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The Battle of Bannockburn

'Tradition, it is easy to see, must, from many causes, still stray further and further from the truth in each succeeding generation. What innumerable unintentional inaccuracies must occur in each successive narrator's statement of the facts, from the gathering on them of obscurity, through which they loom larger than life, or sink into the shade, or are partially discerned, or recede into oblivion! A slight variation in the circumstances of the event suggests a new meaning in it; and the event itself is then altered in its outline to sustain that idea of its significance. Sometimes that is done involuntarily; oftener, perhaps, the process is wilfully indulged, as nothing more than an innocent, ingenious restoration of the traces which time had obliterated.'

CHRISTOPHER NORTH.

MR. W. M. MACKENZIE concludes his interesting treatise on the battle of Bannockburn¹ with the observation: 'It is rather a reflection on Scottish historical scholarship that an event of such great significance and universal interest should remain in a nebulous or misunderstood condition, and it is hoped that, on the eve of the six hundredth anniversary, an opportunity will be taken to arrive at something like general agreement.'

A desirable consummation, certainly; but the materials for its accomplishment are scanty. The central fact, upon which all authorities are in accord, is that the English army was defeated with immense loss in an attempt to relieve Stirling Castle. The principal officers on each side also are well known; but for almost everything else—the strength, relative and actual, of the two armies, details of tactics and the main incidents of the conflict—we have to construct what we can out of narratives, none of which

¹ *The Battle of Bannockburn: a Study in Mediaeval War*, by W. M. Mackenzie. Glasgow: James MacLehose & Sons. 1913.

is official; none written by an eyewitness, save the rhymed hexameters of Friar Robert Baston, Prior of Scarborough, whom King Edward brought with him to celebrate the victory he intended to win. But whereas Baston was taken prisoner by the Scots and was induced to flog his unwilling Muse to indite an epic in celebration of *their* victory, he can hardly be cited as a serious authority.

All the writers of the fourteenth century who describe the battle of Bannockburn were monks, save one—Sir Thomas Gray—of whom presently. Now monks and clergy in general are not the class of writers from whom it would be fair to expect a trustworthy technical account of the course of a campaign or the tactics in a general action. It is not their job. It is difficult enough (or was so until Sir William Russell inaugurated the profession of war correspondents) to obtain a clear understanding of the progress of, and incidents in, a battle, even from the narratives of those engaged on either side. ‘There is one event noted in the world,’ said Wellington to Lord Mahon, ‘the battle of Waterloo, and you will not find any two people agree as to the exact hour when it commenced.’¹ The Duke might have known precisely, one should think; but it seems he did not, for in his official despatch he states the hour was ‘about ten o’clock’;² and in writing to Sir Walter Scott two months later he says ‘at eleven.’³ Scott had written to ask him for such information as would enable him to write an authentic account of the battle. The Duke wrote a long letter trying to dissuade him from the attempt, ending: ‘If, however, you should still think it right to turn your attention to this subject, I am most ready to give you every assistance and information in my power.’⁴ Scott persisted; whereupon the Duke wrote again as follows:

‘I regret much that I have not been able to prevail upon you to relinquish your plan. You may depend upon it you will never make it a satisfactory work. . . . Just to show you how little reliance can be placed on what are supposed the best accounts of a battle, I mention that there are some circumstances mentioned in General ——’s account which did not occur as he relates them. He was not on the field during the whole battle, particularly not during the latter part of it. The battle began, I believe, at eleven. It is impossible to say when each important occurrence took place,

¹ *Conversation with the Duke of Wellington*, by Lord Stanhope, p. 88, 4th edition.

² *Despatches*, xii. 481.

³ *Ibid.* 508.

⁴ 8th August, 1815.



The King of Scots, commanding the Reserve.



Scottish Divisions.

I

Right Division under Edward de Brus.

II

Centre, under Randolph.

III

Left Division under Walter the Steward and Douglas.

K

500 Light Horse under Sir Robert de Keith.

B

Scottish baggage and camp followers.

R

Randolph's repulse of de Clifford's Squadron.



The King of England.



English Divisions, in confusion owing to bad ground, attempting to cross the Bannock and deploy.

C

Clifford's Squadron, detached on 23rd June to communicate with Stirling Castle.

G

Gloucester' Heavy Cavalry charging Edward de Brus.

A

English Archers galling Edward de Brus's flank.

E

English Camp on night of 23rd-24th June, as suggested by Mr. W. M. MacKenzie.



SIR HERBERT MAXWELL'S Plan of the Battlefield of Bannockburn.

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nor in what order. . . . These are answers to all your queries : but remember—I recommend you to leave the battle of Waterloo as it is.’¹

Some years later, when the Duke was inspecting Major Siborne’s beautiful model of the field of Waterloo, now in the Museum of the United Service Institute, he said : ‘It is very difficult for me to judge of the particular position of each body of troops under my command . . . at any particular hour.’²

So much for a general account of the battle of Waterloo ; as for the parts borne by particular regiments, controversy has never been laid to rest, nor will it ever be so. Which corps inflicted the final—the decisive—blow by routing the Grenadiers of the Imperial Guard ? By the General Order of 15th July, 1815, the Prince Regent conferred on the 1st Regiment of Guards the title they now bear—Grenadier Guards—to commemorate their having done so ; yet we have had recently in Mr. Leeke’s two volumes on *Lord Seaton’s Regiment at Waterloo* the claim of the gallant 52nd Oxfordshire Light Infantry to that honour ably sustained.

Seeing, then, how meagre was the information about the battle of Waterloo to be derived from the fountain head, *i.e.* the victorious Commander-in-chief, a few weeks, months, or years after an event from which we are now separated by the space of ninety-nine years, but which took place at a period when official despatches were detailed and voluminous, and when all officers could, and many did, convey their impressions in written narrative, it is scarcely to be hoped that we can arrive at any definite understanding of an action fought six hundred years ago, without firearms, when none but priests and monks could write. Mr. Mackenzie, after careful inspection of the ground and diligent collation of the earliest writings on the subject, has arrived at certain conclusions, and invites us to accept a theory of the disposition of the forces engaged on either side, so widely at variance with tradition (as marked by the position of the Borestone), with the views of all modern historians except Lord Hailes (an important exception), and, I venture to think, with the physical possibilities of the ground, as to demand careful reconsideration of all three.³

¹ 17th August, 1815.

² *Supplementary Despatches*, x. 513.

³ Lord Hailes is an important, but far from an original authority, for he states that he followed Barbour’s narrative (*Annals of Scotland*, vol. ii. p. 54 note). His Lordship’s eminence as a lawyer does not entitle him to rank equally high as an authority on tactics. The present Lord Justice Clerk is an exception in that respect.

As Mr. Mackenzie has stringently criticised the account which I gave of the battle in my *Life of Robert the Bruce*,¹ I desire to preface what follows by an assurance that it is not pretended that what is set forth in that account is more than a recension of probabilities, and that there are only two considerations that prevent me from regarding Mr. Mackenzie's conclusions to be as likely as my own to be near the actual facts—those considerations being, first, the nature of the ground, and, second, how any competent tactician would deal with its difficulties. If these considerations could be satisfactorily overcome, I would readily disclaim any preference for my own conclusions over those of Mr. Mackenzie.

Hitherto it has been considered that, *mutatis mutandis* in the matter of armament, there is a general parallel between the battles of Bannockburn and Waterloo, in that, while Bruce's position was taken up to bar King Edward's access to Stirling, Wellington's was chosen in order to prevent Napoleon getting to Brussels; and that, just as Napoleon delivered a sustained frontal attack upon the Allies instead of manœuvring to turn Wellington's flank (as many tacticians consider he should have done), so King Edward, finding his passage barred by the Scottish line of 'schiltroms' facing south, delivered his main attack upon that front instead of a turning movement upon Bruce's left.

Mr. Mackenzie would have us reject that view. He has marshalled certain authorities in an endeavour to prove, first—that while on 23rd June the Scottish line was drawn up in the Park facing south across the high way (the Roman road), at right angles to the English line of march, on the 24th, the day of the general engagement, the Scottish position was facing to the east, parallel to the English line of march; and that the English army, by a hazardous flank march on the afternoon of the 23rd, crossed the Bannock to the east of Beaton's Mill, passed right under the Scottish position, and encamped on the wettest part of the Carse to the north-east of the said position opposite Cambuskenneth

¹ *Heroes of the Nation Series*, 1897. Mr. Mackenzie says (p. 110) that in constructing my description of the battle, I used a paper by Sir Evelyn Wood. That is hardly accurate. After spending part of two days on the field, and forming certain opinions about the position and movements of the two armies, I returned to Stirling, where I called on Mr. Shearer, the bookseller, who routed out a manuscript, written several years before by Major Wood when in garrison at Stirling. On comparing this MS. with my own notes, I found that we had arrived at very much the same conclusion as to the general course of events on 24th June, 1314.

Abbey,¹ and within easy reach of Stirling Castle, which it had come to relieve.

Second, that so far from the English attacking the Scottish position, Bruce took the offensive from the first. 'It was a brilliant conception,' says Mr. Mackenzie, 'in its utilisation of the characteristics of the ground, as it was daring in advancing foot to force the combat upon horse. . . . Missing the point that, from this stage (*i.e.* the opening of hostilities on the 24th) the Scots were to take the aggressive, writers have misconceived everything' (p. 70).

For the sake of clearness Mr. Mackenzie's summary may be quoted :

'On Monday² the eager English host discharged two attacks on the Scots, one, which Randolph destroyed, by the Carse road, and one at the entry to the Park, which was repulsed by Bruce's brigade.³ Bruce had expressly prepared for such, and so far was confining himself to the defensive. That night the English crossed into the Carse, as described in its place, and there, next morning, were attacked by the Scots, now taking the offensive. In a sense there had been a change of front and plan, consequent on the foolish move and the disheartening of the English by their two previous repulses. The 'pots' and the Park, and all the rest, were now at the back of the Scots, as the Forth was at the back of the English, who were out-manceuvred and out-fought' (pp. 98, 99).

Now, before admitting the errors of the writers who have misconceived everything and adopting Mr. Mackenzie's conclusions, I must crave permission to cross-examine his principal witnesses with the view, not of impugning their personal honesty, but of testing their opportunities of obtaining authentic information. According to the probable chronological order they stand thus (p. 97) :

The anonymous author of *Vita Edwardi Secundi*.

The anonymous compiler of the *Chronicle of Lanercost*.

Sir Thomas Gray, author of *Scalacronica*.

John Barbour, Archdeacon of Aberdeen, author of *The Brus*.

We have here three English prose writers and one Scottish poet.

¹ Cambuskenneth = Kenneth's loop, the Gaelic *camus* signifying a bend in a river or a coast line. Here it is applied to a great bend which approaches within a mile of Stirling Castle.

² *Lapsus calami* for Sunday, 23rd.

³ 'Division' would be a nearer modern equivalent than 'brigade.'

(1) *Vita Edwardi Secundi*. Of the author, nothing is known. Hearne transcribed the only MS. that has been discovered in 1730, and ascribed it ('on very insufficient conjecture,' says Dr. Stubbs¹) to the hand of *monachi cujusdam Malmesburiensis*—a certain monk of Malmesbury—because the document seemed once to have belonged to Malmesbury Abbey. Unfortunately, unless another copy should turn up, no trace of the author can now be recovered. The original was in the collection of Mr. James West of the Inner Temple, and perished in a great fire on 4th January, 1737, together with many other valuable MSS. belonging to him. 'Looking at the internal evidence,' observes Dr. Stubbs, 'I must say that I find very little that would have led me to infer either that it had, so far as authorship goes, any connexion with Malmesbury, or that the writer was a monk.'²

This writer's evidence, then, is devoid of any weight derived from our knowledge of his antecedents, character or opportunities of observation. Mr. Mackenzie confidently accepts his narrative as 'not later than c. 1325'; but as he does not assign any reason for fixing that date, it may be well to hear Dr. Stubbs on the point:

'As Hearne was a good authority on the date of the penmanship, and as the MS. is lost, we may accept his account of it, and believe that the work was written during the century which it illustrates. But it is a grave question whether it can be regarded as a composition strictly contemporaneous; the air of expectancy which the writer occasionally assumes seems to be rather artificial, and the anticipations of misfortune in which he frequently indulges read very much like the wisdom that prophesies after the event. . . . As the narration increases in the amount of detail which it gives as it approaches the close, I am inclined to think that, on the whole, the writer may have begun to write towards the end of the reign of Edward II. As he does not anticipate the revolution and murder of the king, and as his genuine work ends at the year 1325, we cannot infer that he wrote much later than that year.'

In his description of events on the 23rd and 24th June, this anonymous chronicler differs in many important particulars from the other three writers above-mentioned.³ Such discrepancy would not be worth dwelling on, being inevitable in the circumstances,

¹ *Introduction*: Rolls Series 76, vol. ii. pp. xxxii.

² *Ibid.* p. xlii.

³ Both this writer and Sir Thomas Gray represent Robert de Brus as besieging Stirling in the previous year, instead of his brother Edward, an important error, but one that does not concern us here.

had not Mr. Mackenzie asked us to agree that 'these accounts fit into each other, and, obviously, each from its own point of view tells the same story' (p. 98).

Barbour represents the duel between Bruce and de Bohun as the outcome of a virtual challenge by de Bohun as English champion: the author of *Vita Edwardi*, on the other hand, states that de Bohun, after driving in the Scots pickets on the outskirts of the wood with his Welshmen, had turned his horse to rejoin the English column, when Bruce intercepted, attacked and killed him with a battle-axe. There was pretty hard fighting that day, says he (*satis acre bellum geritur*), and mentions an incident which does not 'fit in' with the account given by the other three chroniclers, namely, that Gloucester was unhorsed. There seems to be some confusion here with Gloucester's fall on the following day. It is not likely that he was unhorsed on both days, or that he would have escaped with his life if he had fallen on the 23rd, for, in describing his death on the second day, the author of *Vita* says that he was so heavily armed that he could not rise from the ground without help.

This chronicler dismisses very briefly the affair between de Clifford's squadron and Randolph's pikemen, merely stating that de Clifford 'disgracefully took to flight' (*turpiter in fugam convertitur*).

We now come to what this witness has to say about the all-important question—Where did the English army pass the night? His evidence is distinctly unfavourable to Mr. Mackenzie's theory that it crossed the Bannock and camped in the Carse.

Gloucester's reconnaissance was made with the English advanced guard. After de Bohun's fall, Gloucester fell back upon the main body. Even if that reconnaissance were undertaken with the deliberate purpose of masking the march of the army, with its huge baggage train, through the swamps of the Carse and across the Bannock, where its channel is partly tidal, is it credible—is it practicable—that the operation could be accomplished in the space of an afternoon? There is nothing to show that, when Gloucester rejoined the main body, it was anywhere but on the south side of the Bannockburn. Then, says the author of *Vita Edwardi*, 'as the day was already declining, the whole army assembled to rest that same night on the ground where it was.' The troops, having marched from Falkirk that morning, had done enough without being set to the formidable task of crossing the Bannock in the presence of the enemy, and labouring through ground which must have been impassable except by light infantry.

We are told in the *Vita* that, even before they left Falkirk, 'horses, knights and foot-soldiers were exhausted by hard marching and hunger, wherefore they are not to be blamed if they did not behave very well.'

Of the events on the 24th the author of *Vita Edwardi* gives a brief, but spirited, description. He says that when Robert de Brus learnt that the English army had come into the field (*in campum devenisse*), he marched his whole force out of the wood. He puts that force at 40,000, which is assuredly a gross exaggeration, and describes them as marshalled in three divisions, whereas there can be little doubt that there were four. He states distinctly that there were no mounted men in the Scottish army, whereas, unless we are to throw over Barbour, we know that Sir Robert Keith had 500 light horse, and used them to good purpose.

So far the evidence of this chronicler provides no special support to Mr. Mackenzie's argument; but, though he deals very briefly with the battle itself, he certainly describes the Scots as taking the offensive. He represents James Douglas as commanding the first division (Barbour gives Douglas joint command with Walter the Steward of the left division) and attacking Gloucester's column of cavalry. Gloucester, he says, received the onset valiantly (*viriliter*), broke the Scottish ranks once and again, and would have been completely victorious if his men had supported him staunchly. But the Scots charged suddenly, the Earl's horse was killed, his men deserted him and he was slain. The chronicler introduces here an incident usually assigned to a later hour and a different part of the field. He deplores the craven spirit of Gloucester's men; had there been, out of the five hundred whom he had brought to the field at his own expense, but twenty men bold enough to rally to their lord, he might have been saved; but they deserted him, and it was Sir Giles Argentine who rode to Gloucester's rescue, and perished beside him.

This is a totally different version of the dramatic end of 'the third knight in Christendom' to that given by Barbour, who represents Argentine as remaining at King Edward's rein, whereof he had charge, till the King was about to leave the field, when he exclaimed:

Schyr, sen it is sua
 That ye thusgat your gat will ga,
 Hawys gud day! for agayne will I.
 Yet fled I neur sekyrly,
 And I cheyss her to bid and de,
 Then to lif schamfully and fle.

Then he pricked forward into 'Eduard the Brusis rout' (not Douglas's), and crying 'Argente! Argente!' was slain upon the pikes.

The discrepancy between these two witnesses cannot be reconciled in any attempt to make clear either the position of the two armies or the sequence of phases in the conflict. *Vita Edwardi* represents Argentine charging Douglas's schiltrom, which was on the left of the Scottish line; Barbour sends him into the thick of Edward Bruce's schiltrom, which was on the extreme right.

After this episode the chronicler says the King was persuaded to ride off the field, 'whereupon, when the King's standard was seen departing, the whole army quickly scattered. Two hundred knights and more, who had neither drawn sword nor delivered a blow, took to flight.'

The impression left by a perusal of this part of the *Vita Edwardi* is that it is from the hand of one who was not present at Bannockburn, and who drew his information, possibly not very long after the battle, from some officer, man-at-arms or private soldier, whose corps, being in the rear of the army, was not actually engaged, but who witnessed the rout, escaped from the field, and was bitterly indignant with the handling of the affair and the blunders of the superior officers; just such an account as, for example, a French company officer might have given of the battle of Sedan. Treacherous material, one should say, whereon to found precise history.

(2) *The Chronicle of Lanercost*. This anonymous compilation has received scrupulous analysis by the Rev. Dr. James Wilson of Dalston.

'No reader,' says he, 'can help feeling that the Chronicle is a compilation from various sources, and that the materials which make up the narrative are of unequal historical value. . . . An entry was made from, perhaps, imperfect knowledge, either from a written source or oral intelligence. . . . There is strong reason for believing that the body of the Chronicle was put together in or after 1346. In various passages contemporary allusions are made at long distant periods quite incompatible with a single authorship after the close of the work. . . . The sources of the Chronicle, so far as they can be conjectured, are a strange mixture of written history and oral tale.'¹

This chronicler's account of the two days' fighting is very brief,

¹*The Chronicle of Lanercost*, trans. by Sir Herbert Maxwell, Introduction by the Rev. James Wilson, pp. xvii. xviii. xxxi. (MacLehose, Glasgow, 1913.)

and in many particulars is wholly irreconcilable with Barbour's. He mentions neither the duel between Bohun and the King of Scots nor Gloucester's reconnaissance; he puts de Clifford in command of the English vanguard, and describes the Scots as *purposely* allowing de Clifford's squadron to get far ahead of the English main body before they showed themselves and charged against the cavalry.¹ He says that the Scots army was in three divisions, whereas Barbour is explicit about four; but he has no information to give about the camping ground of the English that night.

Mr. Mackenzie relies upon this writer to prove that the Scots took the offensive on the morning of the 24th: 'they marched boldly against the English' (*audacter contra Anglicos processerunt*), which surely might apply to the Scottish schiltroms debouching from the wood to take up their alignment. In the very next sentence we read how 'the great horses of the English charged the Scottish pikes (*magni equi Anglorum irruerunt in lanceas Scottorum*).

I am unable to share the touching faith reposed by Mr. Mackenzie (p. 98) in this chronicler on the strength of his assurance that he had his information about the battle of Bannockburn 'from a trustworthy person who was present and saw it (*a quodam fidedigno qui fuit praesens et vidit*). An anonymous writer quoting an anonymous informant is scarcely the kind of authority that compels conviction, especially as the *Lanercost Chronicle* is stuffed with anecdotes, some outrageously miraculous, others scandalous, recounted to the compiler by 'a certain just, grey-haired man,' 'a simple citizen of Haddington,' or some equally nebulous individual. It may very well have happened that this monk of Lanercost saw, and perhaps helped to harbour and entertain, some of the fugitives from Bannockburn, and eagerly listened to their confused account of the battle; but to found upon such material any connected narrative of events appears to me to be very unsafe.

(3) Sir Thomas Gray's *Scalacronica*. This chronicle differs from every other of the fourteenth century in that it was compiled by an experienced soldier; and in regard to Bannockburn it is of special importance, inasmuch as the writer's father, the elder Sir Thomas, was also a veteran soldier, and witnessed the battle from

¹ *Scotti autem hoc permiserunt, donec essent multum a sociis elongati, et tunc ostenderunt se, et dividentes illam primam aciem regis a media acie et extrema, irruerunt in eam. Lanercost, fol. 215 b.*

within the Scottish lines, having been taken prisoner in the affair between Randolph Moray and de Clifford's squadron. It is therefore easy to imagine the chief source of the chronicler's information about the battle. He himself was captured in a skirmish near Norham Castle, whereof he was Edward III.'s governor, in August, 1355, and whiled away the ennui of two years' imprisonment in Edinburgh Castle by compiling *Scala-cronica*—a history of the world in general and of England and Scotland in particular—employing for his purpose the MSS. chronicles with which the castle library seems to have been well stored.

The passage whereon Mr. Mackenzie founds in support of his contention that the English army crossed to the north side of the Bannock on Sunday evening, 23rd June, and encamped on the spot shown in his plan, is as follows :

'The King's army, having already left the road through the wood, had debouched upon a plain near the water of Forth, beyond Bannockburn—an evil, deep, wet marsh, where the said English army unharnessed, and remained all night.'¹

This is explicit and, I think, convincing. For some reason unknown, the army was marched off the dry upland upon the wet Carse, where it encamped for the night. There is but one ambiguous phrase in the statement—*outré Bannockburn*—beyond Bannockburn. Did young Sir Thomas receive this description from old Sir Thomas? Probably he did. Did old Sir Thomas speak as from his situation that night within the Scottish lines? in which case *outré Bannockburn* would mean on the south side of that stream; or was he speaking as if still with the English army? in which case he would mean that they crossed to the north side before encamping. I shall endeavour presently to show that it was physically impossible for the English army to cross the Bannock within the hours at their disposal for that purpose, and this leads me to interpret *outré Bannockburn* as the side furthest from the Scottish camp, that is, the south side.

(4) John Barbour's *The Brus*. 'Nothing,' says Mr. Mackenzie, 'can excuse neglect of Barbour, and I cannot see any critical advantage in discounting the understanding or equipment of the original authorities' (p. 108). Now I yield to no one in cordial appreciation of the voluble Archdeacon of Aberdeen, were it only

¹ Le ost le roy, qy ia auoint guerpy la voy du boys, estoient venuz en vn plain deuers leau de Forth outré Bannokburn, vn mauueis parfound ruscelle marras, ou le dit ost dez Engles detruusserent, demurrerent tout nuyt.

as the first writer who had the spirit to express himself in good Scots instead of monkish Latin. But it is one thing to enjoy and admire his fine epic, and another thing to regard his authority on matters of detail as unimpeachable. One may hardly find for description of tactics on the lengthy speeches which Barbour puts into the King's mouth, extending to between 200 and 300 lines; yet Mr. Mackenzie quotes from them to prove that the Scots took the initiative in attack (p. 80).

Now, as to the reliance that can be placed on Barbour in regard to the general course of events I have nothing to say against him; but it would be rash to trust him in describing the position and movement of troops in the field, whereof, as a cleric, he cannot be accepted as a competent critic. When it suited his purpose he was wont to allow himself a liberal measure of poetic license. One may not forget the extraordinary mis-statement in the first ten stanzas of his epic, whereby three different barons are moulded into one and the same hero. Robert de Brus, 'the Competitor' (d. 1295), his son Robert de Brus, Lord of Annandale (d. 1304), and his grandson Robert de Brus, Earl of Carrick (afterwards King of Scots), are presented to the reader as a single hero in the person of the last named.¹ Whether this glaring mis-statement was a mere historical blunder or deliberately perpetrated to enhance the dramatic situation, matters not; in either case it is a warning not to pin too implicit faith upon the bard as historian. Mr. Mackenzie himself does not hesitate to throw over Barbour when estimating the strength of King Edward's army (p. 23). Barbour's statement is that it was

Ane hundreth thousand men and ma,

whereof 40,000 were cavalry—a statement so preposterous as to put one upon guard before accepting what he says when it comes to fighting. It is evident that the archdeacon has not realised the nature of the task involved in moving and feeding such a host. Mr. Mackenzie considers that the numbers brought into the field

¹ 'In his patriotic undertaking, Barbour had set up for his model something like the ancient tragedy, which crowded the marked affairs of a person or a generation into a single day. . . . Satisfied to have real persons and events, and an outline of history for his guide, and to preserve the true character of things, he did not trouble himself about accuracy of detail. . . . It suited his views of poetical justice that the Bruce, who had then been so unjustly dealt with, should be the Bruce who took vengeance for that injustice at Bannockburn; though the former was the grandfather, the other the grandson' (Cosmo Innes, *Preface to The Brus*, Bannatyne Club Edition, 1856, p. ix).

did not much exceed 3000 horse and 22,000 foot, excluding transport (p. 30)¹.

He also rejects Barbour's statement that de Clifford's detachment numbered 800, rightly preferring the figure 300 given by Sir Thomas Gray, whose father rode with de Clifford; but when Barbour's narrative 'fits in' with Mr. Mackenzie's theory, we are told that we must not 'discount the understanding' of this authority.

As to the sources of information open to Barbour, the battle of Bannockburn was fought before he was born, sixty-one years before 1375, the year in which he tells us he began his poem. He was under the necessity, therefore, of collecting materials for his narrative from the lips of old men who had served in that campaign. To realise the nature of his task and the loose, and often contradictory, statements he would receive, let us imagine the present poet laureate setting his hand to an epic describing the battle of the Alma (fought just sixty years ago) without having access to despatches, contemporary newspapers, or subsequent histories of the Crimean war, but relying only on oral description by surviving officers and men of the allied army, and working all the time in the shackles of metre and rhyme. If, as aforesaid, the Duke of Wellington, having before him an accurate model of the field of Waterloo, showing beyond controversy the exact position of the two armies when they engaged—if the Duke, I say, could not describe the movements of different units in his force at any particular time, it is surely unreasonable to expect from Barbour a scrupulously exact description of tactics in a battle fought before he was born.

Taken, however, for what it is worth, Barbour's testimony coincides with that of Sir Thomas Gray in support of the statement that the English encamped in the Carse on the night of 23rd June; not, as would appear to have been safer and better, on the dry higher ground between Plean and Bannockburn; but there is nothing in the poem to show whether the encampment was on the south or the north side of the Bannockburn.

Tharfor thai herberyd thaim that nycht
 Doune in the Kers, and gert all dycht,
 And maid redy thair aparail,
 Agayne the morne for the bataill.

¹ The writs enrolled in *Fædera* were addressed to two earls, five barons and the sheriffs of twelve counties, and provide for 21,540 foot. Besides these there were summoned perhaps 2000 or 3000 Irish, and the Gascons and other foreigners present may have been 2000 more. Edward was certainly very strong in cavalry, but there is no way of ascertaining their exact numbers.

I now come to Mr. Mackenzie's views about the position of the two armies on the morning of the 24th :

'I. *The English army on Sunday evening crossed the Bannock and camped on the Carse*' (p. 100).

Midsummer Eve shines long and late in the latitude of Stirling ; it had need to do so to allow of such an operation. Has Mr. Mackenzie attempted any estimate of the time it would take to move a force over difficult ground—a force which, by his own moderate estimate, was 23,000 strong, besides the lumbering *quadrigas* or baggage wagons described by the author of *Vita Edwardi* ? When did the English engineers set about bridging the 'pulis' in the Carse, and how long did it take them to make them passable ?¹

Then, as to the nature of the ground in the Carse—in the fourteenth century it was covered deeply with wet peat, which has since been dug away and floated down the Forth.² It is possible that infantry might cross it with difficulty, certainly not heavy cavalry and baggage train. Mr. Mackenzie makes light of that objection ; these, he says, would pass by the same way as Clifford's squadron had ridden the day before. 'Where three hundred could go so easily, three thousand could' (p. 96). This sentence is most damaging to Mr. Mackenzie's whole contention. Between the declivity dividing the higher ground of the Park from the low ground of the Carse there might well be, and probably was, a strip of hard land over which de Clifford's light cavalry could pick their way ; but, even if the infantry could move across the Carse land, the cavalry and baggage train would have to defile along that narrow strip with their flank exposed to the Scottish army, distant some 200 or 300 yards on the height commanding that strip. A squadron of 300 marching in threes (and it is not likely that the path would allow of marching with a wider front) would take about three minutes to pass a given point at a walk. Clifford's squadron may have trotted past ; but the heavy cavalry could not do so, or the infantry columns and baggage would have been left without protection. Three thousand heavy cavalry, marching in threes, would take more than thirty minutes to pass—a very important difference.

¹ To throw bridges across 'pools,' in the modern sense of the word, would be a futile task. Barbour, no doubt, used the term as applied to sluggish streams, which are still called 'pows' in Lowland Scots and *pol* in Gaelic.

² An operation which was in full swing in the Carse to the west of Stirling when I was familiar with that district between thirty and forty years ago.

MR. MACKENZIE'S plan of the main Battle, Monday, June 24. Advance of Scots and relative positions are diagrammatic.



9.11.2

But let us suppose that Bruce allowed this actually to be accomplished; the English would then have been as near Stirling Castle as they were to the most unfavourable corner where Mr. Mackenzie would have us believe they chose to encamp (EE on Map 1). What was to prevent King Edward pitching his tents on good ground beside the fortress he had come to relieve, or, at least, sending forward a strong detachment to effect that relief? Mr. Mackenzie holds that the relief had already been accomplished, because Governor Mowbray had ridden out to give information to the English commander! 'The castle was a detail, an occasion' (p. 102). But the castle was the sole motive—its relief the avowed purpose of the expedition. To maintain that it had been relieved because some of the garrison had managed to confer with some of the relieving force is to strain terms beyond what they will bear. During the winter of 1854-55 the Russians were strenuous in endeavour to relieve Sebastopol. Mentschikoff, commanding the garrison, was in full communication with Liprandi and Gortschakoff, who had 20,000 men and 88 guns in the Balaklava valley in rear of the besiegers' lines, with Dannenberg to the right of Gortschakoff with 40,000 men and 135 guns, and with Pauloff in the Tchernaya valley with other 19,000 troops. Mentschikoff's powerful force within the city was actually in touch with Dannenberg's and Dannenberg's with Gortschakoff's, so that between them they had no difficulty in arranging the combined operation which brought about the battle of Inkerman; but it has never been pretended that Sebastopol was relieved.

To support his views about the position of the English army on the night of 23rd-24th June, Mr. Mackenzie construes the raid by David, Earl of Atholl, upon Bruce's dépôt in Cambuskenneth, on the far side of the Forth, as an expedition made from the English camp, which, he believes 'lay right opposite Cambuskenneth' (p. 68). 'No explanation,' he adds, 'of this curious fact has ever been offered in the accepted accounts' (p. 69). This is a strange statement in the face of Barbour's explanation that the raid was undertaken by Atholl in pursuance of a private feud with his brother-in-law, Edward Bruce, who neglected his own wife Isobel, Atholl's sister, and loved 'per amouris' the sister of Sir Walter de Ros.

And tharfor sa gret distans fell
Betuix him and the erl Davy
Of Athol, brother to this lady,¹

¹ Isobel, Atholl's sister and Edward's wife.

That he apon Sanct Johnis nicht
 Quhen bath the kingis war boun to ficht,
 In Cambuskynneth the kingis vittale
 He tuk, and sadly gert assale
 Schir Wilyham of Herth, and him slew,
 And with him men ma than enew.

King Robert had appointed Atholl Constable of Scotland, and Atholl in that capacity witnessed two charters at Arbroath in February and March, 1314. There is nothing to show that he ever was with the English army at Bannockburn, or that he had to cross the Forth to wreak vengeance upon his rival by seizing King Robert's supplies. In effect, they were probably Edward Bruce's supplies for the siege of Stirling. In all likelihood this was an independent foray, led by Atholl out of his Highland border to plunder the stores of his enemy, Edward, and therefore it has no bearing whatever on the position of the English on St. John's Eve.¹

II. '*The Scots took the initiative in forcing the battle.*' Mr. Mackenzie supports this proposition by statements in Barbour's poem, *Scalacronica*, *Vita Edwardi* and the *Chronicle of Lanercost*. 'They tuk the playne,' says Barbour. Yes, but which plain? the hard upper ground about the Borestone, or the marshy Carse, to which his other phrase, 'in plane hard feild,' could scarcely be applied. 'Taking the plain' seems to be simply another way of describing the movement of the Scots divisions from their encampment in the wood to their prescribed alignment in the open, as explained in the *Vita Edwardi*.

I ground my contention that Bruce's tactics were defensive—first, on his sagacity as a great commander, forced against his better judgment to accept battle with a force vastly inferior to the enemy; second, on the improbability that he would not have seized the opportunity of attacking the English on their exposed flank if, as Mr. Mackenzie believes, they defiled across the Bannock on Sunday evening; in which case the battle would have taken place, like Otterburn, during the summer night; and thirdly, on the care with which he protected himself from attack by cavalry by digging 'pottis.'

On athir syde the way weill braid,
 It wes pottit.

Following Barbour's narrative, we find that war-worn Sir Ingram

¹ Having thus acted in hostility to the King of Scots, Atholl's lands were forfeited, and he was in England in the following October.

Umfraville urged King Edward to feign retreat in order to lure the King of Scots from his position to assume the aggressive. How could he feign retreat if he were in the angle of the Carse with the Forth in his rear and the tidal channel of the Bannock on his left flank?

Anyhow, King Edward disdained the advice. Now comes an expression used by Barbour which Mr. Mackenzie has either overlooked or misunderstood. Being assured that the Scots meant to fight :

‘Now be it sa than,’ said the King.
And than, but [without] langer delaying,
Thai gert trump the assemblé.

The term *assemblé* was not the equivalent of the modern ‘assembly,’ the call for troops to form up; it was the ‘charge.’ Mr. Mackenzie quotes it from *Scalacronica* in exactly that sense: ‘lez avaunt ditz Escotez vindrent de tot aleyn en schiltrome, *assemblerent* sur lez bataillis des Engles’—‘the aforesaid Scots advanced in line of schiltroms and *charged* the English’ (p. 74, *note*). In the whole of Gray’s Norman-French *Scalacronica* the verb is never employed in any other sense. Barbour himself, in the canto immediately following the lines above quoted, uses it to describe the English advanced guard charging Edward Bruce’s schiltrom.

Thus war tha boun on athir sid ;
And Inglismen with mekill prid
That war intill thar avaward
Till the battale that Schir Eduard
Governit and led held straucht thar way.
The hors with spuris hardnit tha,
And prikit apon tham sturdely,
And tha met tham richt hardely ;
Sa that at the *assemble* thar
Sic ane frusching of speris war
That fer away men nicht it her.

This passage, by the by, rather traverses Mr. Mackenzie’s contention that the Scots were the aggressors. That there were frequent occasions during that morning when the Scots *did* charge is quite consistent with Bruce having acted on the defensive. Wellington’s whole strategy at Waterloo was defensive; it is inconceivable that it could have been anything else; but he never missed an opportunity of counterthrust; witness the famous charge of Ponsonby’s Union Brigade on d’Erlon’s corps to the east of the Charleroi road, of Uxbridge’s Heavy Brigade against Dubois’ cavalry on the west of that road, and, finally, the advance of the

whole allied line in the evening, with the two Light Cavalry Brigades mowing down the fugitives. In like manner, Bruce employed Keith's handful of light horse to scatter the English archers when his first division suffered under their fire. Such blows, delivered at critical moments in an engagement, are part and parcel of defensive tactics, and Barbour naturally dwelt upon them as salient and exciting incidents in the conflict.

Mr. Mackenzie, seeking material to strengthen his argument, goes out of his way to dispute the traditional part taken in the events of the day by Bruce's baggage guard and camp followers. He maintains that, whereas the baggage was placed in a valley,¹ these men could not have been on Gillies' Hill. But Barbour expressly states that, when they heard that the battle was going favourably for the Scots 'Than in gret hy can tha ga'—that is, they ran up the hill to get a view of the combat. What could be more natural? Gillies' Hill is just 200 feet higher than the glen behind it. To cast discredit on the tradition, Mr. Mackenzie solemnly propounds that Gillies' Hill 'is probably a personal name applied to the hill' (p. 51, *note*). Really, if our understanding of the battle of Bannockburn needs propping by such feeble hypotheses as this, we may give up the problem as insoluble.

In conclusion, I submit that there is no evidence that the English army crossed to the north side of the Bannock on the evening of the 23rd, except Sir Thomas Gray's expression *outré Bannockburn*, with which I have already dealt; that there was not time on that evening to move 20,000 or 30,000 men, with baggage train, to the position indicated by Mr. Mackenzie as the English camping ground;² that, if they had been able to cross the Bannock on St. John's Eve, they would have chosen good camping ground near the Castle they had come to relieve, instead of inclining to the east to seek infamous camping ground; and that if, as Mr. Mackenzie suggests, the English King insisted upon defeating the Scots before relieving the Castle, he would never have chosen ground upon which it was impossible for his cavalry to manœuvre.

¹ In the Cambridge MS. there is no mention of a valley:

'Yhemen, suanis and pouerale,
That in the Park to yhem vittale
War left.'

² I have to thank Mr. Mackenzie for his courtesy in allowing me to reproduce his plan of the field, here given as Map II.

That there was fighting and slaughter in the Carse on the 24th, and that many English perished in the Forth and the tidal part of the Bannock, there can be little doubt. Assuming, as I think probable, that King Edward's main attack was delivered on the line of the Roman road, it seems equally probable that he would attempt to turn Bruce's left flank by detaching a column to move along the track taken by de Clifford on the previous day, though of that we have no notice in any chronicle. Such a column would be open to disastrous flank attack by Douglas and the Steward; besides which, when the English attack on the upper ground was thrown into confusion, the leading divisions could not retire because of the columns in their rear, and broken troops would endeavour to escape by way of the Carse.

That is my conception of the general action; Mr. Mackenzie's is another; both are highly speculative. The old gamekeeper who taught me to shoot used to console me when I missed a bird by remarking, 'There's plenty o' room to go bye!' So there is in this matter of Bannockburn.

HERBERT MAXWELL.

The Principals of the University of Glasgow before the Reformation

BY a Papal bull, dated 7th January, 1450-1, Pope Nicholas V.—that great patron of learning—erected and established at Glasgow a University, or *Studium Generale*, with power to grant degrees in theology, in canon law and civil law, in arts, and in any other lawful Faculty.

The bull was granted, so the ancient *Munimenta* of the University inform us, 'at the instance of the most serene prince, James II. the most illustrious King of Scots, and at the instance (and by the labours and at the cost) of a Reverend Father in Christ and Lord, the Lord William Turnbull, by the grace of God and of the Apostolic See, Bishop of Glasgow.'

The first congregation of the new body assembled within the chapter-house of the Cathedral (the square apartment opening off the north-eastern corner of the spacious crypt), and there saw to it that its 'Statutes, Liberties and Privileges' were carefully written out by the hands of a certain Master Bunch.

The University, or degree-giving body, consisted of the Chancellor, who was always to be the bishop of the diocese for the time being; and who, as head of the whole University, was, either in person or by his substitute the Vice-Chancellor, to confer its degrees; the Rector, to be chosen yearly by the University itself: his business it was to see that the statutes were observed and the privileges defended; the Masters and Doctors, who were to do the teaching; and the incorporated students, who were there to learn, and were induced to study by the assurance that, if they studied well, they should receive in due time those degrees which the University was empowered to grant.

For the instruction of these students in the various branches of learning, the Masters and Doctors were grouped (or were intended to be grouped) into several Faculties, of theology, of canon law, of civil law, and of arts; each Faculty being composed of so many teachers competent (or presumed to be competent) to

impart instruction in its own department. Each Faculty was empowered to appoint its own Dean—its chairman and mouthpiece.

The higher Faculties seem to have been, at first, on paper merely ; at least we have not much evidence that they did anything. But the Faculty of Arts organized itself at once. It met in the chapter-house of the Friars Preachers (the Dominican or Black Friars), in the High Street ; enrolled its members, and appointed its teachers—regents, they were called, as charged not only with the instruction of the students, but also with their government and discipline both in and out of class. There were two regents in arts : they lived along with their students, and had their meals with them.

At the outset the University was ill-off for buildings. Mention is made of an old pedagogy or school in the Rotten Row, and of another beside the convent of the Black Friars in the High Street. Probably one regent lived in the one building, the other in the other ; so that as yet both these dons were equal, and no need had arisen for giving the one any superiority above the other. There was, in short, no college.

In 1460, however, this was provided ; by the gift or legacy, by James, Lord Hamilton, of a tenement in the High Street, with four acres of land adjoining, for the housing, as well as teaching, of the regents and the students. This was the beginning of a third institution in the University—the College of Glasgow—the home in which the University was to have its local habitation.

1. Like every other household, the college required a head ; and so, no sooner does the college show itself than the Principal—or resident head of the ruling and teaching staff—appears along with it. We find him in Lord Hamilton's deed of gift itself, 'To Mr. Duncan Bunch, Principal Regent of the College of Glasgow and his successors, being Regents, for the use of the said college.'

The first of our Principals, therefore, is Mr. Duncan Bunch, Principal from 1460 till his death in 1473. He is not (like the first Principal of Aberdeen) a celebrated author ; but he evidently deserves the tribute paid him by our Dean of Faculties, Professor Stewart, that he was 'a person of learning and capacity, indefatigable in his discharge of his functions as Master in the Faculty of Arts, and also in promoting the erection of suitable buildings.'¹

Of his parentage I have found nothing : he belonged 'to the Albany nation,' now *Transforthiana* ; so we may presume he hailed from the northern parts of Scotland. In 1466 a youth

¹ *Glasgow University Old and New*, Preface.

matriculated, Robert Bunch, son of John Bunch of St. Johnston (Perth) : he may have been a nephew of our Principal, who was already a Master of Arts when in September, 1451, he was incorporated with the Faculty, and from that day till his death he is described as a resident regent—generally one of two. In 1452, at the end of the University's first year of teaching, he examines the 'determinants'—that is, the students entering for general responsions ; in 1453 he makes trial of the candidates for the degree of Bachelor in Arts ; and he is his nation's procurator for the election of the rector. Next year, 1454, he examines those who wish the University's license to hold public disputations.

He was probably by this time in Holy Orders, and in 1456 we discover that he is Vicar of Wiston, a parish which, during term time, he must serve by a curate. The same year the Faculty elects him for its Dean.

The year 1460, which saw him installed in the newly given college as Principal, beheld him also Vicar of Dundonald : so he is described in the interesting notice which records the presentation to the University by its Rector for that year, Mr. David Cadyow, Doctor of Decretals, Canon of Glasgow, of its chief surviving relic of this period, its silver rod or mace. The Rector delivered the price of it, 20 nobles, into the hands of Sir Alexander M'Alon, Vicar of Kilbirny, and of Mr. Duncan Bunch, Vicar of Dundonald. Two years later, Bunch passes, after what is described as a rigorous examination, the most distinguished of our early *alumni*, William Elphinston, afterwards the great Bishop of Aberdeen (1483-1514), the founder of King's College and University, in that city, and 'the good angel' of King James IV.

This year, too, the University begins to assume some pomp and circumstance, and the Principal is appointed to purchase gowns and hoods for the Faculty.

In 1463 a precedent was set which, though often followed, did not become fixed till 1732, of the Chancellor of the University making the Principal his Vice-Chancellor. Accordingly we find Mr. Bunch conferring degrees, and in 1467 it is recorded that he does so by adorning the graduands with the *insignia magistralia*—capping them, doubtless, and perhaps seeing the hood thrown across their shoulders. The same year he is a canon of Glasgow.

The first of the Principals is the second in the roll of benefactors to the University Library. Its catalogue opens with the gifts

of John Laing, Bishop of Glasgow, 1474-83 : after him comes 'a venerable man of good memory, Mr. Duncan Bunch, late Canon of Glasgow, and Principal Regent there.'

The books he leaves are evidently those on which he had been lecturing—philosophical treatises by Porphyrius, Aristotle, John Elmer, and Petrus Hispanus ; but there is among them also 'one Bible parchment, complete in one small volume, and written'—not printed according to the new and epoch-making art. One regrets that this Bible has disappeared ; its loss dating, the Librarian thinks, from the troubles of the Reformation period, when the University itself came near to shipwreck.

2. The second Principal, John Browne, had been one of Bunch's pupils, and from 1473—the year of Bunch's death—the records show him taking a prominent part in University work. But he is not yet Principal. For seven years, apparently, they tried to do without a Principal ; the college being governed from day to day by the two resident regents jointly, with the occasional help of the Dean of Faculty and the Rector.

In 1473, then, Browne makes his appearance. Already he has taken his Bachelor's degree, has received 'license' to hold disputations within the University, and been created Master of Arts. From this time onwards Browne's name is frequent in the records : in 1473 he is one of the 'procurators' for the election of a Rector ; next year we find him Regent resident. In 1476 he rides to Ayr in company with another who was long active in University affairs, Mr. William Arthurlie, *Decretorum Doctor* (the teacher, I take it, of canon law). Their errand is to 'defend' before a Commission, on which sat the Abbots of Paisley and Crossraguel, the rights of the Faculty to the chaplainry of S. Thomas the Martyr (S. Thomas of Canterbury). The same year he has charge of the college fees, and then on 7th October we find this entry : 'At a congregation of the Faculty of Arts held within the chapter-house of the Cathedral, Mr. John Browne is admitted and received Principal Regent of the College of Arts, according to the tenor of a letter of presentation granted him by the Chancellor acting in concert with the Dean and Faculty, and sealed with the seals of the Bishop and Faculty.'

Naturally he is now empowered to disburse moneys for the ever-needed repairs of the 'pedagogy or college,' and is styled 'Regent Principal' or 'Principal Regent.' In 1481, as 'having care of the College of Arts, he accepts the burden of lecturing in person for the coming year.'

In 1482, Browne, who is now both a canon and a prebendary of the Cathedral, is elected Rector of the University, and in this capacity holds, for the enacting of new statutes, 'a general congregation of the University' in what is now called 'the lower chapter-house of the Cathedral'—for the upper one, or Treasury, which bears on its walls the shield of our founder, Bishop Turnbull, is by this time fit for use. The existing statutes are, it would seem, 'too few,' and, moreover, have been violated to the prejudice of the University's privileges and revenue. The University's 'great seal' has been misused. The 'schools of the canons,' whereby 'the whole University is served,' have fallen into disrepair, and the proud Lord of Hawkhead—he, I take it, who lies in sculptured pomp in the Church of Renfrew—has 'detained for seven years and more' the moneys due from the chaplainry of S. Thomas.

By the next year another than the Principal has to examine for the degree of Master of Arts, and on the 11th of November, 1843, we read of the 'executors of the late Mr. John Browne.' He left to the Library thirteen volumes on physics and metaphysics—commentaries, apparently, on Aristotle.

3. The third Principal, Walter Leslie, appears to have been a younger man. So recently as 1479 he was a determinant merely, finishing his first year at college; on 4th November, 1482, he is a Master of Arts, an examiner, and is received 'into the bosom of the Faculty'; and next year we find him 'promoting' students at their graduation; while in 1843, he is Principal Regent in the said Faculty of Arts, and is bursar of the college.

The experiment, however—if so it was—of putting a young man into the Principalship did not prove a success. In 1485 Lesley 'supplicates the Faculty to appoint a fit Regent to bear the principal charge of the foresaid pedagogy, as he is no longer able to sustain it; but he agrees to act as a Regent till Whitsunday next according to his promise freely given.'

4. The fourth Principal was Mr. George Crechtone, or Crichton, as we should call him. He first appears in the records in 1485, as a procurator for the election of the Rector, and the same year by Robert, Bishop of Glasgow and Chancellor of the University, he is received into the Faculty, and made Principal Regent of the same.

Crichton may have been the same George Crichton who was afterwards to rise to the dignities successively of Abbot of Holyrood and Bishop of Dunkeld. If so, he was a graduate of St.

Andrews (1479), where he had been a fellow-student of William Dunbar, the poet.

The Chancellor himself, Bishop Robert Blackadder, was a St. Andrews man: it was in his episcopate, and largely through his friendship with King James IV., that Glasgow became an archbishopric, and Glasgow Cathedral owes to him its beautiful stone screen and the sumptuous crypt under what was to have been a no less glorious extended transept. There may have been a desire to introduce into the University what is called new blood.

It is on Crichton's appointment that we see for the first time the four great officers of the University each holding his proper place—the Chancellor presiding over all; the Rector inspecting the buildings; the Dean of Faculty raising money for the repairs, and the Principal seeing these carried out and ruling within the college.

But the same hand which had raised Crichton to the office was ere long extended to remove him. On the 18th of July, 1488, at a congregation of the University held in the lower chapter-house of the Cathedral, a letter was read from the Reverend Father in Christ, Robert, Bishop of Glasgow and Chancellor of the University, saying that 'for certain reasonable causes he has removed Mr. George Crechtone, the Principal Regent of the Pedagogy of Glasgow, from the rule, and from the exercise of the said office, and has warned him under the pains and censures of the Church to demit the same,' and directing the Faculty to choose another fit man for the position, which accordingly they proceed to do. Nevertheless we find Crichton for some time after this acting as one of the regents, and even officiating at graduations.

If Crichton was the man I take him for, the cause of his removal would be 'reasonable' enough. 'He was a man,' says Bishop Keith, 'nobly disposed, very hospitable, and a magnificent house-keeper, but in matters of religion not much skilled.' He was one of the judges by whom Patrick Hamilton was condemned in 1527; he was the Bishop of Dunkeld, before whom a later martyr, Thomas Forret, Vicar of Dollar, was brought to trial. If Foxe's narrative be true, the bishop told the prisoner 'it was too much to preach every Sunday; that for himself he was not ordained to preach'; but that Forret might preach 'if he found a good gospel or epistle.' Then he proceeded, 'stoutly, I thank God that I never knew what the Old and the New Testament was; therefore, dear Thomas, I will know nothing

but my *Portuus* and my *Pontifical*. Go your way, and let be all these fantasies, for if ye persevere in these errors, ye will repent it when ye may not mend it.' He let Forret off, but the poor man was arrested a second time by order of Cardinal Beaton and burned on the Castlehill of Edinburgh.

Bishop Crichton lived to a great age, dying in 1543. As Abbot of Holyrood he presented to that church a superb eagle lectern of brass, which was carried off by the English under Hertford (afterwards the Protector Somerset), and is now preserved in the Parish Church of Verulam, near St. Albans.

5. The fifth Principal—whom the Faculty elected after Crichton's deposition—was Mr. John Goldsmith, Vicar of the churches of Eastwood and Cathcart, and Dean of the Faculty of Arts.

He had been long connected with the University—'incorporated,' *i.e.* matriculated, in 1465, a licentiate in 1469, a master in 1470, examining but not regenting. In 1477 he is first described as Vicar of Eastwood; to this Cathcart was added before 1486. Meanwhile he had been bursar, 1483, a procurator for the election of Rector, 1484, and Dean in 1485. He was again Dean in 1487, and he was Dean when he was appointed Principal. In 1490 he wears the style of Bachelor of Decrees, and is Rector of the University as well. As Rector he protests, in 1490, against new taxes imposed by the king, James IV., upon the University in contravention of its privileges. In 1497 the robes of the dons need renewal, or mending at the least, and the silver mace requires repair. This year Principal Goldsmith is again elected Rector, and he is described as 'Canon of Glasgow, created by apostolic authority'—by some intervention, is, of the Pope Alexander VI. He died soon after.

6. The next Principal, the sixth to hold the dignity, was Mr. Patrick Coventry, who was elected Principal Regent in 1498.

The earliest mention I find of Principal Coventry is in 1487, when he was 'incorporated' under the Rector, Mr. John Stewart; but incorporation must in this case mean more than matriculation, for he is already a teacher and an examiner. Next year he is a regent, and a procurator at the election of the Rector; and he confers the *magistralia insignia* on, among others, a Robert Blackadder,¹ whom one may guess to be a nephew of the Archbishop. In 1491 he is a Bachelor of Sacred Theology—the first time I have observed this degree mentioned in the records. In 1492 he

¹ He became prebendary of Cadder and founded a hospital in Glasgow.

is procurator of the Albany nation ; so he, too, in spite of his English surname, may be regarded as hailing from the northern parts of Scotland. In 1493 Coventry is Vice-Chancellor of the University in Principal Goldsmith's lifetime. He is now Vicar of Glencairn ; but he continues regenting. In 1498 he is also Rector of Garvald, and, as we have seen, is Principal Regent ; and he teaches as before.

In 1500 he receives from Mr. J. Spreul one mark, which Mr. William Stewart has bequeathed to buy therewith a 'silver tassie' for the college, which already, we discover, is the owner of six silver spoons. Two years later the bursar gets from him one mark for the placing of a new glass window in the gable of the canons' school ; and an inventory is taken of the utensils in the college kitchen. In the same year we find Masters of Arts proceeding to the degree of Bachelor, which, it is fair to infer, must be either in Law or in Divinity.

Under date 1507 there is a curious entry, bearing that the Principal obtains confirmation of his claim to have been duly made *Bacchalaris Biblicus* : 'after lectures and disputations according to the manner and custom of our University, under that eminent man Mr. William Cadyow, Professor of Sacred Theology in our schools, and in the presence of many prelates, lords, and masters.'

So far as I know there is no other record of this Professor Cadyow ; but the reference to him here seems evidence sufficient to establish the fact that teaching in divinity was carried on side by side with the work of the Faculty of Arts.

Principal Coventry stood up, as several of his successors¹ were to do, against encroachments by the ecclesiastical authority on what he regarded as the rights of the University. He protested against an attempt to drag priests who were members of the University before the 'chapter' of the rural dean, and he based his action on the plea that 'the late William, Bishop of Glasgow' (it must be the founder, Bishop William Turnbull, for there had been no other of the name since his day), 'had decided that the dean himself might be brought before the rector for transgressing the privileges of the University.'

Mr. Patrick Coventry is still Principal in 1509, when there is a gap in the *Munimenta* till 1535.

7. But in the twenty-six years where one important section of

¹ Notably Principal Stirling, in 1727, in case of Professor Simson, who was tried by the Church Courts for heresy.

the records fails us, we discover from the others that the most eminent by far of all our pre-Reformation Principals who held office was our seventh Principal, John Major.

Born in 1469, at Gleghornie, in East Lothian, and early attracting the notice of Archibald, Earl of Angus—the father of Gavin Douglas, the poet-Bishop of Dunkeld—he passed from the Grammar School of Haddington to Christ's College, Cambridge, and in 1493 to the University of Paris. There he had joined at first the College of S. Barbe, but he removed to Montaigne, which he calls 'his true nursing mother, never to be named without reverence.' He became famous as a teacher, graduated D.D., and then began to lecture on scholastic divinity at the Sorbonne.

His friend, Gavin Dunbar, the poet, tried to tempt him to Edinburgh in 1509, in vain; but in 1518 he was induced, probably by Archbishop James Beaton, to come to Glasgow, and this year we find him in the records: 'Egregius vir Magister Joannes Major, Doctor Parisiensis, Regens Principalis Collegii et Pedagogii Universitatis.'

To provide him with a stipend, he was made Vicar of Dunlop, and Canon (and Treasurer) of the Chapel Royal, Stirling.

His reputation had preceded him, and his arrival is the signal for a large increase in the number of matriculations. Conspicuous in the lists are wearers of the most illustrious names in southern Scotland, Hamilton and Douglas, Beaton and Seton, Campbell and Graham, Hume and Hepburn, Kennedy and Maxwell, Murray and Scott, Crichton, Crawford and Colquhoun. But numbers are one thing and order is another; and in 1522 there is a disagreeable entry, telling of misbehaviour and disobedience, even among the graduate members of the college, and of such conduct on the part of the students that it is necessary for one of the regents to accompany them when they go to mass at the Cathedral on Sundays and festivals, and to take a note of their names both when they enter and when they leave the sacred building. Major was not merely Principal this year; he combined with that office the two older dignities of Dean and Rector: bestowed upon him possibly that he might have fuller authority to subdue the turbulence. Moreover, since 1519 he had a new badge of office—a wand, or cane, tipped at both ends with silver, the gift in 1519 of Mr. Robert Maxwell, Chancellor of Moray and Canon of Glasgow, to be borne before the Rector, in lieu of the more important mace, when he went to church.

There were external adversaries in addition to these internal difficulties. Major has to appeal to the Regent—John, Duke of Albany, the governor and tutor of King James V. (then but a boy of ten); and he gets, at least, a letter from him addressed ‘To an honourable man, John Major, Professor of Theology, Treasurer of the Chapel Royal, Stirling, Vicar of Dunlop, and Principal Regent of the Pedagogy of Glasgow,’ in which Albany, after citing the privileges conferred on the University by King James II. and renewed by ‘our most noble father, King James III.,’ forbids any violation of these, or encroachments on them.

How far these troubles may have weighed with the Principal we know not; but in the same year, if he desired to leave, he got an opportunity of doing so. His patron, Archbishop James Beaton, was translated to St. Andrews; he had brought Major to Glasgow, and was doubtless no less willing to take him thence to the older and, at that time, greater University of his new see. Major went to St. Andrews, where he continued for three years to teach logic and theology; removing thence in 1525 to Paris, and returning again in 1531 to Scotland and St. Andrews, to die there in 1549.

Major—though as a historian critical and open-minded, freely discussing the character of rulers both in Church and State; patriotic to the core, and at the same time doing justice to England and the English, and strongly advocating the union of the kingdoms—was a zealous defender of the Romish Church against not only the cruder opinions of Wycliffe and Huss, but also against what he calls ‘the execrable heresy of Luther’; and he went so far as to approve of the burning of Patrick Hamilton. But there can be no doubt that the effect of his teaching was to prepare a large number of his students to embrace the Reformation; and when in 1534 he gave his judgment that the sermon of a certain friar who was charged with heresy was unobjectionable, it was considered a notable victory for the new opinions. For, as John Knox explains, ‘his word was then holden as an oracle in matters of religion.’

Patrick Hamilton is said to have been one of his students at Glasgow. I have not observed his name in the lists, but a ‘Joannes Knoxius’ who is enrolled under him in 1522 has been held, by M’Crie and David Laing, to be none other than the great reformer. Professor Cowan has raised some doubts upon the point; if it was John Knox, he was very probably attracted to the western University by the fame of

Major, and may have left when he did. Patrick Hamilton, it is stated, followed Major to St. Andrews, and George Buchanan (who would naturally have come to Glasgow from his native Killearn) went to St. Andrews to be under him.

The list of students in which Knox's name occurs contains the last mention in the *Munimenta* of Major's name: 'Dominum decanum Joannem Maiorem.'

And after him, though entries begin again in 1535 till 1557, I find no mention of a Principal. Two regents resident, Mr. Alexander Hamilton and Mr. Alexander Logan, seem for a time to preside alternately at graduations, and then the prominent name is that of Mr. John Houston,¹ a confirmed pluralist—'Vicar of Rutherglen, Vicar of Dunlop, and Vicar of Glasgow'—who is described as 'Regent of the Pedagogy,' but without the addition of Principalis.

8. The absence, however, of the title may be due rather to the scantiness of our records than to any actual abeyance of the office; and it is certain that, in 1557, just three years before the victory of the Reformed in the Scots Parliament, the office was held by one, therefore, whom I call the eighth Principal, John Davidson.

He, like Major, had studied at Paris, where he had as a fellow-student Quentin Kennedy, since 1547 Abbot of Crossraguel, 'one of the chief defenders of the Papal cause at the Reformation, and respected,' writes Dr. Sprott, 'by all parties for his ability and learning, his high character and exemplary life.' Kennedy and Davidson continued friends, and when, in 1558, the former published his 'Compendious Treatise, conform to the Scriptures of Almighty God, to Reason and Authority, declaring the nearest and only way to establish the Conscience of a Christian Man in all Matters which are in Debate concerning Religion,' the Principal presented a copy of the book to Archbishop James Beaton II.—a nephew of Cardinal David Beaton, and a grand nephew of Archbishop James Beaton I., the patron of John Major—who had been consecrated for Glasgow at Rome in 1552.

Quentin Kennedy's 'method' was to reform practical abuses—especially that 'abusion of the prelacies' which, since the days of James III., had filled the high places of the Church with men—or too frequently with boys—of 'merely secular ambition, whose manner of life savoured little of the clerical calling.' 'Give the Kirk,' he cried, 'her auld libertie, that a Bishop were freely

¹ Founder of the "Collegiate Church of S. Mary and S. Anne"—now the Tron Church, Glasgow.

chosen by his Chapter, the Abbot and the Prior by the Convent ; then should be qualified men in all the estates of the Kirk ; then should all heresies be stemmed, and the people well teachit.'

It is fair to Quentin Kennedy to add that he drew a distinction also between things appointed by the law of God—which could not be changed, and 'constitutions ecclesiastical' that may be abrogated by those in higher authority. So that he was by no means against all reformation.

How Archbishop Beaton received the treatise we are not told. Of all the Scottish prelates then living he was, perhaps, the one whose high character and practical ability might have enabled him, if not to rule the storm, yet in some degree to moderate it. But he was himself a product of the 'abusion' complained of : his very name associated him with the most glaring example of the evil which it wrought. Beaton, however, 'deemed it,' so says Bishop Keith, 'a more prudent course for the preservation of the acts and records of his Church [of Glasgow] to transport them out of the kingdom' ; his Church itself, and the University her daughter, he left to take care of themselves ! Yet in France, whither he fled, he lived to do good work for Scotland, acting for forty years as unpaid ambassador for Queen Mary and King James VI. The latter, in 1586, restored to him 'the heritages and dignities' of the Archbishopric 'without prejudice to the stipends of the parish ministers' on its lands ; and these he enjoyed till in April, 1603, he died, the last of the old hierarchy.

It is much to the credit of Principal Davidson that in the midst of the civil and religious strife which followed he managed to hold on and keep the ship of the University afloat. That he did so was due no doubt to his following the example of the great body of the Scottish clergy and joining the Reformers.

In 1560 Knox and his friends got their Confession of Faith 'authorised by the Scots Parliament as a doctrine grounded upon the Word of God,' and though their proposals regarding the polity and government of the Church set forth in their *First Book of Discipline* received no legal sanction, it must have been reassuring to men in Davidson's position to learn that (so far from objecting to universities) they had declared 'The [existing] Universities should be erected in this Realm, St. Andrews, Glasgow, and Aberdeen'—getting, I think they mean, of new, from the Sovereign of Scotland the powers they had previously exercised by commission from the Pope : moreover, that whereas the Universities had been previously maintained to a large extent by

revenues belonging to the several parishes, they should henceforth live by 'contributions made at the entry of the students for the upholding of the place,' and have a sufficient stipend 'ordained for every member of the University according to his degree.'

By 1563 Davidson had come so far round that he published a 'Confutation of [his old friend] Kennedy's Papistical Counsels.' Queen Mary, though she had never assented to the proceedings of the Parliament of 1560, was surprisingly impartial in her disposal of ecclesiastical property; and in the very year in which this confutation of her own religion was published, Davidson as Principal got a grant from her to the college of the 'Black Friars' Manse and Kirk-room,' which, lying as these subjects did immediately to south of their college, and on the same side of the High Street, constituted a very convenient and a very considerable addition to their ground and property. The Dominicans' chapel became their 'College Kirk,' its graveyard their burial-ground, and their chapter-house, which (as the *Munimenta* show) had been often lent to them before, became the meeting-place of the Faculty.

The two chief agents in spreading Reformation doctrines and in consolidating the Church as reformed in the west were the eloquent preacher, the ex-friar John Willock, and the able organizer Andrew Hay, parson of Renfrew. The latter was of the house of Yester, represented now by the Marquis of Tweeddale. Willock was Superintendent of the west, living when in Scotland in the Archbishop's Palace of Glasgow and drawing a handsome income; he soon became Rector of Loughborough in England, whence he came down to Scotland to be Moderator of four General Assemblies. Hay was always on the spot, and by their help Principal Davidson (though he was said to be no great scholar himself) was able to reorganize the University, and make it once more a flourishing school of letters. In 1569 he got, or got back, the chaplaincy of S. Michael in the High Church of Glasgow (a matter now rather of money than of duties, for the saying of private masses, for which it had been founded, had been made a crime); and in 1570 he was Vicar of Colmonell, at which he may, or may not, have made personal residence in the interval between the college terms.

Somewhere between this time and 1572 Davidson was appointed Minister of Hamilton. This was a charge which he could not neglect, and 'the opinion and practice' prevailing then, and for at least a hundred years later in Scotland (and, in the view of the

late Dr. Grub, 'not ill-founded'), being that 'the ministry was a function requiring even more preparation than a university appointment,' he resigned the Principalship. At Hamilton, Davidson had charge also of Dalserf, Dalryell, and Cambusnethan. In 1577 he 'admonished those inhabiting Hamilton Castle for riot, and told them he had seen in vision a great arm with bared sword, ready to smite it to the ground, and the very trees'—the crest of the Hamiltons—'surrounding it.' He was a member of the General Assembly of 1581, and from 1589 till his death in 1596 was a commissioner within the bounds of Clydesdale for the 'maintenance of the true religion.'

Since Principal Davidson's time, the following Principals have held the post :

1572	Peter Blackburn.
1574	Andrew Melville.
1580	Thomas Smeaton.
1586	Patrick Sharpe.
1615	Robert Boyd.
1622	John Cameron, D.D.
1626	John Strang, D.D.
1651	Robert Ramsay.
1653	Patrick Gillespie.
1661	Robert Baillie, D.D.
1662	Edward Wright.
1683	James Fall.
1690	William Dunlop.
1701	John Stirling.
1728	Neil Campbell.
1761	William Leechman, D.D.
1786	Archibald Davidson, D.D.
1803	William Taylor, D.D.
1823	Duncan M'Farlan, D.D.
1857	Thomas Barclay, D.D.
1873	John Caird, D.D.
1898	Robert Herbert Story, D.D.
1907	Sir Donald MacAlister, K.C.B.

JAMES COOPER.

Early University Institutions at St. Andrews and Glasgow: A Comparative Study ¹

IN the year 1682, as we learn from the *Register of the Privy Council*, a sharp quarrel arose between the University of Glasgow and the Archbishop. One of the regents had declined to take the Test, and it was necessary to appoint a successor. The Archbishop was aware that the Masters proposed to elect a person whom he considered unsatisfactory, and he attempted by an exercise of his authority as Chancellor to postpone their meeting. The Rector, however, ignored him and proceeded to the election. In the course of subsequent debate a certain master 'most arrogantly' answered that he defied the Archbishop, who 'wes but ane extrinsic member,' and that 'the facultie wes of free meiting without the Chancelor.' The Archbishop rested his case upon a remarkable passage in the foundation bull of Nicholas V., to the effect that William, Bishop of Glasgow, and his successors should be *rectores cancellarii nuncupati*, and should exert over the members of the corporation a power similar to that which was wielded by the *rectores scholarum* at Bologna. He was, accordingly, not an 'extrinsic' but an 'intrinsic' member of the University, an *ex officio* president. The controversy was laid before the Privy Council in presence of the Duke of York as Lord High Commissioner, and it was found that the Archbishop had been 'wrongfully put from his possession of presiding as Chancellor.'

Of this decision there is no need to say anything more than that it was perfectly in accord with the general policy of the Council and the Duke of York. In 1680 Glasgow students had been seen wearing the blue riband of the Covenant; in 1681 the Test Act was passed; and 1682 was not the year in which to impair the prestige of episcopal authority. But there was some real justification for divergence of view regarding the position and powers of the Chancellor, and an examination of the matter may

¹ A paper read before the Glasgow Archæological Society, February, 1914.

serve to reveal or explain certain peculiarities of the Glasgow foundation. In order to understand the difficulty it is necessary to have some conception of the associations which came to be connected with the names 'Rector' and 'Chancellor.'

In the early days of the University of Paris the office of Chancellor developed in quite a natural way. As a cathedral dignitary the Chancellor of Nôtre Dame, in the course of his duties, had the supervision of the schools, and enjoyed the right of granting license to teach. But when the masters grew more numerous and formed themselves into a guild, they were emboldened to assail the arbitrariness of his power by the simple method of refusing to receive into their fellowship licentiates of whom they did not approve; and in the year 1212 the Chancellor was positively compelled by papal authority to take account of their recommendations.

At Bologna the course of evolution was different. Here the University had municipal rather than ecclesiastical associations. Honorius III., who in 1212 curtailed the powers of the Chancellor at Paris in favour of the masters' guild, in 1219 deprived the doctors at Bologna of their right to give license and transferred it to the Archdeacon. Thus at Paris the ecclesiastical licensing authority was limited: at Bologna it was introduced; and, though a marked distinction remained between the two types of University, the object of the papal policy in both cases was to assert the interest of the Church without injury to the corporate vitality or the organic growth of these societies. From a more practical point of view, too, it was desirable to anticipate the abuses of monopoly by establishing a system of checks.

The equilibrium was delicate; but as the Chancellor was the nominee of an external authority, he could not be permitted to encroach upon autonomy or aspire to presidency. At Oxford a chancellorship was introduced, consistently with the papal scheme; and if the holder had proved to be merely the nominee of the Bishop of Lincoln, the diocesan, he would have occupied a position like that of his colleagues at Paris and Bologna. As it happened, however, the Oxford masters came to elect one of their own number, and thus secured an officer definitely intrinsic, whose presence naturally precluded the development of a rectorship.

The office of Rector, which came to express the corporate life of the academic body, was an institution for which we look most naturally to Bologna, where strangers had to combine in order

to protect themselves from injury and challenge the autocratic position of the municipal doctors. But there is another important consideration. Students of the Law who thronged to Bologna were older than the students of Arts who flocked to Paris. Nicholas V. himself, for instance, who granted the Glasgow bull, seems to have been about twenty-two years of age when he applied himself to his legal studies. It is not surprising, therefore, to find at Bologna, along with the rectorship, a type of constitution which has its centre of gravity in the students. The system of organisation by nations, too, had a more lively significance at Bologna than at Paris, where, though it was perhaps equally inevitable, it begins to wear that artificial aspect which characterised it in later and less celebrated foundations. The nations of our Scottish Universities must often appear to the student to be somewhat meaningless survivals till he reflects that time-honoured methods in such vital matters as elections to representative office were involved in the maintenance of the machinery.

If the nations were still natural at Paris the rectorship was essential. Any difference between Paris and Bologna in respect of this institution lay chiefly in the fact that at Bologna a comparatively mature body of students successfully asserted themselves against the city and its doctors, while at Paris it was the masters of arts, mature and immature, who were able to make their voice the voice of the University.

This feature of Paris had certain consequences which it is important to notice in approaching the foundation of the Scottish Universities. The most dignified figure in medieval academic society was the doctor of Theology, and if a college were being founded it would as a rule be natural to place a theologian at the head, because he represented the summit of attainment in learning. In the academic body, however, actual evolution determined that the elected Rector should be supreme. In taking their masterate of Arts men had sworn to obey the Rector to whatsoever estate they might come, and subsequent admission to a higher faculty could not annul the oath. This circumstance serves to explain a fact familiar to students of Scottish academic institutions, viz. that it was membership of the Faculty of Arts which brought a man into closest touch with the life of the University, and that this faculty cannot in practice be always distinguished very clearly from the University itself. It is true that in the early days of St. Andrews masters and scholars alike seem to have been admitted to a share in the general congregation; but the juvenile element

was little qualified to maintain its ground, and the Rector, though he was the elected head of the *universitas*, or corporation, and exercised a jurisdiction over all its members, became in reality the representative of the masters, some of whom were graduates in the higher faculties. The University assemblies were distinguished from those of the Faculty of Arts by the presence of regulars and others who owed no allegiance to the latter; but their numbers were not sufficient to override the views of the masters in questions of policy.

The initial extent of the franchise at St. Andrews and the influential position of the Bishop-Chancellor in Scotland are to be explained by reference to Canon Rashdall's remark that the Scottish model recalls features of the smaller French Universities. In these foundations there are several noticeable characteristics which mark a peculiar type of constitution.

A school which specialised in Law would naturally be affected by Italian, not Parisian usage; and regard for the student interest would be fostered by conscious imitation as well as by similarity of circumstance. These smaller French Universities, too, often owed much to the enterprise and care of the diocesans. This circumstance gave the local prelates, even when they were not Chancellors, a commanding place; and a Bishop-Chancellor would occupy *de facto* a much more influential position than a mere capitular dignitary invested with licensing authority. At Paris, again, the Rector was specially connected with the masters of the Faculty of Arts, and it was the Faculty of Arts which was divided by nations. This connection became anomalous in proportion as a rector was regarded as head of the *universitas* and was elected on a democratic franchise. As a logical result, observed in the German University of Prague, the Faculty of Arts fell into line with the other faculties and met under the presidency of its own dean.

Thus there was evolved in these French Universities a definite position for the Rector at the head of the body corporate, a tendency to make the franchise democratic, and an inevitable recognition of the paternal power of the Bishop or Bishop-Chancellor, whose authority and influence would be apt to vary according to the circumstances and the man.

It would be impossible to discuss the foundation documents of Glasgow without reference to those of St. Andrews. There is a marked difference between the two cases in the matter of procedure. At St. Andrews Bishop Wardlaw gave formal recognition

to a *universitas* or corporation which was already *de facto* in existence. He granted to the members immunity from customs within his regality : he promised to see the assise of bread and ale observed for them in the city : he defined the scope of the Rector's jurisdiction : he provided a machinery for the regulation of lodging rents : he permitted any beneficed person in the diocese to study at the University on condition that the service of the benefice did not suffer : he bestowed the privilege of free testament, and exemption from any burdens falling upon the citizens. This document was then submitted to Benedict XIII., who confirmed it in the fourth of the six bulls which were issued. Of the remaining bulls the first and second are of chief importance. By the first the *Universitas* became properly a *Studium Generale* : the Bishop of St. Andrews was empowered to give a license which should be *ubique docendi* ; and the rectorship was definitely recognised as an organ of government. The second bull extended Wardlaw's diocesan indult to all beneficed persons, permitting them to study in the University for ten years, and thereafter to continue teaching, with the usual safeguards for the maintenance of service.

At Glasgow Bishop Turnbull granted local privileges along similar lines—with important differences for which the reason will appear—but the grant was by several years subsequent to the single bull of Nicholas V. in 1450-51. That bull, after erecting the *Studium Generale*, proceeds in terms which it is advisable to translate closely. 'The doctors, masters, readers, and students therein are to be in enjoyment of all and sundry the privileges, liberties, distinctions, exemptions, and immunities granted by the Apostolic See or otherwise howsoever to the doctors, masters, and students in the *Studium* of our city of Bologna ; and the venerable our brother William, Bishop of Glasgow, and his successors for the time bishops of Glasgow are to be Rectors of the Glasgow *Studium* under the name 'Chancellors,' who are to hold in relation to the doctors, masters, scholars, and others of this University of study a faculty and power similar to that possessed by the Rectors of the schools in the *Studium* of Bologna.' The bull then proceeds to state that the Bishop has authority to examine and license suitable candidates, and that the license shall be *ubique docendi*. This passage has been all the more fruitful of misunderstanding because it is reinforced by a statement at the beginning of the minute-book of the Faculty of Arts. 'In the year 1451,' to translate again, 'the University of Glasgow was founded at the instance of his serene and illustrious highness James II., King of Scots, and at

the instance, and also by the labour and expense, of the most reverend father in Christ, William Turnbull, by the grace of God and the Apostolic See Bishop of Glasgow, after the fashion of the *Studium* and University of Bologna, with all its liberties and privileges, as is more authoritatively contained in the bull of erection and foundation.'

If, however, we search for detailed references to Bologna in the statutes and minutes the result is somewhat baffling. As regards dress, supports are to conform to Bologna practice 'as far as the usage of Scottish clerks permits'—a vague provision added to a regulation which came to Glasgow by way of St. Andrews. Teaching and hearing, again, are to be after the fashion of Bologna or Paris—which does not give an air of distinctiveness. In the Faculty of Arts there could be little opportunity to quote Bologna: the few precise references are chiefly to Cologne and Paris; and St. Andrews, which contributed liberally to the usage of this faculty, is politely ignored, if we except a brief minute regarding the remuneration desired by the Bedellus. The fact is that the precise mention of Bologna in the bull was in many ways as puzzling to the favoured recipients as it was flattering. The character of the foundation at Glasgow and the antecedents of the men who were associated at its inception made it exceedingly hard to realise the connection with a mother so distinguished and so distant.

Returning to the passage just quoted from the bull, we find that the Pope bestows upon the masters and students the privileges of Bologna. This is not a grant to the corporation as such, but to certain individual members. It is very remarkable that the bull does not expressly give any indulgence to beneficed persons to reside at the University such as was bestowed at St. Andrews, and later at Aberdeen; and there can scarcely be a doubt that the clause in question was intended to cover this important ground. Nicholas, in fact, was granting to members certain well understood rights which were of value to them in the face of ecclesiastical law, and was not thinking, so far, of internal organisation.

The succeeding clause does refer to the body corporate as such, but the language is so surprising that at first sight it raises a doubt as to whether it had been carefully considered. The bishops of Glasgow are to be 'Rectors' or 'Chancellors.' By itself that provision is not intelligible, and it becomes less obscure only after we are informed that the powers of the Chancellors are analogous to those exercised at Bologna by the *rectores scholarum*—or *rectores*

scholarium, as one is inclined to suspect may have been the reading in the original bull. Nicholas V. did not confirm a constitution, as Benedict XIII. did at the foundation of St. Andrews, and he may have desired to give Turnbull indisputable authority to proceed. But the most natural interpretation is to suppose that the Bishop was definitely intended to be head of the University, and that any subordinate jurisdiction should be derived from his own.

At the same time it should not be overlooked that the express reference to Bologna by Nicholas V. must have been in part a reflection of what was uppermost in his own mind. 'The pacification of the States of the Church,' says Pastor, 'the recovery of the city of Bologna, which had for centuries been deemed, after Rome, the brightest jewel in the temporal crown of the Popes, and, above all, the termination of the disastrous schism, were successes which won the just admiration of his contemporaries.' The ancient University was not by any means at the zenith of its reputation: it had on the contrary fallen into decay during the troubles of the last half-century. Only a few months before the Pope was called upon to create the University of Glasgow, he had sent to Bologna a legate of great ability, part of whose duty it was to resuscitate academic life. In the policy of Nicholas Rome was to be vindicated afresh as the centre of Christendom. The Jubilee had drawn crowds of pilgrims to the sacred city; an indulgence was about to be proclaimed *per totum orbem*; Bologna was restored. Even this Glasgow bull, directed to a corner of the world, betrayed the elation of the Pope, once student and then Bishop of Bologna, who was inaugurating a new era of imperial sway.

There are special considerations which support the view that Turnbull wished to keep his University well under control, and which serve to explain the demonstrable fact that the rectorship as created by him was an office of limited scope. At St. Andrews it had been found that the initial arrangement did not work well. The powers of the Rector in jurisdiction and the somewhat humiliating position of the city magistrates, who had to take oath annually before him to observe privileges, produced so much friction that in 1443, as we learn from the copy of an instrument lying among the burgh papers, Bishop Kennedy authorised a municipal deputation to visit the city of Cologne in order to ascertain the relations which subsisted there between town and gown. As a result the rectorial powers at St. Andrews were readjusted and considerably modified. A comparison of Wardlaw's original provisions, Kennedy's rearrangement of 1444, and Turn-

bull's grant of 1453, shows that the Bishop of Glasgow first of all adopted what may be called the non-controversial portions of Wardlaw's document *verbatim*, and then incorporated certain features of Kennedy's enactment evidently derived from the practice at Cologne. Turnbull was a graduate of St. Andrews, and could not fail to be interested in the history of the question, which it would be impossible to examine fully now.

In the early years of St. Andrews, again, academic life was enlivened by the rivalries of the masters and a general laxity of discipline. King James I. was not satisfied with the condition of affairs. In 1426, not long after his return from captivity in England, he petitioned the Pope to have the University transferred bodily to Perth, where it would be more immediately subject to the royal control. That there was protracted controversy is proved by the fact that the King did not confirm Wardlaw's charter of privilege till 1431-32, and interfered personally to see that certain new expedients were carried into effect. It is significant, too, that just when Turnbull was considering his projected foundation Kennedy at St. Andrews was contemplating a policy of unification and reform in which his College of St. Salvator was intended to bear an important part—a matter to which we shall have to return.

The express reference to Bologna in the Glasgow bull was perhaps connected, as Canon Rashdall has suggested, with the hope that a notable school of law would be developed. The superior education of churchmen, while it was of great advantage to the state, was not always equally fortunate in its reflex action upon themselves. To men of ambition legal studies held out obvious temptations. The doctorate in Theology could be gained only after many years of toil, and, dignified as was the position it offered, the tangible results, in Scotland at anyrate, were few when compared with those which could be obtained by men who devoted themselves to the more marketable knowledge of the Law. The tendency was European: in our own country it was so marked as to become of vital interest to the student of the Reformation.

This secular influence of the state upon education was not unconscious. Of the higher faculties at St. Andrews that of Theology is the only one which has left any very permanent traces of vigorous life. There was teaching in Law—possibly more than is generally suspected—and even in Medicine; but the fact that for some fifteen years after the foundation of the

University the Prior of the Monastery was regarded as *ex officio* Dean of the Faculty of Theology seems to show the impetus which the presence of the regulars gave to theological study. We may suppose that James I., when he proposed the removal to Perth, was thinking of the interests of state; and it is certain that, when he confirmed Wardlaw's grant of privilege, he strongly emphasised the secular and practical side of academic activity. James II.'s charter to Glasgow betrays a similar spirit. Though a hope is entertained that the faith will be defended, more stress is laid upon the expectation that the people will be 'corrected with the rod of equity and justice, complaints and quarrels be settled, and to each be rendered his due.' It is more than probable, indeed, that diocesan rivalry with St. Andrews was operative at Glasgow. There are traces in the table of fees and fines of some attempt to reduce expenses; and Glasgow succeeded in securing not a few men from the eastern diocese. St. Andrews, too, quite clearly responded to the stimulus of competition. At the same time it should not be forgotten that Elphinstone expected his University at Aberdeen to exert a civilising influence on the clergy of the north; and Turnbull must have hoped for similar results from a law school in the west. But the broad motive was doubtless national. It was intended that Glasgow should be strong where St. Andrews was comparatively weak.

If there could be any doubt that the provisions of the papal bull were calculated to place the Bishop at the head of the new foundation, that doubt would seem to be removed by observing a slight but obviously intentional difference in the wording of certain Arts statutes in the two Scottish Universities. In connection with occasions of ceremony the Rector is mentioned first at St. Andrews: at Glasgow the Chancellor's name has priority. It is true that in the preamble to their regulations for the Faculty of Arts the Glasgow men boasted the privileges of Bologna, *omnium universitatum liberrima*, an assertion which appears at first sight to conflict with the idea of episcopal domination. But Turnbull, it must be remembered, was the prime mover in the new enterprise, and he necessarily appeared in the character of a guardian. There was no word at Glasgow of Conservators, such as were appointed for the St. Andrews corporation by Benedict XIII. A few years of academic life, however, and the advent of Turnbull's successors put a new complexion upon 'freedom.' There was a distinct growth in the importance of the rectorship; and, if the jurisdiction was strengthened in 1461

without a struggle, events some twenty years later indicated that the founder's constitutional plan was breaking down. Bishop Laing died on January 11, 1482-83. Two days before his death the University congregation, with a somewhat callous opportunism, met to consider proposals by the Rector for the enactment of certain statutes. These regulations, which open the second volume of the printed *Munimenta*, are in their present form some thirty years later than the statutes of the Faculty of Arts; and they clearly affirm the importance of the Rector and evince a determination to assert his position.

Thus, if there was difference of design in the general framework of the two foundations at St. Andrews and Glasgow, the ultimate result, in this respect at least, was assimilation. Nor is the process difficult to explain. The preoccupations which increasingly diverted the attention of Scottish prelates from their proper business were not conducive to the maintenance of supervision. Delegation of function to a vice-chancellor at both Universities—and it began almost immediately at Glasgow—did not serve to magnify the office, and it drew attention to the duties which the Chancellor owed or neglected rather than to the rights which he might claim to exercise. It was not only, too, in regard to the relative positions of Rector and Chancellor that there was assimilation. The school of law which Turnbull projected was not permanently realised; Glasgow ultimately found itself in very much the same condition as St. Andrews, if we neglect certain internal differences connected with college organisation, and emerged as an Arts school in which a certain proportion of men prosecuted study in the higher faculties. In attempting to determine the academic influences which were actually operative at Glasgow, it becomes all the more important, therefore, to consider the original organisation of the Faculty of Arts.

If Mr. Cosmo Innes had been aware of the statutes of the Faculty of Arts at St. Andrews when he printed his excellent edition of the Glasgow muniments, many misconceptions would no doubt have been avoided. A very imperfect and careless copy of these statutes is all that survives at St. Andrews; another copy is extant among the Balcarres Papers in the Advocates' Library. Unhappily this collection of statutes does not belong to the pre-Reformation period. It stands as it was revised about the year 1570, 'copied *verbatim* from the old book and purged of vain and superstitious elements.' The preservation of even this pruned version seems to have been due to the order of a visiting Com-

mission; and when the Commission which sat a few years before the accession of Victoria called for evidence, the authorities at St. Andrews either overlooked the statutes altogether or more probably despaired of presenting them in an intelligible form. The regulations at Glasgow have furnished a key to many difficulties in the corrupt St. Andrews collection, and it is now possible not only to explain with some precision the indisputable influence which the first Scottish University exerted upon the second in the organisation of the Faculty of Arts, but also to see a reason for certain remarkable differences. Unfortunately no demonstrable source for the St. Andrews statutes has hitherto been revealed by search. To all appearance the influence of Paris was predominant; but an old and famous university is not so apt to put well-known practice on record, and it is not surprising, for instance, that the dependence of the St. Andrews Faculty of Theology upon Paris is proved by reference to Vienna, where the theologians avowedly followed the Parisian model. Probably the Arts statutes at St. Andrews were an adaptation of current usage at Paris to the special circumstances of the case. This assumption is supported by a minute of Faculty, which records that, when a code of laws was being framed in 1439, one of the masters produced a little book *De statutis et privilegiis studii Parisiensis*.

It is well known that when St. Andrews was founded Scotland and Spain alone adhered to the anti-Pope Benedict XIII., and that there was thus a strong motive to provide a university. It would be a great mistake, however, to assume that the foundation kept Scottish students at home. Doubtless an opportunity for study was afforded to men who could not have contemplated residence abroad; but many welcomed the chance of becoming bachelors or even masters at St. Andrews before they left the country to become students in the higher faculties at famous schools. Some, like Duncan Bunch, who had so much to do with the organisation of the Faculty of Arts at Glasgow, were enterprising enough to foresee future advantage from a good foreign degree in Arts, and passed straight to the continent.

The continued adherence of his country to Benedict XIII. had made it uncomfortable for the wandering Scottish student, and when the masters of St. Andrews in 1418 transferred obedience to Martin V. they must have looked for an improvement in academic communications. The change, however, did not maintain or restore the close relations with the great French University which had so powerfully influenced St. Andrews. The published

records of the English nation at Paris show that about 1420 the Scotsmen were disappearing, a fact which is easily attributed to the disturbed state of France at the time. To follow the course of student migration from Scotland during the forty years which separated the foundation of Glasgow from the foundation of St. Andrews would be both an arduous and an important investigation. For the immediate purpose, however, it is necessary to indicate but one line of academic intercourse, which has been overlooked by historians, and which is not of exclusively academic interest.

It was in 1443, as has been seen, that Bishop Kennedy authorised a deputation of St. Andrews citizens to ascertain the relations between town and gown as regulated at Cologne. This fact, significant in itself, is far from being isolated. The printed matriculation roll of Cologne reveals the striking coincidence that Scottish students began to appear at the University on the Rhine after 1420, just about the time when they had practically forsaken Paris. A glance at the map in Canon Rashdall's *Universities of Europe* shows that at this juncture the only continental University of standing north of Paris which could be reached by water was Cologne. Rostock, indeed, was founded in 1419; but, over and above the infancy of this school on the Baltic, the Scots were not in particularly good odour with the Hanse towns of the north. In this period a student would probably find it most convenient to ship on a vessel conveying goods to be delivered at Bruges in Flanders; and when Middelburg in Zealand entered into competition for the Scottish trade he would find even greater facilities for obtaining a cheap passage up the Rhine. By whatever route Cologne was reached, it is certain that Scots matriculated there steadily, if not in great numbers, most of them to study in Law and Theology, some to seek a degree in Arts. Canons of St. Andrews, Glasgow, and Aberdeen figure on the list. Certain of them, too, returned to teach in St. Andrews. John Aylmar, for instance, read Theology, and at home became Provost of St. Salvator's College and Dean of the Theological Faculty: Archibald Quhitelaw, one of the most accomplished Latin scholars in Scotland and afterwards royal secretary, went to Cologne for his Theology: the *Calendar of Papal Letters* informs us of Alexander Bowmacar, Canon of St. Andrews, who became Bachelor of Canon Law at the continental school and subsequently taught in his own city.

For our present purpose, however, the most interesting case is that of Duncan Bunch of the diocese of St. Andrews—possibly a

Perth lad, if we accept a hint from the *Register of the Great Seal*—who matriculated as an Arts student at Cologne, and who, if he did not actually travel with the St. Andrews deputation in 1443, at least made his way across in the same year. After taking his master's degree he returned home, and in 1448 was received into membership of the Faculty of Arts at St. Andrews. Bunch was incorporated at Glasgow in September 1451. At a meeting of the Faculty of Arts there in July 1452, the Dean ordered the draft statutes to be read aloud : and, after they had been discussed and approved, it was Master Duncan Bunch who was asked to inscribe them upon parchment. At the same time a list of the masters who confirmed the statutes was entered in the minutes. Of the eight mentioned seven had a significant academic history, so far as graduation in Arts is concerned. William Elphinstone, the Dean of Faculty, William Glendunwyn, Thomas Macguffo, and William Arthurle had the degree of St. Andrews :¹ David Narne and Thomas Cameron appear to have been masters of Paris : Duncan Bunch was a Cologne master received at St. Andrews.

Bunch was much younger than some of his colleagues who cooperated with him in drawing up the statutes ; but he was evidently regarded as a person of sufficient importance to have an influential voice in the organisation of the Faculty. That he enjoyed the confidence of Bishop Turnbull is proved by the fact that in 1454 he was deputed to act as Vice-Chancellor. Any doubt that he was mainly responsible for the drafting of the statutes would be immediately dispelled by a careful comparison with the regulations at St. Andrews, even though we possess these only in their post-Reformation shape. The mode of procedure is quite patent. Bunch had a copy of the St. Andrews statutes before him ; and he introduced *verbatim* or with slight alteration of phrase a number of provisions which did not clash with certain contemplated modifications of practice. Occasionally he changed the order, transferring rules from one title or section to another, or manipulating his materials so as to avoid obscurities and reiterations due to the fact that the collection in his hands had been confirmed only in 1439 and was partly the result of a process of accretion. The most notable divergence from St. Andrews was in the usages relating to graduation, and there Cologne was expressly laid under contribution.

It would be tedious to pursue a detailed comparison ; but one or two points are of special interest. A regent at St. Andrews

¹ Dr. Maitland Anderson kindly examined the St. Andrews lists.

was required to take' oath that he would not 'tout,' directly or indirectly, for the scholars belonging to others. The Glasgow oath of regency, which is obviously an abbreviation of the St. Andrews formula, omits any reference to this matter. The reason is easily seen. At St. Andrews great trouble had arisen from the practice of 'touting,' and it was found that regents were apt to curry favour with their pupils, to the serious detriment of discipline. The evil was connected with the number of rival 'pedagogies,' or houses of residence, kept by various masters. Bishop Wardlaw granted a tenement in South Street, that the Faculty might have a college, and Laurence of Lindores, the well-known *inquisitor hereticae pravitatis*, was placed in charge. A cure, however, was not effected, and the plan recommended or approved by James I. himself was that the Dean of Faculty should be empowered to visit the different houses once a week. Later, Bishop Kennedy reverted for a time to the policy of amalgamation; but the Pedagogy in South Street, which had been begun by Wardlaw as the College of St. John, and which was destined in the next century under the Beatons and John Hamilton to become the College of St. Mary, was not adopted as the foundation upon which to build. Instead Kennedy created his College of St. Salvador, and indicated a line of development which was followed by Prior Hepburn and Alexander Stewart when they established the College of St. Leonard. At Glasgow there was to be no opportunity for rivalry between regents. The Faculty found a place for its 'school' under the hospitable roof of the Dominicans, where a room was to be furnished with benches and the requisite 'chair.' At Paris the public schools were in the *Vicus Stramineus*, and the phrase *in vico* was applied technically to what took place there. So at St. Andrews the expression was connected with the building in South Street, which was the official centre of the Faculty and in which not only public acts were celebrated but public lectures were given, till the system of college lecturing divested the 'schools' of some of their importance. At Glasgow the place of the Friars Preachers was *in vico*; but undergraduate students, it is clear, were to reside together with the regents in one house, not in competitive halls, for in 1457 we find the regents asking the Faculty to aid them in paying off arrears of rent due for their Pedagogy. Thus the omission of the oath anent 'touting' is perfectly intelligible, and it is connected with a local development at Glasgow which has almost identified 'College' and 'University' in the popular mind.

With regard to the system of teaching in Arts adopted at Glasgow, we have very few explicit statements ; but clearly it had a close resemblance to usage at St. Andrews, and was confronted by similar problems. At Paris it had been an obligation upon the young masters, as they graduated, to give two years' *lectura* in the Faculty. As, however, room and opportunity could be found for only a fraction of them, the clause was deleted from the magisterial oath about the middle of this century. In the new foundation at St. Andrews the obligation naturally appeared vital. There was no immediate prospect of the college system, which subsequently killed public lecturing in the common schools, and the success of the University in all its faculties would depend very much upon keeping hold of graduates as teachers or advanced students. Yet in 1439 we find that the burden of instruction in Arts was being more and more devolved upon the official regents. Attempts to insist upon *lectura*, and the riotous outlay which attended the festive celebration of the magisterial act, induced a considerable proportion of the licentiates to decline the master's grade and so avoid exorbitant expense, the obligation to read, or the fine for default. We may suspect that the official preceptors were anxious for assistance in the unattractive task of dictating the prescribed books to pupils, and that the young masters who had no eye to regency were equally determined not to 'devil' for their seniors, if they had the prospect of anything better to do. It must be understood that the distinctively *college* system of teaching, which grew very rapidly with the development of printing, had not yet taken shape—the system whereby each regent took his 'class' or year through the whole course up to graduation. At present the regents exercised what may be called disciplinary and tutorial functions. Bishop Kennedy, for instance, when he legislated for St. Salvator's College, considered it sufficient to appoint two, one for the junior pupils, the other for those who had become bachelors. The public lectures took place *in vico*, and were delivered by masters of the Faculty, non-regent as well as regent. To avoid overlapping there was a meeting in the beginning of the academic year at which each lecturer in the order of seniority chose a book from the programme of degree work—a custom which still survives at St. Andrews in the formal presentation of a volume to the professor when he is installed. In theory this was excellent ; but it broke down in practice. Many of the resident non-regent masters were occupied with study or teaching in the higher faculties, and the system

turned upon the younger graduates. Hence *lectura* was a burning question at St. Andrews at the time when the University of Glasgow was founded. One obvious difficulty was the dearth of endowments. Kennedy sought to meet this by means of his College of St. Salvator; and we learn from Theiner's *Vetera Monumenta* that in order to subsidise students he persuaded Nicholas V., in 1450-51, to revoke in the diocese of St. Andrews all annexations of secular benefices to religious houses which had not as yet taken effect. It is probable, however, that juvenility was a prevalent defect among the available masters. The Glasgow men had no fresh expedient to suggest; and indeed it would appear that, in the pardonable desire to secure some of the discontented St. Andrews licentiates and attract students, they actually reduced the fine for non-compliance with the statute *De lectura*, and accelerated the tendency which was at work. The specified age for license at both Universities was about nineteen or twenty; but the rule was stated with so little precision, and dispensation was so readily contemplated, that it must have been greatly honoured in the breach. Young gentlemen who, as undergraduates, might be subjected to the most humiliating form of corporal punishment—*caligis ad hoc laxatis*—could not be promoted on a sudden to the dignity of the teacher's chair. After some experience the Glasgow authorities practically abandoned the demand for post-graduate *lectura* in Arts. In 1483, though they still insisted upon the two years, they spoke of them rather as a period for 'continuation of study.' It was desirable to secure the services of any who were really fit to teach; and it would be disastrous to drag down the statutory ages in the higher faculties. If Glasgow set out with a more ambitious programme of books for graduation than was exacted at St. Andrews, though our evidence for the fact is not conclusive, it is unlikely that the enterprise was successful.

The hand of Master Duncan Bunch, to return to the collection of statutes adopted by the Faculty at Glasgow, may be detected in connection with two special features. The *Quodlibeta*, or disputations of the masters in the public schools during the late autumn, were arranged and led by one of them as *Quodlibetarius*. At Paris this usage, which gave the undergraduates an opportunity to dispute, had fallen into abeyance, and in 1445 the Faculty of Arts decided that it should be resumed. The practice was introduced at Glasgow; and, though the model was 'Bologna or Cologne,' there can be little doubt that the latter was the real source. St.

Andrews, which hitherto seems to have neglected the institution, promptly responded to the challenge and appointed a *Quodlibetarius*.

The second feature was the obvious departure from St. Andrews usage in the conduct of examinations for degrees, emphasised by repeated reference to Cologne. Amid numerous technical details one point is of curious interest. The candidate for license at St. Andrews sat in his turn 'upon the blak stane,' as the phrase went in 1570, and 'was examinitt before ane tryer'; and this piece of local sandstone, shaped like the base of a pillar, is still preserved as a relic of antiquity, though it has ceased to be used. At Glasgow, however, it was provided that the examiners should try six or eight candidates at a time 'after the fashion of Cologne,' which Master Bunch would be able to describe. A 'black stone' examination was somehow introduced at Glasgow, and we hear of it first, apparently, about the middle of the seventeenth century. The probability is that the prescribed 'fashion of Cologne' was not the fashion of St. Andrews. Yet it is the University of Glasgow which now exhibits the survival of a ceremonial, as interesting as it is mysterious, which may be left for explanation in the hands of the learned and the ingenious.

On one occasion, not very many years ago, the late Sir Richard Jebb conveyed to the University of Bologna the filial congratulations of the University of Glasgow in the form of a Pindaric ode. The historian will find more difficulty than the poet in detecting the inherited lineaments which establish the daughter's claim to this august parentage. If something is detracted from mythical glory by the ungenerous hand of criticism, there is a compensating satisfaction in the consciousness that the rapid growth of our knowledge in recent times bids fair to leave us with results which are more intelligible, if colder. The suggestions only partially and tentatively put forward in this paper may perhaps serve to indicate certain lines of investigation which invite the patient student of our university institutions. The importance of the fifteenth century in Scottish history is a commonplace, as is also the scantiness of our materials. It is unfortunate that even yet any inquiry into our academic origins is hampered in so far as St. Andrews has not made her invaluable records accessible, and still withholds the spring from our year. Glasgow has long boasted an edition of her muniments on which she has often been congratulated; Aberdeen is in the same happy position: the continental schools have added liberally to our available stock of

information. To the history of the fifteenth century, and indeed of the movement which immediately preceded the Reformation, one of the most illuminating contributions would be a close and full comparative study of university affairs.

[Authorities :—Cosmo Innes, *Munimenta Universitatis Glasguensis* (Maitland Club); *Evidence of the University Commission*, Vol. III. (St. Andrews); Rashdall, *Universities of Europe in the Middle Ages*; Maitland Anderson, Articles on St. Andrews University in the *Scottish Historical Review*, Vols. III. and VIII.; Denifle and Chatelain, *Auctarium Universitatis Parisiensis*; Bianco, *Die alte Universität Köln*; *Die Matrikel der Universität Köln*; Davidson and Gray, *Scottish Staple at Veere*; Hannay, *Statutes of the Faculty of Arts and the Faculty of Theology at the Period of the Reformation* (St. Andrews University Publications, No. VII).]

R. K. HANNAY.

Scotstarvet's 'Trew Relation'¹

The bussinesse concerning the erle of Menteeth.

[Cap 2^d

NOTE.—Generally the text of this chapter here given appears to be considerably preferable to that edited by Sir Harris Nicolas in his *History of the Earldoms of Strathern, Monteith, and Airth*, 1842. Appen. xxiv.-liii.

HIS majestie having made Sir Wm. Alexander secretar for the Scots affairs and he having a desyre to bring in some of his confident freinds to be counsellors therby to strenghen himselffe at home named the E[rle] of Menteeth but finding the king averse therfra by his letter he intreated Sir Joⁿ Scot to assist him in that purpose who having written in ane post script to the said secretary that he thought it was the fittest way to curbe the grandour of the present rulers to adde to that number some of the old nobility and make them counsellors therby to make an equilibrum in the estate naming Menteeth as a fitt persone for that charge quilk letter being shewne to his majesty he gave order to wryte to his counsell in Scotland to assume him in that number quilk acordingly was done and in the secretars letter to the erle he desyred him to give thanks to Sir John for his letter qherof his majestie tooke hold by whose counsell he was dyverse months governed and advysed to goe up to court himselffe and give his majesty thanks for his favour quilk having done and having gotten Sir Joⁿ his recommendator letter to his freind m^r Maxwell he was by master Maxwell broght in such credit with the duke of Buckingham that in few yearis he attained to great honour and cheife places qhen they altered or qhen they vaicked, was made lord cheif justice president of the counsell and ane of the lords of the session and exchecker. At his returne Sir Tho. Hope seing him so farre in favour with his majesty offered to him his service telling him that he behaved to be ruled only by

¹Continued from *Scottish Historical Review*, vol. xi. p. 191.

his counsell and quyt any farder communicating of affairs with Sir John qherupon in the counsell house they had some croce words and within some few dayis therafter he desyred the Erle of Buckcleuch at supper to tell Sir John that he sould breake his necke: the erle refused the message but sent him privatly word by m^r Laurence Scot the first day that he was admitted ane Lord of the session to beware of the erle qhom he fand to be his small freind, qho not long therafter by his credit with the king obtened ane warrand upon sinistrous information as now being made ane Lord of the session that he sould be removed from his place of secret counsell: the same day that he received the message from Buckcleugh he called to mynd that at his being in England he had caused coppie ane paper qhilk was given him by the E[rl]e of Seaforth contening ane breife information concerning the erledome of Straerne sent to the Erle of Tullibarne by Ja. Murray shewing that the king had wronged himselffe in granting that style to any subject qhilk paper he made the ground worke of his subsequent accusation.

The deduction of the present estate of the erledome of Stratherne.

When and in what kings tyme Stratherne was erected into an erledome I cannot perfytyly designe¹ always the first notable race of the erles therof was that of the Forteithes of the qhilk was Gilbert count palatin of Stratherne so called in an evident found in the abbay of Inchaffray about the year of Christ 1219 in the raigne of Alexander the 2nd to qhom his sone Melyse succeedit who was the last of that race. In there tymes the hail lands lying betwixt Crocem^cduff at Newburgh and the west end of Balqhidder in lenth the Ochell hills and the hills called Montes Grampii in bredth pertened to them either in property or tennend ryt. How that race fell from it I know not but after them I find there was one Maurice Murray E[rl]e of Stratherne two chartours granted to him at severall tymes of that erledome qhich stands in the register nether can I find how it fell from him and his posterity. I thinke he was sone to Androw Murray once governor of the kingdome. After him K[ing] Robert the 2d disponed this erledome to his sone David eldest of the three begotten in his marriage with Eufame Rosse daughter to the lord Rosse qherupon I find 4 chartours granted at severall tymes qherof the second is most ample daited at Perth the 3^d Julii the 2^d yeir of the said King

¹ On this see *Charters of Inchaffray Abbey* (Scottish History Soc.), 1908.

Robert his raigne qherby the said erledome is given to the said David as fully and freely as umqhill Malyse erle of Stratherne or any other erle had the samyn before with this addition that he and his airis sould hold in free regalitie *cum feodis et forisfacturis ac cum placitis quatuor punctorum coronæ* It is set doune in our Scots history that it was given to him *in feodum masculinum* that failyeing of airis maill it sould returne to the croune but none of the 4 chartours bears that condition nether is there any record therof in the register unlesse it hath bein shifted yet always it appeares to have bein so given seing his two brethren procreat of that marriage Walter erle of Athole and Alexander e[rle] of Buchan had there erledoms on that condition to them and there airis male qhilk failyeing to returne to the croune. This erle David died without airis maill leaving a daughter married to Patrick Grahme 2^d sone to the lord Grahme qho was slaine by Malcolme Drummond of Contraige leaving a sone Malisse from qhom King James the first finding the patrimony of the croune much impared recognosced the erledome be reason of the forsaid condition of tailzie giving to him the lands of Menteeth, qhilk he and his posteritie bruicked since till of late W^m erle of Menteeth intending to persew for his restitution to the erledome obtened his majesties favour for that effect and Licence to persew so farre as he might of Law, qhilk how daungerous and prejudiciall it is to his majestie the publick peace and state of the country if this erledome twice publickly annexed to the croune by parl^t be suffered to be evicted from the croune againe by Menteeth his pretence of right of succession to David erle of Stratherne, for better clearing qherof I most deduce a part of the Scots history.¹ Robert the 2^d in his youth and in the raigne of K[ing] David Bruce his uncle begat upon Elis[abeth] Mure daughter to sir Adam Mure 3 sones Joⁿ e[rle] of Carrick Robert e[rle] of Fife and Menteeth and Alexander e[rle] of Buchan He after married Eufame Rosse by qhom he had 2 sones David and Walter. After her deceis for several respects he married Elis[abeth] Mure his concubine and therby legittimatt her children begotten by her before his first marriage and left the eldest of them to succeed to him in the kingdome called Robert the 3^d qhilk bred a grudge envy and emulation in the other 2 sones procreat in the first marriage albeit they were gifted with the 2 best erledomes of the kingdome Stratherne and Athole. David lived not long but Walter peristed still in his conceived malice going about by all means to

¹ See *Exchequer Rolls*, iv. appendix on 'Stewart Genealogy,' pp. cliii.-cxcv.

cutt Elis[abeth] Mure her succession that he might attaine to the crowne himselffe: he counselled and assisted Robert e[rl]e of Fife to incarcerate and famish to death David duke of Rothsay eldest sone to Robert the 3^d, and if James the other brother had not bein sent away he had not escaped there malice who after 18 yeirs captivitie in England returning to Scotland Walter instigate him to behead Mordoch governor of the kingdome and his sone Walter, and thereafter intending a conspiracie against the king himselffe caused Robert Grahme and his oye put it in execution in the Carthusians house at Perth qhere they murdered the king pressing to eschew the suspition thereof himselffe in hope to be chosen governor to King James the 2^d and then to have found meanes to have despatched him also but being found guiltie of the treason he was execute therfor with his oye and Robert Grahme committer of the parricide by qhilk it appears how that succession of Eufame Rosse attempting to have the crowne raised up many seditions to cutt the succession of Elisabeth Mure

The reasons to move his majestie to discharge Menteeths intended persute of the erledome of Strather[n]e. [P. 10.]

1. Whither it sall be expedient for his majesty to promote the succession of Eufame Rosse to such an estate & power in the country as may give them occasion to thinke upon the kingdome upon any commotion alledging them as first lauffullie procreat in marriage to be wronged of there succession therintill

2. Whither it sall be an imputation to his majesties honour in restoring the erledome of Stratherne to the succession of Malis Grahme from qhom it was taken be K[ing] James the first a vertuous & just prince to be blotted with the aspersion of injury oppression and avarice and so to have bein justly slaine by Robert Grahme tutor to Melisse for usurping that erledome wrongously

3. Seing the erledome of Stratherne after recognition to the crowne was annexed therto be act of parl^t qhither it be expedient that these acts of annexation be reduced qhilk most be done before Menteeth attaine to this erledome

4. In the raigne of King Ja. 4 anno 1508 it was thought expedient by parl^t that the erledome of Stratherne sould be sett in few to the tennents then kyndly possessors therof for increase of policy & augmentation of the kings rental and soumes of money then payed to the king in composition for the fewes and since the fewes have payed there few dewties to the kings chalmerlains and fra age to age have payed compositions to the exchecker at

the entrie of airis, built houses planted yards parks woods & other policy serving there prince at all tymes as at Bannockburne with King Ja. 3d Floddon with King Ja. 4 and after at Pinky qhither then is it agreeable to justice that so many honest gentlemen could be ruined altogether in there estates if that erledome be againe separate and evicted from the Croune.

5. It is to be considered what diminution it will be to his majesties rent and obedience qhen so many lands and men sall be subjected to ane seing they will hold of him if he attaine therto, the erles of Montrose Perth Tullibarne the vicount of Dupplin the lord Madertie the lord of Glenorqhie Keirs Clennegies Duncrub etc.

6. It is to be remembered that King Ja. 6 would never grant the style of Stratherne to any subject farre lesse the erledome itselffe saying always to such as requested for it he had no more for the blood & slaughter of King James the first.

Therafter Sir Joⁿ perused the registers and drew furth a minut of qhatsumever gifts his lo[rds]hip had procured from his majestie at his entrie to be ane counsellor qhilk having communicate with Sir Ja. Skeene and Sir Arch^b Achesone conjunct secretar with Sir W^m Alexander he was advysed by them to crave the assistance of master Maxwell and Sir Robert Dalzell qho were his majesties servaunts then going from Scotland to court qho in no termes would ingadge till they had the e[rl]e of Haddingtouns opinion qho assured them that there would be no hazard in informing the king and that it would be good service to his majestie to informe him therof as followes :—

Menteeth having extracted some old wryts out of the castle renewed a pretence to the erledome of Stratherne and moved his majestie theranent that he might gett satisfaction for his said right qhilk he pretended therto and for that hes not only gotten 23,000. lib. stirl. and ane pension of 500. lib. stirling per annum for life but also hes gotten a new gift of a part of the said erledome as lykwise the king accepted from the said erle a renunciation of all right that he could pretend to that erledome as air to umqhill David e[rl]e of Stratherne in the qhilk he reserves his right of blood qhilk he declares he renunes nawayis, therafter he retoured himselffe generall air as he was bound be the renunciation to doe to the said David and last he procured ane new ratification fra his majestie under the great seale of his said blood, which thing being ry^ly considered it will be found that his majestie hes bein greatlie wronged in many things qhich if his majestie will put to tryall sall be sufficiently cleared.

Master Maxwell having shewen this paper to his majesty he immediatly sent back Sir Robert Dalzell post to Ed^r with ane paper subscribed with his awin hand of the tenor following—

Robin Dalzell qheras I have bein informed by yow and Ja. Maxwell that the grant of the erledome of Stratherne quich I have given is greatly prejudiciall to me both in honour and matter of state insomuch that he either hath or may serve himselfe air to King Robert the 2d Therefore (since [this] doth seeme to lay an heavie aspersion upon ane man qhom I both doe and will esteeme till I see evident cause in the contrair, he having done me many good services) I command yow to produce your authors that I may either punish them for this great aspersion or reward them for this good service in so important a discovery otherwise I most take James and yow for my authors judging yow as ye sall prove your allegations. Make haste in this for I most not suffer a bussines of this nature to hing long in suspence Whytehall 2 October 1632.

Sir Robert having come to Ed^r the 4 day convened these informers before Sir Tho. Nicolsone of Carnock Sir Lewis Stewart & m^r Andr. Aytoun qhere having laid before them the paper contening the queres desyring there answers therin Sir Thomas at the hearing of the first article red, rose up excusing himselfe that he would heare no more of that, swearing with a great oath that they would all be hanged qho were accessorie to that bussines or had hand in prosecuting that service and went instantly out of the house, the other two condescended to heare the questions and to give there judgments theranent under there hands quich they did upon his warrand subscribed by himselfe and the saids lawyers of quhilk the tenor followeth—

I Sir Robert Dalzell gentleman of his majesties privy chalmber as having warrand and direction from his majesty to produce my authors qho did informe me and Ja Maxwell of Innerwick one of his majesties bedchalmber that in there opinion his majestie may seeme prejudged in honour and state be the renunciation accepted from the e[rle] of Stratherne with the provisions and reservations therein contened service and retour qherby the said erle is served nearest air of blood to umqhill David erle of Straerne infestment of Orchat granted to the said erle and patent of honour qherin his majestie under his hand and seale hes agknowledged the said erle to be undoubted air of blood to the said umqhill David doe requyre yow in his majesties name Sir

Ja. Skeene of Curriehill president of the Session Sir Archb. Achisone of Clantairne secretar to his majesty Sir Joⁿ Scot of Scotstarbet director to his majesties chancellarie our authors of qhom the said James and I heard the samyn that seing his majesty hes directed me to take the advyse and opinion of Lawyers upon the premisses that ye will propone all such questions difficulties doubts & scruples that any of yow hes or can find in the wryts forsaid circumstances consequences & dependances therof to the end his majestie may be resolved theranent qhilk undoubtedly his majestie will accept for good service for doing qherof these presents sall be to yow ane sufficient warrand Subscryved by me at Ed^r Nov^r 1632 before m^r Andr. Aytoun of Logie and master Lewis Stewart advocat Sic subscribitur Ro^t Dalzell Mr And. Aytoun Mr Lewis Stewart.

The propositions anent the erledome of Straerne. [P. 11.]

1. It is craved if a generall service of this erle of Straerne as air to David e[erle] of Straerne eldest lafull sone of the first marriage to K[ing] Robert the 2d be a sufficient title to the erledome itselffe qhilk he hath renuned in his majesties favours or gives to his majestie any better right than he had before. It is answered that the generall service of this erle of Straerne gives no right of the erledome of Straerne to the said erle and as to the renunciation granted to his majestie be the said erle it is of no effect and gives no right to his majestie seing the granter of the samyn had no right to the said erledome because the same was annexed to the croune by K[ing] Ja. 2d, since qhich tyme it hath bein continuallie bruicked be his majestie and his predecessors as there annexed propertie, bot by the contrair does weaken his majesties right in accepting a right from him and agknowledging a necessity of renunciation qhere there was no need.

2. It is demaunded if the granting of a new right by his majestie of the lordship of Orchat hes not wronged the king and all these who hes right from his majestie and his predecessors of any part of the said lo[rdship] It is answered that it hes wronged his majesty to give that away qhilk was his awin and qherunto the said erle had no right in respect of the annexation forsaid and also will wrong these qho have right from his majestie and his predecessors by continuall pleyis against them and denudeth his majestie both of property and tennendrie of the said lo[rdship].

3. It is requyred qhither the said erle may purchase himselffe

retoured and infest as nearest and lafull air to David erle of Straerne in the said erledome conforme to the clause obligator contened in the said renunciation. It is answered that the said erle can nowayis purchase himselffe to be infest in the said erledome because of the annexation of the same to the croune as said is.

4. Is it not boldnesse that the said erle sould have served himselff air of blood to David erle of Straerne eldest lafull sone of the first marriage to K[ing] Robert the 2d qherby he is put in degree of blood æquall to his majestie. It is answered in our judgment the boldnes seems too great.

5. It is craved that if the erle of Straerne may serve himselff air to K[ing] Robert the 2d seing he is alreadie served air to David erle of Straerne eldest sone to King Robert the 2d : it is answered that in our judgments if the cace were among subjects we see nothing in the contrare.

6. It is craved qhither the king is prejudged in honour and state by agknowledging the said erle to be undoubted air to David erle of Straerne and consequently to be in degree of blood æquall to his majestie It is answered that apparantly if his majesty had known the consequence of it for reason of state he would never have done it and it seems to us his majesties honour to be interested in agknowledging any subject to be equall in blood to himselffe.

Both quich being delyvered to Sir Robert Dalzell he returned the next day to court to give accompt to his majestie.

Traquair¹ fearing that the plot had bein against himselffe desyred my lord Durie to draw a meeting betwixt the said 3 informers and himselffe to dine and then shew them that he saw some great bussines brewing among them and only desyred to know if any of them had any quarrell against himselffe qherof they clearing that they had none in the midst of the dinner a servaunt in the outward roome came to speake with Traquair quich having done he returned demaunding if any of them had bussines at court seing he had spoken with one qho would carefullie delyver there letters the secretar and president suspecting nothing of the particular Sir Joⁿ Scot doubted that there purpose was discovered by Sir Tho. Nicolsone qho was cousin german to the kings advocate and that night Sir Joⁿ advysed with the e[rl]e of Haddingtoun and was counselled be him to ride up himselffe and carrie with him all the papers concerning that bussines seing the persons to qhom they had delyvered a part of them was illiterate and not

¹ John Stewart, first Earl of Traquair.

able to answer against such things as might be objected against these papers, quhilk made Sir Joⁿ conveene Sir James and Sir Archbald and having gotten under there hands a paper giving him commission to repair to his majestie for clearing these matters contened in there papers obliging themselfs in there lifes and estates to stand to qhatsumever the said Sir John sould say to his majesty in that behalffe in there names and that instant night before ten of clocke within 3 days of Chrystmas rode that night to Diriltoun and the nixt morning tooke post at Cockburnspath and the 5 day came to Hampton Court qhare his majesty resided qho being broght in to the bed chalamber by m^r Maxwell he had a long conference with his majestie concerning the said matter and shew him the paper quhilk he had caused m^r W^m Drummond of Hawthornedenne his brother in law wryte quich he desyred instantly to be red in his presence qherof the tenor¹ followeth—

‘It is to be considered if Henry the 6 K[ing] of England by his exceding favour in restoring blood and allowing the descent and title of Richard d[uke] of Yorke qho openly in parl^t therafter made clame for the croune² as his awin right wold if he could have reclaimed that approbation quhilk established the dukes title The sone of Anna Mortimer qha came of Philippa daughter and sole heyre to Lyonel d[uke] of Clarence 3^d sone to Edward the 3^d was to be preferred in succession of the kingdome to the children of Joⁿ of Gaunt 4^t sone to King Edward: the lyke may be allegit in the title of the erle of Stratherne

‘The children of the first marriage by common law are to be preferred in succession to the children of the 2^d for the marrying of Elis[abeth] Mure did but legitimat and make her children succeed after the children of the first marriage. As for the au^{ty} of ane parl^t it is to be considered if the au^{ty} of parl^t may conferre and untaill a croune from the lauffull airis therof to the nixt apparant airis or if any oath given unto a king by mans law sould be performed qheras it tendeth to the suppressing of truth and right quich stands by the law of god than if one parl^t hath power to untaill a croune qhither may not another parl^t upon the lyke considerations restore the same to the ryteous airis. It is to be considered if a subject might safely capitulate with his prince that is to say give over and quytclayme all right and titill quhilk he hath

¹ Cf. text as appearing in *Works of Wm. Drummond*, ed. 1711, pp. 129-131.

² Richard, third Duke of York, claimed the crown in 1460.

to his soveraignes crowne his right being sufficient and if by his capitulation his airis be bound and if it be honorabill for a prince to accept his conditions.

‘The trouble qhich Edward Ballioll sone to Joⁿ Ballioll raised in Scotland is yet recent in history¹ notwithstanding that his father had resigned to King Robert and his airis all the right and titill qhilk he and his airis had or might have to the crowne of Scotland and after resigned the same in favours of Edward king of England

‘It is to be considered if the pope the king of Spayne or France seeking occasion to trouble the state and peace of this iland sould entertaine ane of the airis of the erle of Straerne as queene Elis[abeth] did Antonio prior of Crato² qha claymed the crowne of Portugall; qhither they had not a fayre bridge to come over to this ile and trouble it.

‘It is to be considered if the navy sent by queene Katharin of Medices under the charge of Strossi & Brissac to the Terceraes ilands³ to purchase possession of the kingdome of Portugal as belonging to her as air to the [P.12] house of Boulogne be a descent of 2 or 300 yeirs might have bein justified by the sword if she had prevailed and it is fresh in all mens memorie qhat clayme was made by Philip the 2^d of Spayne for his daughter the infant to the crowne of France during the civil warres therof So the duke of Guise⁴ in the raigne of Henry the 3^d french king deducing his genealogy from Charles the great aspired to the crowne of France. Perkin Varbeck⁵ calling himself Richard d[uke] of Yorke aspired to the crowne of England

It is to be considered if queene Mary of England qha cutted off the head of la[dy] Jane Gray⁶ and q[ueene] Elisab[eth] qha did the same to Mary queene of Scotland⁷ her nixt kinswoman were living would have suffered any to enjoy the opinion of being nearer to the clame of there crounes then themselffs.

‘It is to be considered also if a subject serving himselfe air to a crowne indirectly and in crafty coloured termes notwithstanding of qhatsumever protestations in the contrair may be accused of hight

by the oversight of the prince & negligence

of his advocat

¹ Years 1332-1356.

² Antonio, claimant to the throne of Portugal, received and assisted in England in 1581.

³ This was the disastrous expedition to the Azores in Antonio's interest in 1582.

⁴ Henry of Guise, 1550-1588.

⁵ ‘The Flemish Counterfeit,’ 1491-1499.

⁶ In 1554.

⁷ In 1587.

treason and qhither a prince may justly keepe under the race of such qhose aspiring thoughts dare soare so nigh a croune as they have bein kept these 200 yeirs by gone for reasone of state unlesse the prince exalt them to give them a more deadlie blow and extirpat them and there whole race suborning mercenary flatterers to make them aime above there reach *dum nesciunt distinguere inter summa et precipitia princeps quem persequitur honorat et extollit in altum ut lapsu graviore ruat.*'

Sir Robert Dalzell being present said that Menteeth was so insolent in his speaches that it could be proven be famous witnesses that he was heard say that [he] hed the reedest blood in Scotland meaning that he was nearest to the croune qherat the king seemed to be commoved dismissing them at that tyme, only m^r Maxwell is said to have heard his majesty say it was a sore matter that he could not love a man but they pulled him out of his armes

In this interim the purpose of Sir John his coming to court being divulged Mortoun & the chancellor consulting therabout agreed to doe there best endeavour to oppose him in that particular lest the lyke might happen to themselffs and understanding that Menteeth was come to Ware kepted intelligence with him & undertooke to free him from any hazard provyding he would undertake to deale with his majestie to gett Mortoun made knight of the garter qhilk he promised qherupon they dealt with his majestie to contemne such frivolous accusations notwithstanding qherof the king appoynted another dyet to heare Sir Joⁿ his farder accusations against Menteeth who shew to him certane quotations from history clearing that his majestie was abused both by his advocat Sir Tho Hope and the said erle and perswaded to give out great soumes of money to them both for making of a renunciation shewing his patent of honour extracted out of the chancellarie and his awin letters written for that effect of which the tenor followes—

To the Advocat.

After that we had conferred with our trustie and welbeloved cousin and counsellor the erle of Menteeth considering his titill & right of the erldome of Straerne in that qhich doth particularly concerne us as ye wrote unto us to be of such importance that it is not fitt for us to neglect the same seing he hath willingly sub-

mitted himselffe to us to be disposed upon as we please in all these lands belonging therunto that are of our propertie we desyre to be secured of the same leaving him to prosecute his right against all others for all other lands qhilk he can justly clayme be vertue therof Our pleasure is that ye draw up ane surrender of all Lands of our propertie comprehended within his erledome to be signed by him or any other or any such right as ye sall thinke requisite for our suretie to be registrat for that effect and as after dew consideration we intend to give him reasonable satisfaction for the same so we are willing that ye assist him in his other actions so farre as ye can lauffullie doe. We bid yow farewell. At Hampton Court 29 Sept. 1629

To the erle of Menteeth.

Wheras ye are willing to surrender up unto us your right of all these lands that are of our propertie Lyand within the erledome of Straerne we have written to our advocat to draw up ane surrender of all them that are contened within your erledome to be signed be yow Leaving yow to prosecute your right against all uthers for all other Lands qherunto ye can justly clayme right and as yow have freelie submitted yourselffe unto us to be disposed upon as we please in all these Lands that are of our propertie so we intend after dew consideration to give yow a reasonable satisfaction for the same and have willed our advocat to assist yow in all your other actions so farre as he can lauffullie doe so we bid yow farewell etc.

To the clerke register.

Trustie and well beloved counsellor qheras our right well beloved cousin and counsellor the erle of Menteeth president of our counsell is for some important considerations knowne unto us to search for some wryts amongst our evidents & rolls qherof ye have the charge Our pleasure is that ye to that purpose make patent to him what records evidents or wryts qhatsumever ye have in your custodie & charge within our castle of Ed^r or elsewhere and that ye give unto him such therof as sall be found be our advocate to concerne the purpose for qhich we have granted unto him this licence together with any extracts that they to this effect sall requyre and this salbe your warrand, Dated at Whitehall 9 Nov^r 1629

'Trew Relation'

To the advocat.

Wheras we have both heard and found by experience your affection for furthering of our service since your entrie therto since qhich tyme the estate of our affairis hes requyred in your charge great paynes and trouble but understanding the estate of our coffers to be such at this tyme that no money can be conveniently payed by us yet we intend to give unto yow the soume of 2000 lib. stirlin so soone as we can conveniently doe ye same qherof we have thocht good hereby to give you notice so expecting from tyme to tyme ye will continue as ye have begun to advance our service in your hands we bid yow farewell 9 Nov^r 1629

(To be continued.)