Reviews of Books

SCOTTISH PROSE OF THE SEVENTEENTH AND EIGHTEENTH CENTURIES. Being a course of Lectures delivered in the University of Glasgow, 1912. By John Hepburn Millar, M.A., Professor of Constitutional Law and Constitutional History in the University of Edinburgh. Pp. vii, 273. With Four Portraits. Demy 8vo. Glasgow: James MacLehose & Sons. 1912. 10s. net.

MR. HEPBURN MILLAR has written a cheerful and delightful book, travelling freely over part of the ground which he surveyed before in his *Literary History*. All lecturers ought to thank him for the proof he has given here, that their trade is not essentially a dull one; while at the same time they may envy his skill, and do their best to find the secret of it. He has chosen his ingredients well, and his treatment of them is most dexterous.

Naturally in such a subject, beginning in the medieval seventeenth century and ending in the modern Athens, it is impossible to keep things altogether in the harmony of a period. It is a history of different generations; not an epic with a single plot, but a large portion of a long story—waled with judicious care, but not all of the same purport. Or so one is inclined to think, looking merely at the characters and incidents. But the single aim is there, all the time; the lectures are a demonstration of the change from the old-fashioned prose—English with a Scotch colour in it—to the fine English written by Scotsmen in the eighteenth century.

The lecturer might have said something about that remarkable Woodhouselee MS. of 1745 in which the Edinburgh citizen struggles with the difficulties of language; writing as pure English as he can, and dropping intentionally into the vernacular, just as Scott or Galt do, when he has to report conversation: 'The vilagers in tawnting way asked them, "What gars the Castle fyer?"' But in narrative, apart from a few good native words like 'gulravished,' there is not much more than the spelling to show the Northern: 'A popish Italian prince with the oddest crue Britain cowld produce came all with plaids, bagpips and bair buttocks, from the Prince to the bagage man: the consternation incressed,' etc. etc.

The change from Scots to English began among the poets; it is curiously illustrated by the poems of King James the VI. and I., lately published from a British Museum manuscript, where the older Scottish version of the king's poetry is doctored into a pretence of English.

And the revival of Scottish poetry in the eighteenth century made it all the more impossible for Scotsmen to write Scottish prose. Allan Ramsay

('the mungerall burluesque poet,' as he is called by 'Edinburgh Citizen' in 1745) would have made an end of Scottish prose if it had not been given up long before. From his time the Scottish language was language only for intentional comic effects; the Scottish verse of Allan Ramsay, Fergusson, Burns, and so on to Stevenson, the shepherd of the Ochils, and the author of *Hamewith*, is not in the language that those authors naturally write. It is all a game; those minstrels are guisards; Beattie among them—condescending from the heights of Truth to follow 'Standart Habbie' in praise of *Helenore*.

But, indeed, the Scottish language had been given up long before 'Habbie Simpson' found a new 'burluesque' use for it, and the earliest writers quoted by Mr. Hepburn Millar are writers of English prose with more or less of Scottish idiom. The change which he observes and records is not from one dialect to another, but from one type of syntax and vocabulary to another, all in the English language. It is a change of ambition also. The earlier writers deal in memoirs chiefly, and the graces of their style came naturally without pressing: 'Yet there he continued till he was relegate to Shetland, and there he lay many a year. I heard him say he was in one island four years, where he hade neither food nor fire, but to keep in a miserable life, his bread being only barley, his feuel sea-tangle.' That is the way Kirkton tells a story, and those may better it that can. It is far from that to the ambitions of the eighteenth century; and to compare authors like Law, Kirkton or Wodrow with Hume and Adam Smith, weight for weight, would be highly unreasonable.

But the change in ambition is not limited to the greatest men. It is a good subject for literary conversation, and it cannot be treated more effectively than in this book. W. P. Ker.

Enactments in Parliament specially concerning the Universities of Oxford and Cambridge, the Colleges and Halls therein, and the Colleges of Winchester, Eton, and Westminster. Edited by Lionel Lancelot Shadwell, M.A., of New College, Oxford, Barrister at Law. In four volumes. Oxford: Clarendon Press. 1912.

The title of these handsome volumes explains itself. The work is, in a sense, the second edition of a collection of statutes applicable to the Universities and to Winchester and Eton prepared by Dr. Griffiths, the keeper of the archives at Oxford, and published in 1869. But it is an edition greatly enlarged, for it embraces all Acts of Parliament, or portions of Acts, bearing on the subject, whether still in force or not. The reader is thus enabled to trace the history of these institutions, in so far as disclosed by the statute-book, from the sumptuary law of 37 Edw. III., with which the first volume opens, down to the Copyright Act of 1911 (1 & 2 Geo. V. cap. 46), with which the fourth volume closes.

Things great and small are to be found mingled in agreeable confusion, for the chronological order is very properly followed. Here, on the one hand, is the statute, 13 Eliz. cap. 29, which incorporates the Universities, and which is their Magna Carta. Here, too, is the very sensible statute,

33 Henry VIII. cap. 27, which enacts that all local rules made by founders, whereby the unanimous assent of the members of a corporation is required to any corporate act, shall be null, and that the common law rule, that the consent of a majority is sufficient, shall prevail. And here are the pertinent sections of that most salutary enactment, the Act of Uniformity (14 Car. II. cap. 4), about which there has recently been such an outpouring of ignorant sentiment in the newspaper press.

On the other hand, we have statutes to enable a married person to hold and enjoy the office of Warden of Wadham College (46 Geo. III. cap. cxcvii.); for more effectually repairing, improving, and keeping in repair the road 'leading from the guide-post in the village of Adderbury in the county of Oxford, through Kidlington, to the end of Mileway in the city of Oxford' (37 Geo. III. cap. clxx.); for improving the navigation of the Thames and of the river Cam or Cham *alias* Grant (*e.g.* 1 Anne, st. 2, cap. 11); and for putting matters right in the ancient borough of Cambridge, which is 'very sore decayed in paving,' and whose high streets and lanes are 'excedyngly noyed wyth fylth and myre lying therein, great heapes and brode plasshes not onely noysom and cumberouse to the inhabytauntes of the sayd boroughe and such other the Kynge's subjects as dayly dothe pass by and through the same on fote, but allso very perillous and tedious to all suche persones as shall on horseback convey or carry anything with cartes by and throughe the same.' It would be difficult to enumerate all the points at which this anthology touches the constitutional, economic, and social history of the nation.

Such abundant wealth of material makes it difficult to make up one's mind on which side the treasure-house is best approached. But it would not be far wrong to assert that the predominant note of these statutes is the solicitude of the Legislature for the privileges and the wellbeing of the foundations concerned. Not without good reason did the Parliament which passed the Act of incorporation boast in the preamble of 'the greate zeal and care that the Lords and Commons have for the mauntenaunce of good and godly literature and the vertuouse education of youth within either of' the Universities. The jurisdiction of the Chancellor's Court was for centuries jealously safeguarded. It extended, as Blackstone tells us (bk. iii. c. 6, p. 84), to all matters, 'excepting in such cases where the right of freehold is concerned'; and it was in that Court that the civil law had its home. The necessity for academic discipline was early recognised, and likewise the necessity for taking order that evil-doers should not avail themselves of residence within the precincts of the University as a cloak for their misdeeds.

Early in the fifteenth century, it seems, sundry scholars and clerks of Oxford, armed and arrayed as if for war, had not only disseised persons of their lands and tenements in Oxfordshire and the adjacent counties, but 'auxint ont chacez ove chiens et liverers en diverses gareines parks et forests en mesmes les counties sibien par jour come par noet et pris desmes et dames levers et conyns, menaceantz outre ceo les gardeins dicelles de lour vies.' The Act of 9 Henry V. consequently enacts 'que due proces vers tielx escolers maffesours pur lour offenses soit fait comme la commune leie

et auxi les estatutz de la terre requirent solonc le cas.' If they are outlawed for failing to appear, they are to be certified by the justices to the Chancellor, who is to banish them out of the University.

It also appears from a statute of the following year (1 Hen. VI.) that murders, rapes, felonies, riots, conventicles, and misdeeds had been committed by Irishmen 'reparantz a le ville de Oxenford et illoeqes demurrantz desoutz la jurisdiccion del Universite Doxenford.' Ireland for the Irish, or, at all events, England for the English, was a sound maxim of Lancastrian policy, and all Irishmen are bidden to depart out of the realm within a month after proclamation made of this ordinance, certain classes excepted, including graduates in the schools, beneficed clergy, etc.

In the nineteenth century, when railways were spreading over the country, the authorities became alarmed at the facilities which they would afford to members of the University *in statu pupillari* for participating in the delights of the metropolis, such, no doubt, as reading in the British Museum. Accordingly, when the Great Western Railway came to Oxford, its Act (6 & 7 Vict. cap. x.) provided to the Vice-Chancellor and proctors and heads of colleges and halls free access to every depôt or station for the reception of passengers, 'at or about the times of trains of carriages upon the said railway starting or arriving.' The company's officers or servants are to supply information when desired, and the company are bound not to convey such passengers as they may be requested by the University officials not to convey, and not to pick up passengers except at 'regularly appointed stations of the line.' Similar provisions will be found in the Act for enabling the Eastern Counties Railway Company to make a railway from the Northern and Eastern Railway at Newport by Cambridge to Ely. When were they last effectively enforced?

The following instances of exemption from the operation of general legislative enactments will illustrate the favour with which the Universities and the kindred foundations of Winchester and Eton were regarded. They were systematically exempted from fifteenths and tenths and from subsidies. They were exempted from the payment of first-fruits and tenths (26 Henry VIII. cap. 42). They were exempted from the Acts of resumption passed on the coming of age of Henry VI. They were relieved, together with all lands within a radius of five miles, of the burden of purveyance. They were exempted from the 'Land Tax' of 1692, and from the 'Land Tax' during the following century. They were exempted from the obligation to sell beer in stamped and marked vessels only (12 & 13 W. III. cap. 11). They were exempted from the excise if they brewed their own beer within their own precincts (15 Car. II. cap. 11).

The Act which establishes the Post Office with a royal monopoly contains a proviso that 'all letters and other things may be sent or conveyed to or from the two Universities in manner as heretofore hath been used, anything herein to the contrary notwithstanding' (12 Car. II. cap. 35). An Act for repressing 'the odious and loathsome synne of drunckennes' provides that it 'shall not be prejudiciall to either of the two Universities of this lande' (4 Jac. I. cap. 5); but it would be a mistake to interpret this as an encouragement to academic conviviality. It was the Chancellor's

power to grant licenses which the Legislature had in view. The property qualification imposed upon members of Parliament by 9 Anne, cap. 5, is not to apply to the Universities. They are to be allowed a drawback of the paper duty on books printed at their respective presses in the Latin, Greek, Oriental, or Northern languages (10 Anne, cap. 18). Tobacco may be planted in their phisicke gardens, but nowhere else (12 Car. II. cap. 34). Finally, fellows and scholars of colleges and halls who are prohibited by their statutes from marrying are exempted from the duty of one shilling yearly imposed upon bachelors by 6 & 7 W. & M. cap. 6. That statute is worth the attention of fiscal reformers of all shades of thought. It imposes a tax on burials, births, and marriages, and a tax on bachelors and childless widowers, the rate of duty being higher in the case of ecclesiastical dignitaries and doctors of divinity, law, or physic. Inasmuch as it necessarily strikes at everybody, such an imposition appears to have the merit of simplicity. But, as simplicity is the last thing which the modern taxmaster is apparently disposed to study, it is not likely to reappear in any future budget.

Mr. Shadwell is to be sincerely congratulated upon his performance of an arduous and protracted task. Great pains have been taken with the text, and the annotation, though sparing, is sufficient. There are three or four excellent appendices dealing *inter alia* with a number of estate Acts, and containing the ordinances of the Long Parliament and the Acts of Parliament of the Commonwealth and Protectorate. There is a most valuable note in Appendix IV. on Subsidy and Land Tax Acts, which does a great deal to elucidate an abstruse and complicated topic. Much interesting and recondite information is also yielded by the preface as to the classification of Acts of Parliament. The volumes are admirably arranged and printed. We have noted only one trifling slip, if slip it be. In dealing with the force and effect of the marginal notes to statutes, Willes, J. is reported to have said that these are merely 'temporanea expositio,' not '*con*temporanea expositio,' as Mr. Shadwell has it (*Claydon* v. *Green*, L.R. 3 C.P. 521).

In conclusion, the reviewer would express his fervent hope that Mr. Shadwell's labours may prove to be 'final' for many years to come, and that no measures for the so-called 'reform' of the Universities or public schools will be passed into law in response to ignorant and interested clamour.

J. H. Millar.

Problems of the Roman Criminal Law. By James Leigh Strachan-Davidson, Master of Balliol College, Oxford, and Jowett Fellow. In two volumes. 8vo. Pp. xxi, 532. Oxford: at the Clarendon Press. 1912. 18s. net.

The Master of Balliol's learned volumes will be welcomed by scholars as filling a gap in our juristic literature. As he himself deplores, the great results of the labour which Mommsen embodied in his *Römisches Strafrecht* have been strangely neglected, except by two or three Continental writers, notably Girard. Mr. Strachan-Davidson wrote an appreciation of it ten years ago in the *English Historical Review*, and the present two volumes have grown out of that article. He would have us regard them as a supple-

ment to the *Strafrecht*, but that desire must be attributed to his own modesty: for although he is content to follow Mommsen in the main, justly holding that his views are entitled to veneration, the conclusions reached in these pages are the result of independent inquiry, based on a wide knowledge of authorities ancient and modern, and not always coincident with those of his leader.

The book deals principally with Criminal Procedure. Substantive law is referred to rarely, and only as a necessary incident to the elucidation of some Procedure question. Moreover, except for two chapters out of twenty, the author is concerned entirely with the Republic. This is natural for two reasons: first, that our authorities in the matter of Criminal Procedure are more copious and more conflicting for the Republic than for the Empire; and second, that the author's unrivalled knowledge of Cicero turns his thoughts inevitably to the last century before Christ. His aim is not to present a systematic history, but to attack certain difficult problems, reviewing the doctrines already put forward by Mommsen, Girard, Greenidge, Huschke, Zumpt, Maine, and others, reconsidering them in the light of the original authorities, and either homologating one of them or offering a fresh theory of his own. He does not lightly discard those of the three first-named writers, but where he differs from them his own view is always valuable and usually convincing.

After discussing Religion, the Family, and Self-help in their relation to the punishment of crime, the author devotes three chapters to certain matters of civil law, somewhat loosely connected with the rest of the work. The remainder of the first volume deals with the jurisdiction of the magistrate, appeals to the people, the origin of the jury system, the *Lex Acilia*, and procedure in capital trials before the *Comitia*. The topics in the second volume are the constitution and procedure of the *Quaestiones Perpetuae* for extortion and on capital charges, the controversy as to the *Album Judicum*, the nature of *interdictio* under the laws of Sulla, and Criminal Courts and Appeals under the Principate.

It is impossible to discuss in a review all the thorny problems which arise in connection with these subjects. The most that can be done is to refer to one or two. We are indebted to the Master of Balliol for his lucid treatment of the difficulties presented by the frequency of death sentences and the rarity of actual executions. The Romans, he points out, unlike the Greeks, never struck directly at an offender: a criminal sentence was not a legislative act, but always the pronouncement of an individual magistrate. Thus its evasion was not regarded as a derogation from the dignity of the sovereign people, but on the contrary was freely allowed. Provided the accused had not been arrested—and as a rule he was not—he was free to escape death by voluntary exile and the acquisition of a new citizenship: with the result that, while in theory the Roman Criminal Law was severe, in practice it was the mildest known to civilisation. But exile, it is contended, was never recognised as a punishment during the Republic: it was only the practical effect of a death sentence. The same idea furnishes a solution of the disproportion between the prescribed money penalty for extortion and the resulting exile of the convicted governor.

The author suggests that the exile was voluntary, to avoid a future trial for *perduellio* on the proved facts.

Occasionally, as I have said, Mr. Strachan-Davidson finds himself constrained to differ from Mommsen. The latter held that *interdictio* under Sulla's laws was the same as *relegatio*, and that between Sulla and Tiberius the *exul* did not lose citizenship. This view was supported on evidence which on analysis is found unreliable, and it is faced with many difficulties. In particular the words '*de eius capite quaerito*' in Sulla's law have to be explained away, and the taunt hurled at Cicero by Clodius after the former's return from exile—'*cuius civitatis es?*'—loses its meaning. The difficulty is resolved by holding that *interdictio* was a death sentence, but evaded by exile; a solution which has the advantage of allowing a continuous history of *exilium* down to the time of Tiberius. As to the extent of the use of *recuperatores* and their importance in the development of trial by jury, the author thinks Mommsen's conclusion too wide. On the difficult questions arising out of instances where the magistrate inflicted the death penalty on a citizen within the walls, he agrees more with the earlier doctrine of the *Staatsrecht* than with that of the *Strafrecht*: while on the qualification of the *Tribuni Aerarii* he strikes a mean between Mommsen's earlier and later views, concluding that they must have had more than a mere property qualification, and were in fact connected with the obsolete military paymasters.

On some points one might be inclined to join issue with Mr. Strachan-Davidson, but his reasoning nearly always carries conviction, backed as it is by an intimate first-hand knowledge of the period: and readers of his *Life of Cicero* need not be informed that it is enhanced by a lucid and graceful style.

WM. DUNBAR.

THE TOBERMORY ARGOSY, A PROBLEM OF THE SPANISH ARMADA. By R. P. Hardie. Pp. vi, 68. 8vo. Oliver & Boyd. 1912. 1s. net.

IT is difficult to believe that this particular problem of the Armada can survive Mr. Hardie's exhaustive and well-reasoned solution. By a process of elimination, as well as by positive argument on two or three distinct lines he endorses the view recently put forward by the late Mr. Lang.[1] His investigation, however, is independent; it is more penetrating, and covers the ground more thoroughly. New evidence is adduced, and some of Mr. Lang's technical errors are corrected—notably, for instance, the error of calling the ship a galleon. Still, on the main points, the conclusion is the same. The Tobermory Argosy is definitely identified as the 'Ragusan' *nao* named *Santa María de Garcia y San Juan Bautista* of the Levantine squadron.

Mr. Hardie shows conclusively that when Marolin de Juan, the Pilot Major, said that the ship in question was the Ragusan *San Juan Bautista*, he must have meant this ship and not the Ragusan of the same name in the Andalusian squadron, as was suggested by the present writer in a previous

[1] 'The Mystery of the Tobermory Galleon revealed,' *Blackwood's Magazine*, cxci. 422.

number of this *Review* (*S.H.R.* viii. 400). In that article the difficulties of the identification were pointed out, and an effort was made to remove them. Mr. Hardie shows on indisputable evidence that they are irremovable, and that in spite of its plausibility the suggestion must be abandoned as untenable.

Both investigators deserve the thanks of scholars who resent the profanation of history in the interests of company promotion, whatever its object. In expressing our gratitude it is hoped it will not seem ungracious to sound a warning that a new myth may possibly spring up out of the ruins of the old one. Both gentlemen assume that the ship was destroyed by Walsyngham's orders, and by one of his secret service agents. The evidence on which this assumption is founded appears to consist of two letters : one is from Roger Aston to his brother, sent from Edinburgh, Nov. 18, 1588, in which he says the ship was blown up by the device of John Smollet, 'a man that has grett trust among the Spagniardes.' The other is from W. Asheby to Walsyngham, in which he speaks of the hero of the exploit as 'the man known to your honour and called Smollet.' Surely it is a long step from these two statements to assert that Smollet was the English Secretary's agent.

As it happens we know fairly well what was the nature of Walsyngham's acquaintance with this Smollet. The man had been a servant of Esmé Stuart, Earl of Lennox,[1] and when the Earl was in Paris and about to enter his unfathomable intrigue with Elizabeth, Smollet came to the English ambassador and offered to secure the Earl to the English cause if it were made worth his while, and a few days later the man brought a distinct offer from his master.[2]

In the midst of this intrigue, on May 26, 1583, Lennox died. Three days later Walsyngham's spy Fouler, who was engaged in trying to gauge the Earl's sincerity, reported that Smollet had departed.[3] On June 10 some one writes to Bowes to tell him of a plot intended by the Master of Glamys against Angus, Mar, Gowry and others, which Smollet has communicated. A month later apparently he was in Scotland ; for on July 10 Walsyngham gives Bowes the Queen's orders to contradict certain false reports which Smollet and others have been spreading concerning her Majesty's indifference to certain well affected Scottish lords.[4]

This scarcely looks as if Smollet were at that time an agent of the English Secretary, nor does the next notice we have of the man connect him any more closely with the English secret service. On July 28, 1586, when the Babington plot had been revealed Walsyngham wrote to Randolph that Elizabeth wished the Master of Gray to stay in Scotland instead of going abroad, and endeavour, in concert with Archibald Douglas, to find out the practices of Lord Claude Hamilton and his party.[5] He was already active in seeking to trace the ramifications of the great plot in Scotland, for

[1] Anon. to Bowes, 10 June, 1583, *S.P. Cal. Scotland.*

[2] Cobham to Walsyngham, 11 and 21 March, 1583 ; *S.P. France*, cited by Froude, *Hist. of England*, xi. 304.

[3] Wm. Fouler to Walsyngham, May 29, *S.P. Cal. Scotland.*

[4] *Ibid.* [5] *Ibid.*

on August 1 he wrote to Archibald Douglas, who was then in London, to report progress and ask for instructions. He had been seeing the Laird of Fentry, who seemed to know a great deal more than he cared to say. 'I was diligent,' he writes, 'to have learned the matter, but I could not, of him. But I think it shall not be unmeet I enter in a dealing with him to try, as I did with Smollet. But this I commit in what fashion and how far to Mr. Secretary's advice and yours.'[1]

Here is at least presumptive evidence that the Master of Gray to Walsyngham's knowledge had been treating with Smollet as an agent of Mary Stuart's party. It further affords an explanation of why it was that in 1588 the Spaniards trusted him, for he must have known enough to be able to convince them he was in the confidence of the party from whom they expected assistance.

Seeing how dark and tortuous were the ways of secret service in Elizabethan times, it would be going too far to assert that these glimpses of Smollet show that he was not an agent of Walsyngham in 1588. But they are enough to bar us from assuming that he was, from the mere fact that Walsyngham knew of his existence. If he really blew up the ship—and we have only his own word for it, apparently—it is quite as likely as not it was on his own initiative. His object may well have been that he saw the time had come to change sides, and that he regarded the atrocious act of treachery, of which he claimed the credit, as the best possible credential for employment in the English Secretary's service. Whether he obtained his desire is uncertain. In 1592 he was under sentence of death, apparently in connection with Bothwell's attack on Holyrood, but was reprieved, possibly at Bowes' intercession.[2] He at least continued to be in touch with Bowes, for at the end of the year Bowes wrote to Burghley, who was 'wanting' the Bishops of Ross and Dunblane, to say that Smollet had given information about them, and was prepared to effect the arrest of both for £1000. After that he seems to disappear for good.

It is possible that further research might reveal other tracks of this shameless intriguer so typical of his time. Conceivably they might actually be traced from Walsyngham's office to Tobermory Bay, but until this is done more clearly it would be well to rest content with the clever identification of the wreck, and to leave Walsyngham out of the story. The evidence as it stands is not sufficient to accuse the Secretary of State of concealing Smollet's information from his colleagues in the Government. The accusation rests solely on the new fact which Mr. Hardie's keen scent has discovered that cruisers on the Irish station were sent to Tobermory long after the information about Smollet had reached the Secretary, in order to find out whether the ship was still there. But this was only a natural precaution, for seeing what was known of Smollet's character and career nobody could believe a word he said without corroboration. The natural deduction from the naval orders is that Walsyngham did not credit Smollet's story, and possibly we should do well to imitate his attitude of reserve.

JULIAN S. CORBETT.

[1] *Hist. MSS. Com.*; *Hatfield MSS.* iii. 157.

[2] Roger Aston to Bowes, 24 Feb., 1592, *S.P. Cal. Scotland.*

THE EARLY ENGLISH DISSENTERS IN THE LIGHT OF RECENT RESEARCH, 1550-1641. By Champlin Burrage, M.A., B.Litt. In two volumes, illustrated. Vol. I. History and Criticism, xx, 379. Vol. II. Illustrative Documents, xvi, 353. Demy 8vo. Cambridge University Press. 1912. 20s. net.

THIS work furnishes a fine example of careful historical research. The field is one which the author has assiduously cultivated; and, by going direct to original authorities, he has been able not only to verify details and correct misapprehensions, but also, in not a few instances, to bring to light new facts bearing on important phases of history. Mr. Burrage's impartiality and detachment are highly to be commended. Whereas historians of the Church of England have been inclined to pass too lightly over the earlier and obscure manifestations of dissent, and Nonconformist writers have been prone to read the results of later development into incipient stages of the process, he takes infinite pains to trace movements to their source, and presents the facts and weighs the evidence in so judicious a temper that the ordinary reader of the book will have difficulty in divining the author's personal ecclesiastical standing. This scrupulous investigation into details and disentangling of intricate complications, admirable as they are in a work of scientific research, may detract somewhat from the interest of the book in the estimation of the general reader, the more so that the author takes for granted on the part of his readers an acquaintance with the more outstanding facts, and is content with brief references in cases where other writers have, in his estimation, given a sufficient statement of the facts.

In a useful 'Foreword' the reader is reminded that certain words employed at the present day to denote separatists from the Church of England were not originally so applied. The earliest Nonconformists were often learned clergymen of the Church of England who objected to such things as vestments; and the name Puritan, which first appears about 1566, denoted Nonconformists of that type. The name Dissenter, which seems to have first come into use in 1641, was similarly understood. So the designations of Independent and Congregationalist were first given to those non-separatist Puritans who miantained that each congregation had the right of self-government, without interference from bishops or synods. On the other hand, the names Anabaptist (later Baptist), Brownist and Barrowist, have always been properly applied to separatists.

It is not always easy, amidst the contendings of parties and the formation of congregations, to draw the line between separatists and non-separatists, and opinions of authorities differ at some points; but Mr. Burrage makes it clear that, towards the close of the period covered by the book, even the New England Puritan Congregationalists looked upon themselves as true congregations of the Church of England.

Praise is due to the author, not only for the presentation of original documents in their original spelling, but also for his indication of the libraries or collections in which the documents are to be found. The second volume is entirely devoted to these, and contains some that are published for the first time. The reproductions in fac-simile which illustrate both volumes add to the interest of the book. The serious student of church

history, to whom such a work specially appeals, will find it indispensable for research, and even the 'general reader' will receive much light upon the influences that brought about the perplexing ecclesiastical complications that bulk so largely at the present day. Although Scotland scarcely comes into the field of observation in the period covered by the two volumes, one can see already the trend of movements which, in the continuation which the author promises, will become very pronounced in the times of the Commonwealth. JAMES ROBERTSON.

A HISTORY OF THE BRITISH ARMY. By the Hon. J. W. Fortescue. Vol. VII. 1809-1810, and Volume containing eighteen Maps and Plans. Pp. xxii, 661. Med. 8vo. London: Macmillan & Co. 1912. £1 1s. net for the two volumes.

THE last instalment of Mr. Fortescue's great work[1] brought the story of our Army and its campaigns down to Moore's retreat to and death at Corunna, a moment at which it may well have looked as though the British intervention in the Peninsula was to be no more effective than any of our previous efforts to face Napoleon on the Continent. The present volume, which has appeared with really remarkable promptitude, carries the story over another stage, and leaves the advance which Masséna and his master had fondly hoped would end in the final expulsion of the British from the Peninsula brought to a complete standstill outside the lines of Torres Vedras. The story of Wellington's return to Portugal, of his passage of the Duoro and expulsion of Soult from Northern Portugal, of his advance to Talavera and his costly victory there, of the collapse of his offensive schemes through the failure of the Spaniards to co-operate, of his retreat to Badajòz, his preparations for the defence of Portugal and his defensive campaign of 1810, with Craufurd's splendid work at the outposts and the rude check to Masséna's advance administered at Bussaco, the retreat to the Lines and Masséna's discomfiture on arriving before them, affords Mr. Fortescue a splendid opportunity for his powers of narrative and elucidation.

It is almost inevitable that one should compare his account with that given by Professor Oman, the second and third volumes of whose *Peninsular War* cover exactly the same ground. In the main Mr. Fortescue gives very much the same account and comes to much the same conclusions; he does not differ from Professor Oman as the latter differs from Napier, and one may perhaps feel that the general agreement of the two leading British military historians permits us to believe that there is not much more to be added to the story of the campaigns of 1809-1810. On many points Mr. Fortescue differs from Professor Oman. He corrects, for example, the latter's account of Talavera in several particulars (cf. pp. 230 ff.), showing, for example, that it was the 2/31st who saved Mackenzie's division at Casa de Salinas on July 27th (p. 227); he is much more unfavourable to Robert Craufurd (cf. pp. 474, 484, and 540), whom he regards as generally losing his head in action: his account of Bussaco disagrees as to some of the details of the rather complicated movements of Picton and Leith (pp.

[1] Cf. *S.H.R.* vol. ix. pp. 84-88.

515 ff.); and he does not give quite the same version of Lord Blayney's fiasco at Fuengirola (pp. 398-402). Again, he is even more favourable to the Ministry at home, whom he defends with great vigour and much success against the misrepresentation of Napier and other political opponents (cf. pp. 434 ff. and 559 ff.). Indeed, he is a little inclined to find Wellington's attitude to them a trifle unreasonable (p. 560): Liverpool had made up his mind to continue the struggle in the Peninsula, but he preferred 'a steady and continual exertion upon a moderate scale' to 'a great and extraordinary effort for a limited time,' since neither the financial nor the military resources of Great Britain would be able to support the latter permanently. Mr. Fortescue very rightly lays great stress on the financial problem. The extreme difficulty of providing specie was the main obstacle to a considerable increase in the force under Wellington (pp. 289 and 435-437), though of course all through 1810 the fevers which were the legacy of Walcheren made a very large proportion of our troops unavailable for active service. And Mr. Fortescue seems to regard the comparatively modest scale of our operations as not without its advantages: had Wellington fallen on Masséna in November, 1810, and crushed him, as he might well have done, the success might, apart from its inevitable cost, have proved double-edged if it had led to Soult's raising the siege of Cadiz and transferring his army to Portugal. By attempting to invade Portugal and conquer Andalusia at one and the same time the French were committed to an undertaking really beyond their strength, large as their armies were, and Wellington's best chance of success lay in 'encouraging his enemy to persist in his mistakes' (p. 547), not on exposing them and so causing the enemy to correct them. At the same time, seeing what the relations of Soult and Masséna were, one may feel a little sceptical whether the defeat of Masséna would have caused Soult to abandon Andalusia.

It may be rather a surprise to some people to find that where Mr. Fortescue does find occasion to criticise Wellington it is for the very opposite fault to that which the ill-informed 'received version' of the text-books usually credits him. Mr. Fortescue regards the move up the Tagus which led to the battle of Talavera as decidedly rash and over-confident, and quotes a really remarkable letter from Sir William Gomm, which speaks of Wellesley as impetuous, and says that 'his ardent spirit has blinded him for the moment' (p. 286). The move to Talavera certainly placed the British army in a most dangerous situation when Soult's descent on Plasencia cut Wellington's communications with Lisbon via Abrantes (cf. p. 269), and it must be admitted that in planning his movements Wellington had based them on a belief in the ability of the Spaniards to carry out their promises, which neither Venegas nor Cuesta did anything to justify. Wellington learnt his lesson, and for the rest of the war he never exposed himself to the dangers of depending on Spanish co-operation, but it is hard to blame him for having made the experiment in this instance. He could not have remained inactive, and until he had had personal experience of Spanish co-operation it would have been hardly fair to condemn his allies in advance, merely on Moore's experience. Moreover, he was well aware of the danger of losing communication with Abrantes, and always had the alternative line of

Badajòz and Elvas on which to fall back. And, as Mr. Fortescue points out, the delay of Soult on reaching Plasencia, which caused the failure of the French effort to intercept the British, was due to the campaign on the Duoro, which had left Soult's corps incapable of moving till re-equipped with artillery from Madrid (p. 288), while if a miracle came in anywhere it was in the events which had brought Ney to Astorga at the beginning of July instead of committing his whole corps to the subjugation of Galicia.

On 1810 Mr. Fortescue is equally interesting : he suggests that Bussaco was not merely fought for moral and political purposes, but that Wellington had some hopes of really stopping Masséna there, and might have done so had not the Portuguese general Bacellar prevented Trant's militia from blocking a defile on the road by which the French turned the Bussaco position (p. 535). One may draw attention to the excellent work done by the British cavalry in covering the retreat from Bussaco to the Lines, work which should not be overlooked when the British cavalry in the Peninsula are being criticised. One may also mention a most interesting account of Wellington's staff and subordinates and his whole system of command (pp. 411-421), which brings one to what is perhaps the chief criticism one has to make on the volume. For a work which is a *History of the British Army* and not a *History of the Campaigns of the British Army* one hardly gets as much about the organisation, composition, and administration of the army in proportion to the campaigns as one would like to have. Once again one finds one's self a little inclined to feel that the narrative of the operations in which the British were not engaged—a narrative which is certainly very well and clearly told—might have been even further reduced, and the space devoted to more about the British army in the Peninsula as an army. Mr. Fortescue does not give a detailed casualty list by units for either Talavera or Bussaco ; he gives the organisation of the divisions for June, 1809, but never again. He even speaks of the Sixth Division (p. 542) without explaining how and when it had come into existence ; and though he does give one a good many details as to the arrival of reinforcements and so forth, one feels that it is in just the things which a *History of the Army* should give, though one might expect them not to be given in a narrative of the Peninsular War, that one is a little disappointed.

But the Peninsular War is by no means the only theme of this volume. Of its 600 odd pages quite one-third are devoted to operations elsewhere, a proportion which may surprise a good many of Mr. Fortescue's readers, for the number of people who have heard of Auchmuty's brilliant conquest of Java and Gillespie's wonderful feats at Weltevreeden and Cornelis, or of Oswald's dashing capture of Sta. Maura in the Ionian Islands (March, 1810), is small indeed. But Mr. Fortescue takes one all over the globe : to the West Indies for Beckwith's reduction of Martinique (1809) and Guadeloupe (1810), no mean achievements either of them, to the Scheldt for the ill-fated Walcheren venture, to Sicily for Stuart's futile expedition to the Bay of Naples (June-July, 1809), to the Indian Ocean for the capture of Rodriguez, Bourbon and Mauritius, to India itself for the story of the mutiny in the Madras Army, caused mainly by the criminal folly and obstinacy of

Sir George Barlow and aggravated by Lord Minto's pedantry and tactlessness, finally to the Eastern Archipelago for the expedition to Java (1811). Indeed, by no means the least valuable or interesting portions of Mr. Fortescue's work are those in which he departs from the beaten track to rescue from an undeserved oblivion well-managed operations like those of Beckwith, Abercromby (at Mauritius), and Auchmuty, or unflinchingly sets forth the story of some failure like that at Walcheren. This story is very well and fully told, and this is all the more satisfactory because hitherto there has been no adequate account of the expedition readily accessible. It is usual to speak of the Walcheren expedition as though it could never have succeeded and would have been useless even if successful, as unsound in conception as well as indifferently executed, and to lay the blame at the doors of the Secretary of State for War, Castlereagh. But though Castlereagh cannot escape criticism for having sent off the expedition with rather inadequate information as to the possibility of the task before it, a fact which the shrewd old King was not slow to point out (p. 59), there was a good deal to be said in its favour. Mr. Fortescue shows that a blow at Antwerp was much to be preferred to another expedition to the Weser, which must have depended, as that on 1805 had done, on the fickle and unstable Frederick William III. of Prussia, and would therefore have been foredoomed to failure (cf. pp. 48-51). The destruction of the French fleet in the Scheldt would have been a useful achievement in itself, as well as a blow to Napoleon's prestige and an appreciable diversion in favour of Austria. The choice of the leaders was perhaps unfortunate, for though Chatham was a man of real capacity (p. 55), his chief defects, indolence and lack of driving power and energy, were just those which were most likely to be fatal to an enterprise which above all things required rapidity in execution. Strachan, a competent officer enough for an ordinary task, was not equal to a situation which needed a really exceptional man (p. 59). When one comes to read the story in detail one is inclined to agree with Mr. Fortescue that the undertaking was one which needed a good deal of luck if it was to be successful, and had just the opposite. The delays, due originally to the fact that the regiments which had taken part in Moore's retreat needed rest and refitting and were not ready for service when the descent was first contemplated, meant that when the expedition sailed the season was too far advanced, and autumn gales and rains increased the difficulties and contributed in large measure to the sickness which was really the feature which has made the expedition rank as a disaster. Four thousand deaths were due to it, and it left the army crippled for other work for over a year. This sickness, Mr. Fortescue thinks, was more than one could have expected (p. 92), a misfortune for which no one can be held responsible. The actual capture of Flushing was quite a well-managed piece of work, but it was wasted because of the failure to seize the island of Kadzand at the very outset; and once reinforcements had secured Kadzand to the French the fleet could not get up the Scheldt till Flushing fell, and this meant so long a delay before Antwerp could be attacked that success was out of the question. Chatham at least deserves credit for having seen that to persevere with the effort could only lead to disaster.

It is pleasant to turn from the story of Walcheren to that of the really admirably conducted operation with which the volume ends, the expedition to Java in 1811, no easy one to organise and carry through (p. 629). Auchmuty, who commanded it, showed real strategical and tactical skill, and the capture of the island was a far more useful measure than many much better known enterprises. The fact that Java was restored to Holland at the Peace of Vienna probably accounts in part for the general ignorance as to its capture, but it is an example of 'amphibious war' which is well worth study. And one may point out that here and at Mauritius, Martinique, and all the other bases from which French privateers preyed on British commerce, capture was a task quite beyond the power of the Navy when unaided; 'command of the sea' did not automatically involve the destruction of the enemy's powers for harm; in short, the Navy could not afford to British commerce the protection needed without the Army's assistance.

One last word must be added in praise of the maps, which are very conveniently bound up in a separate volume; they are excellent and copious, and though the plan of the Coa does not assist the reader quite as much as Professor Oman's does, the fact that Mr. Fortescue's battle-plans are accurately contoured gives them a distinct advantage.

C. T. Atkinson.

History of the Old Greyfriars' Church, Edinburgh. By William Moir Bryce. With Chapter on the Subscribing of the National Covenant by D. Hay Fleming, LL.D. Pp. vii, 160. With Plan and Illustrations. 4to. Edinburgh and London: William Green & Sons. 1912. 7s. 6d. net.

Old Greyfriars', Edinburgh, is a church of which the history extends back to pre-Reformation days. The original buildings upon the site formed the friary of the Observant branch of the Franciscan Order, who settled in Edinburgh in the middle of the fifteenth century. They came here under the leadership of Father Cornelius of Zierikzee from the Low Countries, and being both pious and popular rapidly made their influence felt in Scotland, where religion at the time was at a low ebb.

Mr. Bryce opens with a sketch of the history of the Franciscans in Scotland, dealing shortly with the Conventuals first. A list of six friaries belonging to this branch is given, namely, Roxburgh, Haddington, Dundee, Lanark, Dumfries, and Kirkcudbright. But why leave out Inverkeithing? It is mentioned in the list of houses of Greyfriars *non de observantia* appended to the *Book of Pluscarden*, and the chronicler of Lanercost had his eye on Inverkeithing under date 1282. Probably Mr. Bryce considers that it, being founded after the battle of Halidon Hill, was not an offshoot from Berwick, and thus omits it; but Kirkcudbright, which is in Mr. Bryce's list, is of later date still, and thus the omission without remark is misleading.

The later and stricter branch, the Observantines,[1] obtain sympathetic

[1] We prefer the more ordinary form of this word. Mr. Bryce uses 'as more euphonious' the much less common *Observatines*.

treatment. It was in 1560, on the emigration of the majority of these friars following the Reformation, that the friary buildings and yard came into full possession of the city, and up till about 1612 part was used as a burying-ground. Here the Regent Morton and George Buchanan were interred in 1581 and 1582.

Mr. Bryce tells of the gradual disappearance of the old friary buildings. It was not until the beginning of the seventeenth century that the need for a new fabric to accommodate what was known as the south-west congregation became clamant.

During the Covenanting period and that of the Restoration the church building passed through many vicissitudes. Turned into a barrack-room by the Cromwellian troops in the autumn of 1650, it remained in their occupation for more than two years. Consequently it suffered severely along with other churches in Edinburgh, whose 'decormentis wer all dung doun to the ground by these Inglische sodgeris, and burnt to ashes,' and for the next four or five years the stipends of the city ministers were greatly in arrear, and the struggle with poverty is in marked evidence.

In 1656 the building was divided into two—an easter and a wester church—and we learn that on a Sunday in the winter of 1659 the minister of the latter during a violent storm had, with his congregation, 'to seek safety in flight.' The outstanding minister during the period of the Covenant is undoubtedly George Gillespie, whose strikingly intellectual features are reproduced from a portrait now in the New College, Edinburgh. Gillespie was the author of *A Dispute against the English Popish Ceremonies obtruded upon the Kirk of Scotland*, a work which was 'prohibited by the Privy Council and burnt by the common hangman.' If Wariston is right in his surmise, the Privy Council might have saved themselves the trouble. He tells us that on a certain Sunday he 'was dead al day both in privat and in publik,' and he suspects that 'one chief cause' of his deadness was that his mind had been occupied in reading Gillespie's *Dispute*. Baillie mentions the work, saying 'I admire the man though I mislyke much of his matter; yea I think he may prove amongst the best witts of this Isle.' Gillespie indicates that it was the custom of his time in our Scottish churches for the hearers to cover the head during sermon.

The eighth chapter, written by Dr. Hay Fleming, tells the true story of the subscribing of the National Covenant in 1638, and reveals the error, perpetuated by a well-known historical picture belonging to the Corporation of Edinburgh, that the National Covenant was signed on the last day of February, 1638, by the people generally in the Greyfriars' Churchyard. The fact is now brought out that it was in the church that the signing on that day took place, and those who signed then were 'the noblemen and barons.' The churchyard and picturesque signing with tombstones as desks will have to be relinquished. Many will share Dr. Hay Fleming's regret at this, but, as he says, 'truth is more than sentiment.'

Coming down to the eighteenth and nineteenth centuries, the outstanding fact is the number of distinguished Scottish ecclesiastics who have been ministers of Old Greyfriars'. A list, which includes Principal William Robertson (1761-1793), Professor James Finlayson (1793-1799), Dr. John

Inglis (1799-1834), father of Lord President Inglis, Dr. Thomas Guthrie (1837-1841), Dr. Robert Lee (1843-1869), Dr. Robert Wallace (1868-1876), and Dr. John Glasse (1877-1909), speaks for itself.

The numerous illustrations and plan of the Greyfriars' yards add to the interest of the volume. Mr. Bryce and Dr. Fleming have collaborated in the writing of a worthy record of a notable church, and its history has afforded a theme for the treatment of which in its different aspects they are fully equipped. JOHN EDWARDS.

A HISTORY OF PRESTON IN AMOUNDERNESS. By H. W. Clemesha, M.A. Pp. xi, 344, with five Maps. Demy 8vo. Manchester: Sherratt & Hughes, University Press. 1912. 7s. 6d. net.

THIS careful study of the history of Preston, in Lancashire, is worthy of a good place in the Historical Series issued under the patronage of the University of Manchester. It embodies the main results of modern scholarship on the problems of municipal origins and development. For this reason alone the book may be regarded as a trustworthy manual, which should be at the elbow of all students of burghal history.

The municipal growth of the town is somewhat famous owing to the incorporation of the Law of Breteuil in its governing charters, as interpreted nearly twenty years ago by the late Miss Mary Bateson, to the value of whose work Mr. Clemesha has paid a warm tribute. 'As a result of Miss Bateson's work,' he says, 'we have learned of the curious bond which unites a Lancashire manufacturing town with a little known Norman village, and the true meaning and importance of the Custumal of Preston have, for the first time, been made clear to us.' In addition to the municipal history, the author has tapped all other available sources, and given us an eminently clear and interesting narrative of the social, political, and ecclesiastical incidents with which the town was connected.

Mr. Clemesha has been very circumspect in his discussion of the origin of the mayoralty of Preston, though it is odd that he has omitted to append a list of mayors. One would have thought that the mayors were as much entitled to enumeration as the ecclesiastical incumbents. The origin of the office is obscure in more municipalities than Preston. But the theory that it is an evolution of the office of reeve or provost may be dismissed. There are early thirteenth century charters in several northern towns witnessed by the mayor, reeve, and bailiffs by name, which show that they existed as separate offices at the same time. Had Mr. Clemesha happily elucidated the origin of the mayor of Preston, he would have done a signal service to municipal history. JAMES WILSON.

QUELLEN ZUR GESCHICHTE DES PAPSTHUMS UND DES RÖMISCHEN KATHOLIZISMUS. By Professor Mirbt. Pp. xxiv, 514. Tübingen: Mohr. 1911. 8 marks.

THIS new edition, the third, of Professor Mirbt's well-known compilation includes the more important pronouncements of Pius X. and subsidiary documents, such as salient passages from Tyrrell and Loisy. It retains the characteristics of the previous editions, and, while seeking to cover a

much wider field, maintains its position alongside of the last edition of Denzinger's *Enchiridion* as an indispensable tool of every student of ecclesiastical history. DAVID BAIRD SMITH.

ANTIKVARISK TIDSKRIFT FÖR SVERIGE, utgifven af Kungl. Vitterhets Historie och Antikvitets Akademien. Stockholm. 1911.

OF European archaeologists none are more zealous or successful than those of Sweden. The works of Dr. Hans Hildebrand and Dr. Oscar Montelius, among others, are well known to students in Britain; and, but for the difficulty of language, there would be a more extensive acquaintance with Swedish archaeological literature. An important volume by other workers is now before us—the *Swedish Antiquarian Journal* for 1911, 164 pp., the nineteenth issue of the series. Its contents are two elaborate articles—one on the flint beds and deposits of certain districts of Sweden (*Förhisteriska flintgrufvor och Kulturlager vid Kvarnby och S. Sallerup i Skåne*), by Bror Schnittger, with eighty-seven illustrations; and the other, on the Stone Age in Scandinavia anterior to the age of Stone Kists (*Före Häll-Kisttiden*), by Knut Stjerna, with 179 illustrations. Both articles are of genuine interest, especially for students of Comparative Archaeology, showing, as they do, the general resemblance, in implements, weapons and ceramic art of antiquity, between those of Sweden and of other countries, with, at the same time, variations and peculiarities in form and style which demonstrate distinct Scandinavian types. The author of the second article died on 15th November, 1909. GILBERT GOUDIE.

JOHNSONIAN GLEANINGS. Part II. FRANCIS BARBER, THE DOCTOR'S NEGRO SERVANT. By Aleyn Lyell Reade. Pp. 132, with three illustrations. Foolscap 4to. Privately printed for the Author. 1912.

THIS part, dealing exhaustively with the career of Francis Barber, Dr. Johnson's negro servant, continues the good work the writer is doing by rescuing from oblivion the humbler members of the circle of the 'great Lexicographer.' We may read here everything that is known about Francis Barber, that he was a slave of the West Indian Bathursts, freed by them, educated by Dr. Johnson at Bishop Stortford, and that he, having been the faithful servant of his master, became his legatee, and as such, was attacked by the Hawkins family. The writer defends him where possible, and traces his troubled later life and that of his widow and his 'methodist' descendants with a care which only those who know his former volumes can either expect or appreciate. The book, a mine of wealth in Johnsoniana, continues the labour of love, and is worthy of being connected with the great *savant* who was its original centre and whom it shows in so humane a light. A. FRANCIS STEUART.

A HISTORY OF THE MODERN WORLD, 1815-1910. By Oscar Browning, M.A. 2 vols. Vol. I., pp. 448; Vol. II., pp. 547. 8vo. London: Cassell & Co., Ltd. 1912. 21s. net.

'THE present book has no pretensions to originality or research . . . lectures, writings and discussions, together with the best authorities he could find,

form the sources.' And the volumes are offered as 'a plain account of the political events,' as a contribution to 'the study of contemporary history, so important for the education of a politically-minded nation.' It may further be explained that the field covered is European, and that 'political' is rather strictly interpreted. At a time when politics are being so interpenetrated with industrial issues, and are likely to be so increasingly, it is a defect, from the educational point of view, that this aspect receives such scanty treatment, little better in fact than incidental. The rise of industrial Germany is an important factor in the modern world, but here Germany ceases to count for anything, save in diplomacy after 1871.

On its own limitations, however, the work is a clear, straightforward account of the period it covers, and therefore could scarcely fail in interest. The closing chapter, however, is not a success; perhaps, being so near hand, it could hardly be; but the title 'Edward the Peacemaker' is inexcusable. In the references to the late King, as well as to Queen Victoria, there is a note of fulsomeness which is uncritical, and often in doubtful taste. Nor is it a mark of balanced judgment to speak of the 'admirable self-sacrifice' of one present minister and the 'consummate genius' of another; it would be an interesting exercise in guesswork to place these.

There are some serious blemishes, the reasons for which, like those for a certain statesman's policy (II., p. 497), 'can only be conjectured.' Mr. Browning seems incapable of quoting correctly. The utterance of Lincoln (II., 30) not only suffers from a misprint, but is further mangled. On the opposite page President Buchanan obviously could not 'offend both sides equally' if he 'denied the right of the South to secede, but also declared his own power to coerce.' He also denied he had the power to coerce. The extract from Lincoln's speech at Gettysburg (II., 50-51) is not verbally accurate. The paragraph made up from Morley's *Life of Gladstone* in II., pp. 360-1, is really nearer the original in detail than the confessed citation which follows. A slighter case is the income tax arrangement in the budget of 1853 (I., 372). Of another occasional phenomenon it is best to give a brief example.

'Stringent orders were issued from headquarters, and were only too literally obeyed . . . and the French were allowed to slip away not only unmolested but unobserved. At daybreak on the 18th Moltke was still uncertain whether Bazaine had resumed his retreat to the Meuse by the northern roads, or had fallen back to Metz. But he was ready for either contingency, etc.'—*Cambridge Modern History*, article by Major Maurice, Vol. XI., p. 592.

'Stringent orders to this effect were issued from headquarters, and were obeyed so exactly that the French were allowed to slip away, not only unchecked but unobserved. The consequence was that at daybreak on August 18th Moltke did not know whether Bazaine was continuing his design of retreating by the northern roads or had retired definitely to Metz. He had to be prepared for either event, etc.'—*History of the Modern World*, II., p. 197.

W. M. Mackenzie.

THE ROMANIZATION OF ROMAN BRITAIN. By F. Haverfield. Second Edition, greatly enlarged, with twenty-one Illustrations. Med. 8vo. Pp. 70. Oxford: Clarendon Press. 1912. 3s. 6d. net.

WE are glad to see this re-issue, and particularly glad to find that the original paper has been so very considerably added to both in the way of matter and in the way of illustration. Pointed and luminous, like everything that Professor Haverfield writes, it contains in brief compass an admirable statement of a very important aspect of the Romano-British problem. The new edition has been brought thoroughly up to date; and the text has been broken up into chapters and amplified, with the avowed object of making it more useful to the general reader. We can heartily commend it to all who are interested in the history of England. For students of the Roman period it is indispensable.

GEORGE MACDONALD.

THE BURGH OF PEEBLES. GLEANINGS FROM ITS RECORDS, 1604-52. By Robert Renwick. Second Edition. Pp. xvi, 309, with Plan. 4to. Peebles: Allan Smyth, Neidpath Press. 1912. 7s. 6d. net.

A BOOK of gleanings printed in 1892 from the newspaper type by which it was originally introduced to the public of Peeblesshire, is now fitly reproduced in a dignified format and issued from a Peebles press which does credit alike to Peebles and to this very meritorious and interesting volume of its annals. An excellent part of the equipment is a plan of the town, with an inset diagrammatic map of the vicinity. Mr. Renwick's narrative is a very successful example of the great service to national history which can be rendered by the records of a burgh adequately handled and interpreted, with full local knowledge, and with that loving and unwearied interest in the story of the place, which is the first tribute a great antiquary can pay to his native district. Happily the records of the half-century following the Union are by no means meagre: no man living knows them as Mr. Renwick does, or with such a grasp of their historical relationships burghally and nationally considered; and, besides, the adventures of Peebles are themselves worth telling.

The form chosen is to piece out the narrative with numberless short extracts, which are the best of all guarantees of the author's fidelity. Peebles has long served as the standard type of a small Scottish burgh having a large history: we dare not use the image of the 'penniless lass wi' a lang pedigree,' for its dower of history is out of all proportion to its size. Near enough to the Border to be, as one of its charters says, 'often sacked burnt laid waste and desolated' in the days when England was the unfailing enemy, Peebles had annals which were well kept and which only increased in domestic interest as the town advanced in prosperity after the Union. The Civil War renewed the burgh's acquaintance with adverse fortune, in the shape of occupation by Cromwell after the battle of Dunbar.

The last extract is a description of the great eclipse of 'Mirk Monday,' 29th March, 1652, when even Peebles was awed, and 'the people begane all to pray to God,' a sign of grace which contrasts favourably with innumerable earlier incidents when the town bell was needed to warn citizens

against being 'fund ather drinking or playing,' and when 'bluiddrawing' with whingers and other invasive weapons was too apt to result from festivities. But we must not tempt ourselves to quotation.

In 1910 Mr. Renwick edited for the Burgh Records Society a series of extracts from the Peebles records from 1652 until 1714, which was a sequel to the first edition of the present book. In a review of the volume of 1910 (*S.H.R.* viii. 275) attention was called to the care Peebles evidently took of its muniments, as shewn by the search made for 'the writtes in the steeple' after Cromwell's men had made free with the town. A chapter in the present volume (pp. 278-280) indicates the same zeal at an earlier stage. Peebles is now reaping the benefit of the precautions taken by its burgesses, and it is well that their spirit is so faithfully reincarnated for modern conditions in the person of Mr. Renwick, whom all burghal students delight to honour.

The Correspondence of Jonathan Swift, D.D., 1718-1727. Vol. III. Edited by F. Elrington Ball, Hon. Litt.D., Dublin. Pp. xix, 468. Demy 8vo. London: G. Bell & Sons, Ltd. 1912. 10s. 6d. net.

The editor continues to lavish on his work the patient care that we have admired in the volumes already issued. We may read here some excellent letters (*e.g.* on page 100, one to Archbishop King in Swift's happiest vein), and an admirable note in the appendix on Esther Vanhomrigh. Some of Vanessa's curious letters appear in this volume, as well as Swift's only letter to Stella outside the celebrated 'Journal.'

The Ruthven Family Papers. The Ruthven Version of the Conspiracy and Assassination at Gowrie House, Perth. Critically revised and edited by Samuel Cowan, J.P. Pp. 208, with thirteen Illustrations. Crown 8vo. London: Simpkin, Marshall, Hamilton & Co., Ld. 1912. 7s. 6d. net.

It is sad that a book like this should have been published at all. The construction is so faulty and the proof reading so neglected that it is useless and partially incomprehensible to the reader. What the author meant to do was to give a new account of the Gowrie Conspiracy from the point of view of 'a Ruthven narrative . . . written by the Ruthven family, or at least by a *bona fide* member of it.' What he has done is to give a very confused account of the Ruthven family itself, which will not add lustre to his name as a genealogist or be of much help to anyone. On page 57 he not only omits the first wife of Patrick Ruthven, but he leads the unfortunate reader to confuse his daughters with his sisters, as will be seen on comparing that page with page 189. Misprints abound, and even the pictures (the best part of the book) have errors in their descriptions.

Tales of Madingley. By Colonel T. Walter Harding, D.L., Hon. LL.D. Pp. xx, 491, with thirty-three Illustrations. Demy 8vo. Cambridge: Bowes & Bowes. 1912. 6s. net.

This work is concerned with the ancient mansion of Madingley, near Cambridge, which dates from 1543. The home of the Hyndes, it was

the residence of two Princes of Wales, who became afterwards King Edward VI. and King Edward VII. The author has collected the traditions of his home and woven them into a romance, using as far as possible the legends and the knowledge which he has acquired during his searches into the local history.

Le Mont Saint Michel Inconnu. D'après des documents inédits. Par Étienne Dupont. Pp. 326. 8vo. Paris: Perrin et Cie. 1912. 5 fr.

The Mont has, in addition to a medieval chronique of its own, a whole modern library about itself, to which M. Dupont has been an equally loyal and indefatigable contributor (*S.H.R.* iii. 506, iv. 362, v. 241, 511, vii. 318). His present book barely justifies the claim of the title page, for the inedited documents used are very few, and the author transcribes for us no page of manuscript. It is, however, a charming collection of separate papers on such subjects as the literature, pilgrimages, military and naval memories, and the historical celebrities of the Mont. Among those themes we are glad to meet one already dealt with by M. Dupont in our own columns on the Scottish prisoners in 1546. There are slips of more than one sort in the statement that 'Henri VII qui soutenait les catholiques dans ce pays envoya Strozzi assiéger le château,' *i.e.* of St. Andrews.

A description of the mode of salt making formerly pursued by the salters (*sauniers*) of Basse-Normandie has special interest from the resemblance it offers to the methods followed until the beginning of last century on the Solway. Odd, but fairly conclusive, is the author's argument that the pictured citadel of Tombelaine, reproduced as his frontispiece, is a veritable castle in the air, as it never existed! Interesting is the story of Bertrand du Guesclin's wife, Tiplaine de Raguenel, with the legend, evidently current in her lifetime, of her power in astrology studied from a turret chamber on the Mont.

The Negro in Pennsylvania: Slavery—Servitude—Freedom, 1639-1861. By Edward Raymond Turner. Pp. xii, 314. Washington: American Historical Association. London: Henry Frowde. 1911. 6s. 6d. net.

The Justin Winsor prize in American history was awarded by the American Historical Association to this work, which well fulfils the requirement of 'independent and original investigation.' Its footnote references to state papers, pamphlets, colonial and United States books, prints, and documents show a thoroughly painstaking method, earning an abundance of fact and fortifying the author in his historical conclusions. Pennsylvania not being a plantation state, but commercial and manufacturing, had no need of black labour as had the states further south. Raymond Turner not only himself traces, he also enables us to accompany him in the process of tracing, the introduction of negroes into Pennsylvania anterior to 1639, the gradual determination of a status of slavery different from the original conditions of service and life servitude, the effect of Quaker and German antipathy to the system from first to last hastening its disintegration by manumission of slaves and the trend of legislation, until in 1780 an abolition law was passed—the first in America. Nearly seventy years

earlier the Assembly had passed tariff laws to check importation, but Britain vetoed them. After 1780 a new evolution began, to determine the status of the free negro, the question of suffrage, ending in the conclusion that he was not a freeman for electoral purposes, the growth strangely alongside of abolitionism of an antipathy to the race, and the momentous political issues raised by conflicting state-views as to fugitive slaves and by the propaganda of the abolitionists seeking to end slavery piecemeal and of the more violent anti-slavery movement, which aimed at its destruction at any cost.

So we see in this record, stopping in 1861, the long development of the conditions, and the nascent and advanced stages of conflicting opinion which were ripening for explosion in civil war. It is a deeply interesting story, well and clearly told. In its beginnings we are reminded of Roman law discussions and distinctions of servitude; midway we see the instinct of freedom continually threatened by reaction, but persistent and still pressing forward; and at the end we perceive that abolition has in it a moral propulsive energy which must prove irresistible. Besides the elaborate footnotes, laden with citations, fifty pages of bibliography attest the ground worked over by Professor Turner in a treatise most worthy of the prize it gained.

Journal of John Aston, 1639. Pp. 47. 8vo. Alnwick: Henry Hunter Blair. 1911.

This contribution by Mr. J. C. Hodgson to the History of the Berwickshire Naturalist's Club, Vol. XXI., comes as an off-print, which is welcome as editing a valuable account of an Englishman's experiences attending on King Charles as a privy chamberman extraordinary in April, May, and June, 1639, while the Covenanters awaited attack on Duns Law, until after the Treaty of Berwick had ended the first Bishops' War. Aston, a Cheshire gentleman and a capable observer, details very clearly all that was done. The disposition of the royal forces is intelligently presented: there is a capital sketch of Berwick and its condition to resist attack by the Covenant; most of the town, he says, were favourable to the Covenant, 'though they durst not openly shew it, there being noe reproach soe shamefull as to call them Covenanters.' Of chief interest and moment are the descriptions of the king's camp at the Birks, three miles west of Berwick, and of General Leslie's position at Duns. The day after the treaty was signed Aston visited Duns Law and admired the skill of Leslie's formation, which made it difficult to estimate the number of troops. 'Though one ride often round yet hee could not without curious observation tell when hee had compassed them.' [This trick is old enough on the Scottish borders to be described in *Egilssaga* as a stratagem by which Egil hoped to deceive Anlaf at Brunanburh.] No feature of the description is so interesting as that which Aston gives of the Highland contingent in Leslie's army. We apologise to Mr. Hodgson for stealing this plum from his paper.

'Most guessed them to bee about 10 or 12,000 at the most, accounting the highlanders, whose fantastique habitt caused much gazing by such as

have not seene them heertofore. They were all or most part of them well timbred men, tall and active, apparrelled in blew woollen wascotts and blew bonnetts. A pair of bases of plad, and stockings of the same, and a pair of pumpes on their feete: a mantle of plad cast over the left shoulder and under the right arm, a pocquett before for their knapsack, and a pair of durgs on either side the pocquet. They are left to their owne election for their weapons: some carry onely a sword and targe, others musquetts and the greater part bow and arrowes, with a quiver to hould about 6 shafts made of the maine of a goat or colt with the haire hanging on and fastned by some belt or such like soe as it appears allmost a taile to them. Theise were about 1000 and had bagg-pipes (for the most part) for their warlick instruments. The Laird Buchannan was theire leader. Theire ensignes had strange devices and strange words in a language unknowne to mee whether their owne or not I know not. The ensignes of the other Scotts had the St Andrew's crosse in which this word: "Covenant for Religion Crowne and Country."'

Aston's story is a piece of good writing, and his summary of the Scottish position will close our quotations.

'Indeed the campe was not easy to be assaulted and the plaine round about the hill for a mile or two was soe strewed with great stones naturally that art could not have made a better defence against our horse (wherein was our greatest strength) and to helpe them more the generall caused every musquetier instead of a rest, to carry a short staffe shod with iron at both ends to stick sloaping into the ground for pallisadoes against our horse: but all theise preparations and great lookes upon one another ended in a treaty: and soe upon the 20th of June the Scotsh army broke up.'

Numismatists may note that Aston, in a schedule of the Scots coinage at this time, says: 'Bothwells: VI make a penny English. Placks: 3 make a penny English. Atchinsons: 3 make two pence English.'

Aitchison had been master of the mint under James VI. and Charles I., and was directly connected with introducing new copper coins. Bothwell, however, has apparently not been traced at the mint, but the passage from Aston above cited antedates by eleven years the oldest reading for 'bodle' in the Oxford *Dictionary*.

The foregoing citations alone suffice to show what acknowledgment Mr. Hodgson deserves for his service to Scots history in editing the privy chamberman's journal, the author's title for which was *Iter Boreale Anno Salutis* 1639 *et Dissidiæ inter Anglos et Scotos*.

THE TEINDS. WHOSE AND WHAT ARE THEY? A SKETCH OF THEIR ORIGIN AND HISTORY. By J. H. Stevenson. Pp. 32. Cr. 8vo. Glasgow: MacLehose. 1912. Sixpence net.

THIS is a lucid and carefully worked-out historical answer to the questions it puts, insisting centrally on the fact that teinds were not a tax but a free-will gift. Incidentally the rise of parishes comes into the story, and the changes consequent on the Reformation, especially as regards the appropriation of teinds, are critically scrutinised. The author in this concise and instructive brochure happily reconciles an antiquary's duty to history with the sympathies of an elder.

GUNNING'S LAST YEARS: NINE LETTERS FROM MISS MARY BEART TO PROFESSOR ADAM SEDGWICK. Edited by A. T. Bartholomew. Pp. 27, with Frontispiece. 8vo. Cambridge: Bowes & Bowes. 1912. 1s. net.

THIS reprint from the *Cambridge Review* has for frontispiece a portrait of Henry Gunning from a painting. The letters contain flashes of sarcasm, and are worth reading in spite of the morbid subject, for Miss Beart was nursing the dying man and wrote the letters to describe his illness.

We have frequently reviewed the volumes of the *Cambridge Modern History* as they have been published, and give a cordial welcome to the *Cambridge Modern History Atlas* (Cambridge University Press, 1912; 25s. net). It contains 141 maps in colours, and an elaborate index. The volume will be found not only of great use to readers of the *Cambridge Modern History*, but as a work of reference to students.

We note with pleasure the publication of *Chronos, a Handbook of Chronology*: Chronological Notes in History, Art, and Literature from 8000 B.C. to 1700 A.D., for the use of Travellers, by R. J. Hart (London: George Bell & Sons; 6s. net). Books such as this are of great service to students. So far as we have checked this volume we have found it accurate. It contains much information as to the by-paths of history, and has many references to literature and art.

Professor Firth has reprinted from the Royal Historical Society's *Transactions* his curious and attractive paper on *The Ballad History of the Reign of King James I.* It is a capital historical anthology, almost every chief event of the reign being illustrated by satire or song. Among themes touched are the sale of titles, the deeds of the pirates, the lottery of 1612, the death of Prince Henry, the King's visit to Cambridge, Gunpowder Plot, the death of Raleigh, the fall of John of Barneveld, the proposed but unpopular Spanish match, and the welcome actual French marriage. Elegies on the king's death close the paper with his praises:

> 'For wisdome Salomon; David for pietie;
> A heavenly man if not an earthly deitie.'

Professor Firth adds briskness and colour to formal historical record by these little pieces, which are charged with gossip and intimate facts, besides reflecting contemporary feeling.