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UNION TRACTS.

THAT the Union of Scotland with England in 1707 should have been at the time highly unpopular with the Scottish people was only natural. For an ancient and proud-spirited nation it was no easy matter to join hands for common life with 'our auld enemies.' Strange too, and unwelcome, was it for the Scots to think that they must now be under the rule of a parliament sitting in London—a parliament mainly English, and that the land of their fathers was henceforth to be only 'that part of Great Britain called Scotland.' The Darien tragedy also was fresh in men's minds; and all knew and felt keenly the ruin of Scottish trade effected by the persistent enmity of England. Can we wonder then that our forefathers hated the change of government into which their country was being unwillingly forced? It could not have been otherwise. Sir Walter Scott and other writers of the early part of this century have indeed been disposed to blame the opponents of the Union; but was not their opposition justified by the long period of heavy commercial and industrial depression which followed 1707, and by the alien, ungenerous, and blundering administration of Scotland by the authorities in London? Neither the men who fought so hard against the Union nor their sons ever saw the good fruits promised them as the outcome of that measure. One of its most notable effects was to drive many Scotsmen into the arms of the Jacobites. Even its ultimate success is largely due, not to the manner of the Union itself, but to the wisdom and adaptive power of the two nations, and to the *vires medicatrices naturæ* in a free and vigorous race.

The three following papers may not be without interest as specimens of the tracts which the Union proposals brought into being. They state with force and some humour current arguments on the subject which was moving the country. And they have a certain philological interest. We possess few such early examples of writing in our local dialectic forms—forms whose value is only now coming to be fully felt.

The first tract is written with considerable spirit in opposition to the

threatened Union. The language is not by any means so careful in its dialect forms as we should now look for in such a work. Its dialect, however, is quite as good as that of much that passes current in our time as dialectic writing. It belongs, moreover, to an age when, as yet, our schoolmasters had made little way in their war of extermination with our local dialects. The writer wears the garb of a westland farmer, a Clydesdale man, perhaps. He speaks in rural fashion as a man of simple knowledge, practical shrewdness, and slight education. As becomes the country life of the time, he is rich in the rural lore of proverbs and quaint, telling adages. For these alone the tract is worth reading. There is old world wisdom in the warning against 'baith skaith and scorn,' and in that which speaks of having 'your bairns to ban your banes.' There is power too in proverbs like these, 'As the fool thinks the bell clinks'; 'Fair heghts maks fools fain'; 'To quit pearls for pebbles'; and so forth. To some it may seem like a modern vulgarism to say that 'the English will surely *gull* us some gate or other, do we our best.' We should like to see other early instances of this use of the word *gull*. A still more vulgar modern phrase is suggested when we read, at the end, 'A' is like to gae to the pot together.' But even 'going to pot' can show an old pedigree.

The second paper is a defence of the Union, to which the writer gives her 'braid benison. She speaks as a poor labouring woman, one of the spinsters or female wool-workers of Aberdeen, the only place in the kingdom which favoured the obnoxious measure. The Aberdonians looked at the question as it concerned their own local trade, and that is the writer's standpoint. The case is well stated, despite the affectation of ignorance which appears in styling ivory, 'iliphan's teeth,' and in speaking of wool as wrought in 'malefactories.'

Many familiar points of the Aberdeen dialect occur in this early example. The coming change is called an 'eenion.' The northern 'gweeds' are sent to 'far aff quintries.' The *f* for *wh*, which modern ethnologists point to as a shibboleth of the old Pictish remnant, is here in its fulness. The policy of the Phigs (whigs) is alluded to. And we have pha, phan, phar, phat, phil, and phy, for wha, whan, whar, what, quhil, and why. Likewise we have deen (done), tee (two), abeesed (abused), peer (poor), seere (sure), eesed (used), and so forth. It is a quaint statement that the lasses of Aberdeen were longing for the Union as for their bridal day.

The third tract is an early effort in Highland English. It speaks for the fishermen and others of the labouring class in the highlands. Its point of attack is the increased duty on salt proposed as a part of the Union scheme. In the last paragraph an effort is made to strengthen the argument by a droll reference to the prospect of a rise in the price of whisky, which, even in those ale-drinking days, is a thing 'her nane sell cannot well want.'

Evidently these two latter tracts were written to influence other districts than those whose dialects they speak. It was felt that a statement of the Aberdeen case, given in the workers' well-known speech, would tell as a quaint argument in other parts of the country. So, on the other side, the hard times in prospect for the poor highlanders are brought to bear upon lowlanders in somewhat similar circumstances. Even if the highlanders themselves could have read the tract, its burlesque of their broken English would have been sure to give offence. But it would not be easy to find a

stronger appeal to those threatened with burdens like their own than is contained in this statement of their grievance in their own uncouth words.

W. T. D.

A

Copy of a LETTER

FROM A

Country Farmer

TO

His Laird, a Member of Parliament.

An't like your Honour,

I Mack bauld to send this Line to your Honour; Necessitie has nae Manners: I grant I'm no Book-learn'd; and therefore ye mannee look for sic well-buked Language, as the Gashgabbed Pamphlet-men set aff their Tales wee. But I hope yee'l tack my honest Meanen in my awn hamelie fasson of Moubanden what I wad say. Sir, theres's mickle dinn in our Countrie-edge, about an Union of our Kingdom of *Scotland* wee *England*; this is a Tale of twa Drinks; I find the maist part of Fock here-awae very sair against it, and sayen wee greeten Faces, They're fly'd at the heart, it'l be a black Bargain for poor *Scotland*: for the *Engleses* are owr auld farren for us, and there's little Ground to think, they'll gee us a seen Vantage wee their will, they neer liked us sae well; and its nae forgotten yet, the foul Plisk they play'd us about our *Caledonia* Business; *Brunt Bairn Fire dreads*. And its strange, that they wha slighted our Commissioners sae meickle nae lang since, whan they were up at *London* upon the sam Errand, and they that by Act of Parliament made us Foreigners about a Year syne, that a' of a sudden they shude seem to change their Mind; *I fear there's a Hook beneath the Bait*, and there's mair Policy nor Reality in their new appearand Kindness; *It's nae a' Goud that glitters*. It's said ye're gane to pit down our Parliaments, and mack us nae mair a Kingdom, and gee us up to be at the *Engleses* reverence, to be ree and guided in a' things be them; and we may luik wee *New Lords so nae new Laws too*. This will be very odd, for a *Scots* Parliament to do this, or *Scotsmen* to play their own Country sic a 'Tod's Turn; Fy, fy! whare's the bauld and bra Spirits of our Fore-fathers, wha wad as soon a shoot their Head in the fire, as pit too their hand to onny sic discreditable Bargain, by whilk we'll *Get baith Skaith and Scorn*: Fy shame! what daft unnatural Bairns is they that wad quate with their awn Mother, in hopes of getten a Stap-Mother; I fear, an anes the *Engleses* had us on their Haunch, they'll skult us to purpose, for they hae mair pith to lay on, nor we to had aff; and it were well ward, that we were soundly belted for our Daffen. Dear Sir, hae nae hand in sick an ill Turn, as ye wad nae hae your Bairns to ban your Banes when ye're gane; and for ought I hear, an ye gee your Vote the wrang gate, ye need nae look for a blyth Blink frae ony in this Country, e'en your awn Friends will turn their back upon ye. I grant I'm nae Politian, but we cannee guess here-awae what Vantage our Land can get be this Bargain; I hear few speaken for't but a when Chapman and

Pedlers, that fancies they'll get *Goud in Goupens*. *As the Fool thinks the Bell clinks*: But *Engles* Merchants is better Stocked nor ours, and I doubt nae, an there be onny Gear gaen, but they wad *Lick the Butter aff our Focks Bread*. But let me tell you Sir, that People here-awae are sae far frae lippenen to be made Rich be *England*, that they're fly'd they wad be herried by this Union; for its litle Gear we have, to pay our awn Stents and Cesses, that we man pay in our awn Fasson, but ilkie Bodie tells us, we'll be garr'd pay Taxes amaiist upon ilkie thing; no our very Reek and Sinders but will be Stented: By this means we wad soon hae *A cald Coal to blaw at*. And mair they say, our Yeal is to be rais'd to twa Groats the Pint, and our Salt to ten or twal Shillen the Peck, that will be saat Saat indeed; and a' this it's said, to pay a scare of *England's* Debt, which is unco great; it seems they crack mair o' their Wealth nor they hae cause, whan they man hae our help to pay their Debts: Dear Sir, whare wilt come frae to pay a' this? And I trow, ye thats Lairds may look for iil paid Rents, an ye get onny at a'; this'il be a Laed aboon a Burden, that will gar monny a honest Man's back crack; in troth Sir, they may e'en as well flea the skin aff our Faces, as gar us had up with thae payments; a Year or twa wad herrie us; *a scad Man's head is soon broken*, wee reverence o' your Honour. But than another Wrack will fallow, whan we hae it nae to pay, they'll send Dragoons to quarter on us, and tack awae a' we hae, and that will raise great Murmurs and ill Blood, and wha kens what this may drive poor Fock to; *Tramp on a Snail she'll shoot out her Horns*; and a wiser nor ony o' ye a' said, *Oppression will mack a wise man mad*; and after this, we'll get our Castles and strang Halds Garisond wee *Engles* Sogers; its better hadden out nor putten out. But in the mean time, I wonder what the Ministers is doen, theres no monny of them in our Country browden for this Union, yet they say, theres some of the Ministers in the East for it: But an I may speak wee reverence to their Wisdoms, their Tribe has least cause of ony to be for't; I confess I hae nae meickle skill, but I fear they wad nae be lang safe under the Tutory of the *Engles* Bishops, that will hae mair of the Court and Parliament's Ear and Hand too, nor our honest Ministers; and its well kent the Church of *England* has ay been worken Wrack to our poor Kirk, and studed what they coud to pit down our Kirk Government, as being contrar to theirs, and to get our Kirk made like theirs, I fear the ald Sprit is still to the fore with them; And what will come of us an we get some new sort of Aiths amang us that honest Fock will startle to take, and something or other that will puzzle our learned Ministers themselves what to do about it? I wiss my Fen may nae see the ald Episcopal Wark of Hangen and Headen and Persecuten come in fasson again, the *Engleses* will neer bear wee mony things that our awn Fock thought fit to wink at: For the ald word of homologaten the Supremacy, and homologaten Episcopacy, is not out of our Country Focks head yet; yea this word's comen in Fasson agen, for now our Country Fock are callen the Union a homologaten the broken the Solemn League and Covenant, a burien the Wark of Reformation, and openen a Door for *Engles* Prelacy and Ceremonies: For a *Britann* Parliament may come to think it neither proper nor convenient, to hae twa not only different, but contrar Kirk Governments, baith settled by Law within one Kingdom. I fear I hae fashed your Honour wee sayen sae meickle and therefore I man leave aff; only I beseech you, (*For a Fool may gee a wise Man a Counsel at a time*) keep your Fingers free of

sic a foul Bargain, sae little to either the Honour or Profit o' the Nation, and not only sae, but do what ye can, to keep us, as we hae been ay, a Free and Independen Nation, an a cleanly Kirk: And to end Sir, whatever some Clatter of our bein Scarers of *Englands* Trade, whilk is the takin Bait in this Business; there's mony wiser than I am, that says, we'll nae ruise our sells meickle this gate; *Fair Heights maks Fools fain*; for the *Engleses* will surely gull us some gate or other do our best: Tack things in time that ye prove nae your sels *Scotsmen*, *To be our mickle wise behind the hand*; but come o' World's Gear what will, I am sure, we hae far better and surer Riches than they, that has the Gospel in purity, and GOD's Worship without Man's Mixters, beyond any other Kirk in Christendom, the whilk GOD in his Mercy continue lang wee us; it will be but a bach Bargain, an we quate wee Pearls for Pebles, we'll be *Penny wise and Pound fools*. I wiss GOD may guide ye a', and gee ye the Grace and Wit, to be baith True-hearted *Scotsmen*, and honest Presbyterians; it will be a lasten Brand of Infamy on a Presbyterian Parliament, an a' the Ruines that's like to come, be under their hand in bringen them on: My Saul shrinks to think of the dismal Effects of this blind Block; I wiss Slavrie, rank Poverty, Disgrace and Snares, be not the Bounteth of the Bargain: I'm neither Prophet nor Prophet's Son, but I speak out what mony Fock thinks, *A' is like to gae to the Pot together*: GOD forbid.

To His Grace Her Majesties High Commissioner and the Honourable Estates of Parliament.

The Heemle Petition of the peer Shank Workers and Fingren Spinners of Aberdeen, and Places thereabout.

Sheweth,

THAT we are right fain tee hear that your Grace and Lordships have in your great Wisdom thought fit tee discharge the carrying away tee other Quanties¹ tee Wool of this Kingdom. Our bread Benison light upon ye all for this guid deed, & let it never gang by you, for this grit incouragement to us peer things, who are fain to warble and wark late and air for a bit of Bread tee our Mouths, and the Mouths af our peer Babies.

We are likewise right fain tee hear that we will all be made up by this Eenion that's gane on between the twa Kingdoms, for the Cheeper Lads that buy our Guids and Geer tell us, that we'll get a mikle better off gate for our Shanks and Fingrens after the *Eeuion* than ever we had in our Days. The reason they ga for it is, that they say all these sort of Guids are mikle dearer in *England* than here, particularly they assure us, that phan they ha taken in some pieces of our Fingrins wrapt about their *Packs* of Linnen, they have Sold them for a third more than it coast here, besides a guid piece of ourcome measure: They say the same thing of our common Shanks, some of which they have Ventured to carry into *England* tho there be Laws against the same, and these Lads tell us that if they had withgate tee carry in Shanks Fingrins and other Guids we make, into England, (as they say they may dee if ance the Eenion was compleated) they could make very near double their Money by the return of sick Guids as they could bring back.

¹ Quantries = countries.

Since we heard of the Eenion we ha ay been spearing at every body about it, & we ha learnt mikle annent it, that it will be a very Guide thing; among others pha ha tald us of the great vantages of it, we are informed by a gay aldfarane Carle, a Seaman who has been in all the far aff Quintries, that he has been in places phar the *English* Trade tee, and that we may Trade tee after the Eenion, that they will get mare than twenty pounds af Tobacco far an Ell of our Fingrins and 40 or 50 for a pair of Common Shanks that we sell for 14 or 16 shilling.

He sayt there is another far aff Quintry called the *Affrican*, phar they get Goud Dust and Alphan Teeth for Plaids and Killimeers slight Stuffs that may be there exchanged for great ventage, and that which encourages tee *English* to Teade thither, is that the Queen sends ov'r great Lords and Gentlemen ane errand to these Quintrys, to see that the peopl there do not wrong and Cheat her Subjects, and if they get not Justice deen them, they send hame word tee the Queen to stop all the Ships and Guids of the folk of these Quintrys that are in *England*, and if the ha nane there, Her Majesty will send o're mikle Ships with great Guns and destroy the Sea Coast Towns of these Quintries phere her Subjects have been abeased till sit sick time as full mends is made for the wrong done. He says in these far aff Quintries our folk dare not Trade for want of the like power to protect them, but if ance the Eenion were made up, the greatest King in the Warld will stand in aw to midle with a *Scots* man tee do him wrang.

But tee come hame again, we hear your Grace and the Lords of Parliament have sent for some of the Wool Merchants in *Edinburgh* to take Counsel about the Wool, and are about tee give some *Inkiragement* to the South Quintry Lairds for the loss they will suffer by discharging the Wool tee be carry'd away.

If a Curn peer things that ha na mickle Wot might advise Your Grace and Lordships, we wad say, midle nothing with the Wool Merchants of *Edinburgh*, for they'er a Curn Sivingeour Carles that care not phaes Bairn greet and theirs had its Toung, well ken we them, if they can get a six pence mare for a Stone of Wool in France than we wad give them, theyse carry it ov'r to Monsieur to Clead his Sodgers with, tho we and all our Babies should Starve at home, phan at the same time if it come tee our hards, we wald make it tee yield three times as mickle Silder in a foreign Mercat, if not mickle mare.

But we can tell your Grace and the Honourable Lords of Parliament, that the South Country Lairds need not be fyled for the Sale of their Wool if ance the Eenion ga on, for (short sighted and peer silly things es we are,) we can very well farsee that phan the ports of England and the other far aff places we ha spoke of are open tee Receive Our Fingrins, Shanks, Sarges Plaids Pladings Stufts and Drogets &c, There will be a bra affagte for our Guides, and we'er na sick Feels but we ken how tee make our own vantage of sick a game, for if we find a few mae Chapmen at a Fair then ordinary we're as lordly with the Sale of our Guids as a Bony Lass that has half a Dozen of Wooers, and if we get a good off gate for our Guids, ilk ane o's will run faster tee the Wool Mercate than another and we na doubt but the Wool Masters and Merchants will ken how tee make their Vantage of that tee.

The Quibles and Abjections that some folk make that we'le be ne're able to Card and Spain all the Wool of *Scotland* at hame, are so far from true, that if we had twice as mickle ther's na fear but we'le be able tee

o're take it all, for litle ken they how far we are straitened to get our Living many times for want of affgate for our Guids, and for that reson want Silder tee gate the wool Marcat are fain to Wirble knitting a pair of Shanks phan we could Card and Spin na litle Wool tee be Fingrens and other Cleath.

But not only so, are we oft Times Fain tee make mickle Work out of litle Wool, but mony of our Neighbours all the Kingdom o're, and most of our selves are fain to sit Idle many times when we have deen with our Wool and cannot get our Guids sold tee ga tee the Marcat again, unless we sell it at a Wanworth, and our Merchants make their Vantage of our needcessity, phil in the mean time we sit with mony a Hungry Wame and mony a slight Mealtate.

We are told that some of the Wool Merchants that ha been before your Grace and Lordships; Compt that a hunder thousand Stone of Wool grows beyond Tay ilk year. We shall be ready to own all that and mickle mare, and wishes there were twice as mickle kening very well there is Hands enough in the Qountry to Card and Spin it all. Two Women will easily master half a Stone of clean Wool every Week at the mukle Wheel, that is 13 Stone in the year tee ilk Woman, thus 7 or 8 thousand Women will clear off a hunder thousand Stone of Wool in the year, and we are seere there is 4 or 5 times that number in the Quintry; They need not be flied, let us but ance see aff gate and Silder for our Wark, and we shall ply our Gardes and Fingers or the foul pair aff.

But as we said before, we are na at all flyeid but we will ha full aff gate and Silder for our Guids if the Eenion ga on, for not only will we ha *England* and all the other far aff places to carry the samen tee, but at hame phan we come to ha Bussiness and Silder, we'e e'ne take two Suits of new Cleass phan we cannot get ane now, so there na thing fleis us sa mickle as that we shanot get Wool enough, as we are very seere all tee Wool of this Kingdom will never be able tee Clead us all and be as mickle as a Bean in a *Barn* tee the other far aff Quintrys tee.

Ye need not trouble Your selves about your publick Malifactories to get the Wool Carded and Spun, for if ance the Trade were opened by the Eenion, all the Women in the Quinray will flie upon the Wool like so mony Revens upon a dead Carion.

The Abjection some make that we cannot make Chaper Cleath here than in *England*, is not worth a Fig, for we ken fell well, according to the Proverb of the Chapmen that Trade with us, that *all the Winning lyes in the first buying* no Body can make it chaper than we, for Seer we are we can we leave as meanly and Work as sare as any shee that bears Fingers, and can scarce get our Bread of it, tho it is chaper with us then in any place of *England*, and we ken nane can Work for less, so let them do their best we shall afford our Guids cheaper than they can.

Neither are we feid that all the *London* Cleath and Bra Claes that will be brought frae *England* will wrong our Trade a Pin, for that is only for your Gentles and Swagarers, and after all, the same may be said to be our own handy Work, for the Linnen Cleath, Tikings Dornick, and other things of Lint taken out here will bring all these things hame and mickle mare.

And tee tell your Lordships a tale of our Chapmen, phy there is less Silder due now by *England* to *Scotland* then no long sine, phan mickle *English* Guides was brought hither not only *London* Cleath, Silk Stifs Silder Shakers and all other sort of Bony Wallies, which are all now

forbiden. They say just now there is mony of your great Folk phan in *England* buy these things with ready Money, which they eised tee dee by Trouk and that they could a brought mare of these bony Wallies hame with 70 pounds worth of Guids, nor your grit Folk can da with a hunder pound in Silder and for that Reason there is not so guid aff get for our Guids now as then.

We see mony other Vantages by the Eenion that we cou'd not tell all in a long Summer Day, such as the great aff gate that will be for our Linnen Cleath and all things made of Lint. That there will be a great Fishing set up, and Mony great Ships employed in Trading with all manner of things tee and frea this Kingdom Great number of Hands employed in biging of Ships and making all mannar of things for Sea Service, for our Snips are tee be made al here, which will be a great inkiragement to our own folk at hame, and keep mikle guid Silder in the Quintry.

For we hear the *English* are all for Inkiraging their work people and put on grit Customs upon sick sort of Guids as are brought hame fully made ready for eese, but little upon rough or unpared Guids that grows not in their ain Quintry. And on the other hand they say they inkirage all things tee ga out of the Kingdom, that is fully made ready. As for example they let na Wool ga aff guid Chap nor Dear, that in case any body take away Wool after it is Spun and made in Cleath *but not Lited and dressed they will ga them na encouragement, but suffar it to ga aff, but if it is Litted and Dressed, upon some sorts they give a dourough to take it away. We can na derny but this is a very canny auldfaren gate, and that it wald be mikle to our Vantage if it were sea here tee (as it will be by the Eenion) for then wald be in that case three Liisters and Wakers in our Town for ane.*

We wonder phat the Carles East and West the Quintry mean that make Addresses against the Eenion, and phat they wald be at against it, we're seer they man be very short sighted or miveed by na guid Spirit, we wish mony o' them be not Watermen, that is to look ae Gate and Row another.

We ha been deafened with Stories that the Custows,¹ Excise and Cesses we will be put under by the Eenion will quite break and ruin us all, and after all we hear there is a little Book came out called Considerations on Trade Considered &c. Sold by Mr. Freebairn's in the Parliamet Closs, which makes it as plain as a niss on a mans Face, that the publick burdens will be less after the Eenion than just now, except phat is tee be laid upon Salt after 7 Years which wi'na be very mikle neither, for as we are tald, they selt it in England by weight as we do meal here, and that they allow 56 pound for a Bushel, which is 52 pound of our weight, and it pays 44 sh. of Custom.

Since we heard this we have had the Kiriosity tee weight a peck of our Salt, and finds it tee be 9 pound and 2 ounces which according tee our Reckoning comes tee pay about 7 sh. and a plack Custom.

We ha likewise had the kiriosity tee spear at some auld farran House keepers pha are uery nice in keeping Compt af every thing they ware upon their Families and by their Account six pecks of our Salt is sufficient to serve a Family of 8 young and auld in a year, which comes tee 46 shilling Custom upon the 6 pecks, and being divided in 8 parts is just about

¹ ? Customs.

5sh. 6d. a head yearly, and we can very well farsee that we may then win two pence a piece a Day more than we can do now.

But af all the Carles that appose the Eenion, we wonder maste at the Phigs, and can na ken phat they wad be at, far seer we are if they stick na close like burs by the Phigs in *England*, and the Low Church men that brought in King *William* they need expect na mercy if there be a turn af affairs as phan King *Charles* came hame. However let them be doin they'l be the first that will rue it.

But having said mickle mair then we thought tee have said, we shalt conleid with gaing you our Benision out owr again, and prays ye may hastan forward the Eenion with all possible speed, for we lang as mickle tee see that happy day as we longed to be Wed phan we were Brides, or as those of us who are unmarried do so still, and wish that all the well meaning Carles pha are whidled into a beleif that the Eenion is an ill thing had our Spectkles, and that the Water men pha Row one Gate and look another would lay by their Oars, and put up Saill, that they may look and Steer one Gate.

*To Hir Grace Her Majesties high Commissioner, an te
Honorable Estates of Parlment :*

*Te Address far te Fishers on te Highland Coasts, an all uthers
Inhaping te Highlands, wha it ma concern,*

Humbly Representing tat it will pe Exceedingly disadvantageous to Her nane sel, tat te Articles of te Union Concerning Salt, and Excise pe agreed to, without an Mendment in Case the Union is concluded.

HER nane sell having got notice tat tere is a Mariage or an Onion intended between te twa Kingdoms, and farstanding tat tere are mony Tings of great Weight to pe well considerd pefore te same is Concluded, several People wad ha ingadged Her nane sell to ha joined with tem in making an Address against an Incorporat Onion wit *England*. Now to pe plain Her nane sell does not well Farstand tese Nice Points some Folk wha are not mikle Wiser tan Her sell pretend to Judge of, and terefore sall not midle wit any ting put fat Concerns Her nane sell, leaving tese kitle Points to pe Judged pe te Grit Lords and Duniwasles in Parliament, wha are able te give a petter Judgement of em tan Her nane sel, an has mucl mare pe loss tan She has if any loss to te Nation, sall tereby hapen, and wha she thinks will be as careful, for tere nane Concerns as other Foks are of teirs ; on tese Considerations she sall Confin Her nane Speak to te Salt, an te Excise, whilk she far sees will touch Her nane sell Mickle. an na litle, in Case te Onion ga on.

Put pefore she pegin, ssie wad ha Your Grace, an te griet Lords of Parlment to Consider, tat Her nane sell was never behind her Neighbours te Lalanders, in Loyalty te her nane Lord, to te King an to te Parlment, an terefore wad na pe farstood, as if she meant any ting against an Onion, put wit all she wad see it pe a Good Onion, far tat she likes wit all her Hart.

Put now to pegin she is informed tat seven Years after te Quion, te same Custom upon Salt is to pe Payed here as in *England*, which is Four

and Twenty Mark upon te Pow, which together wit te price of te Salt its sell, will pe Therty Shilling a Peck, if not two Marks and a half, considering tat rer Few will Venture to pring it hame because of te grit Custom, for if tey should pring any quantity to ly upon ter hand owr year, it wad fash tem to get te Custom paid, so I tink te peak of Salt will pe cheap in tose dayes if it is not twa Marke and a half.

Now it is like Your Grit Duniwishes¹ may tink tis noting, because tey will gar 20 or 30 Mark mare a Year serve ter Families of Salt tan formerly, put tho her nane sell can *Eat* her Meat wit as litle Salt as her Neighbours, yet she cannot make her hering, py which she wins her Preed, witout Salt, and tat a good qeantity too, which in such an event will be Salt upon Salt, and *I* tink Salt upon te top of tat Salt again.

Tat which will Certainly happen upon te Raising te price of Salt so very much, will pe, tat where formerly mony Folks who had put a Hunder Mark, two or tree, to Ware upon Harring, will not pe able to makemuch apove on half of tem, because te Salt will pe Dearer, or not muckle less tan all te other Charges; for in the present Case a Man tat has a hunder Mark to ware, many in a Year when a Good Take happens, make 30 Parrals of Harring wit Scots Salt, for he will get te Parrals for 18 or 20 Shilling a piece, Salt to each Parral for 14 shilling; Guting, Cowperage and Conveniency, where to make em for 4 shilling a pece, and the Harrings for 8 or 10 shilling a Parral, so tat tey will not pe muckle mare as 40 shiling a Parral put suppose he give 20 or 30 shiling a parral for te Herrings, he will stil have 20 parrals for 100 Mark: put when the Salt is so dear he will not make 12 parrals under 30 pound or 50 Marks, for Salt only, and all te other *Expece* as dear as formerly, Which in an ordinary way of reckoning he will not have apove half te Herring he can now get for his hunder Marks, and then if he lay on the Charge of his Attendance, and the Profit of his Money upon the 12 parrals for which he can now he 24 parrals, te Harrings will pe very dëar, Especialy when they are Cowped throw 3 or 4 Hands as they most pe from the place where they are made, to the place of Retail, and every one lay on the profit of their Money, as it is Resonable they should, from all which Salt Herring will not pe poor Folks Food, the only use tey will then pe for Greening Wives and for Dauntise to People that have Money to spare, in such a Case we may purn our Nets and Pirlins and go to te Plantations, or take on to pe Soildiers and leave our Wives and Pairns to Peg.

Your Traw-bakes will do us no Cood, for what ever encouragement may tereby arise to tose who carry tem aproad, it will be noting to hame Sale, and it is the hame Sale tat keeps up te price, for Folk are not obliged to sell to Marchants for Export Except they get a price, when tey know how to dispose of tem at hame, put in tat Case tere would be a Necessity to sell aproad, and I know not who will Ventar to bay Salt so dear and ly at the Discration of Merchants who will ever make teir own price, if they see the Herring plenty; and pesides, as Her nane sel said before, *Merchants* will be feard to puy mickle Salt, pecauiss of te great Custom, and in Case of a Cood Take, it may happen Salt is not to pe had for Money; so look what way she will, she can Tink of noting put of purning her Nets and Birlin, if te Onion go on, and tis Article pe not Mended.

Put farther te Traw-back is not Sufficent to pay the Extordinary price of Salt by muckle and no little 70 pounds woth of Salt will put make a last of *Herring*, and tho tese pe Push Herring, tere is put 18 pound

¹ Duniwislies.

allowed of Trawpack ; so the Last of our Herring will still be more than 3 Marks a Parral dearer than the Dutch, and a Marke saved at first Coast will enable the Merchant to sell two Marks Chaper in the Marcat abroad, besides the Dutch have the Vouge in the Marcat already, and have their Merchants before hand engaged otherwise than ours are like to get in haste.

Her name sell farstands that some *Pody* will say, but we may make our Herring for home use with Scots Salt, but allowing it to be so, Scots Salt is likewise to be raised by Taxations, which will make it half as dear as foreign Salt, so that still her name sells Trad will be discouraged, so that she cannot make her lively hood of it.

Yea, even our Fresh Herring will be spoiled by the dearth of Salt, for her name sell will be sure to give em name if possibly she can get em off her hand without it. The Cowpers and Cadgers will be sure to leave em without it, as long as they can want it, so in all probability the Folk to whom they are carried will get them in a stinking condition.

Put it is not only Fishers that are so much discouraged by the dear Salt, but it lies sad on the *Peef* too. And far that Reason our Cows will not sell in the Lawlands as before, because the Country Folk that were in use to buy em, about the Ladner time, will be discouraged to buy em for the dear Salt, so that not only will they buy name of her name sells Cows, but they will sell some of their name to *England*, so that when her name Cows go in to *England* the Mercats will be stalled and the *English* when she sees bad Weather and a full Marcket, will even make the price her sell, so that all the advantage of having no Custom to pay will not be with a *Puttan* altho it were three times as much as it is.

Yea her name sell hears that the *English* have been very pressing in the Article about Salt, and won't have our Scots Skips be Victuled with *Peff* or Fish Salted with her name Salt.

'Tis she cannot farstand, nor can she see what the *English* wad be at by it, unless it be to hinder Scots Skips to Trade, for by this means the *English* Skips can be Victuled much Chaper than the Scots.

Now I think if the matter be as it is represented, that all the earnestness for an Onion upon the *English* side, proceeds from the Love and Affection that these who have now the Ruling of the Rost bear to us, then I am very sure when this matter is laid before them, and the reasons given why we cannot consent to this Article about Salt, they will pass from theirs seeking it, her name Sells, Reason for it is this.

If the *English* intend no more by all this Custom upon Salt put to make a necessary Levy of Money for their pressing Occasions, and that they look upon this Branch of the Revenue to be that which may raise most Money to the Crown, most in sensibly to the people as I think all Governments ought to do, and that the *English* design no other thing in it among themselves ; then her name sell is sure, is so far as it answereth not the scope or purpose in any part of the united Kingdom, it ought not to take place.

Put the proper way of Levying Taxes in all Countries where they consider their own Interest, and the staning of the state, they lay on most Customs upon such Goods as are Wasted and Consumed by People who have Money to spare, or used by others out of Vanity or some other bad vice, which ought to be discouraged, such as *Pra* Claes, dainty Meats and Drinks &c. Now what ever is laid upon these comes out of Pockets where it is to spare, or from *Fools* that ought to be punished, but to put heavy Taxations on poor Mens Laburs that know not how to win a Mealath of Meat to themselves, is unaccountable.

Put again if in *England* tis Custom is laid upon Salt only to Raise te Money Insensibly, an what is put litle to every Man, tho it doth Reach all Men, and tat very equally, none makeing use of Salt to Excess, as many do Meat, Drink, and pra Claes, yet in *Scotland* it shall Reach te People very unequaly, an most heavily on tese who can worst bear it, because te poverty of te poor allows him not to go to Mercat frequently for fresh Meat, he most make use of Salt, which he puys at such seasons when he find it chapest, and it requires more ten five tims as much Salt to preserve te Meat as what is Sufficient to season it for te Eating, and where is te *Euqety* to make a poor Man who cannot buy Food for his Family in te proper Season, put must take it wen he may have it chapest, te pay 5 or 6 times as much for Salt to preserve it, as annother Rich Man makes use of who is in a Condition to buy dayly.

Another ting which maks it necessary for us to Salt Meat in *Scotland*, not only Fish which must be salted at te P/ace where tey are Caught, put also our Flesh, not only because many in the Country are *far form Marcat Towns and Scant of Silder*, put more particularly because the Country his few or no Inclosures to keep Cattl in a good Condition, so tat most part of the Year none of tem are fit for Slaughter put such as are House fed or kept in some Good Park or Inclosure which are not very rise.

All tese tings and many mae Her might name, are reasons why Salt in *Scotland*, ought not to pe Charged at the same Rate as in *England*, and tis sall be a Touch stane to try whither the *English* seek an Onion wit *Scotland*, he¹ of kindness or for self ends, for if tey design noting put equal dealing, tey cannot refuse to alter tis Article upon Salt.

Put again, tat Excise is no less, yea a greater purden to many, for it will mak *Usquebae* dear, which her nane sell cannot well went, and Ale to Drunkards (which is no much matter) put it will make much less consumpt upon Corn, and tis shall touch your Laland Lairds wit a Witness, and in its turn come pack to us in the Highlands wit a Vengeance, for tey finding there will not pe use for so much Corn, must leave much of their Land Lie, and py tis means tey will pring up Cows to carry into *England*, and For-sta the Mercat upon her nane sell, tho the Laland Lairds will make but a sorry hand of it, tey will pe in doubt whither to leave their Ground Grass or make Corn of it, and tis dear Excise and Salt, will dry us up altogether, for Salt peing naturally hot, and the dear Ale and litle Money will not afford a Cooler.

LOST OR MISSING RECORDS RELATING TO SCOTLAND,
FORMERLY IN THE ENGLISH TREASURY OF
EXCHEQUER.

SIR FRANCIS PALGRAVE, in the volume entitled *Documents and Records illustrating the History of Scotland*, published under the direction of the Commissioners of the Public Records in 1837, referred to Bishop Stapleton's *Kalendar* which he had published in the previous year amongst *The Antient Kalendars and Inventories of the Treasury of His*

¹ ? be.

Majesty's Exchequer, under the heading 'Documents relating to Scotland antiently in the Treasury, but now lost,' in the following terms:— 'Several of the documents still existing in the Treasury are noticed in Bishop Stapleton's *Kalendar*, but this catalogue also points out many which are lost; the list, which is long, is well worthy the examination of the Scottish historian.' Little notice has been taken of this remark, perhaps because the volume *Antient Kalendars* is rare, and often strictly confined to the few Libraries in Scotland fortunate enough to possess copies. Mr. Hill Burton has referred indeed to one of the Documents in this List, the letter by Philip, king of France, giving Wallace a recommendation to his Lieges at the Court of Rome. This letter is printed in the *Wallace Papers*, published in 1842 by Mr. Joseph Stevenson, p. 163, from the original letter then in the Tower, so that it is not one of the documents lost, but other two letters mentioned in the *Kalendar*, No. 46, in favour of Wallace, one by Haco, king of Norway, and the other by John Baliol, king of Scotland, have not been found, and are probably irrecoverably lost along with 'the letters containing Ordinances and Bonds between certain Scotch Magnates and Wallace,' which were found on him when he was captured and 'delivered to Edward I. at Kingston by Sir John Seagrave.' All these Wallace papers are described as being in the Treasury of the Exchequer, when Stapleton made his *Kalendar* in the reign of Edward II., in a Hanaper made of twigs, of which Sir Francis Palgrave gives an interesting facsimile in the plates prefixed to the *Antient Kalendars*. It is impossible not to share the feeling of regret Sir Francis Palgrave expresses, that these documents relating to Scotland, which filled '*Certain forciers of leather bound with iron, four hanapers covered with black leather, nine wooden forciers, 18 hanapers of twigs, and 22 boxes*,' have now for the most part disappeared. It appears worth while to print the list in full for the benefit of future students of Scottish history, and with a faint hope that some of the missing documents may possibly still turn up, as a similar Hanaper belonging to the Treasury of the Exchequer was actually found in Berkshire and restored to its proper place of custody. With this object, the List, which is full of contractions, has been transcribed by Mr. W. K. Dickson, and is now printed in the *Scottish Antiquary*. Some remarks on its contents are reserved for a future occasion. It has not been printed in Mr. Bain's *Calendar of Documents relating to Scotland preserved in Her Majesty's Public Record Office, London*, although some of the documents contained in the List which are still extant will be found in that valuable publication.

Æ. M.

EXCERPT FROM ANTIENT KALENDARS AND INVENTORIES OF THE
TREASURY OF THE EXCHEQUER, VOL. I. p. 127.

Kalendarium de Bullis Papalibus, etc., or Bishop Stapleton's *Kalendar*,
17 Ed. II.

XVII.

Scocia.

Obligaciones littere indenture quietaclamancie et alia memoranda
diversarum personarum Scocie de diversis materiis ut patet in eisdem.

In hanaperio
de virgīs ad
tale signum.
*Arms of Scot-
land.*

1. Obligacio *Willelmi Regis Scottorum* facta *Johanni Regi Angliae* de *xv^m* marcis sterlingorum terminis infrascriptis solvendis, sine dato.
2. Littera communitatis Insule de *Man* facta *Edwardo Regi Angliae* per quam obligarunt se ad subjeccionem et dominationem ipsius Regis sub pena duarum milium librarum si aliquo tempore contra ipsum Regem insurgant contra hujus littere tenorem. Data etc. anno Domini mcccxc.
3. Obligacio *Roberti de Brus* Comitis de *Carryk* facta *Edwardo Regi Angliae* de xl. libris per ipsum Regem eidem Comiti mutuatis.
4. Littera procuratoria Magnatum *Scocie* nomine tocius communitatis ejusdem Terre facta ad tractandum cum Domino Rege *Anglie* de statu terre ejusdem et ad faciendum et affirmandum omnia que eidem Domino Regi placuerit facienda pro statu *Terre* et Magnatum predictorum. Anno Domini mcccv. et regni Regis *Edwardi* tricesimo tercio.
5. Un endenture entre le Roi et ceux qi tyndrent le Chastel de *Botheuill* de la rendue de meismes le Chastel lan . xxix.
6. La lettre *William* Counte de *Rosse* faite au Roi d'*Engleterre* de son homage et destre foial et loial au dit Roi lan . xxxi.
7. Resignacio Domini *Johannis Comyn* Comitis de *Buchan* terrarum *Galwidie* facta *Johanni Regi Anglie* anno regni ipsius Regis secundo.
8. Endenture faite entre le Roi d' *Engleterre* et la Countesse de *Rosse* et *Hugh* son fuitz eynez dautre dautre (*sic*) part sur la venue *William* Counte de *Rosse* a la foi le Roi et aussint de la demeoire le dit *Hugh* en la compaignie le Roi lan . xxxi.
9. La lettre *Weyland* de *Stikelawe* tesmoignant sa venue a la pees le Roi d' *Engleterre* et aussint que le Roi li bailla la garde du corps *Munes* (?) fuiz et heir le Counte de *Cateneys*, lan . xxxi.
10. Littera Regis *Francie* missa Regi *Anglie* apud *Liston Temple* xii. die Julii sub sigillis quorundam Scottorum, anno Domini mclclxxxviii. Data per capiam.
11. La lettre *Nicol* de la *Haye* tesmoignant la resceite de son heritage en *Escoce* de la grace le Roi d' *Engleterre* pur li et pur ses heir si *Gilbert* son fuiz veigne a la pees le Roi d' *Engleterre* lan. xxxii.
12. Quictaclamancia *Johannis de Bar* per quam remisit et quictaclamavit Domino *Edwardo* Regi et heredibus suis mille marcatas terre in *Scocia* quamcito ad hoc facultas se offeret pro mmm. marcis quas dictus Dominus Rex concessit predicto *Johanni* per manus Mercatorum *Friscobaldorum* etc. percipiendas. Data etc. anno Domini mcccvi.
13. Littera *Willelmi* Regis *Scocie* per quam concessit *Johanni Regi Anglie* ut maritet *Alexandrum* filium ejusdem *Willelmi* sicut hominem suum ligium infra sex annos et quod ipse et dictus filius suus fidelitatem servabunt dicto *Johanni* Regi et *Henrico* filio suo in omnibus et contra omnes tanquam ligio Domino suo. sine dato.
14. Littera . . . Archiepiscopi *Eboracensis* de inspeximus qualiter *Edgarus* Rex *Scocie* concessit quedam Maneria Regni sui *Sancto Cuthberto* et Ecclesie *Dunolmensi*. Datum inspectionis ejusdem littere etc. anno Domini mclclxxxvi.
15. Scriptum *Isabelle* de *Bello Monte* Domine de *Vescy* per quod concedit et reddit Domino *Edwardi* Regi *Anglie* et heredibus suis Manerium de *Caral* (*Crail*?) cum Portu *del Can* (?) in *Scocia*. Datum anno regni predicti xxxiii.
16. Littera Domini *Johannis de Balliolo* quondam Regis *Scocie* sub

Magno Sigillo suo originali facta Domino *Edwardo* Regi *Anglie* filio Regis *Henrici* superiori Domino Regni *Scocie* super acquietatione cassacione et adnullacione tam de conventionibus promissis obligationibus et penis per dictum Regem *Anglie* dicto Regi *Scocie* et aliis de *Scocie* factis et concessis, antequam idem Rex *Scocie* seisinam ejusdem terre recepisset, quam de scriptis per dictum Regem *Anglie* apud *Northampton* xxviii. die Augusti anno regni sui xviii. quibusdam Magnatibus *Scocie* factis super prolocutione cujusdam maritagii faciendi inter filium ejusdem Regis *Anglie* et filiam Regis *Norwegie* Dominam et Reginam *Scocie*, in quibus scriptis continebantur diversi articuli concessionis promissiones affirmaciones et similia legum et jurium etc. dicti Regis *Scocie* et inhabitancium ejusdem Regni tangent. (?) Datum apud *Novum Castrum super Tynam* secundo die Januarii anno Incarnacionis Domini mclclxxxii. et regni predicti Domini nostri *Edwardi* xxi° et regni predicti Regis *Johannis* primo.

In coffro ferro
ligato ad tale
signum. A
chequered
square.

17. Item due littere de consimili materia sigillo dicti Regis *Scocie* et sigillis quorundam aliorum magnatum *Scocie* signate de datis predictis.

18. Littera Domini *Johannis de Balliolo* quondam Regis *Scocie* sub Magno Sigillo suo originale de homagio suo pro Regno *Scocie* Domino *Edwardo* Regi *Anglie* filio Regis *Henrici* Superiori Domino Regni *Scocie* in presencia quorundam Prelatorum et aliorum Magnatum *Scocie* facta apud *Novum Castrum super Tynam* in crastino Nativitatis Domini, anno Incarnacionis ejusdem mclclxxxii. et regni Regis *Edwardi* predicti xxi.

19. Item littera dicti Regis *Scocie* sub sigillo suo et sigillis quorundam Magnatum *Anglie* et *Scocie* testificans homagium predictum sub datis predictis.

20. Littera *Johannis* quondam Regis *Scocie* de Magno Sigillo suo testificans fidelitatem quam fecit pro Regno *Scocie* Domino *Edwardo* quondam Regi *Anglie* Superiori Domino Regni *Scocie* in presencia quorundam Magnatum *Scocie*. Data apud *Novum Castrum super Tynam*, anno Gracie mclclxxx. et regni dicti Regis *Anglie* xxi.

21. Littera centum et quatuor Magnatum de partibus *Anglie* et *Scocie* auditorum jurium et placitorum Petencium jus in Regno *Scocie* testimonialis quod satis ostensum fuit et prelatum atque dictum per *Robertum de Brus* ex una parte et *Johannem de Balliolo* ex altera, per quod Dominus Rex procedere potuit et facere judicium inter partes predictas, sub dato anno Domini mclclxxxii., et regni predicti Regis *Edwardi*, filii Regis *Henrici*, xx.

22. Diversi rotuli sub sigillis quorundam Magnatum *Scocie* continentes placitum inter *Johannem de Balliolo* et *Robertum de Brus* super jure Regni *Scocie*. Dati anno regni Regis *Edwardi* filii regis *Henrici* xx.

23. Littera testimonialis sub sigillis Magnatum *Anglie* et *Scocie* de protestacione Regis *Edwardi* filii Regis *Henrici* quod littera quam ipse Rex fecit Magnatibus *Scocie* quod processus placitorum petencium jus in Regno *Scocie* determinari debet hac vice infra Regnum *Scocie*, non erit alias prejudicialis ipsi Regi, quin possit alias extra Regnum illud in *Anglia* vel alibi quo sibi placuerit in simili casu facere quod sibi placuerit vel debeat sicut Superior Dominus *Scocie*, sub dato anno dicti Regis *Edwardi* xx.

24. Scriptum per quod petentes jus in Regno *Scocie* obligant se ad petendum et recipiendum jus suum coram Rege *Anglie* Superiore Domino *Scocie*, et per quod concedent quod ipse Rex audiat et terminet jura sua

in dicto Regno *Scocie* sicut ei qui est Superior Dominus *Scocie* competit in hac parte, sub dato anno Domini mclxxxxi.

25. Scriptum de submissione omnium Petencium jus in Regno *Scocie* quod pro rato habebunt quicquid eis consideratum fuerit pro jure suo in dicto Regno per Dominum *Edwardum* Regem *Anglie* Superiorem Dominum *Scocie* et quod concedunt ei seisinam de Terris et Castris tocius *Scocie*, sub dato predicto.

26. Littere sub sigillis Domini *Edwardi* quondam Regis *Anglie* filii Regis *Henrici* et (aliorum Magnatum Regnum (*sic*) *Scocie* ut jus et hereditatem suam Petencium facere super redditione Regni et Castrorum Regni *Scocie* in custodia diversorum Magnatum)¹ ejusdem Regni existentium per assensum dictorum Magnatum in manus dicti Domini Regis liberate sub dato predicto.

27. Quedam patens commissio Domini Regis *Edwardi* filii Regis *Henrici* sub sigillo ejusdem Regis pro regimine Regni *Scocie* deputato: Episcopo *Glasguensi* directa pro fidelitate de Magnatibus ejusdem Regni recipienda. Data anno predicto.

28. Indenture facte inter Reges *Anglie* et *Scocie* et quosdam ministros suos de diversis munimentis in Castro de *Edenburgh* inventis que per preceptu dicti Regis *Anglie* predicto Regi *Scocie* liberata fuerunt, sub predicto dato.

29. Littera *Dovenaldi de Insulis* et *Alexandri de Argathil* Domino *Edwardo* Regi *Anglie* filio Regis *Henrici* facta de bene et fideliter se habendo erga eundem Regem, anno regni Regis ejusdem xx.

30. Littera *Alexandri de Ergathil* et *Johannis* filii sui per quam promiserunt in presencia Domini Regis *Anglie* fideliter adjuvare Custodes Regni *Scocie* ad pacem ejusdem Regni servandam, data anno predicto.

31. Littera *Alexandri de Insulis Scocie* filii *Anegus* filii *Downaldi* facta Domino *Edwardo* Regi *Anglie* filio Regis *Henrici* quod pacem custodiet in partibus suis insularum usque ad parliamentum *Scocie* in xv^a Sancti Michaelis. Data anno predicto.

32. Consimilis littera *Alexandri de Ergathil de Insulis Scocie* eodem modo facta predicto Regi sub eodem dato.

33. Littera *Joannis* Regis *Scocie* per quam reddidit Domino *Edwardo* Regi *Anglie* filio Regis *Henrici* Regnum *Scocie*. Data sub sigillo predicti Regis *Scocie* anno regni sui iiii.

34. Rotulus continens leges et consuetudines Burgorum *Scocie*.

35. Item rotulus continens transcripta cartarum scriptorum et memorandum apud *Edenburgh* inventorum in Thesauro Regis *Scocie*, anno Domini mclxxxxi.

36. Item rotulus continens quedam transcripta bullarum et quarundam et quarum litterarum sub Magnis Sigillis Dominorum *Ricardi Henrici* et *Edwardi* quondam Regum *Anglie* cum transcriptis quorundam instrumentorum Regnum *Scocie* tangentium.

37. Item una cedula continens tractatum pacis et concordie habitum inter quondam Reges *Anglie* et *Scocie*.

38. Item rotulus continens appellaciones Septem Comitum Regni *Scocie* super jure ejusdem Regni ad eosdem Comites pertinente coram Custodibus dicti Regni per dictos Comites factas et perlatas.

39. Item due littere sigillis Comitum et Baronum *Anglie* sigillate que ordinate fuerunt Domino summo Pontifici transmittende super declara-

¹ Doubtful reading.

cione juris Regis *Anglie* de Regno *Scocie*, eidem summo Pontifici intimanda, sub dato anno Domini mccc.

40. Scripta tangencia tractatum de matrimonio contrahendo inter *Edwardum* filium *Henrici* Regis *Anglie* et filiam Regis *Norwagie* cum quibusdam literis per Regem *Norwagie* quibusdam Magnatibus *Scocie* directis. In forcerio de coreo ferro ligato ad tale signum. I.

41. Littere instrumenta et rotuli de articulis contra *Glasguensem* et *Sancti Andree* Episcopos super adherencia ipsorum *Roberto de Bruys* in principio rebellionis sue contra Regem *Anglie* et de inquisitionibus et aliis in processu inde contra ipsos ex parte Regis exhibitis. In forcerio de coreo ferro ligato ad tale signum. II.

42. Instrumenta publica super homagiis et fidelitate *Edwardo* Regi *Anglie* factis per *Joannem de Balliolo* Regem *Scocie* et Prelatos et Nobiles dicti Regni, et de submissione dicti Joannis facta dicto Regi *Anglie* et libatione ipsius Johannis facta Episcopo *Vicentiani* secundum ordinationem Domini Pape cum quibusdam rotulis et aliis memorandis de eadem materia. In pucea de canabo ad tale signum. III.

43. Rotuli et cedulae de ordinationibus per Regem *Anglie* factis super custodia Terre *Scocie* et Marchie ejusdem, et de municionibus Castrorum et donacionibus terrarum Nobilibus *Anglis* per dictum Regem factis. In parva pucea ad tale signum. IIII.

44. Duo instrumenta publica sub manu Magistri *Johannis de Cadamo* et unum instrumentum publicum sub manu Magistri *Andree de Tange* de processibus contra *Scotos*. In pucea de canabo ad tale signum. V.

45. Quatuor littere executorie *Eboracensis* Archiepiscopi et *Karliolensis* Episcopi diversis Prelatis *Anglie* directe per mandatum *Clementis* Pape quinti, ad denunciandum *Robertum de Brus* Comitem de *Carryk* excommunicatum pro homicidio *Johannis de Comyn* in Ecclesia Fratrum Minorum de *Dunfres* facto, et ad terras castra et villas predicti *Roberti* et aliorum sibi adherencium in hac parte interdicto supponendas. In pixide lignea ad tale signum. VI.

46. Quedam littere *Philippi* Regis *Francie*, *Johannis* Regis *Scocie* et *Haquini* Regis *Norwagie* de conductu per eosdem Reges *Willelmo le Waleys* concesso in regnis eorundem Regum eundo et redeundo, cum quibusdam literis de ordinationibus et confederacionibus per quosdam Magnates *Scocie* prefato *Willelmo* facte, que littere invente fuerunt cum eodem *Willelmo*, quando captus fuit, et Domino Regi apud *Kyngeston* apportate per Dominum *Johannem de Segrave*. In hanaperio de virgis ad tale signum. VII.

47. Quedam littera *Alexandri* Regis *Scocie* patens cum litteris diversorum Mercatorum de denariis ei libratis pro feodo quod percipiebat de *Edwardo* Rege *Anglie* per manus *Gaufridi Newbaud* super custodis Episcopatus *Dunolmensis*. In pucea de canabo ad tale signum. VIII.

48. Item quedam instrumenta tangencia *Jacobum* Senescallum *Scocie*, Episcopum *Sancti Andree* et Episcopum *Bibliensem* cum quibusdam litteris eorundem.

49. Item rotuli placitorum de parlamento Regis *Joannis Scocie* apud *Scone* et *Stryvelyn* anno regni suo primo.

50. Item quedam ordinationes indenture et memoranda tangencia ordinationes de Terra *Scocie*.

51. Item duo rotuli continentes diversas ordinationes¹ requisiciones de diversis terris datis per Regem *Anglie*.

52. Item rotuli de nominibus Magnatum qui morabantur cum Domino Rege *Edwardo* in guerra *Scocie*, anno regni sui xxxii.

¹ Word apparently wanting.

53. Item rotuli redditales de valore terre *Scocie* per annum.

54. Item quedam inquisitiones capte in diversis partibus *Scocie* per brevia de Magno et Privato Sigillis Domini Regis *Edwardi* filii Regis *Henrici* annis diversis de quibusdam personis qui venerunt ad pacem ipsius Domini Regis et eciam de quibusdam articulis temporalitatis Ecclesie Sancte.

55. Item rotulus de nominibus Magnatum et aliorum qui fecerunt homagium Domino *Edwardo* Regi *Anglie*.

56. Item quedam cedula transcripta literarum et memoranda tangentia Terram *Scocie*.

57. Item duo rotuli tangentes locucionem de pace *Johannis Comyn* et sibi adherencium.

58. Item rotulus responsium Religiosorum *Anglie* de cariagio accomodando Domino Regi pro guerra *Scocie*, anno regni Regis *Edwardi* filii Regis *Henrici* decimo.

59. Item littere quorundam Magnatum et aliorum de Terra *Scocie* de diversis materiis.

60. Item rotuli cedula et memoranda continentes informacionem juris Regis *Anglie* in Regno *Scocie* Curie *Romane* transmissam et responsiones *Scotorum* contra informacionem predictam et alia diversa dictam informacionem contingentia.

61. Item quoternus in quo continetur tractatus de vita et conversacione quorundam Nobilium *Anglie* et *David* Regis *Scocie*.

62. Item rotuli et memoranda de serviciis Regi *Anglie* prestitis contra inimicos suos *Scocie* per nobiles et ignobiles Regni sui et Terre *Hibernie*, et de providenciis faciendis in *Hibernia* pro guerra *Scocie*.

In pucea de canabo ad tale signum. IX. 63. Quedam memoranda de cronicis, ad mandatum Domini Regis *Edwardi* filii Regis *Henrici* ad informacionem pro jure suo in Regno *Scocie* habendam, per diversos de Clero *Anglie* tam religiosos quam seculares factis circa annum regni dicti Domini Regis xviii vel xix.

In forcerio ligneo in parte ferro ligato ad tale signum. X. 64. Littere sub sigillis Magnatum et Comitatum Villarum et aliorum diversorum hominum de Regno *Scocie* ad pacem Domini *Edwardi* filii Regis *Henrici* veniencium de bene et fideliter se habendo versus eundem Dominum Regem, et de homagio et fidelitate eidem Domino Regi per dictos *Scotos* factis, annis regni dicti Regis xxiii. et xxv.

In hanaperio de virgis ad tale signum. XI. 65. Littere *Philippi* Regis *Francorum* et aliorum Magnatum tangentium (sic) treugas inter Dominum Regem *Anglie* et *Scotos*, ad instanciam dicti Regis *Francorum* per aliquod tempus initas, de diversis datis.

66. Item diverse alie littere quorundam Magnatum *Scocie* de carcere Domini Regis *Anglie* deliberatorum, de bene et fideliter se habendo, in auxilium eidem Domino Regi *Anglie* prestando, in guerra mota inter eundem Dominum Regem *Anglie* et Dominum Regem *Francorum*, de diversis datis.

In pucea de canabo ad tale signum. XII. 67. Bulle Papales diversorum Paparum plurimarum materiarum Regibus *Scocie* et aliis diversis ejusdem Terre directe pro statu dicte Terre, de diversis datis.

In coffro ferro ligato ad tale signum. XII. 68. Coffrum plenum de diversis rotulis cedulis et alii memorandis, de tempore diversorum Regum *Scocie*, ac comitatum precium illarum ut de expensis Hospicii ipsorum Regum litteris ipsis Regibus directis, ac litteris ipsorum Regum aliis directis, ac eciam quampluribus aliis diversis de minimo valore.

69. Item sunt reposita in alio coffro de predictis memorandis usque

ad plenum billato, de materie predicta, per unam billam de verbo ad verbum. In coffro ferro ligato ad tale signum. XIII.

70. Octo pecie cuneorum Regni *Scocie* pro moneta facienda quasi dampnate, et sex pecie ponderum de plumbo, secundum consuetudine ejusdem Terre facte. In una puche de coreo ad tale signum. XV.

71. Munimenta Regum *Scocie* et aliorum diversorum ejusdem Regni ut de cartis Regiis per Reges ejusdem Terre, diversis factis, ac et cartis et scriptis diversorum Magnatum et aliorum dicte Terre, unam cum (*sic* Qy. unacum?) aliis variis memorandis, de quibus hic mentio expresse fieri non potuit pre (*sic*) confusione scripture et propter eorum minimum valorem, set sunt reposita, videlicet, in duobus forceriis de coreo, ferro ligatis, in quatuor hanaperiis, de coreo nigro cooptis, in ix. forceriis ligneis, in xviii. hanaperiis de virgis, et in xxxii. pixidibus, preter alia munimenta et memoranda ejusdem Terre antea isto libro per divisas perticulas et diversa signa, atque secundum ordinem numeri et secundum eorum facultates intrata et registrata. In magna huhea ad tale signum. XVI.

AFTER FLODDEN.

SCOTLAND for years had been ringing with the armourer's hammer, and loud with the thud of the adze of the shipwright. In the fatal autumn of 1513, her preparations were ended; the hour for proof had arrived. Her fleet, headed by *The Great Michael*, with its wooden walls full ten feet thick, sailed away over the horizon and out of history, and her devoted army followed its quixotic and ungovernable king across the border to death and deathless fame. The general facts of the battle are agreed upon, and the death-roll of the feudal leaders is tolerably complete. The names of the valiant retainers who fell around them will never be known, but there is neither peer nor peasant to-day of Scottish descent who can say that no ancestor of his lies in Flodden Field. How the dread rumour of disaster reached Edinburgh, how the provisional government of city fathers, in the absence of their provost and magistrates with the army, ordered the weeping women out of the streets and into the churches to pray, and set themselves to put the town in a posture of defence; how the next Scots Parliament which met was a parliament of boys—are all matters of familiar history. But the strength of the self-possession and resolution of the country in its distress and danger is not to be ascertained without reading the Register of the Acts of the Lords of the Council, who carried on the affairs of the state, both legislative and executive, through that period. These *Acta Dominorum Concilii* are still in manuscript, and almost or altogether unknown to our historians, and yet they contain the only official record of the government of that date. They exhibit the Lords sitting from day to day and attending to their duties, both routine and exceptional, with the equanimity which belongs to times of profound peace and security. Among the records of their ordinary decisions, regarding civil disputes between individual citizens, are the entries of their public acts, and of a considerable number of private proceedings arising out of the battle of Flodden. They arrange for the immediate coronation of the young king; for the issue of briefes

of inquest of heirs of those who had been slain, with special provision for those cases where the sheriff of the county to whom the brieves should have been addressed had also been slain. They order the munitions of war, which were in Dumbarton Castle, to be taken to Glasgow, and thence to Stirling. They record the complaint of the Governor of the Castle of Edinburgh that that castle is not in a proper condition for defence, etc.; they send an embassy to Denmark to ask help for the country; they provide for a council of four to be constantly in waiting on the queen; they ordain the holding of weaponshaws, and give a licence to the possessors of spoil taken on the battlefield to sell it in any Scottish burgh they like, but they make it treason to sell it in England; they sit on the questions of ransom, etc., etc.

The Rev. Walter Macleod has selected, and contributes the following extracts from this Register. ED.

EXTRACTS CONCERNING FLODDEN FROM THE *Acta Dominorum Concilii*,
1513-14.

Acta Dominorum Concilii, vol. xxvi. fol. 2.—[At T]wesilhauch in Northumberland the xxiiij day of August the yer of [God] j^m v^o and xiiij yer. It is statut and ordanit be the kings hienes witht avis of al his lords being thar for the tyme in his ost in this forme as efter follois, that is to say gif any man beis slane or hurt to deid in the kingis army and ost be Inglisemen, or deis in his army, enduring the tyme of his ost, his airis sall have his ward relief and mariage of the king free, dispensand with his aige quhat eild that ever he be of and ordanis the kingis lettres to be direct herupon to the effect forsaid necessar as efferis: Extractum.

Ibid. fol. 3. Apud Striveling xix^o Sep[tember anno] domini millesimo quingentesimo decimo [tertio].

Sederunt Jacobus archiepiscopus Glasguensis Willielmus episcopus Abir-
donensis D[avid] episcopus Candide Case Jacobus episcopus Dun-
blanensis Andreas Cathinensis David Lismorensis Eduardus Orka-
densis Archibaldus comes Augustie Alexander comes de Huntlie
Joannes Colinus Johannes Hugo Willelmus et Johannes comites de
Mortoun, Ergyle, Levinax, Eglintoun, Glencarn et Athole Johannes
prior Sancte Andree Georgius abbas Sancte Crucis Robertus de
Pasleto, Robertus de Melros Patricius de Cambuskenneth Alexander
dominus Hume Willielmus Ruthvane Laurencius dominus Oliphant.

The Lordis forsaid thinks expedient and it pleis the quenis grace that the king our souerane lord be crounit on Wednesday nixtocum the xxj day of this instant moneth of September in the kirk of the Castell of Striveling and that my lord of Glesgw be executor officii and provyde therfor and that all uther necessar provisioun be maid for the said coronatioun againe the said day.

Sederunt.

Thir ar the Lordis ordanit be the generale counsell to sitt upoun the daily counsell for all materis occurrand in the realme or ane sufficient

part of thame and euer thre spirituale and thre temporale of thir as it lykis the queyn to command.

The Secretar
The Clerk of Register

The Archibischop of Glesgw	The Erle of Angus
The Bischop of Abirdene	The Erle of Huntlie
The Bischop of Galloway	The Erle of Mortoun
The Bischop of Dunblane	The Erle of Ergyle
The Bischop of Caithnes	The Erle of Craufurd
The Bischop of Ergyle	The Erle of Levinax
The Bischop of Orkney	The Erle of Eglintoun
The Prior of Sanctandrois	The Erle of Glencarn
The Abbot of Halyruidhous	The Lord Chaumerlane
The Abbot of Paslay	The Erle of Athole
The Provest of Sanct Gelis kirk	The Lord Ruthvane
The Dene of Dunkeld	The Lord Drummond
The Dene of Glesgw	The Lord Forbes
The Provest of Crechtoun	[The names of two noblemen and two lairds have been obliterated.]
Master David Setoun	
The official of Lothiane	

Ibid. fol. 4.

Apud Striveling xxij Septembris, anno.

Memorandum—That the Lordis of Counsell ordains that brevis be gevin of inqueist till every persone that had thair faderis or freyndis slane in this last feild in Northumbirland in this forme that is to say gif the Shireffis of the schyris quhar the landis lysis war slane in the said feild that brevis be directit till shireffis be speceale commissioun of the Chancelary in dew forme as efferis with all clawis necessar and gif the shireffis of the schyris quhar the saidis landis lysis be on live that the saidis brevis be directit to thair said shireffis and thair deputis without ony uther speciale deliverance or ony commissiounis for the serving of the saidis brevis quhat aige that ever thair be of efter the forme of the act and statut maid be the kingis grace at Twesill in Northumbirland with avis of all his lordis being thar for the tyme and ordains the samyn to have the strentht of act gevin in jugement.

Ibid. fol. 4.

Apud Edinburgh xxvjth Septembris.

Memorandum, that lettres be written at the quenis instance and lordis for the Lord Maxwell to comper befor the lordis in continent to avis apon certane materis concerning the gud and wele of the Realme.

The quhilk day the saidis lordis ordanis as tuiching certane castellis and housis takin be certane That is to say the hous of Uchiltre Cumnok, Duchell and Langnewtoun That lettres be written of the kingis tuiching the hous of Uchiltre to David Coluile and James Coluile, and for the hows of Cumnok tyll Johnne¹ Cuthbert Dunbar of Interkin and Patrik his bruther And for the hous of Duchell to George Liell And for the hous of Langnewtoun to Adam Ruthirfurd and to the remanent of the personis being in the saids housis for the tyme or that happinis to be in the samynis ay and quhill the deliverance of the saidis howsis chargeing thaim at the saids howsis or be opin proclamatioun at the mercat corsis of the principall burrowis of the schyris quhare the saidis howsis ar situat becaus

¹ 'Johnne' is written above 'Cuthbert.'

thai have attemptit and takin thir howsis in contrar of our soverane Lordis proclamatioun of gud mynd laity maid quhilk was under the pane of tresone that nane of his liegis suld mak ony slauchtir reiff spoliatioun re-vising of wemen nor uthir public innormyteis agains utheris now in the tyme of his host, cumand therto nor returnand therfra, and becaus the said host was not perfiltie completit nor his liegis gane hame therfra thir atemptatis ar committit, that therfor thai deliver and caus be deliverit the saidis howsis to the awnaris therof ther aieris tutoris procuratoris factoris or beraris and presentaris of thir lettres in continent efter thai be chargeit undir the sald pane of treasone and that nane fortify supple nor vittale ony of the saidis howsis nor personis being therintill under the said pane and als at the personis takaris and intromettaris with the said howses be summond to comper befor the king and his Lordis of Counsell to ane certane day lymmitt to thaim till ansuer in it at salbe said to thaim for the taking of the saidis howsis and in all uther thingis on that behalve and ordanis our soverane lordis lettres be direct herapon.

Ibid. fol. 6.—Memorandum In primis as tuiching the gunnis puldir bullettis pikkis mattokis and other munitiouns send be the king of France to the Kings grace it is ordanit be the Lordis of Counsell that the comptrollar sall bring all the saidis munitiounis be watir furth of Dumbritane to Glesgw and that my Lordis of Glesgw, Paslay, and Newbottill and utheris that has thair landis nixt adjacent cary the said munitiounis furth of Glesgw to Striveling and thair to remane quhill the quenis grace and the Lordis avis quhat sall remane thair and quhar the laif salbe cariit to.

Ibid. fol. 9.—The quhilk day the Lordis has divisit and ordanit that ane man be send to the King of Denmark that is to say — till expone to him how this cais is hapnit and to undirstand quhat help we may lippin to him for the help and defence of this realme now as the cais standis.

Ibid. fol. 9.—Item it is thocht expedient be the said lordis that this Franche knycht and the remanent of thame now being in Edinburgh remane still quhill word cum fra the King of France and in the menetyme that thair expensis be furnist be the thesaurar.

Ibid. fol. 10.—Thir ar the Lordis ordanit to remane daily with the queny's grace to gif hir counsell in all materis concerning the wele of the realme and four or thre.

The spirituale lordis	The temporale lordis
In primis My Lord of Glesgw chan- celar	The Erle of Angus
My Lord of Dunkeldin	The Erle of Huntlie
My Lord of Abirdene	The Erle of Craufurd
My Lord of Dunblane	The Erle of Ergyle
My Lord of Galloway	The Erle of Glencarn
My Lord of Caithnes	The Lord Hume
My Lord bischop of Ergyle	The Lord Borthuic
My Lord of Orkney	The Lord Drummond
My Lord prior of Sanct Androis	The Lord Ruthven
The Provest of Sanct Gelis kirk	The Lord Erskin
The Dene of Dunkeld	The Lord Lindesay of Byris.
The Dene of Glasgw	
The Provest of Creichtoun	Witht the officiaris of the Court

And four or thre at the leist of Ilk stait of thir to remane contineuall apoun the queyn for gud rwle to be kept within the realm and thai personis to be nemmit and sall begyn now and to continew ay and quhill uthers be nemmyt and the nominatioun of the said persouns of the first diet to be at the quenys plesour and to remane the space of xl dais and efter the ryning of the xl dais uther iijj or iij of ilk stait to be nemmit and remane elykwys and sa furtht quhill all the personis nemmyt heir have remanyt xl dais and than to begyn agane.

Ibid. fol. 12.

Apud Perth xxix Octobris.

Item as tuiching of the article maid for the defence of the bordouris and resisting of the Inglismen, it is statut and ordanit be the Lordis of Counsell that wappynschawnis be maid in every schire of the realm, and that lettres be direct to the shireffis therapon, and at thai caus all the kingis liegis within thar bowndis to reforme thair harnes and abilzementis for weir and mak thame fensable wapinnis sic as speris, leith axis, and Jedwart stavis, halbertis, and gud twa handit swerdis, and all uther neidfull wapinnis for resisting of the Innymis of England and defens of the realme and bordouris, and to be reddy at all howris quhen thai ar warnit for defens of the samyn as neid beis, and that balis be maid upon all partis of the bordouris, in Lothiane, and all uther partis adjacent therto as the auld use and consuetud has bene in tymes bygane for the warnyng of Scottis men in the resisting of thair inimyis.

Ibid. fol. 12.

Apud Perth xxix Octobris.

We do yow to wit that forsamekle as now at the last feild of Northumbirland thair was divers gudis and geir recouerit be our liegis, sic as palzounis, harnes, jakkis, crelis, rubouris, and uther necessaris for osting, quhilk as we understand was leiffull to thaim to do and necessar to this our realme in plane feild, quhar the personis that aucht the said geir, part war slane, part takin, and part removit therfra, throw the quhilk thai mycht not cum to thair awin ger forsaid, and without our saidis liegis had recoverit the said gudis and geir our inymis of England had takin the samin with thame, certifying onto our liegis forsaid that it salbe leiffull to thame to cum and sell and mak lefull merchandice of the said geir recouerit as said is in ony burgh of our realme or in ony uther placis as thai think expedient within the samin without ony accusatioun of ony juge, spirituale or temporale, therfor, praying thaim and als chargeing that thai bring the said gudis and stuff recouerit in the said feild till all burrowis and merkatis quhar thai lyke best within our said realme, sa that our liegis may by therof and be furnist to thair ois and utilite, and that nane sell sic thingis in England or to Inglismen under the pane of tresoun, and that lettres be writtin to my Lord Chamberlane chargeing him that he be opin proclamatioun in all placis neidfull within the boundis of his office command and charg that nane of our souerane lordis liegis tak apoun hand to mak ony merchandice with Inglismen or sell thame ony maner of stuff on the Calfhill or in ony uther place within this realme or utouth under the said pane of tresoun, and this ye do and ever ilk ane of yow as ye will report special thank therfor.

Ibid. fol. 13.—Patrick M'Lellane of Gelstoun was slain at Flodden. (In petition of Isabel Dunbar, his widow.)

Ibid. fol. 16.—14 November 1513. Anent the term assigned to Walter Cellar and William Bow to have heard and seen them decerned to pay to David Bonar the sum of 14 angell nobillis for their ransomes, that is 7 angellis nobillis, because the said David became surety for them to their captors, which should have been paid at a certain day in England and lyes in hostage thereof, and failed of payment at the said day, together with an English grote for the said David's expenses each day: The said David compeired by his procurator, and the saids Walter and William being lawfully summoned, oftymes called, and not compeired; the Lords assign the last day of November instant to compeir and prove the payment of the said ransoms.

Ibid. fol. 31.—10 January 1513-14. Memorandum to consider how the strenthis and castellis of Fast-castell and Dunbar salbe provydit in men, artalzery, and vittale, and to mak the said castellis to be providit with sic maner of provision in all possible hast, and the captanis and keparis of the said castellis be send for in all hast that it may be understandin be thame quhat the Quenis grace and lordis may lippen to.

Ibid. fol. 33.—10 January 1513-14. Memorandum anent the furnising of the castell and fortalice of Fastcastell. The Lordis being avisit with the captane therof ordanis ane pece of gret artalze be send to the said castell that will brek bulwerkis, togiddir with certane gun powdir for the defence and kepin of the samin.

Ibid. fol. 7.—27 January 1513-14. George E. of Rothes became surety for the relict of David Alleredes of Scatoquhy who died in the King's Army.

Ibid. fol. 11.—31 January 1513-14. Robert Gordon of the Glen became surety for the relict of Gilbert Ferguson who died in King's Army.

Ibid. fol. 33.—Madame, unto your gude grace and to the reverend and nobill lordis of Counsale, humelie schewis, I, your servitour, Patrik Crechtoun of Cranstoun Reddall, knycht, Capitane of the Castell of Edinburgh, That quhare as your grace and Lordschipis knawis the said castell, quhilk is ane of the principale strenthis of the realme, is now desolat of artalzery and uther thingis necessar for defens and keeping therof, and now lately Monsieur de Lebawty and Robert Borthuik hes of your causing visit the said castell and hes devisit bulwerkis and trinchis to be made before the place and siclike within the castell to be stuffit with men and artalzery for defens therof in tyme of assalt, gif ony beis maid be our Inymis, The quhilk devise without it be put to executioun and fulfillit in deid is in vane, heirfore it will ples your gude grace and Lordschipis, for honour and proffet of the Kingis hienes and his realme, to caus werkmen be put incontinent to fulfill the said devise as salbe schewin to thame be Robert Borthuik and uther wismen sic as ye ples to assigne therto, and that without delay, sen thar is gret werk to be maid baith within the castell and utouth, and the tyme is schort, for the symmer sesoun approachis fast, and als that ye will provide in tyme for furnissing of the said castell with men, vittalis, artalzery, fewell, and sic uther thingis as is necessar for keeping therof in tyme of were, and als that ye will caus

me to have pament of my pensiou assignit for keping of the said castell, for the forest stedis that war assignit to the payment therof ar layt waste and my gudis that war theron reft and stollin, and I man now in tyme of trubill and of the kingis less age mak for largear coft upone the keping of the said hous in wachmen, garatouris, portaris, and utheris servandis, than wes maid theron of before, and that ye will avise heiron in tyme and do that accordis to be done without delay, ffor I am and salbe reddy with my kyn and freindis to do heirin all that accordis me to do eftir my power, sa that God willing thar sall na falt be fund in me And your ansuere heirupone.

Ibid. fol. 50.—13 March 1513-14. Anent the complant maid be William Tait apoun William Turnbule, that quhar the said William Tait was in the feild with our souerane lord, quhem God assolze, and deliverit his hors quhilk was wortht x merkis in keping to David Strachachin, servand to his maister for the tyme, Maister Thomas Diksone, and in the tyme of the feild the said Wylliam Turnbill come and reft the said hors fra the said David masterfully at his awin hand, howbeit he knew that the said hors pertentit to the said William Tait, lyk as at mair lentht is contenit in the said complant. Baith the saidis partiis being personally present, the said Williame Turnbule grantit that he tuk the said hors and efter at he was cumand fra the said feild he was strykin fra the said hors and the samyn tayne fra him, Tharfor the lordis assignis to the said William Tait the xiiij day of Merche instant to preif at the said hors was reft fra the said David Strachachyn be the said William, and the avale and price of the said hors, and the partys ar warnit heirof apud acta, and to heir the witnesses sworn.

Ibid. fol. 52.—Anent the terme assignit be the lordis of Counsale to William Tait to preif the avale of ane gray hors pertening to him, and takin be William Trumbule, seruand to umquhile ane maist reverend fader in God, Alexander, archbischof of Sanctandrois, for the tyme, fra David Strathachin, seruand to umquhill Maister Thomas Dikson, Dene of Lestalrig, in the last feild in Norththumbirland quhilk had the said hors in keping, and withhaldyne be the said William Trumbule fra the said William Tait lyk as at mair lenth is contenit in the act gevin therapon of befor. The said William Tait being personali present, and the said William Trumbule being lauchfully summond to this actioun oftymes callit and nocht comperit, the partiis present richtis resounis allegatiouns and production of witness being hard sene and understand, and therwith being riplie avisit, the Lordis of counsell directis and deliveris that the said William Trumbule sall deliver and restoir again to the said William Tait the said gray hors als gud as he was the tyme at he was takin in the said feild, and failzeing therof sall content and pay to the said William Tait aucht merkis usuale money of Scotland for the said hors lyk as was sufficiently previt befor the saidis lordis, and that lettres be direct to compell and distrenze the said William Trumbule his landis and gudis therfor as efferis.

Ibid. fol. 90.—‘ At Striveling, the second day of June the yeir of God, j^m v^c and xiiij yeiris, in presence of the queinis grace, and the Lordis of Counsale ’ therein mentioned ‘ has decretit and ordanit in the generale counsale haldin at Striveling day and yeir forsaid, quhar ony personis

havand takkis or malingis of the kingis grace, or of ony utheris thair lordis and masteris spirituale or temporale duelland apon the ground and takkis, and cumand with thair masteris to the feild that thai have the takkis off, or with their balzeis or deputis in thair name, war slane with the said kingis grace or ther masteris under the kingis baner at the last feild in Northumbreland, or happinis to be slane under our said souerane lordis baner in tymis cuming in ony place in the defence of the realme, his wiff and eldest son sall have his takkis and stedingis quhilkis he had of the kingis grace, or of his lord and master for the termis of thre yeiris nixt efter the terme of Witsunday immediat following the slaughter of the said man or persoun that happinis to be slane under the kingis baner, and falzeing of his wif and eldest son, his second son, and failzeand of his second sonn, his thrid sonn, and sa furth for als mony sonniss as the man has, and falzeand of his wyf and sonys as said is his nearest kynsman that is able to do the kingis grace service, and his master to have the said tak for the space forsaid, providand always that quha evir happynnis to succeid to the said takkis be deces of this man be the space of thre yeris as said is sall find ane sufficient persoune to do the king and his maister service in the kingis weris quhen thai are requirit therto thai payand therfor thair dewiteis mailis and gressomes aucht and wont as efferis.' Extractum, etc.

Ibid. fol. 96.—15 July 1514. Anent the summonds raisit at the instance of David Bonar against Walter Sellar that quhar the said David was hurt and takin prisoner in the last feild in Northumbirland be Johne Smyth, Robert Mortoun and thair complices Inglismen, And als the said Walter and ane callit Bulle was takin with the sammyn and maid thair ransomis for xvj angell noblis and xij grottis, and the said Walter causit the said David to be sourte for payment thair of or ellis to entir himself again within xv dais and oblist him to keip the said David scaithles therof and to refund his expenses sa lang as he remanit presonere for him, and as yit the said Waltir has nothir payt his ransome nor enterit again to freitht the said David as he was oblist quharthrow the said David was haldin in presone for the said Walter fra the tyme of the feild quhill Monnday in Pasche olk last by past extending to vij monethis with the mair lyk as at mair lentht is contenit in the said summondis. The said David being personally present and the said Walter being lauchfully summonnd to this action oft times callit and nocht comperit, The Lordis of Counsell decretis and deliveris that the said Walter Sellar sall content and pay to the said David Boner, Sextene angell noblis and ten grotis Inglis, becaus the said Walter causit the said David to cum sourtie for the sammyn, and als sall content and pay to the said David ten angell noblis for his expensis maid the tyme that he lay in presone as sourtie for the said Walter be the space of vij monethis with the mair, according to the said Walteris promit and oblisting maid to the said David theruppon the tyme he fred him furtht of presone as was clerly previt befor the saidis lordis, and ordainis our Souerane lordis lettres to be direct to compell and distrenze the said Walter his land and gudis therfor as efferis.

WILLIAM ERSKINE, ARCHBISHOP OF GLASGOW.

(*Vol. xii. p. 62.*)

I SUGGESTED in reference to this man that he was a son of James Erskine of Little Sauchie and Balgownie. J. Maitland Thomson, Esq., Curator Hist. and Antiq. Dept., General Register House, Edinburgh, has most kindly furnished me with proof of the correctness of my view, taken from the Ms. Calendar of the Register of Deeds: 'Archibald Prestoun of the Valafeild and James Prestoun his son and apparent heir, on one part; and James Erskyne of Lytill Sauchy and Gene Erskyne his daughter (and Robert Erskyne, son and apparent heir to the said James, and William Erskyne, second son to the said James and persone of Campsie, cautioners, on the other.' Contract of marriage (between James Prestoune and Gene Erskyne), 2nd April 1567 [vol. ix. fol. 103]. It should be possible to discover the names of his wife and children.

A. W. CORNELIUS HALLEN.

OLD SCOTS BANK-NOTES.

(*Continued from p. 73.*)

Douglas, Heron and Co., Bankers in Air.

AFTER the lapse of more than a century the recollection of the hopes wrapped up with the Ayr Bank-note when it first appeared is dead and gone, but the memory of the sorrows which it brought in its train is still alive in the families of the south-west of Scotland which were so unfortunate as to be principally connected with it.

In the year 1769—a time of some financial uncertainty, when the private banks in Scotland were unable to indulge in large commercial ventures, and the public banks were declining to do so—there appeared the firm of 'Douglas, Heron and Company, Bankers in Air,' known for short as 'The Air Bank.' The partners of this concern 'considering that the business of Banking, when carried on on proper principles, is of great public utility, particularly to the commerce, manufactures, and agriculture of a country, at the same time that it may yield a reasonable profit to the Bankers concerned in it; and likewise considering the necessity there is, in the present situation of the country, that a Banking Company should be erected on proper principles at this juncture, have therefore resolved to establish a Banking Company upon a solid, creditable, and respectable footing.' So began the preamble of the Contract of Copartnership of the Ayr Bank. The Duke of Queensberry and Dover headed the list of subscribing partners, which contained the names of peers, landowners, and men of every profession save one, and that exception, says an expert in banking (Graham, —*The £1 Note*) was the profession of banker. The Bank opened its doors on 6th November 1769, and there has never been a doubt that the great body of its original shareholders were actuated by the laudable desire of, it may be increasing their private incomes, but of doing so by engaging in a business of public utility. With the prestige of such distinguished names on its share list, and a subscribed capital of upwards of £160,000, a career of both public and private advantage lay open before the Company. But in less than three years the Ayr Bank came to grief in a manner which was disgraceful to its managers and disastrous to its

shareholders. 'That a Company established on so solid a bottom,' exclaims the Shareholders' Committee of Inquiry appointed after the fall (*The Precipitation and Fall of Douglas, Heron and Co.*, 4to, Edin. 1778, p. 2) . . . 'and embarking on a business which, when conducted with any tolerable degree of prudence, cannot from its nature be attended with great risk, should, by the transactions of a very few years, have incurred so enormous a loss as not only to exhaust the whole of so large a capital, but to require the additional aid of a very large sum, the amount yet unknown, is an instance which it was hardly to be imagined could have sprung from the enterprise of so narrow a country, and of which perhaps there are few examples in any country.'

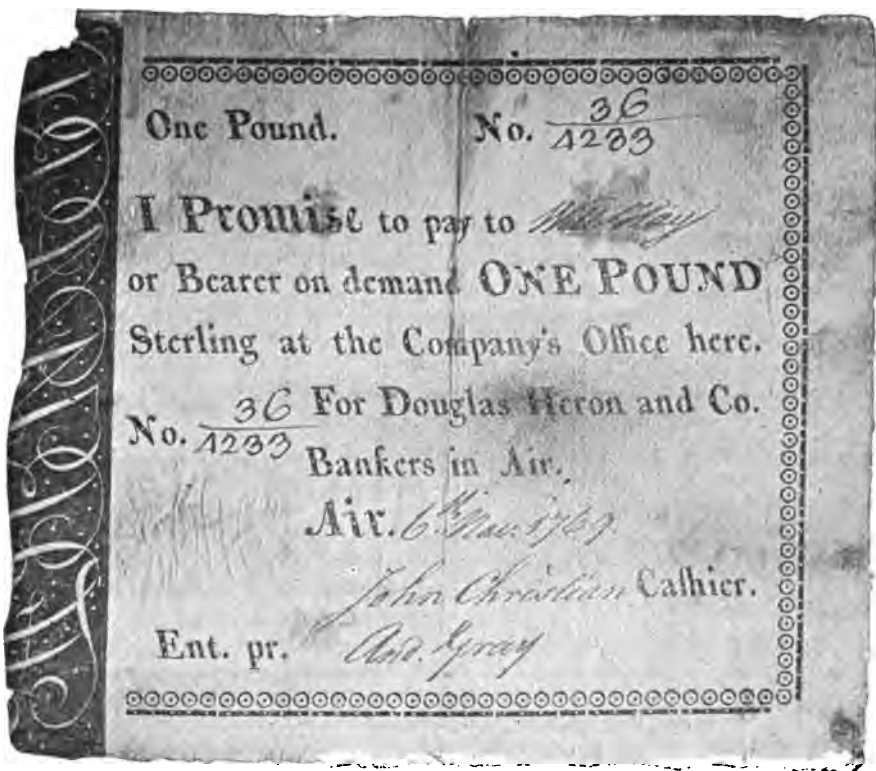
It may easily be true that the shareholders whose contributions to the stock of the Company made its operations possible, were actuated by honourable and sensible motives, but it appears to be equally true that from the beginning they were in the hands of a gang of at first designing, afterwards of reckless, speculators.

The Committee of Inquiry are naturally loth to admit that the shareholders were duped from the beginning. 'The general error in the conduct of the affairs of this Banking Company seems,' they say, 'to have been that of over-trading and endeavouring to force a circulation of the Company's paper beyond the natural limits. . . . Hence may be derived the source of our calamities.' But when the Committee proceeds to details, it formulates a series of charges against the management of the Company of such a nature that, if justified, leave little doubt that whatever the first false step may have been, the ruin of the Bank did not wait on errors of judgment in over-trading or over-issue of paper, but was immediately due to actions of the managers which cannot be called banking operations, however misguided.

The business of the Bank was conducted at three centres, of which Ayr was the principal. Edinburgh and Dumfries were the other two. At the very start of the Bank large credits were granted, without security, to a limited and favoured circle of traders by the Ayr branch. The other branches protested at first, but ultimately followed suit, and all three practised 'an open disregard, not only of the principles of the co-partnery, but of the express and positive rules and regulations laid down for the managers.' In each of the departments of banking—cash accounts, accounts current, discount of bills, bills of exchange, and circulation of paper—the Committee bring specific charges against the management. As to the last they say: 'It seems to have been a favourite topic at all the offices to endeavour not only to force a circulation of the Company's paper beyond the natural limits which must always regulate and confine such operations, but also to supplant the circulation of other banking companies. In this view it appears to have been a common practice to give out to particular persons, without receiving any proper security, large sums in the Company's notes to be circulated by them in different parts of the country, and the value to be returned within a limited time in bills of exchange, specie, or the notes of other banking companies.'

'This dangerous and unconstitutional practice was carried to great excess; and the consequence of so idle an expedient was such as might have been expected. The Company's paper, forced into the circle in this manner, was immediately picked up by the agents of other banking companies, and generally came back upon the Company to be exchanged

for other value, long before the returns were made by the circulators; and by this means the Company, instead of reaping any advantage or relief from this sort of traffic, was actually a real sufferer by it, independent of the danger and risk attending such loose dealings. It was beneath the dignity, as well as adverse to the interest, of a banking company acting upon fair principles to resort to so mean an expedient; but we find that it was likewise very soon shamefully abused, and converted into an additional mode of private accommodation . . . except in a very few instances it was issued without any visible authority at all, not to mention the authority of a legal quorum . . .'



When it was seen that the Ayr Bank was to follow the fate of several of the weaker or worse managed concerns, the Edinburgh banks, anxious to minimise the panic which would ensue, advertised that they would cash its notes. But this measure, though beneficent, did not materially soften the lot of the unfortunate shareholders. It has been calculated that half of the lands of Ayrshire changed hands in consequence of the calls which were made to pay the bank's creditors.

The note which is reproduced above is a specimen of the first issue of the Bank, dated 6th November 1769. The full length of the note is about $5\frac{1}{4}$ inches. The water-mark consists of a winged heart and the capital letters D. H. & Co.

A HIGHLAND TOUR IN 1814.

THE following Directions were found among the papers of Robert Cadell of Ratho (Sir Walter Scott's publisher, *b.* 1788, *d.* 1849), and are docketed in Mr. Cadell's handwriting, '1814, A. Paet's Directions for a Highland Journey.'

J. H. S.

DIRECTIONS TO MR. CADELL FOR A FIVE DAYS TOUR THROUGH THE
HIGHLANDS OF SCOTLAND.

1st day.—Breakfast at N. Queensferry—dine at Perth, and if convenient walk to the top of the rock of Kinnoul, from whence you have a full view of the Carse of Gowry and all the view in the vicinity of the city—drive to Dunkeld, afternoon, and if possible walk to the top of Kingsbarns, the evening view will well repay you—you must by all means see Ossian's Hall.

2nd day.—Engage a chaise to Kenmore, there is none at the half-way house—get out early and take the road by Inver to Balnaguard, where breakfast—the whole of the ride beautiful and interesting, in particular the house and Rock of Kinaird. If you have time, there is a most romantic fall, very little known, about half a mile up the burn from Balnaguard. Alight at Aberfeldie and view the falls of Moness. The whole of your ride to Kenmore is beautiful and picturesque. Dine at Kenmore, and drive to Killin that night, though late. Cause the postilion to take the south side of the loch, and alight by the way and walk to the Earl's Hermitage—it is worth your while.

3rd day.—I find you must abandon the idea of going from Killin by Loch Lomond. There is a part of the road at present so bad that even the Highlanders can only pass with their carts half laden; besides, you have nothing in the world to see, and you miss the fine scenery of Loch Earn and Loch Ludnich, which will never do. From Killin then breakfast at Loch-Earn-head and dine at Callander—visit the bridge of Braklin, afternoon.

4th day.—Rise early—post it to the Trossachs and breakfast at Stewart's house there—view the scene and sail to the lonely isle. Return with the chaise to the bridge of Turk—dismiss it and walk across the hill to Aberfoyle to dinner. You have a tolerable good path, and will get a fine view of the whole scenery about Loch Lomond, Loch Ard, Loch Ketherine, etc., etc. You may lodge at Aberfoyle, or walk a short stage in the evening by the loch of Monteith toward Stirling. This is all that you can possibly accomplish, if not more.

5th day.—Return to Edin.

THE MEMBERS OF THE EDINBURGH MERCHANTS
COMPANY—1687.

The ms. of the following early list is in the Privy Council Papers.
The meaning of the asterisks does not appear.—M.

ANE EXACT LIST OF ALL THOSE WHO ARE MATRICULAT IN THE COMPANIE
OF MERCHANDS OF EDENBURGH PRECEIDING THE TWENTIE FYFTH
DAY OF JUNE J^m VJ^c EIGHTIE SEVEN YEARS.

A

Harie Anderson.
James Alstowne.
James Arbuckles.
James Aitkine.
John Armstrange.
M^r W^m Allan.
John Auld.
Andrew Aitkine.

B

M^r Rot. Blackwood.
William Blackwood.
Robert Blackwood.
James Broadfoott.
Bailzie Brand.
Hugh Blair.
Robert Browne.
James Bawden.
S^r Ro^l Baird.
Stephen Bruntsfeild.
William Beck.
George Bell.
John Browne.
Hugh Blaikie.
George Begg.
Andrew Browne.
Robert Bogle.
Geo : Browne.
James Browne.

C

Bailzie Chemcellar.
William Cleiland.
Ab. James Cleiland, elder.
John Chatto.
Charles Charters.
Alex^r Crwickshankis.
Georg Clerk, elder.
George Craighead.
Tho : Crichton.
Alex^r Clerk.
Hugh Cuninghame.
Hugh Campbell.
Alex^r Campbell.
James Clerk.

John Corsbie.
W^m Corsar.
Robert Campbell.
John Clerk.
Alex^r Chamcellar.
John Colquhowne.
*William Cockburne.
James Corsbie.
*Robert Cuninghame.
*Patrick Crawford.
M^r Hugh Craig.
Robert Coventrie.
Walter Cheislie.

D

S^r Geo : Drumond.
M^r John Duncan.
George Drumond.
John Drumond—
Laurence Donaldsone.
Arch : Duncan.
Robert Drysdail.
James Dowglas.

E

Hendry Elphingstone.
David Eistone.
James Edmingstoun.
Charles Erskine.

F

S^r James Fleiming.
Thomas Fisher.
David Falconer.
James Fergus.
James Fleiming.
Alex^r Fergusone.
Robert Finning.
Robert Fleming.
David Forrest.

G

Bailzie Grahame.
Ab. William Gordone, ex.
Robert Gibsone.

James Gibb.
 John Gray.
 Lawrence Gellatlay.
 John Gawdie.
 *Charles Gray.
 William Gladstons.
 John Glendinning.
 Robert Grierson.
 Tho: Goodshir.

H

John Hay.
 John Handysyde.
 George Home.
 Arch: Hamiltone, elder.
 John Hunter.
 John Hendersone.
 Alex^r Heriott.
 John Hepburne.
 Arch: Hamilton, younger.
 *James Heart.
 William Hopkirk.
 *William Huttone.

I

Pat: Johnstone, elder.
 Josias Johnstone.
 Arch^d Johnstone.
 John Jolly.
 Pat: Johnston, younger.
 Andrew Irvine.
 M^r Geo: Jolly.

K

S^r Tho: Kennedy.
 John Ker.

L

Tho: Laurie.
 John Litle.
 M^r Charles Lumsden.
 George Lawsons.
 Alex^r Lawrie.
 John Lindsay, elder.
 James Loch.
 Colline Lawder.
 George Liddell.
 John Lamb.

James Lithgow.
 [A name here rendered
 illegible by the fold of the
 paper.]
 Walter Learmont.

M

Duncan M^cIntoshe.
 William Menzies.
 Samwell M^cCleland.
 Robert Miller.
 William Montgomrie.
 David Montier [*or vir*].
 *George Mosman.
 John Marjorbanks.
 John Moore.
 Edward Marjorbanks.
 John Miller.
 John Marshall.
 George M^cKenzie.
 Thomas Montgomerie.
 John Murray.
 John M^cIlwrath.
 Henrie Mein.
 *William M^cHendry.
 Robert Murray.
 *William Mosman.

N

Bailzie Nicolsons.
 Alex^r Neilsons, elder.
 Andrew Neill.
 Alex^r Neilson, younger.
 David Neish.
 John Neill.
 James Newall.
 John Naismith.
 George Nicoll.

P

Dean of Gild Prince.
 William Pattowne.
 John Patterson.

R

James Rowe.
 James Reid.
 William Reid.

John Ritchie.
William Ramsay.
*Thomas Row.
James Ritchie.

S

David Spense.
George Smellum.
Walter Stewart, elder.
William Stevinsone.
James Simpstone.
James Smeittone.
Gilbert Stewart.
*Robert Smith, merch^t.
Robert Smith, wryter.
George Saudry.
Thomas Scott.
John Simpstone.
James Spense.
William Smeittone.

T

John Thomson, elder.
John Thomson, younger.

James Taitt.
John Taitt.
John Tailzeir.
Jo: Trotter.

W

Thomas Wyllie.
George Warrander.
George Wedderburne.
Robert Walwood.
Arch: Walker.
John Wallace.
Alex^r Wright.
Henry Wyllie.
Alex^r Watsone.
*John Wright.

Y

Thesawer Young.
Joseph Young.
William Yowng.
Thomas Yowng.

DAN^{LL} MACKPHERSON.

LETTER TO THE EDITOR.

JOHN GRAHAM OF KILBRIDE,

OR BROTHERS WITH SAME CHRISTIAN NAME.

(See vol. xi. p. 108, and vol. xii. pp. 33 and 36.)

'B.' is inclined to take too much for granted; and, despite his five quotations, there are people who do not believe that there are 'numerous instances' in old Scottish families of two brothers with the same Christian name being alive at the same time—*legitimate* brothers, that is. Of the five instances he gives, there is but one with any show of reason—Seton, the others are unsupported by the slightest evidence; and the opinion of Mr. Riddell, who was the greatest legal antiquary in Europe, that such duplicate names denote illegitimacy in one or the other, is of more weight than 'B.'s' to the contrary, unless he has a great deal better evidence to adduce, which does not appear to be the case. Even the Seton instance is more than suspicious. The second Lord Gordon (Alexander de Seton, first Earl of Huntly), was thrice married according to old genealogists, but the present Lord Huntly in *The Records of Aboyne* calls the first marriage in question on tolerably good grounds. It is with the two other marriages we are concerned. It is quite clear that there was an Alexander by both—Alexander, the only son of the first, and Alexander, the second of the other, whose elder brother-german was George. But it was George, the first-born of the last marriage, and not his elder half-brother Alexander, who succeeded to the peerage. This fact at once fixes attention, and at the first blush

suggests the illegitimacy of Alexander, a suspicion by no means dispelled on closer examination. The elder Alexander was son to the first Earl of Huntly by Egidia Hay, heiress of Tullybody, Touch, etc., and the charter by King James I. in 1426 settled these lands on the Earl and the said Egidia and the longer liver of them, with remainder to *the legitimate heirs of Egidia*. If Alexander was beyond doubt born in wedlock he was clearly entitled to such lands, and no question of heirship to them could have arisen. But a question did arise, and Douglas in the *Baronage* (p. 167), tells us that there were 'several contests' between Alexander and George (son of Elizabeth Crichton), about the succession to those lands. Why was this if the legitimacy of Alexander was not called in question? It could be the only ground. And the Earldom of Huntly was put past Alexander. What also favours the suggestion is, that although the title Earl of Huntly, by a new grant in 1449 descended to George, that of Lord Gordon did not, the undoubted heir to which, were he legitimate, being Alexander; but the Barony of Gordon became dormant *or extinct* at his father's death in 1470. Neither Alexander, his son, nor their descendants made any pretence to it. Mr. George Seton, in his sumptuous work *The Family of Seton*, bears testimony to there being irregularity. On page 381, he says the Earl of Huntly was married, *before* 8th January 1426, to Egidia Hay, somehow overlooking what on page 378 he had previously stated, that in 1427 a charter was granted by James I. to him (the Earl), and Egidia or Giles de Haya, daughter and heiress of the deceased John de Haya de Tullibothe, 'whom, by God's grace, he shall marry.' There is here not alone a serious discrepancy, but very unusual wording. The 1427 charter is not in the *Registrum Magni Sigilli*, but that of 1426 is, and (without the testimony of the 1427 charter) it is most significant that Egidia in it is not referred to as spouse, or as one betrothed, after the custom of the Register. It might satisfy Lord Huntly's objection (p. 393, *Records of Aboyne*), to their having been an earlier marriage (with Jean Keith) if we recognise—as indeed it does not seem we can avoid doing—that singly, or in conjunction, the references of 1426 and 1427 to Egidia point to her as having been, prior to 1428, and probably in the lifetime of Jean, the mistress of the first Earle of Huntly. He divorced her before 26th November 1438; and the sequel is, to say the least, most curious if their son was born after their marriage, for as per the 1426 charter he would have succeeded as ultimate heir of his mother's estate. Yet the lands were gifted by the father, after the mother had granted them to him *in liferent only*, to the son begotten between them. There is another reference to Egidia which emphasises her character for skittishness. On 7th August 1440, Egidia, Lady of Tullibody, in her pure widowhead (she was not Huntly's widow, as he lived till 1470), for the many faithful services rendered to her by Sir William Forbes, Knight, grants him a charter of the lands of Achonwery with the pertinents (p. 394, *Records of Aboyne*)—an unusual proceeding for a young widow who protests her virtue. The weight of evidence favours the illegitimacy of Alexander, which the writer does not doubt. If he were legitimate, the succession to the Barony of Gordon is open to the Seton baronets of Abercorn. That Alexander should keep his patrimonial name of Seton, and not, like his undoubtedly legitimate-born brothers, take Gordon for surname, may be taken as another piece of evidence against his legitimacy, and argues abandonment of all right to the Barony of Gordon. Of 'B.'s'

other instances of two legitimate brothers of the same name little need be said. Riddell disposes of the two Maurices, and the like objection holds good in all cases where there is not direct evidence to the contrary. No proved case presents itself in official records or family histories. Mr. Alexander Mackenzie's great weakness is that he rarely gives any authority for his statements, and without authorities mere modern statements on questions genealogical are not evidence. Mr. Mackenzie gives no authority whatever for stating (p. 76, not 108) that Kenneth was son of the second marriage of Sir Kenneth Mackenzie of Kintail, who died in 1491. Likewise in the Fraser case, Mr. Mackenzie says, 'Hugh, sometimes called Simon, Master of Lovat.' It is important to have the evidence for this. It is more likely that his name in reality was Simon, and that he on some occasion got miscalled for his father. The same author puts a younger Hugh as fifth son, who is not mentioned by Douglas. Where was he found? Unless Mr. Mackenzie has old documentary proof that he was a son of the second marriage the chances are, in event of his elder brother being Hugh and not Simon—he could not be both—that he was a bastard if son at all of Lord Lovat. If he was genuine, it goes to prove that his elder brother was Simon and not Hugh. 'B.'s last instance is Stewart of Glenbucky; but he is without warrant for assuming that because there are two Johns mentioned—the one as John, the other as John Beg—that the distinguishing addition 'little' shows that both must have been alive at the same time. 'Beg' denoting a *man* of extraordinary low stature and not a little or lesser child. Did 'B.' ever read of, say, John, father and son, being distinguished—the first as 'more,' the second as 'beg'? Surely not, although it would be more applicable. But, again, were two Johns proved to be alive at the same time, Riddell's objection is to be upheld. The fatal point is that the first Earl of Menteith would not have had a legitimate son called John, if John Graham of Kilbride had been alive in 1478. We find Robert II., with two sons called Robert. But one, the elder (who was christened *John*), for State reasons *adopted* his father's name when he succeeded to the throne, abjuring that of the despicable Baliol. The reason here is plain, and, so far from helping 'B.' in his pleading, discredits his case: Robert, the elder, being in reality John. This is the only authentic instance so far as made known. There may be instances, but they could have no bearing on John of Kilbride.

A person who deliberately writes that there are few records which are absolutely correct, and that he had never seen one, may be pitied but cannot be helped.

'B.' has not shaken the testimony of the *Acta Dom. Concil.*, that John of Kilbride was son *and heir* of Earl Malise in 1469, and it is a legal formula that where words spoken or written were used they must have their ordinary signification, unless there was something which obliged giving them a meaning other than their ordinary meaning.

The 'crucial point' of the service of John's widow's brief of terce (in 1492) is no point at all, for had it not been for the dispute which then fell out among several parties interested in Kilbride, she being one, it would never have been heard of. John of Kilbride was beneath the sod, drowned or 'witched away,' like the Rev. Mr. Kirke of Aberfoyle, before 19th April 1471, when his brother Patrick of Gartreuch (father of the second Earl of Menteith) was son *and heir* of his father.

WALTER M. GRAHAM EASTON,

THE COMMISSARIOT REGISTER OF SHETLAND.

(Continued from vol. xii. p. 40.)

690. Laurence Stove in Garth.
691. Gilbert Sinclair in Norst, died 10th September 1641, given up by William Burgie, now spouse to Grissel Forester his relict, on behalf of Martha his daughter.
692. Janet Alexander, spouse to John Bannatyne in Hillwall, died September 1645.
693. David Sinclair in Quharne, died September 1648. William, Mary, Janet, and Barbara his children.
694. Euphane Cranstoun, spouse to Nicoll Whyte, minister of Dunrossness, died 6th June 1640. Katherine, William, Barbara, and Robert her children.
695. James Sinclair in Quendale, died 21st September 1647. Barbara Stewart his relict, Harie and Robert his children.
696. William Smyth in Lic, died March 1648.
6th July 1648.
697. Andrew Mitchell in Meilles, died April 1648.
698. William Sinclair in Swinbuster, died April 1620? . . . Bannatyne his spouse, Barbara his daughter.
699. Malcolm Christie in Bluidbuster, died February 1644. James, Gilbert, Arthur, and Magnus his children.
700. Arthur Magnusson in Bandone, died April 1643.
11th July 1648.
701. Peter Olasone in Twatt.
702. Agnes Cheyne, spouse of Ola Petersone in Aith.
13th July 1648.
703. Nicol Wishart in Brinzesetter.
704. Harry Cheyne of Stappness, died December 1643. Janet Bell his relict, Margaret his daughter.
705. Walter Christopherson in Middale.
706. Anna Gilbertsdochter, spouse to John Anderson in Netherdaill.
707. Marie Magnusdochter in Hisdagar.
708. Robert Coutts of Futabrough, died February 1648. Janet Henriesdochter his relict, Henry, Christian, Clara, Agnes, and Margaret his children.
14th July 1648.
709. Nicol Mansone in Papa Stour, died February 1643.
710. John Ewansone in Papa Stour.
711. John Strachan in Papa Stour.
712. Robert Cheyne of Northhouse, died 14th June 1641. Margaret Androisdochter his relict, Patrick and Agnes his children.
713. Henry Lason in Brabister.
18th July 1648.
714. Andrew Smyth in Nethersetter, Northmaven.
19th July 1648.
715. Thomas Scott in Elvesta, Walls, died August 1647. Janet Hendrie his relict, William his brother, Katherine and Margaret his sisters.
716. William Hay, archdeacon of Zetland, died July 1647.
5th August 1648.
717. John Smyth in Keldebister, in Brassey.
14th August 1648.
718. Margaret Sinclair, spouse to James Mouat of Ollaberry, and March 1645. Gilbert, James, Barbara, Margaret, and Janet her children.
719. Gilbert Williamson in Arnisvale.
720. Donald Nicolson in Clothasetter.
721. Henry Pitcairn in Gravaland, died March 1648.
722. Janet Magnusdochter, spouse to Harie Anderson in Hammer.
723. Christian Bruce, spouse of Barthelmo Symonsone, died November 1645. She is called a bastard.
16th August 1648.
724. Orne Johnson in Nibaboch, Yell.
725. Garthrow Erasmusdochter, spouse of Garth Salmonson in Yell.
726. Sulomone Erasmusson in Coppisetter, Yell.
727. Barbara Bie, spouse of Bothwell Erasmusson in Hamnavoe, died February 1648. Laurence, Edward, and Andro her sons.
728. Isabel Ornesdochter, spouse of David Manson, died February 1645.
729. Ingagarth Georgesdochter, spouse of Mathew Hawick in Southladiie, Yell, died February 1645. Daniel, Matches, James, Thomas, and Christian her children.
18th August 1648.
730. Gilbert Scott in Kirkabister, died February 1642. Ingagarth Olasdochter his relict, Matches, Peter, and Sinnevo his children.

19th August 1648.

731. John Follesdaill, Lumbuster, died June 1645. Margaret Magnusdochter his relict, David, Ola, Janet, Breta, and Barbara his children.
732. Ola Petersone in Basta.
733. Magnus Swynson in Bousta.
734. Christian Fouller, spouse to Francis Nicolson in Hamagairth, Unst.
735. Margaret Dunt, spouse to Magnus Erasmusson in Enawbuster.

23rd August 1648.

736. Laurence Olasone in Upperska, Unst.
737. Christian Smyth, spouse of Steven Manson, Unst.

25th August 1648.

738. James Sinclair in Baltasound, died August 1645. Helen Wood his relict, William, James, and Thomas his children.
739. Christian Nicolsdochter, spouse of Thomas Nicolson in Deall.
740. Anthonie Manson in Hammer.

26th August 1648.

741. James Williamson in Vigga.
742. Magnus Bernardson in Vigga.
743. Margaret Anthonisdochter, spouse to Andrew Still in Huggaland, Unst.
744. Andrew Bruce, elder of Mowness, died 12th February 1625. Andrew his only son.

27th August 1648.

745. Harie Isaksone in Hine.
746. John Johnstone in Langhouse.
747. James Laurenceson in Howle.
748. Anthone Laurenceson in Howle.
749. Agnes Henriesdochter, spouse to John McRitchie in Howsder.
750. John Nicolson in Mervis in Ballista.
751. Katherine Thomasdochter, spouse of Thomas Couttis in Bailziesta.
752. Andrew Manson in Toft of Burra-firth.

31st August 1648.

753. Magdalen Scott, spouse to Nicol Polsone in Mungarsdaill, Fetlar.

31st August 1648.

754. Jean Archer, first spouse to Daniel Polsone in Clothen.
755. Andrew Nicolson in Urie.
756. Marion Nicolsdochter, spouse to Hermene Stevensone in Urie.
757. Magnus Mansone in Clivakr, Unst.
758. Breta Allansdochter, relict of Erasmus Dickson in Aith.
759. James Sutherland of Meicklegarth, died Dec. 1647. John his only surviving son.

760. Agnes Davidsdochter, spouse to John Robertson in Culbenstoft.
761. David Williamson in Howle, in Fetlar.
762. Elizabeth Jonsdochter, spouse to Magnus Culstone in Culbenstoft.
763. Donald Gilbertson in Brugh.

5th September 1648.

764. John Walkerson in Otterswick, Yell.
765. Sinnavo in Gosabaith, spouse to Walter Jameson in Suasetter.
766. Anna Henriesdochter, spouse to Laurence Anderson in Otterswick, Yell.

8th September 1648.

767. Jean Chrichtone, spouse to Arthur Javens in Laxo.

9th September 1648.

768. Arthur Polsone in Ska.

10th September 1648.

769. Robert Hawick in Firth, died December 1645. Margaret Arnot his relict, John, Thomas, and Christian his children.
770. Oliver Simson in Sandwick, Whalsay.
771. Elspeth Hawick, spouse to Andrew Stewart in Sandwick, died September 1648. Bartholomew, Sara, and others, children.
772. Edward Sinclair in Ska, Whalsay, died May 1646. Susana Antonsdochter his relict, Sheward, Andrew, Marian, and Christian, children.
773. Agnes Thomasdochter, spouse to James Arthurson in Skail, Whalsay.
774. Sewart Williamson in Luning.

12th September 1648.

775. Gullis Weymes, spouse to Thomas Linklater Smith in Laxfirth.

15th September 1648.

776. Alexander Bruce of Shelbeis, in Lunesting, died July 1648. Katherine Giffart his relict, Andrew, Jean, Lillias, Margaret, and Agnes his children.

20th September 1648.

777. Euphane Strang, spouse of Alexander Williamson in Eswick, died April 1648. Laurence only child.

23rd September 1648.

778. Erasmus Smith in Urasetter, Dunrossness.
779. Malcolm Tulloch in Cumlewick, Dunrossness.

780. Marjorie Bruce, spouse to John Cheyne of Tangwick, died 4th April 1645. George, Andrew, and Patrick her sons.
781. Christine Philip, spouse of Arthur Clerk in Breck, Walls, died July 1648. Nicol, Peter, Thomas, James, Henry, and Robert Edwardsons, her bairns by Edward Nicolson her first spouse.
782. William Dempster in Skellester, died 30th June 1647.
27th September 1648.
783. Agnes Wright, spouse to William Forsyth in Scalloway, died 31st May 1648. Arthur Forsyth only child.
784. Margaret Umphray, spouse to Henry Sinclair, brother to Laurence Sinclair of Burgh, died 4th March 1645. Hew, Patrick, Helen, and Jean her children.
785. Jean Bruce, relict of Hew Sinclair of Burgh, died 8th March 1644. Laurence, Henry, and Alexander her children.
786. Margaret Sinclair, spouse to Laurence Sinclair of Burgh, died 28th April 1646. Hew her only son.
787. Patrick Cheyne of Vaila, died 23rd December 1643, given up by James Cheyne of Raewick, uncle to Patrick. Agnes, Katherine, Christian, and Marjorie his children.
30th September 1648.
788. Andro Georgeson in Middale, died 20th Feb. 1648, given up by Andrew of Melby in absence of Janet Gibson relict, in name of Marbrun and Agnes Georgesdochter his sisters.
789. Ursella Edmesson, spouse of Ninian Nevin of Windhouse, died 8th December 1646. Gilbert, James, Rodger, Andrew, Barbara, and Bessie his children.
18th September 1648.
790. Turvell Nicolson in Hamysragarth, Weisdale.
791. Erasmus Jameson in Hamragie, Weisdale.
792. John Brown in Bardister, Walls.
28th August 1649.
793. Christian Johnson, relict of Magnus Williamson in Neip, Nesting.
794. Anna Magnusdochter, spouse of Olaus Reid in Barddull, Sandness.
795. Elspeth Magnusdochter in Saness, Sandwick.
796. Magnus Olasone in Levenwick, Dunrossness.
797. Erasmus Irvingson in Deall.
798. Magnus Nicolson in Elister.
799. David Simon-sone in Giuss, North-maven.
800. Harie Robertsonsone in Bardister, Walls.
801. Bessie Redland, spouse to Gilbert Christopherson in Elvister, Walls.
802. William Hay, minister at Walls, died 20th October 1647. Barbara Hay his relict.
803. Laurence Cheyne of Gutabrid, died July 1648. Eliza Sinclair his relict, Anna his daughter.
804. Vincens Gregorson, merchant, Brassey.
805. Elizabeth Nicolsdochter, relict of William Olasone in Nibon, North-maven.
806. Marion Turvelsdochter, spouse of Olaus Jamiesone in Weisdale.
807. James Magnusson in Brugh, Burra.
808. Janet Tulloch, spouse to Mathew Sinclair in Brugh, Burra, died April 1649. Laurence, Elspeth, and Margaret her children.
809. Malcolm Sinclair in Westager, Dunrossness, died June 1646. Adam, Laurence, and James his children.
810. Bartholimo Tulcoche in Kirkabister, Lunnasting, died September 1649. Walter his son.

END OF REGISTER.

Uyeasound, 11th December 1650.

811. Christian Edmondston, spouse to William Spence of Houlland, Yell, died April 1650. Osea, John, Sinnevo, and Christian her children. John Neven, Commissary Substitute.

July 1686.

812. Mr. William Campbell, minister of Fetlar, died March 1686. Bess Ross his relict and sole legatee, under will dated 11th March 1686. Francis Murray, commissary, James Scott, younger of Voessgarth, cautioner.

COMMISSARIOT OF EDINBURGH.

14th September 1608.

813. Margaret Stewart, spouse of William Bruce of Symbister.
27th August 1669.
814. Gilbert Mowat of Ure.
2nd February 1706.
815. James Smellam, portioner of Preston.

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| <p>27th May 1708.
816. George Scott of Gibbloston.</p> <p>11th December 1718.
817. Andrew Bruce of Mowaness and John Bruce his brother.</p> <p>10th February 1719.
818. Charles Sinclair of Scalloway.</p> <p>13th June 1722.
819. Mr. James Milne, minister of Lerwick.</p> <p>15th July 1725.
820. Arthur Nicolson of Lochend.</p> | <p>27th April 1727.
821. James Kelday, jr., merchant, Lerwick.</p> <p>20th February 1730.
822. Charles Mitchell of Uresland.</p> <p>19th November 1735.
823. Alexander Scott, eldest son of deceased James Scott, who was son of Alexander Scott, goldsmith, Edinburgh, and Agnes Wachoupe, Dowager Countess of Linlithgow.</p> <p>17th May 1763.
824. Andrew Scott of Greenwall, given up by John Scott, his only son.</p> |
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QUERIES.

TUSTIMAS IN CAITHNESS.—After mentioning the fairs in Wick parish, the writer of the article on that parish in the *New Statistical Account of Scotland* (Caithness, p. 176 note), says: 'Besides Margaretmas and Fergusmas, mentioned above, there are in the county Colmsmas, the term on the twentieth of June; Petermas, twenty-ninth of June, O.S.; Georgemas, fifteenth of July, O.S.; Marymas, fifteenth of August, O.S.; Lukemas, first Tuesday of October, O.S.; Mansmas, or Magnusmas, first Tuesday of December, O.S.; Tustimas, fourth Tuesday of November, O.S.; and a number more masses.' What saint has his name embodied in Tustimas?
W. G. G.

ST. ALEXANDER.—*Sub voce* Alexander, August Sixth, Bishop Forbes in his *Kalendars of Scottish Saints*, remarks: 'Camerarius gives a doubtful saint of the name, who, being the son of a king of Scotland, joined the Cistercian order in France. He was brother of a Saint Mathildis. There is a fair of St. Alexander at Keith.' On March 31st, 1582, as we learn from the *Retours* (Stirling), Alexander Levingstoun was returned as heir of his father, John Levingstoun, 'in terris capellae Sancti Alexandri vulgariter nuncupatis Kirklands et parva silva vocata Sancti Alexanders Cuthill cum Cuthilbrae in baronia de Herbetschyr.' In another retour of date April 15th, 1685, we find a reference to 'terras Sancti Alexandri capellae, infra parochiam de Dunnipace, unitas in baroniam de Dunnipace.' Perhaps some reader of the *Scottish Antiquary* can supply information regarding the saint. Are there any other traces of his cultus north of the Tweed?
J. M. MACKINLAY, F.S.A., Glasgow.

SMITH OF FORRET, COUNTY OF FIFE.—Is anything known concerning the ancestry of Robert Smith of Forret, County of Fife, a doctor in Montrose, where he died August 1752? He married Elizabeth, eldest daughter and one of the co-heirs of John Moodie of Arbekie, County of Forfar, and had at least three sons—William, James, afterwards tenant of Balgonie, born 1730, and John, baptized in Montrose, 16th August 1738—and probably a daughter, who married — Bonthron.

Neither the Logie nor Montrose registers help in this matter.

Any information will greatly oblige RUVIGNY

(MARQUIS DE RUVIGNY AND RAINEVAL)

ROSS, ABBOT OF FERNE.—Thomas Ross, Abbot of Ferne, died in 1595, leaving two sons—Walter, from whom the family of Ross of Morangy, and William. Can any of your readers give me any information concerning the descendants of this William Ross, whose son, Alexander Ross, was alive about 1660? J. C. R.

ROBERT CAMPBELL OF RACHANE.—According to Irvine's *Book of Dumbartonshire* (vol. ii. p. 280), Robert Campbell, a younger son of John Campbell of Ardkinglass, acquired the lands of Rachane. What proof is there of his parentage, and when and from whom did he acquire the lands? Was it from John Campbell who was 'of Rahevin' in 1622 (*Reg. P. C. Scot.*, vol. xiii. p. 30)?

The titles of Rachane as given in *Rosneath, Past and Present* (pp. 238, 239), show that Donald Campbell acquired the lands from Walter Leckie of that Ilk in 1580, and that he transferred them in 1598 to his son John. From the same it appears that an Archibald Campbell was of Rachane in 1669. Was he son of Robert? A. W. G. B.

JOHN GRAHAM OF KILLEARN, 1716.—Can any reader of the *Scottish Antiquary* give me the dates of his birth, marriage, and death, and the names of his wife and children; also the names of his father (John?) and his mother, and the dates of his father's birth and death? A. W. G. B.

ELIZABETH STIRLING.—Robert Buchanan of Leny, who died in January 1615, aged about 38, married Elizabeth Stirling, said by Buchanan of Auchmar to have been a daughter of Stirling of Ardoch. Sir William Fraser in *The Stirlings of Keir* makes her a daughter of William Stirling, first of the Ardoch family. The dates, however, make it seem more probable that she was daughter of Henry Stirling of Ardoch and grand-daughter of William. I will be glad of any information which will clear up this point. A. W. G. B.

MACGREGOR OF GLENGYLE.—I shall be glad if any one can supply me with the pedigree of the original MacGregors of Glengyle, sometimes termed of that Ilk, from Gregor MacGregor, who died in 1626, downwards. An account of the family appears in Burke's *Landed Gentry* for 1872, but it leaves out several generations. These I would like supplied. Gregor married Janet, daughter of Thomas Buchanan, third of Carbeth, and not a daughter of Buchanan of that Ilk as stated, and which Janet was sister of Thomas, fourth of Carbeth, whose wife was Issobell Leckie. At the time of the 1715 rebellion there was a firm bond between the Leckies and MacGregors of Glengyle, under Rob Roy, which resulted in the flight (to Ireland) and forfeiture of the Leckies. Tradition has it that a sister of Rob Roy's was the wife of John Leckie of Croy-Leckie, who with his sons fled the country. Thereafter the head of the family seems to have been the Rev. Thomas Leckie of Kilmaronock. This tradition was believed in by my relative, the late Mr. William Leckie Ewing of Arngomery, heir of line of the Rev. Thomas.

W. M. GRAHAM EASTON.

CARRON HALL, LARBERT, STIRLINGSHIRE.

JOHNSTONS OF WAMPFRAY.—I shall be much obliged if any of your readers can supply me with the following information, viz. :—

The dates of births and deaths of the children of Robert Johnston of Wamphray, who died in 1733, and of Isobel Rollo his wife. The children were, according to Douglas: (1) Robert, died young; (2) William, died unmarried; (3) James, a captain in the army, died unmarried; (4) Andrew, died young; (5) Robert, who succeeded his father.

In the London *Notes and Queries* it has been hinted that the above Captain James Johnston did not die unmarried. I should like especially some information regarding this individual. Sir William Fraser in his book of the Johnstones refers to a John Johnstone of Wamphray, who joined the rebellion of 1745, and was warded in the Castle of Wamphray, from which he escaped, thanks to Johnstone of Kirkhill, who took his place. There was no John Johnstone of Wamphray at that time, so the John referred to was evidently the James whose fate I wish to know. Will some of your readers kindly assist me?

ENQUIRER.

JOHN JOHNSTON, VICAR OF —?—'Hic jacet Maria Johnston Johannis Johnston hujus loci Vicarii Dilectissima Conjunx é veteris Bruceorum Familia oriunda Pietate Virtute morum Pulchritudine Eruditione Facundia et Ingenii acumine Sexui ornamento et Decoris. Liberos habebat Jacobum Thomam et Jeanam Superstites et Eheu Pregnans obiit 25 Die Octobris Anno Dom 1714 aetatis Suae 38.'

Information desired with regard to the above inscription—of what parish John Johnston was vicar, and any particulars about him and his children. There are grounds for thinking he was connected with James Johnston, minister of Crimond (but was not vicar there), who died in 1796, without issue, aged 83, and left a bequest to King's College, Aberdeen, for bursaries.

R. P. W.

JAMES GIFFORD.—About 1660 he lived in the village of West Linton, Peeblesshire, and left some carved stones which decorated his houses. His wife's name was Euphemia Veitch, and he set up a statue of her in the village. One of the carved stones referred to has four panels, each inclosing two figures in low relief, and inscribed thus:—'Ye first man is J. G. brother of Shirefhal (1440),' also 'Six progenitors of James Gifford, w^h his awne portracte, and eldest sone,' and 'Wrought by me J. G. architector, ye 7th May 1666.' This James Gifford espoused the Covenanting cause, and was at Rullion Green. Any information relative to his ancestors and descendants, also his death, etc., will oblige,

A LINTON LAD.

REPLIES.

PELDER.—Dun-pelder [or Dudpender], the ancient name of Traprain Law, is derived from 'two Gaelic words signifying "steep hill."—(*Historians of Scotland*, vol. v. p. 322.)

A. W. G. B.

PELDER (see vol. xii. p. 94).—In a fragment of an early life of St. Kentigern, printed in the fifth volume of the *Historians of Scotland*, it is stated that his mother was taken to the top of a hill called Kepdud, a few

miles from Aberlady, and precipitated from it. In Bishop Jocelyn's Life of the same Saint the hill is named Dunpelder. It has also been called Dumpender, and is now known as Traprain Law, from a place beside it. (See Skene's *Celtic Scotland*, vol. ii. pp. 180 and 185.) In the *Ordnance Gazetteer* (Jack, Edinburgh, 1886), the ancient name of Traprain Law is said to have been Dunpender, 'from two Gaelic words signifying a steep hill.' Dun, of course, is a fort or a fortified height, but there seems to be no Gaelic word like Pender. It may be, however, that Pender was originally Beinn doirbh, the difficult hill—the whole then meaning 'the fort on the difficult hill,' and applied generally to the hill itself. But the etymology of it is, I fear, not less difficult than the hill itself.

J. L. A.

EDINBURGH.

If the shape of the hill may have originated the name it might mean *Spelder*—spread out, in opposition to the cone shape of North Berwick Law. It might again be said to have the shape of a pedler's basket turned upside down. The Scottish word for a pedler *pedder*, or his basket *peddle*, might afford a clue.

J. J. D.

ST. MARTIN OF BULLION'S DAY (see vol. xii. p. 92).—St. Martin's day was known on Donside as 'Martin Bulg's Day'; in the Buchan district of Aberdeenshire it is called 'Marcabillin's Day.'

G. W.

OGILVIE OF AUCHIRIES.—Patrick Ogilvie of Auchiries died February 1710, and was succeeded by his son James.

James Ogilvie of Auchiries was father of Alexander, William, and John, who were out in the '45 (*List of Persons concerned in the Rebellion*, 1745-46, pp. 94 and 96). He had also a daughter Rebecca, who married, 2nd August 1750, John, Master of Pitsligo, and died without issue at Aberdeen, 29th January 1804, aged 85 (*Wood's Douglas's Peerage*, vol. ii. p. 370). James Ogilvie died in 1741, and was succeeded by his eldest son Alexander.

A[lexander] Ogilvie of Auchiries had a daughter Margaret, who was second wife of William Urquhart of Craigston (*Burke's Commoners*, vol. ii. p. 300).

George Ogilvie of Auchiries died before 10th January 1807, when his son Alexander was served heir general.

The *Indexes to the Services of Heirs in Scotland* are the authorities for the above, except when stated otherwise.

A. W. G. B.

DALGLEISH OF TINNYGASK.—1582, April 17th. Confirmation of Charter by Robert, Commendator of Dunfermline, in favour of James Murray of Perdewis, and Agnes Lindsay his spouse, of 'terras de Tunygask, per Robertum Dalgleis occupatas' (*Registrum Magni Sigilli*, 1580-1593, No. 392).

1590, July 18th. 'Robert Dalgleische of Dunnygask' (*Register of the Privy Council of Scotland*, vol. iv. p. 511).

1654, June 6th. 'Katherin Wardlaw spous to James Dalgleische of Tynygask, heir of Hendrie Wardlaw of Foulford, her brother germane, in the lands of Dewarsbaith alias Foulford, within the paretchin and regalitie of Dumferling,—E. 86 l. 8 d.' (*Inquisitiones Speciales, Fife*, 831).

Dalgleish, Robert, of Tunny-Gask, to his father, Robert Dalgleish

of Tunny-Gask, who died 23rd September 1830, heir special in the lands of Tunny-Gask, Fifeshire, dated 10th June 1831 (*Decennial Indexes to the Services of Heirs in Scotland, 1830-1839*). A. W. G. B.

ALEC BURNETT.—1787, April 19. 'At Caskiebain, Alexander Burnet, Esq. of Caskiebain' (Deaths, *Scots Magazine*, vol. xlix. p. 207).

Robert Irvine, merchant in London, and William Young, merchant in Aberdeen, were served co-heirs of provision general to Alexander Burnett of Caskieben, 18th May 1791 (*Indexes to Services of Heirs, 1790-1799*).

Alexander Burnett may have been of the Elrick family. According to Burke's *Peerage*, Andrew Burnett of Elrick married Marjory, elder daughter and co-heiress of Sir John Johnston, Bart., of Caskieben (formerly Cordyce), parish of Dyce, Aberdeenshire. Cordyce (now Caskieben) was a purchase of Sir John Johnston himself, and may, perhaps, have passed on his death in 1724 to his daughter Mrs. Burnett

A. W. G. B.

NOTICES OF BOOKS.

The Arms of the Royal and Parliamentary Burghs of Scotland, by John, Marquess of Bute, K.T., J. R. N. Macphail, and H. W. Lonsdale. (Edinburgh, William Blackwood and Sons.) 1897. 4to, pp. 392; price £2, 2s.

By the irony of fate, the first historical enquiry into any class of Scottish Arms, which has appeared since the office of Lyon has been placed in the hands of commoners, has been made by a peer (albeit he is descended of Sir George Mackenzie of Rosehaugh), and the arms which have engaged his pen are those of the ancient rivals of feudalism. It has been denied that burghs should have 'arms' at all, but the denial is based on the confusion of simple armorial ensigns with genealogical achievements, which armorial ensigns only sometime are, and never were originally. The hereditary coat worn undifferenced by the representative of many an ancient house might have been worn as it was by any of many of his predecessors. Heraldically, it does not tell whether he is the founder of his family or the 'twentieth accident of an accident' in unbroken noble descent. Alongside of these ancient hereditary houses have lived the undying corporations, the Royal Burghs. As early as 1295 the seals of the burghs of Aberdeen, Perth, Stirling, Edinburgh, Roxburgh (afterwards deposed for incurable treason), and Berwick were appended to John Balliol's treaty of alliance with France. The seals of the *majores communitates* were affixed to the settlement of the Crown on Edward Bruce in 1326, those of Aberdeen, Dundee, Perth, and Edinburgh to a Commission in 1356 to the Ambassadors to England to treat for the liberation of David II., and so on. And it is certainly a matter of antiquarian and historical interest to know, and perhaps to see still in use, the armorial ensigns which constituted the ancient signature of the burgh to its deeds in time of peace, and which also set a common seal on the stout burghesses who accompanied the king's host to the border in time of war. For it is an error to suppose that 'watching and warding' within the walls, and the curbing of their own turbulent apprentices, constituted the whole military duty of the Royal Burgh; it was liable to furnish its contingent for national

defence and attack, and its magistrates were bound to accompany the king when he took the field. There is an unbroken historical succession from the civic trained bands and town guard down to the modern burgh police force, and though 'the force' carries no banners and wears neither red coats nor cross belts, it still carries the arms of the burgh—in some burghs at least—on its helmet.

A large majority of the burgh shields are absent from the Lyon Register, and though many of them have been collected and described by various authors, and chapters and monographs have been written on individual seals, the majority is to be found in no official register nor, till now, in any authoritative work.

The scheme of the book is that of a series of eighty-seven chapters or thereby, some long and some short, a chapter being devoted to each burgh. Each chapter, save one, is headed with the arms of the burgh in question, in a shield of the quaint pattern rendered classical in Scotland by its having been adopted by Sir David Lindsay in his well known *Heraldic ms.* These shields are also crowned with mural crowns. They are not, however, the only illustrations in the book. All distinct versions of the burgh arms, other than those registered or presently in use, are inserted in the text, and here and there are 'process' reproductions of remarkable seals. Another feature of the book is that when it has seemed good to the authors to suggest a new shield as manifestly more correct for a burgh to use than its adopted coat, they do not hesitate to illustrate their suggestion with a woodcut. In the case alluded to above, where the burgh has no coat of arms, the authors of the *Royal Burgh Arms* have taken upon them the charitable work of making a coat for it. The shield which they suggest bears an iron furnace in full blast on a sable field, a most effective, if rather terror striking, achievement.

Of the Royal Burghs more than thirty have emblems of religion on one or other of their seals, figures of the Crucifixion, of Virgin and Child, of Patron Saints, etc., and here specially as well as elsewhere through the book it is clear that Lord Bute is the predominant partner in the collaboration. Hagiology has not been a strong point at either Lyon Office or the College of Arms. Heralds must now be more careful. But it is not in this department only that the work before us excels. Its careful inquiry into the history of every burgh achievement of every sort, places it on a totally different basis from the usual works which found on *ex parte* statements, and then blazon shields true or false without explaining or accounting for them. It is the standard work on its subject, and without consulting it no historical book dealing with a Scottish Royal Burgh can now safely be written. And apart from considerations of historical value, it is a work which will dignify municipal institutions if literature and art can do so. Mr. Lonsdale's gothic and idealistic drawings of the shields of arms are exceedingly beautiful. In historical investigation, literature, and art there is no heraldic equal to the book which Lord Bute and the two friends whose names he places along with his own on the title-page have presented to the public.

It is impossible within the limits of the space at our disposal to follow at this time the authors in their progress through all the burghs. They begin with Aberdeen, the first burgh on their alphabet, and trace the present Arms of Saint Michael and the children in boiling chauldron back to an original of Saint Nicolas and the children in the salting-tub! Airdrie

comes next with the Aitchieson eagle, etc., on its shield, and the circumstances which lead that burgh to bear these arms are narrated. The chapter on Annan succeeds. It contains a historical disquisition to account if possible for the coat which that burgh carries. And so on they go through the whole catalogue—here meting out praise to an old-time local herald painter, and there dealing a buffet at Lyon Office, and every now and then startling the sober reader with sallies of wit and humour which are unexpected in such works, and are to be sternly reprobated by people who find that it hurts them to laugh suddenly. The book is very handsomely produced with ample margins, and on a superior kind of paper which leaves it open to the possessor of a copy to colour the outline illustrations. It is bound in white buckram. As the issue for sale consists only 200 copies, the book on that account alone is a prize to the book collector.

Aisle and Monastery: St. Mary of Geddes Aisle in the Parish Church of Peebles: and the Church and Monastery of the Holy Cross of Peebles, by Robert Renwick. (Glasgow, Carson and Nicol). 1897. 8vo, pp. viii+83.

IN this short monograph Mr. Renwick continues his admirable work among the antiquities of Peebleshire. After a brief survey of the introduction of Christianity into Scotland, in which he follows Dr. W. F. Skene, the author traces the history of the two ancient churches of Peebles from their foundation in the 12th and 13th centuries. With the earlier of the two, the Church of St. Andrew, Mr. Renwick is concerned chiefly on account of its Geddes Aisle, the endowment and history of which he relates in full. A facsimile of the Charter endowing the chaplainry attached to this Aisle is given in the Appendix, dated 4th December 1427. The Church of the Holy Cross, founded some 70 years later than the Church of St. Andrew, survived as a place of worship till the close of last century. Its history and that of the monastery attached to it, belonging to the order of the Trinity Friars, are well told. Mr. Renwick unearths many interesting facts concerning the various gifts by which the Church and Monastery were enriched from time to time, and their ultimate absorption by the king and his nobles. Besides the facsimile already referred to, a number of interesting documents—Charters and Instruments—relating to the revenues, inductions, feasts, etc., of the two churches are given in the Appendix. The book is well illustrated with drawings of the ground plans of the Churches (executed by Mr. A. Thomson), and also with photographs of the buildings as they were in 1790 (from Grose's *Antiquities of Scotland*), and as they are now.

The Art Student. An Illustrated Quarterly by the Students of the Edinburgh Schools of Art. Vol. 1., No. 1. Large 4to, price 1s. Publishing Office, 79 Princes Street, Edinburgh.

THIS new Art magazine deserves our attention and support on its own merits, as well as for the excellent objects for which it has been started, namely, of bringing together the Art Students living in Edinburgh, and encouraging their artistic development by soliciting and publishing contributions on Art in all its branches. This, the first number, is presented to us in so artistic and attractive a form that its success must be assured.

The supplement, a photogravure of Raeburn's portrait of Sir John Wauchope, is in itself a delightful possession, and, we hope, the forerunner of many others equally good.

Quarterly Statement of the Palestine Exploration Fund. Office, 24 Hanover Square, London, W.

THIS Statement is, as usual, full of interest. Among the most important are the representations of the Cufic inscription lately discovered near the Church of the Holy Sepulchre, and the seal found on Ophel. There is also an interesting and fully illustrated article on the Great Mosque of Damascus, and many other papers of excellence.

County Histories of Scotland Series. A History of the County of Inverness (Mainland), by J. Cameron Lees, LL.D., F.S.A. Scot. (William Blackwood and Sons, Edinburgh and London.) 8vo, pp. xx+376, 2 maps, price 7s. 6d.

IN his preface, Dr. Cameron Lees tell us his object has been 'to view the history of Inverness-shire from the standpoint of the general history of Scotland.' There can be no doubt that he was right in doing so. Possibly it results in the omission of many details with which the antiquary is especially concerned, but it adds greatly not only to the general interest of the work but to its historical perspective. Dr. Lees has carried out his purpose most admirably. He has given a remarkably clear picture of the various phases through which the great Highland county passed from its incorporation in the kingdom of Scotland, under Malcolm Canmore, to its practical annexation to-day by the Sassenach sportsman. During the whole period, Inverness-shire played no unimportant part in the history of our country. As Dr. Lees points out, its history readily divides itself into four epochs: the first, marked by the rise of the clans, and their consequent feuds, varied by conflicts with the Crown; the second, by their union in defence of the Stewarts; the third, and most mournful, inaugurated by the almost incredible butcheries of the Duke of Cumberland and his Hanoverian soldiers after Culloden, and ending in the breaking-up of the Clan-system and the great wave of voluntary emigration that lasted to the beginning of this century; the fourth, or modern epoch, which may be said to date from the middle of the century, when the southerner began to realise the unequalled facilities for sport which the county provides, when, sheep began to take the place of men throughout its glens, and deer forests to spread over its mountains. Dr. Lees does not enter largely into the social and economic questions raised by these sweeping changes, although he shows he has no sympathy with the terrible evictions of the middle of the century. He states, however, some remarkable facts regarding the influence of the sportsman proprietors of the county on its material prosperity. He takes adequate notice of the condition of its agriculture past and present, its educational facilities, its famous men in war and peace, and, not least, of its bards. The author has produced a very interesting and most readable book. The style, if not often graphic, is always clear and never dull. Although written with abundant sympathy with the Highlands, the book is remarkably free from exaggeration or partisanship, and no one could wish a fairer or more intelligible account of the part which Inverness-shire has played in the general history of Scotland.

Mary Queen of Scots: From her Birth to her Flight into England: A Brief Biography, with Critical Notes, a few Documents hitherto unpublished, and an Itinerary, by David Hay Fleming. (London, Hodder and Stoughton.) 1897. 8vo, pp. xii + 543; price 7s. 6d.

MR. HAY FLEMING tells us that this short life of Mary Stuart contains the fruit of three years' almost continuous labour. One cannot help thinking that if all historians had been as painstaking, as conscientious, as lavish of time and labour as he has been, we should now be in possession of *less controversy, fewer histories, and more history*. He has gone direct to the fountainhead for his information. The smallest detail of fact has been verified, every tradition investigated, every myth sifted. One-third only of the volume is narrative, and two-thirds is devoted to original documents hitherto unpublished, notes and references, and an itinerary, which show the original sources of his information.

It cannot be said that the memory of our most unhappy Queen is greatly exalted by this searching inquiry into her life and times. We are filled with pity for her, and for the evil times on which she fell. The daughter of a Guise, the pupil of a Guise and of a Lorraine, the chosen friend of a Poitiers, and the beauty of a French Court, she was no more than the deplorable outcome of deplorable circumstances. The student of history need not brand Mary Stuart as the most abandoned of her sex and nation, because she did not, in spite of heredity, environment, religion, and education, rise superior to the most trying circumstances in which frail woman ever found herself. But, on the other hand, it is not necessary to prove a miracle on her behalf, and believe that she was as pure and good as she was cultured and beautiful.

No greater proof has been seen of the power of beauty and misfortune than the never-ending controversies which have raged round the name of this most beautiful and most ill-starred Queen. One hopes that now that Mr. Hay Fleming has put us in possession of the recorded facts, we may form our opinions for ourselves, and cease to range ourselves behind the partisans of either side of the question. Then perhaps the war may cease, and Mary Stuart be allowed to rest in peace. Mr. Fleming in no way spares Queen Mary's apologists. His text has been almost entirely drawn from the State Papers, official records, and letters of the period, and from contemporary histories and chronicles. Controverted points are freely dealt with in the notes and references, and it must be confessed that two at least of Queen Mary's biographers cut but sorry figures. He says of Father Stevenson that 'he has dimmed his great reputation as an historical student by prejudice, partiality, and perversion'; and that Skelton 'not only rivals him in these faults, but is so reckless in matters of fact and so careless in quotation, that no reliance can be placed on his statements, no weight on his opinions.' And certainly if any reliance is to be placed on contemporary chroniclers, very little is left for either of these distinguished biographers.

Mr. Fleming proposes to deal in a future volume with Mary's life in England, and to discuss, in connection with the conferences at York and Westminster, the Casket Letters. He has given us so many fresh facts, and exploded so many pet theories in his present volume, that his next will be waited and watched for with keen interest and impatience by all students of Scotch history, and with some anxiety by those champions of

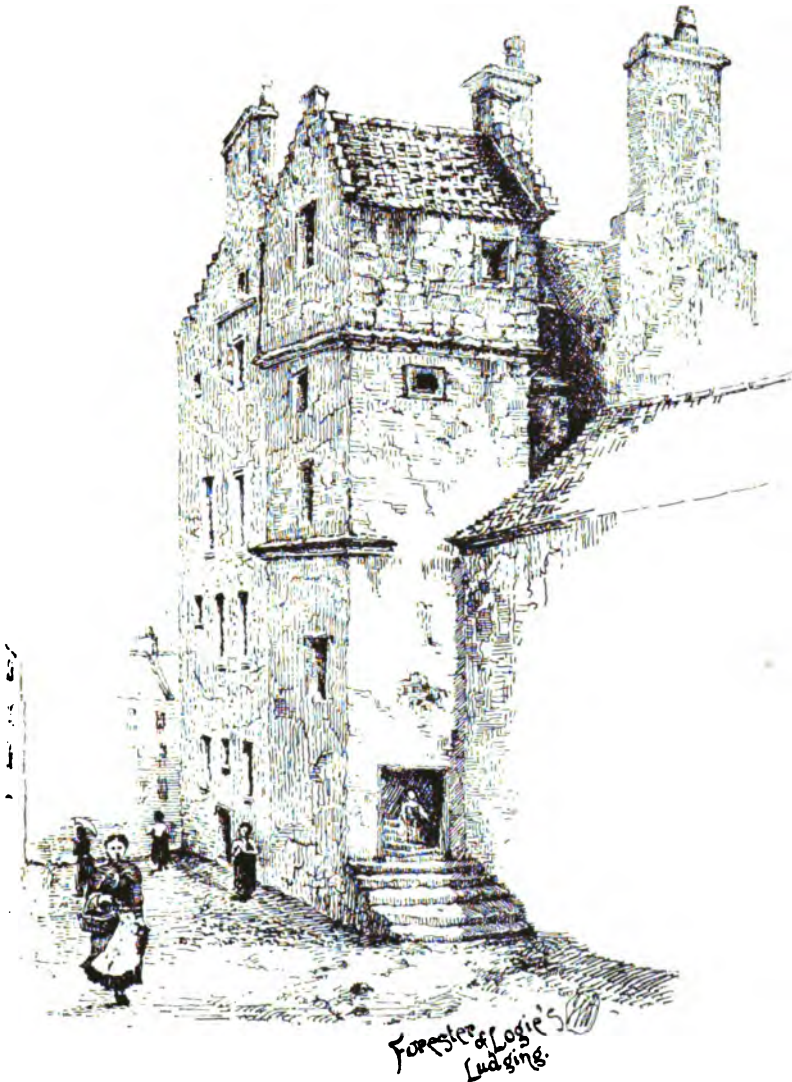
the House of Stuart, to whom Mary is only the most maligned as well as the most sorrowful figure in modern history.

Abstracts of Protocols of the Town Clerks of Glasgow. Edited by Robert Renwick, Depute Town Clerk. Vol. iv.—William Hegait's Protocols, 1568-76, with Appendix (including Michael Fleming's Protocols) 1530-67. Glasgow, 1897. 4to, pp. viii+157.

It is difficult to exaggerate the satisfaction with which one finds himself in possession of another volume of these early protocols, which furnishes him with not only a legible and convenient abstract—sometimes a full transcript of the protocols themselves, but with indices of persons and places, and a glossary to Fleming's vernacular. This volume contains also certain additional documents, including an excerpt from a letter from Queen Mary to the Archbishop of Glasgow, dated 20th January 1566-67, written for the purpose of inducing him to dismiss Hegait, the Town Clerk, for circulating rumours regarding variances between her and her husband Darnley.

A translated abstract of Heygate's Protocols occupies the first twenty-six pages of the book, while the next ninety pages are filled with the earlier and vernacular protocols of Michael Fleming. There occurs among these latter protocols an interesting case of a claim for *maritagium* from an heir. It is recorded that on '11 February 1536-7, at 4 p.m., Mr. John Walker, procurator for Elizabeth Steward, daughter of quondam Robert Steward of Myntto, went to the presence of Robert Maxwell of Calderwood, and there read and intimated to him the letter of the King, under his privy seal, granted to the said Robert Steward, upon the gift of the marriage of the said Robert Maxwell; also an instrument of assignation, granted by the said Robert Steward to the said Elizabeth, of the said marriage, and a procuratory of hers, in virtue of which the said Mr. John warned the said Robert Maxwell to compear in the parish church of Cowper, situated within the burgh thereof, on the 24 day of April next to come, at the tenth hour before noon, to marry and take as his spouse, Elizabeth Barclay, daughter of the late David Barclay, of Cwllarnye, knight, and that in virtue of the said royal letters and assignation of the said Robert Steward, expressly intimating to the said Robert Maxwell, that if he should marry any other woman than the said Elizabeth Barclay, he should pay to the said Elizabeth Steward the double of the said marriage; and solemnly protesting that in case he failed in the premises, and did not complete and solemnise marriage with the said Elizabeth Barclay, the said Robert Maxwell should pay the said double of the marriage to the said Elizabeth Steward, according to the tenor of the said royal letters, and the usage and custom of the kingdom of Scotland. Done at the manor called the Mowchlynhowll, near the town (*oppidum*) of Calderwood. Witnesses—Alexander Maxwell, Jasper Petigrew, Robert Hammylton, and John Hammylton.' The Editor adds, in the course of a footnote on the double and single avails, that what the result of this summons was has not been ascertained. The abstracts, as the Editor announces in his preface, have been made by the Rev. Walter Macleod, who is so well known as an authority on Records.

The old Ludgings of Stirling: Being the Ancient Residences of the Nobility, Clergy, and Civic Dignitaries, not hitherto delineated and described, by J. S. Fleming, F.S.A. Scot. (Eneas Mackay, Stirling), 1897, pp. xvi+139. Foolscap 4to, 7s. 6d. net. Illustrated by forty-one pen-and-ink sketches by the Author.



THIS is a most important addition to the interesting literature already existing on Stirling and its ancient buildings. It follows quickly on Mr. Small's *Old Stirling, measured and drawn for the Stone*, a notice of which was given in the last number of the *Antiquary*. In the old days, when

Stirling Castle was a royal residence, and the old town was the residence of the Regents—Lennox, Mar, Morton, Moray—the nobles, high dignitaries of the Church, and lairds of the surrounding country all had their 'ludgings' in Stirling. It is the memory of these historic and picturesque buildings that Mr. Fleming is resolved to perpetuate, many of which would otherwise have no permanent record, and must, in the ordinary course of events, disappear. Amongst the most interesting architecturally, as well as historically, are 'The Town Clerk Norie's Ludging,' 'Forester of Logie's Ludging,' 'Jonet Kilbowie's Tavern (Darnley's House),' 'J. Bowie's Ludging and Court ("Serjeant of His Majesty's Wine Cellars"),' and 'Bothwell or "Bogle Ha"' (Sir Robert the Brou's Ludging.' All are charmingly illustrated by pen-and-ink sketches by the author. The two Ludgings of Forester of Logie, the illustration of one of which we insert by kind permission of the publisher, are perhaps the most important in point of size and architecture. Besides the Old Ludgings, Mr. Fleming gives us some curious extracts enumerating the legal symbols used in taking sasine, selected from ancient documents in Sir M. Connal's Burgh Records, which may come within the special province of the antiquarian and the lawyer, but which will be read with the liveliest interest by the layman as well. Such old rites and customs as 'taking sasine' of property by receiving from the hands of the seller a handful of earth, stones, and a cup of water. 'Breaking sasine' (by breaking dishes and throwing them forth with earth and stones from the ground), an old formality of protest that a sasine has been improperly obtained, was found recently, by Mr. Renwick, to have been in use in Glasgow (see Glasgow Protocols, No. 801). Mr. Fleming finds that the custom was in use in Stirling also. The book ends with a notice of the marriage of an Argyle with a Montgomery, which was celebrated with an admirable simplicity, at the *door* of the parish church of Dollar, April 21, 1478. It seems to have been the custom in those days to solemnise the marriage at the *door* of the church, not inside, but the event is described as 'Done *in* the Church of Dollar, the tenth hour before noon or thereby.'

Reviews of several books unavoidably held over.