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The Scottish Peerage

FROM the day 'quhan Alysander our king wes dede,' down to the day when the Chancellor Lord of Seafield laid down his pen and exclaimed, 'And there's an end o' an auld sang,' the varied thread of Scottish story is mainly the history of a nobility which blended or opposed its ambitions in an endless succession of intrigues and feuds of which even the open wars of the country with the 'auld enemy,' England, were too often but the opportunity or the result. No country, it has been said, stands so little indebted to its nobles as does Scotland. The saying may be false or true according as we determine wherein lies Scotland's main achievement. I think it false. The pride of Scottish history does not lie in the patient upbuilding of a great democracy or the solution of constitutional problems, but rather in the exploits of its heroes in war; and its achievement has been the making of a people rather than a nation. While it is true that the Scottish magnates never united to extort a Magna Charta from the Crown, it is on the other hand also true that Scotland never saw its nobles combined to oppress its commons, nor its commons arrayed in form of war against its nobles. In all the blood-welding of this northern people a Wat Tyler or Jack Cade, a peasant war or a Jacquerie was unknown and impossible. And if there is anything in national sentiment, the deeds of Bruce and Randolph at Bannockburn, and the devotion of the eleven earls who died round their king at Flodden—in brief the valiant part played by her nobles in all her wars, is a service they performed to their country for all time.

The Comyns, Baliols, Bruces, Stuarts, the Black Douglases and the Red, the Grahams and pervading Setons, the Homes and the Gordons, the Boyds and the Hamiltons; Athol, Buchan and Crawford, Glencairn and Cassillis, Mar and Ruthven; the names of Angus, Arran, Huntly, Morton, Moray, Bothwell, Leslie, Lauderdale, Montrose, Argyle, and Claverhouse—these and the like are the titles of the chapters, sections, and sub-sections of the major part of Scottish history. The most of the beloved and the execrated of our romance as well as our history belong to these names.

Whether the part they played was good or bad; whether tradition has dealt well with them or ill, belongs to the domain of public history, but their positions and circumstances, their family traditions, their territorial holdings, their alliances of blood and marriage, their very personal characteristics of mind and body, are of interest not only to their lineal descendants and the student of heredity, but, like the personal peculiarities of kings, are part of the solution of the problems of the general history of their country also.

The most ancient, best authenticated, and in several respects most remarkable family history in Scotland is naturally that of its royal house. Its lineal descent and succession from the ancient Celtic dynasty—independent kings as far back as we can trace them, its successive infusions in early times of the best Saxon and Norman blood, its romantic and tragic fortunes, and its survival to the present day, render it unique among the royal lines of Europe. The new *Scots Peerage* in process of being issued does well to devote its opening pages to the line of the Scottish kings.[1]

The Scottish peerage shares in much of the antiquity of the Crown. There seems to be a great probability that some of the most ancient of our northern earldoms derive from the even more ancient Maormars by descent rather than by conquest. Evidence of the original character of these Celtic officers of the time of Malcolm Canmore or earlier is, no doubt, hard now to find. But it is known that they ruled over the ancient districts of Ross, Moray, Buchan, Mar, Mearns and Angus, and that some of them were latterly denominated earls, or were, in Malcolm's time, succeeded by earls of the same territories. How far these first earls acknowledged themselves to

[1] *The Scots Peerage*, edited by Sir James Balfour Paul, Lyon King of Arms. Edinburgh (David Douglas, pp. xv. 575), 1904, vol. i.

hold their titles of land from the king of Scotland or any king is another question and as difficult. There are several references in the chronicles of the times before Bruce to 'seven earls.' As in the Holy Roman Empire there were Seven Electors Palatine who chose the Emperors, so, probably, the monkish chroniclers in Scotland thought that there should be, or must have been, a college of Seven Earls who elected the king. The absence of any allusion to such a body or system of election, on the death of Alexander III., or of the Maid of Norway, is against their existence. The claim of the Earl of Fife to enthrone the king on the Stone of Destiny, or, in the case of Robert I., to place the crown on the king's head indicates, however, that some consent of that earl at least was requisite to confer the kingly authority, and the style he assumed, at least occasionally, in his early charters—'By the grace of God, Earl of Fife'—indicates that he did not acknowledge that he held his earldom from the king merely. The Seven Earls mentioned in 1296 are the Earls of Buchan, Monteith, Strathern, Lennox, Ross, Athol, and Mar.[1] The Earl of Fife and the Earl of Sutherland are not among the number. But it must be remembered that the earliest holder of the earldom of Sutherland known to these same records is not a Celtic earl. The enhancement of the royal power and the subordination of the Celtic earls were gradual; and during the process—and aiding it perhaps—there appeared in Scotland the beginnings of a nobility of an essentially different system—the Norman system of feus, charters, and subordination. Scotland suffered no Norman conquest, but it shared in a Saxon, Danish, and Norman invasion. Immigrant houses were planted on the waste places left by the wars of Malcolm; and the immigrants, or many of them, seem to have become magnates immediately in the land of their adoption, whatever their condition was before. The invasion was only partial, however, and the existing population was neither extirpated nor enthralled. Scotland was only in process of becoming a kingdom; and it was thus that there arose with a composite people a nobility of divers origins. Scot or Pict, Briton or Galwegian, Saxon, Dane, Norman or Fleming, when he accepted a charter of his lands, the king's vassal was for the future undistinguishable in respect of his origin, so far as the law was concerned. It was thus

[1] *Scalacronica* 122, Rishanger 156. *See* Burton, *History* II. 45, 46 n. and 197 n.

also that the kingdom was gradually formed in the framework of a Norman society. The king's councillors in time of peace and his captains in war were—saving so far as they were churchmen, and these were, after all, scarcely an exception—the great territorial lords, his tenants in chief. In the great feudal system of reciprocal service and protection of which a king was scarcely more than the first officer, the members of each rank were peers among themselves, and were the men of their immediate overlord, bound to follow him with their strength in the field in war and to attend his court—be it manor court or baron court—in time of peace; and the scale ascended till at its head came the king's men—the barons[1]—*par excellence*, peers of the realm. Nothing save succession to the throne itself could enhance that quality or position of a peer of the realm, though within their order the possession of the great offices of peace and war came in later times to regulate their relative rank or precedency. These offices were the general offices of High Steward, Great Constable, Marshal, etc., the several offices of Earls of particular portions of the country. Afterwards were added to these the—with us only titular—offices of Duke, a leader of the army; Marquis, a defender of the marches; and Viscount, the king's officer in charge of a sheriffdom. The baron was himself in a manner an officer. His barony in one aspect was his fee and reward for his services. Failure in performing his feudal duty in peace or war did not entail questions of assessment of damages, but made him liable to forfeiture. And he could no more sell his barony without his overlord's leave than a sentry may put a substitute into his post without the leave of his superior officer. But with the king's leave the tenant in chief might sell his barony and his earldom too; and the purchaser become baron or earl in his stead, did homage for his fief, and received the oaths of his vassals, took his place in the court and council, and his stand in the battle.

The feudal system furnished thus a territorial peerage. There stands in its stead to-day a peerage of blood descent whose honours descend *jure sanguinis*, vest without ceremony in the rightful heir whether he wills it or not, or knows it or not, and are inalienable and indefeasable save by forfeiture or Act

[1] The elder meaning of the word *baron* is *man* in the sense of *vir*. 'The barons of the Cinque Ports,' and 'the barons of Bute,' and the phrase *baron and femme* in heraldry, are instances of the use of the word for other than for the individual holder of a 'barony' of land or dignity of peerage.

THE ROYAL ARMS OF SCOTLAND

From *The Scots Peerage*, edited by Sir James Balfour Paul

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of Parliament. Yet the process by which the present theory of peerage came in place of the former, down at least to the date of the Union, was gradual and apparently unbroken. Though personal dignities were known in Scotland in the fifteenth century, strong traces of the ancient territorial theory remained till time of the union with England, as the practice of resignations and re-grants of honours at that date evinces.

As early as the year 1427 James I. made an act for the release of the smaller barons from personal attendance in parliament, and to provide for their representation instead, but the act was from various causes a dead letter. Kings and parliaments moved several times at intervals with the same object, but it was not till the passing of the Act 1587, c. 120, that the object was achieved. The effect of the Act from our present point of view was that it separated the smaller barons from the greater. When the smaller barons came to be represented, instead of sitting in person, they ceased to be of the same class as the Lords of Parliament, who sat personally. And the barons who remained Lords of Parliament came to be held to be alone the nobles and the peers of the realm. The year 1587 therefore has been considered to be the date at which honours became, in the eye of the law, personal. Patents of peerage, scarcely if at all known before, began to be granted as the rule immediately afterwards.

The Parliamentary proceedings for the ranking of the peers according to the antiquity of their honours naturally followed, and though conducted at a time when information and accuracy is not to be looked for, occasioned our earliest general enquiry into the peers' genealogies.

Since that date the student of history and of charters has had much to say, both in books and before courts and committees, about these genealogies; and few collections of pedigrees can be more varied in their contents than the collection of the pedigrees of the peers of Scotland.

The Celtic earldom of Mar, says Riddell, 'is not merely now the oldest Scottish earldom by descent, but perhaps in many respects the most remarkable in the empire'; for while other lineages may be as long, if traced through unennobled ancestors, the Earls of Mar were earls '*ab initio*, and never known under any other character.'[1] The origin of the earldom, says Lord Hailes, 'is lost in its antiquity.'[2] It is dated by some as

[1] Riddell, *Peerage Law*, 169. [2] Sutherland, Add. Case, V. 35

'before 1014,' and an Earl of Mar appears certainly contemporary with some of the Maormars in the reign of Malcolm Canmore. To this most ancient class belonged the Celtic earls of Angus, Athol, Fife, and the Lords of the Isles. But of all of them none save Mar, and perhaps Carrick, which earldom is held by the King by inheritance through the Bruce, survive in the blood of the earls of the name to-day.

The earldom next in the antiquity of its descent to its present holder is the earldom of Sutherland, which dates from A.D. 1228 or earlier. The heraldry of the earls—three mullets or stars—plays a part in pointing to their descent from a common ancestry with the Douglases and the Morays. The question as regards the descent of the last two was agitated on heraldic grounds as early as the fifteenth century. Wyntoun says:

> 'Of Murrawe and the Douglas
> How that thare begynnyng was
> Syn syndry men spekis syndryly,
> I can put that in na story.
> Bot in thare armeys bath thai bere
> The sternys[1] set in lyk manere
> Til money men it is yhet sene
> Apperand lyk that thai had bene
> Of kyn be descens lyneale
> Or be branchys collaterale.'[2]

The exigencies of the rhyme may have seemed to warrant Wyntoun in saying that the 'sternys' were 'set in lyk manere' in the shields of Moray and Douglas. But he can scarcely have been ignorant that while the stars of Moray, like those of Sutherland, were set *two and one* on the field of their scutcheon, those of Douglas were set as a chief. Nevertheless it seems true of the houses of Moray and Sutherland, and probably of Douglas too, that they are descended from one Freskin of Strabrok, a Fleming who flourished in Scotland in the time of David I., and died before the year 1171. The premier earldom of Mar was unjustly resumed by King James II., granted to strangers, and only restored in the time of Queen Mary. Wood therefore is right, in so far that he pronounces Sutherland to be 'the most ancient subsisting title in Britain which has continued without alteration in the lineal course of succession for nearly'—we may now say *over*—'six centuries.'[3]

[1] Stars. [2] *Cronykil*, B. VIII., c. 7, ll. 149-158.
[3] Wood's *Douglas*, s.v. Sutherland.

To the same class in origin as Sutherland belong not only the great houses of Douglas and Moray, but those of the Baliols, Bruces, Comyns, Stewarts, and others, whose ancestries, whether Flemish, Saxon, or Norman, can be traced back to their introduction into Scotland. The Norman Conquest of England sent many Saxons and others into Scotland. Gospatrick, Earl of Northumberland (progenitor of the Earls of March and Dunbar), arriving at the court of Canmore with his comrade Maerleswegen, and bringing Margaret and Edgar Atheling, was an instance of this. There was a great inclination among the earlier genealogists to make every great family spring into position with an incident as romantic. But the Saxon and Norman knights who arrived in these days in more or less Celtic Scotland did not necessarily all arrive as adventurers or refugees. Malcolm Canmore held twelve manors in England under the Conqueror; and at a later date David, afterwards King David I., became Earl of Huntingdon (1136) and of Northumberland (1139), all in right of his wife Matilda, heiress of Waltheof. Malcolm the Maiden succeeded to the first of these earldoms (1157), and William the Lion to the second (1152). Afterwards their brother David was Earl of Huntingdon and Cambridge. He was elected leader of the revolted English nobles (1174); but in spite of his turbulent career, his son John the Scot succeeded him in both earldoms. Through his mother, Maud, John inherited the earldom of Chester also. When, in 1237, he died childless, the representation of his father, Earl David, and ultimately that of the Royal House of Scotland, fell among his three sisters—(1) Margaret, grandmother of John Baliol the competitor and of Alianora, wife of the Black Comyn, Lord of Tynedale and Badenoch; (2) Isabella, mother of Robert the Bruce, the competitor; (3) Ada, grandmother of John, Earl of Hastings, the competitor. The lists of witnesses of King David's charters are themselves evidences of the results of the Scottish possession of these southern earldoms: the surnames, Graham, Lindsay, Ramsay, for instance, which appear in them point to an important contingent in the King's retinue from the earldom of Huntingdon.

The wars of Wallace and Bruce arrested this peaceful inflow, and forced the incomers for the first time to choose their nationality. According to theory, the feudal lord who held fiefs in England and also in Scotland was bound, when the kings of

these countries were at war with each other, to bring into the field the power of each fief, for the support of its own overlord, and to fight in person for the overlord to whom he had given his first oath of fealty. But Edward I., pretending to be overlord of both countries, passed forfeitures on all such feudal tenants who did not support his arms in person as well as in force; and Robert the Bruce meted the same measure to the lords of Scottish fiefs who fought for Edward. Many were the forfeitures on each side, not a few noble names disappeared then from Scottish history, and the conduct of a number of the barons, if we neglect the circumstances of the time, seems smirched with the unknightly stains of vacillation and tergiversation; it is certainly not defensible, if indeed comprehensible, if we merely talk of a patriotism which they did not feel and do not advert to their territorial stake in both countries, as well as to their well-nigh incompatible oaths.

The unfriendly relations which subsisted thereafter, almost continuously, between England and Scotland for so many generations isolated the Scottish nobles to a great extent, not only from their equals in England, but also from those of other more distant countries, for in the constant state of war and intrigue which formed so much of Scottish history he who would keep his lands was better to garrison them himself. From time to time, however, exceptions to this state of isolation appear, now and then a crusader, here and there bands of noble knights at a foreign tournament, and some great name on the roll of the French armies which fought France and Scotland's common foe. In 1424, Archibald, fourth Earl of Douglas, became Duke of Touraine in France. In 1549 the Regent Arran was created Duke of Chatelherault in France; also Alexander, Earl of Buchan, was Constable of France in the beginning of the fifteenth century. At a later day, James, Duke of Lennox in Scotland, who died in 1655, was a Grandee of Spain, and so on. The armies of northern Europe, and the Archer Guard of the French kings contained not a few younger sons of Scottish nobles.

At the Union of the Crowns a new spectacle appeared; a number of Scottish peers were made peers of England. Ludovick, who had succeeded as Duke of Lennox in 1583, was made Duke of Richmond in England in 1603. During his life his brother and successor, Esme, Lord d'Aubigny in France, was made Earl of March in England (1620). James, second

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THE ARMS OF THE MARQUIS OF ANGUS

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Marquis of Hamilton, was made Earl of Cambridge in 1619; John Ramsay, Viscount Haddington, was made Earl of Holderness in 1620. Thomas, third Lord Bruce of Kinlos, first Earl of Elgin in 1633, became Lord Bruce of Whorlton in 1642, and his son, after his succession to the earldom of Elgin in 1663, was made Earl of Ailesbury in 1665. Other cases might be cited, such as those of the Earl of Forth, made Earl of Brentford in 1644, the Duke of Lauderdale, created Earl of Guildford in 1674, the second Duke of Argyle, created Earl of Greenwich, etc., as late as 1705.

There were cases also in which an English peer was created a Scots peer. The Duke of Monmouth was created Duke of Buccleuch; George, Lord Home of Berwick, was made Earl of Dunbar in 1604.

We may note, in passing, a class of creations by which the epoch between 1603 and 1707 is marked—creations of Scots peers out of English knights and others who had no territorial connection with Scotland—Sir Henry Cary was created Lord Falkland in 1620; Sir Thomas Fairfax, created Lord Fairfax of Cameron in 1627; Sir Thomas Osborne, afterwards (1694) Duke of Leeds, created Viscount Dunblain in 1673; Sir Richard Graham of Esk created Viscount Prestoun in 1681;[1] and John Churchill, afterwards Duke of Marlborough, became a peer as Lord Churchill of Aymouth in 1682. The supposed design of these creations is said to have been detected in some additions to the Irish peerage made since the year 1800, namely, to give the grantee a 'handle to his name'—and as little more as possible. One instance of a Scottish commoner who received English honours shortly after the Union of the Crowns may be mentioned on account of the reported peculiarities in the patent. It is the case of 'Mr. James Hay.' 'The King [James VI. and I.] no sooner came to London,' writes Sir Anthony Weldon, 'but notice was taken of a rising favourite, the first meteor of that nature appearing in our climate; as the king cast his eye upon him for affection so did all the courtiers to adore him; his name was Mr. James Hay.' Sir Anthony's description of him begins thus ungraciously, but concludes in eulogy. Still it remains that Hay's first step in the peerage was the name and title of Lord Hay without a seat in Parliament

[1] In 1628 the lordship of Cramond was created as a life peerage in favour of the wife of Sir Thomas Richardson, Chief Justice of the Court of Common Pleas in England, and as a hereditary peerage in favour of his son and his heirs.

and with a precedency only after English barons. His next step was his elevation to the full dignity of a baron of parliament with the title of Baron Hay of Sauley in 1615, but with the unprecedented omission of a solemn investiture—perhaps because he was a peer already. He was subsequently erected Viscount Doncaster and Earl of Carlisle.

At the Union of 1707 the scene was changed again; the Scottish peer received treatment which was without either principle or prevision. In the eye of the general law he was declared to be a peer of the realm; at Court he was made to rank below all English peers of his degree, and within the House of Lords he was given only a right of representation, while all English peers were given seats in their own right.

At the date of the Union, as we have seen, several Scots peers already held English dignities. Shortly after it—in 1708—the Duke of Queensberry was created Duke of Dover, and took his seat in the House of Lords. In 1709 the House of Lords resolved that no Scots peer who, since the Union, should have received a British peerage, should vote at elections of Scots Representative Peers. In 1711, when the Duke of Hamilton was created Duke of Brandon, the House of Lords resolved to take the patent into consideration before the Duke took his seat. It called in the English Judges, and heard the Duke by counsel. It then decided not to ask the opinion of the Judges; and resolved off-hand that 'no patent of honour granted to any peer of Great Britain who was a peer of Scotland at the time of the Union can entitle such peer to sit and vote in Parliament, or to sit upon the trial of peers.' By these resolutions, added to the Treaty of Union, the Dukes of Hamilton and Queensberry were debarred from sitting in their own right, and also from all right of representation in either the Lords or Commons. The perfectly incompetent resolution of 1711 remained on the books of the House till 1782, when it was declared illegal by the unanimous voice of the Judges. It is said to have been invented by the political necessities of the ministry of the day, but it could never have lasted 70 years if it had not had the acquiescence of England behind it. While the resolution remained it was acted on so far as to refuse the second Duke of Queensberry a writ of summons as Duke of Dover, though his father had been admitted and had sat in two parliaments in respect of that title. But the House did not attempt to carry out its principles so far as to unseat

a British peer because he inherited a Scots dignity. So the resolution was capable of being evaded at the cost of waiting a generation. The evasion was effected by creating the Scots peer's son and heir a British peer in his father's lifetime. On the death of the father the young British peer was in the position of inheriting a Scots peerage and no forfeiture ensued. To this position of the law or practice at the time is due a number of British titles held by Scottish peers. The ink was scarcely dry on the resolution of 1711 before the evasion of it was introduced; Viscount Dupplin, son and heir of the Earl of Kinnoull, was made Baron Hay of Pedwardine in the peerage of Great Britain. In 1719 he succeeded to his father's earldom. In 1722 the son and heir of the Duke of Roxburgh was created Earl Kerr, and the son and heir of the Duke of Montrose was made Earl of Graham. In 1766 the Marquis of Lorne, son and heir of the Duke of Argyle, was made Baron Sundridge. Under the law of 1711 the Earl of Bute, though capable of being, as he was, Prime Minister, was incapable of being made a member of the House in his own right! But his son, Lord Mount Stuart, not subject to the disability, was, in 1776, created Baron Cardiff of Cardiff.[1] Since the removal of the offending resolution a number of other peers of Scotland have received peerages of Great Britain and of the United Kingdom, sometimes merely to give the grantee a hereditary seat in the legislature, and sometimes for the purpose of conferring on him a higher degree of peerage.

Nearly two centuries have elapsed since the Roll of the Scottish peerage was closed. Time may thin its ranks, but no king since the Union has been advised that he may make good the blanks by new creations, or may even give a Scottish peer a higher degree on the Roll. Of the 164 titles on the Union Roll 62 are now held to be extinct or dormant. The remaining titles are in the hands of 88 peers, 51 of whom hold other peerages of Great Britain, or the United Kingdom. Whatever the Scottish peerage may have thought of its treatment at the Union, and of some of its early experiences at the hands of British Party Ministers and House of Lords, it cannot complain that its glory is departed. Whether in the recent rolls

[1] The Prime Minister's countess had been created Baroness Mount Stuart in 1761; and the Gunning Duchess of Hamilton was made Baroness Hamilton in 1776. Both these titles were doubtless granted to evade the law of 1711, but both ladies survived the date at which it was rescinded.

of the king's ministries at home, of governors-general of India and the Colonies, or of officers in the Field Forces in the Soudan or South Africa, the Scots Peers and their sons have earned distinction for their order and their country. The student of institutions and national and racial tendencies will find questions, if he will, to answer in this latest chapter of the Scottish peerage—how much or how little in blood, education, interests or affection the old order is still Scottish. But in any case the present is not precisely the proper moment to catalogue and sum up the Scottish peerage as it has stood in history and stands to-day. For the accepted authorities,—the works of Crawford, Douglas and Wood, Fraser and the other writers of general and special genealogies of the peers, also the contents of the public records, and of private charter chests, in a fulness hitherto unknown,—are in the act of being thrown into the melting pot, and as yet only a sample as it were of the new minting has come out of the workmen's hands. The works of the earlier peerage writers have, all of them, their special values. Each has at least added the facts of his own time. For this as well as for some earlier details, too full to be reproduced in any more modern work, these Peerages are of permanent value, and will never be entirely displaced from among the folios of the student of Scots family history. The patience and learning of their authors will for ever remain admirable. Since their day, however, the materials for such histories as they strove to write have by slow but steady process been extracted from the recesses of Record and Register Houses, Libraries, and Charter boxes; and the possibility of telling the full and true story of many a mystery of the past is before us.

When we turn from the perusal of these—to this generation new—materials to the pages of any of our general peerage histories we find that there is much to add, much to subtract, and much sometimes to correct. Crawford published his work in 1716, Douglas in 1764, and Wood, his editor and continuator, in 1813. After a period of more than ninety years a new Peerage is needed if for no purpose but to record what has taken place in so long an interval. But the new *Peerage* aims, as it was bound to aim, at telling each story from the beginning; and at taking place as the standard history of the whole subject. It is impossible to prolong this present article for the purpose of reviewing the contents of the volume of the *Peerage* which has been already issued, but from the great amount of new materials

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THE ARMS OF THE DUKE OF ATHOLL

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at its disposal, the modern methods of its compilation, the names of its editor and his staff, and of the specialists who contribute its several articles, the volume is worthy of the most respectful and particular attention.

One of the features of the work which first attracts notice is the exemplifications of the armorial bearings of the houses which have held the titles of nobility in question. They are by the pencil of the official Herald-Painter of the Lyon Office. By the kind permission of the Publisher, several of the plates, contained in the first volume of the *Peerage*, illustrate this article. Their art and the extreme boldness of their execution are much more pleasantly and perfectly appreciated by a brief examination of the plates themselves than by much letterpress. The heraldry of the peers has given rise to some discussions and will to more; but one of the results of our fuller acquaintance with written records is the revival of respect for the facts of early heraldry. There are the *garbs* of Buchan, derived apparently from the same source as those of Chester. There are the *lions* of Bruce and FitzAlan, abandoned in Scotland for the territorialised *chief and saltire* of Annan, and the official *chequers* of the Steward. There are the *three bars wavy* of Drummond, said by some to represent the three rivers of the Drummond country, but thought in another quarter to have come perhaps from abroad with the legend of the Drummonds' foreign origin. If the Campbells are Normans, are their well-known arms—*gyronny of eight*—anything other than the four limbs and four spaces of a cross, such as a Norman might have drawn? Does the *sable chief* in the coat of the Grahams allude to the earthen wall which the mythical first Graham surmounted? Can we found any argument concerning the derivation of a stock from its bearing on its shield a *lion rampant*? Can we group the families which carry *boar*, *bear*, or *wolf heads*? These are not propounded here as merely heraldic problems; none of these are idle to the genealogist. Heraldry and genealogy are indispensable to each other; and now and in the future they will be found once more walking together hand in hand.

J. H. Stevenson.

The Earl's Ferry.

IN the time of John de Baliol, King of the Scots from 1292 to 1296, some Englishman wrote a tract which he called *Brevis Descriptio Regni Scotiae*: and in it he mentions 'Erlisferie' and 'Queneferie' as the northern extremities of Lothian. This province was then wide enough to include the castles of Berwick, Dunbar, Edinburgh, and even Stirling; the abbeys of Jedburgh, Melrose, Roxburgh, Dryburgh, Kelso, Newbattle, and Holyrood; the priory of Coldingham; and the nunneries of Berwick, Eccles, Coldstream, Haddington, and North Berwick.[1] North of it and west of it was the Kingdom of 'Scotland,' in which the castles of Dumfries and Kirkcudbright, and the religious houses of Whithorn, Glenluce, Kilwinning, and Glasgow, were reckoned.[2] Beyond the Firth of Forth was the ancient Pictish province or Kingdom of Fibh or Fife, with its great churches of Inchcolm, Dunfermline, Lindores, St. Andrews. To the south beyond Tweed was the North-Humber-land, part of the old Anglic Kingdom of Northumbria, which had withdrawn from both its ancient boundaries, Forth and Humber.[3] The tract of 1292-6 seems to contain the first mention of the Earl's Ferry, the most seaward ferry connecting Lothian and Fife. The ferry without doubt took its name from its being a franchise held by the Macduffs, earls of Fife, who appear on record in the twelfth century, and became extinct in the fourteenth.

[1] *Maitland Club Misc.*, iv. 33; *Chronicles of the Picts and Scots*, Rolls Series, 214.

[2] If Stirling Castle was in Lothian, the abbey of 'Striuelin,' meaning Cambuskenneth, on the north side of Forth, appears as in 'Scotia' in the list of Scottish Religious Houses, to be found in Sir Thomas Gray's *Scalacronica*, 240. This list on internal evidence seems to be referable to ci. 1216 A.D.

[3] Lothian had been detached from Northumbria as early as 685 A.D., when Brude, King of the Picts, defeated Ecgfrith, King of the Northumbrian Angles, in the great battle fought at Dunnichen in Angus. By 1292-6 the boundary between Scots and English had settled upon Tweed.

A Celtic thane of Fife is the traditionary founder of the house. In 1054, it is said, Macduff excited a formidable revolt against Macbedh Mac Finlach, who had been King of the Scots since 1039. The rival claimant to the crown, Malcolm Mac Duncan Ceannmohr, came from England, in the borders of which he had had a refuge since the slaying of his father Duncan Mac Crinan. He was supported by the forces of his kinsman, Siward, Earl of Northumberland. On 27th June, 1054, a battle occurred. Macbedh was defeated. Two years later, he was again defeated. Having retired across 'the Mounth,' he was slain in a third battle at Lumphanan in Aberdeenshire on 5th December, 1056. His partisans were able to place Lulach, his nephew or stepson, in the royal seat, but the defeat and death of Lulach at Essie in Strathbogie on 3rd April, 1057, gave Malcolm Ceannmohr an undisputed title: and three weeks later he was crowned at Scone. To show his gratitude to Macduff, the King, so the tradition runs, conferred on him the earldom of Fife, and endowed him and his house with three privileges: that of leading in battle the Scottish van; that of placing the King when crowned upon the Lia Fail at Scone, the Stone of Destiny brought from Dunstaffnage, perhaps at an earlier time from Ireland; and that of protecting any manslayer within the ninth degree of kindred to him.

That the house of Macduff was of kin to the house of Malcolm Ceannmohr may be assumed from the fact that their heraldic shield, in common with the King's bore Or, a lyon rampant gules, armed and langued azure.[1] The two privileges as to the battle-array and the coronation may be supposed to indicate some compromise between a King of all Scotland and a King of Fife, by which the latter, with the title of Earl, retained some of the traces of his former dignity. The third privilege, according to Mr. E. W. Robertson, was probably a relic of the old right of every Mor-maor or Oir-righ to retain all his kindred in his 'mund' or protection. A similar privilege was recognised for the progeny of KenKynol in the earldom of Carrick.[2]

[1] Mr. Andrew Lang suggests that the royal kinship may be traceable to Cinaed Mac Dubh of the house of Constantine, whose date is 997-1005. The seal of the earls bearing the lyon is chronicled in Nisbet's *Heraldry*, ii. 4-82: it is reproduced on the cover of Sheriff Mackay's *Fife*.

[2] E. W. Robertson's *Scotland*, i. 255, and *Essays*, 163. Also *Registrum Magni Sigilli*, ii. 87.

Any manslayer belonging to the Clan Mac Duff who came to the cross of Abernethy and gave 'nine kye and a colpindach' to the kindred was free of the slaughter.[1] In 1385, when the Estates of Scotland passed an act for punishing Katherans who went through the country taking victuals and goods by force, the Earl of Fife, as chief of 'the law of Clanmakduff,' for the amendment of the law and the good of the country over which he presided, promised to keep the act and cause it to be kept within his bounds.[2] In 1391, at a court held by the Deputies of the Justiciar of Scotland at Foulis in Perthshire, Sir Alexander de Moray, being indicted for the slaying of William de Spaldyne, appeared with his forespeakers and protested that he had once already been called in judgment for that deed, and been repledged to 'the law of Clanmakduff' by Robert, Earl of Fife. He claimed to be discharged: and the Deputies adjourned the cause till the Justiciar himself should take order in the matter.[3] As late as 1421, the privilege 'saved the life' of Hugh de Arbuthnot, who had been art and part with Barclay of Mathers and others in the slaying of John de Melville of Glenbervie, Sheriff of the Mearns. The laird of Arbuthnot's plea was that he had had a pardon for the fact as within the tenth degree of kindred to Makduff.[4] In his history (1582) George Buchanan tells us that the privilege remained a law 'till the days of our fathers, which was as long as any of that family remained': and in course of time the 'nine kye and a colpindach' had been commuted into money, viz. twenty-four silver marks for the unpremeditated death of a gentleman, and twelve for the death of one of the commons.[5] And Sir John Skene, writing in 1608, tells us that

[1] This cross long stood on the hill above Newburgh of Lindores, and was supposed to be on the boundary between the earldoms of Fife and Strathearn. The gibberish said to have been inscribed on it has been often printed: it even found its way into *Statistical Account*, ix. 293. In 1588 there was also a 'Croce M'Duff' on the marches of the lands of Meikle Pert near Brechin, a district in which the earls once held land. (*Reg. Mag. Sig.*, v. 545.) It would seem that there was a cross and girth not only at Abernethy and Brechin but also at Cupar and at Wedale (Abernethy and Brechin were both ancient Celtic churches. Wedale was a religious house in the valley of the Lauder. The Black priest was no doubt an Austin or Black canon sent from the priory of St. Andrews to serve the altar at this stôl).

[2] *Acts of Parliament*, i. 551.

[3] *Lib. Insulae Missarum*, xlix.

[4] Innes's *Sketches*, 215 ; *Stat. Account*, xi. 103.

[5] *Lib.* vii., 86th king.

he had seen 'an auld evident bearand that Spens of Wormistoun, beand of Makduff's kin, enjoyed the benefit and immunity of this law for the slauchter of ane called Kynynmonth.'[1]

The earl of this semi-regal house was hereditary constable of the castle of Cupar: the King's burgh of Cupar was also head-burgh of the earldom.[2] The chief seat of the earls was the castle of Falkland: the lands of 'Falecklen' had been granted by Malcolm IV. to Duncan earl of Fife. Their lands within the earldom were divided into the 'shires' of Cupar, Rathillet, Strathmiglo, Strathendry, and Reres.[3] They held lands in the sheriffdoms of Edinburgh, Haddington, Stirling, the Lennox, Perth, Forfar, and Elgin.

The succession of the earls may be shortly sketched.[4] 'Constantine, Earl of Fife,' is the first of the house of Macduff on record. He held the great office of Justiciar of Scotland in the earlier years of David I., and is supposed to have died in 1129. He was succeeded by 'Gillemichele Makduf,' 'Gillemichel comes,' 'Gillemichel comes de Fife,' supposed to have died in 1139, and reckoned the fourth earl from Malcolm Ceannmohr's adherent.[5] Then there were two Duncans, distinguished as senior and junior, the first dying about 1177, the second after 1200, perhaps in 1203. Then two Malcolms, the first dying without issue in 1229, perhaps as late as 1237, and being succeeded by his nephew, who was present at Alexander III.'s coronation, and in 1255 was one of the Regents. Malcolm, the 'eighth' earl, died in 1266, leaving a minor son Colban. On Colban's death in

[1] *De Verb. Sig.*, s.v. Clanmakduff.

[2] The burgh bears the royal shield: only the lyon is not within 'a double tressure flory counterflory of fleurs de lis.'

[3] Stevenson's *Hist. Doc.*, i. 407.

[4] The writer refers for this to Hailes's *Annals*, Leighton's *Fife*, Gray's *Scalacronica*, etc.

[5] In the cartulary of the Priory of St. Andrews, it is memorised that the lands of Ardmore had been granted to the Culdees of Lochleven by 'Edebradus vir venerandae memoriae filius Malcolmi regis Scotiae abbas de Dunkelden et insuper comes de Fife.' This mention of Ethelred, son of Malcolm Ceannmohr by his second wife Saint Margaret the Queen, was referred to by Lord Hailes (*Annals*, 42) as an embarrassing circumstance, 'inconsistent with the received opinion that the famous M'Duff transmitted the title of Earl of Fife to his posterity.' There are several ways of reconciling the record with the tradition. Mr. W. F. Skene (*Hist. of Alban*, iii. 62) supposes Ethelred to have been Earl of 'Fothrif,' a district to the west of Fife, which was a 'quarter' of the sheriffdom of Fife in David II.'s time, and was still a division of the country in 1561. (*Reg. Mag. Sig.*, i. 44; *Maitland Misc.*, iii. 267.)

1270 he was succeeded by a son, Duncan, then eight years old. In 1286 this 'tenth' earl crossed the North Sea to fetch home the Maid of Norway, was one of the Guardians of the realm appointed in that year, and on 5th September, 1288, was slain by Sir Patrick de Abernethy and Sir Walter de Percy on the King's highway at Petpolloch.

He was survived by a son, Duncan, who was in minority in 1292 when John de Baliol was crowned King at Scone. The privilege of placing Baliol on the Stone of Destiny was claimed for the house of Macduff, and Edward I. appointed John de St. John to officiate for the earl.[1] On 22nd July, 1298, the young earl was slain at the battle of Falkirk. It was this earl's sister, Isabel, wife of John Comyn, fourth earl of Buchan, who acquired immortality by taking the hereditary share of her house in the coronation of Robert de Bruce on 27th March, 1306. The Stone of Destiny had ere this been carried off to England.[2]

Duncan, the 'twelfth' earl, son of the eleventh, was at that time (according to Sir Thomas Gray) at his manor of 'Vituik' in Leicestershire, and in the wardship of the King of England. In the year after Bannockburn he was adherent to Bruce. In 1320 he was one of the barons who sent the famous letter from Arbroath to Pope John XXII. In 1332 he was taken prisoner at the battle of Dupplin, and afterwards assisted at the coronation of Edward de Baliol. At the battle of Halidon Hill in 1333 his banner was borne in the Third Body of the Scottish Army—not in the van. In 1336 he took part in resisting Edward III.'s forces in Fife. In 1337 he and the Earl of March defeated Lord Montfort near Panmure in Angus. In 1346 he followed David II. into England, and with the King was taken prisoner at Neville's Cross.

In 1350 this earl died leaving no issue but a daughter Isabel, who was four times married. Her second husband was Walter Stewart, second son of Robert II., who died about 1361. As

[1] *Foedera*, ii. 600.

[2] Lord Hailes denies that the eleventh earl ever existed (*Annals*, i. 226 and 351). If he did, we must 'suppose that a man may be a grandfather in the male line at 45.' Colban, Duncan the son of Colban, and Duncan the son of Duncan were all in minority when they succeeded (*A.P.*, i. 445). Duncan, 'tenth' earl, was survived by his wife, Johanna de Clara, daughter of the Earl of Gloucester: in 1292 she 'fined' to Edward I. for leave to marry: she married Gervase Avenel: and in 1317 her estate in North Hants was escheated as she, her husband, Gervase Avenel, and her *son* Duncan, Earl of Fife, adhered to the Scots (Bain's *Cal.*, i. 317 and ii. lxiv). The question seems to be a difficult one.

early as 1371, by her resignation or in some other way, the earldom passed to Robert Stewart, the third son of Robert II., afterwards known as the Duke of Albany and the Regent of Scotland. On 21st May, 1424, his son Murdac as Earl of Fife placed James I. on the royal seat at Scone. On the forfeiture and execution of Murdac next year, the earldom was annexed to the Crown, and has ever since been reckoned an appanage of it in a special sense.[1]

On the other side of Largo Bay from the town of Earlsferry there are some ruins which bear the name of Macduff's Castle: it is said to have been built by the first Macduff in 1057. Tradition also has it that in a cave on the coast known as Macduff's Cave, the thane of Fife took refuge from the pursuit of Macbeth: that the good folks of Earlsferry carried him over the firth: and that he procured them from Malcolm when he became king, a charter erecting their vill into a free burgh with a special privilege (a sort of appendix to the law of Clanmakduff) that if any man came there pursued for bloodshed they might carry him over the firth and prevent any boat starting after him till he was half way across. The story goes that after James Carnegy, the laird of Finhaven, had run Charles, the sixth earl of Strathmore, through the body on the street of Forfar on 9th May, 1728, he took benefit by this privilege of the Earl's Ferry when pursued by the earl's kin; but there is no foundation for this.[2] Nor is the story of Earlsferry having become a free burgh in Malcolm's time to be credited. It is inconsistent with the known facts of burghal development. In the days of David I., and for long after, merchandising in Fife was monopolised by the four burghs of Inverkeithing, Crail, Cupar, and St. Andrews.

[1] In 1451 the lands of the earldom with the manor, castle, and park of Falkland were in the Crown's hands by reason of the forfeiture in 1437 of Walter Stewart, Earl of Atholl and Sheriff of Fife. In 1455 'the haill erledom of Fyff with the place of Falklande' was annexed to the Crown. James II. granted it by way of jointure to his consort, Mary of Gueldres (*A.P.*, ii. 66, *Reg. Mag. Sig.*, ii. 103). The earldom was kept distinct from the sheriffdom, and was administered by a 'Stewart.' This magisterial office remained with the earls of Atholl (*Reg. Mag. Sig.*, ii. 10). In 1747, when the Heritable Jurisdictions were abolished, the Duke of Atholl had £1200 compensation in respect of the office.

[2] Carnegy lay in the Forfar Tolbooth immediately after the affray: he was tried at Edinburgh on 2nd August, and acquitted by a jury. Sir W. Fraser's *History of the Carnegies*, 388. The record of the trial was printed at length by Mr. Alexander Lowson as an appendix to his romance, *John Guidfollow*, Glasgow, 1890.

The town of Earlsferry was in the ancient barony of Nithbren (Newburn), which belonged to the abbot and convent of Dunfermline, and after the dissolution of the Religious Houses was granted out (in 1593 or earlier) to Andrew Wood of Largo. Whether the inhabitants were tenants of the abbot's or the earl's does not appear: it would almost seem, as we shall see, that the Abbot of Culross (a Cistercian house founded by Malcolm, Earl of Fife, in 1217) claimed their fealty and service. Ecclesiastically the townsfolk were bound to resort to the church of Kilconquhar, which belonged to the monastery of Dunfermline. As at every ferry-side in the Middle Ages, there was a hospital on the shore for the reception of the pilgrim and the traveller, with a chapel attached; but there is now no trace of these. In 1588, what is now the golf-course of Earlsferry and Elie was known, it is believed, as 'the links of Balcrystie.' In that year the links described as 'bounded on the south by the sea,' with 'the rabbit warrens of the same,' were granted by James VI. to Master David Aytoun, Chamberlain of Dunfermline.[1] Earlsferry seems to have been always the crossing-station on the north side of Forth.

The ancient ferry-station on the other side is said to have been Gullane Ness: in later times it was occasionally Dirleton, but generally North Berwick. As early as 1216 North Berwick and South Berwick were distinguished: in that year Malcolm, Earl of Fife, founded a house of Benedictine Nuns (Moniales Nigrae) at the former.[2] Down to the time of Robert II. the barony of North Berwick with the castle, viz. Tantallon, belonged to the earls of Fife: in 1371 they passed into the hands of William, the first earl of

[1] *A.P.*, iii. 513.

[2] *Scalacronica*, 240. In the *Orkneyinger Saga*, under the year 1153, there is an account of two Norsemen, Sweyn and Earl Erlend, faring a sea-roving from the Orkneys, of their faring south to Broad Firth (*i.e.* the Forth) and harrying the east of Scotland, and then faring south to 'Berwick.' Sir G. W. Dasent, the editor of the Rolls edition, thinks (iii. 192) this Berwick is not Berwick-on-Tweed, but North Berwick. The writer cannot subscribe to this opinion. 'Canute the wealthy,' we are told in the Saga, 'was the name of a man: he was a chapman (*i.e.* a merchant) and sat very often in Berwick. Sweyn and his companions took a ship large and good which Canute owned, and much goods aboard her: there, too, his wife was on board. After that they fared south to Blyholm.' In that age Berwick-on-Tweed was a great port and mart, 'a second Alexandria,' as the *Lanercost Chronicle* says. North Berwick only became a port and resort for merchants two centuries later.

Douglas.[1] By 1582 the nunnery of North Berwick was in ruins: it is described as *funditus eversum*. Beside the cloister were the Mains or Demesne-lands of North Berwick, which had belonged to the sisterhood: and betwixt these and the sea lay 'the rabbit-warren lands called the Links.' Cloister, Mains, and Links were that year granted out to Alexander Home.[2] The ruins of the hospital and chapel in connection with the ferry are said to be still visible on the west side of the harbour.

We have some early instances of the use of the ferry. In 1303 John Dengaigne, valet de chambre to Edward, Prince of Wales (afterwards Edward II.), crossed the firth on the way to Dunfermline with l.400 brought from London for the King of England's household: he paid, we find, 6s. 8d. for the passage of himself and his grooms at the Earl's Ferry.[3] In 1304 King Edward I. himself was at Dunfermline, and two thousand merks intended for him were carried over from North Berwick to the town of Earlsferry.[4] In 1336 the greater part of Scotland besouth Forth was in the hands of the English: even the castle of Falkland in Fife was held by them, and the Earl of Fife (as we have seen) in arms to resist them. The Sheriff of Edinburgh, as we read, accounted to King Edward III. for one-half of the profits of 'the ferry of North Berwick,'—no doubt Earl Duncan's half.[5] In 1474 the boatmen of North Berwick experienced the King's generosity. The King's 'Kervell,' the famous Yellow Frigate in charge of John Barton of Leith had come to grief at the mouth of the firth. James III.'s Treasurer makes a payment of l.3 to 'the men of North Berwic that fand the Kingis ankeris and cabillis of his Kervell.'[6] In the tragic year 1567 James Douglas, fourth earl of Morton, afterwards Regent, journeyed to Whittingham in East Lothian (then in possession of the Douglases) to have an interview with the adventurous Earl of Bothwell. This great historic event over, he

[1] In 1388 we find the Earl of Fife making a claim in Parliament to the lands and castle of North Berwick held by the heirs of James, the second earl of Douglas, who had fallen at Otterburn in August of that year. *A.P.*, i. 556.

[2] *Reg. Mag. Sig.*, v. 511 and 655; *A.P.*, v. 612.

[3] Bain's *Calendar*, ii. 368. The method of conveying money was to pack it in specially-made barrels, which were slung on the backs of horses, and it was escorted by so many men-at-arms and so many archers.

[4] *Ibid.*, iv. 461 and 679.

[5] *Ibid.*, iii. 339.

[6] *Lord High Treasurer's Accounts*, i. 66.

crossed the firth by the Earl's Ferry to visit his nephew, Archibald, the eighth earl of Angus, at St. Andrews, where he was then a student.[1]

The story of North Berwick as a burgh begins with the year 1373. A hamlet had no doubt grown up under the walls of the nunnery, the inhabitants of which cultivated the lands of the sisterhood, and found them in fish for the many fasting days of the church-year. It was not the prioress, however, but William, the first earl of Douglas (who had come into the Earl of Fife's room as baron of North Berwick), that took steps for making the vill into a free burgh. Before 1370 the King's burgh of Haddington had a monopoly of the trade in staple and foreign goods throughout the constabulary of the same name, which of course included the barony of North Berwick. In that year George, the tenth earl of March, had procured a charter from King David II., erecting his burgh of Dunbar into a free burgh with the whole earldom of March for its trade-precinct.[2] Three years after, King Robert II. granted the Earl of Douglas a free port at North Berwick, so that wool, woolfells, and hides might thence be sent abroad, and there should be there stationed Customars to take up the King's Great Custom on the goods with a tron and a tronar to weigh them. On 26th April, 1373, the earl seals a Notandum to the effect that if and when it should seem to the King or his heirs that the grant was hurtful to their estate he would resign it.[3] It was from the port thus originated that James, the only surviving son of Robert III., embarked for France in 1406. When the ship had got as far as Flamboro Head the prince was treacherously seized by the English, and

[1] Malcolm Laing's *History*, i. 41. It was then Bothwell made Morton aware the queen was resolved to be quit of Darnley, and put him in the dilemma he alluded to just before his execution fourteen years later. True, he had been let know Darnley's life was to be attempted. But to whom could he reveal it? To the Queen? She was the author of the plot. To Darnley himself? He was 'sic a bairn' that there was nothing told him but he would repeat it to her.

[2] *Municipal Commissioners' Report of* 1835, i. 224. The expression 'King's burgh' did not cover all the burghs which had the privilege of foreign trade. A bishop's burgh like St. Andrews, an abbot's burgh like Arbroath, a prior's burgh like Whithorn, an earl's burgh like Wigtown, and a baron's burgh like Dysart, all having this privilege like the royal burghs, were included under the more general expression, 'free burgh.'

[3] Registrum Honoris de Morton. *Proceedings of Scottish Antiquaries*, xx. 57. No doubt North Berwick's trade-bounds were those of the barony, but this does not anywhere appear.

we have already noticed how he treated Murdac, Earl of Fife, when he returned to Scotland in 1424. From North Berwick, too, in 1491, King James IV.'s ambassadors to Charles VIII. of France took their departure, Dunbar the poet very probably one of the company. The King's Treasurer repaid Lord Bothwell £26 13s. 4d. 'quhilk the King gart him gif to the shipmen of the Katryn besyd Northberwic quhen the Imbassatouris past in Franss.'[1]

The grant of a free port at North Berwick was never recalled, but, as early as 1426, the burgh had come to hold not of the Earl of Douglas, but of the King.[2] In that year the burgh appears as having a lease of its fermes, issues of court, and petty customs at 26s. 8d. a-year from James I.'s Chamberlain, Sir Robert Lauder of the Bass. In 1429 the burgh paid £2 under a Chamberlain's lease: in 1434 it paid 28s. and in the years 1480-7 it paid £1 yearly by the King's tolerance. In 1506, by charter from James IV., the burgh was 'affirmed,' that is to say, the fermes, issues of court and petty customs were no longer to be accounted for in detail, and were converted into a fixed perpetual fee-farm rent or feu-duty of £1.[3] In 1481 North Berwick first appears as sending a commissioner to the parliament.[4] In 1568 the burgh had a charter of Novodamus from James VI. reciting the loss of its charters through a recent burning by the English: the reddendo in that charter is simply 'Service of Burgh Used and Wont.'[5] The first Extent Roll we have of the Burghs besouth Forth is of the year 1535: and North Berwick appears as paying £11 5s. to the national finance as contrasted with Edinburgh's £833 6s. 8d., Haddington's £101 5s., Dunbar's £22 10s., and Lauder's £22 10s. In 1556 the burgh's proportion of taxation was £2 17s. 6d. to Edinburgh's £208 6s., Haddington's £25 6s. 3d., Dunbar's £5 12s. 6d., and Lauder's £5 12s. 6d.[6]

In September, 1498, the town of Earlsferry first appears as a

[1] *Treasurer's Accounts*, i. 179.

[2] How this came about does not appear. Murdac, Duke of Albany, Earl of Fife, had been forfeited and executed the previous year. Archibald, the fourth earl of Douglas, had fallen on the field of Verneuil in 1424.

[3] *Exchequer Rolls*, xii. 480.

[4] *A.P.*, ii.

[5] *Reg. Mag. Sig.*, iv. 464.

[6] *Records of Convention of Burghs*, 1295-1597, p. 514, and 1597-1614, p. 488.

place of trade. The relations between England and Scotland were then very friendly. King James IV.'s councillor and protonotary, Andrew Forman, Prior of May, had succeeded in negotiating a treaty of peace, the first since 1332, and arranging for his master's marriage with the English princess Margaret. We find the King sending the Prior of May letters empowering him to grant safe-conducts and protections for their ships and servants to all Englishmen coming to Earlsferry or the neighbouring coast-towns of Pittenweem, Anstruther, and Crail.[1] In 1541 the town made out a claim to have been a free burgh beyond the period of legal memory. Before the battle of Pinkie Cleugh (fought 10th September, 1547), the bailies, council, and community had been cited before the Lords of Session by the Abbot of Culross for an annual-rent or feu-duty, which he said they owed to his convent. They had made Master Hugh Rig, an advocate, their procurator, and sent him to Edinburgh with all their deeds and charters.[2] After the battle Edinburgh was burned by the English, and the documents were lost with the exception of one instrument, which was returned to the Earlsferry magistrates by one Master Thomas Ramsay, who had taken Rig's widow to wife. This instrument showed that in October, 1541, the bailies of Earlsferry had appeared in parliament at Stirling, brought thither by the Abbot of Culross: and they had there and then protested that their burgh was a free burgh, and had been so reputed past memory of man. This had been made manifest to the King (James V.) and the Estates of the realm by the testimony of their neighbours, the burghs of Cupar, St. Andrews, Crail, and North Berwick: and no objection had been taken by any man.

On 21st May, 1572, in the regency of the Earl of Lennox, then resident at Leith, a charter passed the Great Seal by which Master Alexander Wood of Grange acquired a hereditary right to 'the Earl of Fife's ferry called Earlsferry,' with the haven, anchorages, ferry-dues, and other profits. It proceeds on a recital that the ferry had long been so little used that mariners and porters had been forced to desert the town and go to other parts for a

[1] *Lord High Treasurer's Accounts*, i. clviii. Forman became Bishop of Moray in 1501, and Archbishop of St. Andrews in 1514.

[2] This Hugh Rig may have been the same with Hugh Rig, one of the four persons whom the Regent Arran chose to assist him when the country was threatened with the English invasion: George Buchanan describes him as a man of great size and strength, but with no knowledge of military affairs. Very likely he fell at Pinkie.

livelihood, and that something should be done to bring back the porters, and reinstate the haven, and so hinder foreign enemies from descending on that part of the country and ravaging it. Alexander Colville, then commendator of the Abbey of Culross, it appears, was still urging a claim against the burgh of Earlsferry. He was bought off. He and the convent executed a letter consenting to Wood's grant; but that was made conditional on payment by Wood and his heirs every year of one penny to the King and ten shillings to the commendator and convent.[1]

In 1589 the burgh of Earlsferry made good its position so far as the King's charter could do it. What had occurred in 1541 was represented to the King (James VI.): and a charter of 3rd April, 1589, passed the Great Seal, by which, after reciting the story of the loss of all the burgh's charters except the one instrument saved by Hugh Rig's widow, and that there were a multitude of poor people in the burgh, and it was very expedient their harbour should be reinstated, and that the town had been of old beyond the memory of man erected into a free burgh and was so reputed, the King granted and confirmed to the bailies, council, inhabitants, and community, and their successors for ever, the burgh and its port as a free royal burgh, with power to 'pack and peil,' *i.e.* to make up and take down bales of merchandise, and to buy and sell all sorts of goods including staple-goods and foreign commodities; and to elect magistrates and other officers; and to set up a tolbooth and a market-cross, and hold a market on two days in every week, and two fairs every year, each to last eight days; and to levy petty-customs on goods coming to the market or the fairs, and also anchorage-dues on ships or boats using the harbour. The reddendo to the King was left blank in this instrument.[2] How far it stood alongside of Wood's prior grant of the harbour and its profits does not appear. One well-settled rule of the Scots Law of the time was that the King did not warrant his grants: we often find two royal grants that won't stand together.

But apart from this, the community of Earlsferry had to reckon with the jealous and exclusive burghal spirit of these days. The burgh did not succeed in having its status recognised by

[1] *Reg. Mag. Sig.*, iv. 540. Wood's grant was still subsisting in 1589, for in that year James Colville of Easter Wemyss had a grant from the King of all the lands and revenues of the Abbey of Culross, including an annual rent of 16s. (*sic*) from 'the tenement of Master Alexander Wood in Erlisferrie.' *Ibid.*, v. 575.

[2] *Reg. Mag. Sig.*, v. 366.

the Convention of Burghs, though James VI.'s reign was the time also of the setting up and recognition of Earlsferry's neighbours, Kilrenny, Anstruther Easter, and Anstruther Wester. At the sitting of the burghal parliament on 11th June, 1590, Earlsferry's commissioner, David Strachin, appeared and craved that it should be admitted and enrolled as a free burgh conform to the King's charter of the previous year, which he exhibited. The Convention refused to consider the supplication 'in respect of thair knawlege of the inhabilitye of the said toun quhilk in caice of thair admissioun suld be veray preiudiciall to the haill estait of frye burrows.' Their meaning was that they were satisfied Earlsferry would not be able to make any substantial contribution to the Extents imposed by parliament on the free burghs for national finance, and should therefore not be recognised as sharing in their privileges. Not only so, but the same day they imposed a fine on the commissioner for Burntisland, as he had contravened their statutes by 'making of ane bal' to the commissioner of the unfree town of Earlsferry.[1]

Earlsferry never was recognised by the Convention, and never sent a burgess to Parliament. In 1699 there was, it appears, no trade of any sort in it. In 1707 it was not recognised as a royal burgh to the effect of sharing in the Equivalent stipulated for by the Treaty of Union. In 1766 the burgh was so decayed that there were only eighteen fishermen in it: seven of them were that year lost at sea. In 1793 only a few of the fishermen went to sea occasionally.[2] But one rather notable result of the burgh's having a royal charter is that it possesses a Register of Sasines of its own. Whilst the Act of 1681 introducing such a Register was not observed in Anstruther Easter, Kilrenny, Wick, Dornoch, Inveraray, Inverbervie, New Galloway, and Campbeltown, which were all recognised royal burghs at the time of the Union, the town-clerks of Earlsferry, Falkland, Auchtermuchty, and Newburgh, which were not, did start Registers.[3]

Earlsferry's near neighbour, Elie, appears as the 'port and havin of the Elye' as early as 1491.[4] In the year 1582 Thomas Dishington of Ardross craved the Convention of Burghs for support to the building of his haven there which will be 'ane

[1] *Rec. Conv. of Burghs*, 1295-1597, p. 326.
[2] *Statistical Account.*
[3] *Judicial Statistics (Scotland) Report*, 1898.
[4] *Act. Dom. Conc.*, 203.

very commodious harbory for all schippis and boittis saifty in stormes of wether.' The Convention made him a grant of 300 merks, he to 'wair of his awin gudis' a like sum.[1] Elie was erected into a burgh-of-barony by charter of James VI.'s to Sir William Scott of Ardross, dated 15th March, 1598.[2] The harbour there is said to be the deepest in the firth after Burntisland: in 1600 it was described as 'a heavin necessar and steidabill to the haill traffikeris be sey and thair schipis in tymes of tempest and vthir tymes also.' In 1698 Elie appears as a place with some trade.

We have a doleful account of a passage across the ferry made by the celebrated James Melville whilst he was Professor of Hebrew at St. Andrews. In January, 1585, his wife had given birth to a child whilst he was in exile at Newcastle. He christened the child Ephraim, because God had made him fruitful in a strange land (*Genesis*, xli. 52). The child was left in the care of the friendly Lady Widdrington whilst he and his wife proceeded to London. It was not till September, 1586, that he was at leisure to journey from St. Andrews to Berwick to reclaim Ephraim. He returned by the ferry of North Berwick, his party consisting of himself, the child, his friend Robert Dury, minister at Anstruther, and the child's nurse, who was an English woman, a soldier's wife: there were also two horses. They embarked on a large coal-boat, which had for crew an old man and two boys. The day was fine, and they hoisted sail with a light breeze out of the east. When they were one-third of the way over it fell a dead calm, and it was found there were neither oars nor hands to propel the heavy boat. The nurse fell sea-sick and had swooning fits. Then the child waked and became extremely sick, and there was none but the professor to tend the two, for Dury was labouring at an oar. 'This dreeing, for the space of thrie houres, in end I became dead-seik my selff, so that then it becam a maist pitifull and lamentable spectakle to sie a woman, a stranger, an honest man's wyff, com fra ham to plesour me to be with extream pres apeirand everie minuit to giff upe the ghost': the infant vomiting and himself 'partlie for feir and cair of mynd, and partlie for sear seiknes lifting upe pitifull hands and eis to the heavines, voide of all erdlie confort or helpe of man.' It wanted but three hours of the night coming on, and the nurse must have died if the calm had continued: yet if a strong breeze had come down on them, they could not have made

[1] *Rec. Conv. of Burghs*, 1295-1597, p. 135. [2] *A.P.*, vii. 519.

the land by rowing, and there were no hands fit to tackle the sails. By the tumbling and yawing, moreover, the mast had shaken loose, and the old man being feeble and also hurt, Dury had much ado to secure it. 'At last the Lord luiked mercifullie on, and send, about the sune going to, a thik ear (*i.e.* a fog) from the southeast, sa that, getting on the seall ther was upon hir, within an houre and a halff, quhilk was strange to our consideration, na wound (wind) blawing, we arryved within the Alie, and efter a maist wearisome and sear day, gat a comfortable night's ludging with a godlee lady in Carmury.' In 1586 it would seem there was no regular ferry-boat at North Berwick. The professor in his haste to reach St. Andrews had taken passage in the coal-boat 'weill unadvysedlie,' as he phrases it, and putting himself 'in the graittest perplexitie of any that ever I was in my tyme befor.'[1]

The 27th of December, 1591, was the day of Francis Stewart, Earl of Bothwell's, extraordinary attempt at Holyrood on the persons of the King, the Queen, and Chancellor Maitland. Efforts were made to capture him, and amongst other steps, on 21st January, 1592, the Privy Council issued a proclamation and ordered letters to be sent charging the owners and steersmen of all ships and boats within North Berwick, Leith, Kinghorn, Burntisland, Kirkcaldy, Dysart, North Queensferry, South Queensferry, and Airth, to see that they carried no man out of these ports till they had given up his name to the King's officers.[2] This shows us what were all the important crossing-places of the firth in James VI.'s time. The burgh of Earlsferry is not even mentioned.

On 5th August, 1600, happened the affair of the Gowrie Conspiracy. 'The Erle of Gowrye and his brother in thair awin house ar bayth slane.' The Privy Council required Robert Bruce and the other ministers of Edinburgh to have a thanksgiving service for the King's 'miraculous delyuerie fra that vyle tressoun.' The sceptical ministers—sceptical, that is to say, as regards the King's account of how the earl and his brother met their deaths—were all charged to quit Edinburgh and come no nearer it than ten miles under pain of death. Bruce went to the house of the lady of Whittingham, then to Cowdenknowes in the Merse, and then into Teviotdale. Whilst there he had notice that he was charged to appear before the King and Council at Stirling. To reach Stirling he made use of the Earl's Ferry.

[1] *Diary*, 251. [2] *Register of the Privy Council*, iv. 718.

'Vpoun the morne,' he says, 'efter we had ressavit this charge, I raid to North Berwick and wes in Eist Fentoun all nycht: and vpoun the morne eftir, we crossit the water at the Erles-fferie, quhair I wes werry extreme sick: and eftir we had landit we come first to Mr. William Scottis in Carmurrie.' He journeyed along to Inverkeithing and again 'crossit the wattir at the Quenes-ferrye.'[1] The affair ended in his being banished the country.

Access to the ferry-side was still kept up in 1621. Sir John Scott, the author of *The Staggering State of Scots Statesmen* and a Lord of Session, was then the burgh of Earlsferry's neighbour. His place of Scotstarvit (anciently called Inglistarvet) lay to the north, and the road from the ferry-side to Cupar passed betwixt it and his barns, barn-yards, and stables. He had the King's license to 'ditt up, remove, and destroy' the road on condition of making as large, ample, and commodious a way on the other or east side of the house of Scotstarvit.[2] By 1651 Elie was a more important town than Earlsferry: the ferry itself is described as 'the ferrie near Elie.'[3] In 1692, we are told, North Berwick had neither ships nor ferry-boats, and held neither weekly market nor yearly fair. All ferrying at the mouth of the Forth had entirely ceased. If anybody did cross from the south side Dirleton was the point of departure: from the north, Elie.

The more important ferries from Leith and Granton to Kinghorn and Burntisland, and from South Queensferry to North Queensferry, have been in their turn largely superseded by the Forth Bridge. To-day we cross the gallant Forth upon a causeway borne aloft like the palace of Phoebus on far-reaching pillars:

> 'Regia solis erat sublimibus alta columnis.'

But the memories of our former passages across the blue water, storm or shine, and the records or transmitted memories of such passages by our forefathers, are and will ever be a precious inheritance.

George Law.

[1] *Bannatyne Misc.*, i. 163. [2] *A.P.*, iv. 679.

[3] Mr. Irons's *Leith and its Antiquities*, ii. 51.

The Charitie of the Boxe

UPON a height in Strathearn, long stood the Parish Church of Gask. The oldest available record of this church was begun 233 years ago, and was continued for ten years. Year by year all through this document a continuous list of money received, and money spent in charity, discloses a state of affairs which, in the light of the present system of poor relief, seems primitive indeed. Moneys were collected every Sunday—'boxed' according to the Session-Clerk—and during the week distributed. The Sunday congregation doubtless consisted wholly of peasants, who gave in charity out of a poverty that seems inconceivable in these days. The system was one of deliberately indiscriminate charity, and considering the claims of indigent parishioners, it is wonderful that any sums, however small, were forthcoming in aid of numberless applicants who had no connection with the parish.

The first charity mentioned is on January 18th, 1669. On that day John Oliphant is 'appointed to give to Jeannett Weittit, ane puir woman within the paroch, *ane firlott of oats*.' This woman's name recurs in the first group of Records year after year. 'An Blak' was another dependent on the charity of the Boxe, and at one time the elders counted up, and had it recorded, that 'eleaven persons' of the congregation were in receipt of parish relief. The Sunday collections averaged at this time about twelve shillings Scots, or one shilling sterling. In March, 1669, a new kirk bell was required, 'Taiken from the Thesaurer and gifen to John Murray, Smith, to bouy ane steane of ironne for the bell 1 lb. (*sic*) 8s.,' or two shillings and fourpence sterling. This bell was a heavy expense. 'Gifen to John Murray, in compleit payment for making of the chainzey to the bell 1 lb.' 'Mor taken out of the boxe and gifen to Margaret Smeittoun for meat and drink to the smith and beddell at working and stryking out the irrane for the bell chainzey, eleven shillings

Scots;' and a week later, 'gifen to John Oliphant and John Arnott, wryghtis, to goe to dress the bell to ane farder advysment, ten shillings Scots.' In April, 'John Oliphant gave Margaret Smeittoun, for aill, furnished be her to him and John Arnott, they being dressing the bell, five shillings.' Nor was the thing yet complete. On May 2nd, one pound five shillings (two shillings and a penny of our money) was given to Robert Blak 'to buy ane bell tow.'

The most striking fact is the tramping and begging that prevailed unchecked, and indeed was encouraged by the elders and the minister. Never a week passed without entries such as these—'to ane puir mane,' 'gifen to twa puir men with small children,' 'ane accidentalle stranger,' 'a criple lasse,' 'to a supplicant,' 'to a distrest gentilman with many motherless young ones,' 'to twa impotent lasses.' As to shipwrecked sailors, they could not have more abounded had Gask been a parish on the coast, instead of in the heart of Perthshire, where the people had probably never seen the sea. 'Ane schipbrakin mane, three shillings and fourpence Scots,' 'gifen to ane of the King's blew coats, one shilling,' 'givine to John Murray, a sea brakine man,' 'to a poore duchmann that hade beine cast away at sea, six shillings.' Such entries occur on every page.

Besides these casual beggars, a large number of tramps apparently went from parish to parish with 'recommendations;' it was a countenanced system. In April, 1670, there is the entry 'gifen to ane puir crepell woman of the minister's tikett, two shillings,' and 'to ane John Hay, who had ane recommendatioune to the severall parisches, two shillings;' 'gifen to ane blind man withing the presbetrie of Dumblayne, three shillings.' In 1677, 'gifen out of the box to a supplicant recommended by the Bishop, thirteen shillings.'

Foundlings were rather common. The parishioners seem to have quietly accepted the extra burden. On December 12, 1670, is this entry—'Collected this day twelve shillings, quhilk was gifen to the woman quho hes the chyld that was found in the parish of Glendowein'; and in 1672, 'the minister publicly intimat a collection for the supply of Robert Neil's young motherles child to be the next Sabbath, exhorting the people to be charitable thairto.' The result was four pounds Scots—six and eightpence sterling. The father seemed incapable of himself supporting his 'orphants,' and two years

later the minister and elders are found giving him a 're-commendatioune to the ministers abowt, commiserating his nakedness and his inability to maintain his motherles bairns.' They continued for several years to be an expense to the church.

The death of Patrick Burgh left a heavy burden. His bairns were entirely orphaned. On March 5th, 1676, 'The Session being mett they concludit that they would see who would take Patrick Burgh's bairns, and they judged most convenient to quarter them quarterly, and they wer condiscending quhat ane peck of meall by each honest man in the parish would do for thar meat, and divers offered a peck of meall, and apoyntis a contribution of money be for buying cloaths to thaim.' The two poor bairns were committed to the care of Robert Neil, who got 'two pecks weikly and a merk monethly' for maintaining them. James Ramsay 'gott payment for the working of linsy winsy cloath to Patrick Burgh's bairnes, and they gott six elves and a half of hardin for sarks.' So they were fed and clothed until the beginning of June, 1679, when an entry occurs which throws light on the tender mercies of the righteous. 'The same day the minister and elders, after calling on God, haveing taken to consideration the great burden that the two orphants were both to the parioch and sessione, and considering that the eldest of them was able to travell throw the paroch and seek his meat in the sommer-time, doe appoint Robert Neil to enjoyne him where to goe for the first four or five days till he know quhair to goe, and in the meantime to keep the youngest, till the bairne be removed at the session's pleasour.' This is the last that is known of these poor children, the eldest fairly started on the career of beggary which the Session deliberately chose for him, the youngest left with a roof over his head for a little while longer, till he also be condemned.

On August 29th, 1669, occurs the first mention of 'Geills billie,' when it is recorded that she received from the church funds one shilling and fourpence 'for ane pynt of aill to John Murray.' After this her name frequently reappears, and we gather that she kept a public-house, and was the chosen almoner of the church. In June, 1671, we find 'six and eightpence resting to Geills Billie advanced be her to poore folkes at the Sessione's desire.' The Session borrowed freely from her. She got an entire Sunday's collection for the 'aille' she sup-

OLD KIRK LADLE, FROM BIRNIE, MORAYSHIRE

UNIV. OF MICH.

BEGGAR'S BADGE
KIRKENDBRIGHT PARISH

BEGGAR'S BADGE
EGLESGRIG PARISH, 1773

From *Scottish History and Life* (Glasgow, 1902)

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plied to the boys who brought the timber for the new church pews in 1672. It was in the December of this year that poor Gillies Billie fell into trouble. 'It being reported that thair was late drinking on the Lord's day last, in the house of Matthew Done, brewer in Gask, the Sessione ordaines the beddell to cite the said Matthew and his wife to compeir before thaim.' Don compeired the next Sabbath, and said, 'he knew not who they were that drunk late in his house, except Peter Oliphant.' 'The Session ordaines the Beddle to goe to Geillis Billie, spous to the said Matthew, to know who they wer, and to cite thaim to their nixt meitting.' It is somehow a disappointment to find that loyalty to her friends did not outweigh her duty to the church, 'diverss given up by Gillies Billie to the beddell were cited.' Four were thus betrayed, two pleaded 'they did help to drink but a choppen aill or two in Matthew Donis, and that they wer not late,' the others pleaded guilty to 'foure choppings.' They were rebuked and exhorted 'not to doe the lyk heirefter.' Gillies Billie herself was let off lightly, and afterwards reinstated in the good graces of the elders, as we find her paid in July, 1674, 'for ail to the sklatter that mendit the Kirk fabrike,' and also 'for a quart of ail to the use of George Gloog, quhen he was bigging the church-zaird.'

The beadle was a person of importance, and varied services. On May 29th, 1672, 'The King's birthday and gracious restoring to his Maisties auncient diademis kept. The bedell got the collection.' On the same date in 1678 'what collectione collected was givine to the beddell for ringing the Kirk bell the *most pairt of the whole afternoon of that day*.' No wonder the 'bell tow' required constant renewing. It was a frequently recurring expense.

The chief interest lies in the 'special collections,'—usually for objects entirely outside the parish, and even sometimes outside the country. It might be supposed that the needs of so poor and remote a parish gave sufficient scope for the Charitie of the Boxe, but the people were called upon to subscribe out of their poverty to distant objects.

On December 10th, 1671, 'Intimation of a collection to be the next Sabbath to ane John Cram and his wife in the parioch of Blackfurd, whose houss and meanis thairin wes destroyit by fyre,—and also the people exhorted to pray for the man furious that killed his son.' Fifty shillings was the sum obtained,—

four and twopence of our money,—'for the foresaid John Cram and his wife 'damnifiet by fyre.'

On April 16th, 1676, 'A Collection intimat for liberation of certain Scottis taken by the Turkis, by order from the Presbitrie.' The collection was five and tenpence sterling. In May, 1678, 'The Thesaurer gave to the Minister two pound Scottis out of the Boxe for the use of the mariners *captivated* by the Turks,' and in August of the same year 'The Minister intimat ane collection to be made for a poore scholler named John Andersone, who is at the Colledge of St. Andrews, and is destitute of parents and friend to helpe to maintaine him thereat.' Sometimes less than half-a-crown was forthcoming. Very shortly afterwards the people were called upon to contribute 'for the supplie of the citizens of Glasgow, whose houses were burnt with fire.' In December there was a service of 'publick humiliation, fasting and prayer for his Maiesties preservatioune, and a thanksgiving for his deliverance from the late conspiracie be the papists against him.' The inevitable collection followed. In March, 1679, there was a collection on behalf of 'Mecurius Lascarie and his brother, taken by the Turkis.' We meet with the Turks again in September, 1722, when four shillings Scots, was given to 'Hugh Denington a poor seaman taken by the Turkis, and had his tounge cut out.' In the following year there was a collection 'to the use of the Bridge at Callendar,' and a curious entry on March 5th 'to Solomon, an arabian christian recommended by the Patriarch of Jerusalem, six shillings.' There is also a record of help being given for the 'bridge of Dill.' 'One Pound sixteen shillings Scots was sent to the Manadgers of the said Bridge.' The Gask congregation also contributed towards the bridge over the 'water of Ruchall.' The collection for building a 'Herbour' at St. Andrews realised nine pounds ten shillings Scots. There is some mystery about an entry dated January 3rd, 1731. 'Given to the Minister to be disposed of by the presbytery for the use and behove of *a certain person*, six pounds Scots.' About this time we find a piteous record 'To Thomas Hamilton that lost all by fire, and two children burnet, and had his two eyes burnt out, twelve shillings Scots.' Auchterarder must have formed a far larger and richer parish than that of its neighbour Gask, nevertheless, the Gask people raised two pounds six shillings one Sunday 'For the recovering of a Register of the Presbytery of Auchterarder dureing the time of Eppiescopacie,

and for making of a press for keeping the books of their library.'

But in however generous a measure the people contrived to give, it will be seen that the amount collected in church could never cover the multitude of charities which the Session took upon itself to support. The elders had three chief sources of income,—the church collections and fees,—the hiring out of the *mort cloth*,—and the money paid by sinners after they had 'satisfied' on the Stool of Repentance.

We hear nothing of the mort cloth till after 1721. There is no mention of it in the earlier records, and it may be supposed that the 'mort kists' went bare of the funeral pall until the reports of pomps and ceremonies from more civilised centres roused the parochial ambitions, and a mort-cloth became a necessity, as well as a source of revenue to the church. It was an ample covering of black material, and the charge for the use of it at a funeral varied. On May 29th, 1726, 'The Session having bought a new mort-cloath in Perth, and paid the same, price is one hundred and forty three pounds, twelve shillings and sixpence (scots), and all the Session unanimously agreed that the use of the mort-cloath should be one pound four, within the paroch, and one pound ten without the paroch.' In 1728 'Gifen to David Taylor to buy a bell tow, and tows to the Valet that carries the mort-cloath.' In July, 1732, it required repair; 'To James Darling, merchant in Perth, for sarge and threed to mend the mort-cloath, sixteen shillings.' After these repairs the hire of it rose as high as three pounds.

The money penalties of those who sat on the Stool of Repentance formed a large part of the church's income. About the year 1671 these appearances were very common, and Sunday after Sunday the wretched culprits formed the centre of interest to the congregation, thankful enough at the end of their trial to hand over the money, which finally appeased the wrath of the elders. It was generally about three shillings of our money, but a part of the penalty was often remitted. 'Jonet Widderspoon compeired before the Session, humbly shewing unto thaim that she had nothing to pay her penalty, and offered herself to the Session to sit on the Repentance Stool as long as pleased thaim to enjoyne her. They knowing that she was verie indigent passed fra her penalty.'

The church evidently passed through a time of stress in 1675, the Boxe was at a low ebb, and there must have been an unusual

mortality in the parish. On Oct. 10th, twelve shillings was collected at the service, 'all which is apoynted to be given to the beddell for making poor ones' graves, viz. Patrick Burghs and Neilsons and Gillespie, two travellers, thair two bairnes, that departed in this parish this last week.' The 'bedirll' is described as having had 'much travell concerning things furthering to the communion.' The elders were going through the parish seeing what they could collect for the poor. The marriage pledges at the time were reduced to two shillings. Altogether it was an epoch of depression. At this crisis the bell tow inconveniently broke, and the beadle had to be supplied with funds to buy another. Fortunately Thomas Wanles had just completed his Repentance on the Stool, and handed over what was, however, only a modified fee of twenty-six shillings, and at the same time Hugh Frissell was married and paid twenty-four shillings. These sums were handed to the beadle, and a new tow obtained. But even under severe financial difficulties the Charitie of the Boxe never ceased altogether, the list of those relieved continues with scarcely an interval. 'To four distrest travelers who had lost all by an inundation'; 'Elspet Ronaldson, a poor Object in the Paroch,' 'for making a mort-chist to Elspet Ronaldson, one pound ten'; 'To Robert Gordon a poor seaman, and to A. Keith who wanted one of his hands, seven shillings'; 'To Nill Robertson, being *distracted*, four shillings.' The wording of one entry deserves attention, 'Gifen to ane impotent creple and importunate woman, six shillings.' The beggars went about in groups. 'To Oliver Commik with three children, and other distrest supplicants with him, fourteen shillings.' 'Severall shiptwrackt seamen and their ffamilies, eighteen shillings.'

Close to the site where the old church once stood is a magnificent Spanish chestnut tree, the perfection of size and shape. An entry in the Records in January, 1728, makes one fear that it may be the only survivor of a whole group. 'To the planters who planted the trees in the church yeard, for the use of the poor, six shillings,' and (alas, for the old trees!) 'the Session mett and did sell the old trees in the Church yeard to William Gray of Dipline (Dupplin) to the number of seventeen. The price a hundred and twenty pounds Scottis.' The young trees planted 'for the use of the poor' are no doubt those that at this hour shadow so many nameless graves in the spot, which for many generations, was the last resting place

of the people of Gask; but it is impossible not to regret the seventeen that were old a hundred and seventy years ago.

Perhaps the constant collections were more than the parishioners could stand; at all events an entry in the Records of Dec. 18, 1732, throws some light on their ways of giving when resources were low. The eyes of the elders were upon them and something must be put in. 'The Session mett and compted the Boxe, and found it to be the sum of forty-four pounds, of which there was twelve pound eighteen shillings in money, sixteen pounds sixteen of doits, and *fifteen pounds of ill hapenyes.*'

E. MAXTONE GRAHAM.

Miss Katherine Read, Court Paintress

THE eighteenth century giants of portrait painting, Hogarth, Hudson, Reynolds, Gainsborough, and Hoppner, are rather apt to make us forget a number of other minor workers who, though overshadowed by these Masters, left a great many paintings of great worth, which have hardly yet been appreciated at their right value.

Among these minor painters is Katherine Read, some of whose portraits are frequently attributed to Reynolds himself. Her merit was much more properly estimated in her own time than it since has been. Smollett the historian speaks of her as Miss Read who 'excelled the celebrated Rosalba in Portrait Painting,' and Hayley in his Poetical Epistles wrote:

> 'Let candid Justice our attention lead
> To the soft Crayon of the graceful Read.'

It will therefore not be uninteresting to review the life of this forgotten paintress who was so much esteemed in her own day.

Katherine Read was born in Scotland 3rd February, 1723; and was the fifth of a family of thirteen children, born to Alexander Read of Turfbeg and Logie, a Forfarshire gentleman of good family, by his wife Elizabeth, daughter of Sir John Wedderburn of Blackness, Bart. Her parents were well to do if not rich, and her connections all in what was then styled a 'respectable station in life.'

We have no means of knowing when Miss Read's talent for painting began first to show itself. She probably was educated in Edinburgh, but there is only one legend of her early youth which has come down to us. It is said that, belonging to an ultra Jacobite family,[1] she painted portraits in 1745 of the fair Isabella Lumsden and her brother Andrew Lumsden, and that she encouraged an unfortunate passion for the latter, who fought

[1] Her uncle, Sir John Wedderburn, was executed, as a Jacobite, in 1746. She painted many portraits of the Wedderburn family, and took charge of Sir John Wedderburn's daughters after his execution.

at Culloden, and afterwards became Secretary to the exiled Prince Charles Edward Stuart. How true this is we cannot say, but she was at that time, as her portrait[1] shows, pleasant looking, and all her life she remained on very intimate terms with his brother-in-law Sir Robert Strange, the great Engraver, and with the rest of his family.

Miss Read apparently studied first seriously under La Tour in Paris, for she writes[2] in 1751, 'I hear my old master La Tour is in London, where I don't doubt of his getting money by his great merit and great price, not from his quantity of work, unless he leaves off that custom of rubbing out which he practised but too much, although I can scarcely blame it in him as a fault, as it proceeded from an over delicacy of Taste and not from a light headedness as was aledged, for he has no more of that about him than is natural to and becoming a French man.' And it was when she was about twenty-eight years old that she took the almost unheard-of step for a gentlewoman, at that time, to paint portraits for money. To perfect herself in this, to see the world, and to obtain a vogue, she went by herself, with her eldest brother's help, on the Grand Tour, to Italy, then considered the centre of the artistic world, in order that she might, as she writes, qualify for 'the necessity there is for staying a time in Italy.'

Miss Read settled at Rome and applied herself to cultivating the arts, and her letters are interesting, as they show the life she was forced to lead there. She writes from Rome to her eldest brother on June 16, 1751: 'I have had no money but from you since I came abroad. As I wrote you before, I am obliged to board, otherwise I could live at a third of the expense; this you may believe is no small vexation.'

She studied under a French painter, Blanchet,[3] and also copied pictures, amongst others the 'Van Dike' of King Charles I.'s three children, and some by Carlo Dolce, who *selon les usages d'hier* she much admired. She adds that there were few good portraits in Rome compared to those in England, 'but you know so well the necessity there is for staying a while in

[1] Several portraits of Miss Read exist. One by herself belongs to Mrs. Cox. Another was sold at Messrs. Christie's & Manson's, May 19, 1904, for seventy guineas. It was by Romney.

[2] I have to acknowledge gratefully the loan of MSS., transcripts, and kind assistance from Mrs. Cox, née Douglas, of Brigton, and the Rev. R. Lingard Guthrie.

[3] I cannot identify this artist.

Italy that I need not enlarge on the subject. I apply so constantly and take every decent method of improvement that I think it must be impossible I can miss. I am but in a manner beginning to be known here; last week I was introduced to Cardinal Albani, who is a great Connoisseur, and has one of the most valuable collections in Rome; upon seeing some things I had done he offered me what pictures I pleased to chuse home to my apartment to copy. I pitched upon four heads done by Rosalba for the first essay; I hear she is still alive at Venice in perfect health, but quite blind.'[1] Through the friendship with the Cardinal Miss Read got influence. She painted a portrait of his niece, 'The Princess Gigia' (Chigi) and was also to paint 'a lady who this Cardinal has a great friendship for . . .' and painted as well at the Vatican, for as 'the Pope is just now in the country, petticoats have ye liberty to enter his gate.' She recommends her brother to make his 'wilderness and garden' at Logie into an Italian garden, adding the sage advice, 'In all your improvements pray take care not to correct nature,' and finishes her letter with a pensive thought, 'I cannot help looking on myself as a creature in a very odd situation; 'tis true we are all but strangers and pilgrims in this world, and I ought not to think myself more so than others, but my unlucky sex leys me under inconveniences which cause these reflections.'

Miss Read's next Roman letter, a long one dated January 6, N.S. 1752, shows some of the difficulties and drawbacks under which she worked even in Italy, that classic land of learned ladies. She writes, 'I have painted two Princesses, for which they gave me by way of a present two medals that both together weigh about ten guineas. From the Marchesa Maximy (Massimo) I got a very curious casket or box of ebony, so finely ornamented with oriental stones in imitation of fruits, flowers, birds, etc., that I am told in England it will be worth 40 or 50 guineas. Some people advise me to make a present of it to the Princess of Wales, but I believe I shall rather convert it into money. . . . I had from a Monsignor a ring I believe of no very great value, and I expect in a few days to begin a picture of the Brother of Prince Cheserina (Caesarini), from whom I shall have perhaps some such useless Trinket,— for you must know the Italians despise people so much that are obliged to do anything for money that Mr. Grant thought

[1] We do not find any account of Miss Read's meeting with 'the divine Rosalba,' but she certainly wished to go to Venice for the purpose.

it proper to name no price when the question was ask'd . . . for in this Holy City Pride and Folly prevail so much that every thing is regarded according to the degree of show it makes.' The Paintress continues that she by living much at home had avoided to some extent the few British people in Rome, amongst whom there were very few women, 'some of them I thought were scarce my equals, and others that I was very sure were nothing more,' and that her chief intimate was Abbé Grant, the Scottish Cicerone.[1] 'I never go abroad but with Mr. Grant or some other person of character; that's another odd custom they have here, no unmarried woman is ever seen in the street alone.' She mentions that she was painting a profile 'of the greatest beauty in Rome, nay, I may safely say in the world. She is the Marchesa Gabrielli, a lady of high distinction. As this is for L$^{d.}$ Charlemond, I shall get money for it; take no notice of this for 'tis a secret.' She painted at the palaces of Prince Viana, and worked apparently incredibly hard. 'I have lately painted several heads in crayons merely to try experiments and occupy fancy. I have succeeded beyond my expectation, and do not despair of doing something yet before I die that may bear a comparison with Rosalba or rather La Tour, who I must own is my model among all the Portrait Painters I have yet seen.' In her letter she thanks her brother for his pecuniary help, discusses the difficulties of getting home, and adds that she 'must not forget to tell you likewise that I have the honour to be the first from our Island that ever painted an Italian above the rank of a Priest or an Abbé, whereas I have painted the very first Princes in Rome.'

Her position in Rome is again described more fully in a letter dated the same month to her brother from the Abbé Grant. 'At the rate she goes on,' he says, 'I am truly hopeful she'll equal at least if not excell the most celebrated of her profession in Great Britain, particularly in Crayons, for which she seems to have a very great talent. . . . Was it not for the restrictions her sex obliges her to be under I dare safely say she would shine wonderfully in history painting too, but as it is impossible for her to attend publick academies or even design or draw from Nature, she is determined to confine herself to portraits and one branch of history painting which consists in

[1] Peter Grant, of the Blairfield family, entered the Scottish College at Rome, 1726, died there, 1784. [v. *Dict. Nat. Biog.*] Lady Mary Wortly Montagu describes him in 1753 as 'a very honest, good-natured North Briton.'

single figures . . . the strong byass of genius she has for this sort of painting in doing of Angels, Saints, Magdalens, Cleopatras, etc., would fain make her continue here at least till the end of next summer,' which she could apparently only do if chaperoned by 'some trusty friend,' or 'a person of character,' and at considerable expense. In June, 1752, she was still in Rome gaining many plaudits. She painted Cardinal Albani, Protector of the Empire, and the Abbé Grant writes of his protégée, 'She is the first foreigner that ever one of such personages vouchsafed to sit to.' On 6th April, 1753, she herself writes from Naples, which she was visiting, 'There is a great deal of painting but not many fine Pictures, the best I have seen were in the Palaces of the King, the Prince Subino, and the Duke del Torrey (della Torre). There are likeways some good ones, particularly in one which belongs to the Carthusians, but as these superstitious Biggotts won't allow a female creature to enter their doors, I am deprived of the pleasure I should have had.' She had more liberty in Naples, as a stranger, than in Rome: saw the sights, Portici, Gaeta, and Herculaneum, ascended Vesuvius, and plucked laurel from Virgil's Tomb (a sprig of which she sent to her brother for the handle of a punch ladle!), but did not like Naples on account of its being a 'Paradise inhabited by Devils,' and she was much shocked by a life-sized figure of the Madonna carried in the streets wearing 'a wide hoop'd Petticoat with a full bottom'd Wegg and a great high crown like a lantern.' Shortly after this she went back to London to work at her profession, no doubt under the escort during the journey of 'a person of character.'

The Abbé Grant writes from Rome 24th April, 1754, that news has reached him that her success as a painter in London was then assured. She painted a portrait of Lady Strafford, and he writes that her sister 'Lady Dalkeith was from seeing it determined to employ her soon in doing her son the young Duke of Buccleugh, his two brothers and sister on the same cloth in oil colouring, at the same time it was given to me to understand that she is already come into such great repute that all the fine Ladys have made it to be as much the fashion to sit to my friend Miss Read as to take the air in the Park,' and this news of his 'little woman' gave the good Abbé much pleasure.

Miss Read painted most of the notabilities of her day; she resided first at St. James Place, and after 1766 in Jermyn Street. At the former studio she received her cousin, Sir John Wedder-

burn, who dates his letter 'from Kates,' and from there she was able with 'generosity equal to her talent' to assist her family. Count Frederick Kielmansegge, writing in February, 1762, mentions that he went to her studio 'to see her portrait in pastell of a lady of our acquaintance, Lady Diana Clavering. . . . From the various good portraits I have seen of her I gather that her work is very successful; some of her portraits of the beauties of society were very good likenesses.' She painted a portrait of Queen Charlotte as soon as she arrived in England, and in 1763 she exhibited another picture of Queen Charlotte with the Infant Prince of Wales, which gained her much popularity, and she appears to have received the appointment of Paintress to the Queen.[1]

In 1764 Miss Read had sittings from Lady Susan Fox-Strangeways, the clever and charming eldest daughter of the first Earl of Ilchester, and a romance, of which her studio was the scene, ensued. A young Irishman, William O'Brien, an actor by profession, who had, in spite of the existing prejudice, played in pieces with Lady Susan and her friend, Lady Sarah Bunbury, at Holland House, came to see the portrait. Miss Read saw a flirtation between them, and—in Horace Walpole's words[2]—said to Lord Cathcart, 'My Lord, there is a couple in the next room that I am sure ought not to be together; I wish your lordship would look.' He did, shut the door again, and went directly and informed Lord Ilchester. A complete confession ensued, but Lady Susan was allowed a parting farewell with Mr. O'Brien. Walpole continues, 'On Friday she came of age, and on Saturday morning—instead of being under lock and key in the country—walked down stairs, took her footman, said she was going to breakfast with Lady Sarah (Bunbury), but would call at Miss Read's; in the street, pretended to recollect a particular cap in which she was to be drawn, sent the footman back for it, whipped into a hackney chair, was married at Covent Garden Church, and set out for Mr. O'Brien's villa at Dunstable.' It is only necessary to add that the marriage turned out a very happy one in spite of straitened circumstances, and that Lady Susan's pastel portrait, in the 'particular cap' and with her dog, still hangs at Melbury.[3]

[1] Douglas's *Baronage of Scotland.*

[2] *Horace Walpole's Letters*, ii. 221.

[3] Reproduced in *The Life and Letters of Lady Sarah Lennox*, edited by the Countess of Ilchester, 1901.

This episode does not seem to have in the least impaired Miss Read's popularity. In 1765 she was in as great favour as ever, and Lady Mary Coke writes that the Princess of Brunswick 'was setting for her portrait to Miss Read and her son was to be drawn with her,' and in the same year she painted the Princess of Wales and Prince Frederick. To mention only a few of her sitters makes a pretty long list, for we must include the celebrated beauties, and also many of the notorieties of her day. Among her engraved portraits are Catherine Macaulay, the Historian, represented as a 'Roman Matron weeping over the Lost Liberties of her Country'; William Lord Newbattle and his sister; Anne Luttrell, Duchess of Cumberland; the singer, Miss Powell, Lady Fortrose; Lady Georgina Spencer (afterwards Duchess of Devonshire); 'the celebrated Mrs. Drummond, in the character of Winter'; and last, but not least, the two beautiful sisters, the Gunnings, Maria Gunning, Countess of Coventry (though it is doubtful whether this picture was painted 'directly from life'), and the exquisite beauty, Elizabeth Gunning, Duchess of Hamilton and Argyll. Her portrait, often engraved, is frequently but erroneously ascribed to Reynolds, and this in spite of the 'C. Read, *Pinx*' in the older copies.

Miss Read in 1771 removed to Welbeck Street, and her niece, Helena Beatson,[1] came to stay with her. Miss Beatson was a gifted child with a hereditary genius in painting, and was something of a prodigy, for we are told she exhibited a drawing, 'The Gypsies,' at the Academy at the age of eleven. We catch two glimpses of the mènage from the bitter pen of Fanny Burney. Miss Burney enters in her celebrated journal:[2]

'1774, Feb., Thursday. Mamma took us to Miss Reid, the celebrated paintress, to meet Mrs. Brooke, the celebrated authoress of *Lady Julia Mandeville*. Miss Reid is shrewd and clever, where she has any opportunity given to make it known; but she is so very deaf that it is a fatigue to attempt conversation with her. She is most exceeding ugly, and of a very melancholy, or rather discontented humour. She had living with her Miss Beatson, her niece, who, with Mr. Strange (Sir Robert, the Engraver) and Dr. Shebbeare, formed the party.' Fanny Burney does not appear to have found Miss Read

[1] Daughter of Robert Beatson and Jean Read. She was born 23rd March, 1762, and died 19th Feb., 1839. *Genealogical Account of the Family of Beatson.*

[2] Miss Burney's *Memoirs*, i., p. 273.

congenial, but Miss Beatson seems to have been thought more *sympathique*, as she calls her 'not absolutely handsome, yet infinitely attractive; she is sensible, smart, quiet and comical . . . a most astonishing genius, though never taught. She groups figures of children in the most ingenious, playful and beautiful sanity of attitudes and employments . . . in truth she is a very wonderful girl.'

Miss Burney made on 23rd February, 1775, a second visit, which she also records.[1]

'We then went to Miss Reid, to see her paintings, which in crayons seem really to nearly reach perfection; their not standing appears to me the only inferiority they have to oil colours; while they are new nothing can be so soft, so delicate, so blooming. . . . She is a very clever woman, and in her profession has certainly very great merit; but her turn of mind is naturally melancholy. She is absent, full of care . . . added to which she dresses in a style the most strange and queer that can be conceived. . . . The unhappiness of her mind I have heard attributed to so great an unsteadiness not only of conduct, but of principle, that, in regard to her worldly affairs, she is governed by all who will direct her, and therefore acts with inconsistency and the most uncomfortable want of method; and in her religious opinions she is guided and led alternately by Free thinkers and by Enthusiasts. Her mind is thus in a state of perpetual agitation and uneasiness.'

It was during the year 1775 that Miss Read, accompanied by her niece, Miss Beatson, went to India. Her brother, William Read, was settled at Madras, and their visit was to him, but no doubt there was the desire, which every portrait painter and miniaturist then had, to obtain from the Eastern princes some of the enormous sums they lavished upon English artists, at a time when Reynolds was satisfied with twenty or thirty guineas for a picture.

By the end of the year 1775 her relations in Scotland had received from her a picture of 'y[e] Indian Lady' as an earnest of her work in the East. We do not know much of her life at Madras. In 1777 her niece married there Charles Oakeley, afterwards Sir Charles Oakeley, Bart. In spite of this, however, Miss Read remained at Madras, always occupied in painting. In 1777 she was painting 'The Nabob's Family,' but in that year received an urgent call to Bengal. 'I am clear,' writes a

[1] Miss Burney's *Memoirs*, ii., p. 11.

Mr. Bruce from Calcutta, 'for her coming round to this settlement immediately, where she will find such employment as she chuses, and of course, if not increase, prevent the diminution of her fortune. We have had one tolerable good painter here named' (Tilly) 'Kettle, who acquired a good independency in 3 years. We have now another nam'd Paxton, but he is a very indifferent hand, and yet gets employment.'

Mr. Kyd, a correspondent of hers, writes again in February, 1778, telling her that her nephew John Beatson's schemes of adventuring 'in a most extensive Malay Voyage'[1] had nearly involved her in his shipping speculation, and he also presses her to come to Bengal. 'The propriety of your coming round here without delay, where I am confident (not on my own opinion alone, but on Mr. Hasting's also) that you will have every reason to be satisfied in point of emolument[2] from the exercises of painting, but also enjoying a society far more numerous, not less respectable, and' (shade of Sir Philip Francis!) 'much less divided by Party Spirit, and if I mistake not from your description of things of more liberal sentiments.'

Perhaps ill health was preying on Miss Read's mind, and she dreaded the journey from Madras to Calcutta, for she had been told 'the Packet is 17 days in going, but a ship may bring you in 8 days,' and she never went to her friends in Bengal. She made a will, leaving considerable property to her Read and Wedderburn kinsfolk, at Madras, on the 29th of June, 1778. She was then in bad health apparently, as she directs her body to be buried privately at Madras. She did not die there, however, but embarked, probably as a last chance, on the homeward voyage, and died at sea on her passage home on December 15th, 1778. A. Francis Steuart.

[1] This 'Malay Voyage' was the precursor of the founding in 1786 of Prince of Wales Island (Penang) by Captain Francis Light. At the hoisting of the British flag there Mr. John Beatson was one of the Pioneer witnesses.

[2] The Note Book of Ozias Humphrey, the celebrated miniature painter (*Brit. Mus. MSS.*, 22, 951), gives some interesting notes of the prices of portraits painted in India during his visit there in 1785. Among them are 'Governor General, Rs. 1000'; 'Mr. Hewett, 1000'; . . . 'Mrs. Keighley, 532'; 'Sheer Jung, 600'; 'his two sons, 1000'; 'Gopaul Doss, 800'; 'Raja Maha Narrane, 1200.' He quotes also the prices charged by George Willison of Dundee, a very clever artist who painted in India. 'For a ¾ Portrait at Madras 75 pagodas, at Bombay the same money in rupees; for a half length, 140 pagodas; for a whole length, 300 pagodas'; he says that at Durbar the prices were doubled, and that Mr. Smith's prices were the same as Mr. Willison's. These quotations will let us gauge Miss Read's earnings also.

Some Sidelights on the History of Montrose's Campaigns

THE Red Book of Clanranald—a Gaelic volume notable in the Ossianic controversy—has been largely drawn on by Mr. Mark Napier and other writers on the subject of Montrose's campaigns. The reference of these writers was to an inaccurate MS. translation, and, till quite recently, there had been no publication either of the original or of any translation, with the exception of a small portion of one of the translations which is included in the third volume of Mr. W. F. Skene's *Celtic Scotland.* In the *Reliquiae Celticae* of the late Rev. Dr. Cameron there will, however, now be found (vol. ii., p. 138) the greater portion not only of the contents of the Red Book, but also of those of another and more obscure volume known as the Black Book of Clanranald. The history of the Red Book has, as is well known, been matter of ancient controversy. The Black Book, on the other hand, is quite a modern discovery, and has never been referred to by the historians of Montrose's campaigns. It was picked up by Mr. Skene about fifty years ago, among some old Irish MSS., at a book-stall in Dublin, and was by him restored to the present-day representative of its old possessors, the Macdonalds of Clanranald.

Both volumes are of the nature of commonplace books, largely in Gaelic, but partly in English, manuscripts of the Mac Vurichs, the hereditary bards and historians of the family of Clanranald. Their contents are of the most varied description, including besides the historical portions such heterogeneous material as Gaelic poems, a geography and chronology of the world, elegies on the Clanranalds, clan genealogies, and a satire on Bishop Burnet.

From a historical point of view the portions of the two volumes dealing with Montrose's campaigns are most interesting. They are written of course largely from the standpoint of the clans, and just as Patrick Gordon's *Britanes Distemper* was

written to demonstrate the very considerable part which the Gordons played in these campaigns, and to champion the Marquis of Huntly and his family against the strictures of Bishop Wishart, so the writer of the historical portions of the Books of Clanranald declares that what induced him to write was his seeing 'that those who treated of the affairs of the time have made no mention at all of the Gael, the men who did all the service.' Throughout his hero is not Montrose, but the redoubtable Macdonald—'Sir Alaster, the red-armed horse-knight, the brave and courageous son of Colla Ciotach,' and there is also frequent mention of that no less potent warrior, John Moydartach, the Captain of Clanranald. Nothing is narrated, so the writer says, 'except of the people whom I have seen myself, and from my own recollection am acquainted with a part of their deeds.'

As to the general historical accuracy of the two volumes there can be little question. Their main thesis, that the Gael 'did all the service,' is undoubtedly justified to this extent, that, apart from the directing genius of Montrose, the main heat and burden of the campaigns was borne by Macdonald and his Irishmen, who, as Patrick Gordon admits, were 'so well trained men as the world could afford no better,' and by their Highland allies, particularly the Macdonalds of Clanranald, Glengarry, and Glencoe. The support of the Gordon cavalry would have been invaluable if the leaders of that family had allowed it to be consistent, and, with the exception of the Ogilvies, Montrose had little other effective Lowland assistance.

So also the details stated may be fairly held to be reliable. Several of them are given by no other writers. A great many are corroborated by Wishart, Patrick Gordon, and other contemporaries, and there is little material contradiction between these authors and the Mac Vurichs. The Montrose part of the volume opens with the description of Macdonald's descent on Scotland, of the burning of his ships, which forced him much against his will to remain there, and of his providential meeting with Montrose in Athole. Montrose, we are told, was 'in the character of a timber merchant, with a little bag hanging from his neck'—a character and costume which he soon altered. Three days later he led his army at Tippermuir, clad in trews and armed with targe and pike (Carte's *Ormond Papers*, i., p. 73).

Little is told of the battles of Tippermuir and Aberdeen, and, curiously enough, there are few particulars given of the raid on

THE MARQUIS OF MONTROSE

By permission of His Grace The Duke of Montrose, K.T.

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Argyle's country during the winter of 1644-45, the chief exploit mentioned being John Moydartach's independent predatory excursion, from which he brought a thousand cows to the camp of Montrose. It is also recorded that no fewer than eight hundred and ninety-five Campbells were killed by the Royalist forces.

The battle of Inverlochy is the first event of which full details are given. These in the main agree with the very full account of the battle given by Patrick Gordon. When the writer comes to the battle of Auldearn, however, we get a luxuriance of detail which could have come only from eye-witnesses. Full details are also given of the succeeding battles of Alford and Kilsyth, at both of which the Macdonalds rendered conspicuous service. It will be remembered that shortly after Kilsyth and before Philiphaugh, Macdonald and the bulk of the Highlanders left Montrose to carry on operations against Argyle on their own account. Some account of these operations is given, but practically none of the doings of Montrose after Kilsyth. In short, it will be seen that primarily the books of Clanranald are a history of the part the Macdonalds took in the 'Troubles.'

Another interesting document which has not hitherto been anywhere referred to at length is the exceedingly rare pamphlet entitled, 'A true relation of the happy successes of his Majesty's Forces in Scotland under the conduct of the Lord James Marquiss of Montrose His Excellencie against the Rebels there;—also causes of a Solemn Fast and Humiliation kept by the Rebels in that Kingdom according to a copy printed formerly at Edinburgh. Printed in the year 1644.' One copy, bound up with a number of miscellaneous pamphlets, is preserved in the Advocates' Library, and there are two copies in the Bodleian.

The only writers who have referred to this pamphlet are the latest editors of Wishart, Messrs. Murdoch and Simpson. In a postscript to the introduction to their edition these writers (overlooking, curiously, the copy in the Advocates' Library) mention the copies in the Bodleian, to which their attention had been directed by Mr. C. H. Firth—too late, however, to allow of their making any detailed use of the pamphlet for their work.

The pamphlet must have been written and printed towards the close of 1644. It professes to narrate Montrose's proceedings up to the beginning of November in that year, and concludes with a somewhat meagre and inaccurate account of the skirmishes at Fyvie (October 28-30, 1644). These, the pamphlet in its concluding paragraph says, 'are the last passage of the business

in Scotland whereof we can give any true account. It is likely that he who fell to work so nimbly at the beginning hath not been idle since; the certainty whereof cannot be long suppressed.' It opens with a detailed account of Montrose's doings in England and his abortive attack on Dumfries, prior to his romantic journey in disguise to Tullybelton. Most of the well-known incidents before Tippermuir are described, and there are some picturesque and apparently otherwise unrecorded details of that battle given, such as that the Royalist forces had only one barrel of powder, and that the Covenanters' battle-cry was 'Jesus, and no quarter!'

New light is thrown on the murder of Lord Kilpont, of which more details are given than in any other contemporary writing. It tells that Stewart withdrew Kilpont 'to the utmost Centry,' that he had a long and serious discourse with him, that ultimately Kilpont, 'knocking upon his breast,' was overheard to say, 'Lord forbid, man, would you undo us all?' and that Stewart immediately stabbed him with a dirk, striking him fifteen times through the body. It is conceived, the writer goes on to say, that Stewart intended to kill Montrose, and that he had disclosed his purpose to Kilpont, thinking to engage him in the plot in respect of the friendship between them. This account of the affair is in line with Wishart's statement, and is of course in direct contradiction to the Ardvoirlich family tradition which is given in the introduction to Scott's *Legend of Montrose.* Scott regards the family tradition as 'more probable' than Wishart's account, but it may be doubted whether he would have continued to hold that view if he had read the 'Ratification of James Stewart's pardon for killing of the Lord Kilpont,' passed in 1645, one of the rescinded Acts of the Covenanting Parliament, which will be found printed in the Appendix to Mr. Napier's *Memoirs of Montrose.*

The most interesting point connected with the pamphlet, indeed, is its corroboration of Wishart's narrative. It would almost appear to have been one of Wishart's main sources of information for the period with which it deals. It will be remembered that during the earlier portion of Montrose's campaigns, and until after the battle of Kilsyth, Wishart was a prisoner in the Tolbooth of Edinburgh. After Kilsyth he joined Montrose, and his work is, no doubt, to some extent based on personal narratives received from the Marquis and his friends. It is also probable that he relied on contemporary documents like the pamphlet in question.

A few instances will show the remarkable parallels between the pamphlet and Wishart's narrative.

Readers of Wishart will remember the picturesque incident of the Irishman who had his leg shattered by a cannon ball at the battle of Aberdeen, and who boldly amputated it himself and handed it to a comrade for burial, exclaiming as he did so, 'Sure, my Lord Marquis will make me a trooper, now I am no good for the foot!' This tale is to be found only in Wishart and in the pamphlet, and, with a few variations in detail, it is told in both in practically the same terms.

Another instance is the speech of Montrose to his soldiers prior to the final charge in the same battle. According to Wishart—and the incident is recorded by no other contemporary historian—Montrose rode up to his men and addressed them as follows: 'We shall gain nothing, my men, by fighting at a distance. Who can distinguish the strong from the weak, the coward from the brave? Get to close quarters with yon craven feeble striplings; they will never withstand your valour. Fall on them with sword and musket butts. Crush them! Drive them off the field and take vengeance on the traitor rebels.' This oration is, of course, not the sort of thing that would have been really said by a general in the heat of battle. It is just after the fashion of the many well-known speeches put into the mouths of generals by the classical historians. The real speech would have been shorter and more emphatic, and I think the pamphlet gives what is not merely the germ of Wishart's speech, but is probably very nearly the actual words of Montrose. The Marquis, so says the pamphlet, desired his men to 'lay aside their muskets and pikes and fall on with sword and dirk; "for resolution," he said, "must do it." Which they did, the Marquise himself and General Major Mackdonald being upon their head.' This short and pithy fragment sounds more like the real thing.

A minor coincidence is to be found in the narrative of the manner in which the Royalist forces were drawn up for the same battle. Wishart says that Nathaniel Gordon and Colonel James Hay commanded the right wing and Sir William Rollock the left. Patrick Gordon, on the contrary, said that Nathaniel Gordon and Hay led the left wing; and Mr. Gardiner, in discussing the matter, adopts Gordon's narrative, saying that Wishart is 'plainly wrong' on this point. The writer of the pamphlet, however, corroborates Wishart. He says quite clearly that Hay and Gordon commanded the right wing, and Rollock and Sibbald

the left. If Wishart is really 'plainly wrong' on the point, this coincidence is all the more striking. It is worth noting, at the same time, that another Gordon historian, William Gordon, the author of the somewhat rare *History of the Illustrious Family of Gordon*, gives exactly the same account of the matter as Wishart. He, however, belongs to a later generation, and may have simply adopted the bishop's narrative.

George Duncan.

Scottish Industrial Undertakings before the Union

II

The Scots Linen Manufacture (Incorporated by Act of Parliament, 1693).

FROM a very early period rough linens had been made in Scotland. Before the Restoration the methods of weaving were rude, and there was no standard of quality or of the length of pieces. By an Act entitled, 'An Act discharging the Exportation of Linen Yarn,' passed in the first Parliament of Charles II., yarn was to be sold by weight, bleaching by lime was forbidden, and all linens were to be of a certain size, according to their price. By the Act of 1681 for encouraging trade and manufactures, the importation of foreign linens was prohibited. Up to 1681 there had been a considerable trade in linen with the north of England—indeed, the home and foreign trade at this time was sufficient to employ about 12,000 persons in the spinning of flax. The English being prevented from exporting both cloth and linen into Scotland, adopted retaliatory measures, and, as stated in a petition to the Privy Council in 1684, Scotsmen selling linens in England had been whipped as criminals and compelled to give security to discontinue the traffic. The Council recommended the Secretary of State to intercede with the King, in order that the Scots merchants might have liberty to sell their goods in England.[1] In 1686 it was ordained by Act of Parliament that dead bodies should be buried only in Scots linen, and infraction of the law was visited with heavy

[1] Register of the Privy Council, *Acts of the Parliaments of Scotland*, vii. pp. 465, 466; *The History of Civilisation in Scotland*, by John MacIntosh, iii. p. 311.

penalties.[1] This Act was ratified in 1693 and 1695. About this time a number of French refugees, who were expert linen weavers, arrived in Scotland and settled in Edinburgh, near the head of Leith Walk, which was long afterwards known as Little Picardy.[2]

After the Revolution an attempt was made to introduce capital and improved methods by Nicholas Dupin, who had been instrumental in founding the King's and Queen's Linen Corporations, both in England and Ireland. In the latter countries he had obtained patents granting the exclusive right of using certain new or foreign processes, and in each case the shares stood at considerable premiums for some time. It was unlikely that so astute an entrepreneur as Dupin, who could control considerable resources, would leave such a promising field as Scotland untouched; and accordingly, in 1691, he had secured the promise of a patent for Scotland similar to those he had already obtained for England and Ireland. The matter came before the Convention of Royal Burghs in the following October, and evidently the proposed monopoly, as well as the introduction of English capital, excited no little dismay. The Convention summoned a special meeting to consider the grant, and in the meantime they entreated the King that nothing further be concluded in the matter.[3] After the Committee had reported, the Convention declared that no more was necessary to improve the industry than to enforce the existing laws, because the reputation of the nation had suffered greatly abroad through the 'irregularity and insufficiency of the linens exported.'[4] Apparently no notice was taken of this suggestion, and in July, 1692, it was declared that the proposed company threatened to prejudice the state of the Royal Burghs, and that the adjustment of the difficulty required the wisdom of Parliament.[5] At the same time a direct appeal was made to the King, and it was urged that the proposed company would ruin the Royal Burghs.[6] To this the King replied that he would not grant any patents or 'erections' to the prejudice or monopolising of the trade or manufactures of his ancient kingdom of Scotland.[7] So far the Burghs had impeded Dupin's enterprise, and at first sight it would appear they had

[1] *Acts of the Parliaments of Scotland*, viii. p. 598.

[2] *The Huguenots*, by Samuel Smiles, London, 1867, p. 338.

[3] *Records of the Convention of the Royal Burghs*, 1677-1711, p. 146.

[4] *Ibid.*, p. 148. [5] *Ibid.*, p. 164. [6] *Ibid.*, p. 165. [7] *Ibid.*, p. 168.

right completely on their side. It is to be remembered, however, that the monopoly Dupin's Corporations had acquired in England and Ireland was not for the linen trade as a whole, but rather for certain kinds of fine spinning and damask-weaving;[1] and though there appears to be no copy of the patent for Scotland in existence, in all probability the privileges would be the same. As these were new processes in this country, he had a right to a certain measure of protection, though the perpetual monopoly of the specified processes erred on the side of generosity to the inventor. The real reason of the opposition of the Burghs was the long-standing difficulty, which had descended from the gild merchant, in reference to trading relations between free men and those not free of a Royal Burgh. This occasioned much trouble to the Newmills Woollen Manufactory, and was probably the reason of the peculiar manner in which its output was distributed.[2]

Dupin had not waited for the signing of his patent, but had already acquired an interest in suitable works. It would appear that the looms were established in a tenement known as Paul's Work at the foot of the Leith Wynd in Edinburgh. As early as 1609 there had been an attempt to establish a cloth factory at the same place,[3] and in 1681 the works were again started, and the privilege of a manufacture granted the proprietors for the linen and woollen industry.[4] Other works had also been acquired at the citadel of Leith, and by 1693 about 700 persons were employed, and, according to the account of the owners, the linens produced far exceeded in quality those made in England or Ireland.[5]

Up to 1693 the undertaking had been financed by the English Corporation, and the latter had now troubles of its own to face and was unable to provide the capital needed. The pioneer company, without the protection of a patent or

[1] *Vide The King's and Queen's Corporation for the Linen Manufacture in Ireland* in *Journal Royal Soc. of Antiquaries of Ireland*, xxxi. p. 372.

[2] *Vide A Representation of the Advantages that would arise to this Kingdom by the erecting of Manufactories* (Edin., 1683); also the Introduction to the forthcoming edition of the *Minutes of the Newmills Company*.

[3] *The Linen Trade*, by Alex. J. Warden, London, 1854, p. 428.

[4] Acts of the Privy Council, 1682-1685 (under September 1, 1681) *Chambers' Domestic Annals of Scotland*, ii. p. 427.

[5] Parliamentary Papers, 1693 (General Register House, Edinburgh), 'Memorandum anent the advancement of linen cloth,' etc.

any other privileges, could no longer pay its way; and in a 'Memorandum anent the advancement of linen cloth, being considerations on the profits that would arise from the advancement of linen cloth, with a list of the acts and privileges that would cause this Kingdom to flourish by that trade alone,' it is shown that on the winding up of the Company the finer work it had now begun to produce would be transplanted to Ireland.[1] Whereas if more capital were introduced and 'with good wholesome laws,' for the encouragement of the shareholders, 'the linens produced would be cheaper than our neighbour nations to our advancement and their discouragement.'[2] Probably Dupin had at first intended the English Corporation to be the parent undertaking for the three kingdoms, but already it was on the verge of failure—the shares having fallen from 45 to 18 during this same year 1693.[3] It may have occurred to him, considering the natural advantages of Scotland for this industry, to make the Paul's Work the chief factory in Britain. However this may be, he suggested the formation of a new company on a very large scale, with a capital of from £20,000 to £40,000 sterling, which would be specially exempted from attachment from certain outstanding debts already incurred.[4] Apparently the existing company was a direct successor of the partnership of 1681, for it is also asked that the period for freedom from taxes (which in that case would expire in 1700) should be prolonged.[5] The places where food was supplied to the work-people should be free of taxes also; and, as in the case of the Newmills company, any drink consumed by them from excise duties.[6] The laws regulating the quantity of linens should be enforced, and finally the company asked to have a royalty of 2d. Scots on every ell of linen sold in Scotland to maintain servants to measure, mark and seal it, and 'to give good example and instruction in every shire about the goodness of it,'[7] whence it seems to follow that the competitors of the company were to be taxed to advertise the product of their rivals!

[1] Parliamentary Papers, *ut supra*, f. 7. [2] *Ibid.*, f. 2.

[3] *Vide* article on '*The King's and Queen's Corporation for the Linen Manufacture*,' *ut supra*, p. 364.

[4] Parliamentary Papers, 1693, 'Memorial,' *ut supra*, ff. 5, 6.

[5] *Ibid.*, f. 7. [6] *Ibid.*, f. 4. [7] *Ibid.*, f. 8.

On the recommendation of the Committee of Trade, Parliament decided to encourage the company, and no less than three Acts were passed in June 1693 in its favour. With special reference to the industry as a whole, all linens were to be of uniform size and quality, and, as a guarantee of this provision being carried out, all pieces exposed for sale must bear the seal of a Royal Burgh—the fee for sealing being 8d. Scots per piece. In future, no yarn was to be exported, and it must always be sold by weight.[1] By another Act, the Company obtained the following privileges. It had the right (confined by the previous Act to the Royal Burghs) of affixing a seal to linens from its looms, duties on its exports were remitted for twenty-one years, and all drink consumed by the work-people was free of taxes. All the privileges of the Act of 1681 for encouraging trade and manufactures were also granted. It was also enacted that the undertaking could not be wound up without the consent of three-fourths of the shareholders, and that a transfer in the books of the Company was sufficient evidence of the ownership of shares.[2] About the time this Act was obtained, the shares began to be dealt with in London, but no record of the prices realised has been preserved.[3]

Dupin, in his 'Memorandum' to the Committee of Trade, had mentioned a capital of between £20,000 and £40,000 sterling as being required. This was a much larger amount than that invested in the Irish or English Corporations, the capital of the former having been £5000, and that of the latter probably under £10,000.[4] In view of the very meagre amount of the resources of Scotland available for investment, as shown by the difficulty Dupin found in obtaining even a part of the £4000 required for the Scots Paper Manufacture, as well as the embarrassment of the English Linen Corporation at this time, it was only to be expected that very little of the total amount required was subscribed. The issue of stock, however, was not a total failure, for it is recorded that Sir John Foulis of Ravelston and members of his family owned shares,[5] still there

[1] *Acts of the Parliaments of Scotland*, ix. pp. 311, 312. [2] *Ibid.*, p. 316.

[3] *Houghton's Collections for Husbandry and Trade*, London, 1691-1703, under May 16th, 1694.

[4] *Vide* article *ut supra*, pp. 373, 375.

[5] *The Account Book of Sir John Foulis of Ravelston*, edited by Rev. A. W. C. Hallen, (Scottish History Society, 1894), pp. 183, 222, 223.

are reasons to believe that only a small sum was provided, and the whole enterprise was, therefore, in danger of never obtaining a fair start; but, immediately it became apparent that sufficient subscriptions would not be obtained, Dupin re-opened negotiations with the Royal Burghs for financial assistance. On the analogy of the constitution of the Dutch East India Company, he represented that a part of the capital required should be invested by the Royal Burghs, a course which was rendered legal by the precedents for municipal trading dating back to the time of Charles I. An agreement was signed by the Royal Burghs on May 28th, 1694, which provided that the capital of the Company should be fixed at £30,000 sterling, divided into 6000 shares of £5 each. On the lines of the Fishing Company established in the reign of Charles I., it was provided that half the shares should be offered for subscription in England, and that the management should be divided between the subscribers of the two countries equally.[1] As in the English Corporation, the Board was to consist of 30 assistants, from whom the governor, deputy-governor, and treasurer were to be chosen.[2] The voting rights were limited to one vote for every five shares, with the proviso that no holding of shares entitled the owner to more than five votes, or, in other words, any investment beyond £125 sterling had no vote.[3] Shareholders were entitled to a separate certificate for *each* share.[4] As in the White Paper Manufacture, Dupin was to receive 8/ per share, or 12½ per cent., for his efforts prior to the incorporation of the Company.[5]

The Royal Burghs, as a whole, had not come forward to subscribe, and in July few were interested in the Company. The Convention, after deliberation, recommended any burgh interested in the linen industry to join Dupin's Society,[6] so that it may be concluded that only a small part of the total capital proposed was actually paid up. Still, the increase to the

[1] *Articles of Agreement made and agreed on this twenty-eighth day of May, in the year of our Lord* 1694, *between the Royal Free Burrows. . . . of Scotland, who shall be pleased to subscribe and be concerned in the Scots Linen Subscription Book for the Linen Manufacture in that Kingdom on the one part, and Nicholas Dupin . . . in trust for the members who shall be pleased to subscribe and be concerned in the aforesaid manufacture in England, of the other part.* Edinburgh, 1694, pp. 1, 2.

[2] *Ibid.*, p. 5. [3] *Ibid.*, p. 13. [4] *Ibid.*, p. 11. [5] *Ibid.*, p. 12.

[6] *Records of the Convention of Royal Burghs*, 1677-1711, p. 194.

resources of the undertaking was sufficient to secure its financial stability for the time, and, in addition, to enable it to acquire additional properties. In 1695 mention is made of works at Logan's Close, in Leith, and of a bleaching ground at Corstorphine.[1] In the same year the Committee of Trade recommended Parliament to encourage the Company, and permission was given to bring in such an Act as would be beneficial.[2] Accordingly the Company framed an overture for an Act, which was passed in due course by Parliament, giving the right (already granted by the Privy Council to the Newmills Company) of searching for and seizing linens not in conformity to the Act of 1693. The same measure extended the exemptions from excise to the properties recently acquired by the Company.[3]

In spite of the right of seizure of imperfect linens granted by the Acts of 1693 and 1695, in 1698 the Company complained to Parliament that the true making of linen was not observed, and for this reason Scotch linens were in disrepute abroad.[4] By 1700 the Acts for regulating the quality of linens had ceased to be obeyed, and an overture for a fresh enactment confirming previous legislation was introduced, but it did not become law.[5] Opinions expressed by apparently disinterested persons on the quality of linen made in Scotland were far from being harmonious. A writer comparing the state of manufactures at the beginning of the eighteenth century with the same industries at an earlier date says that 'all sorts of linens are now made finer, broader, and in larger pieces,'[6] and another describes the flax industry in general terms as having arrived 'at a very good degree of perfection.'[7] There is, however, reason to believe these statements were too optimistic. It was said in 1706, that if Scotch linens were rightly made three times as much could be sold abroad.[8] Indeed, there is an accumulation of evidence that fine linens were not produced to any considerable extent in

[1] *Acts of the Parliaments of Scotland*, ix. p. 430.

[2] Parliamentary Papers, *circa* 1695, 'List of Acts to be desired.'

[3] *Acts of the Parliaments of Scotland*, ix. p. 430.

[4] *Ibid.*, x. Appen. p. 22.

[5] Parliamentary Papers, 1700. 'Overture for an Act of Parliament for Measuring and Sealing of Linen and Woollen Cloth.'

[6] MS. on 'Improvements may be made in Scotland for advancing the Wealth of the Kingdom' (Advocates' Library, Wodrow MSS., 33. 5. 16), f. 15.

[7] *A Letter to a Member of Parliament.* Edinburgh, p. 9.

[8] *An Essay on Industry and Trade.* Edinburgh, 1706, p. 10.

Scotland till after the Union. Not only so, but owing to the continued export of defective, and it is to be feared dishonestly described linens, there was a prejudice in foreign markets against Scottish manufactures.[1] These circumstances constituted a serious handicap to the 'Scots Linen Manufacture,' for it could not produce on a sufficiently large scale if it could not find a market abroad, and it could not sell readily either abroad or in England, owing to the prejudice against Scottish linen. It was therefore to be expected that the Company could not continue to pay its way; and it would appear that, during the first few years of the eighteenth century, the undertaking was wound up and the buildings let. An advertisement which appeared in the *Edinburgh Courant* in August 1708 sets out that the undertakers of the woollen manufactory at Paul's Work, at the foot of Leith Wynd, with the several houses there and at Bonnington Mills, are prepared to let these premises, together with 'the money that is paid yearly by the good town of Edinburgh for the maintenance and teaching of poor boys.' This seems to apply to a woollen factory[2] which was situated near the property of this company, and the date at which the linen company retired from business is uncertain.

W. R. Scott.

[1] Similarly the Newmills Company was unable, in 1701, to sell cloth it had exported to Holland.

[2] Some account of this undertaking will be given in a later article.

The Bishops of Dunkeld

Notes on their Succession from the time of Alexander I. to the Reformation

Concluded

AS to the date of Browne's death (see *Scottish Historical Review* i. 428), Gavin Douglas writing to Wyllyamson from Perth 18 Jan. 1515 says the bp. of Dunkeld died 'this Monday 15 Jan.' (Letters and Papers, Henry VIII. ii. No. 44). Mr. A. H. Millar has reminded me that the bishop was a son of George Brown, Treasurer of Dundee, and has pointed to the bishop's founding in the parish church of Dundee an altar dedicated to Saint Mary and the Three Kings of Cologne (see R.M.S. iii. No. 157). Browne's parentage is noted by K.

ANDREW STEWART. Brother of John 2nd Earl of Atholl. See A. F. Steuart's article on the Earls of Atholl in Sir J. Balfour Paul's *Scots Peerage* i. 442.

Myln (pp. 70-71) gives an ugly account of the pressure put upon the canons of Dunkeld by the Earl of Atholl to secure the see for his brother. While the aged Bishop Browne was *in extremis*, a report went out that he was dead, whereupon the Earl appeared at Dunkeld and asked that his brother Andrew, prebendary of Crage (Cragyne) should be elected to the see. Some of the canons being connected with him by blood, and others fearing the loss of their possessions, assented to his wishes. As soon as the funeral of Browne was over the canons convened in chapter, and fixed the day for the election, the absent canons being cited by public proclamation. When the day arrived the chapter with one consent postulated Andrew Stewart, who was then not even a subdeacon.[1] A message was sent to John, Duke of Albany, governor of the kingdom and guardian of the King, who then happened to be in France. He refused to have anything to do with the disposal of bishoprics till he had returned to the country. He landed May 16, 1515. And shortly after the Queen, on the advice of the lords of the council, gave the consent on the part of the King. But the Pope advanced another (see next entry). Stewart was provided by the Pope to Caithness on 2 Dec. 1517 (B. 149).

[1] In James V.'s letter (28 Sept. 1516) to Leo X. he describes Stewart as 'ecclesiae, licet non in sacris, Canonicum.' *Epist. Reg. Scot.* i. 222.

GAVIN (GAWIN) DOUGLAS, Provost of the Collegiate Church of St. Giles, Edinburgh, and Rector of Hauch (*i.e.* Prestonkirk), and Parson of Linton. Hauch has been by some incorrectly understood as Hawick. Linton was assigned at an early date as a prebendal church of the Collegiate Church of Dunbar. He was also Postulate of Arbroath, to which abbey he had been nominated shortly before 13 Nov. 1513 (*Letters and Papers, Henry VIII.* i. No. 4456). At an early date he had been granted the teinds of Monymusk (see Small's *Poetical Works of Gavin Douglas* I. vi.), and he appears to have once held the parish of Glenquhom (Glenholm in Peeblesshire), but the date is uncertain (*Ib.*). He was, 'referente reverendissimo Cardinale de Medicis,' advanced to the see by Leo X. (*Epist. Reg. Scot.* i. 222). He was the third and youngest son of Archibald, fifth Earl of Angus. It was believed at the time that English influence obtained his promotion from the Pope (Myln). Queen Margaret supported his claims with her brother Henry VIII.;[1] and in a letter of Gavin Douglas himself (dated Perth, 21 Jan. 1515—a week after Browne's death) to Adam Williamson, he writes, 'Foryet not to solyst and convoy weyll my promotion to Dunkelden, as ye luf me, for I haf gevyn the money quhar ye bad me.' (Pinkerton, *Hist. of Scotland under the Stuarts*, ii. 464).

On 29 June, 1515, Gavin, elect of Dunkeld, paid at Rome, by the hands of his proctor, 450 gold florins. *Obligaz.* (B. 129.)

After the return of the Governor, Gavin Douglas was judged as having infringed the statutes of the realm, and condemned to imprisonment in the sea-tower in custody of John Hepburne, vicar-general of St. Andrews, *sede vacante*, 16 July 1515 (Letters and Papers, Henry VIII. ii. No. 779). It was about a year before he was released. He was admitted to the Temporalities 16 Sept. 1516 (R.S.S. v. 71). The Pope had frequently pleaded for his release: see letter of 28 Sept. 1516 (*Epist. Reg. Scot.* i. 222).

He was soon after consecrated (according to K., who does not cite his authority) by Archbishop Beaton of Glasgow at his cathedral church. The date of the consecration I have not been able to ascertain. But in the MS. *Formulare Instrument. Ecclesiast.* in the Library of the University of St. Andrews we find what has led Joseph Robertson (*Stat. Eccl. Scot.* i. p. cxxxiii, note) to say that Gavin Douglas was consecrated at St. Andrews by the archbishop of that see, assisted by John, bp. of Brechin, and James, bp. of Dunblane, 'our suffragans.' It was a time, it must be remembered, when Archbishop Forman had been endeavouring to get the Pope to restore to the province of St. Andrews the suffragan sees of Dunkeld and Dunblane. The original bull of Leo X., which effected this restoration, is not now, apparently, extant.[2] But Dunblane being spoken of as a suffragan see rather points to the obligation of Douglas being consecrated by the Archbishop of St. Andrews, for Dunkeld and Dunblane were at the same time restored to the metropolitan jurisdiction of St. Andrews.

[1] 22 Jan. 1515 (Letters, etc., Henry VIII.: ii. No. 47).

[2] See *Stat. Eccl. Scot. l.c.*

In the *Formulare* we find a form of oath taken, or to be taken, at Dunfermline by Gavin promising obedience and fidelity to the Archbishop of St. Andrews. May it not be that Douglas (who might well have disliked being consecrated by his successful rival for St. Andrews) had himself consecrated by the Archbishop of Glasgow, and afterwards took the oath of fealty to St. Andrews? If the consecration were at St. Andrews it would be natural that the oath would be taken there. We await further light on the matter. It should be remembered that the *Formulare* is a book of styles; and cannot be relied on for facts. This fact has been forgotten by Small in his excellent biographical sketch of Gavin Douglas prefixed to his *Poetical Works*.

To obtain actual possession of his see was a task of much difficulty. The adherents of Andrew Stewart were in occupation of the palace and the steeple of the cathedral. And Myln gives a graphic and interesting account of the struggle, in which Douglas was at last successful, on compromising matters with Stewart, who was allowed to retain all the fruits of the bishopric which he had received, and was granted the churches of Alyth and Cargill on his paying to the bishop certain chalders of victual.[1]

He was declared a rebel by Albany 12 Dec. 1521 (*Letters*, *etc.*, *Henry VIII.* iii. No. 1857) and forced to fly into England with his nephew Angus, and was in London in the end of December, 1521. His denunciation as a traitor was ratified under the great Seal of Scotland, 21 Feb. 1522: the fruits of the see sequestrated; and letters were ordered to be addressed to the Pope not to appoint him to St. Andrews or Arbroath (*Ib.* No. 2063). He died of the plague in London in the year 1522, in Lord Dacre's house in St. Clement's Parish, between 10 Sept., when his will was executed, and 19 Sept., when it received probate. The will is printed by Small: (*Poetical Works of Gavin Douglas* I. pp. cxvii. ff.). The *Black Book of Taymouth* (117) gives 9 Sept. 1522 as his obit. Polydore Vergil, the friend of Gavin, gives us the information that 'pestilentia absumptus est'; but he, curiously enough, errs in assigning his death to 1521. (*Hist. edit.* 1556, p. 53.) He was buried in the chapel of the Savoy, where a monument was afterwards placed to his memory.[2]

ROBERT COCKBURN, bp. of Ross. On 24 April, 1524, the Pope translated Robert, bishop of Ross, to Dunkeld, 'now for two

[1] See also *Epist. Reg. Scot.* i. 222. The active part taken by Douglas in the politics of the time must be studied in the records of the civil history of Scotland. His contributions to the literature of the country in his rendering of the Æneid of Virgil are well known.

[2] On 5 August, 1514, the queen-regent wrote to Leo X. requesting that the monastery of Arbroath (vacant by the death of the young Archbishop of St. Andrews at Flodden) should be given to Gavin Douglas (*Epist. Reg. Scot.* i. 199), and sought for his appointment to the primacy. See my notes on St. Andrews in the *Journal of Theological Studies* v. 260.

Gavin Douglas had a natural daughter, maternal ancestor of the house of Sempil of Foulwood. See Pinkerton's *History*, *etc.*, i. 198, note.

years void by the death of Gavin (Galvini).' Revenues, 3000 florins; tax, 350 florins (*Barberini*). On 27 May, 1524, Cockburn's proctor offered 450 gold florins. The bulls are dated 27 April, 1524 (B. 119-30). He witnesses as 'bp. of Dunkeld' on 6 May, 1524 (R.M.S. iii. No. 262), obviously before the bulls had reached Scotland. While Robert was in England, together with Gilbert, Earl of Cassilis, and Alexander Myln (author of the *Vitae Dunkeldensium Episcoporum*), now abbot of Cambuskenneth, as ambassadors to obtain a truce, which was ratified 29 Nov. 1524 (*Fœdera*, xiv. 27), he distinguished himself by the eloquence and elegance of his Latin speech, which was much admired by the English (Lesley, *De Reb. Gest.* 394). While he was in England on this occasion the bulls of his appointment reached Scotland. On 14 Sept. 1524, Robert was admitted to the Temporality of Dunkeld (R.S.S. vii. 92). James V. writes on 15 Sept. 1524 to the Pope (Clement VII.) complaining that he heard that the bp. of Dunkeld had granted pensions from the fruits of the see, and among them a pension to James Creichton, a Dominican friar, who was by his vows disqualified from holding it (T. No. 954).

We find the bp. of Dunkeld in Parliament on 16 Nov. 1524 and 5 July and 3 Aug. 1525 (*Act. Parl.* ii. 285, 291). He was alive 4 Jan. 1525-26 (see charter cited in Macdonald's *Armorial Seals* No. 453). His death can be approximately dated by the next entry. I know no reason to question the correctness of an entry in the Chronicle of James MacGregor, Notary Public and Dean of Lismore (who is said to have died about 1542) where it is said that Robert Cokburne died 12 April 1526 at Dunkeld in his palace and was buried in the choir of Dunkeld. The Chronicle is printed in *Archæologia Scotica*, iii. 318-328. I have no doubt the entry in *Black Book of Taymouth* (120) suffers from error of transcription: (12 April) M.Vc. xxxj. should read M.Vc. xxvj.

GEORGE CHRICHTON, abbot of Holyrood, to which he had been provided as long before as 3 June, 1500, by Alexander VI. *Vatic.* (Brady, B. 182). He was Keeper of the Privy Seal 1515-1528. On 21 June, 1526, the King, with consent of Parliament, ratifies letters of commendation to the Pope for the promotion of George to Dunkeld (A.P. ii. 305). These could not have reached the Pope, when on 25 June, 1526, the Pope provides George, abbot of the monastery of Holyrood, near Edinburgh, to the Church of Dunkeld in Scotland, void by the death of Robert. He is granted leave to celebrate 'secundum usum ipsius ecclesiae,' and to wear a rochette, and other ornaments, after the manner of bishops who are not regulars. He is given leave to retain the house of the manor which he has in the barony of 'Brouken' (? Broughton) of the value of 35 pounds sterling, in lieu of an annual pension on resigning the monastery. *Barberini* and *Chigi.* (B. 130.)

On 17 July, 1526, Franciscus Butrius, merchant of Florence, offers, in the name of 'George, elect of Dunkeld,' 450 gold florins. *Obligaz.* (B. 130). But he had been elected or nominated by the Crown con-

siderably earlier, for we find 'George, bp. of Dunkeld' on 6 April, 1526 (Dunfermline, 375).

In Parliament in 1526, 1527, 1528, 1530 (A.P. ii. 308-334). He concurred in the sentence on Patrick Hamilton 29 Feb. 1527-28 (Keith's *History*, i. 331). For an account of a hospital (two chaplains and seven bedesmen) dedicated to St. Thomas, founded (1541) by Bishop Crichton, near the Watergate of Canongate, Edinburgh, see Maitland's *History of Edinburgh*, 154-5.

In Nov. 1543, he describes himself as of great age, and says 'he may not goodly travel to visit his cathedral kirk' (*Acts and Decreets* i. 520). He must have been a very aged man, for it seems that he had taken his Master's Degree at St. Andrews in 1479 (see D. Laing, *Works of John Knox*, i. 105, note). We find him witnessing 9 Dec. 1543 (R.M.S. iii. No. 2973).

George Crichton died in January (*Epist. Reg. Scot.* ii. 185); before 20 Jan. 1543-44, when a gift was made of the temporality of the see to the Abbot of Paisley (R.S.S. xviii. 24) a reference I owe to Dr. J. Maitland Thomson. The reference in Keith to 'State Letters' (by which he must have meant *Epistolae Regum Scotorum* ii. 183-4) proves that Crichton died, not *on* (as K.) but *before* 24 Jan. 1543-44, on which day Queen Mary wrote to Paul III. announcing the death of George bishop of Dunkeld, and designating for the vacant see the Abbot of Paisley, brother of James, earl of Arran, Governor of the Kingdom. She further prayed that Hamilton, the abbot, might retain the abbey of Paisley, and that from the fruits of the see one thousand pounds Scots might be reserved to Alexander Campbel brother of the earl of Argyll: and begs that if any grant had *per incuriam* been made to Robert Crechtoun (see below) the Pope would declare it null. It is evident that Creighton had been dealing at Rome for the see of Dunkeld before the death of his uncle George. In another letter of 24 Jan. 1543-4 the Queen writing to Rudolph 'Cardinalis Carpensis' urging as above further asks that the Abbot of Paisley when promoted to Dunkeld might be dispensed from wearing the Cluniac habit and wear a rochet, etc. (*Epist. Reg. Scot.* ii. 187).

JOHN HAMILTON, Abbot of Paisley, natural son of James, first Earl of Arran.[1] See close of last entry.

On 17 June, 1544, James, Governor of Scotland, wrote to Paul III. saying that he had written 'once and again' concerning Dunkeld, and had urged that John, Abbot of Paisley, 'germanum nostrum,' should be appointed. He adds that 'a wicked competitor,' by 'largitione,' had caused the matter to be protracted. He expresses much indignation (T. No. 1067). On the 5 Dec. 1544, the Queen wrote to the Pope on

[1] On 18 May, 1525, John *Burnet* [could this be his mother's name ?], a bastard, 'sed de Regia prole natus,' was granted the *commendam* of Paisley. He was then in his 15th year: dispensed for defects of birth and age. *Redditus*, 1000 florins; *taxa*, 600 florins; *Barberini* (B. 206). Admitted to temporality of Paisley, Sept. 1525 (R.S.S. vii. 1).

behalf of Hamilton, and begs that the revenues of the see should not be burdened with more than one pension, namely, of 1000 pounds of 'our money,' to be assigned to 'a certain noble' (not named, but see above). Before this letter can have reached the Pope, he, on 17 Dec. 1544, provides to the church of Dunkeld, void by the death of 'George Chreetoun,' late bishop, John Hamilton, Abbot of Paisley. Two pensions were assigned—one, of 50 gold ducats, to Robert Waucop, presbyter of the diocese of St. Andrews, Professor of Theology; the other, of 1000 pounds Scots, to Alexander Capell [Campbel], clerk of the diocese of Dunkeld. A dispensation for defect of birth is granted to John, and for defect of sight to Robert. Tax, 450 florins. *Barberini* (B. 130-2).

But Hamilton's provision was met by an alleged provision, granted by apostolic authority, to Robert Chreeton, 'provost of the church of Edinburgh.' On 8 Jan. 1546, the question was remitted to several Cardinals to deal with extra-judicially and bring about a friendly settlement. *Barberini* (B. *ibid.*).

In the Parliament held in August, 1546, Hamilton sat as 'elect of Dunkeld' (*Act. Parl.* iii. 468). Creighton was accused in Parliament of having invaded the Queen's right of nomination, and the Advocate in the Queen's name pursued for the reduction of 'ane pretendit decrete given be certane cardinalis deput be the Papis halyness.'

John is 'elect' 21 Aug. 1546; and 'bishop' 24 Aug. 1546 (P.C.R. i. 38, 39). John is bp. of Dunkeld 11 Oct. 1547 (*Id.*) On 28 Nov. 1547 he was, by the Pope, translated to St. Andrews (B. i. 127), but does not appear to have come into actual possession for a considerable time.

On 20 March, 1546-7, the Queen begs from Edward VI. a safe conduct to pass through England for John, bp. of Dunkeld, 'evil vexed with infirmity and continual sickness.' Bain's *Calendar of Scottish Papers* (1547-1564), p. 3.

The date of Hamilton's consecration may be approximately determined by a comparison of entries in the Great Seal Register (iv. 1742, 1836, 1869; and v. 812, 871, and 2292). These point to his having been consecrated between 5 Aug. 1546 and 8 Jan. 1546-7. From the same references (leaving out of consideration the second, which is obviously blundered, and the fourth, which may be blundered) we gather that his translation was between 1 April and 4 Aug. 1549. The fourth reference, if accepted, would put his translation not later than 7 April, 1549, which, however, disagrees with the other evidence.[1]

He is certainly only 'postulatus Dunkeldensis' on 31 July, 1546 (Books of the Privy Council cited in R.A. i. p. lix): and he is 'elect of Dunkeld' on 14 Aug. 1546 (*Act. Parl.* ii. 471). The latter date still further restricts the limits between which his consecration took place.

[1] There is a charter in the Spalding Club's Collections for Aberdeen and Banff (386) which makes 5 Nov. 1555 in the ninth year of his translation, and of his consecration the eleventh. It is evident that whoever drafted the document has erred with regard to both translation and consecration.

Hamilton was translated to St. Andrews 28 Nov. 1547, according to Brady; but on this see my *Notes on the Succession of the Bishops of St. Andrews* in the *Journal of Theological Studies* (Oct. 1903). Keith refers to a charter (Mar), in which Hamilton appears as bp. of Dunkeld as late as 14 June, 1549. It certainly looks as though he was bp. of Dunkeld 15 Sept. 1548 (Hist. MSS. Commission: Eglinton No. 76). And I have little doubt it is Hamilton's enthronement (incorrectly spoken of as consecration) which is referred to by Holcroft in his letter to Somerset 24 July, 1549; 'The busshope of Dunkeld [has gone] into St. Andros to be consecrat busshope therof, making great feastes.' (*Selections, . . . illustrating the reign of Queen Mary*: Maitland Club 37.)

ROBERT CREIGHTON (Creichtoun, Crichton, Creychtoun),[1] Provost of the Collegiate Church of St. Giles, Edinburgh, nephew of Bishop George Creighton (K.). As early as 7 Aug. 1546, Robert Creychtoun was summoned before Parliament as suspected of having procured a papal decree touching the purchasing of the bishopric of Dunkeld in opposition to Hamilton (A.P. ii. 469). See last entry. On Hamilton's translation to St. Andrews an effort was made by the Governor to induce the Pope (Paul III.) to appoint Donald, Abbot of Cupar. This Donald was Donald Campbell, fourth son of Archibald, second Earl of Argyll, who is supposed to have succeeded to the abbacy in 1526.[2] On 26 March, 1548, Cardinal Alessandro Farnese wrote to the Queen of Scots that the Pope was reluctantly unable to do as the Queen wishes in the matter of the appointments to Dunkeld and Glasgow. (*Calendar of Scottish Papers*, 1547-1603, vol. i. p. 103.) In a memorial sent 22 April, 1550, to the King of France by the Queen-Dowager, the Governor, and others, it was declared that the Pope (Julius III.) 'postpones the said promotion [of Donald] to Dunkeld by the importune solicitation and wrong information of one Master Robert Crichton, who on this manner intends to purchase the same, but (without) any supplication or licence of my lord Governor, or any having authority for the time, to the great hurt of the Queen's Grace's privilege, which is and aye has been in use, that no promotion of prelacy pass in Rome, but (without) the prince's supplication therefor.' The memorial then begs the King of France 'to write rycht effectuouslie' to the Pope, the Cardinals, and the French ambassador at Rome to preserve the Queen's privilege (*Register of the Privy Council*, vol. i. p. 91: the document is printed in the appendix to Bishop Keith's *History of the Affairs of Church and State*, vol. i. pp. 440-448, edit. of the Spottiswoode Society).

The matter seems to have been long under consideration at Rome, for on 2 Dec. 1552 we find a record (wrongly supposed by Brady to refer to the dispute between Hamilton and Creighton) as follows: 'Reverendissimus D. Petrus, tituli Sanctae Balbinae presbyter cardinalis, Pachecus, retulit causam Dunkelden, et fuit remissum negotium ad

[1] Younger son of Sir Patrick Creighton of Cranston Riddell.

[2] Certainly the king's letters of commendation to the Pope on his behalf were ratified in Parliament 18 June, 1526 (*Act Parl.* ii. p. 302).

Reverendissimos Dominos de signatura gratiae Suae Sanctitatis, ut viderent et referrent.' *Barberini* (B. 132). On 13 June, 1549, there was a gift to Donald, Abbot of Cupar, of the Temporalities of Dunkeld 'during the vacance of the sege' (R.S.S. v. 23, fo. 33). The see is still vacant on 26 Jan. 1551-2 (*Ib.* v. 24, f. 118). Dr. Maitland Thomson has been so good as to furnish me with the following note. 'I find in *Reg. Sec. Sig.* xxvi. 35 Letters from the Estates of Scotland to the Pope and to the College of Cardinals dated 14 Kal. Oct. (*i.e.* 18 Sept.) 1553, complaining that Robert Crichton had not only solicited Provision to the see of Dunkeld without licence, but had raised an action in the Roman Court against Donald Abbot of Coupar, the queen's nominee, for the fruits of the see, the fact being that neither party had obtained possession and that the matter was pending before the Court of Session. On 12 April 1554 Robert Bishop of Dunkeld is one of the magnates who signs a bond to the Duke of Chattelherault (A.P. ii. 603) and on 1 May 1554 Mr. Alex. Campbell is presented to the Provostry of St. Giles vacant by resignation of Robert Bishop of Dunkeld (Reg. Sec. Sig. xxvii. 66).'

There is no record in the documents printed by Brady of the appointment of Creighton. We find him in the roll of Parliament Oct. 6, 1566 (*Act. Parl.* ii. 607). He was one of the forefaulted by Act of Parliament 30 Aug. 1571, and was a prisoner in Blackness Castle in 1573. He was restored to his rents 20 Aug. 1584 (*Act. Parl.* iii. 373). He grants a lease 21 Jan. 1584-85 (*Laing Charters*, No. 1092).

Creighton, the Primate, the Bishop of Dunblane, and the Abbot of Kilwinning, were the only prelates who dissented from the Confession in the Parliament that convened 1 August, 1560. At the request of the King the Town Council of Edinburgh gave leave for his burial in St. Giles, Edinburgh, 26 March, 1585. (See Dr. Cameron Lees' *St. Giles, Edinburgh*, p. 179), of which church he had formerly been provost. We find 'Robertus Dunkeldensis episcopus' on the Roll of Parliament 31 July, 1585 (A.P. iii. 423). It seems certain that 'Robertus' is a clerical error. We find Peter Rollock appointed bishop of Dunkeld 2 April, 1585, —the see being void by the *death* of Robert (R.S.S. lii. fol. 66). The notice above given as to his burial points to his death being perhaps a day or two before 26 March, 1585.

A few other particulars as to Robert Creighton may be recorded. On 15 April, 1573, it was, *inter alia*, contracted between Sir William Drury, General of Queen Elizabeth's forces, and Lord Ruthven that when the castle of Edinburgh fell into the hands of the English, Robert bp. of Dunkeld, with others, should be 'reserved to be justified by the laws of Scotland' (R.P.C. ii. 218). On 20 Dec. 1573, Sir Walter Ker of Cesford and another oblige themselves under a penalty of £10,000 that Robert, sometime bp. of Dunkeld, on being released from ward in Blackness shall repair to and remain in ward in Edinburgh (*Ib.* 319). For these cautioners were substituted, 4 May, 1576, George Lord Seytoun and the Master of Seytoun, and the sometime bishop was allowed to go to Seytoun or some other place belonging to the said Lord or else to remain in Edinburgh (*Ib.* 521). The tulchan bishop, James Paton, had been

appointed to the see in 1571, and on 27 April, 1573 had, as 'elect,' taken the oath of the King's supremacy before the Privy Council (*Ib.* ii. 223).

On 9 Feb. 1580-81, a very touching supplication of Robert Creighton in his old age and extreme poverty was presented to the Privy Council; and the bishop in possession (Paton) was mulcted to a certain extent for Creighton's sustentation during his life-time (*Ib.* iii. 356-358).

Creighton was the only bishop who had the courage to have an interview with De Gouda in 1562 (*Papal Negotiations with Mary Queen of Scots*: Scottish History Society, 122). He assisted at the baptism of the prince, afterwards James VI., according to the Roman rite, 15 Dec. 1566 (Spottiswoode, ii. 44) or 17 Dec. according to most accounts (see Sir A. H. Dunbar's *Scottish Kings*, 262 note). David Laing considers that the date was Dec. 15 (*Knox's Works*, ii. 536).

APPENDIX I.

Notices of the Bishops of Dunkeld appointed by the 'Popes' during the Great Schism.

ROBERT DE DERLING. Robert de Deriling, bishop elect of Dunkeld, 'per amotionem Johannis ultimi episcopi ab demeritis, consecratus est Romae 30 Oct. anno secundo Pontif. Urban. VI.,' that is 30 Oct. 1379 (*Register* of Alexander Neville, archb. of York). His consecrator was Peter, bp. of Aemonia, or Citta Nuova. Derling served as suffragan of York 1380-1384 (Bishop Stubbs, *Regist. Sacr. Anglic.* (edit. 2nd), p. 197).

NICHOLAS DUFFIELD, Abbot of Pershore. Reference to some of his preferments to English benefices will be found in Stubbs (*l.c.*). He was suffragan of Worcester 1392-1421. He acted in the diocese of Hereford in 1404. He consecrated part of the buildings and the bells of New College, Oxford, in 1400.

WILLIAM GUNWARDBY, Rector of Houghton Conquest 16 March, 1452; suffragan of Lincoln 1431, and of Ely 1448-1454: died 1457. Stubbs (*l.c.*).

Fuller particulars as to these prelates have been collected by Dr. Rogers in his *Rental-Book of Cupar Angus*, pp. 66-71.

The seal of Nicholas is attached to a deed of about 1402, in the Westminster Chapter-house. It bears the legend S. NICHOLAI DEI GRA. EPI. DUNKELDEN, and is described in Laing's *Catalogue of Scottish Seals*, pp. 152-3.

Whether **THOMAS DE LEVINSTONE** Abbot of Dundrennan, who appears with the title of Bishop of Dunkeld, and had with great ability

opposed Pope Eugenius IV. and promoted the election of the Anti-Pope, Felix V., at the Council of Basle, was appointed, about 1440, by the Anti-Pope, or whether, as Mr. Joseph Robertson supposes, he abandoned the falling cause of the Anti-Pope, and was rewarded by the Pope with the title of Bishop of Dunkeld (S.E.S. i. preface, p. xcix), it is somewhat difficult to decide. Against the latter supposition it may be urged that Gunwardby (the Papal nominee) appears to have been acting as suffragan of Ely between 1448 and 1454; and, further, that when a vacancy occurred at Dunkeld Levingstone was not put into possession. On the other hand, if he had been appointed by the Anti-Pope, the fact of his not obtaining possession is at once explained. But further, we must remember that Felix V. (elected at the Council of Basle 5 Nov. 1439) was Duke of Savoy; and among the parts of Christendom which recognised him as Pope was Savoy. Now, on 25 May, 1447, a safe conduct was granted by Henry VI. of England 'pro Thoma de Levingstoune episcopo Dunkeldensi et administratori monasterii Sancti Cristofori extra muros Taurinenses, sacre theologie doctori, in regno R. Anglie ad presens existenti.' (*Rot. Scot.* ii. 330). Felix V. did not die till 7 Jan. 1451. Here, then, we have evidence that Levinston had, in addition to his titular dignity as bishop of Dunkeld, the administration of a monastery outside the walls of Turin, in that part of Italy which recognised Felix. It seems all but certain that he owed this preferment to Felix. Eugenius IV. died 23 Feb. 1447, and the close of the schism was now eminent. It may well be that Levinston was now preparing himself for the altered state of affairs. Scotland, his own country, had several years previously abandoned the cause of the Anti-Popes.

It is with hesitation that one differs from the opinion of so able and accurate a student of Scottish ecclesiastical affairs as Mr. Joseph Robertson, but one has the satisfaction of knowing that the view here contended for is that accepted by Dr. Grub (*Eccl. Hist.* i. pp. 379-380).

After Thomas Levinston's return to Scotland we find him styled sometimes 'bishop in the universal church'—the phrase applied to bishops not occupying a see—and sometimes 'bishop of Dunkeld in the universal church,' doubtless for the purpose of identification. The history of Levinstone's administration of the abbey of Cupar does not concern us, nor do the varying fortunes which attended him in his efforts to retain the rectory of Kirkinner in Galloway, originally granted to him by Pope Nicholas V. The story can be gathered by the curious from the pages of Theiner (Nos. 778, 789). He died before 10 July, 1460, when Pius II. directed Thomas Lawder, Bishop of Dunkeld, to confirm the election of John Hudton as Abbot of Cupar if he found the election to have been canonically celebrated (*Reg. Pii II. anno* 1460, tom xi. fol. 61). This was on the petition of Hudton, who states that vacancy had occurred through the death of Thomas, 'bishop in the universal church.'[1]

[1] Dr. Rogers has discussed the problem relating to Thomas Levinstone in the preface to his *Rental-Book of Cupar*, pp. 48-84.

APPENDIX II.

Addenda from Eubel's *Hierarchia Catholica Medii Aevi*, and *Corrigenda.*

Michael de Monymusk (see *Scottish Historical Review*, i. 320). His *obligavit*, 26 July 1372 (E. i. 241).

Between Michael de Monymusk and John de Peblys we find in E.

ANDREW, dean of Dunkeld, elect, provided by Gregory XI., 17 June 1377 (E. i. 241). Of this bishop, so far as I am aware, nothing is known, and he appears for the first time among the bishops of Dunkeld. Whether he was consecrated does not appear. Perhaps he died soon, or resigned, for see John de Peblys (*S.H.R.* i. 321). There is an *obligavit* of John de Peblys dated 19 Oct. 1379 (E. *l.c.*): but it is plain that this is considerably more than a year after his appointment by Gregory XI.

Corrigendum. See *Scottish Historical Review* l. 319, note [2]. For 'Kethensis' read 'Kethenis.'

From time to time in the course of these Notes acknowledgment has been made of my obligations to Dr. J. Maitland Thomson, Curator of the Historical Department of H.M. General Register House, Edinburgh: but these acknowledgments very inadequately indicate the extent to which I have been throughout indebted to him for his readiness to help out of the great stores of his learning in many cases of doubt and difficulty.[1]

JOHN DOWDEN.

[1] [As these pages were going to press Dr. Thomson sent me a note from a charter in the Slains' Charter-Chest, dated 4 Nov. 1557, being in the eleventh year of John Hamilton's consecration, and ninth of his translation. This further limits the date of his consecration to between 4 Nov. 1546 and (see above) 8 Jan. 1546-47.]

The Homes of the Claverhouse Grahams

POPULAR imagination pictures the Grahams of Claverhouse, through the generations during which they held the property, established in Claverhouse Castle, upon the Dichty, near Dundee. Not a stick or stone of such a structure remains, a fact of significance in view of the survival of its neighbours at Mains and Claypotts. Nor is its complete disappearance—assuming that it ever existed—a tragedy of recent generations. So long ago as 1793 the ruins of the asserted castle were unearthed by a farmer. It follows that if, as the *Statistical Account of Scotland* of that year states, the castle had the famous Graham of Claverhouse as its proprietor, it must, within a period of three generations, have fallen not only into complete decay, but actually have left no trace of its existence above ground. Such a rapid dissolution is well nigh incredible, and in itself tempts the suspicion that the ruin unearthed in 1793 never gave shelter to the Viscount of Dundee, if indeed it ever did to any of his predecessors. It is the purpose of this short paper to offer reasons for concluding that that inference is sound, and that a castle upon the Claverhouse property, at least within the Grahams' tenure of the estate, never existed.

The first Graham who owned the Claverhouse property was John Graham, the son of Robert Graham of Strathcarron and Fintry and his second wife Matilda Scrymgeour. On 9th March 1481, this John Graham obtained a charter of Ballargus in the regality of Kirriemuir. About twenty years later—the transaction can be placed between 1503 and 1511—he acquired the Claverhouse estate also. His principal residence was at Ballargus, a fact which is established by a charter to his grandson in 1541, erecting both properties into a single tenandry under the crown. There was also a residence upon the Claverhouse lands. The widow of the fourth laird dated her will from 'The Barns of Claverhouse' in 1594, and the name survives in a farm house upon the property, hard by the reputed castle. In 1612, again,

there is evidence to the existence of a residence upon the estate. There can be little question that it was the same building as that of 1594. From the circumstance that in the earlier year it was occupied by the dowager lady of Claverhouse the conclusion is suggested that the Claverhouse residence constituted a dower-house, while the family's principal seat was at Ballargus.

Until 1620 Ballargus and Claverhouse remained the two residences of the Grahams. In that year Sir William Graham purchased the estate of Claypotts, upon which there stood the small fortalice or castle which still exists, a building inconvenient and inadequate as a residence. Twenty years later, in 1640, Sir William made a more important purchase of Glenogilvie, near Glamis. From that date evidence points clearly to Glenogilvie as the home of the family.

There is no trace so far of a castle upon the Claverhouse estate. In 1683 there is testimony both to the existence of a residence upon the property and also to its unpretentious character. The first is furnished by Ochterlony of Guynd, who describes the Claverhouse building as the laird's 'special residence.' The second is a statement by Claverhouse himself. He was at that time in negotiation for the purchase of Dudhope Castle, and, writing to Queensberry on 20th March, 1683, bases his anxiety to acquire it on the fact that he possessed no 'house' and had not 'the patience to build and plant.' He expected to obtain, and did obtain very shortly, the constableship of Dundee. He was also on the verge of marriage with the Earl of Dundonald's granddaughter. On the first ground, he required a seat conveniently near to his constableship. On the second, he required a residence able to accommodate a considerable establishment—the town records of Dundee prove that his household at Dudhope was a large one. Neither the old Claverhouse residence of 1594 nor the fortalice of Claypotts was adequate.

In June, 1684, Claverhouse married the Honourable Jean Cochrane. His marriage contract is extant. It furnishes an exhaustive inventory of Claverhouse's properties. The residences at Claverhouse and Ballargus were not of sufficient pretensions to obtain even mention in it. In the light of this document, supported as it is by Claverhouse's letter to Queensberry a few months earlier, supported also by the earlier facts which have been displayed, no other conclusion can be held than that in 1684 there was no habitable 'castle' upon the Claverhouse estate. A

schedule of the Claverhouse properties forfeited in 1690 in the Douglas Inventory confirms the conclusion.

Such a conclusion runs counter to local opinion. One turns to the evidence which is relied on to support the tradition of a castle. Maps, unless they are strictly contemporary, cannot be relied on. There are two which may be mentioned. De Wet's map in 1670 marks Claverhouse with the sign which indicates a country house. A map of 1678 by the Reverend Robert Edwards, minister of Murroes, also shows 'Claverhouse' upon it. But it is obvious that neither map proves the existence of a 'castle.' All that can be stated is that in 1670, that is during Claverhouse's lifetime, there was a residence upon his Claverhouse property. That too is the limit of the inference to be drawn from Ochterlony of Guynd's description, *circ.* 1683, of the Claverhouse building as the laird's special residence.

How then did the tradition of a castle arise. Partly, no doubt, the neighbourhood of Mains and Claypotts suggested that the Claverhouse Grahams must also have had their castle. Chiefly the tradition is to be traced to the discovery in 1793, upon the Claverhouse property, of the ruins of a considerable building. Its site suggested it the home of the Claverhouse Grahams. At once Claverhouse Castle was placed upon the maps. That of John Ainslie in 1794 displays its site, and also the Barns of Claverhouse. Modern maps have followed him without enquiry. Claverhouse 'Castle' was an addition to local antiquities, and the erection of a sham ruin near the site about 1850 riveted belief in its genuineness.

Seeing that the ruin whose foundations were laid bare in 1793 is the single fact supporting the existence of a castle upon the Claverhouse property, what ground is there for accepting it as the home of the Grahams of Claverhouse? In the first place, it must be noticed, that as a habitable structure it was not in existence one hundred and ten years before its foundations were discovered. Claverhouse's statement to Queensberry, his marriage contract, the inventory of his forfeited estates, provide cumulating and unimpeachable evidence to the fact that no castle was upon the property in 1683. Indeed, having regard to the fact that all that remained of the building in 1793 was below the soil, the existence of a habitable structure in 1683 would be surprising, even if evidence were not available to prove it non-existent then.

In the second place, the charter of 1541 erecting the pro-

perties of Claverhouse and Ballargus into a single tenandry proves that at that time Ballargus and not Claverhouse was the principal seat of the family. That it was so is explainable on one of two hypotheses. Either Ballargus was a yet more imposing residence than Claverhouse, or the building whose foundations were unearthed in 1793 was in a ruinous and uninhabitable condition in 1541. On every ground the latter is the more reasonable. In the third place, the character of the building whose foundations were unearthed in 1793 is by no means established. The *Statistical Account* of that year mentions the discovery of the foundations of a 'Popish Chapel,' as it appeared to be, together with such relics as a font and altar. It is more probable that the so-called castle was a religious building, whose ruin dates from the Reformation, than that it was a secular residence.

Granting, however, that the foundations of 1793 were those of a castle, and though the building was a ruin in 1683, it may be suggested that the Grahams of Claverhouse built their castle subsequent to 1541. Such a suggestion is easily countered. It is difficult to imagine a castle built after 1541 an uninhabited ruin less than a century and a half later. It is difficult to explain the so-called Popish Chapel as a part of it, if the period of its construction was after and not before 1541. It is incredible that upon so small a property as Claverhouse, which already possessed one residence, a second residence so imposing as a castle should have been erected. It was not until the time of the fifth laird, Sir William Graham, that the family's possessions became considerable, and he was so far from expending money upon a residence at Claverhouse, that he purchased the manor-house and property of Glenogilvie.

To sum up the matter. The first owner of Claverhouse was a younger son. His father acquired Ballargus for him and settled him there, in a house and upon an estate such as a younger son might expect to enjoy. After his father's death this first Graham of Claverhouse added to his patrimony the neighbouring small estate of Claverhouse, upon which there existed a residence of no pretensions, but adequate to the size and value of the property, a building known then and now as the Barns of Claverhouse. This house thereafter served as a jointure or dower house, while the family seat remained at Ballargus. Early in the seventeenth century, however, the fifth laird of Claverhouse enormously extended the possessions of his family. Glenogilvie,

which a contemporary eulogises as a delightful residence, was one of his purchases, and from 1640 it superseded Ballargus as the home of the family. Claverhouse's mother is styled Lady Carnegie of the Glen in 1651. But in April, 1684, Claverhouse acquired Dudhope Castle. Dudhope and Ogilvie now stood, as Ballargus and the Barns of Claverhouse had stood in the previous century, as the seat and dower-house of the family respectively. Accordingly, it was Glenogilvie that Claverhouse settled in jointure upon his wife in June, 1684. Claverhouse 'Castle' as the home of the Grahams is emphatically a myth.

C. SANFORD TERRY.

Reviews of Books

THE CAMBRIDGE MODERN HISTORY. Planned by Lord Acton, LL.D. Edited by A. W. Ward, Litt.D.; G. W. Prothero, Litt.D.; Stanley Leathes, M.A. Vol. I., The Renaissance, pp. xxxi, 807; Vol. II., The Reformation, pp. xxvi, 857; Vol. VII., The United States, pp. xxvii, 857. Royal 8vo. Cambridge: University Press, 1902-3. 16s. nett each.

THERE is a peculiar sadness attaching to the actual issue of the Cambridge History, for neither Lord Acton, to whom it owed its origin, nor Bishop Creighton, who wrote the short introduction, lived to see the publication of the first volume. We have long assigned to Dr. Creighton a place in the front rank of English historians, but the world is only just beginning to realise how much historical literature has owed to the influence of Lord Acton. No fitter monument could be raised to his memory than this great work on the history of the world since the middle of the fifteenth century. Available historical material has become so abundant that collaboration is essential. No single individual can attempt to do for any lengthy period what Gibbon did for the Middle Ages. Moreover so much good work lies scattered in individual volumes that few private persons can afford to gather a representative historical library; while a distinct step in progress in any department of learning is often marked if and when the results of investigation are focussed within a compassable space. Foreign nations have discovered this long ago: for ten years past historical teachers and readers have gratefully handled the nine volumes of Messieurs Lavisse and Rambaud's *Histoire générale*. Of course such collaborative work has all the disadvantages as well as the advantages of an encyclopædia. The value of the contributions must be unequal, and while some of them may retain their worth for a long time, a great many of the articles must needs be superseded by the results of later knowledge. Moreover, when the greater part of the work is concerned with the history of foreign lands there is the initial difficulty of the need for local atmosphere, which increases with nearness to modern times. In the case of America some attempt has been made to overcome the difficulty, and the history of the United States, is with the exception of the naval warfare, told entirely by American writers. The late Professor Kraus of Munich writes of Medicean Rome and Dr. Emil Reich of Hungary and the Slavonic kingdoms; otherwise the writers in these three volumes are all of the English-speaking races. Naturally there

are a great many Cambridge scholars, but others are by no means excluded. Resident Oxford teachers are not well represented, but many Oxford men tread once again the path which their labours have already helped to make familiar. In the first volume, devoted to the Renaissance, Mr. E. J. Payne deals with the early history of America, Mr. Armstrong tells us of Florentine history in connection with Savonarola, Mr. Burd of Machiavelli, Mr. Horatio Brown of Venice, and Mr. Butler Clark of Spain under Ferdinand and Isabella. The two articles likely to attract the most general attention are those on the Classical Renaissance by Sir Richard Jebb, and the Christian Renaissance by Dr. M. R. James. They make the unfortunate mistake of trying to say too much. At times the information becomes a mere catalogue of names. The interest is smothered under an overweight of imperfectly sifted learning. Perhaps it was difficult to entrust the account of Henry VII. and Henry VIII. to other hands than those of Mr. James Gairdner. He knows so much more about the documentary sources of information than any other living man. But he has said his say on this period of English history in more than one form, and he will not improve upon the account which he has given in his volume on the *History of the English Church.* This opportunity might well have been given to some younger scholar.

In the second volume, dealing with the Reformation, the accounts of Luther and Calvin have been entrusted respectively to the sympathetic hands of Principal Lindsay and Dr. Fairbairn, but while the former is the production of a learned scholar such as we know Dr. Lindsay to be, the value of the latter is discounted by a number of generalisations savouring too much of the religious protagonist. Anglicans have some cause for complaint, for while other forms of the Reformed doctrines are dealt with by sympathetic exponents, the account of the Elizabethan settlement has been entrusted to Professor Maitland. The result is an exceedingly readable summary of and commentary on the events of the early years of Elizabeth and Mary Queen of Scots. Many critics have been annoyed by its 'flippancy.' It is a smart piece of writing even for Dr. Maitland, and, as an article in a Review, would attract interest and attention; but neither in Scotland nor among ecclesiastical historians in England will it be accepted as an authoritative, much less a final, pronouncement on the many vexed questions which it touches. Dr. Maitland writes avowedly as an outsider, and he has made an interesting point in noting the near relation in which the churches of the two countries stood to each other at this moment. But we must regret that of a critic and a lawyer the editors have made an ecclesiastical historian chronicling the deeds of persons whose motives he is incapable of understanding.

The third volume, which is numbered vii. in the series, deals entirely with America, which means, since 1776, the history of the United States. It is doubtless with one eye on the future destiny of the American people and another eye on the immediate American sale that the editors have consented to this somewhat disproportionate treatment

of one part of their subject. American writers have taken the history of their country so seriously and have treated it so voluminously that the English-speaking public will be glad to have the results of their studies in so compact a form. Mr. J. A. Doyle treats here, by no means for the first time, of early English Colonial life; Mr. A. G. Bradley appropriately tells the history of the Conquest of Canada, while Miss Mary Bateson brings her accustomed skill to bear upon the account of the French in America—a subject with which her name is not usually associated. The history of the economic development of the United States by Professor Emery of Yale will be read with interest: the confused details of the years preceding the great Civil War by Professor M'Master are set out with wonderful clearness and are not too overcrowded. This is an exception to the general rule. Most of the writers seem overburdened by the disproportion between their knowledge and the space at their disposal. As books of reference these and the companion volumes will be indispensable. A little more literary grace and a considerable winnowing of the material would have spread their usefulness to all students of history.

A word as to the bibliographies. The books are sorted under heads, but under those heads they are very indiscriminately lumped together. It is useful to know the names of the authors who have dealt with a given subject, but without some word, however short, on the value of their work the catalogue is useless except to a very few. The object of a publication such as this is to help the inexperienced student. As it is the bibliography is calculated simply to confuse him.

DUDLEY J. MEDLEY.

THE CELTIC AND SCANDINAVIAN ANTIQUITIES OF SHETLAND. By Gilbert Goudie, F.S.A.Scot. Pp. xvi, 305, with 42 illustrations. Demy 8vo. Edinburgh and London: Blackwood & Sons. 1904. 7s. 6d. nett.

MR. GOUDIE has done well in reprinting in a collected form, with suitable revision, the papers relating to Shetland which he has contributed to the Society of Antiquaries of Scotland during the past thirty years, and his book affords a notable instance of the virtue of perseverance in the investigation of a definite area. For though it does not pretend to be a complete systematic treatise on the antiquities of the Islands, the general result is fairly representative of the various lines that may be profitably followed by any one aiming at further research. And it would be difficult to find anywhere a field for original investigation more inviting to the student of archaeology, sociology, or local history than in this remote group of northern Isles. Their archaeology has points of contact on the one hand with that of Britain, and on the other with that of Scandinavia, but is to a large extent different from both, and peculiar to its own isolated area. Their history is interwoven with the hazy annals of Celtic Scotland, with the historical Norse Sagas, and with the formal records of feudal Scotland,

so that the study of their successive phases of culture and civilisation presents problems of peculiar interest and intricacy. Towards the solution of some of these problems Mr. Goudie's book contributes materials of value. He alludes to others of them incidentally, but it was not his function to discuss any of them exhaustively. His service to the subjects he has selected for treatment has been to recognise the value of unutilised material, to gather it together, and to place it beyond the risk of future dispersion and loss. In the first section he describes typical groups of the Prehistoric antiquities of the Islands, including the so-called Pictish Castles, three of which he has excavated, and of these detailed descriptions, with plans and drawings, are given. The Celtic Christian period is dealt with by descriptions of the sculptured and Ogham-inscribed monuments, many of which owe to him their discovery and preservation. The Scandinavian era is elucidated by descriptions of the Rune-inscribed monuments and sepulchral relics of the Viking time. A larger section, devoted to what is not the least interesting feature of the book, gives a series of documents in Norse and in Scots, which throw a flood of light on local usages in the transition period after the transference of the Islands to Scotland. The survival of the local authority of government is also fully dealt with, the jurisdiction of the Fouds, Lawrightmen, and Ranselmen of the Shetland parishes having been continued till towards the close of the eighteenth century, and in some cases even into the nineteenth. The last chapters give descriptions of a number of archaic survivals connected with the practical needs of the domestic economy and agriculture of the islands. Excellent illustrations of all these, and of the principal types of the pre-historic antiquities, add greatly to the interest and attractiveness of the book.

JOSEPH ANDERSON.

ANNUAL REPORT OF THE AMERICAN HISTORICAL ASSOCIATION FOR THE YEAR 1902. In two volumes. Vol. I., pp. 648; Vol. II., pp. 527. Vol. II., Sixth Report of Historical MSS. Commission, with Diary and Correspondence of Salmon P. Chase. 8vo. Washington: Government Printing Office. 1903.

THE American Historical Association was founded at Saratoga on 10th September, 1884, and was incorporated by Act of Congress on 4th January, 1889. Its object is 'the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America.' The headquarters of the Association are at Washington, and the annual meetings were at one time held there, but in 1895, with the intent of awakening new interest and attracting the attention of history students, it was determined to hold some of the meetings in other places, especially under the auspices of the general direction of the Universities. In 1899 the Association met at Boston and Cambridge, in 1900 at Detroit and Ann Arbor, Mich., in 1901 at Washington, D.C., and in 1902 at Philadelphia.

The Report of this last meeting with a selection of the papers

read before it is contained in the first of the above volumes. The papers are of wide and varied interest. Some deal with subjects of European interest, such as the French Parliaments and Municipal Problems in Mediaeval Switzerland. Others treat of minute points in American history, useful to writers of history, but hardly of general interest, as for instance a long article on Party Politics in Indiana during the Civil War. A similar article on the Anti-Masonic Party by Charles M'Carthy is made attractive by its exceedingly skilful treatment of the subject. One session of the meeting was devoted to diplomatic history. Mr. Hiram Bingham, Jr., read an interesting account of the Scots Darien Settlement in 1698. A paper by Professor Lindley M. Keasbey of Bryn Mawr College, on the National Canal Policy contains a valuable discussion on the relative merits of the Nicaragua and Panama routes. Since the postulate is that the canal is to belong to the United States, and virtually to constitute its coast line, it is preferable to carry it through Nicaraguan territory, where it will round off the United States possessions and will lie in a fertile country sure to be occupied ere long by American colonists and developed by American capital. The Panama route, on the other hand, leads across an unwholesome tropical forest, cut off from the United States base by hundreds of miles of tangled undergrowth and far south of the natural course of their coasting trade. A paper by Professor William Macdonald of Brown University, 'A neglected point of view in American Colonial History,' is a plea for studying the American colonies as a part of the history of English colonization, as only by such study can American history be known. As he justly says, 'An appreciation of this palpable fact would dissipate the atmosphere of provincialism with which our history is still inclosed.' He makes the interesting point that the West Indian Sugar Colonies and the Thirteen American Colonies should not be separated by the historian. The former were American Colonies, and were to the British Government actually of more importance than those which afterwards became the United States.

In 1895 the Association organised an 'Historical MSS. Commission,' with functions similar to our own. Its sixth Report forms the second volume of the publication now before us, and gives us the diary and correspondence of Salmon P. Chase, the famous anti-slavery worker, Secretary of the Treasury under Mr. Lincoln, and afterwards Chief Justice of the Supreme Court of the United States. The volume contains much valuable matter, but would have been made more useful and more readable by considerable excision. Mr. Chase was a man of ability, but his letters do not do him justice. He had not the gift of letter-writing. His style is bald and jejune, and there is necessarily a good deal of repetition. The most interesting portion of the volume contains the letters from George S. Denison when at New Orleans. The volume is full of names familiar to all of us forty years ago, but whom we are to some extent beginning to forget, Lincoln and Jeff. Davis, Gen. Butler and Gen. M'Clellan, Seward, Summer and Stanton Hamlin, John Jay and Reverdy Johnson. The last of the letters is from Johns Hopkins, then

comparatively unknown, but whose name is now world-wide, and refers to the great foundation which has made him so prominent. A sentence of Lincoln's recalls an active worker in New York now gone. 'What a strong, steady, working, glorious friend you have in Hiram Barney! It is really worth living to have one such friend—so true a man.'

The Index to this second volume is quite inadequate. To make such a book useful it should have an Index as full as those of the *New England Historical Genealogical Register*, or as those in the volumes of the *English Historical Commission Reports*. The Index to the first volume is, however, excellent, and the list of the publications of the Association is most serviceable.

DAVID MURRAY.

INFLUENCE OF THE PRE-REFORMATION CHURCH ON SCOTTISH PLACE-NAMES. By James Murray Mackinlay, M.A., F.S.A. Pp. xx, 463. Demy 8vo. Edinburgh and London: William Blackwood & Sons. 1904. 12s. 6d. nett.

MR. MACKINLAY has written a very useful and entertaining volume. So far as it goes it is unquestionably the best and most exhaustive we have on the subject. Extensive research and judicious criticism are evident on every page. Celtic etymology is beset with very considerable difficulties, and the changes which Celtic names, and names adopted into that language, undergo are often bewildering and marvellous. Eunan is a fair metamorphosis of Adamnan, but Skeulan and Arnold are puzzles. Mr. Mackinlay, however, has not rested on etymology alone; he has called in to his assistance history and hagiology, with the best results.

Wide as Mr. Mackinlay's researches have been, there are two or three works not mentioned in his list of authorities which might have been consulted with advantage—such, for instance, as Colgan's *Acta* and *Trias Thaumaturga* and O'Hanlin's *Lives of the Irish Saints*. A judicious use of these might, I imagine, have enabled him to make his volume more exhaustive than it is.

Chapters v. and following are more satisfactory than chapters i. to iv., for the reason that in the later chapters Mr. Mackinlay has in each of them a definite theme before him, and his paragraphs are well arranged; while in the earlier his theme is too indefinite or too large, and his paragraphs are not well arranged. One is hurried about from one county to another, sometimes in the same paragraph.

After all, the broad proposition that the pre-Reformation Church has had a great influence on Scottish place-names is so obvious that one does not care to spend much time in reading illustrations of it. What one wants to know is how a saint's name came to be associated with this or that place, and why his rather than that of another? Why one saint was more popular than another? And, in the case of Scotland, whether Celtic dedications predominate over Roman, and what led to the selection of this or that saint from the Roman Calendar? We know why the church

at Whithorn was dedicated to S. Martin, St. Rule to S. Rule, and St. Andrews to S. Andrew, but how are we to account for a dedication to S. George near Thurso, or for one to S. Peter at Peterhead, or for Kilpeter in Renfrewshire? One can understand why there are dedications to S. Nicholas at Prestwick and Aberdeen; they are both near the sea; but how comes there to be one to him in the inland town of Lanark? S. Roche, or Rollock, is the patron of those who are smitten with the plague. During the dark and middle ages the plague was perpetually hovering about Scotland. Were there any particular reasons why we should have dedications in Edinburgh, Glasgow, Dundee, Stirling, and Paisley, and not in other places? These and similar problems are those which, as it seems to me, are now waiting to be answered.

Turning to the Celtic Saints whose names appear in the topography of the country, one cannot help admiring the restraint Mr. Mackinlay has exercised in writing about them. With the identification of their names he has as a rule been successful. Their personal identification is another and more difficult affair. The same name was often borne by more than one, and, without their date and day, to tell to which of the ten or a dozen Marnocks, say, a dedication belongs, is often a work of faith or conjecture.

Sir Herbert Maxwell, I believe, has given the right explanation of Candida Casa, or Whithorn. The church was so called because it was built of stone and lime, and to distinguish it from those which, though constructed of stone, were built without lime and were called Black Churches. If correct, this explanation accounts for Whitekirk in Haddingtonshire and Whitekirk in Tyrie, both of which are very ancient dedications.

The mention of S. Ninian's Cross at Paisley recalls the fact that its situation is marked by a Corsehouse. On the Moss of Paisley there was formerly a patch known as the 'Monks' roomes.' I am not aware of a St. Martin's burn in Paisley, but I have seen Martin written for Mirin. There is a Ladyburn, so named after a chapel of Our Lady, and a Ladylane, which in all likelihood has a similar origin. 'Sacel-hill,' now Saucel hill, is rightly derived. 'Chapel,' however, stands for a real chapel. It served the hunting lodge of the High Stewards in the Forest of Paisley at Blackhall. The priest of it is named in the register of the monastery the Chaplain of Blackhall. Crossing to the other side of the country, Magdalene Green or Yard is not the same as Magdalene Gare. *Gare* and *Yard* have different origins. A *gare* is a three-cornered or triangular piece of land. Such a piece forms the east end of Magdalene Green, and is properly Magdalene Gare, Dundee. The modern form of the word is 'gore,' and appears in Gorebridge and Kensington Gore, and is disguised under Magdalene Guard and Guard Bridge. Magdalene Yard is, of course, Magdalene Green. St. Fort, on the other side of the Tay, is, I am afraid, a pure myth, and has been developed out of the Fife pronunciation of Sandford.

To those who care for the subject this book is full of information, and not less of entertainment. To the student of Scottish Hagiology, as well as to the topographer, it will be invaluable, and save endless trouble.

W. M. METCALFE.

Charles II. By Osmund Airy, M.A., LL.D. With portrait. Pp. xii, 416. 8vo. London: Longmans, Green & Co. 1904. 6s. 6d. nett.

In spite of himself Charles II. has always remained an attractive figure, and in reading Mr. Airy's brilliant monograph one falls anew under the spell of its subject. The contrary influences Catholic and Protestant surrounded him from his birth, and the religious conflict soon made him see the wisdom of one of his early governors who bade him 'beware of too much devotion for a King, for one may be a good man and a bad King,' so that he readily followed that instruction, and also that which directed him not to be 'an anchoret or a capuchin' nor 'a Diogenes in your tubb.' The troublous times early displaced any authority his father may have possessed over him, and he fell under the power of his intriguing mother, whose blood bound her to the policy of France, and there he was also soon forced to take refuge. An abortive flirtation with 'La grande Mademoiselle' followed, and the young prince was no new hand at the game [Mr. Airy accepts James de la Cloche du Bourg as his eldest son, born in Jersey in 1646], and was soon after courting Lucy Walter, who as 'Mrs. Barlow' for a short spell claimed to be his lawful wife, when his father's execution, which he was powerless to prevent, opened up a new vista. Over his next few years one would fain draw a veil; the abandonment of Montrose was bad enough, but bad also was the tyranny the Covenanters exercised over the wretched king of their own making. Charles found himself 'The Poore King who had nothing of it but the name,' his power *nil*, his amusements proscribed, except golf which 'not being of the nature of vanity' was permitted. We cannot be surprised when the puppet king escaped in the ill-executed 'Start' to Clova, which brought the Presbyterians to reason and to crown him at Scone on 1 January, 1651. Argyll then played for himself, and offered him the hand of his daughter, Lady Anne Campbell, but this was vetoed by the pride of the Queen mother. The invasion of England, 'Boscobel' and the King's extraordinary escape abroad followed, and in all that dangerous time, and the miserable exile following it, we cannot but wonder at his continuous good spirits in evil fortune. Mr. Airy shows the anxiety of the English for a Restoration at any price for the sake of peace, and gives due credit to Charles' clemency, but he indicates the persecutions by the Anglican Church, and discloses the personal policy of the King, which was absolutely selfish. 'I desire you' (wrote the King to his sister) 'to take as much as you can out of the King of France's head that my ministers are anything but what I will have them,' and with these puppet ministers he entered into that discreditable subordination to France for the sake of a subsidy to free him from the need of Parliamentary supplies, and consequently into the disgraceful Dutch War, a policy which, by reflex action, brought to the popular mind the unpleasant incident of the Popish Plot.

Into the lives of the King, Catherine of Braganza his Queen, the favourites, 'His Clevelands, his Nells, and his Carwells,' and his fondness for Monmouth and the bastards, we happily do not need to enter; but

Mr. Airy has done Louise de Kérouall tardy justice by indicating her refinement and even her dignity, and shows moreover, her empire over the higher feelings of Charles II. Hers, indeed, was the only intellect that could awaken them since his one pure love, his passion for his sister 'Madame,' which revealed itself in such charming letters, had been ended by her tragic death. In conclusion we must say that we are glad the Édition de Luxe of M. Goupil was published in this small form, and we would be grateful if more historians had the pleasant vivid style in which Mr. Airy depicts to us the 'Merry Monarch,' who was meant for things so much higher than those he achieved.

A. Francis Steuart.

The Mysteries of Mithra. By Franz Cumont, Professor of the University of Ghent, Belgium. Translated by Thomas J. M'Cormack, Principal of the La Salle, and Peru Township High School. With Frontispiece, Map, and Fifty Cuts, and Illustrations. Pp. xiv, 239. 8vo. London : Kegan Paul, Trench, Trübner & Co., Ltd. 6s. 6d. nett.

In primitive religion, nothing appears more reasonable than the worship of the daily miracle that gladdened and brightened the earth, and gave to the tiller of the soil his crops ; this was a powerful deity, the veiling of whose face brought storm and disaster. No wonder that homage was paid to him, and temples erected in his honour.

To the elucidation of this Sun-god worship, Professor Cumont has devoted the labour of many years, and in his great work[1] he gives in detail a collection and critical description of the texts, inscriptions, references, and monuments, illustrating the worship of Mithra. In the present volume much of the detail of his discoveries is omitted, and it deals rather with the conditions to which these discoveries lead, and to the light they throw on the history of a faith, that, for a time, seemed likely to supplant the Polytheism of Greece and Rome, and to rival and overshadow even Christianity itself. The gradual development of the worship of the Persian Sun-god is traced from its origin among the Eastern Magi down to its adoption by the Romans, who were the most tolerant of all nations in matters of religion. Rome which before the Christian era had adopted or permitted the worship of Isis, Serapis, Astarte, Bellona, the Magna Mater, and the Syrian Goddess, received the worship of Mithra from the time-expired soldiers who had served in her Asiatic campaigns, and from the traders who followed in the wake of her armies. Adopted at first by the common people, the faith only became fashionable after the initiation of Commodus (180-192 A.D.) as a proselyte, and it then rapidly gained adherents, until it was formally instituted by Aurelian (270-275 A.D.).

From Rome the Mithraic cult was propagated to the limits of the

[1] Textes et monuments figurés relatifs aux mystères de Mithra (Brussels, H. Lamartine.)

Empire in Europe and Africa. In Britain, traces of the worship have been found at Isca Silurum, Eburacum, and Deva, the head-quarters of the second, sixth, and twentieth legions. It appears to have been most popular among the cohorts of German auxilliaries that formed an important part of the British garrison. On the line of the Tyne-Solway Roman wall Mithraic inscriptions are plentiful, but it is only at Borcovicus, where a German cohort (prima cohors Tungrorum) was long stationed that a Mithraum has actually been found. Discovered by accident, and partially excavated in 1822 A.D. by the Rev. John Hodgson, the historian of Northumberland, it was re-opened in 1898 by the Excavation Committee formed in connection with the New-castle Society of Antiquaries. The numerous sculptures and inscribed stones then found are now in the Roman Museum at Chesters, those found in 1822 being in the Black Gate Museum at Newcastle on Tyne, and they strikingly resemble those described by Professor Cumont, which were found in Continental Mithraums.

It is specially noticeable, that at Borcovicus the figures of the Dadophori or torch-bearing attendants on the Sun-god with raised and reversed torches, who are supposed to symbolize dawn and sunset, are duplicated in the same fashion as in a Mithraum found at Ostia; which in its size and general arrangements strikingly resembles the Borcovicus Mithraum. The fact that the camps on the Wall of Antoninus had been abandoned before the cult of Mithras was introduced in Northern Britain accounts for the absence of indications of the worship in them, the most northerly traces of it being found at Bremenium, a Camp on the Watling Street on the English side of the Cheviots.

The most interesting chapters are those which treat of the mysteries and the liturgy of the cult of Mithra. There appears to have been a sacrament in some respects resembling that of the Christian ritual, but Professor Cumont discredits the stories of human sacrifices and debased phallic rites attributed to the Mithraic worship. The reproductions from photographs of objects found in Mithraums are excellent in quality, and very fully illustrate the text. The work is that of an enthusiast, and throughout is carefully and well done, and the volume is a most valuable contribution to our knowledge of the religions that flourished under the protection of the standards of Rome. But in spite of all the new light thrown upon this hitherto obscure cult, the mysteries of Mithra are mysteries still.

J. P. Gibson.

Early Britain: Roman Britain. By Edward Conybeare. Pp. xxiii, 251, with map. Fcap 8vo. London: S.P.C.K. 1903. 2s. 6d.

Mr. Conybeare possesses the important qualification of being interested in his subject. But his book cannot be called a good one from any point of view. It is ill proportioned, ill arranged, and, it must be added, ill informed. About forty pages are devoted to 'Pre-Roman Britain,' and more than fifty to the futile 'Julian Invasion,' as against four each to

Agricola and to Hadrian, and a total of fourteen to the campaigns of Severus and the problem of the English Wall. There is no evidence of any serious acquaintance with the materials that have accumulated in recent years. Even the threadbare passages from classical writers are imperfectly known. Thus Tacitus is stated to have been present in person at the defeat of Galgacus, 'the slopes of the Grampians' being airily transported to 'somewhere near Inverness' (pp. 162 f.). Again, the 'famous rampart' between the Forth and Clyde is persistently attributed to Agricola (pp. 163, 198), Lollius Urbicus having only repaired it. '*Caespiticius*' appears as '*caespitius*' on the only two occasions on which it is used (pp. 198, 206). These examples are culled at random from the page or two that deal with North Britain. It would be only too easy to multiply them.

M.

EARLY BRITAIN: ROMAN ROADS IN BRITAIN. By Thomas Codrington. Pp. v, 386, with large chart of the Roman Roads, and small maps in the text. Fcap 8vo. S.P.C.K. 1903. 5s.

THIS little book represents an honest effort to deal with a difficult branch of a large subject. Mr. Codrington is a practical engineer, who fully appreciates the necessity for careful observation and exact record. Unfortunately the materials are scanty, and not always entirely reliable. The volume will be useful in stimulating local research, and also, it is to be hoped, in encouraging what the author himself appeals for, 'that thoroughness without which little result is to be expected.' Naturally, the different sections are of very varying value. Scotland, of course, occupies a very small proportion of the whole. Mr. Codrington, we are glad to see, is familiar with the work recently done by the Society of Antiquaries of Scotland. But Roy is his main authority for North Britain. He even models his spelling of place-names on the *Military Antiquities*. 'Old Kirkpatrick' (p. 195) and 'Murray Firth' (p. 210) have an odd look nowadays.

M.

MISCELLANY OF THE SCOTTISH HISTORY SOCIETY. Second Volume. Pp. vii, 472, with 5 Illustrations. Demy 8vo. Edinburgh: Printed at the University Press by T. & A. Constable for the Scottish History Society. 1904.

As a reviewer turns over these fragments piously recovered and brought together in this handsome and convenient form, his first feeling is one of gratitude for the excellent work the Scottish History Society is doing, and then comes the embarrassment of the various lines of comment suggested by the valuable and interesting papers here collected. Miss Bateson's useful text of the Corpus Christi (Cambridge) MS. dealing with the household of the Scottish kings, with her translation and introduction, was already known, but one is glad to see it reproduced here, accompanied by addi-

tional matter of much interest. Professor Kirkpatrick prefaces and translates extracts from the Book of the Scottish Nation in the University of Orleans, and provides a striking illustration of the statement that 'Scotland did not at first enter the race of university-founding, but worked on the plan of the cuckoo, by laying its eggs in the nests of others. . . . Scotchmen perambulated Europe, and were familiar figures in the great university towns.' Mr. Andrew Lang edits 'The Apology for William Maitland of Lethington,' and supplies an introduction, where he maintains that Lethington was faithless to his Queen, and was involved in the murder of Darnley. About the second half of the proposition there is hardly room for doubt, but the first clause is arguable. Lethington had no personal devotion to Mary. As Mr. Lang says, 'from women, the Queen among others, he was guarded by his long love of Mary Fleming.' Lethington was an able statesman and a true patriot, not 'a fickle, unprincipled, and unscrupulous' man, as Dr. Taylor called him; he had convinced himself that the patriotic course was to promote the union of England and Scotland by using the Scottish claim to the English succession. To this policy he was faithful; loyalty to the particular person on behalf of whom the claim was to be urged was a conditional thing. The volume contains five illustrations, including a charming view of the old university buildings of Orleans, and is provided with a very complete index.

A. M. Williams.

Oxford. Painted by John Fulleylove R.T. Described by Edward Thomas. Pp. xii, 265, with 60 illustrations. Square 8vo. London: A. & C. Black, 1903. 20s. nett.

It would be difficult to imagine a more inspiring or more practically inexhaustible theme than that of the fair city on the Isis, which, though it has already been described from many a different point of view, yet offers ever fresh phases of life to study.

That Mr. Thomas has written a readable book and that Mr. Fulleylove has interpreted well the buildings and scenes he has selected from a bewildering mass of material, no one can deny, but it will scarcely be conceded that the literary portion of the volume does justice to Oxford as it was or as it is. In his somewhat over-eagerness to prove himself thoroughly in touch with the present, Mr. Thomas does not appear to have given sufficient weight to the unbroken continuity of the traditions of the past, which affect every detail of the life of the present. He has moreover failed to weave his work into a consecutive narrative. He professes, it is true, to feel all the glamour of Oxford, to yield himself unreservedly to the gentle tyranny of the Alma Mater, but unfortunately he has not succeeded in conveying any sense of that glamour to the reader. He seems indeed to be wanting in that sympathetic imagination which gave such eloquence to Ruskin's descriptions of Venice, Pierre Loti's of Paris, Camille Lemonnier's of Brussels, and Mrs. E. T. Cook's of London.

Perhaps the best chapters in the book are those on the 'Stones of Ox-

ford,' 'Dons Ancient and Modern' and 'Undergraduates of the Past and Present,' but there is no real recognition in either of the latter of types, only a series of somewhat flippant descriptions of individuals.

The volume ends with a few quotations from great authors who have written in praise of Oxford. The want of an index is a drawback. In spite of the deficiencies of the letterpress, the volume will no doubt receive a very cordial welcome on account of the beautiful drawings of Mr. Fulleylove, which are well reproduced, though they necessarily suffer from the limitations of the three-colour process, which is never very successful in the rendering of green, for which reason it seems a pity that some of the work was not done in the autumn when the variegated tints of the many creepers give to the buildings old and new, an added touch of poetry. In spite of this, however, the drawings are as truthful as they are charming, proving that their author is what the late Dr. Traill would have called 'spiritually naturalised in Oxford.' He has indeed caught the very ethos of the city, and though it seems strange that Balliol should not have found a place, the selection of subjects is eminently satisfactory. Specially fine are the 'Oxford from the Sheldonian Theatre,' the 'Peckwater Quadrangle of Christchurch,' the 'New College Cloisters,' and the 'Interiors of the Cathedral, Magdalen Hall, and the Bodleian,' the two last realising with great felicity the details of the noble architecture and the rich but subdued colouring of the originals.

THROUGH THE DOLOMITES. By Alex. Robertson, D.D. Second Edition. Revised with supplementary chapter. Pp. viii, 256, with 49 illustrations and maps. 8vo. London: George Allen. 1903. 7s. 6d.

THIS guide-book is not without merits, though its faults are irritating. Its merits are for the roadster who never quits his road (or his carriage) except for the most hackneyed excursion. The great tribe of British spinsters which descends upon Cortina and the Ampezzo and Cadore in summer will delight in an author who is always within their range. For walkers, let alone climbers, the book is wholly inadequate: perfunctory and superficial in all except the gossip and 'research,' *e.g.* the omission of anything about Forno di Zoldo (which may be reached by road and so falls within Dr. Robertson's compass) beyond an account of the cloudburst and flood of a dozen years ago.

The heights of mountains and all other climbing particulars are valueless, evidently repeated parrotwise from sources sometimes antiquated or doubtful. The book is a summer holiday's exercise by a man of great fluency, some historical and antiquarian curiosity, and an amiable, provincial mind. A translation of the Brentari *Guide* would have been much more interesting, because that is much more complete, learned, and penetrating: Baedeker is better for all matters of fact and figures. Yet a gossiping book will find its public, though the cream of local gossip and reminiscences is not always to be had at the hotel. It has earned its success cheaply, for there is no evidence that its editor took much pains.

J. S. PHILLIMORE.

A Guide to the Best Historical Novels and Tales. By Jonathan Nield. Pp. xvi, 235. 8vo. London: Elkin Matthews, 1904. 4s.

Mr. Nield's book appears in a third edition, the third since May, 1902, a fact which proclaims public acceptation of his work. The most important of the new features are, a special-reference grouping, additions to the supplementary list of 'Semi-historical' Novels—a sort of Class-mark for certain better books, and dates of publication. With this lantern-guide in hand the reader may pilot his way through the centuries, from Ancient Babylon and Mummied Dynasties to the minor revolutions of the late 19th century, happily stepping on bridges and mounds of Romance. His knowledge after a completed course will be extensive, and his sympathies enlightened. He will have lived through the fall of Carthage, seen the triumphs of Rome and the domestic life of Marcus Aurelius, trembled for the Northmen, thrilled for the Crusades, glowed with the 'discovery' of America and the Puritan revolt, nodded to Kings and Emperors of all the ages, and gazed upon the decapitating furies of mobs and doctrinaire reformers. Perhaps then he should be advised and turn to the chronicler's sober page with its comprehensive and balancing value; for the light of the romancer falls for the most part on castle walls and purple patches. It enshrines, and the Saint of the Shrine has his glory, yet the unnamed pilgrim is as potent in history as the saint he attends, though he has no place within the shrine.

We note 'Pride and Prejudice' in the list. Miss Austen was once asked to write a historical novel, and said she could do so only to save her life. Her creations are accompanied by a Laughing Chorus, and Historical Personages must not enter with a Laughing Chorus. Her name should come out of this company.

M. M. Banks.

Illustrated Catalogue of a Loan Collection of Portraits Exhibited in the Examination Schools, Oxford, under the auspices of a Committee of the Oxford Historical Society, April and May, 1904. Pp. 60. 4to. Oxford: at the Clarendon Press, 1904. 6s. nett.

The late Oxford Portrait Exhibition bore remarkable testimony to the University's wealth in this variety of art. Though the exhibition included only personages who died prior to the year 1626—not 1625, as, by a curious miscalculation, is stated in the title page of the Catalogue —no fewer than 137 portraits were exhibited, of which only 15 were owned by persons outside the University. We may well believe, therefore, that the Oxford collection is almost as valuable and interesting as is now the National one in London; and it is good news that a succession of exhibitions is contemplated, reaching down to the 'present time.' The portraits in the 'Illustrated Catalogue' are admirably

reproduced: selection must have been a difficult task, but it seems to have been determined mainly by artistic interest. In his instructive introduction, Mr. Lionel Cust lays no more than just stress on the 'importance of Historical Portraits as documents illustrative of our national history'; but is it altogether true, as he states, that this is 'now very widely recognised'? Doubtless the well-known letter of Carlyle, quoted by Mr. Cust, has had some effect; but, as yet, it has by no means had the effect he desired even in the particular case of the Scottish National Portrait Gallery, which, notwithstanding its excellent curators, past and present, and its excellent building, the gift of one munificent donor, is as yet very far from even promising to realise any near approach to Carlyle's ideal. The main difficulty is, of course, lack of funds; but since it is apparently vain to hope for an adequate grant from Government, why should not a movement be set on foot for the Gallery's endowment? For, from a higher educational point of view, is not such an institution as valuable, in some respects, as a University? At present it suffers not merely from lack of means to acquire portraits of real importance, but apparently more and more from a tendency, on this account, to accept portraits which have hardly adequate claims to inclusion in a national collection.

As regards the use of portraits and other pictorial representations for the illustration of historical narrative, a considerable advance has, no doubt, been made within recent years; but with the greatly improved and cheap methods of reproduction now available, illustrations might be much more employed than they are by present-day historians, as well as in the reissue of standard historical works. Apart from other advantages, they might not only help to relieve the bald narrative which is too often the complement of learned research, but might even assist the enthusiast for dates and other antiquarian niceties to realise that history is the record of the doings of human beings.

It can hardly, however, be affirmed that illustrations have had any such effect on the compilers of the Oxford Catalogue, which, so far as the biographical part is concerned, is, truth to tell, as dry and perfunctory as it well could be. It is impossible for the 'general reader' to form from it almost any notion of the individualities of the persons represented. Surely the Committee of the Oxford Historical Society might have somehow contrived to supply as much information as, for example, is given in the 'Historical and Descriptive Catalogue' of the National Portrait Gallery, London. They decided to content themselves with giving us, so to speak, the mere skeleton of the personality, if even so much as that,—the dates of the birth and death, and of the principal appointments and honours; and, as was almost inevitable, even according to the method adopted, the statements are in many ways unsatisfactory. Thus in the case of Sir Walter Raleigh, a certain outline of his achievements is given, but from it we can gather nothing as to their real character, while not even the faintest allusion is made to his literary gifts; we are told that Overbury was, on account of intrigue, imprisoned in the Tower and was poisoned there by Lady Essex, but as to the why and

wherefore we have no information; not the slightest reference is made in the record of Leicester's life to his relations with Elizabeth; no mention is made of Jewel's writings, or his prominence as an ecclesiastical controversialist; John Case, we are told, practised medicine at Oxford, but we are not told that he was the author of various works, including one or two on music; of Laurence Humphrey's character as controversialist we learn nothing; nor can we gather from the biography of Richard Foxe the important part he played in political negotiations with Scotland, though it is vaguely stated that in 1516 'he retired from politics.' These examples are taken merely at random, but they sufficiently show that the catalogue, besides being in no proper sense informative, is often misleading. It may be that the Committee found it difficult to draw the line, but the difficulty is surely not insoluble: by the adoption in subsequent catalogues of a method less severely academical, the interest of the exhibitions would certainly be greatly enhanced for the less learned visitors.

T. F. HENDERSON.

THE KING'S CLASSICS: Alexander Moring, The De la More Press. (1) *Eikon Basilike*, edited by Edward Almack. Pp. xxiv, 313, with Frontispiece. 1904. 2s. 6d. nett. (2) *Kings' Letters*, from the days of Alfred to the coming of the Tudors, edited by Robert Steele. Pp. xvii, 301, with Frontispiece. 1903. 2s. 6d. nett. (3) *The History of Fulk Fitz-Warine*, Englished by Alice Kemp-Welch, with an introduction by L. Brandin, Ph.D. Pp. xx, 125, with Frontispiece. 1904. 1s. 6d. nett.

(1) FOR better for worse, *Eikon Basilike* helped to colour English history and to draw the gracious, glorified lineaments, not yet wholly effaced, in the portrait of the Royal Martyr. Mr. Almack, as was known from his learned *Bibliography of the King's Book* (1896), is convinced that not time-serving, truculent Gauden but sainted King Charles himself was the author. In this pretty little edition of the *Eikon* he briefly recapitulates the evidences for the faith that is in him, and presents historical students with the text spelt as printed in the edition of 1848-49. (2) Mr. Robert Steele's *Kings' Letters from the Days of Alfred to the Accession of the Tudors*, though mainly derived from Halliwell's selection, shows that pains have been taken to improve on the earlier work, and the letters from Alfred's time to the end of Henry II. are not in Halliwell. Mr. Steele, like Halliwell, understands by 'letters' something much wider than 'familiar epistles,' and so amongst these 115 documents signed by English Kings from Alfred to Richard III. we find state-papers, grants, confirmations, proclamations and other official missives with which the sovereign had personally little enough to do. But they are all interesting, instructive, and well worthy of being read. There are occasional archaisms, somewhat arbitrarily retained or shot in, that will momentarily give pause to uninstructed readers proceeding with the otherwise plain-sailing (though

slightly 'old fashioned') English translations and modernisations—'yolden,' 'liketh it to your royal majesty to wit,' 'scaire of hearts,' 'winking oues,' 'tuition' in the sense of 'defence,' 'the maumit of Scotland,' and the like, which Halliwell glosses but Mr. Steele does not. Another volume of the series contains letters of Henry VII. and Henry VIII. Mr. Steele has failed to discover Halliwell's source for the letter of Edward I. to Robert Earl of Carrick, in which the Earl is praised: 'We shall hold the war ended by your deed, and all the land of Scotland gained.' It is at the Record Office among the Duchy of Lancaster royal charters, No. 203. The bulk of the letters are *from* the English kings. Where there is so much material to choose from, the inclusion of a few letters addressed *to* the kings seems ill-advised. (3) It is to be hoped that many of those who love the medieval atmosphere as now distilled by romancers within sound of Bow Bells may be tempted to try this real medieval romance, atmosphere and all. Mrs. Kemp-Welch's graceful and spirited translation makes also rather too much play with a few selected archaisms: 'afore,' 'tofore,' 'an angered,' 'the which' are a little obtrusive, and 'seventy fighting men and valets' in warfare will puzzle people who would find 'varlets' intelligible and antique enough. Scottish readers should be especially attracted to a story which gives even momentary glimpses of the Norman (or Breton) knight, Alan Fitzflaeu (Fitzflaald), the undoubted ancestor of the royal house of Stewart, in his English lordship of Osbaldestree (Oswestry).

CUNNIE RABBIT, MR. SPIDER, AND THE OTHER BEEF: WEST AFRICAN FOLK TALES. By Florence M. Cronise and Henry W. Wood. Pp. viii, 330. Crown 8vo. London: Swan Sonnenschein, 1903. 5s.

TEACHING in Sierra Leone, Miss Cronise gathered from native children these singular pieces of a beast-epic-cycle, in which the most striking character is Mr. Spider, who, though rivalled in wit by Cunnie Rabbit (the little water deerlet or chevrotain), appears here as the impersonation of the genius of the African race, with his qualities of craft and vigilance, and an unfailing capacity to escape from the most desperate straits and snares. Told in the broken English dialect of the Sierra Leone coast, the stories, always curious and often ingenious and amusing, are an original contribution to the psychology of the negro at home and to folklore at large.

J. A. N.

THE INDIA OF THE QUEEN AND OTHER ESSAYS. By the late Sir William Wilson Hunter. Edited by Lady Hunter, with an introduction by Francis Henry Skrine. Pp. xviii, 277. London: Longmans. 1903.

NOT easily can it be determined whether this posthumous collection will strike more forcibly the reader who knows his India or the homekeeping student who turns to these essays by the Scottish historian of British India for authoritative information regarding administrative changes there during the last sixty years. Written for the most part after his retirement in

1887, the papers, although at first sight heterogeneous, find their unity in the author's varied Indian experiences and studies. 'The Orient touched him with her magic wand,' giving him a two-sided sympathy historically invaluable. His narrative of the modifications in government made to suit the shifting conditions, his description of the native movement towards a degree of autonomy, and his account of the great work of amelioration of life under our rule, especially relative to the problem of population continually faced by liability to famine, foster an optimistic conviction that until the standard of administration falls below what it was under Victoria the domination of Britain will stand on secure foundations. Brilliantly written and picturesque as the East itself, though so different in theme, are Hunter's articles on the great but ultimately futile despot Aurangzeeb (1618-1707), and on the incessant struggle of Calcutta against the silt of the Ganges. The story of the pilgrim scholar Csoma de Körös and his Thibetan journeys, sufferings, and studies (1823-42), reads like an Odyssey of philology.

In the *English Historical Review* (July) Mrs. Armitage concludes her important survey of early Norman castles in England. It includes specific examinations of the fifty castles mentioned in Domesday Book, and, with its central feature an effort to track the course of development of military architecture in relation to *motte*, bailey, and keep, must take rank as a fundamental document. In all eighty-seven castles are more or less categorically assigned to their class and period. Scotsmen will be grateful for the veteran industry and zeal of Dr. W. D. Macray, who has had the singular good fortune to recover a lost fragment of Robert Baston the Carmelite's famous poem on Bannockburn. He came north to sing the victories of Edward II.: his Muse instead had to be employed to bewail, in captivity, the issue of battle. Most unfortunately he was so turgid and declamatory that it is difficult to extract much information from his performance which Bower preserved —incomplete as now appears—in the *Scotichronicon*. The recovered fragment, edited by Dr. Macray, adds one fact of interest in the praise it accords to the valour of four Germans who fought in the English ranks:

> Bis duo Theutonici veniunt ad prelia gratis:
> Nescio quid dici poterit super hiis probitatis.

It is not every day that a find of such happiness and value is made among refuse scraps of vellum taken out of old books under process of rebinding. Old bindings, however, are a continual hope.

As usual, the *Reliquary* (July) is profusely and finely illustrated. Ossuaries (for the bones of the dead, small rectangular cases of stone), classical water-organs, pewter plate, metallic portraits of Christ, early Derbyshire crosses, fonts, and rushlight holders are as excellently rendered by photographic processes as they are discussed in the text.

The *Antiquary* continues to furnish sound and useful papers, such as that by the Rev. Dr. Cox in the July number, dealing with social

life in the middle ages, by way of criticism of Miss Bateson's recent notable volume on Medieval England.

A curious discussion appears in the *Revue d'Histoire Ecclésiastique* (July) on the proposition that Pope John XXII., 1316-1334, was not a miser as alleged by Murimuth the English chronicler and Villani the annalist of Italy, as well as by Dante. There is a certain Scottish interest in the matter in view of the negotiations at Rome relative to the national independence. Besides, it was this Pope who devised the *annat* which is still a term and fact of Scottish law-ecclesiastic. The argument is not completed. Evidently, however, the difficulty of proving this particular negative is considerable, although the basis of the charge may well have been the extensive rearrangements on the fees of the papal court made by this Pope, who was a consummate administrator and revised materially the whole finance of the Curia.

The Saga Book of the Viking Club (January, 1904) is most attractive in its mixed studies, annotations, and correspondence. Mr. R. L. Bremner treats at some length of the Norsemen in Argyle and on the Clyde, while 'Uist Folklore' and Maeshow and the Stones of Stenness are other Scoto-Norse topics.

Archaeologia Aeliana, vol. xxv., part iii., includes the Annual Report of the Newcastle Antiquaries, whose work has of late followed very hopeful and progressive lines.

The Iowa Journal of History and Politics (July) records the deliberations of an anthropological congress—a digressive debate on the relations of anthropology with archaeology, philology, and sociology.

Silchester bulks large in the *Berks, Bucks, and Oxon. Archaeological Journal* for July, Mr. St. John Hope's lecture giving a clear account of the extremely productive explorations conducted there since 1890.

Good transcripts of old writs appear in *Notes and Queries for Somerset and Dorset.*

The Ulster Journal of Archaeology for July contains, with other interesting matter, an illustrated article by Mr. J. Vinycombe on the Speaker's Chair and Mace of the Irish House of Commons. The articles of union with Great Britain do not seem to have provided for the custody of these interesting relics, and they remain in the possession of Viscount Massereene, grandson of Sir John Foster, the last Speaker of that Parliament. Mr. F. J. Biggar, in an article on Sir Arthur Chichester, Lord Deputy of Ireland, takes occasion to narrate the late Cosmo Innes's purchase for Scotland of Brian Vicar Magee's Charter of A.D. 1408, the 'oldest really Celtic record in Scotland,' for the sum of £5. Mr. John J. Marshall contributes an article on the Dialect of Ulster, and concludes with an extensive 'Glossary of Words in the Ulster Dialect, chiefly used in the Midland and North Western Counties.'

The *Celtic Review* has started under very favourable auspices. Along with the increased study of the Gaelic past which for some decades has been demanding, and is finding in various ways, popular expression, there is a growing interest in all things Celtic. So long as such an interest was confined to the peoples inhabiting the Celtic fringes, a quarterly of this nature was well-nigh impossible. Even less ambitious periodicals quickly came to nought for lack of adequate support. But now that the interest in Celtic studies has spread so widely in English-speaking circles there is the promise and potency of a happier fate for this venture. Certainly the first number proclaims the *raison d'être* of the undertaking in the variety and quality of its articles. The *Review*, we are told, will be devoted to fostering and encouraging interest in Celtic, and especially in Gaelic, literature and learning. Its scope will embrace everything which touches the Gael, except that which at present touches him most acutely—current politics and religion. Here the line is doubtless wisely drawn. Otherwise, legend, history, language, philology, archaeology, poetry, music, art, stories and sketches will find a place, as well as translations from Continental and other sources of important articles, and reviews of books on Gaelic and Celtic subjects. The number of important books of this nature recently published and reviewed in the first issue, is itself no mean evidence of the need and scope for this *Celtic Review*. The majority of the articles, as we might expect from the aim of the magazine, are of Scottish origin and interest. But it seems doubtful, at this time of day, in a periodical which makes its appeal so largely to an English-speaking clientele whether it is at all a wise policy to contribute one whole article in Gaelic. The better method would be, as in the contribution of Mr. Alexander Carmichael in this number, and as followed elsewhere in his 'Carmina Goidelica,' to accompany the original with an English translation. Thus every reader could participate. There is no reason, if adequate support is forthcoming, why this Quarterly should not attain the vitality of the *Revue Celtique*, which on French soil has already reached its twenty-fifth volume. MAGNUS MACLEAN.

The Fight at Donibristle, 1316, a Ballad edited by John Smith (MacLehose. Pp. 7, royal 8vo, 1904), is a modern rendering of the incident of King Robert the Bruce's 'owne bischop,' who in knightly arms led his followers to victory against the English on the shores of the Forth.

> 'The English fought like warriors bold
> With loss of many a man,
> Until, to win their cobble boats,
> At length they broke and ran.'

The Land of Prince Charlie, by the author of *The Summer Tenant* (Edinburgh: John Hay. 4to, pp. 34, price 1s.), is a collection of descriptive pieces in prose and verse on the localities round Arisaig. Interspersed are four and twenty satisfactory pictures of landscape subjects.

Record Room

MISSING SECTION OF 'THE DETHE OF THE KYNGE OF SCOTIS,' RECOVERED.

As M. Jusserand has said,[1] the little tract entitled *The Dethe of the Kynge of Scotis*, translated from a lost Latin original, by John Shirley,[2] possibly about 1440, has been several times printed. The last and best edition was that by Joseph Stevenson for the Maitland Club in 1837. This, as well as Pinkerton's earlier edition in the appendix to the first volume of his *History of Scotland*, 1797, was from a Thoresby manuscript amongst the additional MSS. (No. 5467) of the British Museum. It is really a more or less complete biography of King James, so that the blank indicated in the undernoted quotation from p. 48 of the Maitland Club volume deprived the narrative of the interest attachable to the death of Prince David duke of Rothesay and the subsequent steps taken for the safety of Prince James, leading to his capture in England and his detention there as a prisoner until his marriage in 1424. The leaf torn out of the Thoresby MS. leaves a hiatus sufficiently grievous:—

'Wherefore the lordes and the nobles of the rewme of Scotland consideryng that vicious lyvyng of that said duke[3] . . . .

. . . .

Thes traturs furters and contractes ended,' [etc.].

It is a satisfaction to report that the missing passage can now be filled up from a Phillipps MS., No. 27369, not long ago acquired by the Advocates' Library, where its press mark is 17.1.22. A full text of the treatise appears there from the pen of an unidentified 17th century scribe, on the whole a very much more correct version than that of the Maitland volume, and containing numerous better readings, which make intelligible some passages which as printed cannot be understood. Of most general interest probably will be the following extract from ff. 13-14, enabling possessors of Pinkerton's History or of the Maitland book to fill the vexatious gap.

[fo. 14] lyving of that said Duke of Rossaye [fo. 15] soore dreding yf he had regned aftur his fadre that many inconveniences [ne]fortunez and vengeancez myght have fyllowyd and fallen uppon al that region by cause of his lyffe soo

[1] *Romance of a King's Life*, 107-8.

[2] A minor poet who was of more account as a book collector and admirer of Chaucer, and who died in 1456.

[3] A leaf has been here torn out of the manuscript.

opnly knowen vicious, shortly the advysse takyne and fulle purpoosse of the grete lordez of that lande and in especialle by the myghttie and the favourable puissance of the Duk of Albanye and of therlle Douglace, this saide Duke of Rosaye maugre al his helppes by forsce was taken and enprisouned within the Castell of Facland that by dures of famyn hee eat his owne handez and died in grete distres and myserie, the whiche was ageinst Goddez lawe and mannez lawe and pitte to thinke that suche unrighteous malisce schulde be doon to any prince whatso evyr he be : for fferre of whiche tirannous vengeance the said Jamez Stewarde that is to saye the yonger brother of the saide Duke of Rosaye and sonne to Robert than King of Scottez seeing this myschieff, be the advisce of his kyn and of his counseille, ffledde purpoossing him in to Fraunce by the see, where by his infortune he was toke by Englyschemen and broughte in to the toune[1] where and in other placez withinne this Reamne he aboode prisonnere many yeeris: during the whorlle bourlle[2] in Scotland the olde King Robert died and in the mene tyme the Duke of Albanye governyd, toke uppon hym the rewlle of Scottlande be yonde the Scottische See, and in the same wyesse dydde therlle Douglas both govern and reule alle on this side the Scottische See. In the whiche tyme as to the rightfulle lineal heire by discent the coroune of Scottlande ffelle to the said Jamez Stuarde the yonger sunne of the said King Robert, be cause of the dissees of his fadyr and of his alder brothur the duke of Rosaye the whiche had none other yssew male but hym, he than being and abiding withe that excellent and [3] prince Harry the fifte than King of the Regioune of Englond, the whiche of his royal exellencie in alle thing that touchid thonnor and the right of the said Jamez the King of Scottez was to him favoureable as father to the sunne in alle that touchid theire bothe kingly estattez, and of his grett gentilles had hym withe his ooste in to Fraunce to instructe hym of the manere of his honorable conquest and werres there, where to-ffoore the seege of Myllane was seen armyd Charles King of Fraunce Herry the fifte King of Englond and the saide Jamez King of Scottez alle withe their banners displaied in oone quarelle ageinste the Kingez rebellez and enemys of Fraunce thanne clepid Arminake : withinne schorte prosses of tyme the saide Jamez King of Scottez married hym in Englonde to a fair ladye of the Kinges blode of Englonde and doughter to the Duchesse of Clarrensce, after the whiche marriage by alle possible haste the Ambassatours of Scottlande by diverse hostages and other sufficeant seureteez founde weyes and menys of trette ffor the ffinaunce of the saide King of Scottez to the Kinge of Englonde for his rainsume to whome he was prisonere as it is to-ffoore rehersid : thees traytez seuretez and contractez endid, [etc.].

As the concluding sentences vary greatly from the print, and in particular make a fuller quotation from Jean de Meun, they may be cited here.

[fo. 25] Therfoore princes schulde take hede of maystre Johanes de Mehunes counseile thus seide in the Frensche tung :

> hault homme ne puet a son nulle vice
> que tant luy grieve comme avarice :
> Il ne pas Sires de son paiis
> que de sonne people est haiis,
> car bien doyt estre Seigneur clames
> que de son people est ames.

[1] *Sic* : not Toure, as doubtless the original reading was.
[2] Whorlle bourlle, hurly burly—an early instance of the phrase.
[3] *Sic* : a word evidently missing here.

which is thus moche to meene in owre modres Englische langage:

A grete man may have no more vice
ne hym to greeve thanne avarice;
he nys no lorde in his countree
that of his folke nathe love, levee me:
ffor welle may he be called a lord
whome that hees men love of recorde
merkethe this weel I you beseche:
and thus to godde I you biteche.

The colophon appearing in the Thoresby MS. has no place in the Phillipps, so that we learn nothing additional concerning John Shirley. Some new and some important points are furnished for Scottish chronicle and the biographies of an ill-fated prince, and a scarcely less unlucky king.

G. N.

THE CERTIFICATE OF CONSECRATION OF A 'COLLEGE' BISHOP.

After the death of Arthur Ross, the last Archbishop of St. Andrews, in 1704, the rest of the deprived Scottish bishops, being few in number and advanced in years, found it necessary to consecrate fresh bishops, so as to keep up the succession. The newly consecrated bishops had neither diocesan powers nor charge of any particular district, and until an arrangement was made in 1732, by which each bishop took charge of a particular district as his diocese, the Scottish bishops were merely 'at large,' and formed a college of bishops with equal jurisdiction as regards places. Rigidly loyal to the king over the water, the non-juring bishops felt that they could not consecrate *to any see* without the royal *conge d'elire*. The twelve bishops thus consecrated between 1705 and 1727, without other title than to the membership of the episcopal college, are often known as the 'College Bishops.' In his *Catalogue of Scottish Bishops*, Keith gives the text of the letters of consecration of Bishop Sage, who was the first of the 'College Bishops.' In the Diocesan Library at Brechin are preserved the letters of consecration of another of them, viz., John Ochterlony, who afterwards acted as Bishop of Brechin. This document is in almost exactly the same terms as that printed by Keith, but as it belongs to the latter part of the 'College' period, and never seems to have been printed before, it is here given in full, with a copy of the letter to the late Bishop Forbes which accompanies it.

[Copy of Certificate of Consecration.]

Apud Edinburgum Die Vicesimo nono Mensis Novembris Anno ab Jncarnato Domino et/Servatore Nostro Millesimo Septingentesimo Vigesimo Sexto.

Nos Andreas Cant Nuper Pastor Edinburgensis, Episcopus Consecratus

et in numerum Episcoporum Scotorum adscitus,/*David Freebairn* Nuper Pastor apud Doning, Episcopus Consecratus et in numerum Episcoporum Scotorum adscitus, et *Alexander/Duncan* Nuper Pastor apud Kilbirnie Episcopus Cônsecratus et in numerum Episcoporum Scotorum adscitus in timore Domini Ponderantes/plerosque Fratrum nostrorum Charissimorum et in Collegio Episcopali Collegarum (hoc nuper elapso et Ecclesiæ nostræ luctuose curriculo) in Domino obdormijsse, nosque paucos qui Divina misericordia Superstites sumus multiplicibus Curis, morbis, atque ingravescente senio tantum/non Confectos esse.

Quapropter ex eo quod Deo Supremo Servatori nostro, Sacrosanctae ejus Ecclesiæ, et posteris debemus, in animum induximus Officium/Characterem et Facultatem Episcopalem alijs probis fidelibus ad Docendum et Regendum idoneis hominibus Committere: Jnter quos quum/nobis ex propria Scientia abunde constet Reverendum nostrum Fratrem *Ioannem Ochterlony* Artium Magistrum, Presbyterum/et Pastorem apud Aberlemno tanto muneri aptum et idoneum esse; Nos igitur Divini Numinis præsidio freti secundum gratiam no-/bis concessam die, Mense, Anno Suprascriptis in Domo R. Patris *Andreæ Cant* Supranominatum *Ioannem Ochterlo-/ny* Ordinavimus, Consecravimus et in Nostrum Episcopale Collegium Cooptavimus. *In cujus rei Testimonium* Chirographis Nostris munivimus hoc Jnstrumentum.

AND=CANT Episcopus
DAVID FREEBAIRN Episcopus
ALEX[R] DUNCAN Episcopus

[Copy of Letter to Dr. Forbes.]

FORFAR 23rd August 1870

My Lord

I herewith send you, by the Rev. Mr. Shaw, the original certificate of the of† the† consecration of one of your predecessors in the episcopate. Should you think it worthy of being preserved, among the records of the Diocese of Brechin, it will be gratifyin† for me to know that I have been the means of restoring it to its proper place.

I may add that I found it lately among some tattered old manuscripts that belonged to my great grandfather, the Rev. Norman Sievwright, Minister of the authorised episcopal congregation of Brechin. I have the honour to [be] your Lordship's

humble servant

COLIN SIEVWRIGHT

The Right Reverend
THE BISHOP OF BRECHIN.

The document and the accompanying letter have been printed with strict regard to spelling, use of capitals and punctuation. The obelus † has been used to mark what appear to be mistakes in the original.

F. C. EELES.

SIR WALTER OGILVY'S CASTLE OF FINDLATER.

Dr. William Cramond, Cullen, has, by permission of the Countess Dowager of Seafield, transcribed and printed from the original in the charter-room at Cullen House the charter by James II. in 1455, authorising Sir Walter Ogilvy of Deskford, second son of Sir Walter Ogilvy of Lintrathen, High Treasurer of Scotland, to fortify the castle of Findlater on the Moray Firth. It is a document of feudal interest, and we are glad to borrow the transcript and translation.

Jacobus dei gracia Rex Scotorum Vniuersis et singulis ligiis et subditis nostris ad quorum noticias presentes litere pervenerint Salutem Sciatis quod concessimus et presentium tenore concedimus dilecto et fideli nostro Waltero de Ogiluy de Deskfurde militi nostram licenciam specialem edificandi et construendi turres et fortalicia in castro de Finlatir ipsumque castrum muris lapidiis ac fossis cercumgerendi portisque ferreis firmandi ipsasque turres in altum erigendi et ornamentis et preparatibus bellicis fortificandi connestabularios, janitores, vigeles, carcerum custodes ac alios officiarios ad castri custodiam necessarios cum feodis ad huiusmodi officiarios spectantibus faciendi constituendi et ordinandi et ad omnia alia et singula faciendi que certa permissa necessaria fuerint seu quomodolibet oportuna Quare vniuersis et singulis ligiis et subditis nostris quorum interest vel interesse poterit stricte precipiendo mandamus ne quis dictum Walterum de Ogiluy de Deskfurde militem aut suos factores vel intromissores in edificatione dicti castri turrium et fortaliciorum predictorum aliquatenus vexare inquietare aut perturbare presumat in futurum sub omni pena que competere poterit in hac parte. Datum sub magno sigillo nostro apud Spine nono die mensis februarii anno domini millesimo

James by the grace of God, King of Scots, to all and sundry our lieges and subjects to whose knowledge the present letters shall come, Greeting, Know ye that we have granted and by the tenor of these presents grant to our lovite and faithful Sir Walter of Ogilvy of Deskford our special license to build and erect towers and fortalices on his castle of Findlater, and to surround said castle with stone walls and with ditches, and to strengthen it with iron 'yetts,' and to carry the towers to a greater height and to fortify the whole with abuliements and equipment of war, to make, institute, and appoint constables, janitors, watchmen, jailors, and other officers requisite for the keeping of the castle with fees suitable for such officers, and to do all and everything else unchallangeable, allowable, and necessary or in any way proper. Wherefore we strictly enjoin and command all and every our lieges and subjects whom it concerns or may concern that no one in any manner of way presume to annoy, harass, or trouble the said Sir Walter of Ogilvy of Deskford or his doers or intromitters in building the aforesaid towers and fortalices of said castle in time to come under all pain proper in such cases. Given under our great seal at Spynie on the 9th day of the

quadringentesimo quinquagesimo quinto et regni nostri decimo nono.

The seal is gone. On the tag appears the following:—Litera licencie construendi castrum pro Waltero Ogiluy de Deskfurde milite

[Dorso] Carta de . . . castrum de fyndletter 1445.

month of February in the year of our Lord 1455 and the nineteenth of our reign.

We are obliged to Dr. Cramond for his note of this hitherto unprinted license. He mentions that the towers of Findlater are now gone, and that little more than the foundations and some underground rooms or cellars remain. Traces of the stone walls and ditches protecting the castle on the land side may still be seen, although the removal of rock for building purposes has somewhat altered the appearance of the place.

A HADDINGTON SURGEON'S ACCOUNT.

Francis Lyll, Chirurgeon in Haddington, charges John Kirkwood in Beltone, now in Skougall, and John Hay in Newtoun, the following account for attending to Henry Wicht, falconer to Sir William Home of Whitelaw, 1611:

Item for makeng incisioun, delaiting of ye said patient his wound trepannaing, elevating and taken away of fractures fra his wound being on his heid — four skoir ten pundis.
Item for fomenting of ye wound at divers tymes — twelf pundis.
Item for balme to ye wound — xx li.
Item for digestiveis to ye said wound — xx li.
Item for restrinctaves — ten pundis.
Item for defensaves — xiij li.
Item for everie dayis travell to and frae be ye said complenar fra Elstanefurde to Luhitlaw ilk day — vi li.
Item depursit be him to ye said David Hoppringill for his painis and travel — fourtie pundis.

Francis Lyll was 5th son of George Lyll of Stoneypath, and practised as a surgeon in Haddington. He appears to have been temporarily residing in Athelstaneford village when he attended this patient, the distance between Whitelaw and Athelstaneford being about four miles. David Hoppringill was an Edinburgh surgeon whom he had out twice in consultation. This account is taken from the Sheriff Court books at Haddington.

J. G. Wallace-James, M.B.

Haddington.

Queries

CAMPBELLS OF GLENURCHY. In Lord Archibald Campbell's *Records of Argyll* (p. 348) there is a legendary account of a raid by the Campbells upon the Buchanans of Bochastle, in which six of the sons of 'Black Duncan of the Cowl,' including 'Green Colin' who was in command, were slain. Is there any mention of this elsewhere, and can the date be fixed? It was probably between 1583 and 1599. 'Green Colin' must have been a natural son, as he cannot be 'Black Duncan's' eldest lawful son Colin, who succeeded as eighth laird and second baronet of Glenurchy. A. W. G. B.

COLONEL SIR JOHN CUMMING, KNIGHT, was of Scottish descent, and entered the service of the East India Company. He married at Calcutta on 22nd June, 1770, Miss Mary Wedderburn of Gosford, and died at St. Helena on 26th August, 1786. Who were his parents? HENRY PATON.

120 Polwarth Terrace, Edinburgh.

CRICHTON OF AUCHINGOULL. James Crichton of Auchingoull was a Colonel in the Rebel Army, 1745-46. Where and when did he die? Was he married? C.

GILBERT DE BUCHANANE. 'Alicia de Erth, Domina de Cragbernard,' 'a noble and venerable woman,' and spouse of 'Gilbertus de Buchanane,' granted a charter, February 13, 1400 (*Parish of Strathblane*, p. 130 *n.*). Are there any other notices of this Gilbert de Buchanane? He is not mentioned by Buchanan of Auchmar. He can scarcely have been a younger brother, but may have been uncle, of Walter Buchanan of that Ilk, who was probably not born until shortly after 1340. A. W. G. B.

PATRICK MILNE, BOYNDIE. Are any descendants known of Patrick Milne, tacksman of Mill of Boyndie, who married a daughter of Crichton of Auchingoull? They had seven children born between 1734 and 1746. C.

TEMPLARS IN SCOTLAND. Thomas Totti and John de Huseflete [or Useflet] demitted their habit and fled across the sea on hearing that their brethren had been apprehended. So say both Walter

de Clifton and William de Middleton when examined in Scotland in 1309. The former gives the additional information regarding John de Huseflete that he had been Preceptor at Balantrodach for two years before he himself held that office. He states also that both Thomas and John were Englishmen [*ex Anglia oriundi*]. A Thomas Totti was living in 1338, and was drawing from the Hospitallers six marks per annum of pension. [*Hospitallers in England* (Camden Society), p. 209.] Is this the same person?

Regarding John de Huseflete, Preceptor at Balantrodach, he married Loretta, daughter of Gerard de Fornivall, but whether before entering the Order or after its suppression does not appear. In 1313 she claimed her share of her father's estate from the Temple property in England, viz. 5s. 4d. per annum from the Mill of Beckingham, near Sutton. At this date her husband was dead as well as her father.[1] Are any further facts regarding these two Knights-Templars known?

JOHN EDWARDS.

RAIT CASTLE, NEAR NAIRN. The description of this ruin given by Lachlan Shaw (*Hist. Moray*, edit. 1775, p. 111) is 'an old fort, built in the form of a square, which was anciently the seat of Raite of that Ilk, who, having killed Andrew, Thane of Calder, about the year 1404, was banished that country and founded the family of Raite of Halgreen in the Mearns.' In the edition of 1882 of the same work a note by the editor (vol. ii. p. 265) speaks of the castle as 'anciently the seat of the Mackintoshes of Raits' (*sic*), and continues: 'the castellated part is gone, but a religious edifice, apparently of a more modern date than it would have been, remains.' The existing ruins do not give the impression of such age as Shaw's description would imply, and they seem to me to have more of an ecclesiastical than of a baronial character. What is the probable age of the buildings, and how far is it a religious edifice?

As to the history of the building and its occupiers Shaw gives no authority for his statement concerning the family of Rait. Tradition, as reported in the Statistical Account, associates the buildings with the Cummings, and local legend makes it the scene of a slaughter of Cummings by Mackintoshes. Some people say that the Raits were a branch of the Cummings. The Mackintosh connection with the castle is beyond dispute, as appears from writs still extant at Moy Hall, the earliest of which is a precept, dated 5th Oct. 1442, by Alexander de Seton, knight, lord of Gordon, to William, Thane of Calder, as his bailie, directing him to give sasine to Malcolm M'Kyntosch in the lands of Meikle Geddes and the half of the lands of Rait *with the castle thereof*. The charter on which this precept proceeds was dated at Inverness on the preceding day. Towards the end of the century a charter of the land and castle was granted by Alex. Seton of Tullibody, eldest son of the foresaid Alex. Seton (1st Earl of Huntly), to the Thane of Calder, to whose family the other half of Rait

[1] [*Documents illustrative of English History in the 13th and 14th Centuries*, Rolls Publication, p. 229.]

already belonged, but the Mackintoshes still asserted rights, and a dispute arose between them and the Campbells of Calder, successors of the old thanes, which was not settled until 1521. The Ogilvies of Boyne also had claims in respect of Rait.

Is anything known of the history of Rait Castle prior to 1442, or when it ceased to be used as a residence? It is sometimes confounded with Raitts in Badenoch, held by the Mackintoshes of Borlum for nearly two hundred years down to 1788.

A. M. M.

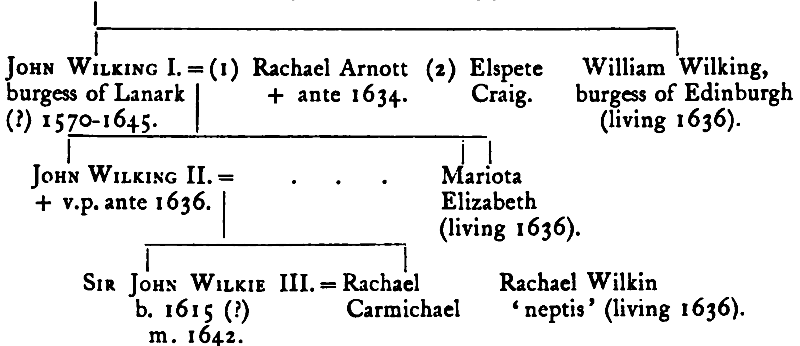
PROVOST JAMES BELL AND HIS HEIRS. Nine years ago, in *Scots Lore*, 1895, p. 141, I discussed the account given by Glasgow's historian, John M'Ure, of the Provost and his family, as amplified though not improved by a writer in the *Glasgow Herald* of June-July, 1864, who asserted that by a daughter who married Mr. John Wilkie of Broomhouse, she became ancestress of the Wilkies of Foulden in Berwickshire, and through their heiress, of the Earls of Glasgow. The information on the subject then available has since been supplemented by the publication of the volume of the *Great Seal Register* (1634-51), issued in 1897 and of another (1652-9), which has just come to hand. The Wilkies who acquired Foulden in 1634, originally belonged to Lanark. The first of them on record was William Wilking, a burgess of Lanark, who represented that burgh in the Parliaments of A.D. 1581 and 1593, and in the former year purchased the small estate of Wamphrayflatt within the burgh from William Inglis of Eist Schiell and his wife. He died before 10th July, 1604, when John Wilking was served his heir in these lands (Retours), and this man, also a burgess of Lanark, was the first acquirer of Foulden. That barony in A.D. 1606 belonged to George Home, Earl of Dunbar, and some time after his death, which occurred on 29th January, 1612, it is found in the hands of James Arnott, junior, merchant burgess of Edinburgh, from whom it was apprised in July, 1620—February, 1621, for a debt of 8250 merks, by Sir Henry Wardlaw of Pitreavie and John Seton of St. Germans. On 12th February, 1629, the barony, patronage, etc., of Foulden was resigned by James Arnott, 'son of William Arnott of Colbrandspeth, John Arnott his eldest brother, William Kellie, W.S., John Seyton of St. Germans, Margaret Craig wife of said John Arnott, and Agneta Jackson wife of said William Arnott, with consent of John Arnott of Woodmylne and said James Arnott, junior, merchant burgess of Edinburgh'; and a crown charter followed on 12th January, 1634, in favour of John Wilkin, burgess of Lanark, and his heirs—no doubt the John served heir to William Wilking in 1604, and thus a man of mature age; for the next crown charter of Foulden, on 19th December, 1636, is in favour of his grandson, a third John Wilkin, who is styled son of John Wilkin, eldest son of the said John Wilkin of Foulden (the grandfather) by his late wife Rachael Arnott, reserving the grandfather's life-rent and the right of his then wife, Elspate Craig, under her marriage contract; to be held by John the grandson and the heirs male of his body; whom failing to revert to John the grandfather and the heirs male between him

and said Elspate; whom failing to William Wilkin, merchant burgess of Edinburgh, the grandfather's brother, and the heirs male of his body; whom failing to Mariota and Elizabeth Wilkins, John the grandfather's daughters, and Rachel Wilkin his 'neptis,'[1] equally between them and the heirs of their bodies; whom failing to John the grandson and his heirs and assigns whomsoever.

The next crown charter of Foulden, on 16th July, 1649, is to the grandson, now Sir John Wilkie,[2] fiar (feoditarius) of Foulden, Knight, and the heirs of his body whomsoever (thus including daughters as well as sons); whom failing to the heirs of provision in the preceding charter, the life-rent and right of reversion to the grandfather having been renounced by the latter under the marriage contract between Sir John and Dame Rachael Carmichael his wife on 17th January, 1642, and a contract between the grandfather and Sir John on 3rd September, 1645.

These facts may be thus tabulated :—

WILLIAM WILKING, burgess of Lanark, 1540 ?-1604.



Besides the original William Wilkie's two sons, John and William already referred to, there was another, Robert, who was minister first of Douglas (1603-21), and thereafter of Blackfriars, in Glasgow (1621-40). Robert had several sons, including (1) William Wilkie, minister of Govan, from 1640 till 1649, when he was deposed for 'not preaching against the Duke of Hamilton's engagement, associating with malignants, and being remiss in exercising discipline.' He acquired an estate near Glasgow called Haghill, which descended to his heirs. (2) John Wilkie of Broomhouse[3] who married Isabella, daughter of provost James Bell. (3) Zacharias Wilkie, minister of Ellemford in Berwickshire.[4] On 18th September, 1655, Sir John Wilkie resigned the barony of Foulden in favour of his father's cousins and their heirs, in the following order :—

[1] Either his niece or grand-daughter; probably here the former.

[2] The name thus altered for the first time.

[3] I find that on a plan of the Regality of Glasgow, published in 1773, Broomhouse is shown in the vicinity of the toll-bar of that name, to the east of Glasgow.

[4] *Fasti Ecclesiae Scoticanae*, pt. iii. pp. 17, 67, 323.

(1) Mr. William Wilkie of Haghill and his heirs male; whom failing (2) Mr. John Wilkie of Broomhouse and his heirs male; whom failing (3) Mr. Zachary Wilkie and his heirs male; whom failing (4) Sir John Wilkie of Foulden, and his nearest heirs male.[1] Isobel Bell was baptised on 19th July, 1639, and as her son James Wilkie was served her heir on 6th October, 1657, she must have married early and died young. A MS. Glasgow protocol dated 7th May, 1662, refers to a disposition granted in the preceding January, 'with consent of Mr. John Wilkie of Broomhous for himself and as factor, tutor and adminstrator of James Wilkie, his son, procreate between him and the late Isobella Bell, his spouse, who was a daughter of the late James Bell, sometime provost of Glasgow.[2] Whether or not James Wilkie, grandson of Provost Bell, eventually got possession of Foulden barony, under the destination contained in the Charter of 1655, or otherwise, will probably be disclosed by coming publications.

Sir John of Foulden, was a man of note and a sportsman. According to the *Caledonian Mercury* in 1661, he gave a piece of plate for Lanark races, and hence it is extremely probable he is the same Sir John Wilkie whose horse won the Berwick Cup in 1654,[3] for Foulden is but a few miles out of the liberty of Berwick. And thus, if the authority of Mr. Raine's extracts from the Berwick Registers is good, it may be he is identical with Sir John Wilkie, Knight in Foulden, who was married at Berwick on 31st October, 1661, to Mrs. Dorothy Orde. She was buried there on 16th October, 1672, their daughter Mary on 8th January after, and Sir John himself on 30th December, 1673. If this be so—and it would be odd to have two contemporary Sir John Wilkies of Foulden—Rachael Carmichael his first wife was thus dead before 31st October, 1661, when he married Dorothy Orde. His heiress (if he left one) must therefore have been by his first wife, whom *Douglas's Peerage* names 'Agnes,' while *Rachael* was her true name. Of this heiress and her marriage in 1676 to William, Lord Ross, we may learn something in the next volume of the *Great Seal Register*.

JOSEPH BAIN.

CLINKING-STAN. About 1675 'Clinking-Stan' was a place name in Scotland. Where was it? O. C. LARRIMER.

1714 Vine St., Philadelphia.

[1] Confirmation Charter by Lord Protector Cromwell, 12th March, 1656 (*Register of Great Seal*, x. No. 533).

[2] *Glasgow Records*, vol. iii. (in the press), p. 39. With reference to my remarks in the *Scots Lore* article regarding Dorothy Bell, it may be mentioned that another consenter to the disposition was 'Mr. Patrick Young, one of the regents of the College of Glasgow, for himself and for Dorothy Bell, his spouse, another daughter of the said late James Bell.' James Bell who was on the town council in 1594, died in or before 1617, when his testament was recorded. Provost James Bell was thus another person, though possibly related.

[3] Raine's *North Durham*, p. 233.

Replies

LADY ANNE BOTHWELL (vol. i., p. 387). In spite of the silence of the Peerage writers, the lady mentioned by Aytoun really existed. The omissions and mistakes in Douglas' Holyroodhouse article are so numerous that this particular omission cannot safely be ascribed to design, though Maidment's suspicion to that effect is not without wit and judgment. Anna Bothwell was not a daughter of Adam, Bishop of Orkney, but the only daughter of John, first Lord Holyroodhouse, and therefore the bishop's grand-daughter. She was her father's executrix, and occurs not unfrequently in record (*e.g. Privy Council Register*, xi. 394). The following, which justifies the scandal concerning her, is taken from the Canongate Register of Baptisms:

'Wad[nesday] 17 April 1622. Bapt[isit] to Alexander Erskin sone to the Earle of Mar grait thesaurar of Scotland a s[on] n[amit] Alexander gotten under promeis of mariag with Maistres Anna Bothvell sister to ane nobill and potent lord John lord Halyrudhous and presentit be Adam Bothvell. W[itnesses] Mr. James Wilkie the said Adam and William Carmichaell.'

The Canongate Burial Register records that Mrs. Anna Bothwell was buried in April, 1625. With all deference to expert opinion, I venture to think that the *data* of the ballad correspond to her case more closely than to that of the Danish lady.

J. Maitland Thomson.

'WRAWES' (Queries, vol. i., p. 101). May I suggest the following origin? In mediaeval forestry *Robur* means the trunk of any tree (not necessarily the oak) used as fuel, and Mr. G. J. Turner—*Select Pleas of the Forest*, p. 148—quotes *rouere* as another form of *robur* from a Northamptonshire Forest Roll of 1338. Henry IV. granted to the Black Friars at Gloucester 'Sept keisnes (*i.e. chênes*) appellez rowers pour foaile' (C. F. Palmer in *Wiltshire Archaeological and Natural History Magazine*, vol. xviii. 1879). Henry V. granted 8 'arbores mortuas vocatas Rowers pro focali' to the Prioress of Stanford, near Rugby, in 1413 (*Calendarium Rotulorum Patentium*, 261), and now Bishop Dowden has found 'ligna quae dicuntur *Wrawes*' in the Kingdom of Fife.

J. Hamilton Wylie.

4 Lawn Road, Hampstead, N.W.

CAMPBELLS OF ARDKINGLASS. Alexander Campbell, Bishop of Brechin, was not the son of John Campbell of Ardkinglass, but was *brother* to Sir James Campbell of Ardkinglass, both being the sons of Dougall Campbell of Ardcullour, who was the 4th son of Sir Iain Campbell, 4th Laird of Ardkinglass. As Alexander is named in the Entail of Ardkinglass, 10th May, 1550, he was probably born about 1540, for his father was dead in 1550.

I believe the Ardkinglass baronetcy to be only dormant, for it is well known that William Campbell, minister of Kilchrenan and Dalarich, who *ob.* 26th Sept. 1793, inherited the title of Bart. of Ardkinglass, but did not assume it. He was the son of William Campbell, minister of Kilmodan, who was the 2nd son of Sir Colin Campbell, 10th of Ardkinglass.

William Campbell of Kilchrenan Parish left 2 sons: (Sir) Alexander Campbell, minister of Kilcolmonell, *ob.* 7th Jan. 1823; and (2) Patrick, who, in 1742 is called his father's lawful son and executor.

The above Alexander Campbell, who was twice married, left issue, 2 sons:

(1) (Sir) Colin Campbell, Lieutenant in the Royal Marines, said to have been of Peatoun in the Isle of Rosneath, *vivens* 1810, said to have *ob.* s.p.

(2) Robert Campbell, Factor to the Duke of Argyll at Rosneath.

If Robert Campbell is the grandfather to the present Laird of Peatoun, it is highly probable that the latter would have small difficulty in proving his claim to this baronetcy. Further information would be welcome.

NIALL D. CAMPBELL.

28 Clarges Street, Mayfair, W.

Notes and Comments

Vicars of the Choir of Glasgow Cathedral.

THE late Archbishop Eyre took considerable pains to outline the history of the Vicars of the Choir of Glasgow Cathedral, whose function it was to furnish the musical services of the church. These vicars choral were formed into a college by Bishop Andrew Muirhead, whose episcopate extended from 1455 until 1473. Since the archbishop published the result of his investigations a great deal of further information about this musical association has been brought to light in Mr. Renwick's *Protocols*. The 'place' of the vicars was on the north side of the cathedral, but they held lands, and drew annual-rents from property in many other parts of the city—for instance, off Trongate, in Rottenrow, Drygate, Saltmarket, Eaglesham's Croft, Kinclaith, Provanside, etc. A list of these properties and annual-rents occupies ten printed pages in the *Munimenta* of Glasgow University (i. 159-69), and the gross yearly charge, including both 'gud and evill' payment, amounted to £213 3s. 9d.

During alterations on the west side of the Saltmarket a number of years ago an inscribed stone was found embedded in the wall of No. 122, a tenement which had been erected about 1780. This stone has been presented by Mr. Robert Robb, 12 Trongate, to the Glasgow Corporation Museums, and by the courtesy of Mr. Paton, the superintendent, and of his assistant, Mr. T. Lugton, who has devoted much attention to the stone, we are enabled to present an illustration showing the inscription. It runs thus:

> 'Has pater Andreas antistes condidit edes
> Presbiteris choro Glasgu famulantibus almo.'

[These buildings Bishop Andrew put up for the priests who serve the flourishing choir of Glasgow.] This interesting memorial of Bishop Andrew Muirhead is supposed to have been attached to one of some small buildings in Close 122 Saltmarket, removed to form a site for the 18th century tenement, which in its turn made way for the present building at that point. Though the titles now in existence do not indicate that the vicars had any connection with this property, it is possible that they formerly owned the site or drew its ground rent. Still, it is improbable that the inscribed stone belonged originally to this locality. Indications rather support the view that it was originally built into the manse or dwelling-house of the vicars, situated to the north of the cathedral, and presumably erected by Bishop Muirhead. This manse was included in the property conveyed by Queen Mary to the Corporation in 1566-7. As shown by the *Protocols* (No. 1698) the Town

INSCRIBED STONE FOUND IN WALL OF 122 SALTMARKET, GLASGOW

See page 110

Council in 1570 conveyed the building, then in a ruinous condition, to Mr. David Wemys, first Protestant minister of Glasgow. Wemys continued in possession till 1574, when he resigned it to Glasgow University (*Protocols*, 2044), which had in the meantime obtained from the Town Council the bulk of the church property embraced in Queen Mary's charter. The original structure, which was in a dilapidated condition shortly after the Reformation, must have been wholly taken down long ago, and it may be safe to conclude that in the disposal of the building material the inscribed stone found its way to the Saltmarket. In any view the stone is an important voucher of history, and duplicates the memorial record contained in the *Registrum Episcopatus Glasguensis* (p. 616) of the obit of Muirhead, as the bishop 'qui fuit fundator collegii Vicariorum chori Glasguensis.'

Dr. Lapsley on Cornage.

THE July number of the *American Historical Review* contains a couple of articles of considerable interest to students of English history, one at least of which is likely to attract attention and perhaps to provoke controversy. Dr. Lapsley has contributed an able study of the associated institutions of cornage and drengage, in which he reviews all the available evidences of the four northern counties of England. The difficulties of the problem, hitherto so puzzling to scholars, are not underestimated in the most recent effort to unravel its meaning. Dr. Lapsley has not concealed from himself the contradictions and inconsistencies which surround the documentary history of cornage according to the date of the records or the region to which they apply, but amid the apparent confusion he thinks there is evidence of an original and underlying unity which may help to an ultimate disentanglement. Of the national and local documents, the latter are to be preferred, inasmuch as the local charter or chronicle is more apt to reflect the true meaning than the document emanating from any department of the central government. After a discussion of the Durham evidence, with which the author has a wide acquaintance, cornage is explained as a mere incident of unfree tenure, or a seigniorial due not incumbent on the whole of the Bishopric, but occurring only in vills which had pasture. In other words, it was a payment for the agistment of cattle on the lord's land, such payment having been first rendered in kind and afterwards by a composition in money. Then, in the twelfth century, it became a burden on the soil, and as time went on it had a predominant tendency to be identified with forinsec service, but in this process of development there was no evidence that it had attained to the dignity of a tenure like socage or serjeanty. The obligation was rather one of the many incidents of villain-tenure peculiar to such vills as enjoyed certain advantages from their lord. Dr. Lapsley's troubles begin when he proceeds to test these doctrines by the evidences supplied by the other counties. In the time of Henry I. the men of Northumberland regarded cornage simply and solely as a burden or service inherent in their tenure, though Dr. Lapsley oddly suggests that they had already forgotten its original character and meaning. A more striking

advance is observable in the development of the institution as it obtained in the western counties of the Border. In the twelfth century cornage under the name of noutgeld was payable over extensive tracts of Cumberland and Westmoreland, perhaps over the whole area, first in cattle and afterwards in money. While the institution remained at this stage, it did not differ in character from that of Durham. Another interpretation, however, was given when the matter came before a Cumberland jury at the Great Inquest of 1212. It was then declared to be a tenure entailing definite obligations of a defensive or military nature, and from that date tenure in cornage or by cornage became a common term in the law courts. Dr. Lapsley argues that all this does not differ essentially from the conditions previously examined. The tenurial principle was an innovation adopted by the King's officers or the judges to make this anomalous institution fit into the feudal system. Here, he says, is a form of tenure that will not fit into any of the existing categories. One of its incidents is cornage. It is important to the Crown for financial reasons that the obligations of this tenure should be clearly understood: it is important to the Court that, rightly or wrongly, the tenure should be defined, in order that they may know how to deal with it. The King and the judge alike required a name for the tenure and naturally called it cornage after its most unusual and striking incident. In his discussion of drengage the author admits that it was originally distinct from cornage, but he argues that as institutions they were so organically related as to become amalgamated in the thirteenth century under the crushing weight of the feudal superstructure. Spelman's story that the drengs were the descendants of the Englishmen, dispossessed by William at the Conquest, has been placed alongside the evidence of the Gospatric Letter, which appeared in this *Review* in October, 1903, with the view of showing that there was a considerable survival of pre-Conquest tenures beneath the feudal forms which the Normans imposed on Cumberland. This study of a difficult subject is the work of a fair-minded and painstaking scholar; and though the conclusions differ in some important particulars from those of other workers in the same field, Dr. Lapsley has put his points temperately and done full justice to the intelligence and sincerity of those who have preceded him.

Thomas Cromwell.

A NOTEWORTHY contribution on the history of the Reformation is from the pen of Mr. Paul van Dyke, who discourses at some length on the character of Thomas Cromwell and the untrustworthiness of Cardinal Pole's estimate in the *Apologia*. After contrasting the rival portraitures of King Henry's famous minister and discussing the events of the period, the writer suggests that there is far more reason for rejecting Pole's portrait of Cromwell in the *Apologia* than the portrait of Cromwell in Fox's *Book of Martyrs*, now very properly set aside by modern writers as one-sided. The true portrait is to be made from the positive record of his acts. It is true that Thomas Cromwell was no 'Martyr of the Gospel,' but it is also true that the diabolically inspired disciple of Machiavelli is a creation of the excited imagination of the Cardinal.