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John of Swinton: A Border Fighter of the Middle Ages

TO-DAY it seems strange to look back across the Renaissance and the centuries to the old feudal warfare, to a time when printing, rifles and America were all alike unthought of, when men lived and prayed and loved and quarrelled like children, when the Black Prince and John Chandos, Bertrand du Guesclin and the Captal de Buch, Harry Hotspur and James of Douglas were all fighting for the joy of fighting, and believed with Froissart that 'La Chevalerie est le fondement de l'Etat.'[1] Wide indeed is the gulf between us and the Middle Ages, and the pity is that to bridge that gulf and look back at the doings of our forefathers we have in Scotland so little trustworthy evidence, only a few parliamentary reports, some hundred pages of monkish chronicle, and perhaps a thousand musty charters giving us little but a statement of how land passed from one family to another with bare lists of witnesses. Even making allowance for the loss of our national records in 1660, and the destruction of abbeys and castles in the ceaseless raids of the three preceding centuries, when we compare such scraps as have survived with the wealth of documents in England and France, it is evident that as a race we were bad at writing down. And tradition passed by word of mouth is rarely reliable. Therefore it may be worth while to dig out and piece together what is already scattered about in

[1] *Kervyn de Lettenhove*, vol. i. 198.

various books and manuscripts of the deeds of one early Scottish fighting-man. As the English and French writings of his time become easier of access much more may be found out about him, mainly because in his youth he formed ties south of the Tweed which bind his life-story together, but already of no Scotsman of the fourteenth century is there more on contemporary record than of John of Swinton in the Eastern Marches—'Nobillissimus et validissimus miles.'[2]

Close on five hundred and fifty years ago, on 22nd February, 1370-71, died David the Second. The male line of Bruce failed, the Stewarts succeeded, and Froissart tells us that a truce was established between England and Scotland with a provision that 'the Scots might arm and hire themselves out like to others for subsidies, taking which side they pleased, either English or French.'[3] Of this provision John of Swinton availed himself, and rode south to make his name and fortune. He must then have been quite young, and we do not know under whose banner he first took service, but we soon find him in the following of John of Gaunt.[4] And remember who John of Gaunt was. In Spain a king, in England not only a Royal Duke, but the richest and most powerful subject that the country has ever known. For twenty years he held the steps of the throne. The moment he was dead his son—less loyal than he was—seized that throne. When John Swinton joined him, though they were still campaigning, the best years of Edward III. and the Black Prince were past, and Lancaster was accused of aiming at supremacy. He had castles and manors all over the country, and 134 peers and knights were in his retinue ; not all Englishmen, though it would appear as if the new-comer was the only Scot among them. Swinton's various indentures are given in his Register, and, while in the fullest and most formal document the Borderer binds himself[5]—'envers le dit Duc pur pees et pur guerre a terme de vie,' his Scottish nationality is admitted, and it goes on later, 'le dit Duc voet et grante qu'il ne serra pas tenuz d'estre ovesque ly contre sa ligeance.' When he comes to Court he is to be 'a bouche en courte ovesque un chamberleyn mangeant

[2] *Liber Pluscardensis*, vol. i. 327. [3] *Johnes*, 3rd edition, vol. iv. 81.

[4] I have gleaned and shall quote much from two most valuable books, the *Life of John of Gaunt* and *John of Gaunt's Register* ; the first written, the second edited for the Royal Historical Society, by Mr. Sydney Armitage-Smith. Unfortunately only a very few years of this Register have been preserved for us.

[5] *Register*, 789.

en la sale'; when campaigning the Duke will convey him and his men and horses across the seas, and will apparently recompense him if his horses are taken or lost; but, on the other hand, 'en droit des prisoners et autres profitz de guerre prisez ou gaignez par le dit Johan ou nulle de ses gentz l'avantdit Duc avera la tierce partie.'

Mr. Armitage-Smith points out that Lancaster—no bad judge of soldiers—was so anxious to have him that both as Squire and Knight he paid him double fees and gave him special privileges. And little wonder, for Swinton's whole history proclaims that he was not only a man of valour—Macfarlane and Anderson quote his custom of giving a general challenge to fight anyone who would come against him—but a master of his weapons, and in those times such men had an extreme value. Leaders went out of their way to attract them to their side, for it was the day of individual combat, and one warrior, as we shall see later on at Otterburn, might almost win a battle.

But it was also the day of romance and fantastic vows, when 'it was not merely the duty but the pride and delight of a true Knight to perform such exploits as no one but a madman would have undertaken,'[6] and our man was hardly out of Scotland ere he gave his proofs. Froissart describes how Sir Robert Knolles, one of Lancaster's greatest captains, marched with his company along that line which we now know so well, the eternal battle-ground of Europe, past Arras, where they burnt the suburbs, and on by Bapaume and Roye, ravaging the country, while the inhabitants fled into Ham and St. Quentin and Peronne. What belonged to the Lord of Coucy they spared, for he had married King Edward's daughter. And when they came to Noyon, one of the Scots who was with them, John asueton,[7] 'a very valiant and able man, perfectly master of his profession,' saw his opportunity. Riding to its gates accompanied only by his page he dismounted, and leaping the barriers said to the knights who came to meet

[6] Scott's *Minstrelsy of the Scottish Border*. Notes to 'Auld Maitland,' vol. i. 45.

[7] We see in his account of Otterburn how Froissart, or rather his copyists, played havoc with our Scottish names. North of the Border we have no family of Ashtons, and, by tradition, this John a sueton was the John of Swynton or Swenton of whom I am writing. At that time, in Froissart's country, 'a' was commonly used instead of 'de,' as Sir Archibald Dunbar showed in his little booklet correcting Stodart's badly copied version of the *Armorial de Gelre*. In this fourteenth century manuscript we find not only the Contes 'a douglas' and 'a straderen,' etc., but the coat, so well known in the Preston aisle in St. Giles' Cathedral, put down to 'Syr herri apreston.'

him : 'Seigneurs je vous viens voir ; vous ne daignez issir hors de vous barrières, et je y daigne bien entrer ; je viens éprouves ma chevalerie à la vôtre, et me conquérez si vous pouvez.' And there he fought for upwards of an hour, 'alone against them all'—'giving many grand strokes with his lance.' 'He wounded one or two of their Knights ; and they had so much pleasure in this combat, they frequently forgot themselves.' And this went on until his page called to him that he must come out again as his army was on the move. Two or three thrusts to clear the way, and then, springing again across the barriers and up behind his page, he cried to the French—'Adieu, adieu, seigneurs, grands mercis,' and spurred away to join his companions. Froissart ends the tale—'La quelle appertise d'armes fut durement prisée de toutes gens.'[8]

Nothing of importance happened for a time, while plans were being prepared, and then, in August, 1373, the Duke of Lancaster himself rides south with a mighty following. Crossing to Calais he mustered 15,000 men, all mounted, among them 300 Scots lances, and swept the country. There were two divisions at the start, and we read of many towns with familiar names. The Duke of Brittany marched straight down by Hesdins, Doullens, Corbie-sur-Somme and Soissons, while Lancaster took a line roughly parallel but further east, by St. Omer and St. Pol and Arras, getting into touch with his ally at Bray-sur-Somme and then sweeping round by St. Quentin and Laon. The historian says, 'The area enclosed between the two lines represents roughly the sphere of devastation.'[9] How like to-day. They converged at Vailly-sur-Aisne, and then passed on by Epernay to Troyes and the south. It was a martial parade through Champagne and Burgundy and Auvergne and Aquitaine, and it finished at Bordeaux at Christmas-time. Much damage was done to the country-side, but little else happened, for the French refused fighting and retired into the fortified towns, and Lancaster refused sieges. No one could question that it was a great feat to march unchallenged from one end of France to the other, and the French Chroniclers are polite enough to write, 'la dite chevauchée leur feust moult honorable,'[10]—that is the best that can be said of it. The loss of men and horses from hardship and starvation had been terrible, and financially the whole expedition was disastrous.

[8] *Johnes*, 3rd edition, vol. iv. 86, and *Buchon*, Paris, 1837, vol. i. 614.

[9] *John of Gaunt*, 106. [10] *Grandes Chroniques de France*, vi. 339.

But the Duke's followers had to be paid, and on the 7th of August, 1374, he writes from the Castle of Leicester, 'a sire Thomas Swaby nadgairs nostre tresorer pur guerre saluz. Nous voulons et vous mandons que vous accomptez ovesque nostre tres ame chivaler monsire Johan de Swynton de cest derrier viage es parties de France et d'Acquitaigne et de ce que vous trovez que ly soit dehue de ses gages ly faites une bille desouz vostre seal.'[11] Later we find that the bill amounted to £7 7s. 4d.[12]

John of Lancaster had burnt his fingers badly and exhausted his credit, and the next over-seas expedition was headed by his brother Edmund, then of Cambridge and afterwards of York, John Swinton being lent by the Red Rose to the White. In the Chancery Files, under the date of December 15th, 1374, there is a 'Fiat for Protection for a year for Sir John of Swynton Knight, about to go in the King's service beyond seas, with his son Edmund Earl of Cambridge';[13] and in the Gascon Rolls, on the 16th of the following February, there are further 'Litteræ de protectione et generali attornatu concessae' to him and others.[14] There is little chronicled about this campaign, but Swinton's engagement on it brings into our story two ladies, one only a name, the other a personage of unpleasant notoriety.

Hitherto we have seen Swinton in his armour, but there were times when he was in England and at Court, and the entrée to Lancaster's Court must have been worth having. The Duke was much more than a soldier and a politician, he was fond of music, Chaucer was not only of his retinue but his intimate friend, Wycliff was his honoured guest, and there were dames both fair and frail. Moreover, John Plantagenet had taste and loved fine things. It was a sumptuous age. In his personal accounts, in the list of his presents and in his will, we see how he disposed of gold and silver plate and costly raiment and furs, above all of jewels. Jewels were the craze of the time. 'For the charge of the pearls, diamonds, rubies, saphires and emeralds in the Savoy a whole staff of warders under a yeoman of the Jewels is necessary.'[15] If only precious stones could speak and recount to us their history. Re-strung, re-cut, re-set, they are the loot of all countries and all time. Some are stones of destiny. Did Don Pedro, King of Castille, when after murdering the King of Granada mainly for his jewels he gave a certain pierced ruby to

[11] *Register*, 1457.
[12] *Register*, 1670.
[13] Bain's *Cal. Scot. Doc.* vol. iv. 221.
[14] *Catalogue des Rolles Gascons*, vol. ii. 114.
[15] *John of Gaunt*, p. 225.

the Black Prince, imagine that Henry V. of England would wear it on his helmet at Agincourt, and George V. of England in his crown at Westminster five centuries later ?

Among the ancient petitions in the Record Office is one—'A notre tres redoute Seigneur le Roi et a son noble Conseil. Supplie humblement Johan de Swynton que come it estoit en le Servise votre tres noble ayel notre Seigneur Le Roi que dieu assoile en les parties . . . Bretaigne en la companye monsieur de Cantebrigg en quel temps Johanne femme du dit Johan morust apres qi mort Alice Perrers par la grant poer qele avoit en cele temps Non obstant la proteccion de dit Roi prist les biens et Joyeaux du dit Johan cestassavoir un filet en quel il avoit 5 Rubis et vint grosses perles et 5 aneaux or Rubys et Dyamantz estanz les dys Joyeaux de la value de IIIIC et L marcs desqueux le dit Johan despuis en sa vie ne poet avoir restitucion. Que pleise a votre dit Seigneur le Roi et a son noble conseil de ly purveyer de remedye ainsy que le dit Johan ne soit tant perdant a cause de sa Demeure en parties susditz en servise du Roi et de roialme.'[16]

Here we have an insight into the seamy side of the Court life of this time. Where Joan came from we shall perhaps never know. It is the only mention of her. Probably she was a girl wife, the romance of his youth, and she left no issue. Her husband is away at the wars, and she dies. Enter that baleful figure, the King's mistress, not only a scandal and a danger to the realm but a notable thief, so fond of jewels that two years later she stole the very rings from her King's fingers when he in his turn lay dying. And John's rubies and pearls, more probably the spoil of his 'viage' through France than the heirlooms of a Border family, pass into her treasure chest. Where are they to-day ? For it goes on to say that the 'Seigneurs deputes' of Richard II., to whom the petition went, though prepared to see justice done, seem to have been doubtful whether they could be traced.

In the spring of 1375 Lancaster went to France as an Ambassador, and in June a truce was concluded, but he had now got the reputation of being an unlucky and expensive General. He was becoming more unpopular every day, and when, in June, 1376, the Black Prince died, leaving a father who was past all work and a son too young to undertake it, the position of the ambitious uncle lay open to evil report. On the

[16] Record Office, *Ancient Petitions.* File No. 139, No. 6910.

20th February, 1377, at Wycliff's trial in St. Paul's Cathedral, the Duke quarrelled fiercely with the Bishop of London, and the smouldering embers burst into flame. Thomas of Walsingham was a cruel critic of Lancaster all his days, but his account now is certainly picturesque. London was in an uproar, the mob howled outside the Duke's palace of the Savoy, reversed his arms, 'quod muttum bilem ducis postea concitavit,' and killed a monk who took his side. With the greatest difficulty he and Percy succeeded in escaping across the river to Kennington. Then writes the Monk of St. Albans :

'Quidam et ex Militibus Ducis Dominus Thomas (John) Swinton[17] nacione Scotus Domini sui favorem cupiens eodem die ausus est per frequentissimas plateas urbis equitare armatus in despectu civium ferre circa collum signum Ducis quo plus furorem populi comoveret. Qui mox a commonibus equo deiectus amisit Domini sui signum vulgarium violencia collo suo detractatum passurusque penas inconsulte temeritatis ibidem nisi maior eum ab eorum manibus liberasset et post modicum suo Domino remisisset.'[18]

He goes on to say that after this it was seen that those to whom the Duke had given these badges—'quorum superbiam vix tellus sustinere poterat'—became very humble and hid them away in their bosoms and their sleeves. John Swinton may have been a Paladin and a Hercules, but his bravado nearly cost him his life ; for no one man can succeed against a mob which is angry and in earnest.

Perhaps he was tired of England, and garrison work in peacetime in France did not appeal to him, but more probably it was for very different reasons that nine months later he turned his face once again towards his native land. Not so long ago he travelled with 'one man at arms and three archers,'[19] now we find Richard II., on 31st December, issuing a 'Warrant for safe conduct till the last days of April for 'Johan Sire de Swyngton Descoce,' with 60 men . . . to pass through Normandy, take ship at Harfleur . . . for Southampton . . . thence to the King's presence . . . and thereafter to Scotland.'[20]

[17] Walsingham, or his copyist, mistakes the Christian name, but Mr. Armitage-Smith alters 'Thomas' to 'John.' For no Thomas Swinton appears at that time anywhere, and certainly none was in John of Gaunt's service. All his Knights and Squires of that period are named in his Register.

[18] B.M. *Harleian MS.* 3634 f. 143.

[19] *Calendar of Close Rolls*, 1372.

[20] *Cal. Scot. Doc.* vol. iv. 254.

And this may have been the reason of his journey. Something had happened to the little old ancestral Barony on the Border. The family who took their name from it had been there ever since surnames and inheritance were recognised in Scotland—until 1335, when, after Halidon Hill, Edward III. annexed the Eastern Marches. Then the John de Swynton of that day, probably our man's grandfather, was forfeited,[21] the family apparently retiring to other lands at Abernethy which they had possessed since the time of William the Lion,[22] while Swinton, 'vasta propter destructionem guerre,'[23] was granted by the English king to Edward of Letham. Letham died in 1367, Swinton being then still in his possession,[24] but he left a son, and even a decade later England was continuing to claim all Berwickshire except its highest ground. 'These are the boundes of Goldyngham schire and the Marche which we demand for our lord the King of England.' From 'Colbrandespathe to the River Boune,' that is across the lower Lammermoors from the sea to near Lauder, 'and from the Boune following the Ledre water running into the Twede.'[25]

But now at last there came signs of restitution. The fortress of Roxburgh England held on to almost for another century, but Swinton, though centrally situated in the Merse, twelve miles from Berwick, four from Norham, and six from Wark, can never have been a place of strength, and perhaps the King's advisers were now ready to restore it to a rightful owner, especially when he was a friend and could be expected to keep the peace. Perhaps even it was for this that John had served for the last six years, for the homing instinct is strong with Scotsmen. At first there was trouble, for when he got there he found that another of the family, Henry de Swynton, probably an uncle, had already arrived from Abernethy and taken possession, and it was possibly a question as to which of them, after the forfeiture, was the rightful owner, one styled as we see 'Lord of Swinton,' the other 'Lord of that Ilk.'[26] Whatever the difficulty may have been[27] it was overcome by William Earl of Douglas, who produced lands in Perthshire which Henry accepted in amicable exchange.[28] Abercromby tells us that 'between the deaths of

[21] *Cal. Scot. Doc.* vol. iii. 326. [22] *Scottish Historical Review*, vol. ii. 172.

[23] *Cal. Scot. Doc.* vol. iii. 371. [24] *Cal. Scot. Doc.* vol. iv. 140.

[25] *Cal. Scot. Doc.* vol. iv. 295.

[26] *Douglas Book*, vol. iii. 397, Henry de Swenton.

[27] *Swintons of that Ilk*, Appendix I. [28] Carnegies, *Earls of Southesk*, p. 493.

David of Scotland and Edward of England there had been neither settled peace nor open war on the Border,' and Lancaster, who soon after we find designated 'Lieutenant of the King of England in the Marches,'[29] may have been at the back of this arrangement; for it is well known that he had formed a definite Scottish policy, and with his eyes fixed on foreign conquest was always most anxious for peace with Scotland. But a quiet borderside unquestionably suited the Northern Kingdom also, and a strong man with a French reputation was worth welcoming home.

Berwickshire must have been a change from the luxurious living of the past seven years, but most likely it saw little of Swinton at first. He still had dealings with London, and a certain William Calle, who owed him forty pounds, was outlawed until he paid it—an early instance of a Scot getting his legal rights against a Southerner[30]—and he still appears in Lancaster's Register. On the 2nd November, 1379, the Duke writes from Kenilworth that he is to be given sixty pounds which are owing to him;[31] and again, on 23rd August, 1380, there is an order from Tuttlebury that 'nostre cher et bien aime bacheler Monsire Johan Swynton' is to be paid his annuity.[32] But his indenture could no longer hold 'a terme de vie,' however attached he might be to his old leader.

And that leader was soon himself again in bad trouble. Froissart says that no envoy was so well acquainted with Scotland and its inhabitants, or able to secure such good terms from them as John of Gaunt, and, in the following spring, a March-day having been appointed at Ayton for 12th May, he rode out of his splendid palace at the Savoy on a diplomatic journey to the North. A month later he was at Coldingham, and the same day the Savoy was in ashes. London and Kent and Essex had risen against him, the gates of Bamburgh were shut in his face, and he took refuge in Edinburgh. Another month, the storm blew over, and he turned South once more, escorted with great pomp to the Border by the Scottish magnates. At Berwick, on the 13th July, two days before Wat Tyler was killed, he issued a proclamation—'A touz capiteins castelleins et leurs lieutenantz viscontes maires baillifs ministres foialx subgitz et liges de notre dit seignur le Roy as queux cestes presentes lettres vendront saluz. Porce nous

[29] *Cal. Scot. Doc.* vol. iv. 297.

[30] *Patent Roll*, No. 308, 4, Richard II.

[31] Register (not yet printed), ii. f. 14.

[32] Register (not yet printed), ii. f. 36.

eions pris en nostre especiale proteccion monsire Johan Swynton ses gentz servantz biens chateaux et hernoys vous mandons que as ditz Monsire Johan ses servantz gentz biens chateaux et hernoyses ne facez grief mal moleste ne damage ne en quanque en vous est ne suffrey estre fait ne riens pris encontre leur gree. Cestes noz presentes a durer par deux ans procheinz ensuantz.

Donnee etc a Berewyk etc.' [33]

It looks very much as though Swinton was installed as a peace-maker of the Marches.

But if he was friends with John of Gaunt, who on 12th July, 1383, is still commissioner of England, he was in high favour in Scotland also. The lands of Swinton had from the earliest days been divided. The Swinton family held Parva Swyntona, but Meikle Swynton, the township, was a possession of the Monks of Coldingham. In 1333 the then Prior had petitioned King David that William Lord of Douglas was holding on to 'lour ville de Swyntoun,' which had been granted to the good Lord James 'pour sone conseil et eide avoir en temps de guere,' and that it was 'chief de lour sustenance.' [34] Probably at that time Edward of England settled the business for them by force of arms, but now, nearly fifty years later, when the English have quitted the Merse, we find the Abbot of Dunfermline handing over 'omnes et Singulas terras tocius dominij de Swyntoun Magna dilecto nostro Johanni de Swyntoun militi,' [35] and Robert II. and his son confirming the gift in 1382 'dilecto bachelario nostro,' [36] with Pope Clement VII. fortifying a transaction so important as the surrender of Church lands by a papal Bull. [37] And money too was forthcoming, for on the 4th June of that year King Robert granted to him and his heirs a pension of £20 a year 'pro suo fideli servicio nobis impenso et impendendo.' [38]

He was also either forming or perhaps only consolidating a strong family connection. In 1384 William, first Earl of Douglas, died, and before August, 1387, we find Swinton—now himself styled 'Lord of yat Ilk'—married to Margaret of Mar,

[33] Register (not yet printed), ii. f. 142.

[34] *Correspondence of Priory of Coldingham*, Surtees Society, p. 21.

[35] *Swintons of that Ilk*, Appendix III.

[36] *Swintons of that Ilk*, Appendix IV. [37] *Swintons of that Ilk*, Appendix VI.

[38] *Register Great Seal of Scotland*, vol. i. 700. This pension is frequently referred to in the Exchequer Rolls, in 1391 'pro se et heredibus suis annuatim.' As late as 1417 we find his son claiming it.

his widow; and, though the Douglasses had somehow absorbed the Mar Earldom, the marriage brought him an additional courtesy title of Lord of Mar—it was before the days of what we now call peerages, with the exception of Earls of Earldoms—as well as a gallant stepson. If he still had scruples as to taking the field against his old English comrades—well, Lancaster was away in Portugal and James of Douglas managed to break them down. A fighting instinct is hard to kill. In August, 1388, they rode together to Melrose, where the charter confirming the church of Cavers to the Abbey bears Swinton's name, Douglas calling him 'carissimo patre nostro,' [39] and then on into England. Modern historians have all followed Froissart in his description of the field of Otterburn, and his is the version known to every schoolboy, while Philip Sidney has told us that the fighting of Douglas and Percy moved him more than a trumpet, but the early Scottish chroniclers, who were on their own ground, all give less credit for the actual victory to the 'dead Douglas' than to his stalwart step-father. The younger man, in his haste insecurely armed, striking out right and left with his battle-axe, fell early in the fray, unrecognised, borne down by three lances fixed in his body, while of the elder, a wary fighter, we read that when the battle was not going too well for his countrymen,—

'Swenton dominus Johannes miles Scotus, dum confligere inciperant Scoti et Angli, ex ala lateraliter secessit, et dum alterutra pars se lanceis impeteret, ipse elevata longa lancea rubea, graui percussione, Anglorum lancearum capita ferrata in terram multum concussit, propter quod Scoti primo Anglos penetrarunt lanceis et eos retrocedere compulerunt, sed, certamine aliquantisper durante, Angli terga verterunt etc.'[40]

In different words Bower and *Liber Pluscardensis* tell the same tale, the former calling him 'probatissimus miles, validus et robustus,' and John Major saying 'our chronicles make mention of John Swinton with all honour'; [41] while one of the oldest ballads on the battle hails him as leader of one of the three divisions, and describes his following:—

> 'Swynton fayre fylde upon your pryde
> To battel make yow bowen;
> Syr Davy Scotte, Syr Walter Stewarde,
> Syr Jhon of Agurstone.' [42]

[39] *Liber de Melrose*, vol. ii. 466 and 617.

[40] *Extracta ex Cronicis Scocie*, Abbotsford Club.

[41] John Major's *History*, p. 328.

[42] Percy's *Reliques*.

But where all men of both sides fought their way almost into immortality, little matters now as to who was primarily responsible for the victory. The Chevauchée (Chevy Chace) was over, the battle lost and won, Hotspur and his brothers, the sons of Lancaster's old ally Henry Percy, were prisoners, and another head of the house of Douglas had died in his harness. It must have been a mournful band which bore his body back across Carter Fell to lay it in the Abbey of Melrose, which he had quitted less than a fortnight earlier.

James of Douglas left no rightful heir, and the wide territories of the Douglasses were divided. A race as masterful as they were set little store by legitimacy, and, by an old entail, the Earldom and what should belong to it went to Archibald the Grim, while Cavers went to one of James' natural sons, Drumlanrig to another. Perhaps it was feared that Swinton and his wife might lay claim to this last, and on 5th December, 1389—'Johne of Swyntoun, Lord of Mar, and Margaret, his spous, countes of Douglas and Mar . . .' say, 'Witt ye us of ane mynd consent and assent, to hef faithfullie promeist to William Douglas, sone to umquhile James Erle of Douglas (whom they later on call 'our sone') that we shall nevir in onywayes move any questioun or contraversie against him . . . concerning the baronie of Drumlanrig . . .' etc.[43]

This document is still in the Drumlanrig charter-chest, and appended to it is the only impression of John Swinton's seal which is known to-day. It is a fine seal, the shield couché with supporters standing upon it, and it is interesting to note that the helmet, coronet and crest are the exact counterpart of the great Garter-plate, in St. George's Chapel at Windsor, of his contemporary, Ralph Lord Basset of Drayton.[44]

But if the Douglas inheritance was easily settled it was different with the lands of Mar. Not only were James of Douglas's mother's husband and his sister's husband—both Lords of Mar—interested in them, but there were more distant heirs. It appears from a confirmation of Robert II. in 1387, 'dilecto consanguineo nostro,' that James had handed over to his stepfather the lands of Tillicoultry in Clackmannan and Clova in

[43] *Hist. MSS. Com.*, Drumlanrig Charters, p. 9.

[44] Swinton's shield—Le Seigneur de sancton—argent, a chevron between three boars' heads erased gules, armed argent—is blazoned in the Berry Armorial, where it comes first after the shields of 15 earls, of whom Crawford alone remains in male descent.

Angus,[45] and perhaps this grant or something further caused Thomas of Erskine to come before the King at Perth, in 1390, and say that he was given to understand that Sir Malcolm de Dromonde and Sir John of Swynton had made a contract concerning lands of the Earldom of Mar and the Lordship of Garvyauch,' over which his wife Issabell had rights.[46] He claimed that these rights should not be prejudiced, and the King agreed, with the result that though perhaps Swinton enjoyed Tillicoultry and Clova during his life-time they did not pass to his heirs at his death, while, perhaps as a recompense, we shortly find Robert III. confirming 'infeodacionem illam quam dilectus frater noster Malcolmus de Drommonde miles fecit et concessit Johanni de Swyntone militi dilecto nostro et fideli,' of a pension of 200 marks a year.[47]

Possibly money suited a man who was then childless better than land, and, in March 1392, Robert III. also confirmed to him the £20 pension granted by his late royal father,[48] but the childless argument did not long continue, for about that time Margaret of Douglas and Mar died, and Swinton was wedded to a third wife, another Margaret, this time of royal blood, who gave him a son and heir. The older historians chronicle her as the daughter of Robert II., but it is almost certain that she was his grand-daughter, and child of a much more powerful man, the Regent Albany.

We have now seen Swinton in contact with many interests, but in March, 1391, we find him for the first and last time appealed to by the Church. It is amusing to note how an ecclesiastic of those days, even one who held as proud a place as the Prior of Durham, bows down before a soldier. It is a letter asking for his help, 'Eximiœ probitatis viro, domino Johanni de Swyntone, militi,' beginning 'Reverende Domine, vestra nobilis discretio non dubium satis novit . . . etc.'—continuing 'Quo circa, cum sit militiæ proprium, immo debitum,

[45] *Swintons of that Ilk*, p. 12, Note 2.

[46] *Acts of Parliament of Scotland*, vol. i. 578.

[47] *Register Great Seal of Scotland*, vol. i. 829.

[48] *Swintons of that Ilk*, Appendix V. Presumably this was a State pension. If it came out of the Privy Purse those accounts must have been sadly muddled; for in the Exchequer Rolls, in 1391, we find the King paying back 150 gold nobles (£62 10s.) which he had borrowed from Swinton. But perhaps Swinton was a capitalist, and had lent money to the heir to the Throne, to be repaid when he succeeded.

jura antiqua ecclesiæ defendere . . . vi et armis, vestram militarem præeminentiam in Christo requirimus et sub spe mutuæ amicitiæ inter nos prœhabitæ, ampliusque in futurum habendæ vestram benevolentiam imploramus . . . etc.'—and ending 'Utinam in famosa prosperitate vestra diu vigeat probitas militaris.' [49]

He seems to have helped in some way, for a later letter, without superscription but apparently addressed to him, gives grateful thanks.

At last England and Scotland were really at peace. There had been a truce for three years from 1388, and towards the end of 1391 the question of its renewal arose.

On 14th November 'John Swynton of Scotland, chivaler, and 30 "persones Descoce," all unarmed, had a safe-conduct.' The next day there are further safe-conducts for David Lindesay of Scotland, and 'Wauter Styward Descose chivaler, friere a nostre cousin Descoce.' [50] Six months later, on the 24th July, there was a definite Embassy. 'Sciatis quod suscepimus in Salvum et securum conductum nostrum ac in Protectionem Tuitionem et Defensionem nostras speciales. Johannem de Swynton, Henricum de Douglas, Johannem de Saintcler, Henricum de Preston et Johannem de Dalzell de Scotia Milites . . . cum sexagenta Equitibus, in comiteva sua pro certis negotiis—adversarium nostrum Scotiæ tangentibus.' [51]

They evidently negotiated terms satisfactory to both countries, for the peace held marvellously, running on to ten years. Were both nations exhausted, or was it only the result of good diplomacy? In October, 1397, the time was nearly out, and arrangements were made for a meeting in the following March. Then to Hawdenstanke, opposite Birgham, for the last time, came 'time-honoured Lancaster,' true to the policy which he had formulated nearly twenty years before. 'Old John of Gaunt' was only fifty-eight years old, but he had lived a full life, he had just seen his son exiled—'a sentence of death to the father'—he had made his will, and after this Scottish visit he took no further part in public affairs. His last mission had been one of friendship, and within a year he breathed his last. Three Scotsmen, Rothesay, Albany, and Lindsay, are on record as attending at Hawdenstanke, Swinton is not mentioned, but it is significant

[49] *Correspondence of Priory of Coldingham*, Surtees Society, pp. 68 and 69. Same, p. 75.

[50] *Cal. Scot. Doc.* vol. iv. 431. [51] *Rymers Foedera*, vol. vii. 733.

that two months later his services are acknowledged in England, by a grant 'during pleasure' of the pesage of the wool at Scarborough.[52]

South of the Tweed now we suddenly have revolution, when Richard falls and Henry of Hereford reigns in his place, but the trouble need not have spread to Scotland had it not been for an act of personal injustice. March's daughter had been wedded to the heir to the Throne—the old story was simply of a betrothal, but it is now known that the marriage had been actually consummated—when suddenly, at Douglas's request, backed they say by a large sum of money, the marriage was annulled, Marjory of Douglas taking the place of Elizabeth of Dunbar. As John Major puts it: 'Hence let Kings take a lesson not to trifle with men of fierce temper . . . nor yet with their daughters. Rather than this woman had been scorned it were better that the Scots had given her a dower of two hundred thousand pieces of gold.'[53] To the son of the Gospatricks the Douglasses though valiant men were mushroom upstarts, while this Earl was a bastard at that. The insult was unbearable. March wrote his grievance to Henry of England, and on 21st June crossed the Border, 'coming to an interview with the King.'[54] A few days later Henry gave safe-conduct to two other parties, to 'Master John Merton, Archdeacon of Tevidale, and Adam Forster Esquire, ambassadors from Robert King of Scotland,' and to 'Sir John Swynton of Scotland, Knight, with 20 attendants, horse or foot, who proposes to come to the King's presence.'[55] In an order of 8th July these three parties are classed together for safe-conducts without fee,[56] but their objects were in all likelihood very different. March was burning for vengeance; Merton would state King Robert's case; Swinton may well have been an unofficial mediator. He must have known Henry from his childhood, he was his father's friend, and neither of them were then, or ever in life, to know that twenty years later their two sons now in the nursery were to meet in battle at Baugé, and that a second Swinton that was 'ever ready for the fight'[57] was to ride down Thomas of Clarence. He was tied moreover not only to the Regent, but

[52] *Calendar of Patent Rolls*, May 12th, 1398.

[53] John Major, p. 340.

[54] *Cal. Scot. Doc.* vol. iv. 546.

[55] *Cal. Scot. Doc.* vol. iv. 549.

[56] *Cal. Scot. Doc.* vol. iv. 550.

[57] John Major, p. 345.

to both March and Douglas by blood and interest. But if peace-making was the purpose of his journey, this time he went back a disappointed man. Three weeks later March's family followed the Earl across the Tweed, and Henry started north. The dogs of war were again unchained.

It was not a great campaign. Henry marched to Leith and sent out proclamations far and near, summoning the King of Scotland to do him homage and fealty at Edinburgh. Nothing happened ; and, sparing Holyrood because it had given asylum to his father, he rode back again ; but the heather had been lit once more, and the fire smouldered. March was given land in England and nursed his wrongs.

Archibald the Grim was dead now, and Swinton was closely allied to the son who succeeded him, witnessing many of his charters, and in the next two years receiving from him grants of land in three counties, Cranshaws in the Lammermoors,[58] Petcokis near Dunbar,[59] and Culter in Lanarkshire.[60] The first his descendants continued to hold for three centuries ; of the last he probably never took possession. For two months after the Charter was sealed, his end came. The old Border broils had broken out freely again, and March was on the war-path. In 1401 he raided Scotland, and the following year, when attempting retaliation, two disasters befell the Scottish arms. On the 22nd June a small force, 'the flower of the Lothians,' was annihilated near Nisbet in the Merse, at a place on the land of Kimmerghame called to this day 'The Slaughter Field,' and on the 14th September came the even worse defeat at Homildon. There John Swinton died, as he must have wished to die, in his boots and for his country.

[58] *Swintons of that Ilk.* Appendix, ch. xii. Later on—Appendix XXXIII., in a Petition to the King—ante 1460—we find Cranshaws being claimed for the Earldom of March, and Swinton's grandson, a third Sir John, protesting, and writing, 'my grantschyr schir Johne of Swyntoun gaf for thaim to the said Archebald of Dowglas, his seruice, and als mony siluer veschale as war vorth fyff hundreth markis of Scottis mone, . . . for my grantschyr bocht tha landis der eneuch, consideryng qwhat he gaff for thaim ; and in contrar of the Erle of Marche, in defence of zour Realme he was slane at Homyldon . . . etc.' Silver vessels to that value shows that luxury was not unknown in Scotland in 1400, even on the oft-plundered Border. If they were hall-marked what would they be worth now ?

[59] In General Register House.

[60] The Precept of Sasine to John Kay of Cultyr, informing him that the Earl has granted Cultyr to Sir John de Swynton, is in my possession. No witnesses are mentioned. Appended to it is a very fine Douglas seal.

The story of Homildon is in all the history books, and the fatuous insistence of the Scottish leader on keeping the hill and awaiting an attack of the English which never came is duly recorded. Hotspur would have led an assault on their position, but March laid a hand on his bridle. The older soldier knew wherein England was always strong and Scotland always weak. And the arrows fell like hail. One Scotsman at any rate knew how to counter. ''My friends,' exclaimed Sir John Swinton, 'why stand we here to be slain like deer, and marked down by the enemy? Where is our wonted courage? Are we to be still, and have our hands nailed to our lances? Follow me, and let us at least sell our lives as dearly as we can.' Saying this he couched his spear, and prepared to gallop down the hill; but his career was for a moment interrupted by a singular event. Adam de Gordon, with whom Swinton had long been at deadly feud, threw himself from his horse and, kneeling at his feet, solemnly begged his forgiveness, and the honour of being knighted by so brave a leader. Swinton instantly consented, and, after giving him the accolade, tenderly embraced him.' [61] Then they charged together. It was useless. The attack was gallantly made, but the attackers were too few, and they were not supported. Swinton and Gordon fell side by side. Livingstone of Callander, Ramsay of Dalhousie, Roger Gordon, Walter Scott and Walter Sinclair were also killed. The great mass of the Scottish army, bristling with arrows all over like a huge hedgehog, was ignominiously defeated. The rank and file were shot down or drowned in the Tweed in their flight. Most of the leaders in armour were wounded and taken prisoner. Only the other day, at Dunster Castle far away in Somersetshire, was discovered a small roll of parchment on which was written: 'Les nouns des Contes, Seigneurs, Barons, Banerettz et Chivalers qui feurent prises et tuez a le Bataille de Homelden. Contes Fife, Douglas, Moray, Orkney, Angus and Strathern; 14 Barons et Banerettz, Swinton and Gordon among them; and 65 Chivalers.' [62] The archers alone won the battle, for the English men-at-arms were never in action. Seldom has bad generalship brought about a more complete disaster.

Sir Walter Scott, who inherited the blood not only of Swinton, from whose descendants he tells us he learned much of his Border lore, but of Gordon, Douglas, and March, has painted the story on a brilliant canvas. He calls his essay 'A Dramatic Sketch,'

[61] Fraser Tytler, vol. iii. 131. [62] *Hist. MSS. Com.*, Luttrell of Dunster.

'designed to illustrate military antiquities and the manners of chivalry,' but he had a further reason. As I write three manuscripts of his pen are before me, the original score of *Halidon Hill*, with very few alterations, and two letters dealing with it. The first letter, dated 10th July, 1814, is to a kinsman who may have invited him to recount John Swinton's deeds of yore, replying, 'I have some thoughts of completing a sort of Border sketch of the battle of Otterbourne, in which, God willing, our old carle shall have his due.'

But Otterburn became Homildon, and this in turn was altered to Halidon, while—perhaps for cadency—John became Alan, a name very common in the early Swinton pedigree. Moreover, the poet made his 'Sir Alan' only an old soldier, his influence gone with his reduced following, whereas, by 1402, Sir John was unquestionably, both by experience and position, a leading Scotsman. But if he adapted his history to add to its picturesqueness Scott kept to its main feature, the eternal trouble of the Scottish leaders quarrelling for precedence; and when the Regent—a mythical figure—in debating the order and plan of battle commands that as no one will resign his pride of place each company shall fight where it stands, he puts into Swinton's mouth the scornful comment :

> O sage discipline,
> That leaves to chance the marshalling of a battle.

While later on, when Swinton counsels an attack on the archers, he makes the Regent ask him :

> And if your scheme secure not victory,
> What does it promise us ?

and Swinton answers :

> This much at least—
> Darkling we shall not die ; the peasant's shaft,
> Loosen'd perchance without an aim or purpose,
> Shall not drink up the life-blood we derive
> From those famed ancestors, who made their breasts
> This frontier's barrier for a thousand years.
> We'll meet these Southron bravely hand to hand,
> And eye to eye, and weapon against weapon ;
> Each man who falls shall see the foe who strikes him.

Reading Scott's poem through we may perhaps agree with the concluding words of his second letter which I have before me —one to James Ballantyne which has, I believe, never been printed :

'I will endeavour to transcribe the rest of Halidon to-day, d—n me if I think it so bad.'

It is difficult to judge a man solely by his spirited actions and his mode of life ; and one petition (of which the words may have been put into his mouth by a professional petition-writer), and one speech, or rather war-cry in the heat of battle, tells us little of Swinton's character. Walsingham, hating Lancaster and all his friends, hating Scotland, bitter to the end, notes his death, spurns his peace-making efforts, and damns him—'infidus utrique regi.'[63] Was he this ? There is no sign of it in Scotland ; but was it any truer in England ? On the contrary, both countries appear always to have counted him trustworthy, and recompensed him accordingly. He was a fighting man, with a strong arm and a good head on his shoulders. John of Gaunt was against trouble on the Borders, and when he crossed them, even as an enemy, there was little blood shed. John of Swinton was reared in his school, and we never find him in arms against his old leader. Both Duke and Knight were prepared to draw their swords as a last resort, but both may have preferred to gain their ends by diplomacy. Probably Albany, the master-mind of Scotland, agreed.

GEORGE S. C. SWINTON.

NOTE.

If any reader can help me on a genealogical point I shall be grateful. During the English occupation of the Merse, between 1335, when John de Swynton was forfeited, and 1377, when Henry and Sir John were competing as to which of them should get back to the old lands, there appear, in Berwickshire, in the Lothians, and at Abernethy, four other de Swyntons, an earlier Henry, an Alan, a William, and a Robert, but there is no guide as to how they were all related to each other. Any information helping to string them together would be welcome. Charters of twenty years later show that the line was then very thin.

G. S. C. S.

[63] *Historia Anglicana*, vol. ii. 252.

The Highland Emigration of 1770

POPULAR tradition, and even literary tradition have come to associate all the great Scottish emigration movements with poverty and distress. This is particularly so of emigrations from the Highlands. The mere mention of them suggests at once rackrents, brutal landlords, and evictions.

In the face of this prevailing impression, it is worth while to analyse the nature and the causes of the first great exodus from the Highlands, an exodus which reached its highest point of activity in the early seventies of the eighteenth century.

Emigration from Scotland was of course not new. To judge from the dispatches of the colonial governors, before the eighteenth century was well begun the Scots were already penetrating into most of the English plantations. They brought with them both their business instincts and their zest for Presbyterianism, and everywhere their trail is marked by newly planted kirks and flourishing settlements. Even the last outposts of the English in America, the frontiers of the new plantation of Georgia, depended for part of their defence upon the little settlement of Mackintoshes from Inverness.

But this emigration, considerable as it must have been, was a gradual process, and went on comparatively unheeded, whereas the violent outburst that followed close after the middle of the century drew attention at once, and was hailed by travellers, statesmen, and patriotic writers as a new and startling phenomenon.

Roughly speaking, the phase referred to may be said to have lasted from 1740 to 1775. Knox in his *View of the Highlands* (pub. 1784) suggests 1763 as the earliest date, but there are several reasons for putting it earlier. Pennant in his *Travels* gives 1750 as the starting-point for Skye. A letter in the *Culloden Papers* hints at emigration from the Western Islands as far back as 1740, while the *Scots Magazine* as early as 1747 had begun to take notice of the spread of emigration. The latter reached its zenith in the early seventies, and in 1775 received a

decided check, which is attributed by most contemporaries to the general effects of the American War, and by Knox to a particular order of Congress. The lull which followed lasted almost ten years.

The emigrants were drawn from a fairly wide area. Perthshire and Strathspey contributed a few; the mainland districts of Argyllshire, Ross, and Sutherland contributed more; but the bulk of the mainland emigration was supplied by the glens of Inverness-shire, Strathglass, Glenmoriston, Glengarry, and Glen Urquhart.

The really sensational departures, however, were not from the mainland but from the islands; and the places that figure most largely in the records of the exodus are Skye, the two Uists, Lewes, Arran, Jura, Gigha, and Islay.

A few districts in America received the emigrants. Some, but not many, went to Georgia. To the majority the desired havens appear to have been the Carolinas, Albany, and Nova Scotia. To estimate the actual numbers that went is a matter of extreme difficulty. The sources of information are vague.

From the *Old Statistical Account* we gather that before 1775 emigration had taken place from some sixteen Highland parishes; the *Scots Magazine* in the numbers published before 1775 contains twenty definite references to ships leaving with Highland emigrants, apart from the mention of emigration projects which may or may not have materialised; and a variety of rather indefinite evidence bearing on the subject is supplied by the Privy Council Papers relating to the Colonies, the Scottish Forfeited Estates Papers, and innumerable contemporary writers and periodicals.

Occasionally the embarkation would take place from a regular port, like Glasgow or Greenock, and be duly noted, but more often the emigrants set sail as unobtrusively as possible from some lonely Highland loch. Gigha, the Skye ports, Campbelltown, Dunstaffnage Bay, Fort William, Maryburgh, Stornaway, Loch Broom, Loch Erribol, and even Thurso and Stromness all figure as collecting centres and points of embarkation.

Under these circumstances the numbers become in the highest degree conjectural. Two estimates, however, were hazarded, by men who were almost, or quite, contemporaries of the movement. Knox gives as his figure 20,000 between 1763 and 1773, while Garnett in his *Tour* (pub. 1800) states that 30,000 emigrated between 1773 and 1775. The latter estimate seems almost

certainly exaggerated, and it is not easy to find satisfactory corroboration of even Knox's figures. The statistics furnished by the *Old Statistical Account*, and the miscellaneous sources are mostly too vague to be of much help. Our most reliable guide is certainly the *Scots Magazine*, which has the advantage of being contemporary, and of recording the emigrations as they occur. Yet if we add together all the Highland departures before 1775 chronicled by the *Scots Magazine*, the total is something under 10,000 persons. No doubt the entries in the magazine are not exhaustive, but allowing for some omissions the discrepancy between its figures and those of Garnett, and even of Knox, is very great.

A partial explanation of the latter's estimate might be found in the recruiting records of the period. Many Highlanders left the country as soldiers. A writer in the *Scots Magazine* of October, 1775, calculated that upwards of 9500 had been thus drawn from the Highlands, and of these many, like Fraser's Highlanders, eventually found homes in the New World, and might be counted in a sense emigrants.

Both at the time and later there seems then to have been a tendency to exaggerate the numbers of those emigrating at this stage. The emigrants were not many, and if this seems difficult to reconcile with the great agitation expressed at their going, the explanation can be found in the social standing and comparative wealth of the leaders of the movement.

That the emigrants included a large percentage of persons possessed of some capital is everywhere abundantly testified. The *Scots Magazine* generally gives in its entries some description of the emigrants, but only two or three times does it refer to their poverty, and once when it does, the emigrants set sail from Stranraer, and were almost certainly not Highland. The only allusions in fact to the poverty of Highland emigrants appear in connection with those from Sutherland.

What weight can be attached to such references is doubtful, for elsewhere we read in the *Scots Magazine* of September, 1772, that the persons emigrating from Sutherland between 1768 and 1772 took with them not less than £10,000 in specie. Now if it is borne in mind that the total number of emigrants from that area between these dates was only 500 or 600, and of these a very large percentage were women and children, it is obvious that many of the heads of households must have been persons of substance.

Possibly the allusions to their poverty can be explained by the fact that they, almost alone of the emigrants, passed through Edinburgh on their way abroad. There they became at once an object of interest and compassion, and their unusual appearance and pathetic situation no doubt supplied to Lowland eyes sufficient evidence of distress.

Apart from this doubtful case of the Sutherland people, there is no suggestion that the Highland emigrants were being driven by acute poverty. The *Scots Magazine* normally refers to them in such phrases as 'people in good circumstances,' 'gentlemen of wealth and merit,' 'people of property,' and so on.

The impression thus given is confirmed by the mention of the amount of capital they took with them. As a typical example the 425 persons who sailed from Maryburgh in 1773 took £6000 with them in ready cash, while in a number of the *Edinburgh Advertiser*, dated January 17, 1792, it was stated that since 1772 £38,000 had been taken from the country by the emigrants from West Ross-shire and Inverness-shire alone.

It must be granted, then, that at least the leaders of the movement of the seventies were reasonably prosperous people. Knowing that they were strongly attached to their native land, and that they were not driven out by stress of poverty, the question naturally arises what induced them to go?

In answer to this question various suggestions have been put forward both at the time of the emigrations and afterwards.

If we disregard vague and unsubstantiated generalisations about the tyranny of landlords, these suggestions reduce themselves to the following five: the union of farms for sheep; the redundancy of the population; the effect of the Jacobite rebellions; the influence of the returned Highland soldier; and finally the rise in rents.

The first suggestion is rarely, if ever, mentioned in actual contemporaries. It is generally put forward in works written twenty years later, while a new and entirely different emigration movement was in progress. It cannot provide any satisfactory explanation for the period of the seventies, for in the districts most affected by emigration the introduction of sheep had then hardly begun.

The second suggestion comes nearer the truth. The Highlands economically utilised may have been capable of providing for all their population, but as things were, numbers had no proper employment and lived permanently upon the edge of subsistence. That was becoming increasingly true and increasingly

obvious, and was soon to result in emigration on an altogether unprecedented scale. But no more than the first does this explain the prosperous emigration of the seventies. The well-to-do farmer who sublet his lands, as practically all did, was in the first instance a gainer rather than a loser by a phenomenon which created an intense and feverish competition for land, and which in so doing sent up the rents and services paid to himself.

The Jacobite Rebellions, and the influence of the Highland soldiers, have both a genuine effect upon emigration. Highland families whose fortunes had been broken in the '45, and who regarded land as an essential of existence, turned naturally to America, and in going took numbers of their old dependents with them. Thus John Macdonald of Glenaladale having been obliged to sell his estate in consequence of difficulties following the '45, left Scotland in 1772 with 200 Highlanders for Prince Edward Island, but such cases are rather isolated.

The Highland regiments had also a distinctly stimulating effect. The habit of planting ex-soldiers in America led to the establishment of a connection between the Highlands and Nova Scotia and Albany. The letters and encouragement sent home by the soldiers are frequently mentioned as promoting emigration. But even this is rather an additional stimulus than a real cause. A prosperous family of well-established social connections does not readily tear itself up by the roots simply because it happens to hear hopeful accounts of a new world. Some stronger incentive was needed to urge on the leaders of the movement, though doubtless the influence of the soldiers simplified the work of persuading some of the poorer folk to go with them.

There is left then as a possible real cause the general rise of rents in the Highlands, and this is the explanation put forward most frequently to account for the emigrations.

Pennant refers to it repeatedly. It appears again in the writings of Knox, in Heron's *Observations* (pub. 1792), in Walker's *Economical History of the Hebrides* (1808), in the Privy Council Papers, in the Parliamentary Debates of the period, in the *Old Statistical Account*, and elsewhere.

But while most authorities agree in mentioning the rise in rents as a cause of emigration, the manner in which they make mention of the fact varies indefinitely. Some regard the rise in rents as a piece of absolutely indefensible tyranny; some like Pennant deplore the consequences, but suggest at least a partial justification for the landlord in the corresponding rise of cattle prices; while

there are others, like the writers in the *Farmers' Magazine*, who go so far as to regard the rise as a benefit to the Highlands, since it compelled the adoption of more modern and economical systems of cultivation.

Who were the persons primarily affected by this rise in rents, and what was the nature of the rents previously paid?

In answer to the first question, there can be little doubt that the people immediately affected by the rise were the superior tenants, who in Highland estate economy occupied a position not dissimilar to that of feudal tenants-in-chief. On many estates the landlord does not appear to have come into direct contact with the smaller tenants or cottagers. They held from the superior tenants, the tacksmen, and could only receive an increase of rents by the landlords, indirectly, and from the evidence that follows it will seem very doubtful whether the under tenant could have paid more for his land than he was already doing.

But the same is emphatically not true of the rent paid by the tacksmen.

The position of the tacksmen was peculiar. A definition is given of the term in Carlisle's *Topographical Description of Scotland* (pub. 1813), which runs as follows: 'One who holds a lease from another, a tenant of a higher class:—this term is usually used in contradistinction to Tenants in general, who are such as rent only a Portion of a Farm.'

Normally the special emphasis is laid on the holding of a long lease or tack—a tenure which in early days might be taken as a definite mark of social as well as economic superiority.

Generally speaking the original holders of the tacks were the younger sons of the chiefs, who found that to grant farms on long leases and extremely moderate rents was the simplest if not the only possible method of providing for their large families. As might be expected, the social prestige of the holders was therefore great. 'The class of tacksmen occupy nearly the same rank in the Hebrides as belongs to that of men of landed property in other parts of Britain. They are called Gentlemen, and appear as such; and obtain a title from the farm which they hold, nearly in the same manner as gentlemen in other parts of the country obtain from their estates.'[1]

Almost all references to them, even when abusive as those made by Burt, by Buchanon and by Duncan Forbes, still make

[1] *An Account of the Present State of the Hebrides and West Coasts of Scotland*, James Anderson, 1785.

use of the term 'gentlemen.' They prided themselves upon the upkeep of a crowd of dependents, and the support of a constant and lavish hospitality. Indeed, so far as we can gather from Pennant and the Gartmore MSS. their personal habits and mode of life were strikingly similar to those of the chiefs.

The relations of the tacksmen and the proprietors were naturally strongly coloured by the social and kinship ties which bound them together. All the evidence we have from Pennant, who describes the state of things before the transition, to Buchanon, who in his *Travels in the Western Hebrides* is writing between 1782-1790 of those districts where the tacksmen still survived, confirms the belief that the leases were originally granted on terms abnormally favourable to the holders.

'The tacksmen,' says Anderson (1785), 'were treated with a mildness that made them consider their leases rather as a sort of property, subjected to a moderate quitrent to their superior, than as a fair and full rent for land in Scotland.'

The normal acquiescence of the proprietor in this view was not, of course, due primarily to sentimental attachments. As is well known, Highland estate values before the eighteenth century were reckoned not in money but in men. In the military organisation of the clan, the tacksmen formed an essential element, since by blood, instincts, and training they were its natural lieutenants. As such they were indispensable to the chief, and they paid for their lands in full by their services. Their money rents were altogether a minor matter, and not being fixed by any economic considerations, bore no necessary relation to the economic value of the land.

Once military services became obsolete, and the rent was the sole return made by the tacksman for his land, the revision of rents by the landlord was inevitable. Even if there had been no special causes at work, such as the rise in cattle prices, rents must still have risen to correspond to the altered social conditions of the Highlands.

But there are other considerations that also influence the eighteenth century proprietor. The decay of the military side of the clan system left him viewing the tacksman as an expensive and altogether unnecessary luxury on a generally poor estate. For not only did he pay an inadequate rent, but he possessed several other drawbacks that struck most forcibly those landlords who had some ideas on estate improvment.

The tacksmen were bad farmers. Pennant, who is always

most sympathetic towards them, admits candidly that they had not the habits of industry. Their establishments were frankly medieval, and as Pennant himself said, the number of labourers they maintained resembled a retinue of retainers rather than the number required for the economical management of a farm. Forty years later Macdonald, in the *Agricultural Report of the Hebrides* (pub. 1811), confirms this view. Macdonald is normally most moderate in his statements, but he is emphatic in the opinion that the tacksmen, despite their many virtues and accomplishments, had been largely instrumental in holding back the agricultural progress of the Highlands. Exceptions existed, but the average tacksman appeared to regard himself as superior to the drudgery of farm work, while his natural conservatism was a bar to all improvements. The first step towards any progress in the eyes of Macdonald was the resumption by the proprietor of direct control over his estates, and direct relations with his under tenants.

This brings us to the second serious charge made against the tacksmen. Evidence abounds to prove that the tacksmen were not good masters. Exorbitant rents, heavy services, and insecurity of tenure are the characteristic marks of their dealings with their under tenants. With the ethics of such practices we are not for the moment concerned. The proprietor may have objected to them on purely moral grounds, it is certain that he regarded them as an economic grievance. By lavish subletting, or in the contemporary phrase subsetting, a tacksman might live rent free, while the proprietor could only look on and see his estate reduced to beggary by the sweating practices already mentioned. A good landlord could not but resent a system so hostile to the bulk of his tenants; a bad landlord could not but chafe at a practice so entirely unprofitable to himself.

One of the earliest pieces of evidence we have on the subject is contained in a report, dated 1737, which was sent by Duncan Forbes of Culloden to the Duke of Argyll. The report concerned certain estates of the latter which Forbes had been sent to inspect with a view to the possibility of improvements. The following is a quotation: 'The unmerciful exaction of the late tacksman is the cause of those lands (*i.e.* of the Island of Coll) being waste, which had it continued but for a very few years longer would have entirely unpeopled the island. They speak of above one hundred familys that have been reduced to beggary

and driven out of the island within these last seven years.' . . . 'But though your Grace's expectations or mine may not be answered as to the improvement of the rent, yet in this, I have satisfaction, and it may be some to you, that the method taken has prevented the totall ruin of these islands, and the absolute loss of the whole rent in time coming to your Grace, had the tacksmen been suffered to continue their extortions a few years longer these islands would have been dispeopled, and you must have been contented with no rent, or with such as these harpies should be graciously pleased to allow you.'

Further corroborative evidence is found in the British Museum MSS. dated 1750 (edited Lang), which, after detailing various acts of oppression, laid down the conviction of the author that the Highlands could not be improved until the tacksmen either were deprived of their power of subsetting or held it under conditions which would protect the interests of the under tenants, or better still, were only allowed to keep such land as they and their personal servants were able to cultivate.

It must not be thought that the oppressive practices detailed by Forbes and the anonymous writer were simply the lingering relics of a past age. Where the tacksmen continue in existence, the abuses appear to have continued also even to the end of the century and later.

An English traveller writing from his personal observation in 1785 makes the following statement:

'The chieftain lets out his land in large lots to the inferior branches of the family, all of whom must support the dignity of lairds. The renters let the land out in small parcels from year to year to the lower class of people, and to support their dignity, squeeze everything out of them they can possibly get, leaving them only a bare subsistence. Until this evil is obviated Scotland can never improve.'

The *Old Statistical Account* gives some cases referring to the same period. In Harris while the small tenants directly under the proprietor had leases, those under the tacksmen paid more rent and held at will. In Edderachylis, while the proprietor had abandoned all claims to personal services, the tacksmen exacted them so rigorously that they were able to dispense entirely with any hired labour. However extravagant the demands, no tenant holding at will, as all did, dared to refuse them, for no tacksman would have received on his lands the rebellious tenant of another.

The writer on the parish of Tongue drew a similar comparison between the conduct of the proprietor and the tacksmen. He appealed to the authority of the former to restrain the merciless exactions of the latter, which left their tenants with neither time nor energy to cultivate their own farms. The tacksmen, he held, were little better than West Indian slave drivers.

But the heaviest indictment of all is that which appears in Buchanon's *Travels*. Buchanon was a Church of Scotland missionary, and the *Travels* are the result of his personal observations of Hebridean conditions between 1782 and 1790. The proprietors are referred to in terms of high praise, but the tacksmen incur Buchanon's unqualified condemnation.

'The land is parcelled out in small portions by the tacksmen among the immediate cultivators of the soil, who pay their rent in kind and in personal services. Though the tacksmen for the most part enjoy their leases of whole districts on liberal terms, their exactions from the subtenants are in general most severe. They grant them their possessions only from year to year, and lest they should forget their dependent condition, they are every year at a certain term, with the most regular formality, ordered to quit their tenements and to go out of the bounds of the leasehold estate . . . there is not perhaps any part of the world where the good things of this life are more unequally distributed. While the scallag and the subtenant are wholly at the mercy of the tacksman, the tacksman from a large and advantageous farm, the cheapness of every necessary, and by means of smuggling every luxury, rolls in ease and affluence.'

We may conclude from these accounts, which might be amplified indefinitely, that the lower classes in the Highlands did not stand to lose by any change which transferred them from the power of the tacksmen to that of the owner.

To the unsentimental observer the whole system of which the tacksman was a part appeared a hopeless anachronism. The tacksmen were superfluous middlemen who farmed badly, paid inadequate rents, and by oppressive services prevented the under tenants from attending properly to their farms.

No landowner just becoming alive to the economic possibilities of his estates could reasonably be expected to allow the system to continue. Some tried to remedy matters by raising the rents of the tacksmen as they got the opportunity. In not a few such cases, owing sometimes to the greed of the proprietor, sometimes to his ignorance, and most often to want of proper

estate surveys, the rents were raised too high. Raising rents, however, is only one symptom of a general transition. So long as the tacksmen had the power to shift their burdens on to the shoulders of their under tenants, a mere rise in their rentals could supply no adequate solution for the landlord's problems. There is a case, for example, mentioned in the *Caledonian Mercury* of 1781, of a tacksman holding lands near Lochgilphead. During the entire period of his lease, he had, by subsetting, received always more rent than he had to pay.

If the tacksmen were to be brought to fulfil a real economic function in the estate system, there had to be changes more drastic than rent raising, and the more advanced landowners were alive to this fact. The decay or the destruction of the tacksman system did not proceed rapidly. It was not even complete by the end of the eighteenth century. Sometimes it was held back by sentimental considerations, the still surviving tie of kinship or the pride of raising family regiments. Sometimes it was due to the poverty of the proprietor and his real economic dependence on the tacksmen. Cases exist when the tacksmen possessed all the movable stock on an estate, and were therefore more or less indispensable to its running. Sometimes the slowness is due to mere geographical situation, remote areas perhaps not receiving the influx of new ideas until late in the century.

Still the changes went on, and what concerns us chiefly was their peculiar activity about the sixties and seventies. To avoid misunderstanding let us be quite clear as to what the changes implied. The elimination of the tacksmen did not mean necessarily the elimination of the individuals who formed the class, nor did it mean the elimination of leaseholders.

Under the new system leases are granted, but granted on rents which represent, or are intended to represent, the economic value of the land. These leases are granted to a much wider class, and so far diminish the profit and the prestige of those who had formerly held tacks. Again, the practice of subsetting was abolished, or the services which might be exacted from subtenants limited. Some of the subtenants were promoted at once to the dignity of leaseholders. Finally the whole relations of landlord and tacksmen were put on a simple business footing, thereby extinguishing the tacksman's partial sense of ownership, and the half-traditional tie of kinship. The tacksmen, in fact, ceased to form a special and privileged class. Their status was lowered as that of the under tenants was raised.

Such were the changes that the more advanced landowners were aiming at throughout the period of the first emigration. How they were carried out we can gather from the records of the Argyll estates. In the early part of the eighteenth century certain lands in Mull, Tyree, and Morven which had been for several centuries under the chief of the Clan M'Lean, fell into the hands of the reigning Duke of Argyll, who in 1732 sent Campbell of Stonefield to investigate and report upon his newly acquired estates.

Campbell reported that the subtenants complained bitterly of the oppression of the tacksmen. This state of things Campbell proposed to alter, partly by raising the more substantial subtenants to the rank of tacksmen; partly by compelling the tacksmen to give leases to their under tenants; and partly by drawing up a fixed statement of the services the tacksmen might exact. An attempt was made also to commute the more oppressive services into money rents, and as Campbell himself was not a judge of local land values, and could not count on disinterested advice from anyone, he took the only method of fixing rents open to him, that was to invite the farmers to bid for their possessions.

It is not probable that all Campbell's ideas were put into practice. Campbell himself may not have possessed full powers, and the leases of the tacksmen could not in any case be altered until they fell in for renewal. Accordingly, we find Duncan Forbes being sent in 1737 on a similar mission to that of Campbell, a mission which resulted in the report from which we have already quoted. Forbes' policy runs on lines similar to that of Campbell, and he gives graphic details of the tacksmen's efforts to defeat his plans and unite their under tenants in an elaborate conspiracy against their own interests.

These examples, occurring earlier than most, are yet typical of the changes that begin to take place on many Highland estates. Tacksmen soon after the middle of the century found themselves continually faced with the prospect of heightened rents and lowered social position.

Some remained and adapted themselves to the new conditions; a few became successful farmers of a more modern type. Many of them, however, clung resolutely to the habits of their fathers, and rather than acquiesce in the changes, tried to transfer themselves and their whole social system to the New World.

The point of view of the tacksman is thus stated, somewhat unsympathetically, in an article which appeared in the *Edinburgh Advertiser* in 1772 :

'Such of these wadsetters and tacksmen as rather wish to be distinguished as leaders, than by industry, have not taken leases again, alleging that the rents are risen above what the land will bear ; but,' say they, 'in order to be revenged on our masters for doing so, and what is worse depriving us of our subordinate chieftainship by abolishing our former privilege of subsetting, we will not only leave his lands, but by spiriting the lower class of people to emigrate, we shall carry a class to America, and when they are there they must work for us or starve.'

To say why the under tenants went might involve an elaborate study of the psychology of the Highlanders. We can only suggest here that the habits of obedience engendered for generations were not easily overcome, while the report of Duncan Forbes on conditions in Mull showed how apparently easy it was for the ignorant under tenants to be persuaded by the tacksmen into courses almost obviously opposed to their own interests.

Such were the causes and the manner of the emigration of the seventies, a movement which deprived the Highlands of a considerable number of its influential men and a still greater proportion of its available capital. The movement has been often misrepresented both by eighteenth century and by modern writers. As recently as 1914 we find an author in the December number of the *Celtic Review* treating the whole incident along traditional lines, the poverty and absolute helplessness of the emigrants being contrasted with the brutality and greed of the landowners.

But such a view is not in harmony with what we have been able to discover of the facts. We would go further and say that in many respects the Highlands gained rather than lost by this particular emigration movement. Putting aside the purely sentimental writers, those who have lamented most the departure of the tacksmen appear to have been influenced less by the thought of what they were than by the dream of what they might have become. The possibilities of the tacksmen system have for the Highland reformer an almost irresistible attraction. The tacksmen had the glamour of tradition behind them. They were picturesque. They had the pleasing appearance of bridging the social gulf between owner and crofter. They had some educa-

tion, some capital, and the habit of leadership, of all which qualities the eighteenth century Highlands stood in need.

But the value of this to the community was potential rather than real. In practice, the tacksman's capital was a means of oppression not of development, his leadership led generally in the wrong direction, while his insistence on lines of social demarcation could not have been surpassed by the proprietor himself. Rather than lose his social privileges he emigrated.

Regrettable as was the loss of any good inherent in the tacksmen system, the gain was greater than the loss, and the regret expended on the emigration of the seventies is a tribute to romance rather than to economics.

MARGARET I. ADAM.

Lord Guthrie and the Covenanters

IN his paper in the *Scottish Historical Review* (xv. 292) on Professor Terry's two recent volumes entitled *Papers relating to the Army of the Solemn League and Covenant*, Lord Guthrie is disappointingly inaccurate and surprisingly unfair to the Covenanters.

The National Covenant of 1638 was, he says, 'drafted by Sir Thomas Hope, the King's Advocate, and Sir Archibald Johnston of Warriston, the two most distinguished lawyers of the time.' It is certain that it was drafted or compiled not by Hope and Wariston, but by Alexander Henderson and Wariston.[1] It might have been supposed that 'Hope' was a slip of the pen for 'Henderson,' had he not added that he was 'King's Advocate,' and that the two drafters were 'the two most distinguished lawyers of the time.' Again, he says that the Solemn League and Covenant was sworn and subscribed by the Parliament of Scotland and by the General Assembly of the Church of Scotland in 1643. Strictly speaking, there was no meeting of the Scottish Parliament in 1643. No doubt the Convention of Estates met in that year on the 22nd June; but the Solemn League and Covenant was not subscribed by any one in Scotland before the 13th of October; and the Convention was prorogued from the 26th August until the 3rd January, 1644. The General Assembly of 1643 was closed on the 19th August, and did not meet again until the 29th May, 1644. In October, 1643, the Commissioners (or Committee) of the Convention and the members of the Commission of the General Assembly did subscribe, and the Members of Privy Council did the same in November; but these men did not constitute the Parliament, the Convention, or the General Assembly, although many of them were leaders.

Such errors are trifling compared with others. Lord Guthrie asserts that: 'The National Covenant reaffirms the persecuting

[1] Rothes' *Relation*, Bannatyne Club, 1830, pp. 71, 72; Wariston's *Diary*, Scottish History Society, 1911, p. 319.

Acts of Parliament passed at and after the Reformation. It enacts that "none shal be reputed as loyall and faithful subjects to our soveraigne lord, or his authority, but be punishable as rebellers and gainstanders of the same, who shall not give their confession, and make their profession of the said true religion;" and the subscribers swear to be "careful to root out of their empire all hereticks, and enemies to the true worship of God, who shall be convicted by the true Kirk of God of the foresaid crimes."'

This is a serious misapplication of extracts wrested from their context. For the sake of those who are not familiar with the National Covenant, it may be well to explain that it consists of three parts. The first part is the Band, Covenant, or Confession drawn up by John Craig, and first subscribed in January, 1580-81. The second part recites the Acts of the Scottish Parliament in favour of the Reformed Church, and is sometimes called the legal warrant. It was compiled by Wariston, with the obvious purpose of showing that the objects of the Covenant were in accordance with the law of the land, and therefore it appropriately begins with the words: 'Likeas many Acts of Parliament.' The third part was drafted by Henderson and Wariston, and, as Lord President Inglis pointed out, it is 'the operative and obligatory part.'[1]

Both of Lord Guthrie's extracts are culled from the second part. As a simple and effective method of demonstrating that those who subscribed the Covenant were not thereby bound to give effect to these extracts, I quote in its entirety the passage from which the more striking of the two has been taken:

'And therefore, for the preservation of the said true religion, laws and liberties of this kingdom, it is statute by the 8th Act, Parl. 1, repeated in the 99th Act, Parl. 7, ratified in the 23rd Act, Parl. 11, and 114th Act, Parl. 12 of King James VI., and 4th Act, Parl. 1, of King Charles I., "That all kings and princes at their coronation, and reception of their princely authority, shall make their faithful promise by their solemn oath, in the presence of the eternal God, that, enduring the whole time of their lives, they shall serve the same eternal God, to the uttermost of their power, according as he hath required in his most holy Word, contained in the Old and New Testament; and according to the same Word shall maintain the true religion of Christ Jesus, the preaching of his holy Word, the due and

[1] *Blackwood's Magazine*, cxlii. 614.

right ministration of the sacraments now received and preached within this realm, (according to the Confession of Faith immediately preceding,) and shall abolish and gainstand all false religion contrary to the same; and shall rule the people committed to their charge, according to the will and command of God revealed in his foresaid Word, and according to the laudable laws and constitutions received in this realm, nowise repugnant to the said will of the eternal God; and shall procure, to the uttermost of their power, to the Kirk of God, and whole Christian people, true and perfect peace in all time coming: and that they shall be *careful to root out of their empire all hereticks and enemies to the true worship of God, who shall be convicted by the true Kirk of God of the foresaid crimes.*" Which was also observed by his Majesty, at his coronation in Edinburgh 1633, as may be seen in the order of the coronation.'[1]

I have italicised the words which Lord Guthrie quoted. Any one can see at a glance that the passage is not an obligation laid upon those who swore or subscribed the Covenant; but is expressly declared to be the coronation oath imposed by statute on the kings of Scotland—the oath which was taken by Charles the First barely five years before. How Lord Guthrie failed to see this is a mystery; surely he cannot have had before him one of the many authentic prints of the Covenant.

Lord Guthrie further alleges that the Covenanters 'bound themselves, under the National Covenant, not only to resist the imposition of Laudian or Anglo-Catholic Episcopacy upon Presbyterian Scotland, but to compel all Roman Catholics in Scotland to become Protestants, and all Episcopalians in Scotland to become Presbyterians.' Such a charge should not have been made without the clearest proof, and of proof none is or can be produced. The relevant words of the oath are: 'We promise and swear, by the great name of the Lord our God, to continue in the profession and obedience of the foresaid religion; and that we shall defend the same, and resist all these contrary errors and corruptions, according to our vocation, and to the uttermost of that power that God hath put in our hands, all the days of our life.' These words neither impose nor imply any obligation to compel Roman Catholics to become Protestants or Episcopalians to become Presbyterians.

In his next sentences, Lord Guthrie says: 'The citizens of Aberdeen were heavily fined for failure to take the National

[1] *The Confession of Faith*, Johnstone and Hunter, 1855, pp. 351, 352.

Covenant, and they were forced to subscribe it. They were actually compelled to swear that they did so "freely and willingly."' It is quite certain that in April, 1639, those inhabitants of Aberdeen who had not subscribed the Covenant voluntarily were required to do so under pain of disarmament and confiscation of all their goods.[1] That was bad enough without compelling them to swear that they subscribed 'freely and willingly.' As far as I am aware this charge rests solely on the authority of Spalding. There is the highest authority for saying, 'at the mouth of two witnesses or three shall every word be established.' Can Lord Guthrie produce any contemporary corroboration of Spalding's statement, or can he tell us whether, on this point, Spalding was speaking as an eye-witness or merely repeating hearsay evidence? Few chroniclers are so minute in their details, but in this case his minuteness does not add to his trustworthiness. He says that, on the 10th April, Robert Douglas preached, read out the Covenant, and caused those of the people who had not already subscribed to stand up, both men and women, and the men subscribed. 'Thairefter, both man and woman wes *urgit* to sweir be thair upliftit handis to God, that thay did subscrive and sweir this Covenant willinglie, frielie, and from thair hartis, and not for ony feir or dreid that culd happin. Syne the kirk scaillit and dissolvit.'[2] It will be observed that where Spalding says *urged*, Lord Guthrie says *compelled*. I do not believe that Robert Douglas, a man distinguished by his moderation and good sense, either urged or countenanced the urging of this additional oath. John Row briefly says: 'Aprilis 10, Wednesday, the toun of Aberdeen subscryved the Covenant after Mr James Row had preached on Acts v. cap. 38, 39 verses.'[3] The relative entry in the Council Register, under 10th April 1639, is quite as brief: 'The quhilk day, eftir sermone made be Maister James Row, minister, the toune for the most pairt subscryvit the nobilities Covenant.'[4] Had Spalding been well informed on the matter, he would not have blundered so badly with the officiating minister's name. Moreover, had such an additional oath been imposed, it is not likely

[1] *Extracts from the Council Register of the Burgh of Aberdeen*, 1625-1642, p. 156. In the preceding year the Covenant had been sworn with enthusiasm over nearly the whole country. Aberdeen was the stronghold of Scottish Prelacy.

[2] *Memorialls of the Trubles*, Spalding Club, i. 164, 165.

[3] Row's *History*, Wodrow Society, p. 514.

[4] *Extracts from the Council Register of the Burgh of Aberdeen*, 1625-1642, p. 157.

that Rothiemay would have ignored it. He explains a military method of obtaining subscriptions: 'The alarum of plundering brought many convertes to the Covenant; for the countrey people, fynding no hopes of protectione by Huntlyes meanes, and perceiving that they wer lying under the feete of ane armed power, began for to come in apace and subscrybe the Covenant, which was the pryce of ther securitye: for to none was ther a safeguarde or protection graunted, subscrybed by Montrosse, but to such as first subscrybed the Covenante.'[1]

'The Solemn League and Covenant of 1643,' says Lord Guthrie, 'was mainly the work of Alexander Henderson, with emendations by Sir Harry Vane.' From Baillie's statement that Henderson had given the representatives of England 'a draught of a Covenant,'[2] it has been hitherto inferred that he prepared the draft; but it is now known that Wariston had a hand or more in it.[3] That it was subjected to a good deal of discussion by the committees is certain enough;[4] but it is not known whether they altered it much or not. The General Assembly and the Convention of Estates accepted it as it left the committees. That was on the 17th August. When it reached London, the House of Commons, after obtaining the opinion of the Westminster Assembly on its lawfulness in point of conscience, made a number of alterations on it.[5] Sir Harry Vane cannot be held responsible for these as he was still in Scotland.

Gilbert Burnet, who was not born until the following month, in speaking of the Edinburgh discussions, says that the English Commissioners by the 'general words of *reforming according to the Word of God* (cast in by Sir Henry Vane) thought themselves well secured from the inroads of the Scotish Presbytery; and in the very contriving of that article they studied to outwit one another, for the Scots thought the next words of *reforming according to the practice of the best Reformed Churches*, made sure game for the Scotish model, since they counted it indisputable that Scotland could not miss that character.'[6] Burnet's quotations

[1] Gordon of Rothiemay's *History of Scots Affairs*, Spalding Club, ii. 229.

[2] Laing's *Baillie's Letters*, ii. 90.

[3] Wariston's *Diary*, 1919, p. 72.

[4] *Principall Acts of the Generall Assembly*, 1643, pp. 23, 24, 34.

[5] *Journal of the Commons*, iii. 223 *et seq.*—As it left Scotland, it is printed in the *Acts of Parliament*, vi. part i. pp. 41, 42; and, as amended at Westminster, pp. 150, 151.

[6] *Memoires of the Dukes of Hamilton*, 1677, p. 240.

are not quite accurate. Echard also attributes to 'the superior cunning and artifice' of Vane the introduction of the words 'according to the word of God' in the first article, and the word 'league' in the title.[1] It would appear, therefore, that his 'emendations' were limited to seven words!'[2] Wodrow unaccountably thought that Vane's trickery lay in the words, 'according to the example of the best Reformed Churches.'[3] From Lightfoot's *Journal of the Assembly* (p. 10), it is learned that the words attributed to Vane caused much discussion in the Westminster Assembly. 'This clause,' he says, 'bred all the doubting; "I will endeavour the preservation of the true Reformed Protestant religion in the Church of Scotland, in doctrine, discipline, worship and government, according to the Word of God." It was scrupled whether the last words, "according to the Word of God," were set for limitation, viz. to preserve it, as far as it was according to the Word, or for approbation, viz. as concluding that the Scottish discipline was undoubtedly according to the Word. Therefore, after a day's debate almost, it was resolved, that this explanation should be annexed to it: "as far as in my conscience, I shall conceive it to be according to the Word of God."'[4] And so, in the opinion of the English divines, any undesirable dubiety due to these words did not lie in their application to the reformation of the Church of England. Lightfoot does not mention any trouble or discussion over the words, 'according to the example of the best Reformed Churches'; but he states that, as the word 'prelacy' was deemed doubtful, it was defined. Echard erroneously thought that that definition was introduced by the English Commissioners at

[1] Echard's *History of England*, 1718, ii. 449, 450.

[2] Ludlow alleges that Vane got over the difficulty 'concerning *the preservation of the King's person*,' by adding 'these or the like words, *in preservation of the laws of the land and liberty of the subject*' (*Memoirs of Edmund Ludlow*, 1698, i. 79). No such qualification or limitation required to be suggested by Vane or any one else. The limiting words in the Solemn League are almost identical with those of the National Covenant. Ludlow also gives Vane the credit for the words, 'according to the Word of God.' Clarendon vaguely alleges that Vane 'altered and changed many expressions in it, and made them doubtful enough to bear many interpretations' (*History of the Rebellion*, 1826, iv. 298).

[3] Wodrow's *Analecta*, Maitland Club, ii. 191, 240.

[4] The Commons resolved to add this explanation in the margin, 'with a hand of direction'; but eventually, with the concurrence of the Scottish commissioners then in London, the words 'according to the Word of God' were omitted as applying to the Church of Scotland, and substituted for the words 'according to the same holy Word' as applying to the Church of England.

Edinburgh. As originally approved in Edinburgh, the Solemn League embraced only 'the kingdomes of Ingland and Scotland'; but the House of Commons made it include 'the kingdomes of Scotland, England and Ireland.' Lord Guthrie says:

'Under the Solemn League and Covenant, the Church of England and Ireland was to be reformed in "doctrine, worship, discipline and government, according to the Word of God, and the examples of the best Reformed Churches." The English Parliament took care that the language should be ambiguous; but the Scottish Covenanters understood that both they and their English coadjutors were pledged to force Episcopal England to adopt the Presbyterian system of Church government as it existed in Scotland. Our ancestors had no doubt that "the example of the best Reformed Churches" meant their own Church!'

This statement is inaccurate and unjust. By the introduction of the definition of the word 'prelacy,' and by the repetition of the words, 'in doctrine, worship, discipline and government,' the language concerning the reformation of the Church of England was rendered less rather than more ambiguous than when the document left Scotland. Now for the injustice. It is not the case that our ancestors 'understood that both they and their English coadjutors were pledged to *force* Episcopal England to adopt the Presbyterian system of Church government as it existed in Scotland.' They neither hoped nor wished to force any form of Church government upon England, although grounds had been given them for hoping that England would accept of Presbytery in at least some of its distinctive features. In September, 1642, that is eleven months before the Solemn League was drawn up, the lords and commons of England in Parliament assembled were grateful—

'That our brethren of Scotland have bestowed their serious thoughts and earnest desires for unity of religion, that in all his Majesties dominions there might be one Confession of Faith, one Directory of Worship, one publike Catechism, and one Form of Church-government. . . . The maine cause which hitherto hath deprived us of these, and other great advantages, which we might have by a more close union with the Church of Scotland, and other Reformed Churches, is the government by bishops. . . . Upon all which and many other reasons we doe declare that this government by archbishops, bishops, their chancellours and commissaries, deanes and chapters, archdeacons, and other ecclesi-

asticall officers depending upon the hierarchy, is evill and justly offensive and burdensome to the kingdome, a great impediment to reformation and growth of religion, very prejudiciall to the state and government of this kingdome: and that we are resolved that the same shall be taken away. And, according to our former declaration of the seventh of February, our purpose is to consult with godly and learned divines that we may not onely remove this but settle such a government, as may bee most agreeable to God's holy Word, most apt to procure and conserve the peace of the Church at home, and happy union with the Church of Scotland, and other Reformed Churches abroad, and to establish the same by a law which we intend to frame for that purpose to be presented to his Majesty for his royall assent.'[1]

With this object in view, a Bill was passed by both Houses of the English Parliament, and is thus referred to in the desires and propositions tendered to the King, at Oxford on the 1st February, 1642-43: 'That your Majesty will be pleased to give your royal assent . . . to the bill for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries, deans, sub-deans, deans and chapters, archdeacons, canons and prebendaries, and all chanters, chancellors, treasurers, sub-treasurers, succentors and sacrists, and all vicars choral and choristers, old vicars and new vicars of any cathedral or collegiate church, and all other their under-officers, out of the Church of England.' The royal assent was also asked 'to the bill for consultation to be had with godly, religious and learned divines,' and the King was asked 'to promise to passe such other good bils for settling of church-government, as upon consultation with the Assembly of the said Divines shall be resolved on by both Houses of Parliament, and by them be presented to your Majestie.'[2] Needless to say, Charles did not give his assent. In August, 1643, the English Commissioners, in craving practical aid from Scotland, urged, among other arguments, that the advice previously received from their northern brethren had been seriously taken to heart and attempted to be carried out, 'that so the two kingdomes might be brought into a near conjunction in one form of church-government, one Directorie of Worship, one Catechisme, etc., and the foundation laid of the utter extirpation of Popery and Prelacie out of both kingdomes. The most ready and effectuall means whereunto is now conceived to be

[1] Husband's *Exact Collection*, 1643, pp. 602-604.

[2] *Collection of Declarations, Treaties, etc.*, 1662, p. 230.

that both nations enter into a strict union and league, according to the desires of the two Houses of Parliament.'[1]

This was the position in 'Episcopal England' (as Lord Guthrie calls it) immediately before the Solemn League and Covenant was drawn up. And when it was drawn up, the subscribers pledged themselves, not only to endeavour the reformation of religion in England and Ireland 'according to the Word of God and the example of the best Reformed Churches,' and to endeavour to bring 'the churches of God in the three kingdoms to the nearest conjunction and uniformity in religion,' but also to endeavour 'the preservation of the Reformed Religion in the Church of Scotland, in doctrine, worship, discipline and government, against our common enemies.' The hopes of our Covenanting ancestors, therefore, that England would look favourably on the claims of Presbytery, were not baseless.

What the Parliament of 'Episcopal England' thought of the surviving Prelacy in February, 1643-44, may be inferred from its approval of the 'Exhortation touching the taking of the Solemn League and Covenant,' which says of the hierarchical government, 'the very life and soul thereof is already taken from it by an Act passed this present Parliament, so as (like Jezabel's carcase, of which no more was left but the skull, the feet and the palms of her hands) nothing of jurisdiction remains but what is precarious in them, and voluntary in those who submit unto them.'[2]

Lord Guthrie is by no means the first to charge the Scottish Covenanters with the desire or design of forcing Presbyterianism on England. So long ago as 1648, Samuel Rutherfurd, one of the Scottish Commissioners to the Westminster Assembly, indignantly repelled the charge in his 'Free Epistle to the Friends of pretended Liberty of Conscience,' prefixed to his *Survey of the Spirituall Antichrist*: 'As for the forcing of our opinions upon the consciences of any; it is a calumny refuted by our practise and whole deportment since wee came hither. Our witnesse is in heaven, it was not in our thoughts or intentions to obtrude by the sword and force of armes any church-government at all on our brethren in England.' In a rare pamphlet bearing the title, 'The Scots Commissioners their desires concerning unitie in Religion and uniformitie of Church-government as a speciall meanes for conserving of peace in his Majesties Dominions. Presented to the King's Majestie

[1] *Principall Acts of the Generall Assembly*, 1643, p. 17.

[2] Rushworth's *Collections*, part iii. vol. ii. p. 476.

and both Houses of Parliament in England, March, 1641. Edinburgh, Printed by James Bryson, 1641,'[1] there are the following enlightening statements:

'As wee accompt it no lesse than usurpation and presumption for one kingdome or church, were it never so mightie and glorious, to give lawes and rules of reformation to another free and independent church and kingdome were it never so meane, civill libertie and conscience beeing so tender and delicat that they cannot endure to bee touched but by such as they are wedded unto and have lawfull authoritie over them, so have wee not become so forgetfull of ourselves who are the lesser, and of England who is the greater kingdome, as to suffer any such arrogant and presumptuous thoughts to enter our mindes' (p. 4). 'We doe not presume to propone the forme of government of the Church of Scotland as a paterne of the Church of England, but doe only represent in all modestie these few considerations, according to the trust committed unto us' (p. 9).

In 1641, the General Assembly had requested Alexander Henderson, the great leader of the Covenanters, to draw up a confession of faith, a catechism, a directory for public worship, and a platform of government, 'wherein possiblie England and we might agree.'[2] He began to it, but soon ceased, his principal reason being:

'Although neither time nor weakness had hindered, I cannot think it expedient that anie such thing, whether confession of faith, direction for worshipe, forme of government, or catechisme less or more, should be agreed upon and authorized by our Kirk till we sie what the Lord will doe in England and Ireland, where I still wait for a reformation and uniformitie with us; but this must be brought to passe by common consent, and we are not to conceave that they will embrace our forme; but a new forme must be sett downe for us all, and in my opinion some men sett apairt sometime for that worke; and although we should never come to this unitie in religion and uniformitie in worship, yet my desire is to see what forme England shall pitch upon before we publish ours.'[3]

[1] There is another edition of the same pamphlet with a different title, and without a printer's name, but with a short preface to the reader: 'Arguments given in by the Commissioners of Scotland unto the Lords of the Treaty, perswading conformitie of church-government, as one principall meanes of a continued peace betweene the two Nations . . . Printed 1641.'

[2] Laing's *Baillie's Letters*, i. 365. [3] *Ibid.* ii. 2.

This letter was written on the 20th April, 1642. Lord Guthrie has probably been misled as to the intentions of the Covenanters, by those careless or prejudiced writers who have misunderstood certain passages in Baillie's *Letters*, as, for example: 'This [the office of ruling elder] is a poynt of high consequence; and upon no other we expect so great difficultie, except alone on Independencie; wherewith we purpose not to medle in haste, till it please God to advance our armie, which we expect will much assist our arguments.'[1] This and somewhat similar expressions do not mean that the Scots hoped to push their principles down the throats of the English at the point of the sword. The Independents were a small body in the Westminster Assembly, and, of the hundred and twenty-one city ministers in London, it was alleged that not three were Independents;[2] but their party was growing in the Parliamentary army, and the military successes of that army increased their influence.[3] Hence the desire of the Scottish Commissioners that their army should also do exploits or be more in evidence.

While Lord Guthrie blames the Scots for wishing to press their form of church-government on England, he complains that they adopted 'the Westminster Confession of Faith, along with the Larger and Shorter Catechisms, compositions, all of them, of English scholars and divines, . . . who knew nothing whatever of Scotland.' Here he is oblivious of the fact that the Scottish Commissioners to the Westminster Assembly helped to frame these documents. And he blunders badly when he asserts that, because the use of the Lord's Prayer did not commend itself to the English Puritans, it was 'dropped from the worship of the Scottish people.' The Westminster *Directory for Public Worship*, approved by the General Assembly in 1645, expressly declares: 'Because the prayer which Christ taught His disciples is not only a pattern of prayer, but itself a most comprehensive prayer, we recommend it also to be used in the prayers of the Church.'

'The King, as well as the English Parliament,' says Lord Guthrie, 'angled for the support of the Scots. But his Majesty's meagre exchequer could not afford the golden bait held out by his rebellious English subjects.' And his lordship suggests, once

[1] Laing's *Baillie's Letters*, ii. 111.

[2] Laing's *Baillie's Letters*, ii. 271.—By the 25th April, 1645, Baillie was able to report: 'The Assemblie hath now, I may say, ended the whole body of the church-government, and that according to the doctrine and practice of the Church of Scotland in every thing materiall' (*Ibid.* ii. 266).

[3] *Ibid.* ii. 211.

and again, that the Scots were influenced in their decision by 'the glitter of English gold,' by 'the sordid temptation of English gold.' Any one who reads the appeals of the English in August, 1643, and notably that letter signed by more than seventy divines which 'drew tears from manie,' and the General Assembly's answers to the appeals,[1] will refuse to believe that the Scots were moved by mercenary motives. There are also other reasons. On the 12th August, the English Commissioners frankly owned that at present their Parliament was unable 'to mak payment of those greate debts owing to this kingdome [*i.e.* Scotland] for the remander of the brotherly assistance and for the arreare of the airmie in Ireland.' Four days later, there was produced in the Scottish Parliament a statement from the English Parliament, avowing that they were not only unable to pay these arrears, but were 'even deprived of sufficient and competent meanes to defend ourselffis in the warre raised against us be the Papists, Prelaticall factioun and uther Malignants' of England.[2] There was not much of the glitter of gold in this. And when the Scots army 'crossed the Tweed in January 1644, there was but £10,400 in the military chest, and by the end of February this sum was exhausted.'[3] Professor Terry has given, for the purpose of comparison, tables of the pay of the Scottish army on home service and on English service.[4] Of the home-service he has given the cavalry scale for thirteen ranks from the colonel to the trooper; and of the infantry scale for sixteen ranks from the colonel to the private. They can be readily checked from the authority he cites (*Acts of Parliament*, vi., part i. pp. 351, 352); and, sad to say, in each of the twenty-nine cases the amount is wrong. With one exception they are all understated; but Lord Guthrie apparently never suspected this.

My revered friend Professor Mitchell knew the period as few do, and his deliberate opinion was very different from Lord Guthrie's:

'Bidding away the suggestions of worldly prudence, they resolved, as with one heart and soul, for the sake of that faith

[1] These can be easily consulted as they are printed with the Acts of the General Assembly of that year.

[2] *Acts of Parliaments of Scotland*, vol. vi. part i. pp. 38, 39.

[3] *Correspondence of the Scots Commissioners in London*, 1644-1646, edited by Dr. Meikle for the Roxburghe Club, p. xvi.

[4] *Papers Relating to the Army of the Solemn League and Covenant*, i. pp. lxxxiii., lxxxiv.

which was dearer to them than life, to put in jeopardy all they had gained, and make common cause with their southern brethren in the time of their sorest need. If ever nation swore to its own hurt, and changed not, made sacrifices ungrudgingly, bore obloquy and misrepresentation uncomplainingly, and had wrongs heaped on it most cruelly by those for whom its self-sacrifice alone opened a career, it was the Scottish nation at that eventful period of its history. It felt that the faith which was its light and life was really being imperilled, and it was determined, as in the days of Knox, to dare all for its safety and triumph, in England as well as in Scotland.'[1]

Lord Guthrie says that when Burns wrote:

> 'The *Solemn League and Covenant*
> Cost Scotland blood, cost Scotland tears,'

he was 'speaking of men and women who died for their refusal to abjure the *National* Covenant.' If there is any error here, it seems to me to be on the part of Lord Guthrie, not of Burns. Almost every one of the Covenanters, whose dying testimonies are in the *Cloud of Witnesses*, emphatically affirmed that they owned or adhered to the Solemn League and Covenant as well as to the National Covenant. A number of them also testified their adherence to the Westminster Confession of Faith, and to the Larger and Shorter Catechisms, and a few of them to the Directory for Public Worship—that Directory with which Lord Guthrie appears to be so unfamiliar. The Solemn League and Covenant to some extent superseded the National Covenant, of which there was no general renewal after the Solemn League took form, whereas the latter was renewed in 1648. Burns no doubt knew the *Cloud of Witnesses*, of which there were at least six editions (1714, 1720, 1730, 1741, 1751 and 1755) published before he was born.

D. Hay Fleming.

[1] *The Westminster Assembly, its History and Standards*, 1883, pp. 166, 167.—Three days before the Solemn League was sworn at Westminster, Baillie wrote: 'Surelie it was a great act of faith in God, and hudge courage and unheard of compassion, that moved our nation to hazard their own peace, and venture their lives and all, for to save a people so irrecoverablie ruined in their owne and all the world's eyes' (Laing's *Baillie's Letters*, ii. 99, 100). As for the officers' pay, the Committee of Estates, on the 5th September 1643, gave 'warrant to all the collonells to promise to thair under officers that so soone as they shall come into England they shall have such pay respective as the officers of the Scottish army now in Ireland have' (*MS. Register of the Committee of Estates*, Aug. 1643 to July 1644, fol. 19).

NOTE BY LORD GUTHRIE

I fully expected that my article would disappoint my excellent friend, Dr. Hay Fleming, and that he would think it unfair to the Covenanters. It is curious, however, that he treats it throughout as an attack on the Covenanters, instead of a defence, on different lines, by an admirer. It is also curious, and significant, that condemnation of my article is not confined to those who would like to credit the Covenanters with modern views of toleration, alien to their principles and their practices, which they would have emphatically repudiated. Those in the opposite camp, who abuse the Covenanters for holding and practising persecuting principles, which were held and practised by all contemporary Christians of all denominations, equally condemn my paper. It is a common judicial experience that the soundest judgments are those which disappoint both parties, and which both parties think unfair.

Dr. Hay Fleming begins, as a skilled controversialist always should, with an easy win. He convicts me of an undoubted error, which he himself, however, calls a trifling one, I having given credit to one Covenanter, Sir Thomas Hope, which belongs to another Covenanter, Alexander Henderson. It used to be said of a famous Crown prosecutor that when he had a difficult case, he kept it till late in the day, and then brought it on when the jury had been well 'blooded' by convictions in clear cases.

Passing from minute criticism to the first of the two questions at issue, I fear I still credit my Covenanting ancestors with consistency. Their position (an intelligible and not unreasonable one, held theoretically at least at the present day by the Roman Catholic Church), was that the soul being more valuable than the body or estate, any loss or injury to either of the latter should not be considered, if Heaven could thereby be opened for the immortal spirit. I confess it seems to me 'a large order,' to put it very mildly, to hold that the Covenanters were not expressing their own conscientious convictions, when they quoted the series of Scots Acts providing that all rulers shall be careful to root out of their Empire all heretics and enemies to the true worship of God, who shall be convicted by the true Kirk of God of the said crimes.

On the other question, which has stirred Dr. Hay Fleming so strongly, namely, the influence of the high rate of English pay

in inducing the Scots Covenanting Army, royalists to the back-bone, to support the English Republican Army, in England, against the Scots King, I remain equally obdurate, because I believe that the Scots Covenanters were not 'plaster saints,' but human beings acting from mixed motives. In the case of the body of the Army, I do not place 'the glitter of gold' as the determining motive; in the case of the large number of Scots officers, who flocked back from the continent, where they had been subjected to the demoralizing life of a mercenary soldier—who sold his sword to the highest bidder, and was entitled, under the code of the period, to indiscriminate and unchecked plunder—I am afraid mercenary motives must have bulked much larger.

C. J. Guthrie.

The Seaforth Highlanders, August 1914 to April 1916

THE 2nd Seaforths were stationed at Shorncliffe when orders were issued for mobilisation on August 4th, 1914. Brigaded as a unit of the 10th Infantry Brigade of the 4th Division, their departure from England was delayed by a few days, with the result that they did not embark for France until August 22nd, the very eve of the Battle of Mons. They were at once rushed up to Le Cateau, coming under fire on the 25th, and, on the following day, when the Battle of Le Cateau was fought, they held the left wing of the British line. Although not seriously engaged, the men were exhausted by the action and by the heat of the weather. Nevertheless they had perforce to set out upon a long retreat under most trying conditions. Next day they retired 32 miles. Country carts were pressed into service, but many men had to march the whole way. In eleven days they covered a distance of 155 miles. It was not until September 4th that the battalion, now behind the Marne, was able to rest for a day and refit.

On the morning of September 6th they were once more advancing. In the course of the next few days they came into contact with the retreating German Army at La Ferté on the Marne, crossed that river, and pressed on rapidly to the Aisne. This they crossed on the 14th at Venizel, and at once pushed up the northern slopes to Bucy, where, under very heavy fire from the enemy's infantry and artillery on the plateau above, they hastily threw up cover and hung on for three weeks, steadily constructing a trench system.

It was on October 13th that the Seaforths next came into conflict with the enemy. They had left the Aisne a week earlier and had been moved northwards up towards the Belgian border. This sharp action was fought near Flêtre west of Bailleul. It consisted of an attack upon the German position delivered by the 10th and 12th Brigades of the 4th Division, the Seaforths

holding the right flank of the 10th Brigade. 'Point 62,' a hill north of Meteren village, was marked out as their objective. To reach it the Seaforths had to cross nearly two miles of flat and open country under enemy fire, in the haze of an autumn afternoon which prevented much artillery support being given. Nevertheless they pushed on and carried the enemy's position at the point of the bayonet. The Germans did not wait to receive their charge but fled in the gathering darkness.

Then followed a general British advance eastward through Armentières to the river Lys. Between October 18th and 26th the Seaforths came in for a good deal of difficult fighting in the outskirts of Frélinghien on that river. After part of the battalion had worked their way into some isolated houses on the edge of the town, an assault was delivered upon the enemy's trenches extending south-east from Frélinghien. Advancing over slippery and difficult ground under a cross-fire from enemy snipers in the town, they captured the trenches and did not let a single German escape. They then advanced further into the town, occupying several buildings, but were shelled out of them a few days later and compelled to fall back on the line of the old German trenches.

At the beginning of November 'D' Company of the 2nd Seaforths was moved across the Lys and attached to the 11th Brigade, then holding the British line in Ploegsteert Wood. The first Battle of Ypres was at its height. On November 7th a heavy German attack broke through our line on the eastern side of Ploegsteert Wood. 'D' Company advanced eastwards through the wood to bring help. On reaching its eastern edge a party of Germans was sighted 100 yards away. Two platoons, therefore, made their way through dense undergrowth to enfilade the Germans. Suddenly they were exposed to a terrific fire from another party of the enemy, and there was great slaughter. The remaining platoon, which had been left to line the edge of the wood, could neither see nor bring help. Their own position was insecure, for their right flank was now in the air, and on the left Le Gheer cross-roads had been rushed by the enemy. Their officer extended his line as much as he could, collected round him a number of Inniskilling Fusiliers, and held on till, next morning, the remainder of the Inniskillings joined up on his left. It was not until the following evening that the platoon could be relieved. Three days later the platoon, all that was left of 'D' Company, joined the rest of the battalion at Frélinghien.

Meanwhile, on October 30th, the 1st Battalion of the Seaforths had come into line on the Estaires-La Bassée road, some eleven miles south-west of the point held by the 2nd Battalion. Stationed at Agra when war broke out, the 1st Seaforths had landed at Marseilles with the Indian Expeditionary Force on the day before the action of Meteren. They were brigaded with various Indian regiments in the Dehra Dun Brigade of the 7th (Meerut) Indian Division. The brigade took over trenches which were in fact no more than a ditch running along the roadside. Here for a fortnight on end they lay exposed, day in, day out, to heavy shelling from enemy field guns and mortars and to enfilading rifle fire at close range from houses in Neuve Chapelle on their right. The enemy were entrenching and sapping up to 400 yards of their line, and made occasional infantry attacks without success. What with accurate sniping and shell-fire, the 1st Seaforths lost very heavily during this their first tour in the trenches.

Some six weeks later the 1st Seaforths took part in their first serious battle in France. They had been holding trenches in the neighbourhood of Givenchy—trenches that were constantly falling in, and were flooded with ice-cold water which had to be baled and pumped and drained day and night. It had been intended that a surprise attack should be delivered by the Dehra Dun Brigade upon a portion of the German line in the early morning of December 19th. Unfortunately the attack was anticipated by heavy bombing from enemy trench mortars, and had to be abandoned. Moreover the 2nd Gurkhas, who were to have taken part in the attack, were forced to retire to a new line slightly in rear of their original position. Their retirement had the effect of exposing the Seaforths' left flank.

On their right the Seaforths were still in touch with the Sirhind Brigade, which was holding the village of Givenchy. But at about nine o'clock in the morning of the 20th a succession of mine explosions on the Seaforths' right cut off connection with the Sirhind Brigade; and at the same time the Germans heavily attacked the front held by that Brigade, driving them back upon Givenchy. 'B' Company, which was holding the right of the Seaforths' line, was breakfasting when the German counter-attack began. The enemy rushed down the fire trench from their exposed right, hiding their advance under smoke-balls, and bombing as they came. Yet, taken by surprise as they were, the Seaforths made two determined stands before they lost

the trench. Their company commander threw back his men into a communication trench, which he held, facing right, but was himself shortly afterwards shot dead.

Meanwhile the Gurkhas had given way still further on the left, creating an ugly gap at the other end of the Seaforths' line. The Germans, attacking at this end with 'hair-brush' bombs, drove the Seaforths for a hundred yards up their trench. Here they were held up; a fresh supply of bombs reached the Seaforths, and a bombing party not only cleared the lost trench, but succeeded in retaking ten traverses in the Gurkha trench beyond.

Help was now on its way. The 58th Rifles came up on the Seaforths' left, and by six in the evening had filled the gap caused by the retirement of the Gurkhas. They also supported the Seaforths in their fire and support trenches. And during the afternoon half of a battalion of the Black Watch had succeeded in establishing connection with the Seaforths' right.

That night the 1st British Division arrived upon the scene. Its 2nd Brigade had orders to attack through the Dehra Dun Brigade on the 21st and recover the lost trenches. Their assault was delayed till seven p.m., and was then only partially successful.

At nine o'clock on the morning of the 22nd the enemy again suddenly attacked and bombed the Loyal North Lancashires of the 2nd Brigade out of several of the trenches which they had taken during the previous evening. The Seaforths' left was again unprotected, but one of their officers rallied some of the North Lancashires and bombed the Germans back, losing his own life in the process. Reinforcements were now brought up, and by three o'clock in the afternoon of this, the fourth day of the Battle of Givenchy, the Seaforths, who had lost heavily, were at length relieved.

On the very day on which the 1st Seaforths held up the German attack at Givenchy, the 1/4th, a Territorial Battalion which had come out to France six weeks earlier, came into the trenches for the first time to gain experience in trench fighting. They were attached to the Dehra Dun Brigade and so joined the 1st Battalion of their own regiment.

In the following March both battalions had their share in the Battle of Neuve Chapelle. The attack on the German trenches was timed for the morning of March 10th, 1915, and was directed to be undertaken by a British Division and by the Meerut Division of the Indian Corps. The Garhwal Brigade

was detailed for the assault, the 1st Seaforths being attached to them for that purpose. The assaulting troops rushed the enemy trenches and got into the village of Neuve Chapelle. But there was one portion of trench which remained untouched. Two companies of the 1st Seaforths were ordered to assault it from the left, while units of the Garhwal Brigade made a frontal attack. It was now four o'clock in the afternoon, and the advance on the Bois Du Biez, which formed the second phase of operations, was being retarded. So the two remaining companies of the 1st Battalion were ordered to co-operate in the attack. 'B' Company at once set to work bombing the Germans along the trench, with the result that 120 Germans surrendered. By nightfall the 1st Seaforths and two battalions of the Garhwal Brigade, all under the command of a Lieutenant-Colonel of the Seaforths, were holding a section of the old German line, and the village of Neuve Chapelle had been cleared of the enemy.

The Bois Du Biez is a large wood lying between Neuve Chapelle and the Aubers Ridge. To reach it from the village it is necessary to cross the little river Layes. Shortly after four o'clock orders were issued to the Dehra Dun Brigade to advance to Neuve Chapelle and attack the wood. At half-past five in the afternoon the assault was delivered by two Indian regiments with the 1/4th Seaforths in close support. The river Layes was crossed without difficulty, and the edge of the wood was reached. But the British Divisions which were to have co-operated upon the left had been held up, and the Dehra Dun Brigade were consequently obliged to withdraw across the river and then to dig themselves in.

Orders were received to renew the attack at half-past seven on the following morning (March 11th). Progress was difficult, for again no infantry support was forthcoming on the left, and our troops were met by heavy frontal fire. The commanding officer of the 1/4th Seaforths was wounded early in the day. Orders were issued to stand fast until the 8th Division came up on the left, and later, for a fresh attack at a quarter past two p.m., provided the 8th Division was in readiness. Although the expected reinforcements had failed to appear, the leading company of the 1/4th Seaforths left their support trenches at the appointed time and doubled forward. They lost heavily, and the survivors had to take cover in the trenches already filled with Gurkhas in their front. At six o'clock the battalion was

ordered to withdraw and re-form in rear. They were relieved that night.

All that day the 1st Seaforths and the Garhwal Brigade had continued to hold their line at Neuve Chapelle and assisted in repelling with concentrated machine-gun fire massed German attacks made against them on the morning of the 12th. Throughout that day they were subjected to a continuous heavy bombardment, their losses during the three days being somewhat heavier than those of the 1/4th.

It is now time to turn to the 2nd Battalion. After holding trenches on the river Douve, north of Ploegsteert, throughout the winter, they were taking a well-earned rest at Bailleul when the news came of the German gas-attack on the evening of April 22nd, 1915, and of the retirement of the Franco-British line before Ypres. Leaving their packs and greatcoats and waterproof sheets behind them, the 2nd Seaforths set out at once to march to Wieltje on the Ypres-St. Julien road. Covering the 17 miles of road that lay between them and their destination, they reached Wieltje on the evening of the 24th and were ordered to attack before daybreak on the following morning. Little was known of the situation, nor was there time to give much instruction to company commanders. The objectives given were St. Julien and the wood to the west of it. The attack was timed for four a.m., but was postponed at the last moment till five o'clock as some battalions were not ready. However, the Seaforths were already committed and were drawing upon themselves the enemy's fire, so had to advance at once. They met with heavy fire from rifles, machine-guns and artillery, suffered very severe losses, and found themselves unsupported on either flank. By seven o'clock they had reached Vanheule Farm, and were still nearly 1,000 yards short of St. Julien. No further advance could be made, so they had to dig in. Their commanding officer was wounded. Their casualty list was 50 per cent. higher than on the day when the Highland Brigade was mown down at Magersfontein. It was more than double the losses which they had suffered at Paardeberg, although that battle produced the heaviest casualty list in the South African War.

That night the 11th Brigade came up and extended the line to the right, the Seaforths continuing to hold their trenches in front of Wieltje in spite of violent shelling which inflicted numerous casualties. Their ordeal was not yet over, for at

half-past five on the evening of May 2nd a terrific bombardment broke out on the British trenches, and simultaneously a cloud of asphyxiating gas was released. For several days our men had been living in an atmosphere of gas fumes, and officers and men had been dropping off sick. No efficient type of respirator had yet been invented. So, when this new gas-attack descended in full force upon the 10th Brigade, one battalion was forced to leave its trenches. But the Seaforths stood firm, though nearly every man of the diminished battalion was badly affected. Five officers and 321 men were sick with gas; others died of it. Still the Germans were unable to press their advantage. They formed up for the attack, but the Seaforths were even now prepared to meet them, and the attack came to nothing. The next day the 1st Seaforths received orders to leave their trenches and retire upon the old line. So virtually ended their share in the second battle of Ypres.

A week later the Indian Corps, in co-operation with the 1st and 4th British Corps, again took the offensive at Festubert. The main object of the operation was to drive the enemy from the Aubers Ridge. With this in view the Indian Corps was to attack between the two British Corps, the assault being delivered by the Dehra Dun Brigade of the Meerut Division. This Brigade was directed to assault the enemy's first line trenches, to push forward against the La Bassée-Estaires Road, and finally to capture the Ferme Du Biez at the southern extremity of the well-known Bois Du Biez, which formed their first objective. The attack was made at twenty minutes to six on the morning of May 9th by the 1/4th Seaforths and two other battalions of the Dehra Dun Brigade; the 1st Seaforths and the remainder of the Brigade were in support.

Unfortunately the Germans had suffered little from the forty minutes bombardment which preceded the assault. Their line was well manned, and the 1/4th Seaforths were met by machine-gun and rifle fire the moment they attempted to advance. Numbers of their men were put out of action in the first minute. The remainder pushed forward in face of a hurricane of bullets, and as many as could do so took cover in the ditch running in front of the enemy's parapet. Here they were forced to remain. Many others were lying out in the open or in shell-holes, unable either to advance or retire. The 1st Seaforths made three gallant attempts to advance in support. Each attempt was checked after a few yards of ground had been gained. The task imposed upon

them was absolutely impossible. So at nine o'clock orders were issued that all men who could should crawl back. Few could do so, for the slightest movement drew a terrific fire from the enemy. More managed to regain their trenches when the Bareilly Brigade attacked in the afternoon, but the majority had to lie out under fire until darkness set in.

In this abortive attack the 1/4th suffered severely, the proportion of killed to wounded being one to two. The losses of the 1st Battalion were unprecedentedly heavy, especially in officers, and were half as high again as those of the 2nd Seaforths on April 25th.

During the summer months of 1915 many new divisions were added to our Expeditionary Force. On May 1st a Highland Territorial Division, the 51st, which contained in its 152nd Brigade both the other Territorial Battalions of the Seaforths, 1/5th and 1/6th, arrived in France in time to support the later operations of the Battle of Festubert. The 7th Battalion, which had been allotted to the 26th Brigade of the 9th (Scottish) Division, also came out in May, and on the last day of June found themselves in line with the Territorials of the 1/4th Battalion. The 9th Seaforths came out as a Pioneer Battalion in the same division. Finally the 8th Seaforths landed in France on July 9th with the 44th Brigade of the 15th (Scottish) Division. Both the Regular Battalions, all three first-line Territorials, and all three Service Battalions were now in France. The three battalions of the New Army were all in on the opening day of the Battle of Loos.

That battle opened on September 25th, after a four days preliminary bombardment of the German trenches. It began with an attack delivered by two army corps on a seven mile front extending from the La Bassée Canal to the village of Grenay south-west of Loos. Six divisions were involved in this main attack, among them the two Scottish Divisions of the New Army (9th and 15th). The 15th Division of which the 8th Seaforths formed a part, assaulted the German trenches in front of the town of Loos. Further north the 9th Division attacked the formidable Hohenzollern Redoubt. One company of the 9th Seaforths was assigned as pioneers to each of its three brigades. Of these the 26th Brigade was on the right, with the 7th Seaforths in the front line. Simultaneously with the opening of the main battle the Indian Corps commenced a subsidiary operation near Neuve Chapelle. Here the attack was delivered

by two brigades of the Meerut Division, but the Dehra Dun Brigade, to which the 1st and 1/4th Seaforths belonged, was that day held in Divisional Reserve. Proceeding from south to north of the battle-field, we shall tell first of the attack of the 8th Battalion at Loos; then of the fighting of the 7th Battalion round Hohenzollern; and finally of the part played by the 1st and 1/4th Battalions near Neuve Chapelle.

The morning of September 25th broke dull and grey. The wind was light and variable, veering between south-west and south, and seemed little favourable to the use of gas, which it had been decided to employ for the first time against the enemy. Until the last moment there was some doubt whether the original programme would be followed out. Nevertheless at ten minutes to six a.m. the gas cylinders were turned on. After some ten minutes a smoke screen was sent up from the British trenches. Then after an interval, the cylinders were turned on again full blast. Two minutes before the time fixed for the assault, the gas was stopped; the air was thickened up by triple smoke candles; and our men climbed out of the trenches and lined up behind the smoke barrier in readiness for the attack, which had been timed for twenty minutes past six.

The 15th Division attacked on a two-brigade front; the 44th Brigade, with the 8th Seaforths in the front line, being on the right. Company followed company of the Seaforths across the open, and within a few minutes from the time that the two leading platoons had started on their way, the whole battalion was launched to the attack. Although exposed to losses from artillery fire, the men bore steadily down upon the enemy's first line trenches, and had captured them within a quarter of an hour of leaving their own line. The German second line was forced in almost as short a space of time. Its garrison fled back into the town of Loos, the approach to which was guarded by enemy machine-guns. These were quickly put out of action, but the Germans within the town put up a stubborn resistance. Every house became a fort; every cellar a refuge for the enemy. Each in turn had to be cleared by our bombers; their occupants being captured or killed.

The Seaforths fought their way through the town, capturing a German battery of field-guns in the course of their advance. Until the bombers had cleared the houses from which machine-guns were firing on them, their losses were severe. Few of their officers were left. There was much desperate hand-to-hand

fighting. In the general mêlée, units broke up into small detachments, and the different battalions of the 44th Brigade became inextricably mixed. Still the fighting drifted steadily through the town and out beyond it towards Hill 60. By ten o'clock the 44th Brigade had made an advance of 2000 yards and were ascending the western slopes of the hill. Here they were met by troops of the 46th Brigade, who had been attacking from the left. And even men from the 47th Division, who had been fighting on the right, joined in the throng. They gained the crest of the hill, and then informally sorted themselves out into their units.

In an amazingly short space of time five successive objectives had been carried without a check, and for a moment there was an end of German resistance. But now came uncertainty and hesitation. Cité St. Auguste was their next objective. But which was Cité St Auguste? Hitherto the pylons of Loos had formed an unmatched guide. Now these were passed, and the landscape changed. Losing sense of direction, the brigade, instead of advancing due eastward, deflected its course to the south-east, towards the Cité St Laurent.

The Cité St. Laurent was a strong salient which formed part of the northerly defence of Lens. To the north of it, and on the left of the brigade as it advanced, was an entrenched enemy position, known as the Dynamitière, held by machine-guns. Fire from the Dynamitière made it impossible to advance down the bare slopes of Hill 70 without artillery support or without the steady flow of reinforcements which the brigade had been led to expect. An hour passed during which the enemy machine-guns developed a tremendous volume of fire. At length it became absolutely necessary to retire and take cover behind the crest of Hill 70. Our men fell back the best way they could, and were immediately followed up by a strong counter-attack which threatened to sweep them off the hill.

Preparations were hurriedly made to receive the enemy, and when they appeared over the crest of the hill, they were instantly checked. The British troops hung on tenaciously to their position a little way down the western slope. But their position was insecure. The Seaforths now had both flanks in the air, and their left was seriously menaced by an outwork which had again passed into the possession of the Germans during the struggle. A conference was therefore held at Brigade Headquarters at which it was decided to relieve the 44th Brigade by the 45th.

Accordingly the troops who had taken part in the attack were withdrawn in the course of the afternoon ; the 8th Seaforths—now a handful of thirty-five men led by the adjutant and a single subaltern—passed out of the conflict.

At the same moment that the 8th Seaforths had started on their way to capture the village of Loos and Hill 70, the 7th Battalion left their trenches over against the Hohenzollern Redoubt. As they advanced at a steady walk behind clouds of smoke, machine-gun fire was opened on them and a few men went down under it. Then, quickening their pace, they bore down upon the Redoubt. At its first trench they lost a good many of their officers. Nevertheless they continued to advance, and bombed their way up the communication trenches leading from the Redoubt to the main German trench ; pressed forward and went right on to the Trois Cabarets between Fosse 8 and the village of Haisnes. Here they stayed and waited until the two front companies had been reinforced by the remainder of the battalion. It was now half-past seven, and the 8th Gordons, who had been in support, went through them and carried on the attack. The 7th Seaforths had orders to stay where they were and convert their trench into a fire trench, at the same time making ready to deal with a counter-attack. They had lost touch with the Camerons on their left in the course of their advance, and their position on that flank was insecure until a battalion of the Black Watch came into line with them. They had lost their colonel and their adjutant at eight o'clock that morning. All four company commanders had been killed or wounded early in the action, and most of their officers had become casualties. All day they were exposed to a murderous shrapnel fire, but the behaviour of the men was beyond all praise.

About midnight they were relieved by a regiment of the 73rd Brigade. The Seaforths had filed out and re-formed preparatory to marching back, when the Germans attacked. The newly arrived troops showed signs of falling back; but two officers of the Seaforths led back their men, held the position once more, and drove out the enemy. They then withdrew to support trenches and there reorganised. Throughout the day of the 26th they continued to hold German trenches east of Fosse 8, under a very heavy bombardment, and assisted the 73rd Brigade to beat off several German counter-attacks.

In the course of the morning of September 27th the enemy

succeeded in driving the hard-pressed 73rd Brigade out from Fosse 8. By one o'clock the whole Fosse had passed out of our hands, and the Germans were pressing south against the Hohenzollern Redoubt. The 7th Seaforths had only six officers left when, at three p.m., they received orders to counter-attack with a view to restoring the position. They advanced across 200 yards of ground swept with bullets and shrapnel. The enemy opened on them with high explosive shell, inflicting a considerable number of casualties. German bombers were active on the right, but the Seaforths drove them back. Although they did not succeed in regaining the Fosse, their timely help prevented any further German advance and, for the time, saved the Hohenzollern Redoubt. The men knew that they had done well, and one of their pipers got up on the parapet of the Redoubt and played the 'charge.' About eight o'clock that evening they were withdrawn after having suffered losses greater even than those endured by the 1st Battalion at Festubert.

Up at Neuve Chapelle on this same morning of September 25th the 1st and 1/4th Seaforths were less seriously engaged, since they were not called upon to do more than support the attack of the Bareilly and Garhwal Brigades. The attack met with success on the left but failed upon the right, where the Garhwal Brigade was hung up on wire before the German front trench. Shortly before eleven the two Seaforth and two Gurkha Battalions received orders to concentrate on our own front line, with a view to attacking through the first line troops, and advance on the hamlet of Pietre. The communication trenches were crowded with troops, and movement along them was almost impossible ; so it was not until nearly three that the Seaforths succeeded in pressing their way to the British front line. By this time the Bareilly Brigade had been forced to abandon the trenches captured by them in the early morning, and the Germans had recovered their front line. Further attack was useless. Nothing remained but to hold the British line against possible counter-attack. Night set in in a downpour of rain, which quickly rendered all further movement impossible.

Such was the share of the Seaforth Highlanders in the great Battle of Loos, a battle in which two battalions of the New Army, neither of them many months out in France, first met Continental troops, and worthily upheld the honour of the regiment.

Instead of recording in detail the part played by the various battalions of the Seaforths in France during the long period of

trench-warfare which intervened between Loos and the Battle of the Somme, we shall follow the fortunes of a battalion of this famous regiment which was sent out from France at the close of 1915 to Mesopotamia, there to take part in the attempted relief of Kut. It was employed with a force operating on the left bank of the Tigris, and its actions are crowded into two distinct periods of seventeen days each. The first extended from January 7th to the 24th, 1916, and was characterised by attacks on successive Turkish positions at Sheikh Saad, the Wadi, and Umm-Al-Hannah. The second period, April 5th–22nd, opened with the capture of Umm-Al-Hannah and, for the rest, consisted of repeated attempts to drive the Turks from Sannaiyat.

It was on New Year's Day, 1916, that the Seaforths disembarked at a point some distance up the Tigris. There they marched forward towards Kut, across country intersected by irrigation-ditches, and at noon, on January 7th, were approaching the Turkish position at Sheikh Saad, forty miles distant from their final goal. Their brigade had been ordered to turn the enemy's left flank, but before they had reached the assigned position, a very heavy cross-fire was opened on them from their front, right-front and right flank. At the same time artillery fire broke out on their right rear. They had, in fact, themselves been caught in a very dangerous salient.

The attack had consequently to be launched under most difficult circumstances against a position made invisible by mirage and towards an afternoon sun which shone full in the eyes of our men. None the less the Seaforths advanced with great rapidity, losing heavily as they went. One company even managed to get within 40 yards of the Turkish trenches, but the rest of the battalion was brought to a standstill 350 yards away. They had only five officers left. They had lost more than 33 per cent. of their fighting strength. Their position, at the close of the attack, was extremely dangerous, for, while two companies were in line with the brigade on their left, a gap of 700 or 800 yards separated them from the other two companies which were facing an opposite direction. By now the Turks were moving further and further round the flank. It was getting dark, however. In the night they were able to consolidate their position, join the gap in the centre, and dig themselves well in. Next evening they retired to a straightened line in the rear.

Two days later the Turks withdrew from Sheikh Saad to their next position, named the Wadi, some ten miles in the rear.

This in its turn was attacked by our troops on January 13th. The Seaforths were in reserve that day, but, as the attack proceeded, two of their companies were sent up into the firing line in support. They advanced with great dash and vigour under a very heavy fire. Although the main attack was held up, the Turks once more retired in the night and fell back upon Umm-Al-Hannah.

At eight o'clock on the morning of the 21st, after a few minutes of intense bombardment, the British once more attacked the Turks in their new position. Only 450 yards separated the front-lines of the opposing forces ; but the ground between was as flat as a billiard table, covered with three inches of mud and water, and swept by machine-gun fire. The attack on the left was temporarily successful, but the ground gained had to be given up for want of support. The Seaforths failed to get forward on the right. Still less success attended the renewal of the attack at one o'clock. The Seaforths again endeavoured to advance, but there was no general forward movement. Any advance from the front line proved, in fact, quite impossible, and the attack petered out.

It is difficult to exaggerate the misery of that time, or the severity of the conditions under which the Seaforths had to engage in most difficult fighting. It rained incessantly till the level ground became a swamp and the trenches became ditches. Drenched and physically exhausted, with no rum or even tea to warm them, they stood and sat all night in the water. At best they lay down in their soaked clothes, with only their great-coats to cover them, and waited for the bitter cold of dawn, then woke to look out on a battlefield strewn with rifles and ammunition, and wounded men lying untended. For days and nights on end, subsisting only on their emergency rations, they fought and dug and marched till they were so exhausted that they slept as they marched. And all the time they were conscious that Kut lay before them and the undefeated Turks between.

An interval of rest and reorganisation led up to the capture of Umm-Al-Hannah by the troops of another Division upon April 5th, and made it impossible to drive forward against the Turkish lines of Sannaiyat, the last formidable barrier on the road to Kut. During this second period of fighting the Seaforths, by now much reduced in number, formed part of a composite Highland Battalion, having been amalgamated with the Black Watch, who had suffered even more severely than themselves.

Out of the three unsuccessful attempts that were made to carry the Sannaiyat position (April 6th, 9th and 22nd), the Highland Battalion took part in the first and last.

It had been decided to follow up the capture of Umm-Al-Hannah by a rapid blow against the enemy, and to deliver a surprise attack on their new position at dawn of the very next day. There was consequently no time to locate the Turkish lines with any exactness. Our men made slow progress in their advance over unknown country, and it was nearly broad daylight before they had come within striking distance of the enemy. The Highland Battalion had just opened out, but the brigade on their right was still in close formation when the storm burst on them from the enemy's trenches. Under this outburst of rifle and machine-gun fire the projected attack was stopped dead, while our own shells ploughed their way into the left rear of the column. It was Magersfontein over again. Further advance was out of the question ; and, after digging and holding three lines of trenches during the day, and suffering considerable losses, the battalion was withdrawn at dark.

Before the third and final assault was made on Sannaiyat, the division steadily pushed forward its saps until only 500 yards separated them from the enemy's front line. But the ground was not favourable for an attack. Ankle-deep in water and hemmed in on the left by the river Tigris, on the right by the Suwaikeih Marsh from which water was continually blown by the wind into our trenches, the ground covered by the attack was limited to a narrow frontage, 300 yards broad. It had been intended to employ two brigades, but the brigade on the right found themselves unable to attack owing to the water on their front. The whole burden of the attack therefore fell upon the Highland Battalion, which had now come to be composed largely of drafts led by very young officers, and upon an Indian regiment reduced in strength to 200 rifles.

At six o'clock on April 22nd our guns commenced a deliberate bombardment. Seven was the hour named for the assault. The Highlanders, with the Indians on their right, advanced in splendid order, and quickly reached the enemy's front line, only to find it a mere water-logged ditch. The second line was carried with the same result. Pushing on to the third line and now supported by the brigade on the right which had succeeded in forcing the water in front of it, they beat off one counter-attack, and met another one made in much greater force and led with the greatest

bravery and determination. The leading Highland platoons were enveloped ; their rifles were clogged with mud ; still for a time they successfully resisted the attack. It was only after the troops on the right had fallen back; after the Indians, their flank being open, had given ground ; after a second Indian regiment, thrown in on the left, had been decimated by machine-gun fire, and when the whole line was crumbling, that the Highland Battalion fell back, fighting stubbornly. Most of their killed and all their missing fell between the second and third Turkish lines. Small parties of men were pinned to the ground near the enemy's front line, but were got in later. The battalion's losses had been exceptionally heavy, and of the Seaforths no more than four officers remained alive and unhurt at the end of the day.

So ended the last gallant effort to relieve Kut, whose beleaguered garrison, after holding on for another week, their position being now hopeless, were at length forced to surrender.

H. H. E. Craster

Gibraltar in 1727

IN the Register House there lies the 'Journal of a Voyage from Leith to Newfoundland, Barcelona, etc., in 1726-27,' by Edward Burd, jun., supercargo of the ship *Christian* of Leith. Mr. Burd not only entered the accounts of his transactions, but also kept a careful note of events from day to day.

The *Christian*, Captain Alexander Hutton, sailed from Leith early in June, 1726. She put in at Herston in South Ronaldshay under stress of weather. Mr. Burd had leisure to visit Kirkwall, where he saw the cathedral, and remarked upon the scarcity of trees—'they might have trees of all sorts if the inhabitants would be at any pains about them.' On Sunday there was 'no sermon' at Herston, 'by reason the ministers having for the most part two or three churches to which they are obliged to go Sunday about, the minister of this place happened this day to be at some other of his kirks.' Fortunately the weather changed, and Mr. Burd was well out on the Atlantic by the end of the week. His next opportunity was on July 31, immediately after arrival at St John's, where he heard a 'very good discourse from one Tago, an Englishman,' who was parson. 'He makes about £150 sterling a year of it, which he collects from the inhabitants of the place and masters of ships that come here either upon the fishing accompt or to buy: this might make a very handsome living for him, if he could drink less punch and black stroap.'

Having drunk to the health of King George on August 1, the anniversary of his accession, and admired the illuminations on H.M.S. *Argyle*, Mr. Burd proceeded to business. According to instructions he was to dispose of his cargo and purchase 'a full loading of good merchantable fish, well dryed and fair to the eye': he was then to sail without loss of time for Barcelona, sell the fish, take in 'a parcel of cork,' and come round to Cadiz; there he would get a cargo of sherry and fruit, with which, and the cork, he would return to Leith.

The *Christian* left Newfoundland on September 22, when Mr. Burd took occasion to record in the journal many impressions of the fishing industry and other economic matters. By the middle of November he was at Gibraltar, and at Barcelona early in December. Two months were spent at the latter port, regarding which Mr. Burd has a good deal to say. He seems to have obtained a cargo of wine for shipment to Gibraltar—the reason for the visit which is described in the following extract. The last entry in the journal is on April 5, 1727, when the *Christian* was trying to make Bordeaux.

Mr. Burd's observations upon the fruitless attempt to recover Gibraltar have been extracted and are here set down. Spelling has been modernised, except in the case of proper names, with which Mr. Burd had difficulties. In many instances he spells these names in a fashion of his own; and recognition is not always possible. The reader will at once conjecture, rightly or wrongly, that the vessels called 'sitties' derived their name from Ceuta.

R. K. Hannay.

14*th Feb.*, 1727.—This morning about five of the clock we came to an anchor in Gibraltar Bay, where we found riding at anchor eight sail of English men-of-war, besides a great number of merchant-men. All this last night and former day we saw firing from the batteries upon Gibraltar hill. The reason we conjectured to be some day of rejoicing, but found this morning that it was besieged by the Spaniards. About nine of the clock we went on board of Commodore Stewart, from that to the Governor's and afterwards to Mr. Holroyd. In the evening the ship went into the new mole, where we were to deliver the cargo.

I shall set down what transactions in the siege I could learn, together with the rest of my daily occurrences.

15*th Feb.*—I had the following account of the beginning of the siege: that the Spaniards ever since the middle of November had been forming of a camp upon the side of a hill in the bottom of the bay. They brought into the bay by water all manner of ammunition and provisions from Cadiz, Malaga, etc. They then built a battery of 15 guns in the bottom of the bay, both for the defence of their camp and likewise to annoy our shipping. They after that proceeded to break ground under the cannon of the

garrison, Colonel Clyton, deputy-governor of the place, having frequently ordered them to begone, and they still returning him for answer that the ground belonged to the King of Spain, their master, and that they would maintain it for him, the Governor upon Saturday the 11th instant called a council of war of the officers of the garrison and those of the fleet, where it was resolved that they should fire upon them. Accordingly, in the afternoon the Governor, with a great many of the officers, went up to Willis's Battery, from whence my Lord Forbes, captain of a 70-gun ship, fired the first gun at the enemy, Commodore Stewart the second, and the Governor the third, which served for a declaration of war. Immediately upon this the Spaniards fired from their battery in the bottom of the bay at our men-of-war, which obliged them to heave up their anchors and to go further down the bay after having fired some guns at the enemy. They kept firing upon the Spaniards all this afternoon and following night from the batteries upon the hill.

16*th Feb.*—Nothing extraordinary happened in the siege from Saturday (11th) to this day. Only the *Solbay*, man-of-war, who had two mortars in her, went about to the back of the hill and threw some shells into the enemy's trenches, and some others up to the hill, which, breaking the rocks, tumbled them down into the trenches below and killed a great many men—about fifty. The Spaniards took care to have a battery placed there against next day, which prevented any further mischief to them from that quarter. The enemy carried on their works in their trenches, chiefly in the night-time, for which reason our people fired hottest then to retard them in their works, and threw likewise every night a good number of shells.

17*th Feb.*—The fleet that came in here yesterday, and were attempting to get through the Straits in order for a cruise but were put back again by contrary winds, sailed again this day under the command of Admirals Wager and Hopsom. The merchant-men in the bay, to the number of forty sail, went with them. There were left in the bay only four men-of-war.

The Spaniards were still carrying on their works in the trenches, and the garrison continued to fire at them, without doing any great hurt.

18*th Feb.*—The enemy and the garrison continued their works as they had done formerly.

19*th Feb.* (Sunday).—I this day walked round all the fortifications of this place. From Willis's Battery I had an excellent

view of the Spanish camp and trenches. I saw a great many guns fired at them without doing any manner of damage. Part of the trenches were by this time within musket-shot of the rock.

21*st Feb.*—Nothing extraordinary happened in the siege these two days past. Only some deserters of the Walloon Guards and some Swiss came in from the enemy.

22*nd Feb.*—The Spaniards begun this morning at break of day to fire upon the town from two batteries of 7 guns each. They killed this day one man, and wounded some others.

23*rd Feb.*—The Spaniards killed this day one man more. A deserter came in—one belonging to the Irish regiments. They begun this day to throw shells into the town. All the harm they did was the ruining of some houses, which obliged a great many of the people to shift their quarters.

24*th Feb.*—A deserter came in this day from the enemy. They began to work upon a new battery, nearer than either of the other two, and greater than both of them.

25*th Feb.*—A deserter came in this day, a Scotsman, belonging to one of the Irish regiments.

26*th February* (Sunday).—Five deserters came in this day from the enemy, belonging to the Walloon Guards. A small *sittie*, taken from the enemy, was fitted out and sent to cruise upon them.

27*th Feb.*—The *Swallow*, man-of-war, having hoisted a signal for all merchant-men to go on board and receive sailing orders, I went down to the cabin and told the captain of it, and desired he might satisfy his men, who wanted to know where they were going. He told me that he designed to go for Leith, north about. I represented to him the inconveniences that would attend it ; but he told me it was none of my business and that he was resolved to go home. I proposed to him he should take in what goods and passengers he could find for Lisbon, and there to load salt and some wines and fruits. In short, all I could say was ineffectual to move him after his resolution. In the time we were talking there comes on a hard Levanter, which hindered the ships from sailing for that day.

This morning there was brought in here a very rich prize, a ship of 30 guns taken off Cadiz by the *Royal Oak*, man-of-war, being bound for the West Indies, loaded with wines, brandies, and a great many very fine bale goods.

The Spaniards advance but slowly before the place. The officers have not the least apprehension of losing it, though they

need reinforcements both of men and ammunition, but especially gunners.

28*th Feb.*—The storm continued all this day—and the captain in his resolution of going to Leith, which made me give over my resolution of going to London and go home with him.

1*st March.*—The storm abated this day, and in the afternoon a great many of the merchant-men that lay in the bay sailed without convoy. We heard by a deserter that our *sittie* that was sent out to cruise was taken by the enemy, having been forced ashore in the storm.

2*nd March.*—The weather was still stormy, which kept us in the mole. This day a gun upon Willis's Battery split and killed two men.

3*rd March.*—About eight or ten ships sailed to-day under the convoy of one of the small sloops. More deserters came in. A trumpet came from the Spanish camp with a proposal from the General to exchange the prisoners taken in the *sittie* for some of their deserters. The Governor told him he would return an answer next day by a drum. We hauled out to-day from the mole into the bay ; but by the time we got clear the ships were all out of sight.

4*th March.*—This day a French ship of 30 guns sailed, and with him went two English ships. The Governor sent a drum out to the enemy with this answer to the proposal they sent yesterday : that he would not deliver up any of the deserters, but that he would exchange those prisoners that we had taken in the prize with them that they had of ours. This the General refused, pretending he had not orders for it from Madrid.

5*th March* (Sunday).—The enemy fired very hotly this morning, both from their old batteries, and likewise from a battery of 6 guns they had erected on purpose to play upon the old mole, our guns from that galling them very much in working upon their great battery, from which they now began to fire some guns. They killed five men this day, beside the wounding of some others. Amongst the number of those that were killed was the captain of the train.

6*th March.*—The *Colchester*, man-of-war, arrived here to-day, on board of whom were some soldiers of the two regiments shipped from Ireland, taken out of one of the transports at sea taken up by the fleet. A gun upon the Royal Battery split and killed three men. Two soldiers deserted from the garrison.

7*th March.*—The Spaniards last night completed their grand

battery, from which they fired very briskly this day upon the town, dismounting some of the guns upon the old mole, and one upon Willis's Battery. They had mounted very near 20 pieces of cannon upon their grand battery.

8*th March.*—The enemy fired very hotly all this day. They killed one of the cadets in the garrison as he was walking upon the parade. The same bullet likewise wounded another man. I was present at the time. A gun bursted this day and killed some of the gunners.

9*th March.*—The Spaniards fired very briskly all this day. A deserter came in this morning—one of their gunners—who gave account of a mine they were working in under Willis's Battery. They proposed by the blowing up of that part of the rock to fill up the King's and Prince's lines. A gun split this day and killed three men. I heard to-day that the Governor had certain advice by the *Colchester*, man-of-war, from Lisbon, that a great part of the Spanish plate was arrived at Cadiz from the West Indies in some of their men-of-war.

10*th March.*—The enemy fired very hotly all this day without doing any damage.

11*th March.*—A deserter to-day reported that we killed a good many men to them every day and that we had dismounted six or seven of their guns in the great battery. He swam from the bottom of the bay to the old mole.

12*th March* (Sunday).—More deserters came in to-day from the enemy, who were gunners. They said that they were not able to endure our fire in their grand battery. They did not fire so hotly from thence as formerly. We heard to-day that Mulusmal, Emperor of Morocco, was dead, and that the whole country was in confusion, some declaring for one and some for another of his sons, of whom he had some thousands, as they say.

Some ships arrived here to-day from England, who heard nothing of the war: likewise some from Silloe in ten days, who heard nothing of it.

13*th March.*—This morning about eight of the clock we weighed, under convoy of the *Colchester*, man-of-war. The wind being to the westward of south obliged us to stand well over to the Barbary shore, by which means we had an excellent view of the city of Ceuta, belonging to the Spaniards, situated upon a peninsula much like that of Gibraltar, and very strongly fortified upon all quarters. About five of the clock in the afternoon, the wind springing up at east, we joined the man-of-war and stood

through the Straits. About eight of the clock at night it fell calm, when the man-of-war and the whole fleet went in head of us and left us off Teriff, deadly afraid of the Spaniards.

14*th March.*—This morning, about eight of the clock, the *Durley*, man-of-war, came up with us, to our great comfort. About ten of the clock, the wind being at north, we stood away for the Bay of Gibraltar, as did most of the ships that went out with us. We saw two Algerine men-of-war, cruising cross between Gibraltar Hill and Ceuta. We came to an anchor a quarter of an hour after four in the afternoon. I heard that two deserters came in yesterday and one to-day, who still confirmed the report we had of the mine. They said that they had digged into the rock 26 yards and designed to carry it 50 further, besides 20 yards of a vault was there before. The *Colchester* got through ; but the *Durley* came in again.

15*th March.*—A deserter came in this day, a Scotsman, and a sergeant in one of the Irish regiments. The *Royal Oak* sent in another prize, a Spanish man-of-war of 50 guns taken coming out of St. Anderas—one Sherlock, an Irishman, commander, and one English lieutenant. A gun split this day and killed two men.

16*th March.*—I was this day upon the Royal Battery, where we could perceive the embrasures of the enemy's great battery shut up. They told me that they had been so for three days, and that they believed they designed to convert it into a bomb battery. We saw that they had begun to work upon two other batteries. Just as I was leaving the town, a drum was going out from the garrison to the enemy.

About three of the clock afternoon we got under sail, under convoy of the *Durley*, man-of-war, with about 30 sail more of merchant ships, and stood through the Straits with the wind at east.

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The Governor of the place at this time is Colonel Clyton, deputy under the Earl of Portmore : he came here only in December last in room of Colonel Cane, deputy-Governor of Portmahon, and who was here and acted as Governor for some time before this. Governor Cane acquitted himself of this charge very handsomely, and gained the love and esteem of every one in the place, not only of the officers but even of the common soldiers and of all the inhabitants. All of them seemed displeased

at the removing of him at this time; and to say the truth I think it was no great prudence in the government to carry him away at this juncture, and to put a man in his place who was an entire stranger to it—one who knew nothing of its strength or weakness but what he was to learn now. There are now in the garrison seven regiments of foot and two more were embarked from Ireland, viz. Middleton's and Hay's, and daily expected. Some of the regiments were not full. The whole would not amount to more than 3000 men upon the arrival of the two regiments expected.

The garrison is very well stored with ammunition, but poorly provided of cannon: in the first place few of them, and next what they have very bad. The government carried from them not long ago some of the finest brass cannon that were in Europe and placed in their room rusty, old ships' guns. They will now see the folly of it, these very guns by their bursting having killed to the garrison thrice the number of men that the enemy had done at the time I left Gibraltar.

They likewise stand in great need of expert gunners, those they have being but indifferent and even so few of them that they are obliged to make use of common soldiers in their stead. They daily expect a good recruit of both guns and gunners from England in the *Torbay*, man-of-war.

They can never be in great straits for want of provisions so long as we are masters at sea. They are supplied from Britain and Ireland with salt provisions, and from Barbary and Lisbon with fresh meat.

The fortifications of Gibraltar, though strong, are yet not regular; and for that very reason the place is the more impregnable. The great security of it lies in this, that the way by which the enemy must storm, when they come to that, is so very narrow that those in the garrison will be able to make a larger front than they. Besides they will flank them on both sides, on the one hand with their cannon from the old mole, and upon the other from Willis's Battery, and likewise from the King's and Prince's lines with their small arms. This is what they will certainly meet with, without they first dismount all the guns upon the batteries and level the lines: which they will find to be very hard work, a good many of them being little higher than the rock and therefore very difficult to come at.

The Governor was very much blamed for allowing the enemy to proceed so far without endeavouring to put a stop to it sooner.

If he had begun hostilities about the latter end of the year, he might have prevented the enemy from receiving a great many stores and provisions that were carried to him about that time from Cadiz and Malaga by water, and so would have retarded the siege so much longer. Some people tell us the Governor at that time had no orders for doing so: which, if true, is, I think, very strange: that the Spaniards should have been making preparations for the siege of this place so openly for three months before this; and that in all that time the government in England should not send over positive orders to their Governor how to behave himself.

The conduct of the officers of the fleet at this time was also very much wondered at, and I think justly too, they lying at anchor in the bay, of which they did not command above one quarter, while the remainder was in the possession of the Spaniards, and whole fleets of their *sitties* going out and coming in every hour of the day, to and from old Gibraltar and down to the bottom of the bay, to their camp. Nay, which was scandalous to the last degree, I saw two row-boats very near carry an English ship that was coming into the bay, and this in the sight and almost within reach of the guns of our Royal English Navy. It was with difficulty that they rescued her by manning out all their boats. All the service that they at this time did the garrison was the securing them from any surprise by sea—a project that was concerted at Madrid, to wit that they should attack the place upon all quarters at once by sea in their row-boats and galleys, and so by dividing the garrison along the works (which are two miles in length) and by overpowering them with numbers they might find an opportunity of cutting at some one place or other —a project feasible enough and which they designed to have put in execution at the time that our fleet was out upon a cruise. Of this Colonel Stanhope, our ambassador at Madrid, gave Colonel Cane information, which put him on his guard, and so it was prevented.

There are in the Spanish army, besides the General, the Count de les Torres, a Spaniard, no less than six lieutenant-generals, eight major-generals, ten brigadiers, and twenty engineers. Count Spinola, who commanded with great applause in the wars in Sicily, is one of the lieutenant-generals. The chief engineer is Vaubonne, a Fleming, and the most famous man of his profession this day in Europe. The General has the reputation of being a very good officer, only somewhat rash and

fiery. Some say he differs little from a madman, though he is now come to a very great age, being about eighty years old.

The troops were said to amount to near 20,000 men, the greatest part of them foreigners, viz. six Irish regiments formerly in the service of France and the Walloon Guards. The rest were Swiss, and some Spaniards. They are the very same forces that behaved so well in the late wars in Sicily under the Marquis de Lede against the Emperor, and are indeed the best men the King of Spain is master of. The Duke of Wharton, the Earl of Mareshal and his brother, who serve as volunteers, were in their camp. The number of the slain amongst them, when I came away, was uncertain. Most people reckoned that they might amount to very near 300, while others said that they were thrice that number, and some that they were not so many. We heard that a colonel of one of their regiments was of the number.

Upon the whole, whether they will take Gibraltar or not is uncertain; but there is nothing more certain than this that if they do, it will be with the loss of a very great number of men to themselves, and at the same time that it will be a very great stroke to the British trade in general, that into the Mediterranean being reckoned near one quarter of that of the trade of Britain. As an evidence of the truth of this is the great number of ships that sailed from Gibraltar in the short time we lay there. I am sure they were above one hundred sail, besides those that went through without calling.