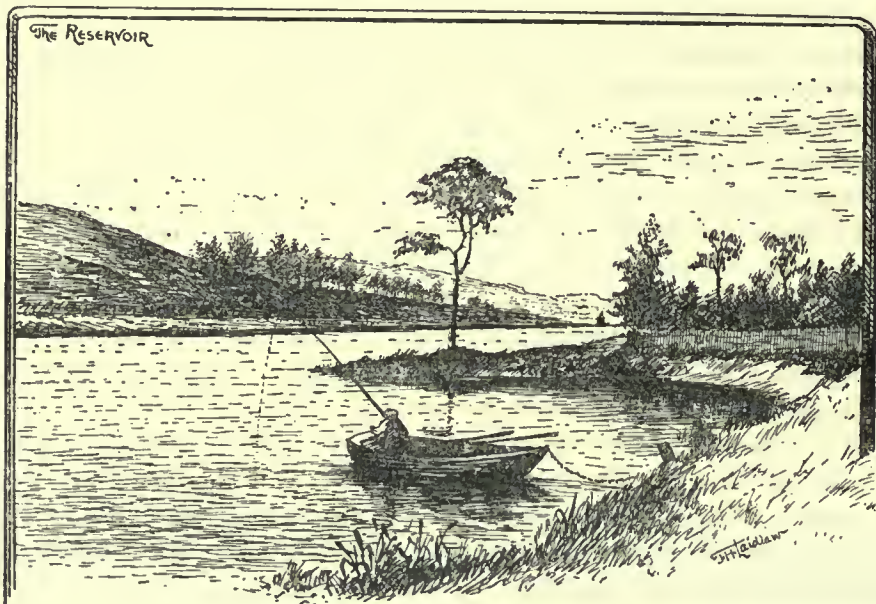
machinery was at rest ; the click and whirr from the stocking shops were unheard ; warehouses and places of business were closed, and the whole community, young and old, were eager to participate in the ceremonies and festivities. Great numbers of country people poured into the town, and the streets were crowded long before the guest of the day was expected.

The great feature of the proceedings was a monster procession which, it was arranged, should meet the Duke on his entrance to the town. Much care and attention had been devoted to this part of the programme, and the result was a most effective and interesting display. There were, of course, the usual bands of music ; the Town's Standard, borne by the Cornet who had last held office ; the Freemasons, with their sashes, aprons, and curious symbolic insignia ; the Foresters, and other benefit Societies, with the decorations of their various orders ; the different trade corporations, wearing appropriate and distinctive embellishments, and carrying banners, and numerous models and emblems of their respective handicrafts ; the carters, mounted on their horses, gaily decked with ribbons ; the fire brigade, and the cyclists, and the cricketers, in the peculiar costume of their different clubs. These made up a procession fully two miles in length, forming a really brilliant and magnificent spectacle. After perambulating the streets, the head of the procession opened up on reaching the Market Place, and lining both sides of the roadway, waited to receive his Grace on his entering the Town from Branxholme, where he had arrived the previous evening.

The members of the Bowling clubs had expressed their earnest desire to tender their personal thanks to the Duke for his recent gift to them, and they awaited the approach of his Grace in their beautiful greens, which are situated just outside the town on the road from Branxholme. On reaching the Bowling greens, he alighted from the carriage, and was received by the Magistrates and Town Council and the members of the clubs, who, in thanking him for his kindness in bestowing upon them the ground on which they could enjoy their favourite game, begged his acceptance of a pair of handsome bowls in token of their gratitude. He expressed his pleasure in being able to provide the means of recreation to the people, and said he would value the present just made to him as a token of their good feeling. He then proceeded to the town, his approach being signalled by the band playing the Buccleuch march, ' All the blue bonnets are over the Border.'

The Duke, accompanied by the Provost, the Town-Clerk, and the Parish

minister, was seated in an open carriage, drawn by four horses. In the next carriage were the Earl of Dalkeith, Lord Eskdale, and Mr Eliott Lockhart, his Grace's Chamberlain. These were followed by about a hundred carriages, which were filled by many of the noblemen and gentlemen of the county, and all the principal inhabitants of the town and neighbourhood. The Duke was greeted with loud and prolonged cheers from the dense crowds which lined the streets—cheers which burst forth again as the carriage passed along. He appeared pleased and touched with the warmth of his reception, and looked with delighted interest at the decorations which had been prepared to do him honour. After



driving along the principal streets, the carriages and the other part of the procession proceeded towards the waterworks, a distance of about three miles. The weather had been dull and cloudy all the morning, and just as the reservoir was reached it began to rain in that steady, persistent fashion which gave little hope of the day clearing up. This circumstance, disappointing as it was, was powerless to damp the spirits of the people, though it certainly spoiled the appearance of things, and was far from comfortable; yet a feeling of good humoured hilarity appeared to pervade the assembly, and they seemed to enjoy the rain rather than otherwise. On reaching the lower end of the reservoir where the ceremony of

turning on the water was to take place, the Duke was again heartily cheered as he stepped into the enclosure. An address from the Corporation was then read by the Town-Clerk. After dwelling on the progress of the town, which had rendered the present scheme necessary, and expressing the thanks of the community, and alluding to the generous interest his predecessors had taken in the Burgh, the address which will be found *in extenso* in the appendix, concludes—‘It is our desire, and we know it to be the wish of the community, that the ancient traditions of Buccleuch towards the Burgh, as these have been so liberally and faithfully perpetuated by your Grace, should, in the future, continue on the same friendly footing as they have existed in the past, and that the amicable relations now so happily subsisting between your Grace and the town may ripen into a still stronger bond of reciprocal good neighbourhood; and that your Grace may long ‘Live’ to ‘Let Live,’ and to adorn the exalted station in which a gracious Providence has placed you, is the sincere and earnest prayer of your Grace’s faithful and obliged servants,

‘(Signed) In name, and by the authority of the Magistrates and Council of the Burgh of Hawick, ROBERT FRASER WATSON, Provost.’*

After a short prayer had been offered up by the Rev. Dr Macrae the Duke turned on the sluice, and declared the waterworks open. The Provost then presented his Grace with a gift from the Burgh, consisting of a beautiful Badminton jug and pair of beakers. On one side of the jug the arms of the Buccleuch family were engraved, and on the other the arms of the Burgh of Hawick, with a suitable inscription on the lid.

When these ceremonies had been duly performed, the procession was again marshalled, and returned to the town.

On arriving there, a deputation from the Building Society waited on the Duke, and presented him with a beautifully illuminated address, thanking him for having so readily conveyed to them land for building purposes; and also giving particulars of the progress of the Society, which had been the means of enabling upwards of two hundred working men to become the proprietors of their own houses.*

The Duke, in accepting the address, praised the energy and enterprise which had enabled the working men of Hawick so much to improve their circum-

* Vide Appendix.

stances, and, 'it must,' he said, 'give them a feeling of dignity and independence to remember that their prosperity was the result of their own efforts.'

In the evening the Duke was entertained to a Banquet in the Exchange Hall, when about five hundred sat down to dinner, and a large number of ladies occupied the galleries. The toast of the evening was proposed in graceful eulogistic terms by the Provost, and received with the greatest enthusiasm, and hearty and prolonged cheers rang out again and again as the venerable Duke rose to reply. He appeared much moved by the warmth of feeling manifested towards him, and in a few simple words expressed his thanks. 'I assure you,' he said in conclusion, 'that nothing could have afforded greater comfort in the declining years of an old man's life than to know that his efforts have been in a manner appreciated by those whose opinions he values most.' The day's festivities were brought to a close with a ball, at which his Grace was present, and danced a reel with great vigour and sprightliness.

With the exception of the weather, which was certainly unpropitious, the demonstration had been most successful, and reflected the greatest credit on those on whom had devolved the task of arranging and organising all the different details. The greatest order prevailed, both in the crowded streets, and among the thousands assembled at the water works, and the whole proceedings were characterised by the utmost heartiness and cordiality. It is a pleasant reflection to the people of Hawick, that the very last time the good old Duke appeared amongst them, they had been able to give such emphatic expression to their feelings of gratitude and respect which his Grace's constant kindness had so nobly earned.

A popular demonstration, however enthusiastic, is but an ephemeral expression of feeling after all, and it was felt by many of the Hawick people that the Duke of Buccleuch's many benefactions to the town deserved a more lasting recognition. It was, therefore, resolved to erect a suitable building or monument to commemorate his Grace's generosity, and a considerable sum of money was raised by voluntary subscription for this purpose.

After mature consideration it was decided that the memorial should take the form of a building for the accommodation of science and art classes. It was felt that an Institution, which had for its object the advancement of science and education, was more in harmony with the life of the Duke, and more likely to be pleasing to him, than the empty honour which would be conferred by a statue or a monument of a merely ornamental character.

It was also resolved to ask the Duke to sit for his portrait to be hung in the hall of the building. To this he at once agreed, and Mr Knighton Warren, the artist employed by the subscribers, has succeeded in producing a portrait, which is an excellent and characteristic likeness, and an admirable work of art. Since his death it has acquired an enhanced value from the fact that it was the last portrait painted of his Grace.*

The last of the Duke's gifts to the town was eminently characteristic of his benevolent disposition, and his sympathy with suffering and distress. The want of an Hospital had long been felt in Hawick, especially for the treatment of accidents, and a number of ladies and gentlemen of the town and neighbourhood took steps to establish one on the cottage system. He warmly approved of the movement, and gave a site for the building, besides a handsome contribution towards its erection, and an annual subscription of £10 towards the maintenance of the Institution.

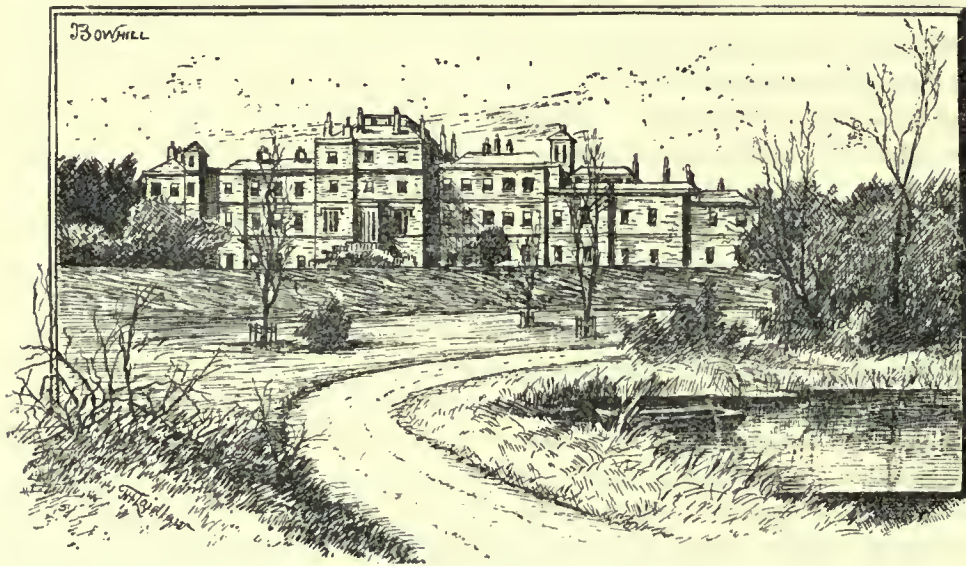
The site selected for the Hospital is on a rising ground to the west of the town, and a pretty and commodious building has been erected. It contains accommodation for ten patients, and since it was opened in 1885 has been fully taken advantage of, and has been of incalculable benefit.

Before the Hospital was completed the 'Generous Donor,' who had so materially assisted in promoting the Institution, was no more. From December 1883 his health had been failing, and though he was able to go to London in February to attend the opening of Parliament, he only remained ten days, and then returned to Bowhill. His weakness increased during the month of March, though he was still able to enjoy a short drive on fine days. On the 3d of April he went out for the last time, and accompanied by the Duchess drove through the woods around Newark and Bowhill, in order to see for himself the havoc caused by the recent storm, which had blown down great numbers of trees. On their return he was seized with a violent shivering, followed by fever. His medical attendants entertained the gravest apprehension from the first, and though there was a temporary improvement in the course of the following week, it was evident that the end was drawing near. On the 16th of April 1884, he breathed his last, at the advanced age of seventy-eight, having held the titles and estates of Buccleuch and Queensberry for fifty-five years.

He died at Bowhill, the residence which of all others he loved best. He enjoyed the privacy and quiet home life with which it was always associated, and he

* The frontispiece is a reproduction of this portrait.

had been heard to say that it was on the Braes of Yarrow he would prefer to spend his last days. His deathbed was soothed by the attendance and ministrations of his family, and not one of his ancient race was more sincerely mourned or more lovingly remembered, not only by his family and friends, but by his numerous tenantry and those employed on his estates, and by his old servants and dependents who had lost in him a kind and generous master.



His remains were removed to Dalkeith, and laid to rest in St Mary's Chapel within the park. On the day of the funeral the mills, shops, and other places of business in Hawick were closed from one to two o'clock, and the bells tolled a funeral knell. A similar mark of respect was paid, on the solemn occasion, in Langholm, Annan, Selkirk, and other places with which his Grace was connected.

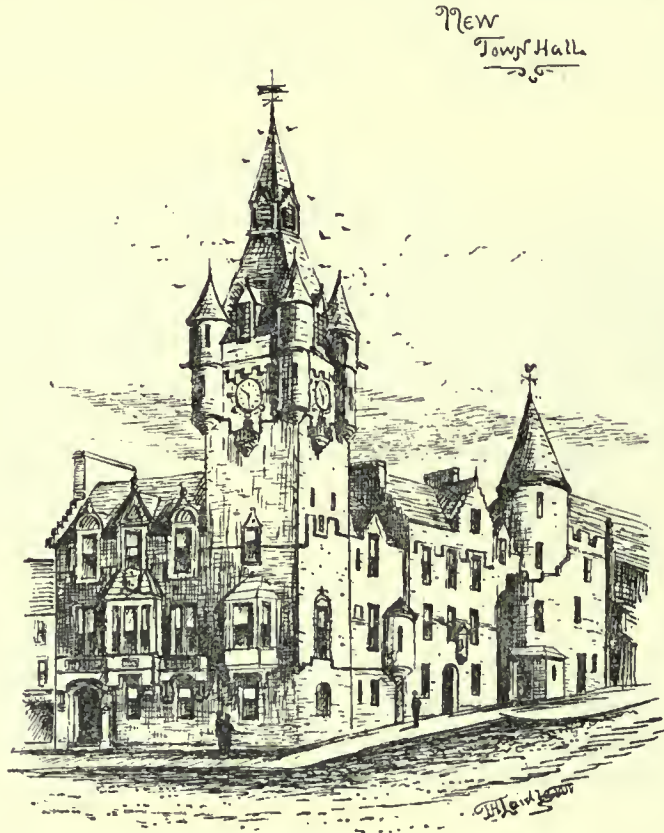
The Duke left a family of four sons and three daughters. William Henry Walter, who succeeded him, was born in 1831, and was married in 1859 to Lady Louisa Hamilton, daughter of the Duke of Abercorn; Lord Henry Scott, the second son, was born in 1832; Lord Walter, born 1834, and Lord Charles Thomas, born in 1839; Lady Victoria Alexandrina married in 1865 to the Marquis of Lothian; Lady Margaret Elizabeth married in 1875 to Cameron of Lochiel; and Lady Mary Charlotte married in 1877 to the Hon. Walter Rodolph Trefusis.

Shortly before his death a very high compliment was paid to him, and one which very seldom falls to the lot of any private nobleman. A great number of gentlemen, both in England and Scotland, resolved to testify in some public manner their sense of admiration of the high character and honourable career of his Grace. The maximum subscriptions were limited to ten guineas, and a large sum was soon collected. The movement was, of course, non-political, and the most gratifying feature connected with it, was the hearty way in which many of his bitterest political opponents joined in testifying to his personal worth.

It was decided that the memorial should take the form of a statue, to be erected in Edinburgh near to St Giles' church. The statue represents the Duke in the robes of the Garter, and is of bronze, 10 feet 6 inches in height, and stands on a richly decorated pedestal. Its form is hexagonal, and is in two stages. At the six angles are six bucks rampant, bearing shields emblazoned with the arms of the families allied by marriage to the house of Buccleuch. Between these on the six panels are reliefs illustrating various events in the family history. The first represents Sir Walter Scott falling at the battle of Halidon Hill; the second, the burning of the Tower of Catslack, when Lady Buccleuch perished; the third is the attempt made by Buccleuch to rescue James the Fifth from the thraldom of Angus; the next represents the burning of Branxholme Tower; and the fifth and sixth are two scenes from the ballad of Kinmont Willie. The next stage of the pedestal contains on its panels bronze reliefs representing incidents in the life of the Duke, viz., receiving the Queen at Dalkeith, planning Granton Harbour, Tenants' dinner in Edinburgh, installation as Chancellor of Glasgow University, and as Colonel of the Militia; the sixth panel contains the coat of arms of the late Duke; and at each angle are figures representing Fortitude, Liberality, Temperance, Prudence, Charity, and Truth.

The Buccleuch memorial in Hawick is now finished. It is a handsome and spacious building, and provides accommodation for the science and art classes, and for the Archæological Society's museum, which contains a large and valuable collection of geological and natural history specimens, and a number of interesting antiquities. It was opened on the 14th of April 1887 by the present Duke and Duchess, and promises to become one of the most important educational institutions in the town.

The people of Hawick are very enterprising, priding themselves on their readiness to accept new ideas and adopt new institutions. A Free Library has been for some years established in the town. The Science classes which are held in the Buccleuch Memorial Buildings, were started several years before it was built, are largely attended, and have proved very successful. The gratifying



results of the Building Society has already been mentioned. There are also several benefit Societies in the town which are all in a flourishing condition, and afford ample proof that the working classes are, generally speaking, prosperous and of provident habits.

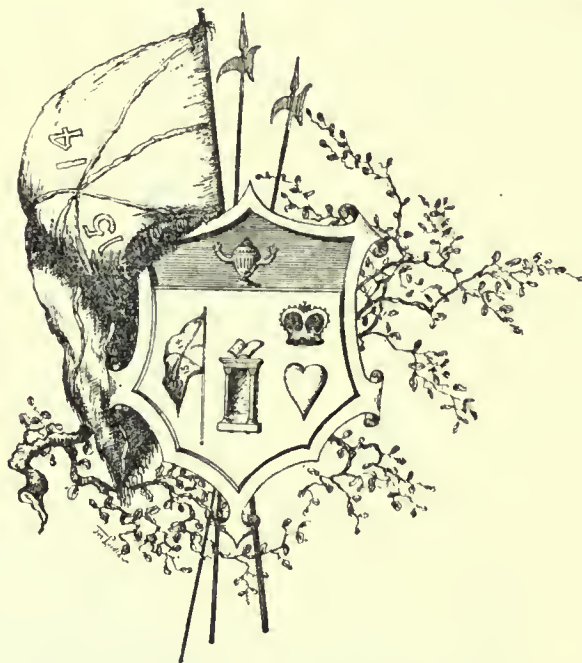
In 1884 a sum of money was raised, partly by subscription and partly by means of a bazaar, in order to complete the purchase of the Midrow, with the

intention of pulling down and clearing away the old houses. These were the oldest houses left in the town, and were doubtless standing when the soldiers of Queen Elizabeth spread desolation on the Scottish Border. From an antiquarian point of view, some were inclined to regret the demolition of the last relics of the old town, but the houses were old and dilapidated and unsuited to modern requirements, and their removal could not be regarded as a great public improvement, more especially as, by clearing them away, two narrow streets were converted into a fine open square.

The town is well built, and the High Street contains many handsome buildings. A new Town Hall has been erected on the site of the old one, but on a much more extensive and magnificent scale. The placing of the memorial stone in front of the new Municipal buildings was the occasion of the first visit of the present Duke after his accession to the title, and the Duchess, who accompanied his Grace, performed the ceremony, which is commemorated by an inscription in front of the building. The formalities were witnessed by an immense concourse of spectators, who received the Duke and Duchess with the most cordial demonstrations of welcome.

The Hawick of the feudal ages has entirely disappeared, and one of the most important centres of industry has succeeded it. Upper Teviotdale contains few traces of the stormy period of its history. It is now a quiet pastoral district, whose inhabitants devote themselves to the care of their flocks and herds. The silvery Teviot flows peacefully along amid all the changes; its sweet murmur has been drowned by the shouts and yells of the ancient Britons as they encountered or fled from the conquering Romans and hid in the thick woods which clothed its banks; it has reflected the Baal-fires of the religious rites of Paganism, and it has laved the feet of the pious St Cuthbert and his monks, who brought the light of Christianity into the heathen darkness. Marauding hosts have come with fire and sword, and left its lovely valleys a scene of havoc and desolation; and often the old rallying-cry of 'Teri-bus ye Teri-Odin,' has echoed along its banks as the men of Hawick mustered for the fray. These warlike times have passed away, and the little grey hamlet on the clear stream has grown into a flourishing town. The beautiful river has been converted into an active industrial agent, and made to set wheels revolving and intricate machinery in motion, to assist the dyer, the scourer, the tanner, and many other tradesmen, and then flows on, bearing with it the marks of its honest toil in its blackened waters, till it is lost in

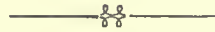
the great ocean, where its streams, dispersed and scattered, may be carried to many distant shores, but not wider or further, than the products of the industry of Hawick have been carried, by the commercial enterprise of the sons of Teviotdale.



Hawick Standard and Coat of Arms.

APPENDIX.

PEDIGREE
OF
THE SCOTTS OF BUCCLEUCH.



- I. RICHARD SCOTT of Rankilburn and Murthockston. Married the daughter and heiress of Murthockston of that Ilk, in the County of Lanark. Swore fealty to Edward the First in 1296. *Circa* 1265 to 1320.
- II. SIR MICHAEL SCOTT, second of Rankilburn and Murthockston. Killed at the battle of Durham in 1346.
- III. ROBERT SCOTT, third of Rankilburn and Murthockston, also of Kirkurd. Died in 1389.
- IV. SIR WALTER SCOTT, fourth of Rankilburn, Murthockston, and Kirkurd. Killed at the battle of Homildon, 1402.
- V. ROBERT SCOTT, fifth of Rankilburn and Murthockston, and of Kirkurd. He exchanged the lands of Glenkerry for Bellenden. Died in 1426.
- VI. SIR WALTER SCOTT of Buccleuch, Branxholme, and Kirkurd. Exchanged Murthockston for Branxholme. Married Margaret Cockburn of Henderland. Died in 1469.
- VII. DAVID SCOTT of Buccleuch, Branxholme, and Kirkurd. Sat in Parliament as *Dominus de* Buccleuch, 1487. Died in 1491. Buried in Holy Cross Church, Peebles.

- VIII. DAVID SCOTT, married Lady Jane Douglas, daughter of the Earl of Angus. Died before 1484.
- IX. SIR WALTER SCOTT of Branxholme and Buccleuch. Served heir in 1492. Married Elizabeth Kerr of Cessford, who was burned to death in the tower of Catslack, on the 19th of October 1548. He died in 1504.
- X. SIR WALTER SCOTT of Branxholme and Buccleuch. Killed in the streets of Edinburgh in 1552.
- XI. SIR WALTER SCOTT of Kirkurd. Died in 1552, a few months before his father.
- XII. SIR WALTER SCOTT, succeeded his grandfather. Married Lady Margaret Douglas, daughter of the Earl of Angus (her name is inscribed above the doorway on Branxholme Castle). He died in 1574.
- XIII. SIR WALTER SCOTT, Knighted at the Coronation of Queen Anne, Consort of James VI. Created Lord Scott of Buccleuch. Married Margaret Ker, sister of Robert, first Earl of Roxburgh. Died in 1611.
- XIV. WALTER, second LORD SCOTT of Buccleuch. Created Earl of Buccleuch in March 1619. Died in London in 1633, and was buried in St Mary's church at Hawick.
- XV. FRANCIS, second EARL OF BUCCLEUCH. Married Lady Margaret Leslie, only daughter of the Earl of Rothes, and widow of Lord Balgony. He died at Dalkeith Castle, 1651.
- XVI. LADY MARY SCOTT, COUNTESS OF BUCCLEUCH. Married Walter Scott, son of Gideon Scott of Highchesters. He was created Earl of Tarras. She died at Wemyss Castle in 1661, without issue, and was succeeded by her sister.

- XVII. LADY ANNE SCOTT, COUNTESS OF BUCCLEUCH. Married James, Duke of Monmouth, who was beheaded in 1685. She was created Duchess of Buccleuch and Monmouth by James II. Died at Dalkeith in 1732.
- XVIII. JAMES, EARL OF DALKEITH, married Lady Henrietta Hyde, daughter of the Earl of Rochester. Died in 1705, was buried in Westminster Abbey.
- XIX. FRANCIS, second Duke of Buccleuch, only surviving son of James, Earl of Dalkeith, was made a Knight of the Thistle in 1725. Succeeded on his grandmother's death in 1732 as Duke of Buccleuch. In 1743, he was restored to the titles of Earl of Doncaster, and Baron Tyndale; these having been borne by his grandfather, James, Duke of Monmouth, but forfeited for his rebellion. Married Lady Jane Douglas, daughter of the Duke of Queensberry. Died in 1751.
- XX. FRANCIS, Earl of Dalkeith, married Lady Caroline Campbell, daughter of the Duke of Argyle. Died in 1750.
- XXI. HENRY, third Duke of Buccleuch, K.G. and K.T., succeeded his grandfather in 1751, and to the Dukedom of Queensberry as fifth Duke in 1810. Married Lady Elizabeth Montagu, daughter of the Earl of Cardigan, afterwards Duke of Montagu. Died in 1812.
- XXII. CHARLES WILLIAM HENRY, fourth Duke of Buccleuch, and sixth Duke of Queensberry, K.T., married the Hon. Harriet Katherine Townshend, daughter of Viscount Sydney. Died in 1819.
- XXIII. WALTER FRANCIS MONTAGU DOUGLAS SCOTT, fifth Duke of Buccleuch, and seventh Duke of Queensberry; married Lady Charlotte Anne Thynne, daughter of the Marquis of Bath. Died 16th April 1884. Besides his hereditary titles, which comprised Baron Scott of

Buccleuch, Earl of Buccleuch, Baron Scott of Eskdale, Duke of Buccleuch, Earl of Dalkeith, Baron Scott of Whitchesters, Duke of Queensberry, Marquis of Dumfriesshire, Earl of Drumlanrig and Sanquhar, Viscount of Nith, Torthorwald, and Ross, Baron Douglas of Kinmont, Middlebie, and Dornock, in the Peerage of Scotland; and Earl of Doncaster and Baron Tyndale, in the Peerage of England; he was made a Knight of the Garter in 1835, Lord-Lieutenant of Edinburghshire, 1826; Lord-Lieutenant of Roxburghshire, 1841; D.C.L. of Oxford, 1834; Doctor of Laws, Cambridge, 1842; a Privy Councillor in 1842; Colonel of the Edinburgh County Militia; Captain-General of the Royal Company of Archers of Scotland; Aide-de-Camp to the Queen in 1857; Lord Privy Seal from 1842 to 1846; Lord President of the Council from January to July 1846; President of the Society of Antiquaries of Scotland in 1862; LL.D. of Edinburgh University in 1874, and Chancellor of the University of Glasgow in 1878.

XXIV. WILLIAM HENRY WALTER, present Duke of Buccleuch and Queensberry, K.T., born at Montagu House in 1831. Married in 1859 Lady Louisa Jane Hamilton, third daughter of the Duke of Abercorn.



A P P E N D I X.

No. II.

CONFIRMATION BY MARY, QUEEN OF SCOTS, under the Great Seal, dated 12th May 1545, of the Charter granted by James Douglas of Drumlanrig, Baron of the Barony of Hawick, in favour of the Town of Hawick, dated 11th October 1537. From a modern translation in the Chartulary of the Burgh.

MARY, by the grace of God, Queen of Scots ; To all honest men of her whole land clergy and laity, greeting : Know ye, that We, with the advice, authority, and consent of our dearest cousin and tutor, James Earl of Arran, Lord Hamilton, protector and governor of our kingdom, and of the Lords of our Privy Council, have fully understood a certain charter of gift, by our command seen, read, inspected, and carefully examined, whole, entire, neither crased nor cancelled, nor suspected in any part thereof, made by our beloved James Douglas of Drumlanrig, and baron of the barony of Hawick, in the county of Roxburgh, to the persons underwritten, tenants of his town and burgh of Hawick foresaid, their heirs and assignees respectively, as is under specified, with their pertinents, of all and whole his lands after following, to-wit :—To Robert Scott of Howpaslott, of six particates of land ; to Robert Scott of Alanhauch, of three particates ; David Rutlethe, eight particates ; Thomas Brown, three particates ; the Chaplain of the Altar of the blessed Virgin Mary, within the Parish Church of Hawick, two particates ; Sir James Young, one particate ; Walter Turnbull, one particate ; Robert Chalmer, one particate ; Symoun Chepman, one particate ; John Scott, two particates ; Robert Schort, two particates ; William Scott, half a particate ; Richard Fair, a half particate ; William Scott, the son of William Scott, eleven particates ; John Wauch, two particates ; John Howburne, one particate ; William Douglas, three

particates ; Stephen Scott, John Schort, and Janet Liddirdaile, one particate equally between them ; Janet Liddirdaile, two particates ; Hawis Lidderdaile, one particate ; Sir Thomas Fowlaw, two particates ; Thomas Liddirdaile, two particates ; Janet Gladstains, one particate and a half ; Nichol Liddirdaile, half a particate ; John Cessfurde, one particate ; Andrew Young, two particates ; John Scott, two particates and a half ; Thomas Scott, three particates ; Thomas Burne, one particate and a half ; Sir John Scott, four particates ; Thomas Connell, one particate ; Mr John Hepburne, two particates ; John Plendirgaist, half a particate ; James Blair, half a particate ; William Paslay, the fourth part of a particate ; George Young, the fourth part of a particate ; James Cessfurde, the fourth part of a particate ; Adam Cessfurde, half a particate ; John Young, the fourth part of a particate ; William Cessfurde, the fourth part of a particate ; and to Matthew Henderson, two particates, with their pertinents, lying on the south side of the Public Street of the said James Douglas' town and burgh of Hawick foresaid ; and also the said James Blair, of one particate ; to the foresaid Chaplain of the Altar above written, one particate ; Bessie Weile, one particate ; William Aliesoun, one particate ; Adam Binkis, one particate ; William Story, one particate ; Janet Cessfurde, two particates ; to the said William Scott, three particates ; John Morlo, three particates ; Alexander Paslay, one particate ; John Angus, half a particate ; Stephen Scott, half a particate ; John Rowcastill, one particate ; John Cessfurde, two particates ; John Wauch, one particate ; Leonard Quhyt, one particate ; Symoun Martene, two particates ; Adam Patersoun, two particates and a half ; Margaret Liddirdaile, one particate and a half ; Philip Liddirdaile, two particates ; William Mortoun, one particate ; James Storie, one particate ; William Stewart, one particate ; John Fairnielaw, two particates ; Andrew Lidderdaile, five particates : Janet Lidderdaile, one particate ; Archibald Scott, two particates ; John Deins, two particates ; John Cessfurde, one particate ; to James Wilsoun, one particate ; William Fowlaw, one particate, with their pertinents, lying on the north side of the public street of the said James Douglas' town and burgh of Hawick foresaid, between the lands commonly called the Bourtreis on the east, and the Common Vennel at Myreslawgreen on the west, on the one and other parts, according to the limits and bounds as is more fully contained in the evidents and infestments formerly made and executed ; and with the Common in the Common Hauch and Common Muir of Hawick, lying between Burnfurde on the east, the Troutlawfurde on the west, and the syke of Wyntoun Moss on the

south, and the ditches of Goldbankis and Fynnyk on the north parts ; reserving to the said James Douglas, his heirs and assignees, the lands lying in his said town, on the south side of the public street thereof, between the lands of John Scott on the east, and the lands of Robert Schort on the west parts, on the one and other parts. To be held of the foresaid James Douglas, and his heirs, in fee and heritage, and free burgage in barony, as at first, for one penny of the usual money of the kingdom of Scotland, to them and their assignees, by the said James Blair, his heirs and assignees, upon the ground of his half particate foresaid, at the feast of Penthecost, in name of blench-farm, if it is asked only ; also the said Thomas Connell, Mr James Hepburne, John Plendergaist, William Paslay, George Young, James Cessfurde, Adam Cessfurde, John Young, and William Cessfurde, their heirs and assignees, paying to the foresaid James Blair, his heirs and assignees, the annual rents formerly due and accustomed to them, according to the tenor of the evidents made before thereupon to them, by the foresaid James ; and also, the other persons above written, their heirs, successors, and assignees, paying annually to the said James Douglas, his heirs and assignees, for every particate of the said lands granted by him to them respectively, five pennies money foresaid, at two usual terms in the year, Whitsunday, and Martinmas in winter, by equal portions upon the ground of the foresaid lands, in name of annual rent, or burgh-

Narrative Clause. farm : Which charter is under this form :—To all who shall see or hear this Charter. JAMES DOUGLAS of Drumlanrig, Baron of the barony of Hawick, lying within the sheriffdom of Roxburgh, everlasting health in the Lord : Because it plainly appears, and is known to me, from my old evidents, that my town of Hawick, lying within my said barony of Hawick, and in the sheriffdom of Roxburgh above mentioned, from of old created, continued to subsist a free burgh of barony ; and because the charters and evidents of the tenants and inhabitants of the said town and burgh, through the inroads of the English and thieves in bypast times of enmity and war, have been lost and destroyed, from whence, that no prejudice may arise to the said tenants, but in respect I am willing rather to help and relieve them : Know ye therefore, That I have

Dispositive Clause. given, granted, and by this my present Charter confirmed ; likeas I give, grant, and by this my present Charter, confirm to the persons under written, tenants of my said town and burgh of barony, all and sundry my lands following, viz., To Robert Scott of Howpaslot, six particats of land ; Robert Scott of Allahaugh, three particats ; David Routlach, eight particats ; Thomas Brown, three

particats ; the Chaplain of the Altar of the blessed Virgin Mary, within the parish church of Hawick, two particats ; Mr James Young, one particat ; Walter Turnbull, one particat ; Robert Chalmer, one particat ; Simeon Chapman, one particat ; John Scott, two particats ; Robert Short, two particats ; William Scott, half a particat ; Richard Fair, half a particat ; William Scott, the son of William Scott, eleven particats ; John Wauch, two particats ; John Howburn, one particat ; William Douglas, three particats ; Stephen Scott, John Short, and Janet Lidderdaill, one particat equally amongst them ; Janet Lidderdaill, two particats ; Hally Lidderdale, one particat ; Mr Thomas Fawlaw, two particats ; Thomas Lidderdale, two particats ; Janet Gladstains, one particat, with the half of another particat ; Nicol Lidderdale, half a particat ; John Cessfurd, one particat ; Andrew Young, two particats ; John Scott, two particats and a half ; Thomas Scott, three particats ; Thomas Burn, one particat and a half ; Sir John Scott, four particats ; Thomas Connell, one particat ; Mr John Hepburn, two particats ; John Plendergaist, half a particat ; James Blair, half a particat ; William Paisley, the fourth part of a particat ; George Young, the fourth part of one particat ; James Cessfurd, the fourth part of one particat ; Adam Cessfurd, half a particat ; John Young, the fourth part of one particat ; William Cessfurd, the fourth part of one particat ; and Matthew Henderson, two particats, with their pertinents, lying upon the south side of the public street of my said town and burgh : As also to the said James Blair, one particat ; to the foresaid Chaplain of the above written altar, one particat ; Bessy Wyllie, one particat ; William Alisoun, one particat ; Adam Binks, one particat ; William Story, one particat ; Janet Cessfurd, two particats ; Mr William Scott three particats ; John Morlo, three particats ; Alexander Paisley, one particat ; John Angus, half a particat ; Stephen Scott, half a particat ; John Rucastle, one particat ; John Cessfurd, two particats ; John Waugh, one particat ; Leonard Quhyt, one particat ; Simeon Martin, two particats ; Adam Patterson, two particats and an half ; Margaret Lidderdale, one particat and a half ; Philip Lidderdale, two particats ; William Mortoun, one particat ; James Story, one particat ; William Stewart, one particat ; John Fairnlaw, two particats ; Andrew Lidderdale, five particats ; Janet Lidderdale, one particat ; Archibald Scott, two particats ; John Deans, two particats ; John Cessfurde, one particat ; James Wilson, one particat ; and to William Fawlaw, one particat ; with their pertinents, lying upon the north side of the public street of my said town and burgh of Hawick, betwixt the lands commonly called the Bourtreis upon the east, and the Common

Vennel at the Myreslawgreen upon the west parts, from one and other parts, according to the bounds and marches thereof, as they are at more length contained in the rights and sasines formerly made and granted to them thereupon ; together

Common with the Common in the Common Haugh and Common Muir of
 Haugh and Common
 Muir. Hawick, lying betwixt the Burnfoord upon the east, Troutlawfoord upon the west, and the syke of Wintoun Moss upon the south, and the dykes of Goldielands and Fynnyk upon the north parts, from one another ;

Exception. Excepting to me, my heirs, and assignees, the lands lying in my foresaid town, upon the south side of the public way thereof, betwixt the lands of John Scott upon the east, and of Robert Short upon the west parts, from one

Tenendas. another : To be held and kept all and sundry, my foresaid lands, excepting as are above excepted, by the persons above written, their heirs and assignees respectively as aforesaid, with the pertinents thereof, of me, and my heirs,

Feu and Free in feu and heritage, and free burgage in barony as formerly, for ever,
 Burgage. by all their just marches, old and divided, as they lie in length and in breadth, with houses, buildings, yards, beams, timber, common pasturage, and free entry and outgate ; together with all and sundry other liberties, commodities, profits, easements, and just pertinents of the same whatsoever, as well not named as named, as well below as above ground, far and near, belonging, or that shall rightly belong to, the foresaid lands and pertinents in time coming, any manner of way, and that freely, quietly, fully, completely, honourably, well, and in peace, without any impediment, revocation, contradiction, or obstacle whatsoever : Giving and

Reddendo. paying out of the same yearly the said James Blair, his heirs and assignees, to me my heirs and assignees one penny usual money of the kingdom of Scotland, upon the ground of his half particate above mentioned, at the feast of Whit-Popish. sunday, in name of blench-farm, if demanded ; as also finding and maintaining one lamp or pot of burning oil before the great altar of the parish church of Hawick, in time of high mass and evening prayers, on all holydays throughout the year, in honour of our blessed Lord and Saviour Jesus Christ, for the souls of the Barons of Hawick, founders of the said lamp, and their successors ; and likewise

Subaltern. the foresaid Thomas Connel, Mr John Hepburn, John Plendergaist, William Paisley, George Young, James Cessfurd, Adam Cessfurd, John Young, and William Cessfurd, their heirs and assignees, paying to the said James Blair, his heirs and assignees, the annual duties formerly accustomed and due by them to the aforesaid James Blair, and his heirs and assignees, conform to the tenor of the

rights made and granted by him formerly to them thereupon ; as also the rest of the persons above written, their heirs, successors, and assignees paying to me, my heirs and assignees for each part of the foresaid lands granted by me to them respectively, five pennies money foresaid, at the two ordinary terms of the year, viz., the feasts of Whitsunday, and Martinmas in winter, by equal portions, upon the grounds of the said lands, in name of annual duty or Service. burgage-ferm ; likewise performing to me, my heirs and assignees, such services as other inhabitants and tenants of free burghs of barony within the kingdom of Scotland perform to their lords and superiors ; with power to the foresaid persons, their heirs and assignees, burgesses of the said burgh at this present time, and in all times to come, of creating and ordaining yearly bailies and officers necessary therein, for the government of that burgh ; provided always, that it shall not be lawful for the said persons, their heirs or assignees, to ordain, create or institute bailies, or other officers in the foresaid burgh, but such only as reside and shall reside within the same : Further, for me, my heirs, and assignees, I hereby give and grant to the present bailies of the said burgh, and to their successors in office for the time being, my full and all manner of power and mandate, special and general, for receiving resignations of the lands above written, and giving and granting sasines of the same, according as shall be agreed upon and conceived betwixt parties ; likewise all resignation of the said lands, or any part of them that have been made, in the hands of the bailies of the said burgh, and sasines thereof granted by them to others thereupon in any time bypast, I approve of and ratify, and for me, my heirs, and assignees, hereby confirm for ever : And I, the foresaid James Douglas of Drumlanrig, for me, my heirs and assignees, truly warrant, acquit, and defend all and sundry my lands above written, excepting what are above excepted, to the persons above mentioned respectively, their heirs and assignees, in all respects, and by all forms, to the effect as above expressed, against all deadly for ever. In testimony whereof, my seal, together with my manual subscription, is hereto appended : At Edinburgh, the 11th day of October 1537 years ; before these witnesses, Archibald Douglas of Kowschoqill, William Scott, John Douglas, Mr John Chapman, Sir John Scott, vicar of Hawick, John Maitland of Auchingasschell, John Maitland and Patrick Maitland, with diverse others. (Signed) JAMES DOUGLAS of Drumlanrik, with my hand.—Which charter, containing a

Power to create Bailies.

Powers, Resignation, and Sasine.

Testing Clause.

gift therein in all its points and articles, conditions, and modes and circumstances whatsoever, in all, and by all, in form and to the effect above said, We, with the advice and consent of our dearest cousin and tutor foresaid, approve, ratify, and for us and our successors for ever confirm ; Reserving to us and our successors the rights and services of the said lands of the town and burgh in barony foresaid, with their pertinents, due and accustomed before this our present confirmation : Moreover, we, with advice foresaid, for the good, faithful, and gratuitous service performed to us, by the said persons, inhabitants and indwellers of the foresaid town and burgh of Hawick, and for divers other good causes and considerations us moving, Will and Grant, and for us and our successors for ever, decern and ordain, that this our present confirmation shall be of as great power, strength, force, and effect, to them, their heirs, and assignees, as if the same had been given granted, and made by us and our predecessors, to the said persons, their heirs, and assignees, in better form, before the taking of sasine by them respectively of the foresaid particates and lands, with their pertinents, notwithstanding sasines are on the contrary taken by them thereof, before this our present confirmation : In testimony whereof, to this our present charter of confirmation, we have commanded our Great Seal to be affixed. Witnesses—our beloved cousin David, Cardinal of St Andrews, &c., our Chancellor ; the Most Reverend and Reverend Fathers in Christ, Gavin, Archbishop of Glasgow, &c., Andrew, Bishop of Whithorn, of our Chapel Royal at Stirling ; our beloved cousins George, Earl of Rothes, Lord Lesly, Malcolm, Lord Flemyng, our Great Chamberlain ; the Venerable Father in Christ, John, Abbot of our Monastery of Paisley, our Treasurer ; our beloved familiar friends, Mr James Foulis of Colintoun, Clerk of our Rolls, Register, and Council, and Thomas Bellenden of Auchnoule, our Justice-Clerk : At Edinburgh, the 12th day of the month of May, in the year of God 1545, and of our reign the third year.

No. III.

BOND OF SECURITY referred to at page 212, from the Register of the
Privy Council of Scotland, vol. i. p. 660.

At Hawik, the fyft day of Maii, the yeir of God j^mv^clxix yeris, in presence of the
Warden and Sir Walter Scott of Branxholme knyght, and utheris gentilmen,

comperit Sir Walter Scott of Howpaslay knycht, and become souertie for the personis following, that thai sould answer to the lawis, conforme to my Lord Regentis Grace directioun and articles gevin to the Wardane under the pane of twa hundrith merkis everie man.

Thomas Broun, . . . ii ^c markis.	Jokke Scot, . . . ii ^c markis.
Jokke Howatsone, . . . ii ^c markis.	Eling Dun, . . . ii ^c markis.
Hobbe Broun, . . . ii ^c markis.	Will Greif, . . . ii ^c markis.
Dand Huntar, . . . ii ^c markis.	Thome Greif, . . . ii ^c markis.
Alexander Armstrong, . . . ii ^c markis.	Johe Gledstanis, . . . ii ^c markis.
Will Pairman, . . . ii ^c markis.	George Stevinsone, . . . ii ^c markis.
Cristie Pairman, . . . ii ^c markis.	Pait Stevinsone, . . . ii ^c markis.
Hob Jaksoun, . . . ii ^c markis.	Pait Reid, . . . ii ^c markis.
Watt Litill, . . . ii ^c markis.	Johnne Glendonyng, . . . ii ^c markis.
Jok Hall, . . . ii ^c markis.	Alexander Mylne, . . . ii ^c markis.
Watt Runseman, . . . ii ^c markis.	Will Turnbull, . . . ii ^c markis.
Jak Reid, . . . ii ^c markis.	

Tenentis to the said Sir Walter in Outtersiderig.

The samyn day, comperit Will Elliot alias Archeis Will, and become souertie for the personis following :—*

Tenentis to the said Will Elliott.

The samyn day, comperit Gawin Elliott in Skelfhill, and fand souertie for himself, the young Laird of Greneheid, under the pane of ane thowsand pund, and the said Gawin become souertie for the personis following :—

Martine Smaill, . . . ii ^c markis.	Rynne Wiggein, . . . ii ^c markis.
Dande Mynto, . . . ii ^c markis.	Jokke Elliot in Preist-
Reid Hob Elliot, . . . ii ^c markis.	hauch, . . . ii ^c markis.
Jok Preisthauch, . . . ii ^c markis.	Andro Krucrewch . . . ii ^c markis.
Arche Preisthauch, . . . ii ^c markis.	Jame Elliot in Skelshill, ii ^c markis.

The said day, comperit Clame Crosar and fand Thomas Ker souertie for him.

The said day, comperit Gawin Elliot Fallinesche, and fand souertie for him the Laird of Buklewch, and the said Gawin become souertie for the personis following :—

* No names in the Register.

Wille Elliot, ii ^c ti.	Jame Bichat, ii ^c markis.
Johne Turnair, ii ^c markis.	Dande Elliot, ii ^c ti.
Jame Cavcris, ii ^c markis.	Jok Elliot, ii ^c ti.
Georde Armestrang, ii ^c ti.	Hobbe Elliot, ii ^c ti.
Georde Turnbull, ii ^c markis.	Jok Murray, ii ^c markis.
Andro Turnbull, ii ^c markis.	Will Huntar, ii ^c markis.
Jame Billop, ii ^c markis.	Johne Nobill, ii ^c markis.

Tenentis to the said Gawin Elliot in Fallinesche.

The said day, comperit Sym Elliot in Dodburne, and fand souertie for him the Lard of Bukclewch, under the pane of ane thowsand pundis, and the said Sym become souertie for the personis following :—

Arche Wiggein, ii ^c markis.	Hob Hall, ii ^c markis.
Jok Elliot, ii ^c ti.	Johne Camerrell, ii ^c markis.
Will Hendirsoun, ii ^c ti.	

Tenentis to the said Sym Elliot.

The said day, comperit Arche Elliott in Corresik, and fand souertie for himself the Baroun of Gledstanis, under the pane of ane thowsand markis.

Comperit Clame Crosar in Hammilknowis, the tent day of Maii, and become souertie for the personis following :—

ClemmeCrosar alias Cokkis	Ade Crosar alias Meggaittis Ade, ii ^c ti.
Clemme, ii ^c ti.	Arche Crosar alias Arche the
John Crosar his brother, ii ^c ti.	Pyatt, ii ^c ti.
Rowy Crosar thair brother, ii ^c ti.	Jame Crosar the tailyeour, ii ^c ti.
Dande Crosar alias Parttis	Andro Crosar alias Markis Andro, ii ^c ti.
Dande, ii ^c ti.	

No. IV.

INVENTORY AND VALUATION OF THE EFFECTS OF SIR WALTER SCOTT OF BRANXHOLME, who died in April 1574, dated November 1574.

The testament testamentar and inventar of the gudis geir soumes of money and dettis pertening to vmquhile Walter Scot of Branxholme knycht the tyme

of his deceis quha deceist in the moneth of Aprile the yheir of God I^mV^cLxxiiij yheiris ffaithfullie maid and gevin vp be his awne mouth vpoun the ellevint day of Aprile the yheir of God foirsaid befor thir witnessis Doctor Prestoun Adam Diksoun ypothecar Johne Carmichaell of that ilk Walter Scot of Gordelandis Walter Scot of Tuschelaw and Johne Watsoun with vtheris diuerse.

In the first the said vmquhile Walter had the gudis geir soumes of money and dettis of the avale and prices efter following pertening to him the tyme of his deceis viz vpoun the grund and landis of Bellandene in pasturing with George Nicoll nyne new calfit ky with thair followaris price of the pece ourheid five pundis Summa xlv *L*—Item twa ky with calf price of the pece foure pund x s Summa ix *L*—Item foure forow ky price of the pece foure *L* Summa xvj *L*—Item thrie yheild ky price of the pece foure pundis Summa xij *L*—Item nyne stottis and queyis of tua yheir auldis price of the pece ourheid xl s Summa xvij *L*—Item mair in pasturing with the said George tua forow ky with tua stirkis and ane bull price of the tua forow ky and stirkis tuelf pundis and price of the bull five pund Summa xvij *L*—Item vpon the grund and landis of Bukcleuch in pasturing with Symon Nicoll sex tua yheir auld stottis price of the pece xl s Summa xij *L*—Item in pasturing with James Scott in Newark ane bull price thairof five *L*—Item vpon the landis of Catslak in pasturing with Rolland Wilsoun tua ky with thair calfis price of the pece five pund Summa x *L*—Item five ky with calf price of the pece ourheid foure *L* x s Summa xxij *L* x s—Item thrie forrow ky price of the pece foure *L* x s Summa xij *L* x s—Item ane yheild kow price tharof foure *L* x s—Item foure queyis price of the pece ourheid fifty s Summa x *L*—Item tua stottis price of the pece xl s Summa iiij *L*—Item vpon the grund and landis of Blakgrane in pasturing with James Scheill foure new calfit ky price of the pece iiij *L* x s Summa xvij *L*—Item thrie stottis and anc quy price of the pece xl s Summa viij *L*—Item tua forrow ky price of the pece iiij *L* x s Summa ix *L*—Item ane yheild kow price thairof iiij *L* x s—Item tua yheir auld stirkis price of thame baith foure *L*—Item thrie tua yheir auld quyis price of the pece xl s Summa vj *L*—Item ane bull price thairof five pund—Item mair in pasturing with James Scot in New Wark ane forrow kow price thairof iiij *L* x s—Item ane yheir auld stot price thairof xx s—Item tua stottis of tua yheir auldis price of the pece xl s Summa iiij *L*—Item in pasturing with Johne Martene in Baxholme toun ten yhung queyes price of the pece ourheid thrie *L* Summa xxx *L*—Item aucht oxin price of the pece sex *L* Summa xlviij

L—Item thrie ane yheir auld stottis price of the pece xx *s* Summa thrie pundis
 —Item in pasturing in the Brwmeknow sevintene drawand oxin price of the
 pece aucht pund Summa I^cxxxvj *L*—Item vpoune the Manis of Quhytlaw nyne
 drawand oxin price of the pece aucht pundis Summa Lxxij *L*—Item vpoune
 the landis of Bellenden in pasturage with George Nicoll aughtene scoir and
 sextene outcummit hoggis price of the scoir xj *L* Summa I^cLxxxxv *L* and
 xvj *s*—Item pasturing vpoune the landis of Bukcleuch and with Symon Nicoll
 aughtene scoir and sevin outcumint hoggis price of the scoir xj *L* Summa ij^cij
L xvij *s*—Item in pasturing with William Nicoll in Bukcleuch aughtene scoir
 and fyftene outcumint hoggis price of the scoir ten pundis Summa I^cL xxxvij
L x *s*—Item vpoune the landis of Blakgrane in pasturing with James Schiell
 tuentie foure [scoir] mylk yhowis with thair lambes price of the scoir ourheid xxj
L Summa v^c and foure *L*—Item five scoir and ten kebbis price of the scoir
 ourheid xvj *L* Summa L xxxvij *L*—Item tuentie scoir tua dynmonthis and
 tupes price of the scoir ourheid xiiij *L* Summa ij^c L xxxj *L* viij *s*—Item fyftene
 scoir and tua outcumit hoggis price of the scoir xj *L* Summa I^cL xvj *L* ij *s*—
 Item vpoune the landis of Catslak in pasturing with Rolland Wilsoun tuentie
 foure scoir yhowis with their lambes at thair feit price of the scoir xxj *L* Summa
 V^ciiij *L*—Item xxxiiij yeild yhowis price of the pece xvj *s* Summa xxvj *L* viij *s*
 —Item xxvj tupes price of the pece xvj *s* Summa xx *L* xvj *s*—Item mair tua
 dynmont scheip price of thame xxij *s*—Item vpoune the landis of Glenpyot in
 pasturing with James Brewhouse fourtene scoir and xvij gymmeris quharof thair
 is xl gymmeries hes lambes price of the scoir with the lambes xviiij *L* price of
 the scoir without lambes xv *L* Summa ij^cxxvij *L* xv *s*—Item ellevin scoir and
 ten outcumint hoggis price of the scoir xj *L* Summa I^cxxxij *L*—Item in pastur-
 ing in New Wark five tupes price of the pece xv *s* Summa iij *L* xv *s*—Item the
 said vmquhile Walter had the tyme of his deceis in his girnals of Hassindane
 the haill teindis of Hassindane and Kaverse collectit be James Scott and of the
 crope and yheir of God Lxxij yheiris extending to five scoir and fiftene bollis
 hepit mele price of the boll thrie *L* Summa ij^c xlv *L*—Item five scoir and thrie
 bollis beir price of the boll fiftie *s* Summa ij^c Lvij *L* x *s*—Item mair in his
 girnale of Hawik collectit be Johne Watsoune of the crope and yheir of God
 fairsaid fiftie thrie bollis and five pekkis mele and xxv bollis and ellevin pekkis
 malt price of the boll mele and malt ourheid thrie *L* Summa ij^c xl *L*—Item
 sawin vpoune the Manis of Branxholme fiftie aucht bollis aittis estimat to the

thrid corne extending to aucht scoir and fourtene bollis aittis price of the boll with the fodder xxx s Summa ij^c lxj L—Item mair sawin vpoune the saidis Manis xxj bollis beir estimat to the ferd corne extending to foure scoir and foure bollis beir price of the boll with the fodder fiftie s Summa ij^c x L—Item sawin vpoune the Manis of Quhytlaw xxvij bollis aittis estimat to the third corne extending to Lxxxiiij bollis aittis price of the boll with the fodder xxx s Summa I^cxxvj L—Item sawin vpoune the Kirkland of Hawik threttene bollis aittis estimat to the thrid corne extending to xxxix bollis aittis price of the boll with the fodder xxx s Summa Lvij L x s—Item mair sawin vpoune the said Kirkland foure bollis peis estimat to the fourt corne extending to sextene bollis peis price of the boll with the fodder fiftie s Summa xl L—Item in vtencilis and domicilis by the areschip estimat to the soume of ane hundreth pundis.

Summa of the inventar Iij^mvij^cxlij L xix s

Followis the Dettis awing to the Deid.

Imprimis thair wes awand to the said vmquhile Walter be Williame Douglas of Caveris for the rest of ane thousand merkis foure hundreth and threttie thrie pundis vj s viij d for payment of the quhilk Gilbert Ker of Prymsydloch Andro Ker his sone and apperand air and vmquhile Williame Ker of Yhair wer actit as souirteis for the said vmquhile Walter in the bukis of our souerane lordis counsale—Item be Christiane Douglas Lady Trowis xj bollis victale half beir half malt as for the compositioun of hir teindis of Trowis liand within the parrochin of Caueris intromettit with be hir for certane yheiris preceding the said vmquhile Walteris deceis price of the boll ourheid foure pund Summa xliij L—Item be Williame Fawsyd for the rest of the fermes and teindis of the baronie of Ekfurde of the crop and yheir of God Lxxij yheiris fourtene bollis vittale half mele half beir price of the boll ourheid fiftie s Summa xxxv L—Item mair be the said Williame for the ferme and teindis of the said baronie of Ekfurde of the croppe and yheir of God Lxxij yheiris tuelf bollis vittale half mele half beir price of the boll oerheid foure L Summa xlvij L—Item resting awand be William Quhite of the prices of the vittales sauld to him in the heid of the parochin of Hawik and of the crop and yheir of God Lxxj yheiris fourtie pundis—Item mair be the said Williame of the fermes and teindis of the said yheiris crop intromettit with be him fiftie bollis vittale half mele half malt price of the boll ourheid Lij s Summa I^cxxx L—Item be Thomas Yhounge officiar of

Lempetlaw for the Whitsunday and Mertymes male of the landis of Lempetlaw and of the crop and yheir of God Lxxiiij yheiris xxxvj *L*—Item be the said Williame Fausyd for the male of the landis and baronie of Ekfurde of the crop and yheir of God foirsaid fourtie pundis—Item the said vmquhile Walter had gude actioun contrar William Douglas of Cruik Gawine Elliot of Hosliehill and Robert Elliot callit Yhounge Robene for the wrangus spoliatioune and away taking of thair teindis of the landis of Cruik Skelshill Peilbra and Penangushope intromettit be thame for certane yheiris preceding the said vmquhile Walteris deceis extending to the soume of thrie hundreth and threttie thrie pund sex schillingis aucht pennies

Summa of the dettis awing to the deid	.	I ^m I ^c xxxix <i>L</i> xiiij <i>s</i> iiij <i>d</i>
Summa of the inventar with the debtis	.	V ^m viiij ^c lxxxij <i>L</i> xij <i>s</i> iiij <i>d</i>

Ffollowis the Dettis awing be the Deid.

Item thair wes awing be the said vmquhile Walter to Gedioun Murray his half bruther for the males of the landis of Glenpoyt of the crop and yheir of God Lxxiiij yheiris xxiiij *L*—Item to S^r James Castlelaw preceptor to the sex barnes foundin within our souerane lordis chapell royall of Striveling as for the saidis barnes pairt of Sanct Marie Kirk of Lowis for certane yheiris preceding the xx day of Februar anno Lxxxiiij foure scoir threttene pundis vj *s* viij *d*—Item to the executouris of vmquhile Maister Johne Rutherfurde by and attoure the five hundreth merkis quhilk the landis of Langtoun lvis one tua hundreth fourtie sex pundis xvij *s* iiij *d*—Item to Maister Thomas Westoun, advocat as his perticular compt beris subscriuit be the said vmquhile Walter and Dame Mergaret Douglas his spous aucht hundreth and fourtie foure pund x *d*—Item to Williame More-soun tailyheour for clathis makking as his compt beris xxxv *L* iij *s*—Item to Thomas Scott tailyheour in Ed^r as his compt beris xlj *L* xv *s* iiij *d*—Item to Jonet Studeman in Hawik for furnesing of the place as the said vmquhile Walteris hand writ beris ane hundreth tuentie tua pundis ij *s* viij *d*—Item to Luk Wilsoun for merchandice foure hundreth fourtie nyne pundis xvij *d*—Item to Adame Lidderdale flescheour in Hawik for flesche to the place tuentie pundis—Item to Hector Wricht smyth in Hawik for schone to the lairdis horse sex *L* xvij *s* vj *d*—Item to Johne Hart cuke in Ed^r for his fie tuelf pund xij *s*—Item to James Hoppringill for his fie tuentie pundis—Item to the laird of Johnestoun for the rest of his tocher gud ane thousand and foure hundreth merkis—Item to

the Laird of Phairnyhirst for the rest of his tochirgude ane thousand pundis—Item to Maister Williame Lauder conforme to the lairdis obligatioune tuentie pundis—Item to the thrie personis of the Forrest kirk for thair Beltane terme last bipast thrie scoir and sex pundis xiiij s iiij d—Item to Johne Scott of Dringgestoun xxxv L quhilk wes consignit in Johne Watsonis handis be Robert Scott of Over Hassindane for the redemptioun of ane pece land of the said Robertis fra the said Johne and tane furth of the said Johne Watsonis handis be the said vmquhile S^r Walter and gevin to his masones—Item to S^r Johne Stevinsoune vicar pensioner of the Forrest kirk for his pensioune of certane yheris preceding the said vmquhile Walteris deceis conforme to his hand writ and decret of the commissaris of Ed^r gevin agains James Murrise vpoune the said vmquhile Walteris precept lxxx merkis—Item awand to William Purves ypothecar threttene pundis xj s—Item to John Richartsoun saidlar tuentie thrie pundis xx d quhair of he hes ressavit fra the said laird at Mertymes last bipast tua ky price of thame baith xj L Sua restis de claro awand to him tuelf pund xx d—Item to gled Waltir Scot in Hawik xvij L—Item to Hobbe Diksoun cordiner for buittis and schone sevintene pundis—Item to Wattie Waucht for buttir saip and vthir necessaris furneist be him xxxij L—Item to Robert Scottis wyf in Hawik for sum ordinar dwtie sex pundis—Item to Thome Scot callit Jok Thome sevin L x s—Item to Helene Wigholme for foulis furneist be hir foure L xvij s—Item to the porter of Ewisdy^r for the rest of the price of ane horse xij L x s—Item to Johne Hendersoun foular for wyld foulis as his compt beris viij L—Item to Geordge Maxwell in Hawik merchand for merchandice and furneising of the lairdis seruandis at his command xxvij L vij s—Item to James Clerk in Hawik xiiij L v s—Item to Walter Gledstanes for his fie xiiij L vj s viij d—Item to Walter Hassindan for his fie xiiij L vj s viij d—Item to Wattie Bouden eldar xiiij L vj s viij d—Item to Walter Bouden yhoungar xiiij L vj s viij d—Item to Walter Scott of Hassendane xiiij L vj s viij d—Item to Johne Gundase xiiij L vj s viij d—Item to Hobbe Yhoung xiiij L vj s viij d—Item to Mungo Burne xiiij L vj s viij d—Item to Daid Pringle xiiij L vj s viij d—Item to Thomas Brunrig cuke aucht pund—Item to Williame Archibaldis brouster sex L xiiij s iiij d—Item to James Linlithgw greif xiiij L vj s viij d—Item to Adam Achesoun porter aucht pundis—Item to the gardenar sex L xiiij s iiij d—Item to the gudman that is the malt maker and his man tuentie pundis—Item to the tasker in the Barn Know thrie L—Item to the watchman thair xl s—Item to sex wemen for anc yheiris fie euery ane xlviij s Summa xiiij L vij s

—Item to Adam Greife serwand in the brewhouse xl s—Item to Willie Hel-toun stewart sex L xiiij s iiij d—Item to Archibald Boyis foure L—Item to Willie Scott in Selkirk for certane stainyn and furneising of the teindis leding fourtie pundis—Item to Thomas Hendrie in Selkirk for claith furneist to Margaret of the Wallis tuentie pundis—Item to Allane Dennes in Hawik foure pundis—Item to Jonet Fokkert relict of vmquhile Williame Foular burges of Edinburgh ten pundis

Summa of the dettis awing be the deid	Iiiij ^m iiij ^c lxxxvij L iiiij d
Restis of frie geir the dettis deducit	I ^m iiij ^c lxxxxv L xij s
To be deuidit in thrie pairtis the deidis part is	Iiiij ^c lxv L iiiij s
Quhair of the quot is	Xxiiij L vs

Follows the Legacie and Latterwill.

AT Hawik the ellevint day of Aprile the yheir of God I^m v^c and thrie scoir and fourtene yheris The quhilk day Walter Scott of Branxholme kny^t seik in bodie and haill in spirit as apperit maid constitut and ordinit James erle of Mortoun regent to our souerane his realme and liegis &c reular tutour governour and gidar to his barnes and wife and failyheing him Archibald erle of Anguse and vnder thame Johne Johnestoun of that ilk and Johne Cranstoun of that ilk And als maid constitut and ordanit Margaret Douglase his spouse and his barne Mergaret Scott his executouris testamentaris—Item he levis to Johne Watsoun fourtie bollis beir—Item to Willie Hutoun threttie or fourtie pundis as it sall pleis to his said spous and vther freindis and he to serve his wyf befor ony vtheris—Item he levis to Johne Gledstanes Quhytlaw—Item he levis to Willie of Allanehauch the Kirkland his awne rowme—Item as to litill Wattie of Boudene he levis that to be done to him at the sicht of freindis and heirupone askit instrument of me notar publict Befoir thir witnessis Doctour Prestoun Adam Diksoun ipothecar Johne Carmichaell of that ilk Walter Scot of Gorlandis Walter Scot of Tuschelaw and Johne Watsoun with vtheris diuerse Sic subscribitur Ita est Thomas Westoun notarius publicus teste manu propria.

We Maister Robert Maitland dene of Abirdene Eduard Henrisoun doctour in the lawis Clermont Litill and Alexander Sym aduocattis commissaris of Ed^r specialie constitut for confirmatioune of testamentis Be the tenour heirof ratefeis apprevis and confirmis this present testament or inventar in sa far as the samin is

deulie and lauchfullie maid of the gudis and geir abone specifeit alanerlie And gevis and committis the introumissioun with the samin to the said Margaret Douglas relict of the said vmquhile Walter Scott of Branxholme kny^t and Margarat Scott his barne and executouris testamentaris to him reseruand compt to be maid be thame of the gudis and geir abone writtin as accordis of the law and the said Margaret Douglas ane of the saidis executouris being suorne hes maid fayth treulie to exerce the said office and hes funden cautioune that the gudis and geir foirsaidis salbe furth cumand to all pairties havand interes as law will as ane act maid thairvpoune beris.

No. V.

ADDRESS presented to HIS GRACE THE DUKE OF BUCCLEUCH, by the Magistrates and Town Council of Hawick, on the occasion of the opening of the Water Works at Allan Water, on the 22d September 1865.

THE MOST NOBLE WALTER FRANCIS, DUKE OF BUCCLEUCH AND QUEENSBERRY.

MAY IT PLEASE YOUR GRACE,

We, the Provost, Magistrates, and Council of the Burgh of Hawick, count ourselves singularly fortunate in having the honour to meet your Grace on an occasion so auspicious as that which your Grace is now about to inaugurate.

Having long observed that the former supply of water had become utterly inadequate to the growing wants of the community, and that without a greatly augmented supply, it was impossible to carry out those sanitary improvements which the condition of the town imperatively demanded, the Council's attention has for several years past, been exercised in solving the question how best to obtain an ample supply of pure water, suitable to the domestic and sanitary requirements of the town. After the investigation of various schemes, and the expenditure of much time and money, in ascertaining the practicability and sufficiency of each, their attention was last of all drawn to the Allan Water as a scheme not only practicable in itself, but more likely than any previously considered to furnish a copious and unfailling supply.

Differing less or more as to the comparative merits of the schemes previously considered, the Council were unanimous as to the Allan being the best source ; and, as that stream has its rise and entire course through your Grace's lands, they at once resolved to ask your Grace's permission to bring it into the town. No sooner was it represented to your grace that the Allan Water was deemed the best source of supply, then with a munificence and promptness, if possible surpassing all former gifts, your Grace at once consented, and that to on terms so handsome and liberal that the Council could find no words adequately to express their high appreciation of the crowning proof of your Grace's good will to the Burgh, and readiness to co-operate with its municipal authorities in promoting the welfare of its inhabitants.

Taking advantage of your Grace's generous grant, the Council forthwith took the proper steps for rendering the valuable boon thus placed within their reach available to the town. The necessary surveys and estimates were made, and contracts entered into, and, through the favour of Providence, they have the happiness this day not only of witnessing the successful completion of the works, but, still more, the high gratification of seeing these works opened and set in operation by your Grace's own hand.

And now, in the face of heaven, and presence of all these delighted spectators, that beautiful mountain stream, which has for ages wended its solitary course down the vale of the Allan, will by your Grace be turned aside from its hitherto idle and unprofitable course, and sent by your Grace through the reservoir and distributive apparatus to the threshold of each family, where, and as it sparkles along the sides of our streets, it will prove a daily and hourly reminder of your Grace's kindness and goodwill to each inhabitant within the Burgh. Not, however, only for its domestic uses do the Council thank your Grace for the boon this day conferred, but also because by means of that boon they will now find it possible to carry out—in a comprehensive and efficient manner—the much required sewerage to the town, a measure with which it is their intention immediately to proceed.

Owing its existence as a Burgh to a remote ancestor of your Grace's ancient house. 'Drumlanrig generous donor,' the town of Hawick has in past ages received many and substantial proofs of the interest taken by the noble House of Buccleuch in its progress and prosperity. The Records of the Burgh bear incontestible evidence of this. Intimately associated as your Grace's noble ancestors have been with the the history of the Burgh, and surrounded as it is with your Grace's

princely domains, it is natural that it should have been and should continue so. Without, however, derogating from the grace or the value of benefits bestowed by former possessors of the Buccleuch estates, the experience of the present Council leads them to regard your Grace as pre-eminently worthy of the title formerly applied to one of your Grace's noble ancestors of being 'The Good Duke.'

It will be the duty of the future annalist of the Burgh to record in chronological order, the separate instances of your Grace's benefactions, but it may be allowed to us here briefly to mention one or two more recent instances. Within the last few years the Burgh has been indebted to your Grace for the abolition of the customs ; the grant of a commodious bleaching green ; of ground for public shambles ; and, but for your Grace's ready aid and co-operation, the improvement of Slitrig Crescent, already finished ; the new Bridge over the Teviot ; and 'the Exchange building,' both fast approaching completion, would in all probability never have been attempted.

Of all the numerous benefits, however, for which the Burgh stands indebted to your Grace, the Council do not think there is one which will rank higher in the estimation of the inhabitants, or prove more generally useful to them and to their descendants, than the constant and copious supply of good water which your Grace is now about to confer upon them.

That your Grace may long 'live' to 'let live,' and that the amiable relations now so happily subsisting between your Grace and the Burgh may strengthen into an enduring bond of amity and good neighbourhood, is the sincere and earnest prayer of your Grace's much obliged and obedient servants.

Signed in name and by authority of the Provost, Magistrates, and Council of the Burgh of Hawick.

GEO. WILSON, *Provost.*

No. VI.

ADDRESS presented to HIS GRACE THE DUKE OF BUCCLEUCH, by the Magistrates and Town Council of Hawick, at the opening of the Water Works at Dodburn, on the 1st of September 1882.

TO HIS GRACE, WALTER FRANCIS, DUKE OF BUCCLEUCH AND QUEENSBERRY.

MAY IT PLEASE YOUR GRACE,

We, the Provost, Magistrates, and Council of the Burgh of Hawick, in our own

name, and in name of the whole community, beg to give your Grace a cordial welcome to the town of Hawick.

With unfeigned pleasure we hail your Grace's presence among us on this auspicious occasion, for the purpose of inaugurating a new and enlarged supply of water for the town.

Seventeen years ago, this very month, our predecessors in office had the honour of meeting your Grace on the banks of the Allan Water, when your Grace, cognizant of the pressing exigencies of the community, generously made over that mountain stream to the use of the town, and bade its pellucid waters thenceforth flow along the streets of the town, and into the dwelling-houses of its inhabitants.

At that time it was thought that the boon of water then so much needed, so generously given, and ever since so highly appreciated, would have met all the requirements of the Burgh for at least a generation to come. When, however, your Grace is informed that the population of the Burgh, then under 10,000, now exceeds 16,000; that the valuation of the town, then under £30,000, now exceeds £55,000; and that the municipal constituency, then under 1300, now exceeds 2300, your Grace will not wonder that, with an increase so large, so rapid, and so little anticipated, it should soon have been found to be quite inadequate to meet the growing necessities of the town; and that if the full benefit were to be derived from the system of under-ground drainage only recently completed, and if adequate provision were to be made for the domestic and other requirements of the people, a greatly augmented supply of water must be speedily obtained.

After due enquiry, and the consideration of different schemes, it was found that the Dodburn, as it enters your Grace's lands, not only afforded the best present supply, but would admit, without any increase of reservoir accommodation, of that supply being more than doubled, and at moderate cost, by connecting itself with the Priestthaugh and Skelfhill burns, whenever the future requirements of the town should necessitate such extension.

No sooner were the wants of the town brought under your Grace's notice than, with a promptitude only exceeded by the liberality of the terms, your Grace generously placed the Dodburn at the service of the town: and the Baronet of Stobs, for his proprietary interest, having also favoured the scheme, the result is now represented before your Grace's eyes by that splendid volume of water, covering

over 20 acres of land, capable of holding over 54,000,000 of gallons ; and, with the Allan, of supplying 60 gallons per head of the present population, and with a pressure capable of throwing the water above the highest elevation of the Burgh.

Our predecessors in their address to your Grace at the opening of the Allan Water Works in September 1865, enumerated several memorable instances in which your Grace had in a similar spirit evidenced your practical interest in the welfare of the town. These beneficent acts of your Grace need not now be recapitulated, as they are held in fresh and grateful remembrance by the inhabitants. They meet the eye in every part of the town, and bear daily testimony to the many benefits which the Burgh owes to your Grace.

On the present occasion it will, we think, be more gratifying to your Grace to hear the testimony borne by the ancient records of the Burgh, to the manner in which your illustrious ancestors in past centuries co-operated with the Bailies and Councils of these olden times in helping on the progress and welfare of the town, that by the light of these ancient records the present generation may be able to judge, how fully and generously your Grace has interpreted and carried out the tradition of your noble house in its bygone relations to this ancient Burgh.

The charter granted by your ancestor James Douglas of Drumlanrig, whose memory is still cherished as 'Drumlanrig, generous donor,' has ever since its date in 1537 been regarded by the inhabitants as the great 'Magna Charta' of the Burgh.

When the Committee of Parliament in 1700 levied a contribution on 'the town of Hawick as unfrie traders,' it is recorded that the 'Duchess of Buccleuch and the Bailies' appointed stent masters to levy the same.

These records further bear that in 1704 'the Council resolved that Gideon Scott of Falnash (Bailie of Regality for Buccleuch) be spoken to about the *helping* of the dam brigs at the foot of Horsliehill's Wynd and *sic* like.'

In 1721 'when the streets of the town were paved for the first time the Duchess of Buccleuch pays for the pavior, and the inhabitants pay for the material.'

In the same year 'the Bailie Depute of Regality compliments the burgh with as much oak as was ane axe tree to the great church bell.'

In 1732 'the Council record their regret at the death of Anne, Duchess of

Buccleuch, at the age of eighty-one, for more than seventy years the superior of the burgh,' adding that 'her Grace resided occasionally in Hawick, and paid much attention to her poor relations in the neighbourhood.'

In 1738 when a bridge was first built across the Teviot, again the town looked, and looked not in vain, for help at Branxholme, and the records bear that 'before the work, which was to cost £450, was begun, the Commissioner for his Grace the Duke of Buccleuch granted bond for £250 of the cost.'

In 1748 the records set forth 'that £1 was paid in Mr Weir's, the town clerk, when entering the Earl of Dalkeith and other burgesses.'

In 1764 it is recorded that when the Duke of Buccleuch pays his first visit to Hawick he is welcomed by the Bailies 'to his ain town of Hawick.'

In 1785 the streets are out of order, and the records bear that 'the Council resolve to have them properly paved, the Duke of Buccleuch agreeing to pay one half of the expense.'

In 1786 a Town Hall is found to be wanted, and the Duke of Buccleuch contributes £100 towards the erection.

In 1787 the Duke executes a grant of a piece of ground and water fall, and therein expresses his anxiety to promote the woollen manufacture of the town.

In 1792 the streets of the town are again out of repair, and as usual the Bailies and Council look for help to Buccleuch. The expense of paving amounts to £450, and this sum is defrayed by the Duke of Buccleuch and the Burgh in equal moities.

These extracts from the Burgh Records might be multiplied still further, but these may suffice at once to evidence and illustrate the kindly relations that have for centuries subsisted between your Grace's noble ancestors and the town of Hawick.

That these friendly relations have not suffered during the lengthened period your Grace has held the princely possessions and dignities of your illustrious House is amply demonstrated by the numerous proofs of help and good will which the Burgh has in its need from time to time received from your Grace's hands, and by none more so than by that magnificent supply of good water which your Grace is now about to confer on the town.

It is our desire, and we know it to be the wish of the community, that the ancient traditions of Buccleuch towards the Burgh as these have been so liberally and faithfully perpetuated by your Grace, should in the future continue on the

same friendly footing as they have existed in the past ; and that the amicable relations now so happily subsisting between your Grace and the town may ripen into a still stronger bond of reciprocal good neighbourhood ; and that your Grace may long 'live' to 'let live,' and to adorn the exalted station in which a gracious Providence has placed you, is the sincere and earnest prayer of

Your Grace's faithful and obliged servants,

(Signed) In name, and by authority of, the Provost, Magistrates,
and Council of the Burgh of Hawick,

ROBERT FRASER WATSON, Provost,
(Burgh Seal.)

NO. VII.

ADDRESS by the HAWICK WORKING MEN'S BUILDING and INVESTMENT SOCIETY, to HIS GRACE WALTER FRANCIS MONTAGU DOUGLAS SCOTT, DUKE OF BUCCLEUCH, &c., &c.

MAY IT PLEASE YOUR GRACE,

The Hawick Working Men's Building and Investment Society, while heartily joining with the general community of the Burgh in thanking your Grace for the valuable facilities so generously afforded for obtaining from your Grace's lands a supply of pure water for the large and increasing population of the town, and for so graciously coming amongst us this day to inaugurate the works by which that supply is brought to our doors, embrace this opportunity of respectfully submitting to your Grace a short account of the origin and progress of the society, the operations of which have had a most beneficial effect in improving the social condition and adding to the comfort and prosperity of a large section of the community, and whose efforts have been materially assisted by the readiness with which your Grace has conveyed to them land for building purposes.

In the spring of 1864, some working men, considering that the dwelling-house accommodation of their class was very deficient, and of an uncomfortable description, approached a few of the large employers and other influential gentlemen connected with the town, who appreciated the necessity of something being done to

improve the character of such dwellings and to stimulate provident and saving habits by encouraging working men to become proprietors of the houses they occupy, and succeeded in forming the society and getting it registered under the Friendly Societies' Acts; and the following particulars show the success which has attended its operations.

Since the formation of the Society in 1864, it has built for its members 235 dwelling-houses, having in most cases a piece of garden ground attached. Of these houses 193 are termed quarter houses, four of them generally being in one block, or under one roof, each having a separate entrance, and containing two or three good sized rooms, the cost of which varies from £90 to £255. Twenty are termed half houses, two being in one block, or under one roof, and each containing from four to seven comfortable rooms, and costing from £300 to £490. Eighteen are single one-storey or one-storey and a-half cottages, costing from £218 to £517, and four are contained in two double or semi-detached cottages, the cost varying from £360 to £417 for each house. All are substantially built on plans of an approved style, well supplied with gas and water, fitted up with modern sanitary appliances, and affording accommodation and comfort such as is seldom met with in working-men's houses. They have also been the means of creating a demand for a superior class of dwelling, and by inducing private builders to follow the Society's example in erecting such houses, have materially improved the whole accommodation of the working class, and made it quite superior to that generally found in other towns. Sixty-six of these houses have become the absolute property of the members for whom they were built or their successors, the cost thereof, and interest at 5 per cent., having been all repaid to the society.

During the eighteen years the Society has been in existence it has expended the sum of £13,950, 6s. 1d. in building and acquiring houses for its members. The amount of that expenditure already repaid by members is £20,132, 13s. 9d., leaving £23,817, 12s. 4d. still due by them, and as security for which the Society holds the houses, and the shares of the members to whom they have been allocated. The share capital, which has to a large extent been subscribed by the working class, amounts to £5489, 9s. 6d., and yields a dividend of 7½ per cent., and the Society has borrowed, mostly from the same class, £18,793, 4s. 6d., on which it pays from 3½ to 4 per cent interest.

Being aware of the old feudal relations which so closely connect this ancient

Burgh with the noble house of Drumlanrig and Buccleuch, and the great interest your Grace takes in the town and the welfare and prosperity of its busy population, the society feels sure that the above information regarding its work and progress will be of interest to your Grace.

Drawn up by order of a general meeting of the Society held on 31st July 1882, approved by the directors of the Society at their meeting on 29th August 1882, and at their request signed by

D. PRINGLE, President.

WALTER HADDON, Secretary.

No. VIII.

ADDRESS presented to their Graces the DUKE and DUCHESS of BUCCLEUCH, at the Opening of the Buccleuch Memorial on the 14th of April 1887.

TO THEIR GRACES THE DUKE AND DUCHESS OF BUCCLEUCH.

MAY IT PLEASE YOUR GRACES,

We, the subscribers to the Buccleuch Memorial and Institute of Science and Art at Hawick, desire to thank you for your presence at its opening ceremony. The building to be declared open has been erected at the desire of a large number of the inhabitants in order to perpetuate the memory of the late head of your House ; and it has been, as the inscription on its portals sets forth, 'Erected to commemorate the many kindly acts of Walter Francis, Duke of Buccleuch, to the town of Hawick.' It was thought that the esteem in which the late Duke was held in this town would be more appropriately commemorated by something of a substantial and useful character, in accordance with his Grace's own wish, rather than by a purely ornamental or monumental structure, and after due deliberation this took the form of the present building, which, while outwardly proclaiming its primary meaning and intention as the Buccleuch Memorial, not inappropriately connects the past with the present by its internal dedication to archæology on the one hand, and to science and art on the other. Nor should it be omitted to note that the late Duke's memory will be further perpetuated by

his portrait, which fills the place of honour in the hall set apart as a museum. It only remains to add that the building has been erected at a cost of over £3000, and that the wish of the subscribers to give it an educational utility as well as a memorial character has been fully carried out by the architect, as may be seen in its spacious lecture rooms ; and as there are now over 200 students of science and art in the Burgh ready to take possession, the institute will at once enter on a career of usefulness and activity well in keeping with the practical energy which characterised him to whose revered memory it will henceforth be dedicated. In again thanking your Graces for your presence on this occasion, we desire to add our prayer that you may long be spared to adorn your high position, and to exemplify the motto of your noble house, 'Live and let live.'

(Signed) On behalf the subscribers,

ROBERT FRASER WATSON,
Provost.



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