

The Scottish Historical Review

VOL. XIV., No. 55

APRIL 1917

Thoughts on the General Assembly of the Church of Scotland under the Constitution of 1690 (1690-1707)

ANY constitutionalist, who wishes to understand the passing in 1707 of the Union with Scotland Act must examine with care the position and influence under the Constitution of 1690¹ of that General Assembly of the Church of Scotland which has well been called the true Parliament of the Scottish people. But no man can reach the right results of such an examination unless he bear in mind two considerations which are often overlooked.

The first is that the 'Revolution Settlement'—to use an old term—of 1689 was in its nature a different movement, and produced different results on each side of the Tweed. In England it was at bottom a conservative movement, and this statement is specially true in relation to the National Church. The King had attempted to give to Romanism in England a position at least equal to the position of the Protestant and Episcopalian Church of England. In resistance to this attempt Churchmen and Dissenters united; the Seven Bishops (Tories

¹This term describes the really new constitution established in Scotland in 1690 under the Revolution Settlement; it lasted from 1690 to 1707 when it came to an end, as at any rate a political fabric, by the passing of the Act of Union between England and Scotland. See *Quarterly Review*, April, 1916, No. 447, p. 438, especially pp. 446-448.

as they were) became for the moment popular heroes, and have nearly been enshrined by the genius of Macaulay in the political hagiology of the Whigs. Neither the Church of England nor its clergy were deprived by the Revolution of property or of religious prestige. The Revolution, indeed, conferred, gradually and indirectly, something approaching complete religious toleration upon most English Dissenters, but it confirmed to the Church all its existing rights or privileges.

In Scotland, on the other hand, the Revolution Settlement was in the strictest sense a revolutionary movement. It closed once and for all the conflict, carried on with varying fortunes on each side for more than a century, between Kings determined to force Episcopalianism on the people of Scotland, and the Scottish people, who were equally determined that Presbyterianism should be the national and the established religion of their country. From the Restoration till 1685 the triumph of the Crown seemed to become more and more complete. The Revolution gave a final victory to the Scottish people. It established or re-established Presbyterianism as the one national religion. As a visible sign and consequence of this triumph the General Assembly of the Church, which had never been allowed to meet for between thirty and forty years, was reassembled, and has met year by year to the present day as the acknowledged representative of the National Church. Let an Englishman never forget that in 1690 Scotsmen still remembered the 'killing time' (1680-1687), when Archbishop Sharpe, Claverhouse, and 'Bloody Mackenzie' made martyrs of Covenanters who commanded the veneration of every Presbyterian.

The second consideration is that Presbyterianism, at the end of the seventeenth century and during a great part of the eighteenth century, was, among the mass of the Scottish people, supported by two beliefs which were then common to most Protestants. The one was the conviction¹ that every word in the Bible, from the first verse in Genesis to the last verse of the Revelation of St. John, was dictated by Divine inspiration. The next belief, or rather assumption, was that every honest reader of the Bible could find revealed therein a divinely appointed form of self-government which ought to be accepted by every true Christian; and from these premises Scottish Presbyterians then deduced the conclusion

¹ See *Rise and Development of Presbyterianism, etc.*, by Lord Balfour of Burleigh, p. 38. For suggested modifications of this statement see Lindsay, *History of the Reformation*, pp. 453-467.

that Presbyterianism, as practised in Scotland, was of divine origin. Each of these beliefs has now lost much of its hold on the Protestant world; they are not apparently shared by the authorised leaders of the Established Church of Scotland.

‘The government of the Church by Kirk-Sessions, Presbyteries, Synods, and the General Assembly, stands midway between Episcopacy and Congregationalism, and gives an organic unity to the Church in all parts of the country. Each form of government may have certain advantages over the others, and sometimes may meet individual preferences, and in practice does advance the higher religious life of the souls of men, though none can claim exclusively a Divine sanction or authority.’ This is the language of the *Church of Scotland Year Book*, 1916; it is the expression of common sense and of Christian charity. But would it not have provoked the stern denunciation of Andrew Melville?

My aim in this article is, whilst bearing these considerations in mind, to bring forward in the form of separate thoughts, accompanied by comment, three or four different aspects of the General Assembly of the Church of Scotland, and thereby to show that the history of that Assembly records a singular and successful experiment in the practice of representative government, and also an early attempt to carry into practice a definite theory as to the relation between Church and State. It is my hope further to prove that the action of the Assembly decisively contributed towards the carrying of that Act of Union which both created Great Britain and laid the foundation of the British Empire.

First Thought.—Under the Constitution of 1690 the General Assembly of the Church of Scotland was, as it still is, one of the most representative and popular forms of Church government.

The Assembly was really representative, since it from time to time gave expression to the predominant opinion of Scottish Presbyterians; it was popular since it admitted all classes of Presbyterians to a share in the government of the Church.

The truth of the two statements contained in this thought is best established first, by a consideration of the electoral system under which the General Assembly was chosen; and, secondly, by the consideration of the evidence of history as to the character of the Assembly.

As to the Electoral System.—First, the Presbyterian plan of Church government under the constitution of 1690 depended

on the existence of certain Courts¹ or Assemblies, which each, though in different degrees, combined governmental, legislative, and even executive action,² and in 1690 and before that date Scotland was divided for ecclesiastical purposes into districts which may conveniently be called presbytery districts, and each such district consisted of parishes. The Courts with which we are concerned were (going from the lowest to the highest):

(i) *The Kirk-Session*. It consisted of the parish minister, or, to use English terms, the parish clergyman or parson, who was *ex officio* the moderator or chairman thereof, and of elders. These, be it remarked, were not in the ordinary sense elected. They were rather selected by the existing Kirk-session; the Kirk-session were, in other words, filled up by co-optation, and it lay in the power of each Kirk-session to fix its own number, nor was it obliged to fill up vacancies when they occurred. The elder chosen was always a man—no woman could be an elder—and a communicant; before acting as an elder he was set aside to the office by the minister. He held office as long as he fulfilled the conditions thereof.

(ii) *The Presbytery*. It consisted of (a) the ministers of the several parishes in each presbytery district over which the Presbytery had jurisdiction, and of the Professor of Divinity of every royal university, if any, within such district, and (b) one elder for each Kirk-session within such district, elected annually by the Kirk-session.

(iii) *The General Assembly*. It was annually elected, and at the end of its sittings annually dissolved. It consisted of (a) ministers and elders elected by each of the several presbyteries in Scotland; (b) two elders annually elected by the town council of Edinburgh, and one elected by the town council of each of the other 69 royal burghs; (c) a minister or an elder elected annually by the four royal universities.

Secondly, Every member of the General Assembly sat there by virtue of election. No one of them owed his seat to his holding any office, whether ecclesiastical or civil, whilst, on the other hand, no man who was a Presbyterian was ineligible to the Assembly by reason of his rank or of his holding any office. A Duke, a Judge of the Court of Session, a lawyer, could be, and often has been, a

¹ The Provincial Synod is purposely omitted since it had no connection with the election of the General Assembly.

² Compare Rait, *Scottish Parliament*, pp. 95, 96, and Balfour, pp. 47, 48, 64-67, and see also *Report of Archbishops' Committee*, pp. 192-197.

member of the General Assembly, and so might be the poorest of parish clergymen, a laird possessed of a small estate, or a gardener who was not a landowner at all. The General Assembly again was no mere clerical body. It has generally, if not invariably, contained a majority of parish clergymen, but it has always contained a large body of laymen. Herein it has differed entirely from the English Houses of Convocation, which have never represented any class of Englishmen except clergymen.

This bare outline of the manner in which the General Assembly was elected under the Constitution of 1690 suggests the likelihood that the Assembly would in fact represent the dominant opinions of Scotland in so far as any rate as Scotland was a Presbyterian country. The Assembly was, on the face of it, a body far more fitted to represent national opinion than was the Parliament of Scotland, for the Parliament, though it did in a rough way, at any rate under the Constitution of 1690, give better expression to Scottish feeling and opinion than it is often supposed to have given, did technically represent nothing but the opinion of the King's tenants *in capite* and of the close and non-representative councils of the Royal Burghs. And the same outline of the plan on which the Assembly was chosen also shows that it admitted, though in unequal degrees, Presbyterians of all classes to a share in the government of the Church.

As to the Evidence of History.—The action of the Assembly has in general harmonised with the course of Presbyterian opinion. The Assembly was active in promoting the education of the people; the Assembly saw to the distribution of poor relief; the Assembly took in hand the provision of religious instruction for the Highlands, and effectively converted the large number of Roman Catholics to be found there in 1690. Add to this that on secular topics, not falling wholly within spiritual matters to which alone the authority of the Assembly extended, parliamentary legislation was often clearly carried at the instigation of the Assembly. In 1697 the Barrier Act¹ passed by the General Assembly anticipated the principle of the Referendum, and in effect provided that no law passed by the General Assembly which permanently affected the rules or the constitution of the Church could become a law until the Act, or, as we should say, the 'Bill,' having first been passed by the Assembly, had been ratified by the

¹The laws enacted by the Assembly were under the Constitution of 1690, and still are called Acts. The word 'Act' in England is confined to laws passed by Parliament.

majority of the presbyteries and had then been passed again by the Assembly which met in the next year. No provision could be more obviously popular than a law which makes the sanction of the presbyteries necessary for the enactment of any important piece of ecclesiastical legislation. The representativeness of the Assembly under the Constitution of 1690 is visible even in its errors. The Church of Scotland shared the universal enthusiasm in favour of the calamitous Darien scheme. The General Assembly did not protest against the intolerance, the cruelty, and the gross straining of the law which ordered the execution of Aikenhead for the alleged but unproved crime of reviling or cursing the Supreme Being or some Person of the Trinity. The case disgraced every man connected directly or indirectly with the government of Scotland in 1696, and any one must painfully regret to find no record of a protest by William Carstares against this act of iniquity. But who can doubt that whatever intolerance was to be found in the General Assembly represented (in so far as it did not fall short of) the intolerant spirit prevalent among the mass of Scottish Presbyterians? One effect of the Act of Union was that the Scottish national Church outlasted the Parliament and remained substantially unchanged until the present day. But it is worth noting that, if we allow for the indirect effect of the Disruption in 1843, the General Assembly has continued to display its representative character for the two hundred and more years elapsing since 1707. The ill-fated restoration of Church Patronage by an Act of the British Parliament in 1712 gives, curiously enough, an opportunity of tracing the extent to which the General Assembly inevitably represented the course of public opinion, or, in other words, the precision with which the feeling of the Assembly on the whole corresponded with the feeling of the nation. The Assembly at first protested year after year against the restoration of Church Patronage by the British Parliament in 1712. But the gradual predominance of secular interests told after a time no less upon the Assembly than upon the people of Scotland. The rule of Robertson and the Moderates, which was in many ways of benefit for the country, for it discouraged intolerance and encouraged the cultivation of literature and science, checked the growth of religious fervour, so that in 1783, when the power of the Moderates reached its utmost strength, the Church Parliament refused any longer to treat patronage as a grievance, or, in other words, the General Assembly reflected the prevalent sentiment of the day. The gradual rise of

the High-flyers or Evangelicals, which from about the end of the eighteenth century till 1843 became more and more visible in the Assembly, represented a change of religious sentiment or conviction, both in the Assembly and in the country. Even the Disruption of 1843, more accurately than was then perceived, either by the Free Churchmen who conscientiously left or by their opponents who with equal conscientiousness remained within, the Established Church, represented a deep-rooted difference of opinion which inevitably split into two parties the Scottish nation.¹ That the Constitution of 1690 in regard to the Scottish Church had succeeded both in representing the Scottish people and in giving each class thereof an active interest in the management of their own Church is proved by one consideration. The Reform Act of 1832 swept away the last relics of the Scottish Parliament. The Act was passed amid much excitement and discord, but, even at a time of almost revolutionary passion, hardly a single eminent Scotsman, and certainly no Scottish party, demanded a change in the constitution of the national Church.

Why, it may be asked, have I not summed up my first thought in the statement that the General Assembly was one of the most democratic forms of Church government? My avoidance of the ambiguous word 'democratic' is, however, intentional. The term democracy is connected with ideas foreign alike to the spirit and to the working of Scottish Presbyterianism. Calvinism indeed, in Scotland and elsewhere, has inspired resistance to political and religious oppression. But it is at least as much an aristocratic as a democratic creed. The conviction that the blessing of Heaven is reserved for the Elect points to the conclusion that the Elect, that is, the good and the wise, are the rightful rulers of a Christian State. This belief condemns off-hand the *vox populi vox Dei* which is latent in modern democratic sentiment. The constitution again of which the General Assembly is the final outcome rests at bottom on the self-elected Kirk-sessions, *i.e.* bodies not depending on popular election. And that constitution, be it observed, attained two objects rarely if ever achieved under modern forms of popular government. The one is that both the members and the electors of the General

¹'The whole commotion... arose from the spirit of the eighteenth century attempting to crush the worn-out spirit of the seventeenth, and the spirit of the seventeenth lifting up its head and leaving its sting before it died. It was the battle of progression and retrogression' (Mathieson, *The Awakening of Scotland*, p. 147, citing Cunningham's *Church History of Scotland*, ii. 446).

Assembly were men all of whom could read, and many of whom had received a good substantial education and had felt the stimulus of ardent theological controversy based on Biblical knowledge ; the second object was that the Scottish peasantry should be accustomed to active participation in matters concerning the Church, in which term was included the education of the people and the management of poor relief.

Second Thought.—*Under the Constitution of 1690 the Parliament and the General Assembly of the Church of Scotland each gave effect to the doctrine of Scottish Presbyterianism with regard to the relation of Church and State.*

‘The [Scottish] State indeed was a Christian State, and had duties as such, in co-operation with the Church. But already the Reformed Church in Scotland was beginning to develop its characteristic view of their relations as independent, co-ordinate and co-related powers. No churchman was to haunt courts or to accept civil office ; the civil magistrate had his own place divinely appointed ; but so had the Church ; and in its own place it must be free.

‘Yet when two divinely appointed institutions are working in the same country towards the same end, human frailty and corruption inevitably produce friction. The attempt to establish a line of demarcation between their respective jurisdictions, and the settlement of disputes arising from alleged transgressions of that line by one side or the other, form a large part of Scottish history, both political and ecclesiastical.’¹

These words describe, from an historical rather than a logical point of view, the doctrine entertained in 1690 by the Scottish Church as to the relation which, in Scotland at any rate, ought to exist between Church and State : they are in a very special sense applicable to the opinion on this matter held between 1690 and

¹ Balfour, *Rise of Presbyterianism*, p. 41.

This doctrine of ‘the separation of powers’ in the relation between Church and State, as understood in 1690, may roughly but logically be thus summed up :

1st. There has from an early date in the Reformation existed, and there ought always to exist, in Scotland a national and Presbyterian Church of Scotland maintained by, and existing in alliance with, the State.

2nd. Such Church and State ought each to be, the one in the spiritual sphere, and the other in the temporal sphere, supreme ; the Church, being ultimately represented by the General Assembly thereof, and the State by the Parliament of Scotland.

3rd. Such Church and State ought each to support the other within its proper sphere.

1707 by the best and wisest of Presbyterians either in the Parliament or in the General Assembly.

The following points deserve notice :

(1) In 1690 the history of Scotland singularly facilitated the attempt, which on the face of it involved great difficulty, to maintain at the same time in one and the same country a national Church and a national Legislature which should be each in its own sphere of supreme and co-ordinate authority. For the success of such an experiment it was a great advantage that for a century and more the Scottish people should have been accustomed to the co-existence of two representative bodies, whereof the one (the General Assembly) was concerned with the religious interests, and the other (the Parliament) was mainly concerned with the political interests of Scotland. But Scottish history proved also that these two bodies might easily come into hostile collision with each other. The peculiarity of the situation is that in 1690 the General Assembly (which for our present purpose may be identified with the Scottish Church) and the Parliament each stood in mutual need of each other, and were each inclined not to press too far this claim to supremacy. The General Assembly had for a century and more been a far truer representative of popular feeling than the Parliament which usually had registered the decrees of the King. But the days when the Assembly could nullify an Act of Parliament and prohibit all persons from obeying it 'as they would not incur the wrath of God and the censures of the Kirk,'¹ were past and gone. The guidance of the Church had led to disaster. The defeat of Dunbar was due to the influence of the Church and its ministers. The credit of the Assembly was injured by the lasting feud between Resolutioners and Protesters. The attempt, first to enforce Presbyterianism upon England, where it was almost equally hateful to Cavaliers, to Independents, and to the mass of the English people, the fighting for Charles II. as a Covenanted king, and the childish confidence which leading Presbyterians displayed at the Restoration towards the most untrustworthy of kings, whereby they failed to obtain any security whatever either for the maintenance of the Presbyterian Church in Scotland or for the toleration of Presbyterian dissenters in England, had hopelessly shaken confidence in the political wisdom of the Church. Sincere Presbyterians, moreover, must have felt that the interference of the Assembly in merely secular politics was as much

¹ Mathieson, *Awakening of Scotland*, p. 8.

opposed to Presbyterian doctrine as was the interference of the Parliament or ordinary law courts with the spiritual or religious concerns of the nation. To every Scottish Presbyterian, however, the revolution would have been worthless had it not re-established the national Church and re-assembled the General Assembly. The Parliament had, on the other hand, through the abolition of the Lords of the Articles, for the first time become, from a legislative point of view, a supreme legislature; but the Scottish Parliament had not behind it, as had the Parliament of England, an immemorial tradition of legislative sovereignty, nor had it the popular authority which belonged to the General Assembly as the defender of national Presbyterianism against the aggressions of the Crown, which were supported by the wealth of England. Parliament had joined in the expulsion of James, but this tardy patriotism could not obliterate from popular memory recent acts of parliamentary and judicial subserviency to the will of despotic kings. From 1690 to 1707 there were thousands of men living who remembered the Restoration of Charles II. (1660). The authors too of the Revolution, whether in the Parliament or in the Assembly, had everything to fear from the not improbable restoration of the Stewarts. Hence every Whig and Presbyterian felt that the Assembly and the Parliament must act in harmony with one another.

(2) It was a time for compromise, and both the Assembly and the Parliament wished to obviate any conflict between Church and State. They were each prepared to make concessions. It is often assumed that the clergy were constantly bent on the increase of their own authority. But this idea is opposed to plain facts. The Assembly acquiesced in restrictions imposed by Presbyterian doctrine on the power of ministers of religion. No Presbyterian minister ever took a direct part in parliamentary or official life. We shall find that even during the utmost heat of the controversy over Church Patronage it was admitted that, while the induction of a minister might concern the Church and the Church Courts, the due payment of his salary was a matter within the jurisdiction of the civil Courts, and subject to the control of Parliament; yet the parish clergymen in Scotland certainly were and remained for many years miserably underpaid.

In 1693 Scotland was threatened with a direct conflict between Church and State. The once terrible question whether the General Assembly could of its own authority determine its meeting and its dissolution, or could be summoned and dissolved only

by the Crown, called for decision. A compromise was arrived at which suited either view, and thenceforth has been followed. When the session comes to an end the Moderator fixes a date at which the next Assembly should meet, but he does this without reference to the Royal Commissioner who represents the Crown. The Royal Commissioner immediately afterwards also announces the date, being the same as that already fixed by the Moderator, at which the next Assembly will meet, and makes no reference to the Moderator. The General Assembly under these proceedings is dissolved and the next General Assembly is summoned to meet. The rights, whatever they may be, of Church and State are treated with due respect. The acceptance by the General Assembly of this pleasant fiction of constitutionalism is a visible sign of the spirit of compromise. Parliament, on its part, went far to meet the wishes of the Presbyterians. In 1690 the General Assembly was assembled or re-assembled after having been in abeyance for well nigh forty years, and has met yearly ever since. In 1693 Parliament passed an Act establishing or re-establishing Presbyterianism as the national religion of Scotland. In 1690 it abolished Church Patronage. In 1697 it passed an Act for the settling of schools which permanently regulated the education of the country in accordance with the wishes of the Church. No attempt was made accurately to define the limits which divided the authority of the Church in spiritual matters from the authority of the State in secular matters. But it was clearly understood by all Presbyterians that in all matters purely spiritual, *e.g.* matters of religious doctrine, the General Assembly had supreme power, and that in all matters purely secular, *e.g.* questions of property, the Parliament had supreme power, and further that the Assembly and the Parliament, or, in other words, the Church and the State, should co-operate for the benefit of the nation.

One reaches therefore the following conclusions: The Constitution of 1690 gave practical effect to the Presbyterian doctrine of the proper division of powers between Church and State; and this result was achieved because it was favoured by the historical position both of the General Assembly and of the Parliament.

Third Thought.—*Under the Constitution of 1690 the General Assembly possessed, both legally and morally, high authority.*

An Englishman of the twentieth century finds it difficult to realise how extensive was this influence. The General Assembly possessed, as it still possesses, wide and indisputable legal powers.

On all matters of religious doctrine the General Assembly had, as the supreme and final court of appeal from every lower Church Court, final and absolute jurisdiction. The Assembly, again, possessed on all religious matters and on all matters purely concerning the Church a very large amount of legislative authority. The Barrier Act, as already pointed out, showed its indisputable power to regulate the government of the Church. The Assembly had in its hands every matter connected with either popular or university education throughout the country. The Assembly could direct inferior Courts to give effect to its own powers, and it was certain that its directions would be obeyed. The Assembly, unlike the Parliament, was elected every year. Each Assembly, in this too unlike the Parliament, before its dissolution appointed a Commission chosen from its members which, until the meeting of the next Assembly, could exercise many of the powers of the Assembly, and was bound generally to provide for preserving and maintaining all the rights and privileges of the Church. This Commission perpetuated to a great extent the governmental power of the General Assembly during the time which elapsed between its annual meetings. But the moral power of the General Assembly transcended its extensive legal powers. Around the Church and the Assembly as its representative had collected all the romance of Presbyterianism and its martyrs. Formal excommunication by the Church Courts was, it is said, little used after 1690, and after 1712 the civil Courts completely ceased to enforce civil penalties upon excommunicated persons. But through the exclusion of a parishioner from the Communion and by other means the Church Courts could impose very severe punishment upon a man deemed open to the censure of the Church. We all now know by recent experience the true meaning of a boycott. The victim who 'was left severely alone' underwent a more agonising punishment than could be inflicted by any Court known to the law of the land. Imagine a boycott in the south of Ireland backed by the authority of every Roman Catholic parish priest. One can thereby form some idea of the position of an offender who during the seventeenth and a great part of the eighteenth century was repelled by the Kirk-session from communion and was proclaimed unworthy of the society of his fellow Christians. Add to all this that under the Constitution of 1690, and indeed for many years after the Union, the Presbyterian pulpit influenced Presbyterian opinion at least as strongly as does the press of Great Britain now influence the opinion of the electors, and the

Presbyterian pulpits were under the control of the General Assembly.

Fourth Thought.—*Under the Constitution of 1690 the authority of the General Assembly told decisively in favour of passing the Act of Union.*

The Act of Union was unpopular in Scotland in 1706-7. At that date the opinion prevailed among Tories, and also among many Whigs, that the policy of Union was a ministerial chimera, for it was certain that a coalition of extreme Presbyterians with Jacobites might at any moment cause the Scottish Parliament to throw out the Act of Union, and both Jacobites and Presbyterians had solid grounds for disliking the Act. The Jacobites saw in it a bar to the possible restoration of the Stewart kings. To Presbyterians the creation by the Act of a British Parliament, in which the representatives of Scotland would form an insignificant minority, inspired the not unreasonable dread of an attempt by that Parliament to force Episcopalianism upon the Scottish people, and the legislation of 1712 proved that there were plausible reasons for a fear which turned out to be a mere panic. In this state of things it depended upon the action of the General Assembly whether the Bill for creating the Union should become the law of the land. The Jacobites were only too ready to form a coalition with the Church, but the General Assembly was in reality alarmed by the ominous enthusiasm of Jacobites for the rights and privileges of the Presbyterian Church. The Assembly acted with consummate foresight and prudence. It secured the passing of an Act passed by the Scottish Parliament for securing all the rights and privileges of the national and Presbyterian Church of Scotland. Having obtained for that Church every safeguard which an Act of Parliament could possibly give for the security of the Church, the General Assembly in fact, if not in form, gave its support to the Act of Union. To the Whigs of England and of Scotland and to the General Assembly is due the creation of the United Kingdom of Great Britain.

Fifth Thought.—*How far has the Presbyterian doctrine as to the relation between Church and State, established and worked out under the Constitution of 1690, been beneficial to Scotland?*

It is, in the first place, objected by some modern jurists that it is impossible at one and the same time to maintain the sovereignty and the independence of the Church, and also the sovereignty and independence of the State. The best reply to this objection is afforded by history. During the existence of the Constitution of

1690 (1690-1707) Church and State in Scotland did in reality keep within their respective spheres as understood by Presbyterians. True of course it is that if in one State two persons, or two bodies, each are considered to be in the strict sense sovereign, *i.e.* each to have power of legislating on every topic whatever, a logical contradiction may lead to constant conflict. But the further dogma of Austinian jurists that in every State there must of necessity exist some absolutely sovereign power, is not in fact true. If, as may often happen, the citizens of one State habitually obey one sovereign, *e.g.* the Pope, on one class of matters, *e.g.* matters of religious doctrine, but also habitually obey another person, *e.g.* the King, on another class of matters, *e.g.* political matters, there may well exist for an indefinite time a system which may properly be called one of divided sovereignty, and this was in fact the state of things in Scotland under the Constitution of 1690. The vast majority of Presbyterians were prepared to obey the General Assembly on matters, *e.g.* of religious doctrine, which such Presbyterians deemed spiritual, and were prepared to obey the Parliament, including in that term the King, in regard to matters which such Presbyterians deemed temporal. Whether this condition of things may or may not be called a condition of divided sovereignty is a question of words and of no great importance. That the verbal or logical difficulty of determining the different spheres within which Church and Parliament had respectively supreme authority was perceived in the seventeenth century both by Parliamentarians and by Divines, is shown by a curious fact. The Parliamentary Act of 1690, intended to settle the government of Christ's Church in Scotland, uses language which clearly intimates or hints that the establishment of Presbyterian Church government was originally settled by, and still depended upon, an Act of Parliament. In 1698 there was published under the authority of the General Assembly 'for the satisfaction of uneasy members of the Church a Seasonable Admonition,' and this Seasonable Admonition uses language which implies that Presbyterian Church government was instituted by Christ, and therefore not by the authority of any mere Act of Parliament, and suggests that what Parliament did not create Parliament could not alter.¹ In other words, the Parliament and the Assembly each declared its own belief in its supreme authority, but were each determined that verbal controversies should not give rise to real conflict.

¹ See Balfour, *Rise and Development of Presbyterianism in Scotland*, p. 114.

It is urged in the second place that Presbyterianism led in Scotland to gross religious intolerance, combined, in many cases, with constant inroads upon personal freedom of action, and with that most desirable freedom of opinion, which, by the way, should always be called, if we are to avoid confusion of ideas, freedom of discussion.

This charge contains within it a considerable amount of truth. Religious toleration was in the sixteenth and seventeenth centuries no part of the Presbyterian creed. The execution in 1797 of Aikenhead for the unproved crime of reviling the Trinity was a brutal act of intolerance which was the disgrace of the Scottish Courts, and indirectly of the Scottish clergy, whilst in 1831 the deposition of Macleod Campbell of Row, in which Moderates and Evangelicals united to expel from the Church a man of great spiritual activity and devoted Christian character, for alleged heresy in regard to the Atonement,¹ suggests that Scottish Presbyterianism, if it had given up the ferocity of the early eighteenth century, retained even in the nineteenth century the intolerance of the seventeenth century. It is indeed the conviction that neither the dogmas nor the sentiment of Presbyterianism in Scotland promoted the growth of toleration, which has hindered critics devoted to freedom of thought² from judging the faults of the Scottish Church with fairness, or doing justice to the services which that Church has rendered to the world. It was this sense of Presbyterian intolerance which made Englishmen, who agreed in nothing else, offer, even in the seventeenth century, vehement opposition to the attempt to introduce Presbyterian Church government into England. That a Church which detested Episcopacy should be hated by James, by Charles I., or by Laud, was inevitable, but it was Cromwell who addressed the Scottish divines the remonstrance, 'I beseech you in the bowels of Christ to think it possible that you may be mistaken.' It was Milton who declared that 'New Presbyter is but Old Priest writ large.' It was, we may say, the whole English people who looked askance, even though strong Protestants, on anything like the establishment of Presbyterianism in England. Yet all that can fairly be alleged against the Presbyterian statesmen or the Presbyterian clergy who lived under the Constitution of 1690 is that they were in the matter of toleration and in their ideas of the

¹ Balfour, p. 158.

² See Buckle, *History of Civilization in England*, III. chaps. ii. and iii.

respect due to liberty of opinion or discussion a good deal behind some of the best and most enlightened of English or Continental moralists or thinkers, but on the whole did not in these respects fall much below either the humanity or the toleration generally practised in other Protestant countries.

The third, and by far the strongest, objection to the Scottish doctrine of the separation of powers lies in the attempt then made in almost every Protestant country to combine two convictions, namely, that every country, and especially Scotland, ought to have a national religion, that is a religion professed and believed in by the whole of the nation, or at any rate by the rulers of the nation, and by the vast majority of their subjects, and also that every individual is responsible for his own religious belief. The perplexities caused by the effort to give effect to these two beliefs are by no means peculiar to Scotland. They equally apply to any country where there exists an established or national Church, *e.g.* to England. In each case they have almost inevitably led to the result that the national Church has gradually ceased to be the Church of the whole or of anything like the whole of the nation.

At the end, however, of the seventeenth century it seemed quite conceivable that Scotland might become a land where, if not the whole, yet the vast majority of its inhabitants should be Presbyterians. And the Established Church of Scotland did certainly, with great energy and with very considerable success, labour to attain this end by bringing over to Protestantism the Roman Catholics of the Highlands. But of recent times an eminent Scottish lawyer has laid down that 'Knox's descendants have found what that great man strove not to see, that a Church with both independence and nationality, to him the most beautiful of all things, may at any rate be found to be practically impossible. The shining of that devout 'Imagination' has fascinated the eyes of many generations in Scotland, but will do so no more.'¹ A critic, however, who is not a Scotsman, may decline either to affirm or to deny the truth of this assertion, and content himself with insisting upon two facts. There exists, in the first place, a marked current of opinion in Scotland towards the reunion of all Presbyterian bodies into one national Church, and such a reunion might go far enough for practical purposes towards identifying the Established Church of Scotland with the Scottish people or nation. It is in the next place highly probable that if such

¹ Innes, p. 90.

reunion cannot be achieved this failure must lead to every Church throughout the country becoming by law a voluntary association, deriving its existence from an actual or implied contract between the members thereof. No doubt the success of religious Voluntaryism throughout the United States points to the probability or possibility of such a solution of the relation between Church and State.¹ Yet an impartial judge will observe that Voluntaryism denies the existence of a problem rather than solves it, and that the marked tendency by the statesmen, the thinkers, and the people of Great Britain to extend the control of the State over matters really belonging to the sphere of morality and sometimes of religion, suggests that before the end of the twentieth century the ideas which identify Church and State in the mind of Knox, in the mind of Chalmers, and of Dr. Arnold, may revive in a new form.

Turn now from the criticism to which the Presbyterianism of Scotland is open, and consider the benefits which the Church of Scotland has all but admittedly conferred on her people. Let me call as witnesses to the reality of some of these blessings four men, each from different points of view, acquainted with Scottish history, and of whom two have been the severe censors and two the appreciative critics of Scotland and her Church.

The Scottish clergy, we are told by Buckle, covered the great ones of the earth with contempt, and thus discountenanced 'that pernicious and degrading respect which men are too apt to pay to those whom accident and not merit have raised above them,' and that 'herein they did a deed which should compensate for all their offences, were their offences ten times as great,' for they facilitated the growth of proud and sturdy independence.

Macaulay insists in the most emphatic language that the prosperity of Scotland is to be attributed, not indeed solely, but principally, to the national system of education, and that this national system depended at bottom on an Act of Parliament passed in 1697 whereby Scotland, 'in spite of the barrenness of her soil and the severity of her climate, made such progress in agriculture, in manufactures, in commerce, in letters, in science, in all that constitutes civilisation, as the Old World had never seen equalled, and as even the New World had scarcely seen surpassed.'² And this scheme of education was, as is well known,

¹The fairest statement of the success of Voluntaryism in the United States is given in Bryce's *American Commonwealth*, ii. (3rd ed.), 601-712 and 812.

²Macaulay, *Hist. of Eng.* iv. 780-781.

favoured by and due to the Church of Scotland. Nor can any one doubt that the highest standard of education attained by the poorer classes in Scotland, combined with the popular discussion of theological problems in connection with the management of Church business, kept alive among Scottish farmers, labourers, and workmen, an aptitude for political affairs which was little, if at all, cultivated at any rate before the Reform Act of 1832 among the rural labourers of English parishes or the artisans of English cities.

Consider next the judgment of one of the latest and one of the most authoritative of writers on the history of Scottish Presbyterianism :

‘ Beyond doubt, the principal services of the Scottish theological schools’—or we may say of the Scottish school system generally—‘ have been in the formation of a thoughtful and reverent people accustomed to great themes and serious reflection upon them, by the ministrations of an educated clergy, whose first vocation has always been held to be the preaching of the Gospel in its fulness, and the elucidation of the mind of the Spirit in the Word of God.’¹

Listen lastly to the most ardent and the most famous of Scottish Nationalists—Sir Walter Scott. He was a member and had been an elder of the Scottish church, though probably in later life he preferred the Episcopalian form of worship. He entertained an imaginative interest in Jacobitism, though thoroughly loyal to the Union, which he was sensible to have been a wise scheme.² He realised to the full the weaknesses of Presbyterian government. He was a Tory who hated any change even in the institutions and even in the minor habits of Scotland, but he appreciated to the full the virtues of the Scottish peasantry, which without doubt suggested to him the following words :

‘ I have read books enough and have observed and conversed with enough of eminent and splendidly cultivated minds too in my time, but I assure you I have heard higher sentiments from the lips of poor uneducated men and women when exerting the spirit of severe yet gentle heroism under difficulties and afflictions, or when speaking their own simple thoughts as to circumstances in the lot of their friends and neighbours, than I have ever yet met with out of the pages of the Bible. We shall never learn to feel

¹ Balfour of Burleigh, *Rise of Presbyterianism*, 163-164.

² See letter to Miss Edgeworth, 16th July, 1825 ; Scott’s *Familiar Letters*, ii. 312.

or respect our real calling or destiny unless we have taught ourselves to consider everything as moonshine as compared with the education of the heart.'¹

A. V. DICEY.

¹Sir Walter Scott, in a letter to Miss Edgeworth, cited in the *Spectator*, Dec. 31, 1892, p. 950.

The Royal Regiment of Scots Dragoons (now the Scots Greys)

AMONGST a number of papers which lately came into the possession of Colonel F. J. Agnew Wallace, late of the Scots Greys, a collection of letters written in the years immediately before the Union by Lord John Hay, Colonel of the Royal Regiment of Scots Dragoons (now the Scots Greys), came to light, and I am indebted to Colonel Wallace for permission to publish a selection of extracts from them. Colonel Wallace is a descendant of the Major Agnew to whom they were written, and it is curious that after so many years the documents should be in the hands of one who had himself commanded the regiment to which they refer. The letters are principally concerned with regimental matters, but Lord John Hay and Major Agnew were personal friends, and after the military affairs are discussed, Lord John fills the paper with social and political news, and as his birth and army rank gave him the intimacy of the prominent men of the time, and as he was writing quite frankly to a trusted correspondent, the letters are often interesting.

In making extracts I have endeavoured to include chiefly the references to public matters of interest, and also some of the more personal and private occurrences which seem characteristic of the time. On the military side, however, the letters also throw light on the methods in vogue in Scottish regiments of recruiting and of matters of organisation, etc. They are filled, like all correspondence of the period, with laments about the delay and mismanagement of those in authority, and of complaints of speculation or worse on the part of the agents, who as a class were always credited with rapacity and carelessness; indeed, Lord John, when he obtained the colonelcy of the regiment, dispensed altogether with an agent in London, but the system was again reverted to. Some matters of antiquarian military interest are mentioned. For example, the presence of a cadet or volunteer in the colonel's troop, who served without pay and in the hope

of distinguishing himself and of obtaining a commission. The young man in question seems in this instance to have been dependent upon the generosity of his commanding officer for everything, even shirts and cravats. Lord John moots a scheme for obtaining a commission in the Foot for him, but the plan came to nothing, and the young aspirant finally obtained a cornetcy in his own regiment in 1705.

In another place a reference is made to the widow of 'poorr Captain Harry Hay,' of Stanley's regiment, who begs to have her son placed on the roll of the regiment that she might draw his pay, which Lord John directs to be done, apparently without the lad joining the service at all, as he orders the pay to be put to his own account, to be charged against himself, not paid by the public.

The period covered by the later letters is that during which Lord John was endeavouring to obtain the colonelcy of the regiment from Lord Teviot, who does not seem to have paid much attention to its well-being, at least in Lord John's opinion, for he rather takes credit to himself for the improved appearance and condition thereof when he obtained the control.

Lord John Hay was the second son of John (Hay), second Marquess of Tweeddale, by Mary, only daughter and heir of John (Maitland), first Duke of Lauderdale, K.G. We get our first glimpse of the future Colonel of the Greys from a letter written by the Marquess, his father, to the Duke in December, 1670, when, describing his reception by his children at Yester after a journey, he says: 'I askid Jhon if he knew me; he said I, I, and clapid my cheek and kissid both of them.' 'Jhon' was then about two years old, having been born in 1668. Little is known of his boyhood and education, but he received a commission as Captain in the Royal Scots Dragoons in July, 1689, he became Major in 1692, Lieutenant-Colonel in 1694, and Colonel of Horse in 1702. He purchased the Colonelcy of the Royal Scots Dragoons from Lord Teviot in 1704, and the same year became Brigadier-General. His military services were many and valuable; he distinguished himself at Schellingberg, Blenheim, and Ramillies. From the Blenheim Roll it appears that he acted as Brigadier there, and received a bounty of £105 as Colonel of the Royal Scots Dragoons, as well as one of £90 as Brigadier. He was twice married, first to Elizabeth, daughter and heir of James (Dalzell), fourth Earl of Carnwath, and secondly, to Elizabeth, daughter and heiress of Sir Charles Orby of Croyland,

second Baronet. He died of fever at Courtrai, 24th August, 1706, lamented by the whole army. He had no issue by either marriage, and his widow remarried Major-General Robert Hunter, afterwards Governor of Jamaica, and had issue by him.

Major Andrew Agnew was the eldest son of Alexander Agnew of Croach, in Wigtonshire, descended from the house of Agnew of Lochnaw, of which family the Agnews of the Croach claimed to be the eldest cadet branch. The family was long settled in Wigtonshire, at Challoch, near Dunragit, and later at Croach, on the eastern shore of Lochryan. The lands of Croach now form part of the estate of Lochryan, which is still held by a descendant of Major Agnew through the female line. The date of his birth is not exactly known, but he obtained a commission in the Royal Scots Dragoons or Livingston's regiment in 1689. He saw service in the north of Scotland after Killiecrankie, and was made a burghess of Aberdeen in that year for his services. He was put to the horn as cautioner for a debt in 1694, and in the letters of horning is described as 'Lieutenant in Collonell Livingston's regiment.' In 1698 he petitioned the Treasury for some compensation for damage done to his tenements and lands by French privateers who infested the coast of Galloway, the petitioner having been abroad on His Majesty's service when the mischief was done. Later he served through several of Marlborough's campaigns, was second in command of his regiment at Blenheim, receiving a gratuity of £61 10s. for his services there. Dalton says that he was also at Ramillies, but this is probably a mistake, for amongst his papers is a letter from a Mr. Drummond, merchant in Rotterdam, addressed to him in Scotland, giving an account of that battle and of its effects, and there is also one from Colonel Hay, likewise addressed to Scotland, condoling with him on his ill health, and dated 1706, so that it is unlikely that he was present. Agnew retired from active service in the army as Regimental Major and Brevet Lieutenant-Colonel in 1706, and settled on his property, which he spent much time and money in improving. He held many public offices in the county, and his life seems to have been a busy and useful one. He was Admiral-Depute of the neighbouring coasts, and had many disputes with the lawless maritime inhabitants of Carrick. He was one of the commissioners appointed to raise the Fencibles in 1715, and appears to have had a very short way with objectors and shirkers. He was twice married, first to his kinswoman, Margaret Agnew of Lochnaw, and secondly to Agnes, daughter of Sir Francis

Kennedy of Kirkhill. He died in 1733, and was succeeded by his son Robert.

EDWARD RODGER.

LETTERS FROM LORD JOHN HAY.

“Edin january .25. (1700)

Sir

i was not mutch surprysed to fynde that misrepresentations werr meade of mee seeing i guess by whome it is donne, and in my last to my Lord Teviott i insinuated so mutch, but seeing it is gone that lenth and licke to doo mee a prejudice, i shall give you a just accownt of what passed in this Company, towit my Lord Anandeall¹ major Generall Ramsay² Cornell Hamilton my Lord Craffort³ and major preston⁴ and i. after wee hade played

¹ William (Johnstone), Marquess of Annandale, second but eldest surviving son of William, first Earl of Annandale and Hartfell. Succeeded his father in 1672 when eight years old. Educated at Glasgow Grammar School and University. In 1684 was appointed member of commission directed against conventicles, but took no active part. In 1688 received a commission as Captain in a troop under Claverhouse, but did not serve, and at the Revolution received a new commission under Major-General Mackay, but again did not serve. He became involved in a plot hatched by his brother-in-law, Sir James Montgomery of Skelmorlie, but made confession and was not proceeded against. He next became zealous for the Government, and was appointed a Lord of Session and President of the Privy Council, created Marquess of Annandale 1701, and the next year made Privy Seal with the salary of £1000 sterling. He was opposed to the Union, but after its passing did what he could to render its working easy. In 1715 was nearly taken prisoner by a band of Jacobites at Dumfries, but by the help of Lord Lovat and the townsmen escaped, and after the close of the rising took little part in public affairs, and died at Bath, 1721. He was apparently a man of fickle and unbalanced opinions, and his record explains Lord John Hay's remark about his own steadfastness to the King.

² George Ramsay of Carriden, third son of George (Ramsay), second Earl of Dalhousie, commanded a battalion of the Scots Brigade at Killiecrankie, where he was abandoned by his men and apparently taken prisoner. He became Brigadier-General in 1690, Major-General in 1694, Commander-in-Chief in Scotland in 1700, Lieutenant-General in 1702, and died at Edinburgh 1705.

³ John (Lindsay), nineteenth Earl of Crawford, born before 1672, Privy Councillor 1702, Brigadier-General 1703, Major-General 1707, died 1713.

⁴ Major George Preston of the Royal Scots Dragoons was the second son of George Preston, sixth of Valleyfield, co. Perth, descended of Craigmillar. George Preston the elder was created a baronet of Nova Scotia in 1637. George, his second son, was born c. 1659, and served in Holland in the service of the States General. He was a Captain in 1688, and attended William of Orange on his expedition to England, and was appointed Captain in the Royal Regiment of Scots Dragoons, 8th September, 1692, Bt. Lt.-Col. in 1702, Regimental

att Gawff wee went in to Lith and dyned, after dinner wee tocke a glass off wyynn pritty hartily, till sutch tyme that my Lord .A. who hade been drincking the night befor and having drunck more than i hade donne wass gott pritty clear. so evry one named a halth rownde and when it came to mee i named to all those that wishes well to ther cowntry upon whitch my Lord said i doo not understande that halth i mean the King att whitch all of uss wass not a litle surprysed, and i fynding what turn he meade replyed that i did not understande his meaning for i wisht the Kings interest as well ass anny man dead and have sarved him with ass mutch zeall as he or anny man cowld pretende to and i was sewr with more steadfastness than he. whitch so pickt my Lord .An. that he went owt in a greatt pett, and since i never have spocke with him and this wass abowt two months ago or six weacks. so that i have all the reason to belive that it is upon this accownt that i ame misrepresented and by him, who will not stick to doo mee that diskynndness and is capable to macke his owen turn upon it, though i confess i cowld hardly imadgin anny man showld bee guilty of so mean and turty a thing, so shall suspende my thought till i know who it is that

Major in 1704, and Regimental Lt.-Col. the same year, and Colonel 1706. He was appointed Colonel of the Cameronian Regiment in August of that year, He commanded the Scots Greys at Blenheim, receiving a gratuity of £78 10s. was severely wounded at Ramillies, and was also at Malplaquet; became Brigadier-General in 1711, was Governor of Nieuport 1713, and Lieut.-General 1739. He was Commander of the Castle of Edinburgh in 1715, and was finally appointed Lieut.-Governor thereof at a salary of 10s. per diem. He was superseded by General Guest in 1745, but remained in the Castle, and it is said that his firmness was the means of preventing Guest surrendering to the Prince's army, for although Guest was in nominal command, Preston, in spite of his years, superintended the defence, and is reported to have had himself carried round in a chair every two hours at night to make certain that all the sentries were alert and at their posts. When threatened by the Jacobite army that if the Castle were not given up they would burn Valleyfield, he replied that if they did so he would instruct King George's ships in the Forth to destroy Wemyss Castle in retaliation. He died on 7th July, 1748, aged about 88 years. He is frequently confused with Robert Preston, who served in the Scots Greys during the same period; indeed, some of the printed histories of the regiment say that Robert Preston commanded the regiment in Marlborough's wars, but this is a mistake. The name of the officer who so ably commanded at Blenheim and in Flanders was *George* Preston. 'Dalton's Army Lists' seems to indicate that the two were brothers or half-brothers. This is probable, but I have failed to find proof of it. Another source of confusion arises from the fact that a second George Preston commanded the regiment in the middle of the eighteenth century, and was present at Minden and (I think) Dettingen, but the three persons are perfectly distinct.

hath done mee that diskynndness and i ame hopfull that those who are my frindes will doo mee that kyndness ass to plainly to tell the matter of fact, whitch upon my honowr is just what i have incerted hear. this you may show to my Lord Teviott¹ and anny other he thincks fitt ore that you doo, for i have meade it publick anuff hear what passed betwixt my Lord and mee and will still more since i fynde it so. i will not trowble my Lord with a letter upon this head but show him i hope hee will doo mee that justice ass to ewse his interest with my Lord Albemarle² ore anny other he thincks proper to vindicat mee and plainly what passed if he thincks fitt. and what he adviseth mee to doo aither by wryting ore otherways i shall bee verry ready to obey. i can say no more till i have a further accownt frome you or him to whome pray give my most humble sarvice so i remain

Sir your assewdred frende and humble sarvant

JOHN HAY

“what further vexed my Lord upon what past was major Generall .R. lickt thumbs with mee and saide he knew mee to bee ane honest man i fynde all to whome i have spocke to are of the same oppinion that it is Anandeall who hath donne mee that injury whitch when i know to bee so i shall know what to say.”

The above paragraph is written at the bottom of the letter beside the signature.

The letter is sealed with black wax, with an impression of the crest of the Hay family, a Goat's head with the motto “Spare nought.” and is addressed:—“To Captain Agniew off the Royall Regiment off scots Dragowans att London.”

¹Thomas Livingstone, second baronet, son of Thomas Livingstone (descended of Newbiggin), by the daughter of Col. Edmund. Thomas the elder was created a baronet in 1627, and died before 1673. He served in Holland in the service of the States General. Thomas the younger was born in Holland about 1651, and entered the service of the Prince of Orange as ensign in his father's company. He became Lieut.-Colonel of Balfour's regiment in 1684, and accompanied William of Orange to England. He was appointed Lieut.-Colonel of the Royal Scots Dragoons in December, 1688, served under Mackay in Scotland, commanded at Inverness, and defeated the Jacobite army under Buchan and Cannon at the Haughs of Cromdale in 1690. In 1696 became Major-General, and Lieut.-General 1703; gazetted Colonel of the Scots Greys in August, 1703, but sold his commission, 1704, to Lord John Hay. Was created Viscount Teviot and Lord Livingstone of Peebles 1695; married a Dutch lady, Macktellina Walrave, but had no issue. He died in 1711, and was buried in Westminster Abbey. He had charters of the lands of Lethington in 1702, and of the lands of Houghton in 1709

²Arnold Joost van Keppel, Earl of Albemarle, the courtier and favourite of William of Orange.

London Martch .2. (1703)

Sir

... you have donn well to sende my horses to Utricht for i ame sewr both the stond horse and that Gray Guelding will mutch the betterr they be ride if so be the fellow tackes cairr of them. Seing that those Chairrs have not ben proveyded for me macke a dozen sutch as Collonell Prestons werr that arr handsom and easie. And i hope particular cairr hath ben tacken that the timberr of my waggon hath ben well seasond for in saving a litle in the price i showld be loth to be att the trowble i was last yearr always mending them and i ame mutch affrayed the harnise will not prove near so good as what i might have brought frome this for the Lather is not near so good. you must see to gett annother Waggonerr. And Captain Campbell must doo me the favour to secewr a batt. man for me owt of his Company i mean what he hade for Generally amongst the foott ther arr good ones to be gott. And in the mean tyme lett one of those fellows appointed for my Grooms be Lerning to drive my Chaise for i dissign only two led horses upon a martch and thre att a review. i have putt my selff to morr chardges than i wowld have donn if i thought i hade benn postponed of my Brigadirrs pay whitch i belive i shall this Campagn, for betwixt you and me it is a scandall to see how all relaiting to the Armmy is manadged, being they sharp all they can of uss. And even in the particularr of bownty monny whitch wee thought hade ben ordered as the Generall officerrrs concerted, i ame informed that is to be Clipt so as that wee shall macke i belive litle of it for his Grace as i ame informed comes in for a snack as Captain Generall and so downnwards. Captain Gardner was with me just now and tells me that the remainder of owr monny for the dead horses is to be payed to morrow. As to affairs in scotland i fynde Seafield is to be Chancellor again my father refewsing to continew in that post and Annandeall secretary conjunct with Rox. and my father president of the Councell, whitch is all att present frome,

Sir, your assured frinde

JOHN HAY.

My Lord Teviott and i shall orde all befor i part frome this, but ther is no dealing with that fellow Livingston¹ so that i will

¹Livingston was agent for the regiment in London, and seems to have been as rapacious as the army agents of the time all were. Col. Hay's letters are full of complaints about his laziness and greed.

advyse what cowrce to tacke with him to bring him to reason.

Edin jully .17. (1703)

Sir

. . . in all probability ther must be vacancys for the Marquis of Lowthian doeth all alongst go along with the cowntry parties measseurs so that he will certainly lose his Redgiment¹ ass my Lord Teviott doeth likways his if this party still continew in favour and if not i ame pritty well stated with the Cowntrie partie you may bee sewr, who att present doo carry things overr the belly of the Cowrt for instance that Clause which was presented by my Lord Roxborough of which i gave a full accownt in my Last to Captain stewart the parlament hath hade two sederints att which i was not present having benn indisposed this weack past occasioned by a cold i gott and a vyolent fitt of the Gravell but now i thank god ame mutch better. The first day they satt and did nothing for the cowntry partie fynding that bissness was not in that concert they cowld wish tryfelt of the tyme by making spetches mal a propos and so prevented bringing anny thing to a vott that night in speigh of all the Cowrt cowld doo, so that they werr forced att ten a clock att night to adjurn till yesterday wher the bissness was then tacken upp and after some tyme spent in reading overr both Roxborughs clause and the advocats it came to the vote which showld bee considered first and carried Roxborughs by six votes and so it was a little amended and added to the act of secewryty and then they voted add the advocats to the act which is mutch mended likways and it caryed add by seventy votes though the Court oppost it and voted no and the president of the Cowncell and Duke of Argyll entered ther protests and some others adheard, so that i doo assure you this is a home strock for they neverr werr so baffled. . . . My Lord Teviot is now begun a law sew with Blantyr for the interest of Lidingtoun² which i belive will cost them both a great deall of monny, so he is lyke to pay for his folly in entring to that bargain without advysing with frindes.

Sir

i have benn in town now these fowr days bygonn and have ben employed paying my devoirs to some of owr Cowrtiers and

¹ Lothian's Regiment of Dragoons, the present 7th Hussars, raised in 1690.

² Lord Teviot had charter of the lands of Lethington in 1702.

making my Cowrt to my Lord Malborigh who by appointment gave me ane audience yesterday in the afternoon. i have fully talkt with him in Generall of affairs in regard as to my father and then i came to my owen particular wherin i showed him how uneasie i was that i cowlde not have the satisfaction to be under his command last Campagn, but that that i cowlde not i thought with Credit doo upon this he said that frome the Carrecterr he hade of me from severalls and by what he saw and knew of me when with him abroad he hade a kyndness for me and did locke upon me to be ane honest man but that hade i benn his brother he cowlde not but have condemd me for not being overr last summer so hoped i wowlde exceuse him for seing so. this he did in a verry frindly manner so that i thanked him and towld him i was very censible of his kyndness but that to continew in the post i was and sarve one so was what i cowlde not with honour doo anny morr. unless i hade a Redgiment of my owen i cowlde not think of sarving anny morr, and to kepp what i hade and not to sarve was what i nevrer intended, so that if ane occasion for my preferment did not offer this winter i wowlde then leave it to his Grace to doo with my Commission what he thought fitt. he said severall kynde things and assured me of his frindship when occasion offerd so that i ame perswaded if a Red Redgiment fall vacant i will gett it. i towld him further that i understood they dissyned to dispose of Teviots Redgiment and that so farr they hade declaired it that they hade already mead ane offer of it, and that to my Lord Crafford in particular who towld me of it himself whitch i thought verry strange that befor her Majestie hade declaired it vacant they showld take upon them to dispose of it. He said for that he was sewr the Queen wowlde doo nothing with the tropes abroad without speacking to him and that i might depende upon. all i cowlde say i have and ame now att ease, and i must needs say i nevrer mett with morr civility frome anny boddy in my liffe, perhaps that will be all. The divisions hear amongst our great ones continew and the Duke of Atholl Chancellor and Crommartie go togaither. Queensberry and his tutor Stairs Annandeall and Ross arr of the other partie hear and Leaven is writ for, if the others stik i belive some honest menn may be brought in to the Government for the ballance no dowbt will bee of ther syde since the Cowntrie partie will recave them if things continew in the hands they werr. the nixt session of parlament will dowbtless be hotter as this, but it is expected some change will be and condeshentions granted, this mutch for

politiks. . . . direct your letters for me to be left att whyts jocolat house in st jameses streett. i shall be glade to hear you arr perfectly recovered.

adiew

London Novem^{br} .9. (1703).

Sir

since my last ther is nothing further as to owr scots affairs but only that the Queen hath promised ther showld be a conferrence whitch the Duke of .Q. declyns if obtaind i dowbt not but that it may have good effect Ther is one thing whitch occasions evry boddy to inqueir mor particularly anent my Lord Stairs, and that is a full accownt of the Murder of Glenco whitch is printed and publickly sowld hear withall its particulars and what the parlament did upon it, this is what doeth expose him to the hiest degree, so that for his estate i wowld not have so mutch laid to my chardge. . . . i cann informe you of no other news frome this but what is verry bade. that is daily wee have accownts of morr loss att sea whitch was occasioned by a vyolent storme of wynde whitch wee hade hear upon saturday morning last, and hath donn a great deall of damidg to the howses both in town and Cuntrie. wee have accownts of Admirall Byronts being lost and nyne men of warr morr besyde a vast manny martchant menn so that it is comduted that .1000. sea men may bee lost owt of the wholl whitch cannot be recovred in hast.¹ i wish you may not hade the same effect with you of whitch we arr apprehensive. if things go right and i bee proveyded for as i dissyr i shall sarve my frindes so farr as i cann in doing them justice if otherways i bee to quit you shall bee sewr to hear frome me whitch is all at present frome
your assured frinde and humble sarvant

J. H.

London Decem^{br} 3 (1703)

London Decm^{br} .17. (1703)

Sir

. . . Ther is still a stand as to owr affairs upon the accownt of this plott² whitch hath benn now befor a Cabinet Cowncell and

¹ This was the 'Great Storm' of Nov., 1703, which caused immense damage; the name of the admiral who was lost was Basil Beaumont, whose flag-ship, the 'Mary,' was lost on the Goodwin Sands.

² The 'Scots' or 'Queensberry' plot: a scheme devised by Frazer of Lovat to discredit the Duke of Athole, which caused great excitement, but came to nothing. It was however the cause of a long and acrimonious dispute between the two Houses of the English Parliament.

The Royal Scots Dragons

some of our Ministers with the Queen upon it. and will be mead publick in a few days some are taken up upon it those that have been in France lately and our Scots Councillors hear are to have a meeting upon it. and her Majesty hath acquainted the House of Lords that she will lay it before them. this is all we know of this matter as yett. and I am persuaded nothing will be mead out but a contrivance to insnare some people. time will detect the Knavery of it and I hope they will meet with their reward. my service to all friends with you adieu.

Sir

... As to our affairs hear they are not come to a Crisis, and the Chancellor who intended to be gone for Scotland this week is stopt upon this account, that it seems those of our Privy Council hear are to meet and have what informations have been given in relation to our sham plot laid before them so that accordingly instructions will be given him. the Court was never so much puzzled as at present about our affairs, and the divisions hear continue much the same, I hope some good may come out at last. what further happens you shall know and I will take care to order the payment of what will be due Lieutenant Kith, pray send over my buttons I mean what I wrote for that is a set of the best style double Gilt buttons of the newest fashion can be got at the Hague. this I mention to you again least that my former might have miscarried which is all at present frome

Sir, your assured friend and humble servant

JOHN HAY.

London January .14 (1704)

London January .25. (1704)

Sir

since my last there was a meeting of all our Privy Councillors hear where her Majesty and the Prince were present. The Duke of Atholl did there read a narrative that he had drawn up of all in relation to the discovery of the plot, which did touch upon the Duke of .Q. upon which my Lord Stairr rose up and spoke with a great deal of warmth and there told that there was one went down to Scotland who rid it in three days which was the greatest dispatch could be mead, and upon his arrival that meeting was, where it seems measures were taken as might appear by some of the highland Clans going to the hills with

ther followers, and further said he did not think that the french King would have ingadged to sende menn or monny to scotland unless some peopell of Quality werr concerned in that dissyn so that it was his oppinion and advice that her Majestie showld augment her forces in scotland to fyve thowsand menn and that ships showld be sent to guard the cost, and that fiftie thowsand pownd sterling sent down now might be of morr euse than .500. thowsand pownd would be able to retriue att another tyme, as also that it was easie to distinguish what partie was for her majesties interest. so runn owt for a long tyme. the Duke of Atholl answered that as for the sending down one it was trew his sons governour went down being he hade no further occasion for him his son being now of Edge and that he did tacke above fyve days to macke the jurnny so that her Majestie from that might judge the rest what that noble Lord asserted. And as to the higland Clans he said that when she was pleased to call them some tyme ago befor her his oppinion then was that they showld be cited to swear to the peace according to custom, but it seamd thē Councell thought fitt to sende orders to brigadir Maitland¹ to apprehend Clengarie and thre morr, upon witch they seeing some of the forces coming of a suddenn among them did fly to the hills but that not one of ther rascalls did stirr, and it was no wonderr but that they werr apprehensive being they hade still a remembrance of the horrid murder was committed upon the Glenco menn, upon witch stairs answered that that was a reflexion upon the laitt King and his ministers, the Duke said it was non as to the laitt King being the parlament hade given their oppinion ass to that, but upon those who contryved and manadged it. so you may judge by this how warm they werr. as also how this will be tacken in scotland wher i doo assewr the bottome of the plott and dissyned invasion will be sufficiently inqueired into, and things arr brought to that pass that i belive ther neverr was sutch a ferment in the nation as att present, and no wonder considering what accusations arr mead against the best and honest part of the nation. Owr affairs will not come to a finnal determination till this parlament raise and my Lord Malborough returnn, but i ame of oppinion all owr great folks will go down in the same station as they came upp, and as to my owen particular i must have patience till the Duke come back. . . . if you cann not gett that sett of bottons verry good you may lett it

¹ James Maitland, son of Robert Maitland of the Bass, was for some time Governor of Fort William ; d. 1716.

The Royal Scots Dragoons

alonn and if not already proved so as they bee hear the first of the nixt month doo not send them me. . . . i have nothing further to add but that Levenn is to go down Comissioner to the Generall assembly and so i belive they intend to putt of the sitting of owr parlament some tyme till they try peopells pulcys. so with my sarvice to all frinds with you adiew.

London february .8. (1704)

Sir

. . . by a letter i hade from Captain stewart last night i fynde that they have great difficulty to gett menn and pay them thre Gyneas in hand to them owr affairs arr all att a stand att present but yesterday being her Majesties birth day she hath mead six knights of the order of st Andrews who arr the Duke of Argyll Atholl M. Annandeall L. Dalkith E. Orkny and the Chancellor and the Ribban is now greann. so that ther is still thre remaining to be given as matters comes to be settled.

London february .13. (1704)

Sir

. . . The only thing i can informe you of is that ther is now ane accownt come frome scotland that one Baillie a brother of Monerhalls hath depond befor the councell that the D. of Q. and Mar. An. did endeavowr by promising both monny and imployment to ingadge him to declair and swarr that severalls of the Cowntrey partie werr in a plott and named the men of best Quality in it to have hade a correspondence and a common banck of monny for bying of arms and ammunition to sarve the french interest and bring in the prince of wails. D. H.¹ D. A.² the Chancellor and some others werr named to him but my father is not nor anny of owr relations, this that Gentleman hath donn upon a chock of consience and hearing the noise the plott mead did wreitt to Duke .Ha.³ and discovered all that past betwixt .Q. A. and him and hath signed it, whitch i have senn and it is the most villanows contryvance evver was heard of. . . .

London Martch .10. (1704)

. . . by the degree of the Lord of the session i fynde Blantayr is ordered to consignn his monny for Lidington by the tenth of

¹ Duke of Hamilton (?)

² Duke of Atholl (?)

³ 4th Duke of Hamilton, who was killed 1712 in a duel with Lord Mohun.

junn otherways Teviott is to keep it. Rothes Roxborough and Gerviswood who werr sent upp by the cowntry partie have hade ther owndice of herr Majestie and she towld them that the parlament showld sitt ass soon as conveniently she cowld appoint it and that that affair of y^e plott showld be layd befor them. All as yett is not determined in owr affairs but i ame perswaded the D. of .Q. will go donn Commissioner and the rest in ther places likways for he undertackes the setling of the succession this session of parlament whitch others will not ingadge to doo, and it is what the Queen towld Rothes and the others att therr awdience, when the report of the Committee to the howse of Lords is mead we then shall be att a certainty as to all owr affairs and this we expect will be in a few days. . . .

London Martch .28. (1704)

Sir

. . . i was yesterday afternoon with my Lord Malborough by his appointment who askt me particularly anent the condition of y^e Redgiment of which i gave him ane accownt and then did tacke occasion to speack to him as to my owen particularr he was mighty Civill to me and towld me that beforr he parted he would give his directions thereanent and bed me not be uneasie, but dissyred i showld come overr with y^e troppes being he dissigned they showld tacke y^e filde verry sonn upon that i towld him least that his Grace showld be dissappointed that ther would bee a necessity for living a good manny menn to loock afterr the supernumerary horses till whitch time owr recrewts werr landed frome scotland whitch wee cowld not sonner expect than the beginning of may. he said it was a fault owr recrewts owght to have marched by Land to newcastell and so have benn transported from thence hitherr, i towld him that it was what wee neverr did all y^e last warr besydes that wee cowld not undergo the expence, but that if his Grace did think that the properest method to be tacken herafterr some meassewrs showld be tacken for that effect against nixt yearr att whitch he was satisfyed. you can not imadgin what difficultys i meat with to gett monny advanced upon y^e accownt of the two additional tropes, whitch i ame affrayed will not bee gott in a good condition this Campagn, howeverr for Armes that shall be donn hearr, but Cokards and other things proveyded with you for the sixt tropes y^e lyke must be proveyded for them likways, and cloth for the officers Cloths and howsings conforme to y^e rest of the officers, which you must cause tacke cairr of, and what monny

belonging to my Lord Teviott must be applyed for that ewse, and when i come over we shall adjust all. . . .

Tents for the subaltairns must be bespock sutch as y^e rest i mean for the two additionall tropes. i hope owr horses arr landed saif for i ame affrayed they have suffered for wee have had verry stormy waitherr hearr, and i ame sewr y^e recrewts horses werr naiverr so good, and y^e Clothing i will likways answeerr but better hade i hade y^e absolwtt manadgment. owr scots affairrs will now be determined in a few days so sonn as y^e parlament hear is upp. . . .

“ Sir

Least my former may have miscaried i shall again recomend to you that so soon as you arryve att Gorcum you wreit to mr Drummond to whom i have wrote myselff some tyme ago, that he wouold be pleased to bay a pice of y^e best Clarett he can fynde and lett it be botteled of aither in flasks orr other bottells as he fyndes most proper for y^e easier transporting of it, but particular cairr must be tacken in seeing that it (*sic* “is” omitted) well Corkt, and let him sende it by y^e first good occasion he can fynde to Engelland, and according as he advises you, you may then wreit to Captain Garner to tacke cairr of it and kepp it for me till i arryve att London. you must likways tacke a particular review of those two additionall troppes, and see what is wanting and what horses to be changed and men. and accordingly make up a list of what proveyded last year for y^e Redgiment and what (*and what* erased) will be wanting for the nixt, that i may accordingly show my Lord Teviott it or sende him a dowble therof in cace he be in scotland. what in y^e wholl i know is wanting is Britches hats and Gloves and belts, saddells a good many. for this i will represent to his Grace befor i leave Holland that so it may not be imputed to my neglect. Owr officers have not as yett gott ther forloff signd by mr Cardinalls neglect who is now gon alongst with my Lord Duke, so that i belive i may go as soon frome this as they now for till my Lord Duke come back they can not sturr and he is not expected till about six days hence. wee have suffered morr then befor you left uss for want of furradge so that the Redgiment when i past it in review the other day lockt most misserable and i doo assewr you i locke upon the half as lost and by y^e returns of other Redgiments non hath escaped this distemper so well as yett but it still continews, and y^e list given in of y^e men and accutremnts

to be transported from this by boat arr already above thre hundred of y^e English horss and Dragoons. i ame resolved now to euse my interest for Livt Nix having that vacant troope, but he must see to macke it upp both as to men and horses this you may insinuatt to him that you belive i will be his frinde in it, for now that i have considered upon it i wovld be thought partiall if i disposed of it otherways besydes i know not if i showld happen to give it to a prittier young fellow orr to one that cowld putt it in a good condition, and i think these tarmes arr easie anuff that he getts it so. this tacke your owen way to lett it fall to him but lett it go no further least that Collopp make interest with Carduggan to putt a stopp to it under hande, and examine particularly as to Collops caracterr for i ame towld he can naither read nor wreitt and besydes hath hade a mynde to disposs of his livtennency some tyme ago. inquire likways as to y^e caracterrs of y^e subaltarn officerrr in those tropes and and lett me know them that accordingly i may know how to advance accordingly. As to all other accownts of y^e Redgiment those i expect to fynde readdy and clearr upon my arryval att y^e Hague that " (hole under seal here) " may not be detaind anny tyme upon that accownt, and so farr as y^e Redgiment is cleared by y^e publick lett all y^e officerrr be cleared till then for i will have no back accownts and full dischargdes given by etch particular officerr till that tyme. you may likways wreitt to mr Lillie that i expect he will tacke cairr of what letters comes to his handes directed for me, and show him that i did wreitt to him some tyme ago to sende to his correspondent aither att parris or wher he can have the newest patterns of imbroderie for a sewt of cloths to me and i will not have the sewt mutch imbroydered but lett it be gentille and gowld upon a fine blew cloth vest and britches y^e same. if he thinks he can mynde my measewr exact lett him orderr the imbroydery to be putt in hande but lett him tacke cairr the Goold be fyenn and a fyenn blew the Colowr of y^e cloth. lett me know if this comes saif to your handes, for i belive we shall be hear this fortnight yett for they arr not masters of y^e Cownterscarp as yett. which is all att present from

sir

your hum^{ble} sarvant

JOHN HAY.

Octo^{br} .31. n.s.

(1704)

Addressed :—"A Monsiewr Monsiewr Agniew Major D'e Redgiment Royall Ecossois Cologne."

Sealed with the head of a unicorn and motto "Praesto ut praestem," the crest of the Preston family. It does not seem to have been twice sealed, perhaps Hay borrowed Colonel Preston's seal for the occasion. The letter is dated very illegibly from a place which looks like Cronwecherberg or Cronwechenborg, but it is quite uncertain, and no place of these or similar names can be traced. In 1704 the allies were besieging Landau and Traerbach; the former surrendered in November, and the latter on 20th December of that year. Possibly the letter may have been written from some place in the vicinity of one or other of these towns, as from the last sentence of the letter it appears that siege operations of some kind were being conducted.

This letter is given in full, as it is the first of the series written after Hay received the colonelcy, and it shows that he had found some slackness and confusion in the accounts.

Mr. Cardinal is evidently Adam Cardonel, secretary to Marlborough. He was son of Adam de Cardonel, a French Protestant, and was a chief clerk at the War Office prior to his appointment as secretary to the Captain-General. He countersigned all the commissions signed by Marlborough, and is frequently mentioned in the Marlborough dispatches. He amassed a considerable fortune, but not without strong suspicion of having taken bribes from army contractors. He died in 1719, leaving an only daughter, who married William, 1st Earl of Talbot.

"London january .2. (1705)

Sir

... though i mentioned in my last to you of sending a letter inclosed for brigadir Hamilton yett i raither chuss to sende it under covert to mr Lillie and have by this post, dissyring that he would sende as formerly one hundred bottells of etch sort of y^e same wynn he sent me to your cairr and advertiss you therof that accordingly you might pay the chardge. it is for my Lord Roxborghs ewss, but direct it for Captain Garderr and lett it be sent overr hither by the first sewr occasion mynn goes of a pace being extream good and good fellows arr not wanting hear to drink it, as i hade occasion the other day to take a hartly bottell with a sempell of them that dynd with me Rox Teviott shipio hill¹

¹ Captain Scipio Hill, of the Earl of Leven's Regiment (the 25th Foot, K.O.S.B.), was appointed adjutant-general in Scotland in 1690, and being subsequently sent on a mission to King William at Chester to unfold General MacKay's plans for a new fort at Inverlochy it is highly probable that Scipio Hill and John Hill, commander at Inverlochy, were brothers. He petitioned Parliament, and in 1691 was recommended to the Treasury for payment of a month's pay to refund him for certain extraordinary expenses arising from his being made captain of 'Bennet's troupe of horse' when it was 'turned Dragoons,' but in 1696 'never one sixpence had been payed thereof,' and he is again recommended to the King and 'if his case falls under the act of parliament appointing

Muntjoy y^e Registerr huntterr¹ Dirlton² and another sutch sett i ame to have to morrow by whome all your healths arr and will be mynded. you have i supoose sent overr to Captain Gardnerr ane account how to pay the officers and men whylst hear, if not doo it by y^e first. Robison and Grant arr to part frome this this weak for scotland, and i have allowed Grant all jannuarrys pay by advance to carry him down, so you may stopp the same (or the some) frome being payd to him in scotland. pray dispatch my Lord Teviots accownts, so that all y^e bissiness of y^e Redgiment may be upon a clear foot. for preventing imbroyling of accownts i will alow no monny to be stopt hear, but have it returnd overr by you, if anny thing morr occur to me you shall hear by y^e nixt whitch is all att present

adiew ”

“London january .9. (1705)

Sir

... Having recaved some days ago a letterr frome mr Lowthian my cadett showing me that he wants both linings and Cloths i dissyr you wowld cause proveyd him in a dozen of shirts and as many cravats, and a plain ride sewt sutch as my Quartermasters hade lett y^e Cloth be fitt for anny Gentleman to weairr, and what else you fynde he wants to equip him owt pray lett him have it. i must likways put you in mynde to be sewr to wreitt to mr Drummond to secewr a hogshead of Claret for me the best can be gott and lett it be botled of, when you think it properr, and the wynn proveyded according as you arr advised by him. i dissyr to know what horses you have proveyded for me owt of those two tropes and how many that i may accordingly regulat my selff therupon. ther is one thing i must recomend to you so that you may make experiment of it, whitch i have ben adveysed to, and that is a pice of rosett sutch as the fidders ewse that prayd to powther and give a Lardge spunfull of it amongst your horsse

arrears to be paid out of the hearth-money’ he is referred to the Commissioners. He was created a baronet in 1707, and on his death the title is believed to have become extinct. He was alive in 1714, when his name appears in the list of officers on half-pay. ‘Muntjoy’ is probably William, 2nd Viscount Mountjoy.

¹ Robert Hunter of the Hunterston family ; is said to have had a command at the siege of Derry ; Brevet Lieut.-Colonel in Ross’s Regiment of Irish Dragoons, 1703 ; appointed Governor of Virginia in 1708, of New York, 1709, of Jamaica, 1729, and died there in 1734 ; married Lord John Hay’s widow.

² Son of Sir John Nisbet of Dirleton, the lawyer, and author of *Law Doubts*.

corn, but wait with warm watter y^e corn that so it may stick and go y^e easier down this ewse for thre tymes once a day and give them warm watter to drink after ther corn, and it is ane unfall-able cewr for the morty shain¹ farcy or anny smitting distemperr ewse it a fowrt tyme if it doo not doo y^e third it can doo no harm. so make ewse of it if this distemper be still amongst y^e horses, this i was adveysed to by a verry understanding phesitian who towld me he hath hade experience of it and if it doo it is a verry easy cewr i think and ought to be tryed, as i dissyr you may upon anny of my horses that arr ill i always forgett to wreit to you to see to proveyd Livrys for my Grooms plain blew Coat westcot and britches y^e same colowr with ther big coats that they have now, and lett them (have) hats with a silver lace abowt ane inch broad this you may cause immediatly to be proveyded for them. . . .

Unsigned and addressed :—"To Major Agnew Major to the Royall Regiment of scots Dragowns in Quarterrs att Gorcum
Hollande "

"London january .16. (1705)

Sir

. . . for the standards i have bespok them and they will cost me a good deail of monny being of the same bigness as major Generall Rosses arr imbroydered upon blew Dammas, but the two staffs you must proveyd and make them mutch laighterr as y^e owld ones and lett them be painted blew. for y^e Drums you must likways by them with you. the officers cloth for ther Livry Coats i shall sende overr with y^e first transport and some of them shall carry overr ther coat mead for to be a patern how to make the rest by. it is to be payed by y^e beginning of May, and y^e Captains skarfs likways by that tyme. the subaltarns arr to proveyd themselves in laced belts and the Quartermasters arr to have plain rid Coats as formerly ther cloth i shall sende overr likways, but all ar to have laced hatts. . . . i doo assewr you that as matters stande with my Redgiment i shall be owt of pokett in proveyding all what i fynde i ame oblidged to make up this year and that considerably if y^e Goverment doo not allow me for the lost accutremnts, for you know how small a fonde is remaining of y^e Clothing monny. so i hope cairr will be taken hearafter to know wher y^e fawlt lays in lossing y^e accutremnts whitch i ame

¹ "Mortersheen, a fatal species of glanders."—JAMIESON.

confident hath ben donn this yearr as many by negligence and morr than in y^e battells. . . .

Unsigned, and addressed :—" To Major Agniew Major to the Royall Redgiment of scots Dragoons in Quarters at Gorcum

Holland "

" London february .16. (1705)

Sir

I have pereussed all the accownts you sent me overr, which agree with those the Agent hath gott. i belive ther will be no occasion for remitting anny morr monny being wee expect to have the monny payed uss whitch her Majesty hath given as a gratuity to all those that served in Germany last Campagn. And all the Generall officers hear in town mett upon it by my Lord Dukes direction to see to proportion it so as the some might bearr. whitch is sixty fyve thowsand pownds sterling, owt of whitch the Generall officers and all other officers conforme to ther stations arr to recave three month full pay. those that werr dissabled so as to live (*sic* for leave) the Camp arr to recave six months pay, and all the soldiers arr to recave in proportion so mutch a foot soldier 20 shillings. a Corporall .30. and sardjant .40. A Dragonn .30. Corporall .40. sarjant .50. tropper .40. Corporall .50. and the non Commissionat officers ther pay for three months. All soldiers dissabled to recave owt of that some wherupon to be subsisted for two years, till proveded for in Chelcy Colledge, so that you must immediatly return me ane accownt what men of my Redgiment that arr not fitt for sarvice. this is to be given and signed by me upon honnowr, and those officerr that werr killed and dyed of ther wownds who have left widdows or Children behynd them doo recave six months pay, whitch i must nead say is a great aknowledgment and owght to satisfy all. . . . This day Cornett Grant hath signed his demission to me for .100. Gynneas whitch i have payed him. . . . so at last i have gott ride of that worthless fellow who is married hear to a Millaner notwithstanding his wiff his (*sic*) i ame towld still alyve. Collop i fynde is to continew this Campagn, but Cornet Trent is in expectation to gett a Company in one of the new Redgiments, so i hope att last to gett ride of all the hum drum fellows in my Redgiment. . . .

Unsigned and addressed :—" To Major Agniew Major to the Royall Redgiment of scots Dragowns in Quarters att Gorcum

Holland.'

“ Heleshem August .7. ^{n.s.} (1706)

Sir

i hade your letter daited the .16. of junn with the inclosed i ame sorry to fynde by it that still you continew inddisposed, since so and that the season of the yearr is so farr advanced that you can not be hear now till the latter ende of the Campagn, you nead not think of it but remain att home, and so endeavowr to putt your selff in a condition to sarve again nixt yearr, for now that in all appearance wee may have a peace in a twelvemonth i wOULD not have you by disposing of your Commission throw away so many years sarvice. of this you have tyme to considerr and if so be you still resolve to live the Ridgiment think of what will be most convenient for your present circumstances and i wil endeavowr to sarve you so farr as in my powerr, and anny thing of that Nattewr will be better manadged dewring the winterr than att this tyme, besydes Major Campbells frindes may be assisting to you uppon that accownt to sarve him, for i know Boyd will ewse all the interest he cann by underlars (?) as i fownde he wass doing last yearr, whitch in somme measewr i will prevent by kepping him in this cuntrie this winterr. i have att last preaveaild with his Grace to sign the Breavets that is Prestons and yours will be to night they arr all daited the first of january and i have placed Cornett King livtennant and my Lord Montjoys brother Cornett in his place, and the troppe sir Robert Hay hath gott it and a son of mr francis Mogomry hath gott his Companny. That Redgiment of whitch Lallo is now Cornell having mead a chandge with my Lord Mordant is one of those six that arr sent to reanforce the detachment that besidges Menin. Wee brocke grownde two nights ago with litle loss not having above fifteen men killed and wounded and since the Ennemy have mead two sorties but have ben repulsed with loss, i doo not hear wee have anny officerr of distinction as yett wounded only one Cornell Chambrier a Swiss Cornell. wee expect all owr batteries will be readdy to fyrr in thre days hence, but in short i ame affrayed it will be the latter ende of the month befor wee can be masters of it for therr arr above fyve thowsand menn in it and it is well proveded in evry thing and ther arr severall mynns whitch will costt uss Dear.¹ The Duke of Vandome is now come and hath hade ane interview with the Electorr but as yett they have drawn

¹ Menin capitulated on 22nd August, 1706, the garrison being allowed to retire with war-like honours; the reduction of the fortress cost the Allies about 3000 casualties.

together no considerable boddy of troppes, though they give owt they will in a short tyme, whitch if they doo you may depende upon this that his Grace will march towards them and endeavour to give him battell. our Army hear whitch was reviewed the other day is in the best order i have senn it this long time particularly the Prussian and hanover troppes, and wee arr now hear .29. (?) squadrons and .74. batalions besydes those att the sidge, wherr wee have .36. battalions and .24. squadrons. This Campagn i hoppe will putt ane ende to the warr, for now that i ame marryed and considering how litle regard is hade for uss who arr constantly in sarvice others who stay att home advancing to higher stations than wee i ame not a litle uneasie upon it so dissigns befor i live this Cuntrie to lay my presentations befor his Grace and press it home. this is all i can informe you of att present so wishing you better halth i ame withall sincerity

Sir

your assured frinde and
hum^{ble} sarvant

JOHN HAY."

Addressed :—"To Livt Collonell Agnew of the Royall Redgiment of scots Dragonns to the cairr of Captain Aitkin secretarry att Warr to be left att his howse in Edinbrough

scotland"

This letter, probably the last to Colonel Agnew, was written within three weeks of Lord John Hay's death, which took place on the 25th of August, 1706, at Courtrai, in Flanders, from fever. The letter is sealed with red wax with an impression of the Hays' goat's head and the motto "Spare nought," but it is a different seal from that used on some of the earlier letters.

Alexander Farquharson of Brouchdearg and his Farquharson Genealogies

THE period between the Restoration and the 'Forty-five' was prolific of genealogical work in Scotland. It was the period of students and collectors such as Martine, Sibbald, and Macfarlane, and it witnessed the production of most of the clan and family genealogies which have appeared in print, as well as others which are still only in manuscript form in private hands, but are well known to the initiated. Among these latter, not the least important or deserving of consideration is the 'Genealogy of the Name of Farquharson' down to the year 1733, by Alexander Farquharson of Brouchdearg—commonly known as the Brouchdearg MS.—in which the writer traces the descent of practically all the members of his clan in his time, scattered though they were through four counties, with a completeness and accuracy which leave little to be desired, and with a modesty and frankness not always observable in such performances.

Alexander was the only son of Robert Farquharson of Brouchdearg, the fourth of a line of Farquharsons sprung from a younger son of Finla Mor (the founder of the clan, killed at Pinkie in 1547), which had been in Glenshee since about the middle of the sixteenth century, and had held the lands of Brouchdearg and others there since at least 1588. Robert was killed at the Moss of Forfar in January, 1673, in an affray with some of the Mackintoshes *alias* M'Comies of Forter, with whom he had been at feud for a few years previously. Details of this feud and of Robert's death are found in the second volume of the *Justiciary Court Records from 1661 to 1678*, published by the Scottish History Society. At his father's death Alexander was a child of about six years of age, and his affairs fell under the administration of two of his uncles in succession as tutors. These affairs were at the time gravely complicated, owing in great measure to the feud with the M'Comies and the heavy legal expenses arising therefrom, but due also to bonds and engagements which had been entered into

by his father. The complication was increased by his mother, who had married again within a few years of her widowhood, and in 1678, apparently oblivious or destitute of parental feeling, actually raised an action in the Court of Session against her young son for full satisfaction of the provisions of her marriage contract with his father, and obtained judgment. The result was that by decret of 6 January, 1683, all his lands—Brouchdearg, Coul, and Dunmay in Glenshee and Downie and Dalnakebbock in Glenisla—were adjudged from him, for debts amounting to £4501 16s. 8d. Scots, in favour of a certain Andrew Small, who had acquired the numerous outstanding bonds upon them, and the young heir was left to fight the battle of life with such aid as he might receive from friends and well-wishers, who, however, were fortunately not lacking.

Although from the genealogy compiled by him, and from other circumstances to be noted, we are enabled to gain a fair insight into his individuality, there is still much of obscurity surrounding his career, and this is not illuminated by the legends which have gathered round his name. Some of these may be seen in the 'history' of him given on pp. 224-5 of *Legends of the Braes of Mar* (1876), all of which, with the sole exception of the appellation 'Fear na Bruaich,' is pure myth, while the statement that 'the young man was one of the Prince's surgeons' in 1745 is discounted by the fact that at that time he must have been nearly eighty years of age, besides being in all probability a dependant on the laird of Invercauld, who was opposed to the Rising. It is possible, however, that he had accompanied Invercauld as surgeon in the Rising of thirty years earlier. But gleams of light are obtained from his occasional appearances in record and from a Memorial and Claim by Francis Farquharson of Finzean addressed to the Lord Lyon in 1774—less than thirty years after Brouchdearg's death. In this it is stated that Alexander was 'bred and educated with the late Invercauld [John] and his brother William at schools and colleges, and remained mostly in the family of Invercauld and died in the house,' from which it may be assumed that after the death of his father in 1673 the young laird had been removed from the danger zone of Glenshee and his turbulent relatives there, and taken in charge by the amiable and clannish Alexander of Invercauld, whose family had come to be regarded as chiefs of the name. The boy must have been a few years older than Invercauld's sons, the eldest of whom, William, was born in 1671, but in the

circumstances of his family it is hardly likely that he would have had much if any advantage over them educationally. In 1681 his patron, Invercauld, died, presumably not without making provision for his maintenance and education. It does not appear where his education was obtained, whether at home or abroad, but its main purpose was probably to enable him to earn a living as a surgeon, and with this in view he may have been sent abroad, though, as he styles himself a 'country surgeon' and seems to have spent nearly all his life in Braemar, it is likely that he was merely one of the tribe of 'chirurgion apothecaries' whose qualifications were chiefly a three years' apprenticeship to one of the fraternity and the ability to 'bleed and give a clyster, spread a plaister, and prepare a potion,' as in Roderick Random's case. But apart from this, it is evident, both from his being 'at schools and colleges' with Invercauld's sons and from his quoting Virgil and Juvenal, that his education included the usual classical instruction of the period as afforded by the grammar schools, while a reference to the *Tatler* and *Spectator* of Steele and Addison, whom he describes as 'followers at a distance of the good old Roman moralist,' shows that he was not unacquainted with the literature of his own day. The mere fact of his having devoted so much time as must have been necessary in the preparation of his genealogy shows that he was a man of refined tastes and studious habits.

From the references to him in contemporary documents, as well as from the intimate knowledge of family history and genealogy which he displays, it may be assumed that the whole of his manhood was passed in and about Braemar, and the statement of Finzean, already referred to, that he 'remained mostly in the family of Invercauld' is probably quite correct. It is somewhat curious that he does not appear in the list of Pollable Persons in Aberdeenshire made up in August, 1695, and revised in April, 1696, but in October of the latter year he is found in the country, on the 26th, at Aberarder, witnessing an assignation by Elizabeth Mackintosh, widow of Alexander Farquharson of Invercauld, to her son John of Invercauld, of some bonds for money due to her by her brother, the chief of Mackintosh. The document, which is preserved at Moy Hall, bears the signatures as witnesses of Mr. Arthur Farquharson of Cults, bailie of the Regality of Mar, Charles Farquharson of Balmurraile, Alexander Farquharson of Brochdargue, and Mr. John Shand, preacher of the Gospel. Eight years later, in the list of Apostats, Popish Priests, etc.

Alexander Farquharson of Brouchdearg 241

furnished on 10 May, 1704, to the Presbytery of Kincardine O'Neil by the Rev. James Robertson and printed as an Appendix to the preface of Blakhal's *Breiffe Narration* (Spald. Club, 1844), he is set down as a witness concerning James Michy in the Muir of Tullich. As already suggested, he may have accompanied Invercauld on the march of the Jacobites into England in 1715, but if so, as he does not appear in the list of prisoners taken at Preston, he may have been among the 'great many' who, according to Patten, 'found means to escape.' Anyhow, he is found in Braemar ten years later, unfortunately under circumstances of a regrettable character. The records of the Kirk Session of Crathie and Braemar show that on 7 March, 1725, Isobel Coutts admitted herself to be with child, and 'y^e y^e Bruchderg is y^e father y^of'; on 5 April Alexander Farquharson of Brughdearg confessed his guilt, and on the 18th was rebuked before the congregation, the minister being appointed by the Session 'to discourse Brughdearg,' who on 4 May 'payed in his penalty,' £5 6s. 8d., 'appeared before the congregation professing his repentance and was absolved from y^e scandal.' Isobel Coutts made a similar appearance and profession on 6 June, and was rebuked and admonished.

The next date which can positively be connected with him is that of his MS. Genealogy of the Name of Farquharson, which, as its heading states, is 'from their first taking that surname to the present year 1733.' The close and accurate knowledge of the Farquharson families at the time in and about Braemar shown in the MS. could scarcely have been obtained unless the writer had been long resident there, and from the corrections and additions made to one of the copies after 1733 it is tolerably certain that he remained there. Finzean's Memorial of 1774 says that he made his home with the Invercauld family, and that 'he was a man *universally known in this country* to be of as great knowledge and integrity as ever was in his name or any other name.' From 1733 nothing further is found concerning him until after his death, which, according to Finzean, took place in the house of Invercauld in 1747 or 1748, at the age of eighty years. Probably among the valuable and interesting papers in the Invercauld archives might be found some evidences of his connection with the place, but nothing beyond a rather vague allusion appears concerning him in the *Records of Invercauld*, published by the New Spalding Club in 1903: the volume, however, is admittedly not exhaustive.

Of his ability and success as a healer nothing definite is known, though it is said that his fame still lingers in the Braes, and that some of his recipes are still in use. His title to the grateful recollection of his clan and of all interested in its history rests chiefly on his elaborate genealogy of the whole race of Farquharson, known generally as the 'Brouchdearg MS.' and even this has not always been placed to his credit. For a long time the prevalent belief was that its writer was the 'Tutor of Brouchdearg,' Alexander's uncle and namesake, who became 'of Brouchdearg' by purchase of the property in 1700. The assumption on which this belief was founded was perhaps a natural one in view of the preponderance of the elder Alexander's interest in Brouchdearg and the almost entire ignorance which prevailed as to the younger one's career; but there is no doubt that the younger Alexander, and not his uncle—who died some twenty years before the date of the MS.—was the writer, and this is explicitly stated in Finzean's memorial of 1774. The MS. was written in 1733, when Alexander was about sixty-six years of age, but a love of genealogical and historical pursuits usually begins much earlier in life, and there can be little doubt that he was the compiler of a Farquharson Genealogy of some thirty years before, of which three copies are preserved at Invercauld, and that he was the 'scribbler' and this genealogy the 'rapsodie' on which Sir Æneas Macpherson in 1704 made his famous and terrific onslaught in *Vanitie Exposed* (Scott. Hist. Soc. vol. 41). To make this sketch of Alexander Farquharson complete, therefore, it seems necessary to say a few words on this earlier genealogy and on Sir Æneas Macpherson's strictures.

The genealogy mentioned is indicated by the letter C in *Records of Invercauld* (p. 1), and according to the editor 'seems to be the document on which all the others are founded'; of two copies, which the editor marks D and E, one contains 'some variations and notes,' while in the other 'the original is not closely followed.' The heading of the principal genealogy is given in the *Records* as follows: 'Genealogy of the Family of Farquharson of Invercauld from the original Manuscript History of Gentlemen's Families in Scotland wrote about the time of the Union by . . . found in the Repositories of the late Baron Maule and now in the possession of Mr. David Deuchar, Seal Engraver, Edinburgh, No. 109 of the Manuscript.' David Deuchar flourished as a seal engraver towards the close of the eighteenth century, when he superintended the execution of the shields of arms in Douglas' *Baronage*

(1798), while 'the late Baron Maule,' in whose repositories the MS. History of Gentlemen's Families was found, was evidently John Maule of Inverkeillor, of the Panmure family, who was one of the Barons of Exchequer in Scotland, and died unmarried in 1781. Thus the document at Invercauld is merely a copy, and affords no means of tracing the authorship of the original, 'wrote about the time of the Union'—that is about a century before. The 'Manuscript History' itself might possibly give a clue, but it has so far escaped my search, and does not appear to be among the MSS. preserved in either the Advocates' or the University Library in Edinburgh or in the Lyon Office. I would suggest, however, that the compiler or collector of the various family histories—which must have been numerous, that of the Farquharsons being No. 109—may have been Sir Robert Sibbald, the well-known antiquary, who died in 1712, and who would appear from the genealogy of the Maules in Macfarlane's Collections (ii. 153) to have been in close communication with some of that family. Whether by Sir Robert or another, the MS. History was presumably a collection of family histories supplied to the collector by members of the families dealt with, a collection, in fact, somewhat similar to Burke's *Landed Gentry* of our own time, and the most—or only—likely person to furnish a history of the Farquharsons of Invercauld at about the close of the seventeenth century was Alexander Farquharson of Brouchdearg, who had been brought up in the family, and, as his subsequent production shows, had the enthusiasm and literary ability required for such a task. That he had some responsibility in the matter seems to be implied by the introductory words of his genealogy of 1733, as will be more particularly noticed later. It is not unlikely that the writer of the earlier genealogy had some assistance from information left by Robert Farquharson of Invercauld and Wardes, the father of Brouchdearg's early patron, who is described by Sir Æneas Macpherson (*Van. Exp.* p. 235) in his usual inflated style as 'the greatest genealogue and antiquarian in the whole kingdom,' and in the Brouchdearg MS. of 1733, more modestly, as 'a man much esteemed for his wit and learning.'

The date of the genealogy cannot be definitely stated, but it can be narrowed within the compass of a few years. It is given on one of the copies as 'about the year 1707'—an obvious paraphrase of 'wrote about the time of the Union'—but the real date must be placed a few years earlier. Its giving the blazon of a coat of arms granted by the Lord Lyon to Invercauld in July, 1697, is

proof of its having been written after this date, while a comparison of the extracts quoted from it in *Records of Invercauld* (pp. 4-13) with those quoted by Sir Æneas in *Vanitie Exposed* leaves no room for doubt that it was the 'genealogie' which came under the knight's lash, so that it must have been written before 1704, the date on the title-page of *Vanitie Exposed* and a year before the death of Sir Æneas. As has already been shown, Alexander of Brouchdearg was in the Farquharson home country in 1696 and 1704, and it may reasonably be inferred that he was there in the intervening years, while his intimate connection with the Invercauld family would facilitate his acquisition of information and would account for much of the tendency shown in the genealogy to magnify that family.

This genealogy of 1697-1704 appears to have been submitted to Sir Æneas Macpherson for his opinion, perhaps as one known to be acquainted with Highland clan history and as a connection of the family of Invercauld. In all probability the person who submitted it was the compiler of the 'Manuscript History of Gentlemen's Families,' and if this was Sir Robert Sibbald, as has been suggested, the two knights might easily have become acquainted during the period 1702-4, as both were then in Edinburgh, Sir Robert as a permanent resident and Sir Æneas—previously in hiding in London—having taken up his abode there after the passing of the Indemnity Act of March, 1702, and apparently being still there in 1704, the date of *Vanitie Exposed*.

Although much of what Sir Æneas says in correction of the 'Genealogie,' especially the early part of it, is fully justified, some of his remarks are both inaccurate and unjust, and can only be accounted for either by his ignorance of the facts¹ or by his unwillingness to allow any credit to the Invercauld family—even although

¹ Thus he scoffs at the idea of Finla Mor's having anything to do with the royal banner (or 'standard,' as he calls it) at the battle of Pinkie in 1547, except that as a 'common soldier' he may have 'snatched it up upon the standard bearer's fall.' Yet, looking to known facts, there is nothing improbable (rather the contrary) in the genealogist's statement as to Huntly's 'procuring him the banner royal to carry' in the battle, and Sir Æneas' elaborate arguments are worthless. Not only was Huntly, the Scots commander-in-chief, as administrator of the Earldom of Mar, Finla Mor's overlord, but Finla was his bailie or representative in the Earldom, and as such would presumably have the leadership of his Highland vassals (it is well known that a force of Highlanders was present at Pinkie); while Queen Mary's commission of lieutenantandry of the North, granted to Huntly on 30th March, 1543, gave that noble '*plenam potestatem . . . nostrum vexillum gerendi, levandi, et explicandi,*' and for him to place the banner under the charge of his own officer and his Highlanders would be a most natural thing to

it was the family of his own mother. And there is no ground for the warmth of temper which he displays, or for the depreciatory and even contemptuous tone in which he refers to the Farquharsons. But he was nothing if not perfervid—like Bob Acres, he ‘must be in a passion’—and his writings generally convey the impression that he was so puffed up by a belief in his own infallibility and importance, and in the antiquity and glory of his clan—these latter in the main the offspring of his own exuberant imagination—as to lose all sense of proportion when treating of other persons and other clans. As a consequence his writings abound in misrepresentations and audacious flights of fancy and are disfigured by gross egotism and assumption. Besides those of them which have been printed by the Scottish History Society (vol. 41), he furnished an account of the Clan Chattan and Macphersons for Jeremy Collier’s *Great Dictionary* (1701), and wrote a genealogy of the Macphersons, still only in MS., which, so far as the historical part of it goes, *i.e.* from the sixteenth century, is all that could be desired. But we have only to read the earlier ‘history’ in the *Dictionary* and in this MS. genealogy to see at once that the writer was either a most credulous enthusiast or a most audacious romancer. The man who could gravely try to palm off such an ‘Arabian Nights’ story as that of his assumed ancestor Muirich—priest, Highland chief, palmer, king of Leinster, and founder of a royal dynasty—was scarcely in a position to throw obloquy on the comparatively mild ambition (if ambition at all, and not honest blundering) displayed in claiming for the Farquharsons a more direct descent from the Earls of Fife than he himself acknowledged—that is, through the Mackintoshes. And in this connection it is curious that the very fault which he charges against the Farquharson genealogist is charged against himself by the Rev. Lachlan Shaw, who, referring in his *History of the Province of Moray* (1775) to do. Then the genealogist has a short paragraph concerning Colonel Finlay Farquharson, a grandson of Finla Mor, who served in Buckingham’s Expedition to the Isle of Ré, and was killed at the battle of Worcester fighting for Charles II. Sir Æneas, because he had never heard of Colonel Finlay and had not seen his name in a list of Buckingham’s officers, implies that there was no such person, and declares that ‘this whole paragraph is nothing but a sham and downright imposition, this Colonel being brought in by this vain scribbler to make a false muster of his loyall gentlemen.’ The genealogist, however, had not said that Finlay was a colonel in Buckingham’s Expedition in 1627; but that he was a lieutenant-colonel twenty-four years afterwards at the time of the battle of Worcester is certain. See references to him in *Spald. Club Misc.* v. 340; Macfarlane’s *Genéal. Coll.* ii. 250.

the story in Collier's *Dictionary*, remarks : 'I am sorry the author of it *discovereth more vanity* than historical knowledge . . . the sending one of the clan on a pilgrimage through a great part of Europe and Asia, and then making him King of Leinster in Ireland is such knight-errantry as none but the Irish should commit to writing, and yet not one of their Historians mentioneth it.' Then the contempt with which Sir Æneas seems to regard the *status* of the Farquharsons—'a family of their standing'; 'but sixty years or thereby since any of them had a foot of heritage,' etc.—not to mention his attempts to defame their origin, seems somewhat ludicrous in view of the facts that the founder of the Farquharsons appears in record as a 'King's tenant' in Braemar, and a person of distinct and ascertained importance there, more than fifty years before the first appearance of the Badenoch Macphersons in record, and that Invercauld and other Farquharsons had several years' start of the Macphersons as heritable proprietors.¹ His heading to *Vanitie Exposed* states that it is 'by no enemy of theirs [the Farquharsons] but a friend to truth.' He may not have been an enemy of the Farquharsons, but his remarks concerning them can scarcely be termed friendly; that he was 'a friend to truth' is apparent only from the considerable liberties which he takes with it in his writings.

Whether the 'Genealogie' of 1697-1704 was a youthful performance of Brouchdearg or not, it is tolerably evident that that individual had an opportunity of seeing what Sir Æneas had said of it, for he prefaces the later and more complete 'Genealogy of the Name of Farquharson' in 1733 with the suggestive words : 'I shall give an account of their marriages, possessions, and descendants, *leaving all that's controverted or obscure* about their descent from the Thanes of Fife and their actions and alliances at their first appearance to such as can find clearer evidence for them

¹ Finlay Farquharson is mentioned as occupying Invercauld, Keloch, Cluny, and part of Inverey in the list of King's tenants in Aberdeenshire in 1539 (*Exch. Rolls*, xvii. 656-7) and previously, as a King's tenant and a principal man in Braemar, in 1527, 1532, and 1538 (*Chiefs of Grant*, iii. 68, 71, 365). The first distinct appearance of the Badenoch Macphersons is in 1591, in a band to Huntly (*Spald. Club Misc.* iv. 246). The Farquharsons of Invercauld, Allanaquoich, Inverey, and Monaltric obtained feus of their lands in 1632, having previously held them on wadset from 1611, while none of the Macphersons in Badenoch acquired wadset rights until 1626 or feu rights until 1638, and even Macpherson of Cluny was merely a removable tenant in Cluny until as late as 1680, when he became feuar.

than I am able to get by conversing with the oldest men [cf. the 'oldest and wisest' men of Sir Æneas] and *comparing what has been wrote before* on the subject.' So timorously careful is he that he not only omits the controverted and obscure particulars which he mentions, and which were those specially dealt with in *Vanitie Exposed*, but he does not insist on or repeat others which he might easily have justified. More than this, he refrains from any reference even to the cadency of the Farquharsons from the Mackintoshes and from the renowned Shaw Sgorfhiacloch of Robert the Third's time, although these were matters of common knowledge and fully admitted by the critic of 1704. It is evident that he had been thoroughly frightened, and was determined to avoid saying anything which might afford the smallest target for objection. He accordingly opens the genealogy with the plain unvarnished statement that 'Farquhar Shaw, whose name first gave rise to this surname, came over from Rothimurcus and took up his residence near the Linn of Dee'—a statement in which Sir Æneas himself could scarcely have found a word to question.

His work throughout shows evidence of great industry and care in the collection and ascertainment of his facts, as well as a scrupulous desire to be honest and to give the fullest particulars of the various families and the actions of their members without anything which might seem like glorification of the race. It may, indeed, be thought that he has been unnecessarily modest in this respect, and that he might with advantage have enlarged on the doings of such distinguished Farquharsons as Donald Og of Monaltrie, Montrose's captain, or John of Inverey, the famous Black Colonel, the latter of whom he probably knew personally, and the recollection of whose stirring career must have been still fresh in the district when he wrote. But he dismisses Inverey, after mentioning his marriages and family, with the brief statement that he 'was Colonel of the Marmen at the Revolution under my Lord Dundee,' and is scarcely more communicative concerning the Jacobite services of the Colonel's brother and sons. Not only is he reticent in regard to matters on which he might reasonably have been expected to expatiate—though perhaps his reticence may have been in deference to the Whig views of his friends at Invercauld—but he is not ashamed to include in his genealogy members of the clan occupying very humble positions, as shoemakers and other craftsmen. Honesty, indeed, may be said to have been one of his characteristics; it is apparent in some measure in his conduct on the occasion of his 'lapse' in 1725; and if he

was the writer of the genealogy of 1697-1704 we may perhaps fairly absolve him from any desire to deceive, and put down the errors and extravagancies in that production to misinformation or misunderstanding. Testimony to his honesty is borne by the laird of Finzean in the memorial to the Lord Lyon in 1774 already referred to, in the statement that 'notwithstanding all the strong obligations' he was under to Invercauld's family, 'he would not deviate from telling the truth of the genealogy of his name' even although it showed that family to be of junior descent among the Farquharsons.

It remains only to say a few words on the MSS. of the 1733 genealogy, of which there were at least two. The earlier of these, for a long time kept in the Finzean family, was produced in evidence in the Breda Succession Case in 1859, when a leaf (pages 5 and 6) was declared to be missing from it and it was shown from another paper produced to be an '*original* manuscript' which had been given by Brouchdearg himself to the laird of Finzean. Unfortunately this MS. cannot now be found, but an old and perhaps almost contemporaneous copy, without any portion missing, is in the possession of Lieut.-Colonel W. Lachlan Forbes of Inverernan. The other original MS., belonging to Andrew Farquharson of Whitehouse, also formed part of the evidence in the Breda case. It is described in the 'process' as 'a stitched manuscript book of the shape of a small quarto, paged as containing thirty-four pages and upon every one of which pages there is writing.' It, too, is missing, but several copies are in existence, made from one belonging to the late Dr. John Stuart, Secretary of the Spalding Club, about fifty years ago. It is more full in some of its details than the earlier MS., and has the additional difference that it refers to persons and circumstances of several years' later date than 1733, and omits various particulars of description and other matters which then no longer held good, a difference which seems to point to the fact either that it was written at a later date than 1733 or that its writer made additions and alterations on his original, so as to keep it up to date.

A. M. MACKINTOSH.

Some Letters of Robert Foulis¹

FOULIS did not neglect the other great object of his visit to the Continent, the collecting of pictures and other objects of art for his intended Academy of the Fine Arts in Glasgow, and the engaging of teachers to carry it on. The collection mentioned in the preceding letter was despatched to Glasgow in the early summer by way of Rouen and Rotterdam; but was held up in the Custom-house, and was only released through the intervention of the British ambassador and Count Bentinck. By June he had another large collection at Paris consisting of fine drawings, books on painting, prints after the great masters of the different Italian Schools, and plates, many of which were the originals, of celebrated engravers. These were ready to be despatched, but his misfortune over the first consignment made him hesitate, but ultimately they were despatched, and both lots arrived safely in London about January, 1753. He then proceeded to London, and wrote as follows to Mr. Leslie :

(*Endorsed*) from R. Foulis 1753 6. Feby.

To M^r LESLY,
Gouverneur to Lord Aberdour
at Leyden.

Dear Sir,

You will find by the place this is dated from, that I still continue to be much out in my calculation of time. I expected, you know, to have had the honor of waiting upon my Lord Morton in Scotland. Having heard that he was come to London, I called a few evenings ago, and had the good fortune to find his Lordship all alone, and at Leisure; and as he was dispos'd to keep me, you may imagine he wou'd find that no difficult matter. His Lordship dropp'd several things in the course of conversation, that fell in so much with my own way of thinking in relation to the different designs in which I am engaged, that his conversa-

¹Continued from *S.H.R.* xiv, 115 (January, 1917).

tion confirm'd me in hope of success ; and I likewise improved by his hints.

Among several things that were started by his Lordship, there is one that I found myself more ignorant of, than I imagined : if Lord Aberdour, and you, have leisure to analyse it, I shou'd be glad to hear your decision, with your first conveniency. The question is, what is the precise meaning of the word *Gloria*, among the Romans. Lord Morton regretted the loss of Cicero's treatise on that subject, as what must have explain'd it more fully to us.

. . . [A long dissertation on the subject follows] . . .

I ventured these extempore Reflexions in hopes of drawing of something from you on the same subject ; for I want to be equip'd for preaching powerfully upon it, otherwise you know there will be no Buildings to Partick.¹ The Proposals for M^r Hutcheson's System of Moral Philosophy, are published ; and Plato will be set a going as soon as I can get to Glasgow. My humble duty to my Lord, and most affectionate compliments to M^r Maclane, and to all friends at Leyden, as you have occasion to see them. My being still from home, keeps my Brother so busy, that I doubt he has little time for corresponding with the Booksellers. The Chancellor obtain'd the favour that I wanted for my Pictures, & the delay is occasioned by their throng of business : I am in hopes of being dispatch'd soon.

I am, Dear Sir,

with the most sincere regard,
and affection,

Yours

ROBERT FOULIS.²

London Feby 6. 1753

The favour from the Lord Chancellor—the Earl of Hardwicke, —here referred to, was the getting of the pictures through the Custom-house in London. This was during the month of February, or the beginning of March, as on the 16th of this month he wrote to Lord Hardwicke, thanking him for his intervention.

The collection was then brought to Glasgow ; the University took the Academy under its patronage, provided it with accom-

¹The meaning is not clear, and those words are possibly a mistake of Foulis' secretary.

²The signature alone is in Foulis' handwriting.

modation in the new Library Hall ; the pictures were hung, and all necessary preparations were made, and the Academy was opened in the early part of 1754.

Robert Foulis had been absent from Glasgow for two years. During that period the work of the printing press had been carried on by his brother Andrew.

The *Natural History* of the elder Pliny, referred to in the above letter of 3rd February, 1752, never appeared, but the *Epistolæ* and *Panegyricus* of the younger Pliny and the *De Consolatione* of Boethius had been published in 1751 before Robert left Glasgow, and when on large paper are attractive books. The *Poetæ Latini Minores*, Velleius Paterculus and Pomponius Mela were issued in 1752, and Tacitus in 1753, in 4 volumes, 12mo, a convenient and pretty edition.

A large number of English books were published in 1751, 1752 and 1753, but the Messrs. Foulis, like other printers in Scotland, were greatly hampered by the state of the law of literary property and the efforts of the London publishers to destroy the Scottish book trade, which was seriously interfering with the monopoly which they claimed.¹

Robert Urie, a contemporary of the Messrs. Foulis, and an excellent printer, issued a large number of standard English works, and, between 1750 and 1769, likewise printed translations of nine pieces by Voltaire,² and of others by Rousseau, D'Alembert, and Fenelon. The editions were probably not large, but all seem to have found a ready sale. He also published, in 1764, a translation of the *Essay on Painting* by Count Algarotti, which shows that the Foulis Academy was stimulating an interest in art.

Shortly after his return to Glasgow Foulis wrote again to Mr. Leslie :

TO M^r. JOHN LESLIE

Dear Sir,

I am much obliged to you for the favour of your kind letter, and the hopes of seeing you here gives me a great deal of pleasure. I am glad to hear that Lord Aberdour is well, his manners and application has done you a great deal of honour both at home and abroad, and I hope will one day do you a great deal more not

¹ See Murray, *Robert and Andrew Foulis*, p. 41 sqq.

² One of these was *The Philosophical Dictionary*, published in 1766.

only by the private ; but the public virtues which form the truly good and great man. In the Letter which I had from the Abbe Salier he mentions a preface to the Medals of Lewis 14 which he sent to My Lord Morton about a year ago & he wants to know if it came safe to my Lord's hand. I have been proposing every day to write about this but my undertakings here engross me so intirely that I can get few letters wrote till matters are further advanced.

I am greatly oblig'd to Lord Morton for interesting himself so kindly in what may contribute to the success of the design of sowing the seeds of the fine arts. I have lately got an apprentice for designing & engraving a Cousin of Provan's whome Lord Selkirk sent to Italy ; he discovers a very uncommon Capacity for drawing accompanied with sobriety & modesty and wou'd make an excellent companion & rival for M^r Donaldson.

The plan I propose for taking apprentices for Designing, History : painting & engraving is much the same with that for printing which is giving them board wages instead of Board. If you will take the trouble of sending me any drawing of M^r Donaldson's you think most proper to give an idea of his improvement, with some account of the time he has practised and how many years he will engage with the age he is of, I will immediately return an answer and I am persuaded you will not doubt but I will do all in my power to make him sensible of the influence of his recommendation, & of the zeal that I have for rendering this attempt beneficial & honourable to the country.

The Collation of the Vatican MS. is compleated, I am Dear Sir with great truth & affection

Yours, ROBERT FOULIS.

Glasgow

21st Sep^r 1753

The Academy, it will be seen, was engaging much of Foulis' attention. It had not yet, however, exhausted his pecuniary resources, and he was buoyed up with the hope that it would eventually prove successful commercially, and educate his countrymen in the love and appreciation of the Fine Arts. In the years 1756 and 1758 he produced his magnificent folio edition of Homer, in four folio volumes, which still stands pre-eminent as a specimen of Greek typography. The edition of Plato which he contemplated was to equal the Homer in its printing, and was to

¹ This letter is written in another hand and signed by Robert Foulis.

contain a new text based on the most reliable editions, collated with the best available manuscripts.

The next letter is thirteen years later, and is addressed to Dr. William Hunter, 1718-83, the collector of the celebrated museum and library which he bequeathed to the University of Glasgow.

To

DOCTOR WILLIAM HUNTER,
Physician
in
London.

Sir,

In obedience to your order by Mr. Pitcairn¹ we have sew'd in blue paper as complete a set of the Books we have printed (the folio Homer excepted) as we could possibly furnish. As this is one of the best Commissions we have had from any gentleman we beg you will accept our most grateful acknowledgments. We have inclos'd the Shipmaster's Receipt for the parcel which is in a Box cover'd with canvas. The Catalogue of which you will likeways find inclos'd in this. To prevent breaking in upon you oftener than needful We have drawn upon you sixty five days after this date in favour of David Elliot for £28. 7 shil. in full. We have taken the liberty of inclosing two proofs on satin of a print lately engrav'd by Mitchell, one of the young men bred in the Academy, after the Duke of Hamilton's famous picture by Rubens of Daniel in the den of Lions.² The one you'll find address'd for yourself and the

¹ He [Dr. Wm. Hunter] brought with him [to London] a letter of recommendation to his countryman Dr. James Douglas, from Mr. Foulis, printer at Glasgow, who had been useful to the doctor in collecting for him different editions of Horace.' Dr. S. F. Simmons, *Life of Dr. William Hunter*, p. 4, London, 1783, 8vo.

² 'Nor can I neglect on this occasion, to do justice to James Mitchell, who, although the nearness of his sight disqualified him for a common profession, yet in a few weeks made a surprising progress, and his engravings, after he attained experience, have been favourably received by the public. Several of his performances in Raphael's Bible are much superior, both in conception and execution, to Chaperon. His print of Daniel in the Den of Lions, after Rubens' picture in his Grace the Duke of Hamilton's collection, has been well received. He engraved also four of the Cartoons, Mount Parnassus, and the School of Athens, and has laboured with success both after Raphael and Corregio.' Robert Foulis in Preface, vol. i. pp. xv, xvi, to *A Catalogue of Pictures . . . humbly offered for the impartial attention of the public*, London, 1776, 8vo, 3 vols.

Dr. Hunter entrusted Mitchell with the engraving of many of the plates in his

other for Dr. Pitcairn.¹ As you are both well acquainted with the Picture We fancied it would be the properest Specimen by which we could convey to you some idea of the present state of graving in the Academy.

The fine Arts do not ripen quickly, especially in a cold climate; but if once brought to maturity it is to be hoped they will naturalize and leave Successors wherever they are blown.

Besides several little English works, we are at present printing Xenophon's Cyropaedia, Which when finish'd will make 12 volumes of Xenophon's Works. We propose to go on with the whole in 16. Mr. Pitcairn likeways acquainted us with a very generous offer of his Uncle's and yours, of your subscribing, each of you, £100 to help forward the long intended edition of Plato. This unsolicited generosity is very encouraging to us, and very much nonplusses us to express our gratitude. We have already gone thro' very considerable expences in large provision of Types, Collations of Manuscripts, and other particulars, as preparatory to printing that Work. Upon our first plan all these expences would have been saved, and the Work would have been long ago in the hands of the public. For we propos'd to have printed Stephens' Text, substituting Ficinus' Translation in the place of Serranus', in the same form with Serranus, and shifted into small octavos like the Greek Historians; But the Homer type swells the number of Sheets, which with other expences amounts to so capital a sum, that neither in the midst of War abroad nor factions at home durst we venture to go on, but rather to employ ourselves in lesser works, in hopes of being strengthened by them, and of times more favourable to a pacific contemplative Philosopher.

We are as much dispos'd to labour as ever, but feel a call to retire from anxious cares which are inseparable from expensive undertakings. As this Letter is already too long, I shall only beg leave to return Dr. Pitcairn thanks for the encouragement we

great work *Anatomia Uteri humani*, Birmingham, 1774, 4to. See Murray, *Robert and Andrew Foulis*, p. 88.

¹ William Pitcairn, M.D. (1711-91), physician in London, son of the Rev. David Pitcairn, M.A., minister of Dysart; educated at Leyden; M.D. of Rheims and Oxford; President of the College of Physicians, London; physician and afterwards treasurer of St. Bartholomew's Hospital.

The sale catalogue of Messrs. Benjamin and John White of London, of 11th February, 1793, contains part of his library. Of this I have a copy.

receive from him thro' his nephew, who does honour to the University.¹

I am, Dear Sir,
 with the most affectionate gratitude
 Your very much oblig'd & most humble
 Servant,

ROBERT FOULIS.

Glasgow, 11th Novr.
 1766.

The Draught is subscribed by Robert and Andrew Foulis.

Plato had made no progress since Foulis returned from the Continent. Its publication would entail greater expense than he had anticipated, and the times seemed unfavourable for securing a return by the sale of the book; but it was probably the setting up of the Academy which was the real cause of the abandonment of the publication. All the available funds of the two brothers, and all that they could borrow, were absorbed in carrying on the Academy, and there was no money left for the production of an expensive and it might be unremunerative publication. Dr. Hunter's order for books was no doubt a delicate means of affording some pecuniary assistance; and the offer of £200 from himself and Dr. Pitcairn to assist in the production of Plato would have gone far towards this end, but the work of the Academy it may be assumed made it impossible for Robert Foulis to give the necessary time and thought for carrying through the enterprise, and the drain it made upon his finances no doubt likewise stood in the way of carrying out the project.

An unfortunate quarrel broke out between the two brothers and Professor Moor, but this was at a latter date, and the publication of Plato seems to have been abandoned before it occurred.

The great fortunes of England date from the economic revolution inaugurated between 1750 and 1785 by the inventions of Arkwright and Hargreaves, of Watt and Kelly, and carried forward later by the introduction of canals and railways. A new world was called into being; the population of the United

¹ The nephew, the Mr. Pitcairn mentioned in the letter, was David Pitcairn, eldest son of John Pitcairn, Major of Marines (*Ordinum ductor in classe in Anglia*, as he is styled in the Matriculation Album), who entered the University of Glasgow in 1764, graduated M.B. at Cambridge in 1779, and M.D. in 1784; became the leading physician of London in his day. Physician to St. Bartholomew's Hospital 1788-93. Died at London 16th April, 1809.

Kingdom was trebled in less than a century: new towns sprang up; the old centres of commerce were extended; new ones were created. After 1750 English society was in a great measure reorganised, a new life was evolved very different from the old.¹

John Gibson, the historian of Glasgow, has fixed upon the same year, 1750, as the date at which the expansion of Glasgow became marked, when the simple life and restricted outlook of a small provincial town began to fade away, and the broad and comprehensive views of a vigorous commercial community began to assert themselves.² The commerce of Glasgow had become great and steadily increasing; her merchants were in touch with every region of the world; banks had been established, and manufactories set up, wealth increased, domestic life became easier, social life developed, public amusements were introduced and were patronised. The West Port, which marked the western limit of the old town, was removed in 1751, and the East or Gallowgait Port, its limit on the east, was removed in 1754, and the life of the city flowed beyond the old limits in both directions.³

Want of roads or bad roads produced isolation. Travelling was slow and tedious, few people moved from home;⁴ goods were transported on pack-horses.⁵ Road improvement was

¹ See three articles on 'The Rise of the Great Fortunes in England,' by M. C. de Varigny, in the *Revue des deux Mondes*, lxxxvii. (1888), p. 872; lxxxix. (1888), p. 70; xc. (1888), p. 166.

The reference to Kelly (xc. p. 166) is to William Kelly, of Glasgow, at that time manager of the New Lanark Mills, who invented the self-acting mule in 1792. See lxxxvii. p. 883.

² *History of Glasgow*, pp. 114, 120, 131, 245, Glasgow, 1787, 8vo.

³ See Denholm, *History of the City of Glasgow*, p. 113, Glasgow, 1804, 8vo, 3rd edition.

⁴ The description of Roderick Random's journey to London is no exaggeration.

In 1739 two Glasgow merchants going on horseback to London found no turnpike road until they reached Grantham, 110 miles from London. *New Statistical Account*, vi. (Lanarkshire), p. 206.

⁵ Glasgow Bridge, 'one of the most remarkable monuments within the kingdom,' and praised by all early travellers, was for foot passengers and horses only, wheel carriages being then unknown. It was accordingly so narrow that no two-wheeled carriages 'of any kind could pass,' and a one-wheeled carriage could not have passed along with safety to other traffic but for some recesses into which foot passengers and horses could retire. See Murray, *Early Burgh Organization in Scotland*, i. p. 303

The bridge was widened when wheel traffic increased.

It was only in 1752 that the first private carriage was started in Glasgow

urgent, and an Act of Parliament was obtained in 1753¹ for the improvement of the roads in the neighbourhood of Glasgow, and other districts obtained similar Acts. In 1765 it is recorded that 'the good roads lately made in many places of Scotland have produced another accommodation for travellers. Stage-coaches and other carriages are established between Edinburgh and several other towns. A coach sets out every day, Sundays excepted, at eight o'clock in the morning, from Glasgow and from Edinburgh, and makes the journey from the one city to the other in a day.'²

Glasgow was rapidly becoming the centre of the tobacco trade in the United Kingdom. The 'Tobacco Lords,' arrayed in scarlet cloaks, were a feature of the city as they paced the plainstanes of the Trongate, while all lesser men stood by and paid respect to them. Many of them were men of culture, and studied commerce as a science. About the year 1740 Provost Andrew Cochran had established a club for discussing questions relating to trade and political economy, which still flourished in 1750, and it was no doubt in consequence of the impulse thus given that Foulis, beginning in 1750, reprinted a number of the works of the principal English economists. At this time a Literary Society was established in the College, embracing not only professors and literary men, but also several leading merchants, and the two printers Robert and Andrew Foulis, which turned its attention to economic questions as well as to those of a literary and philosophical character. A new generation of teachers was growing up in the University, wider views and fresher ideas were gaining ground. Old John Loudon, the last of the Regents,

¹ An Act for repairing several roads leading into the City of Glasgow (26 Geo. II. c. 90); and an Act for repairing the roads from Livingstoun by the Kirk of Shotts, to the City of Glasgow; and by the Town of Hamilton to the Town of Strathaven (26 Geo. II. c. 81). See Murray, *Early Burgh Organization*, i. p. 419.

The preamble of these Acts bears that the 'roads by the softness of the soil in some places and ruggedness of the roads in others, are in many parts become impassable in winter for wheel carriages and horses, and very dangerous for travellers.' When I was a boy 'to travel' meant in Ayrshire to walk on foot: 'How did he come?' 'He travelled,' meant he came on foot; a 'traveller' was a pedestrian.

In 1750 there was passed an Act for repairing the High Roads in the County of Edinburgh, to and from the City of Edinburgh; and from Cramond Bridge to the Town of Queen's Ferry in the County of Linlithgow (24 George II. c. 35).

² *The Scots Magazine*, xxvii. (1765), p. 273. The fare from Glasgow to Edinburgh was 12s.

In 1766 the Edinburgh Fly left Glasgow and Edinburgh respectively each

who had become Professor of Logic when the regenting system was abolished in 1727, died in 1751, and was succeeded by Adam Smith. Thomas Craigie, who had succeeded Francis Hutcheson as Professor of Moral Philosophy, died, as mentioned in Foulis' letter, formerly quoted, in December, 1751, and Adam Smith took his place. For the vacancy thus caused in the professorship of Logic, David Hume, and it is said Edmund Burke, were candidates, but the choice fell upon James Clow, a graduate of the University, a man of solid learning, an excellent mathematician, and a capable teacher, but lacking the brilliancy or originality of either of his competitors. At the same time Dr. Robert Dick was appointed Professor of Natural Philosophy. His eminence as a man of science and as a teacher, and his efforts to popularise the subject of his chair, have been overshadowed by the noisy self-assertion of his successor—John Anderson—who adopted his ideas, which have been assumed to be his own. In 1747 William Cullen became Lecturer on Chemistry, and in 1750¹ Professor of Medicine, and on his resignation in 1757 he was succeeded by Joseph Black.

In 1756 Robert Simson published, through R. and A. Foulis, in Latin and in English, his edition of the *Elements* of Euclid, which has held its place down to our own day as the best representation of the celebrated Greek geometer.

Literature was beginning to find a place in Scotland. In 1748 Tobias Smollett gained a prominent place in the literary world by the publication of *Roderick Random*, in which he sketched his early years as a medical student in Glasgow. His friend, Dr. John Moore, author of *Zeluco*, after leaving the University of Glasgow, served for some years abroad, returned to Glasgow in 1750, and practised here for the next twenty years. His ready wit and brilliant conversation brightened every gathering in which he was present. William Craig, 1709-84, the minister of St. Andrews Church, was an accomplished classical scholar, a man of parts, an eloquent and earnest preacher. Crowds went to listen to his sermons, which were thoughtful

morning (Sundays excepted) at six o'clock, and arrived between one and two, in time for dinner. *The Glasgow Journal*, 19 June, 1766.

The Glasgow dinner hour until after 1770 was two o'clock; it then moved on till three o'clock, and by 1818 it reached six o'clock. *New Statistical Account*, *supra*, p. 230.

¹ His Commission by King George III., dated 12th December, 1750, is in the Hunterian Museum.

and had much literary charm. William Leechman, who became Professor of Divinity in 1744, was also an excellent preacher, an admirable teacher, and for more than a generation one of the principal leaders of opinion in Scotland.¹

One of the most remarkable efforts of the period was the Glasgow Academy of the Fine Arts. Opened by Robert Foulis in 1754, it was carried on by him with extraordinary energy and perseverance until 1775, when it had to be closed for want of support, and the gallery of pictures dispersed.

The University took the Academy under their patronage, and provided it with accommodation; individual professors endeavoured to further it, influential friends made strenuous efforts to obtain assistance for it, but while it was praised, it did not obtain the financial support that was required to establish and carry on so great an undertaking. The funds provided by Foulis were swallowed up, the revenue he anticipated from the sale of works of art failed, debts accumulated, the collapse of the Academy brought him to bankruptcy, crushed his spirit, and caused his death.

Notwithstanding the labour and anxiety entailed by the Academy, the printing business was prosecuted as energetically as before. Foulis was a bookseller before he became a printer, and this branch of business was never abandoned, but was carried on concurrently with the business of printing and publishing.

In 1771 they issued a catalogue of books and manuscripts which they had for sale.²

¹ Simson [*i.e.* John Simson, Professor of Divinity in Glasgow, 1708-40], the father of Moderatism, Wishart, Hutcheson, and Leechman, the most distinguished of its early exponents, were all connected with Glasgow; and this city may thus be said to have anticipated the creative influence, material and intellectual, which in the latter half of the century was to be felt throughout the land.' W. L. Mathieson, *Scotland and the Union*, p. 345. Glasgow, 1905, 8vo. As to Leechman, see *Ib.* pp. 235, 276; and *The Awakening of Scotland*, pp. 166, 188, 195, 203, 217. Glasgow, 1910, 8vo.

Leechman was a warm friend of Robert Foulis.

² Glasgow, 1771, 4to. Printed books pp. 76, with 1255 numbers: MSS. pp. xviii with 87 numbers. The prices are in a list at the end, pp. xix-xxviii. I have three copies of this catalogue all purchased at the sale of Mr. David Laing's library. One of these is perfect, and in the state in which it was issued. The second is imperfect, but has been completed in MS. from a perfect copy. This copy formerly belonged to Archibald Constable, who has made some notes upon it. He assumed that this was a catalogue issued by James Spottiswoode of Glenfernat, bookseller, Niddrie's Wynd, Edinburgh, who acquired the quire stock of the firm after the death of Robert Foulis, but this is not so.

An order came from Dr. Hunter which resulted in the following invoice and letter :

INVOICE FROM ROBERT AND ANDREW FOULIS TO DR. WILLIAM HUNTER.

1771 Decr. 11.

No. 1255.	L'Estrif de Fortune	-	-	-	-	£5	5	0	
4.	Theodoret on the Psalms 4to.	-	-	-	-	4	4	0	
5.	Sapientia Jesu	-	-	-	-	1	1	0	
6.	Acts of the Apostles, & Revelation	-	-	-	-	1	11	6	
7.	Mathematici Veteres	-	-	-	-	12	12	0	
8.	Aristotle's Politics & Ethics	-	-	-	-	3	3	0	
9.	Aristotelis Analytica priora, &c.	-	-	-	-	1	1	0	
10.	Seneca	-	-	-	-	5	5	0	
11.	Priscianus	-	-	-	-	2	2	0	
12.	Sopholegium	-	-	-	-	3	3	0	
17.	De Diversitatibus Febrium	-	-	-	-	2	2	0	
70 & 71.	Iamblichus	-	-	-	-	3	3	0	
72.	Les Institutes	-	-	-	-	1	1	0	
50.	Saddi	-	-	-	-	1	1	0	
51.	An Arabic M.S.	-	-	-	-	1	1	0	
							<u>£47</u>	15	6

Sent you a sight of the following MSS.

- 36. Abulsind.
- 38. Hierocles.
- 40. La Vray Histoire de Troye.
- 52. A Prayer Book.

Sir,

In obedience to your generous and most obliging Letter of the 5th current, we sent the above by land in a Waggon on the 11th, and we have enclosed the Waggoner's receipt, and as they usually arrive in ten or twelve days we hope you will have receiv'd the MSS. before this reach you. We have presumed to take the Liberty of drawing payable thirty days after this date for £47 15 6 Sterling, being the value of the Books furnish'd. The Draught is in favour of David Elliot. We offer no other apology for this Liberty, but the knowledge we have of your Generosity, and the weight of our engagements causing a perpetual drain. Petrus de Crescentius was sold to an English Gentleman passing this way, before your order came to hand. The Sea-casts were likewise sold. We had lent the Chronicle of Melros to Dr. John Boswell of Edin^r, who seems to have mislaid it or lost it. He promises to us in a Letter to search anew for it. If found, it shall be sent with the Index Vocum Hippocratis which

we have mislaid. *L'Estrif de Fortune & de Vertu* is undoubtedly printed. It was shown to Dr. Franklin at Dr. Wilson's. Both these Gentlemen thought it rather block than moveable Types.

Any Manuscripts you desire to see shall be sent to you. We are greatly obliged to you for the encouragement of Milton, and we propose to begin Virgil as soon as we have two hundred subscribers. We have got near half that number.

We are, Dear Sir, with affectionate gratitude Your
most obliged & most humble Servants,

ROBERT & ANDREW FOULIS.

Glasgow Decr. 25th 1771.

The first on the list is the only printed book in the order ; the others are manuscripts.

L'Estrif de Fortune is a remarkable book, and is thus described in the Catalogue :

'1255. *L'Estrif de Fortune et Vertu*. par Martin le Franc Prevost de Lausanne Secretaire de Pape Nicolas, a tres-haut, tres-puissant et tres-excellent Prince Phelippe de Burgoingue &c. This book was purchased as a manuscript, but upon nearer examination it appears to have been printed. It is without doubt that a number of letters are join'd together in the same piece, but whether the whole pages are in one block, is not so easy to determine with certainty. The character is large, black and strong, the initials painted. Corrections appear through the work, but they are the author's, not the Printer's. They are made in the way which Caxton used in some of his books.

This book has neither place nor year, signature, page, or running title. It is not mention'd by Maittaire in his *Annales Typographici*, nor in any other history of Printing. The work is a Dialogue between Fortune and Virtue in prose, and intermix'd like Boetius, with poetry. There's an account of the author in Moreri's Dictionary in the following words :

'Franc (Martin le) étoit d'Arras, felon Jean le Maire et Valere Andre, ou du Comté d'Aumale en Normandie, comme veut Claude Fauchet. La Croix du Maine dit qu'il étoit Poëte, Philosophe, Historien, et Orateur très-estimé pour sons tems. Il fut Protonotaire du saint Siége, Prévôt et Chanoine, de Lauzane, et puis Secretaire de L'Antipape Felix et du Pape Nicolas V. Il fit un Livre contre le Roman de la Rose, intitulé *Champion des Dames* ; un en prose et en vers, intitulé *L'Estrif de la Fortune et de la Vertu* : et plusieurs autres.'

As will be seen from the letter, Dr. Benjamin Franklin, who visited Glasgow in 1771, and Dr. Alexander Wilson, the type-founder, then Professor of Astronomy, thought that the printing

was from block, not movable types, but, as Foulis points out, this was a mistake. There is no doubt upon the point.

There is a long note inserted at the beginning of the volume, which I was at first inclined to think was in the handwriting of Robert Foulis, but I have now come to the conclusion it is in that of Dr. Hunter.

This note is as follows :

‘This book is a religious and moral disquisition on Virtue and Fortune, often in the way of Dialogue, mostly in Prose, yet a good deal of it in rhiming verse.

The author was secretary to Pope Nicholas, and addresses it to Philip, Duke of Burgundy. Therefore it must have been Nicholas Vth, who was Pope from 1447 to 1455, during which period this work must have been composed.

(Philip D. of B. from 1419 to 1467.)

It appears probable that it was one of the first improved Essays in the art of Printing while that art was yet a secret, that is, before the art was divulged through the quarrel and Law-suit between Fust and Guttenburg in 1455, or by the Edition of the Psalter in 1457 which avowed the art. And that the copies of this book were intend to be passed upon the world for MSS.

But since I wrote the above, I think it might be printed later.

1. It is evidently printed—and with the improved ink, which did not sink into the paper ; and thence, upon both sides of the sheet ; and not with Gumm, but oil, because rubbing it with water does not dissolve the ink.

2. It is very like some French MSS. which I have of those times, in the black or Gothick letter. It differs from MSS. principally in the following circumstances

(1) The paper is not ruled : but in some MSS. there is no ruling—or hardly apparent.

(2) The margin at the ending of the lines is more even or regular, than almost any MS.

(3) The small strokes of the letters are not so slender, or delicate, as those which are made with a pen. This is the most essential difference.

3. The paper is thick and coarse—and there are at least four different marks.

(1) A hand ; sometimes upwards, sometimes downwards.

(2) A Shield.

(3) Do. different.

(4) Something which I cannot yet make out.

4. It has only three different marks in pointing viz.

(1) which never comes below the line, and is commonly close to the first letter of the following word.

A Rhomboidal point, with the angles upwards

Two points of the same sort.

5. It has capitals at the beginning of every line of verse : and after a full stop : but not for proper names.

6. It has no catch-word, or register either of sheets of Paper, or of pages. Nor any account of the art, or of the place or time.

7. *It begins thus **

8. *It ends thus **

9. It has a great number of double letters ; no less than 55 different in the first page, such as bo, co, cu, ci, &c., and even treble, such as ere, iva, &c.

It might appear to have been printed in blocks either of wood, or soft metal ; not types ; for

(1) *The form of the same letter in different parts is different.**

(2) *The same word is of different length in different parts.*

(3) *The lower ends of the letters in the upper line in many places come lower down than the upper ends of the letters in the lower line.*

(4) *The letters in many places encroach upon one another thus (drawing) that is the squares upon which they stand are blended.*

(But it is certainly, I think, printed in types ; much of the same sort of those of the first German and Flemish Printers, and very nearly such as Caxton brought into England. There was an MS of this in Gaigniat's Catalogue¹ and De Burre² did not know if the book had ever been printed.)³

To make it pass for an MS. or to conceal the art.

(1) Not only the large capitals and all the marks of paragraphs are done with a pen in red ink, but

(2) In every page many letters, particularly F and f and l are mended with a pen to make them more like writing ; such corrections are now very evident, because the writing ink has changed to a browner colour.³

The book is without place, date, or name of the printer, but there is no doubt that it issued from the press of Colard Mansion, of Bruges, about 1477. Brunet records only two copies. One is in the library of Sainte-Geneviève, Paris ; the other was purchased by Heber at the Van de Velde sale at Ghent in 1832 ; at Heber's sale it fetched £28, and passed into Prince d'Essling's collection, at whose sale, 1847, it brought 1500 fr. It was bought at the Esseling sale by Tilliard for N. Yemeniz of Lyons ;

* The words in italics have afterwards been drawn through with a pen by the writer.

¹ *Catalogue de feu M. Louis Jean Gaignat*, Nos. 1775, 1776, Paris, 1769, 4to.

² *Bibliographie instructive*, No. 2990* (Belles Lettres: Poètes François), Paris, 1765, 4to.

³ This paragraph between brackets is at the side of the MS., and has evidently been written after the above lines marked 1, 2, 3, 4 had been deleted.

Yemeniz sale, 1867, 7000 fr. to Asher of Berlin; at Didot sale the same copy (1878) was bought for 19,000 fr. by Baron James de Rothschild and now belongs to Baroness James de Rothschild, Paris. No other copy than those quoted is known, but there are three single leaves at Cambridge.

The Foulis copy is in perfect condition, and would command a very high price if it were now in the market.

The books printed by Mansion were comparatively few in number, and all are rare. Dr. Hunter's library contains a copy of the Boccaccio of 1476, which is said to be the first book printed at Bruges with a date.

Van Praet, who writes upon Colard Mansion, had the Foulis Catalogue before him, but did not recognise *Lestrif de fortune* as a product of his press.¹ Presumably he had not seen a copy of the book, and did not appreciate Foulis' hint of the resemblance of the type to that of Caxton.

He draws attention, however, to the fact that the catalogue contains a manuscript of *Le Penitence d'Adam* translated from Latin into French by Colard Mansion.²

The Hunterian copy of *l'Estrif de Fortune* was examined by the well-known Belgian expert, M. Seymour de Ricci, in 1908, who is now with the British Expeditionary Force in France, and writes a very interesting letter from 'the front' upon the book, in which he says:

'For some time the name of printing and printer remained unknown; but when the book was exhibited at Paris, previous to the Essling sale in 1847, French experts recognized the types to be those of the celebrated Bruges printer, Colard Mansion (1475-1484), who almost certainly worked with Caxton. Blades believed him to have been Caxton's teacher, but modern bibliographers, e.g. Mr. Gordon Duff, have given good reasons to consider him as Caxton's pupil.

Books from his press are bibliographical diamonds of the finest water, and the two or three examples which have come into the market in the last forty years have commanded enormous prices.

Scotland may therefore be proud of the ownership of no less than five Colard Mansions, two being in the Hunterian: 1. The *Estrif de Fortune*. 2. *Boccaccio*, obtained by Dr. Hunter

¹ *Notice sur Colard-Mansion*, pp. 16, 96, Paris, 1829, 8vo.

² Van Praet, *Recherches sur Louis de Bruges, seigneur de la Gruthuyse*, p. 94, Paris, 1831, 8vo.

at Hoblyn's sale. 3. *Coarsinus*, at Aberdeen, no other copy being known. 4. *Boccaccio*, in the Advocates' Library, Edinburgh. 5. Another copy of *Boccaccio*, with contemporary engravings, formerly belonging to the Marquis of Lothian, now to the Marquis of Bute.

The *Estrif de Fortune* is undoubtedly printed from metal types, made of some fusible lead alloy. A few years ago (1900) was discovered in a copy of Gutenberg's Bible belonging to the Episcopal Seminary at Pelplin the impression left by a single type which had dropped on to a page by the printer and had been pressed between two sheets of paper. It was similar in shape to modern types, the only difference being that the lower end tapered off on one side (the side corresponding to the top of the letter). This device (similar to the little semi-circular nick in modern types) showed the printer at a glance if his types were placed right side up on his rule.'

Where or when the Messrs. Foulis acquired the book there is no record. They had imported books at various times for nearly thirty years. It no doubt formed part of one of these lots, and probably came from Paris, where most of their purchases were made.

The manuscripts in the invoice are fully described in the Sale Catalogue, as follows :

' 4. Theodoret on the Psalms.

ΤΟΥ ΜΑΚΑΡΙΟΥ ΘΕΟΔΩΡΗΤΟΥ ΚΥΡΟΥ
ΕΠΙΣΚΟΠΟΥ ἙΡΜΗΝΕΙΑ ΕΙΣ ΨΑΛΜΟΥΣ.

A very ancient MS. of Theodoret's commentary on the Psalms in vellum. In the beginning of the MS. the transcriber has wrote the text of the Psalms with red ink. The writing of this book resembles the specimen given by Dr. Pearce of the MS. of Longinus. The leaves of this MS. are 167. large 4to.

There's a Lacuna in the 18th psalm, and the MS. ends at the 100 verse of the CXIX., the rest of the manuscript has perished through the injury of time. this commentary has been only once printed.'

This is No. 19 in the Official Catalogue.¹

The description of the MS. in the Foulis Catalogue has been cut out by Dr. Hunter and pinned in the MS., and is now quoted in the Official Catalogue, but without any indication whence the slip came.

¹ *Catalogue of Manuscripts in the Library of the Hunterian Museum in the University of Glasgow*, Glasgow, 1908, 4to.

'5. Sapientia Jesu filii Sirach que Ecclesiasticus appellatur. This MS. is wrote on paper, the initials painted in various colours, or gilt. This book has probably been wrote about the time of the invention of Printing. 8vo, bound in yellow turkey, and gilt on the leaves.'

This is No. 321 of the Official Catalogue.

The slip from the Foulis Catalogue has been cut out and attached to the MS., and is quoted in the Official Catalogue.

'6. An ancient MS. of the Acts of the Apostles and of the Revelation on vellum, beautifully wrote with the initials painted and vignettes. It is well preserved, gilt on the leaves and bound in red Turkey. small 8vo. This MS. has the prologues of St. Jerome prefix'd to the books, and some readings in the margin, probably about 350 years old.'

This is No. 348 of the Official Catalogue.

The slip from the Foulis Catalogue has been cut out and attached to the MS., and is quoted in the Official Catalogue.

'7. A beautiful Greek Manuscript of the most of that collection of Greek Writers printed in the Louvre, Paris 1693, under the title of Mathematici Veteres, viz. Athenaeus de machinis, Bito de constructione belliorum instrumentorum et catapultarum, Heron de constructione et mensura Manubalistae. Heron Ctesibius Belopoeica, Poliorcetica ex libris Apollodori, Philonis liber IV. de telorum constructione, ejusdem liber V. de constructione.

This MS. is beautifully wrote on glaz'd oriental paper, with the figures of the machines well drawn, it has formerly belonged to Foucault, in whose library Montfaucon observes there were most valuable MSS. As these authors have been but once printed, it is probable this MS. might be of good use in a new edition. The book is in folio, and bound in vellum.'

This is No. 220 of the Official Catalogue.

The slip from the Foulis Catalogue is inserted in the MS.: it is cut partly from the foot of p. ii and partly from the top of p. iii, and being thus in two parts is described in the Official Catalogue as cuttings from two sale catalogues.

Dr. Hunter has noted on the MS. the price paid, £12 12/.

'8. A beautiful Manuscript of Aristotle's Politics and Ethics, translated from ancient Greek Mss. by Leonardus Aretinus, with curious prefaces, dedications and marginal notes. The Ethics were translated by Aretinus 18 years before the Politics, and inscribed to Pope Martin the V. Leonardus says, that he translated this work in the time of the Council of Constance, while there was a vacancy in the papal chair. This book is wrote on vellum, in a most legible and beautiful hand, the initials are gilt and otherways ornamented. These words are wrote at the end, *Ethicorum Aristotelis liber decimus et ultimus explicit feliciter in civitate Florentie, anno Domini nostri Jesu Christi, 1440, de mense Januarii die xxviii.*

This MS is in excellent preservation, bound in vellum, and formerly belonged to Charles Lord Halifax.'

This is No. 245 of the Official Catalogue.

The slip from the Foulis' Catalogue is pasted on the MS. and quoted in the Official Catalogue.

'9. Aristotelis Analytica Priora et Posteriora. A very ancient MS. on vellum, probably wrote in the 11th century. there are bound up with it 4 leaves of a Dictionary French and Latin, in which the changes that the French language has undergone may be observed, as for example, *estrif, lis, rixa, contentio, controversia, jurgium*. this word is not in use now in the French language, tho' the English retain it from the Normans.'

This is No. 292 of the Official Catalogue.

The slip from Foulis Catalogue is inserted in the MS., and quoted in the Official Catalogue.

'10. Senecae Tragoediae decem, cum scholiis in margine. this MS. is beautifully wrote on vellum, the initials painted or gilt. it was probably wrote in the 13th or 14th century. the first page and beginning of all the tragedies ornamented with vignettes, and by some old French verses at the end this MS. seems to have been wrote in France.'

This is No. 297 of the Official Catalogue.

The slip from the Foulis Catalogue is inserted in the MS. and quoted in the Official Catalogue.

'11. Liber Prisciani de Constructionibus, a beautiful MS on vellum, very ancient, and well preserved, 4to. bound in Russian leather.'

This is No. 296 of the Official Catalogue.

'12. Sophilogium Poetarum, a beautiful MS. on paper, with vignettes at the beginnings of books, and initials of chapters painted or gilt. besides a great variety of other subjects, we find the following: De philosophia, de studiis et sectis philosophorum, de rhetorica, de poetis famosis, de inventione arithmeticae, de astronomia, etc. this work consists chiefly of quotations from ancient Greek and Latin authors.

At the end of this MS. are the following words: *Explicit tabula capitulorum decem librorum Sophilogii Poetarum. Completa in Montepessulano (Montpelier) xxx^o die mensis Julii anno Domini millesimo quadringentesimo quinquagesimo nono. Deo gratias.*

Hunc librum feci scribi ego Anthonius de Mala Rippa notarius regius Montispessulani et solvi pro eo sex scuta auri. This is an example of the price of books at that period. Folio, and in ancient binding.'

This is No. 62 of the Official Catalogue.

Dr. Hunter had apparently only one copy of Foulis' Catalogue. The above description is on the verso of the slip containing No. 7.

'17. De diversitatibus Februm et pluribus aliis in medicina auctoris incerti. citat Antonium Musam, Possidonium, et librum de medicamentis venenosis. a very ancient MS. on vellum. its antiquity is evident from the form of the write. it is imperfect in the beginning and end. 8vo. bound in red Turkey.'

This is presumably No. 96 of the Official Catalogue.

'70. Jamblichus de vita Pythagorae, Gr. Lat. printed at Franequer 1598, 4to. collated with the MS. of this work in the King of France's Library, with other important corrections. Tho' Kuster in his edition has given many corrections from this MS. yet many are also omitted, which cannot well be accounted for, unless the collation's not being so fully transmitted to him as in this copy.

The collation and corrections are wrote in the margin, and the book bound in vellum.

71. Jamblichi Pythagorici commentarii seu orationes adhortatoriae ad Philosophiam, Gr. Lat. printed as the former, and in 4to.

This volume is interleaved, and has the collation most distinctly wrote of an ancient MS. there are arguments of each chapter in Greek taken from the MS. which arguments have not yet been printed, as well as a number of important corrections in almost every page, and sometimes larger passages. the collater observes what corrections have been wrote in the margin with a different hand, and what space words effaced have taken up. in page 30 he says, *Alia manus incipit in MS. priore deterior longe quoad emendationem.* the collater has likeways accurately pointed out what the MS. wants of the printed copy. this book has not been reprinted since the edition with which the MS. is collated.'

These volumes are in the library of printed books in the Museum.

'72. Les Institutes a l'Empereur Justinien. wrote most regularly in two columns on paper, the initials painted in red. there are bound up in the same volume the following Chronicles :

De Chronicis Romae.

De Chronicis Angliae.

Chronicon a nato Christo ad annum 313. fol.

The binding of this volume is antique, fortify'd with plates of brass on the four corners and in the middle of the boards.'

This is No. 63 of the Official Catalogue.

The slip from Foulis' Catalogue is pasted on the MS. and is quoted in the Official Catalogue.

'50. A Manuscript of the Persian Poet Saddi, with an interlineary Arabic version, in oriental binding. 4to.'

This is No. 154 of the Official Catalogue.

'51. An Arabic manuscript on Arithmetic and divisions of time, small 8vo. bound in red Turkey it is wrote on the glazed Oriental paper.'

This is No. 173 of the Official Catalogue. The slip from Foulis' Catalogue is pasted on the MS. and is quoted in the Official Catalogue.

The manuscripts sent on approbation were :

'36. Liber bene scriptus, continens plurima Juris Mahomedici capita tam de Jure Canonico quam civili, et a quodam nomine Abulsind, conscriptus Turcice; et in quo capita tantum ponuntur Arabice. a most beautiful manuscript on Oriental paper. 4to. elegantly bound in red Turkey, gilt on the back, boards and leaves.'

Whether this was retained is not clear. It may be No. 163 of the Official Catalogue.

The price was £2 2s.

'38. Hierocles in Aurea Carmina, Gr. Lat. Paris 1583. collated with two Mss. one on vellum, the other on paper, by Marchantius advocate of the Parliament of Paris. Jacobus Mentellus has likewise communicated to Monsieur Menard, former possessor of this copy, the collation of two other Mss. one of which was wrote by the hand of Michael Apostolius a learned Constantinopolitan.'

There is a copy of this edition of Hierocles with copious MS. notes in the Hunterian Library catalogued amongst the printed books, which may be the copy in question.

The price in Foulis' Catalogue was £1 1s.

'40. La vraye Histoire de Troye. an old manuscript on paper, the arguments of each chapter in red, and the initials painted in various colours. at the end of the book, the author gives an account of it in the following words: Jay ores mené a fin la vraye histoire de Troye en la maniere qu'elle fut trouvée escripte en la main de Saint Pierre d'Oriente en Gregois language et de Gregois fut mise en Latin et j'ay lay translatée en Francois non pas par Rimes ne par vers ou il convient par fine force, maintes mensonges comme font ces menestrels de leur langues pompus plair mainte-fois aux Roys et aux Contez. a large 4to, most regularly wrote, and in antique binding. the author observes that the Greek is still spoken in many places in Sicily, and that the peasants in Calabria speak nothing but Greek.'

This does not appear to have been retained by Dr. Hunter. The price was £3 3s.

'52. Prayer and public Devotions throughout the year, with the lessons and psalms, in the German dialect used about Cologne. this is probably one of the books of the followers of Wickliffe. It seems to have been wrote in the century preceding Printing, in a hand that has all the uniformity of Printing.

The pages that begin different subjects are adorn'd with initial letters of extraordinary size, painted with gold and variety of colours, and

accompany'd with flowers in the margins. the other initials are likewise done with red, blue and other colours. this manuscript is on the finest vellum, in compleat preservation and original binding.'

The MS. of Petrus de Crescentiis referred to in the letter is thus described in the sale catalogue :

'33. Liber ruralium commodorum a Petro de Crescentiis cive Bononiensi compilatus ad honorem Dei Omnipotentis et serenissimi Regis Karoli et utilitatem omnium gentium.

This work is dedicated to Charles II., King of Jerusalem and Sicily. he reigned from 1284 to 1308. after Columella and Palladius, this author is next in antiquity on agriculture, and does not confine himself to any one branch of it but treats of them all. he also takes in every part of rural oeconomy. In composing his work he has made use of all the ancient authors on agriculture and natural history before his time.

The MS. is in folio, on a fair vellum, the contents of the chapters wrote in red, and the capitals painted. the hand is very legible, and the margins large and well disposed.'

There is a MS. of de Crescentiis (No. 75) in the Hunterian Library; it is in folio, on vellum, beautifully written in single columns with rubrics and rubricated initials.

Whether this is the Foulis MS. it is impossible to say.

Dr. Hunter had the two Louvain editions printed by Johannes de Westfalia of *circa* 1473 and 1474, which are now in the library.

The Sea carts was

'46. Sea-carts drawn and painted on vellum, with gold and variety of colours, with the arms of different kingdoms, states and cities, comprehending the Mediterranean and other sea-coasts of Europe, Asia and Africa, with representations of animals peculiar to Asia and Africa, and many other ornaments, probably not copied or engraved. these sea carts are on six large skins of fine vellum, pasted on boards and bound in a volume.'

The Chronicle of Melrose borrowed by Dr. John Boswell and mislaid by him is described simply as

'76. The Chronicle of the Abbay of Melros in manuscript, 4to.'

It does not seem to have been found, as it is not in the library.

The Index vocum Hippocratis, which had been mislaid by Foulis, was

'80. Index vocum omnium Hippocratis quae reperiuntur, tam in Herodoti dictionario quarundam dictionum Hippocratis: Erotiani dictionum Hippocratis collectione: Galeni dictionum Hippocratis ἐξήγησις seu expositione: Foesii Oeconomia Hippocratis quam in operum Hippocratis editione Graeca Basileensi, anni 1538.

This MS. is most plainly and neatly wrote in 4to in four columns. at the beginning of the MS. is wrote, 8 October 1706. at the end, 20 April 1707.'

As it is not in the library it does not seem to have turned up.

The foregoing letters extend over the period 1750-71, the most active and fruitful in the life of Robert Foulis. In 1750 his eminence as a printer had been established, not only in Scotland and England, but also on the Continent. Eight years later his reputation was enhanced by the publication of Homer, and he hoped to surpass this in his long meditated edition of Plato.

The Academy of the Fine Arts was opened in 1753, and was carried on for more than twenty years with amazing energy under ever increasing difficulties.

The publication of Plato, although still under discussion in 1766, was abandoned shortly afterwards. The Academy had then been in existence for thirteen years, and while it had not achieved the success which its projector had anticipated, he could write playfully about it: 'The Fine Arts do not ripen quickly, especially in a cold climate; but if once brought to maturity it is to be hoped they will naturalize and leave successors wherever they are blown.'

Things did not go better with the Academy during the next five years. The letter of 1771, however, reveals Foulis as attentive to his own proper business and full of interest in it. The catalogue of books and manuscripts issued by the firm in that year was evidently prepared by Robert, and shows that he was well acquainted with his books, and able to describe their contents. The invoice gives a pleasing glimpse of Foulis as bookseller and Dr. Hunter as collector, and affords some authentic information as to the acquisition of a few volumes in his great library.

Andrew Foulis died suddenly on 18th September, 1775. His brother was deeply affected by his death; other troubles thickened around him, and in order to provide funds to meet pressing claims he resolved to sell a number of the best pictures in the Gallery he had collected for the use of the Academy. They were sent to London, but were brought to sale at the dullest period of the year, and realised miserable prices. Deeply grieved by the estimate placed by the public on his collection, disappointed of the funds he hoped to obtain, he returned broken hearted to Scotland, and died at Edinburgh on his way to Glasgow on 2nd June, 1776.

DAVID MURRAY.

Mercantile Shipping in the Napoleonic Wars

With some Statistics of Mercantile Shipping Losses
a Hundred Years Ago

THE submarine campaign has directed much attention to losses of British shipping, and the interest of historical students turns to what happened during the wars at the beginning of the nineteenth century. And here we find an instance of the limitations of judging from final results without paying close attention to the processes by which those results were reached. Many are content with the general impression that our shipping increased during the first years of the nineteenth century, and are satisfied to leave it at that. Indeed, it is not easy to form a judgment as to how the final result was reached, since there are few returns, and it is necessary to construct a method for forming an estimate. This process is rendered difficult by the destruction of the Customs House records by fire for the years 1812 and 1813. Still it is possible to present a broad outline of the effects of that war upon the mercantile marine, which removes some misapprehensions and conveys both comfort and warning.

It may be premised that the difference between the position of Great Britain before 1815 and at the present time as regards supplies of imported food must be fully recognised, as well as the probably greater importance of shipping in the operations of this war, though this is by no means certain, since delays of transports over a hundred years ago seem to have been very great indeed.

The first point to be noted is an interesting parallel, namely, that the number of ships belonging to the United Kingdom and the Colonies in 1803 was almost the same as that registered under the Merchant Shipping Act in 1913. It was 20,893 in 1803 and 20,938 one hundred and ten years later. Needless to say, there was a vast difference in the tonnage, which had increased almost ten times (from 2,167,863 tons to 19,604,900 tons), and the substitution of steam for sailing ships has made modern vessels much more efficient. The tonnage relation might be expressed

Mercantile Shipping in Napoleonic Wars 273

roughly by saying that in 1803 the average was a little over 100 tons, in 1913 nearly 1000 tons.

It is often supposed that the progress of shipping up to 1815 was associated with the capture of prizes from the French. This, however, is a delusion. In fact, command of the sea militates against the capture of prizes. The nation which keeps the sea risks its ships, while the one confined to its ports may save its vessels. As a matter of fact, from 1803 to 1814 our losses in prizes, as far as recorded, were twelve times as great as those of the French, the figures being: British ships captured by the French, 5314; French captured by the British, 440. We did better in the short American war. It was stated in Parliament towards the close of hostilities that American merchant ships taken by us numbered 1900, and historians in the United States put their losses at a higher figure.

These data show that the war was by no means without anxiety as regards our mercantile marine. In fact, at the beginning the total tonnage showed a tendency to decline, which must have been disquieting. The following are the returns for 1804, 1805, 1806:

British and Colonial Tonnage.

1804,	-	-	-	-	-	2,268,570
1805,	-	-	-	-	-	2,283,442
1806,	-	-	-	-	-	2,263,714

The losses from all causes between 1803 and 1814 were very great. At least 40 per cent. of the tonnage of 1803 had disappeared from the British registry, and the final satisfactory position was only secured by new construction. Between 1803 and 1814 more than 50 per cent. of the tonnage in existence at the earlier date had been launched from British and Colonial shipyards. The position may be stated in the following form:

Course of British Mercantile Shipping, 1803-1814.

Tonnage of ships, 1803,	-	-	-	-	-	2,167,863
Built, 1803-1814, ¹	-	-	-	-	-	1,119,644
Increase prizes on register, 1803-1812, ²	-	-	-	-	-	205,674
Total,	-	-	-	-	-	3,493,181
Tonnage on register, 1814,	-	-	-	-	-	2,616,965

¹ Owing to the loss of the Customs House records, it has been necessary to estimate shipbuilding for 1812 and 1813. These are taken at the average of 1811 and 1814.

² Increase of prizes on the register is obtained by deducting the number at the

The effect of new construction can be shown best in another form, namely, by deducting the total of building and prizes from the tonnage of 1814, so as to show the importance of the former in making good losses.

Total tonnage, 1814, -	-	-	-	-	-	2,616,965
Shipbuilding and prizes, -	-	-	-	-	-	<u>1,325,318</u>
Ships remaining apart from building and prizes, -						1,291,647

Approximate losses, 1803-1814, from all causes, at least 875,000 tons.

These figures, in which the losses tend to be under-estimated, show in the clearest possible manner that it was new construction which saved the situation. The average losses in tonnage were about 4 per cent. per annum. These were not evenly distributed; and, as already shown, there was a decrease in the total tonnage between 1804 and 1806. In broad outline the general result was that we built during the twelve years more than half the tonnage of 1803. This made good the losses, and left a small surplus. To that had to be added the surviving prizes, which yielded almost an amount equal to that surplus. In other words, the excess of the tonnage of 1814 over 1803, amounting to 450,000 tons, is made up roughly as to one half by the surplus of building over losses, and as to the other half by the prizes then on the register.

There is another aspect of the shipping position which is complementary to that just described, namely, the variations in foreign vessels plying to British ports. In 1802 the latter were only 36.02 per cent. of the British ships. By 1810 the proportion had risen to 131.27 per cent.

For purposes of comparison with the lists of ships arriving and departing, which is issued weekly at present, the following table is of interest, when it is remembered that the average tonnage (gross) of all registered British ships is now about 1000 as compared with about 100 in 1803. In the subjoined figures, ships sailing from and to Ireland and employed in the coasting trade are omitted, and the average tonnage was close upon 200.

earlier date from that at the later one. This method (which is the only one available) under-estimates the losses, since some prizes would have been entered on the register after the first date and have been lost or captured before the second, and so would disappear.

Mercantile Shipping in Napoleonic Wars 275

Sailings, 1802 to 1806.

	Inwards.			Outwards.		
	Number of Ships.			Number of Ships.		
	British.	Foreign.	Total.	British.	Foreign.	Total.
1802.	7,806	3,728	11,534	7,471	3,332	10,803
1803.	6,264	4,254	10,518	5,523	3,672	9,195
1804.	4,865	4,271	9,136	4,983	4,093	9,076
1805.	5,167	4,517	9,684	5,319	3,932	9,251
1806.	5,211	3,793	9,004	5,219	3,459	8,678

W. R. SCOTT.