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A Roxburghshire Mansion and its Contents in 1729

THE valley, or 'watergate,' of the Rule may well claim to be one of the fairest in Teviotdale. In contrast with the lone moors, brown with the bents and heather, that hedge it in, lie its green haughs and woodlands. Here where the southern slopes of Ruberslaw have almost disappeared in the meadows by the margin of the stream, is situated the mansion house of Wells. The long avenue of ancient limes, the trim lawns and the sundials, show that the present house has usurped the site of older homes of gentlefolk.

In the year 1687 the estate passed for the second time into the hands of Rutherfurds after a lapse of nearly two hundred years. From the character of the stone moulding on the lintel of a doorway preserved in the basement of the last house, we may presume that Thomas Rutherfurd, the new proprietor, built himself a mansion suitable to the requirements of a country laird. Of that house but two stones now remain as visible mementoes. One bears no less than eighteen coats of arms showing the descent for many generations of Thomas and his wife. The other, apparently the lintel of the main entrance, has carved across it a pious exhortation rendered into Latin after the fashion of the times, '*Ne des tua robora scortis.*'¹ Through failure to act up to this motto, or from some less unworthy cause, the Rutherfurds in 1706 ceded possession of the property to William Elliot, still known in the district as 'the laceman.' He claimed to be descended

¹ *Ecclesiasticus*, c. 9, v. 3.

from the family of Elliot of Brough, and, previous to returning to his native land, he had made a considerable fortune in London as a manufacturer of gold and silver lace and as a financier. In 1728 he died, leaving a son and successor, William, then a captain in the army, and a daughter, married to Sir Gilbert Elliot of Stobs, whose descendants on failure of the male line succeeded to Wells.

Being a soldier unlikely to be regularly resident, Captain Elliot appointed as factor one Archibald Jerdon to manage his property in the country, and generally to look after his household and estate at Wells. Mr. Jerdon thereupon procured a thin narrow folio volume of 72 pages, bound in sheepskin, wherein to keep an accurate account of his intromissions with the rents, etc. This volume lies before me. A consideration of its contents may enable us to realise to some extent the conditions of life of a well-to-do border laird in the second quarter of the eighteenth century. Here we have his rental, a year's expenditure in 1729 when he was living on his estate, and a year's outlays in 1735 when he was apparently absent, a note of the timber sold, and lastly two inventories of the goods and chattels belonging to him in the house, one of which includes his books, his clothes, and his plate.

The rental of 1729 drawn from lands at Wells, Ormiston, and Hadden, amounted to £744 5s. 4½d., from which, however, there fell to be deducted £286 3s. 2½d. of arrears. In 1735 it is £921 7s. 7½d., but the arrears have increased to £463 6s. 4½d., which seems to imply that farmers at this time were not prospering.

The estate of Wells appears to have been by no means destitute of timber. The 'account of ash timber of the Greenwood' enumerates 206 trees, sold at prices varying from sevenpence to one pound seventeen shillings, and realising in all £94 5s. 9d. Some of these ash trees must have been giants, for 'One hundred and twenty-six valuable Firrs cutt down in the West Avenue' only realised £4 17s. There was timber also cut in the Hilloch sold for £2 8s. 8d., but of what quality we are not told. Unfortunately, this timber account is undated, but it must have been between the years 1728 and 1760, the first and last dates in the volume, and probably not long after 1728, as the accounts show an entry in October, 1729, for proclamation of the sale of the avenue timber, and refer to a timber book wherein the details were entered.

Further, there are charges for proclamations of sales of timber at Ormiston and Oxnam in the same year. Between 1734 and 1735 the amount realised by the sale of timber and brushwood was £9 19s. 11d. Nor was good forestry being neglected, for the Captain buys in 1729 from Robert Dixon, one of the earliest of our Scottish nurserymen, 500 firs for 16s. 8d., and a little later 2 lbs. of fir seed from Wm. Torrie for 10s. The foregoing shows that the south of Scotland was not, in all parts at any rate, the dreary treeless waste it has been usually depicted. 'Through Roxburghshire,' says Mr. Henry Gray Graham, 'there was bleakness and barrenness of nature . . . until round Floors Castle some trees were planted and jealously guarded about 1716.'¹

Though we can only guess at the external appearance of the old house, the inventory shows the number and character of its rooms. There were six rooms, several with closets adjoining, the dressing and powdering rooms of those days, a kitchen, a servants' room, and a garret. In the dining room the chairs, ten in number, were of oak, as also were the oval tables. Over the chimney was fixed a glass, probably flanked on either side by the pair of large glass sconces with the brass candlesticks. On the walls hung the portraits of the Captain's father and mother, and of his sister, Lady Elliot of Stobs, while somewhere on the floor stood the 'modele of Wells House sent from London.' The laird's own room, with its closet, contains 'a dressing chair and four stools covered with silk serge cases,' 'a chimney glass,' a foot carpet, a dressing-glass, and a little shaving glass. The green room is provided with the usual chimney glass over the fire-place, while various pictures hang around. 'Provost Lindsay, Moses Striking the Rock, the Good Samaritan, a Hunting-piece Landskip by Edima and four sea-skips by different hands.' There is a Winchester chair and 'six chairs of walnut tree with blue water tabby bottoms,' a cane couch, 'a close stool,' a washing stool, a table, a piece of tapistry, a bedstead, probably with green hangings and 'bedding conform.' This we may surmise from its furnishing was the best room of the mansion, and here, perhaps, it was that Lord Heathfield, the future defender of Gibraltar, who was born at Wells in 1717, first saw the light of day. The closet adjoining contains a miscellaneous collection—six brass locks, two looking glasses,

¹ *Social Life in Scotland in the Eighteenth Century*, vol. i. p. 196.

three beech-framed chairs, a fire grate and fender, and two brass arms belonging to the dining-room sconces.

The Captain, as is but natural, is comfortably lodged. He has a fine yellow camblet bed and 'bedstead on castors,' whereon lie a checked mattress and a hair mattress, a Holland quilt, a feather bolster and pillow, two pair of fine English blankets, and one coarse blanket. He has the only armchair, so named, in the house, covered with silk and yellow serge, and four stools to match it. Against the wall stands a 'buroe wainscot' (oak bureau), and there is also a 'wainscot table.' The usual glass hangs over the fire-place, where there is a grate with a fender, tongs, poker, shovel, and bellows.

A piece of tapestry he also has, and a 'foot carpet,' and somewhere there is still room for a large chest containing papers, tea things, etc., as well as for his books. In his closet, whose size must surely be greater than its name implies, are five beech chairs, a shaving glass, a 'lanthorn,' 2 table matts, 4 maps, a Spanish fowling-piece, a chocolate mill, a deal table, a box of bullets, five canisters, 2 dog collars and couples. In the room described as 'unfinished' are stowed away a yellow bed and a blue bed, six black cane chairs, ten wainscot cane chairs, two mats and a bridle. In the servant's room the simple furnishings which Mr. Jerdon has claimed as his own consist of a bed and a table. The factor's own den holds but an iron chest, a grate, and a 'Forrest chair,' while the kitchen seems well provided. Only the garret remains for us to pry into. Here there are some old broken chairs and window frames, a couple of marble chimney pieces, a linen press, ropes, pulleys, and a ladder, with lastly, a strange item, 'a pattern windo for ye roof of a house (in a case).'

Washstands and their necessary fittings are conspicuously absent from the furnishings of all these rooms except the green room, where there is a washing stool; but associated with milk pots and empty hampers are three basins and some other articles which we might reasonably have expected to find in the bedrooms of the house. It is possible, therefore, that the metal basins of those days were not permanently kept in bedrooms as now.

We are pleased to learn from the account that the windows, or at least three of them, are hung with pulleys and ropes,

while we also gather that some, if not all, were glazed lozengewise. It informs us too that a marble chimney piece was erected in one of the rooms, probably the dining room, and that one of the 'chimney glasses' cost £6 6s., a very considerable sum in those days.

The laceman seems to have neglected his cellar. His son, however, proceeds at once to put it in order and to replenish the bins. A lock and key are bought for the door and wine is laid in. George Halyburton supplies 9 dozen 9 bottles of wine (*kinds unspecified*) at £13 13s., 16 bottles of arrack at £3 4s., 5 dozen of claret at £4 10s., and 2½ dozen of white wine at £2. Mr. Russell also supplies £11 6s. worth of liquor, and a Mr. M'Ewen sends for 16s. 6d. a dozen 'periment water.' Magdalen Henry is brought in to brew, and ale comes from various local sources, corks and punch ladles are purchased, and a supply of wine glasses is obtained.

There are dishes and plates of pewter, china and delft; a delft and a china punch bowl with a 'timber' (*wooden*) ladle, a 'bottle stroup' (*a spout*), a pair of 'hair teams' (*sieves*), a 'chocolate pot and stick,' 'a coffee pot,' '2 tea milk pots,' 4 dozen ale glasses, 2 water glasses (a lip broken in one of them), 6 beer glasses and 5 dozen and 2 wine glasses, 2 dozen tumbler water glasses, 6 wash mouth tumbler water glasses and saucers, 3 flat low glasses, 8 glass decanters (1 broke) and dozets (*stoppers*), 3 oyl and vinegar glasses, 2 delft decanters and a delft mug (all cracked), 4 black hafted knives and 6 forks, 6 china hafted knives in a case, 6 chocolate cups and a tray.

The plate at the time the inventory was made was under the care of John Hope, the gardener, and consisted of 'a shagreen case with twelve silver hafted knives, twelve forks and twelve spoons, a shagreen case with six gold hafted knives and forks and six gold spoons,' another similar case of gold plate, two pairs of silver candlesticks, one pair of silver snuffers and a snuff pan, one silver cup, two silver salt cellers with spoons, two silver salvers, a silver oil and vinegar frame with a pepper box, and two 'crewat with tops' and a marrow spoon. There were also in the house 'a mahogany tea box with six cups and saucers, pot, sugar dish, and cover, two canisters and 6 silver spoons and milk potts.' 'A Backgammon table w^t ye men compleat, a pair of dice and two boxes' figure here as they do in other inventories of the times.

There is a supply of 'linens and woollens' which does not, however, call for particular comment.

Being still a bachelor when he succeeded, the Captain needed no large staff of servants to minister to his comfort while in his country home. A single female, Bessy by name, served him at a trifling wage and a pair of shoes to cover her naked feet, an invariable addition to the wages in Scottish households. Her wage, as seems to have been customary, was paid to her in small irregular instalments, the money being no doubt as secure in the hands of her master as sewed up inside her garments,—the alternatives to the 'kist' and savings bank of modern times. Nor did the country towns boast any brightly dressed shop windows to lure the domestic of those days to waste her substance on fripperies, and the pedlar's pack contained doubtless little beyond essentials. Bessy's ordinary wage when in residence is not revealed, but her board wages amounted to £1 6s. a quarter.

Outside the house, John Hope, the gardener, lived in a thatched cottage with his wife, keeping a cow and poultry, and from time to time supplying the mansion with their produce. James Gladstone, another outdoor servant, seems to have been employed as the 'handy man.' A number of occasional labourers were engaged, chiefly in ditching, their wage being sixpence a day. A thatcher, however, earned a shilling, and no doubt had his time well occupied thatching the cottages with heather or straw.

Gardening was one of the laird's hobbies, as his choice of books bears evidence, and a considerable amount of labour was evidently expended on the amenity of his place. The lawns or bowling greens were well cared for, there being no less than five rolling stones and frames with a number of garden scythes and shears to keep the grass and shrubs in order; and there being 22 playing bowls and 5 jacks, we can picture to ourselves the laird, arrayed in his coloured coat and knee breeches, buckled shoes on his feet and his tie wig surmounted with a three-cornered hat, playing with his country neighbours at bowls on the summer afternoons. There are garden and footpath rakes, weeding irons, 'swallow tails,' a hedge bill, a pruning ladder, and various other usual garden implements. The nine gilded lead flower-pots may have flanked a green alley in the garden or decorated a lawn. There stood in some sunny spot six bee-skeps, whose

occupants in September were smoked with brimstone, their honey run into 'pigs' bought for the purpose, and covered with leather.

The Captain, as might be expected, kept several dogs, had a fishing rod, for the Rule has always been famed as a trout stream, and though he shot, his bag of game was insufficient for his requirements, so Walter Whillans, the fowler, on 16th August, supplements it with 8 gray fowl at a cost of 6s. 6d., and twice again the same month with wild fowl. And here for comparison it may be noted that a chicken cost 2d., ducks 5d. each, pigeons 12 for a shilling, a goose 1s. 8d., and eggs from 2d. to 3d. a dozen.

That the Captain could cut a fine figure when required the inventory of his wardrobe testifies. The list includes besides his ordinary apparel, probably some items of uniform, as well as a few articles of toilet and some horse 'graith.'

One case with two raisors,	One white coat and waistcoat,
One whoon, one strap,	silver laced,
A wash ball case,	One gray frock,
Two tye wiggs,	One blew frock,
One que wigg,	One blew coat embroidered
One bob powder bag and puff,	with gold,
5 pair of shoes,	Two white fusten frocks,
One pair of slippers,	One white coat and waistcoat,
Two pair of boots,	Two rug wastecoats,
One deammy (<i>demi</i>) peack	One white salute coat,
saddle,	One scarlet coat,
One hunting saddle, two girts,	One Holland wastcoat with
Two bitt bridles,	silver lace,
Mail pillion with 4 stropes,	One scarlet cloak,
A pair of black velvet breeches,	One white drab great coat,
One pair of Lether breeches,	One flesh brush,
One blew camlet coat and	One coat brush,
breeches,	Two brushes for shoes,
One brown coat and waistcoat,	A caparison cloath,
gold laced,	Two horse cloaths.

We may appropriately mention at this point the existence of 'one lether portmantu,' a gray cloth portmanteau, and three pair of pistolls, necessary equipment for the traveller.

His books, forty-four in number, show him to have been a man of some culture with varied tastes. Gardening and forestry are well represented. There is Gerard's *Herbal*, James's *Gardening*, Bradley on *Husbandry*, *The Gardiner's*

Dictionary, Bradley's *Gardening*, Cook on *Forest Trees*, Switzer's *Gardening*, and London and Wise's *Gardening*; a handful of historical works, viz.: Thucydides, Rapin's *History of England*, the *History of the Bible*, Clarendon's *History* and Caesar's *Commentaries*; poems and plays—Lee's *Plays*, Prior's *Poems*, Ramsay's *Collection of Songs*, and Ovid's *Metamorphosis*. There are a few linguistic books—grammars and dictionaries—some of them relating to Italian. Bacon's *Natural History*, marked as lost, *The Compleat Horseman*, and a couple of military works, the *Art of Gunning* and Bland's *Military Discipline*. Of books in foreign tongues there are *L'Histoire de Don Quichote* in 6 vols., *Cyrano Bergerac*, Bocace, *La Vie de Richelieu*, *Memoire de Goulon*, *L'Academie des dams*, *Les Amours d'Horace*, *Le Moyen de Parvenir*, *Avis d'une mere a son fils*, opposite to which there is a note, 'donné a mi Lord Minto'; *Ye Conscious Lovers Italien*, etc. A volume of the *Compleat Court Cook* has been given to Lady Minto, and a collection of thirteen pamphlets with a Bible and a copy of Witchcote's *Sermons* practically completes the library.

In the account there are a few miscellaneous entries which call for comment. The cost of sending letters does not seem so great as might have been expected, but it must be borne in mind that the purchasing power of money was approximately six times what it is to-day. The following rates for letters may be of interest. To Edinburgh, about 60 miles distant, 1d., to York 4d., and to London 6d. Commodities were frequently purchased from neighbours. Butter, both salt and fresh, was taken in considerable quantities from the lady of Cavers, while Drygrange did a trade in linen. There were few bridges spanning Tweed, and travellers were taken across the river in ferry boats, 6d. being charged on each occasion for 'Boating Tweed.' Coals were laid in at mid-summer, the loads being brought on horses' backs, probably from near Berwick, the long days enabling the journey to be performed with least waste of time. No coal is worked in Roxburghshire, but the following entry shows that an attempt had been made to find it: '4 iron hooped buckets and several bonny rods, handles, wimles (*wimbles*) and ropes for boring for coal.'

Finally, it is worth noting that the factor who looked after all these matters received a salary of £12 a year, his horse's grass valued at another pound, and a trifling allowance for paper, ink, and wax.

ALEX. O. CURLE.

Economic Condition of Scotland under the Commonwealth and the Protectorate

THE period of the union of Scotland with England under the rule of the Commonwealth and Protectorate is sometimes said to have been a time of material prosperity for Scotland, accounted for chiefly by the complete freedom of trade between the two countries. But it is difficult to see what evidence can be given to prove that the country, in the six years of peace between Glencairne's rising and the Restoration, was able to recover from the interruption to trade and the desolation of the land caused by the previous wars, much less to enter upon a new career of commercial activity. The English rule entailed upon the country heavy financial burdens for which the boon of free trade with England did not seem sufficient to compensate. Nor was the policy of commercial union an original scheme, by which Cromwell and the Commonwealth Parliament foreshadowed the work of the statesmen of 1707, but rather a return to the policy of the two last Stewart kings.

James VI.'s accession to the English throne was followed by a series of negotiations, lasting about four years, for the complete union of the kingdoms of England and Scotland. James himself was the originator of the scheme, and also almost the only person who was really anxious for its success, for neither the Scottish nor the English Commissioners showed any readiness to make those concessions which were necessary for the completion of the scheme of union.

The only results of the negotiations, as far as the Statute books were concerned, were :

'An Act for the utter abolition of all memory of Hostilitie and the Dependances thereof between England and Scotland, and for the repressinge of occasions of Discord and Disorders in tyme to come,'¹ and an 'Act anent the Union of Scotland

¹4 Jac. I. c. 1.

and England'¹ which declared: 'That all the particular hostile Laws . . . maid . . . be Scotland aganis England as Enemies sall be abrogat and in all tyme cuming allutterlie extinguished.'

There was a good deal of discussion on the subject of a commercial union, but English jealousy of the ancient league of Scotland with France, by which Scotsmen were naturalized in France and had all the privileges of citizens, while Frenchmen held the same position in Scotland, proved the chief stumbling block in the way of any statutory arrangements.

During the period of the negotiations, however, trade was carried on freely between the two countries, and even though no definite arrangement was then made, for the next few years the payment of customs was only enforced spasmodically. In 1615 James declared by Proclamation that 'ever sithence Our comming to the possession of the Imperial Crowne of the kingdomes of England and Ireland, Our ful resolution . . . wes and alwayes hath bene by all good meanes to set forward and advance Trade, Trafique and Merchandize, as well Within Our Kingdome of Scotland, as in Our Kingdomes of England and Ireland, . . . And for that purpose and to give the better encouragement unto Our naturall subiects of the said Kingdome of Scotland to set forward and increase their Trade, Shipping and Commerce, Wee have heretofore given divers and sundry private directions . . .'² that Scottish merchants, merchandize and ships should be charged with no greater duties in any ports in England and Ireland than were English and Irish merchants and ships.

But for the occasional imposition of a duty on the export of wool or hides from one country to another, the policy of free trade was continued, with the exception of the time of the Bishops' Wars, until the invasion of Scotland by the English army in 1650. All commerce and correspondence between the two countries was then forbidden by Act of Parliament.³ A declaration for the union of the two kingdoms was indeed published in Edinburgh, April 21, 1652, but the resumption of commercial intercourse was not officially recognised until the Ordinance for uniting Scotland and England into one Commonwealth,⁴ April 12, 1654.

¹ *Acts of Parliament of Scotland*, iv. p. 466.

² *State Papers, Domestic, James I. Proc. Coll.* 39.

³ Scobell, *Collection of Acts and Ordinances*, pp. 124, 143. ⁴ Scobell, *Acts*, p. 293.

This ordinance declared that all goods were to pass custom free between the two countries, and that all prohibitions of imports and exports in England were to hold good in Scotland. The first part of the clause was only a return to the policy initiated by James I. and continued by his son, while the second imposed burdens on Scottish trade, which it had not hitherto borne.

Although the greater part of the fighting during the Civil Wars took place in England, yet Scotland had also suffered very severely. After the Bishops' Wars, which the Covenanters complained had ruined their trade, the absence of so many Scots with the army in England, and the destruction brought by the Montrose Expeditions, all contributed to injure Scottish prosperity. But these injuries were slight in comparison with the devastation caused by Cromwell's invasion and the Dunbar campaign. All the south part of the country was then laid waste, and all trade was interrupted.

Nicoll writes: 'So, to end this yeir of God 1650, this Kingdome was for the moist pairte spoyled and overrun with the enymie, evin from Berwik to the town of Air, their being Inglische garisounes in all quarteris of these boundis; and land murning, languishing and fading, and left desolat.'¹ In 1651 the same writer says: '. . . this pure land wes brocht to oppin confusioun and schame, the Inglische airmy ramping throw the kingdome without oppositioun destroying our cornes, and raising money quhairevir they went for maintenance of thair airmy and garisoune . . .'

The Worcester campaign was also disastrous. Professor Firth says between 1648 and 1651 'at least 40,000 of her (Scotland's) hardiest sons had been either slain or swept into captivity.'

Although the land then had rest for two or three years, the poverty of the country increased, and many of those who were ruined flocked to join Glencairne in 1654. 'Bankruptis and brokin men throw all the pairtes of the natioun incresit, and for feir of captioun and warding wer forcit to flee to Glencairne and Kenmure, quha wir now in armis againis the Engliches.'²

By this rising, according to General Monk, the people were £200,000 poorer than before, 'because of the greate destruction and waste made by the enemy, and of what wee found necessary to destroy that they might be deprived of sustenance.'³

¹ Nicoll's *Diary*, p. 40.

² Nicoll, p. 122.

³ *Scotland and the Protectorate*, C. H. Firth, p. 212.

Besides the laying waste of the country which seemed to be the work of the English and Scots alike, the Scots also suffered by the loss of their ships. A few weeks after the publication of the Ordinance prohibiting intercourse with Scotland, Admiral Deane issued a warrant to Captain William Penn,¹ authorising him to seize all Scottish ships which he should meet with, and to deliver them to the collectors of prize goods. But Scottish shipping had been attacked before this order was given; for in June the Scottish Parliament wrote to Sir Arthur Haselrigge, Governor of Newcastle, and also to Lord Fairfax, complaining 'that English shippes have searched and seized divers shippes, with the persons and goods therein belonging to this Kingdome.'²

In 1650, after Dunbar, the ships of the ports round Edinburgh were ordered to be 'brocht in to Leith for serving the Inglishes thair demandis.'³ In 1651 others were taken by Monk from the Fife ports, and also from Dundee, where Lamont says: 'they gatt many ships in the harberey, nire by 200 veshells great and small.'⁴

A few of these vessels may have been returned after the Union was declared, but the number of complaints from the Convention of Burghs during the Commonwealth, and the declaration of the Scottish Commissioners treating for a Union, in 1667-70 that: 'almost all the ships and vessells belonging to his Majesty's subjects of Scotland were during the late usurpation taken, burnt or destroyed,'⁵ show that a great many of the Scottish losses were not repaired.

The great disadvantage of English Government was its expense. In a country like Scotland, which, at the best of times, was comparatively poor, and which was suffering particularly at this time from want of money, a respite from heavy taxation would have been necessary to restore commercial prosperity. But England also was exhausted and could not be forced to pay for the entire cost of maintaining the garrison in Scotland.

To support the army of occupation a general assessment of £10,000 per month was levied on Scotland, by order of

¹ *Hist. MSS. Com. Rep. Portland Papers*, ii. p. 69.

² *Acts of Parl. of Scotland*, vi. pt. 2, p. 585.

³ Nicoll, p. 34.

⁴ *Lamont's Diary*, p. 35.

⁵ *S. P. Dom. Charles II. ccxxxiii. 13.*

the Commissioners,¹ February 18th, 1652. Abatement not exceeding £2,000 per month might be apportioned amongst localities which had suffered by the war. The assessment was based on valuations made in 1629, 1644-5, and 1649, and £8,500 was raised until Glencairne's rising. After this the amount was fixed at £7,300, but was reduced in 1657 to £6,000, and this sum continued to be levied until the Restoration.

The authorities in England declared that: 'In ascertaining of assessment, Scotland to be considered as well in its integrity and intrinsic value before the late wars, and in its present poverty through devastation and spoil by the wars':² but the English officers and commissioners, Monk and others, who were on the spot, found it quite impossible to raise the sums which were expected. Their letters on this subject give unimpeachable evidence as to the poverty of the country. In 1654 Monk wrote: 'I have thought fit to acquaint your Honours that albeit the assesse of £10,000 a month could never be raised in this nation (even before this late warr, by which this people are at least £200,000 worse than before) yet I considered how farr the cesse of any place therein might be raised . . . and I have laid the Assesse as high as it can be raised, but find it cannot come to more than £7,300 a month.'³

(In 1621 and 1625 when Scottish industry and commerce were in a prosperous condition, grants of taxation of about 1,200,000 lib Scots, to be collected during three years, were made; *i.e.* about £33,500 sterling a year, which was said to be 'the grittest taxatioun that ever was grantit in this kingdome.')

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The various reductions made in the assessments were not made because of any decrease in the cost of governing Scotland, but for the simple reason that it was impossible to squeeze any more money out of the country. The assessments, too, were not fairly made, for Scotland was, in proportion to her wealth, more heavily burdened than England.

Monk, writing to Secretary Thurloe in June 1657 about a new assessment to be levied on the three kingdoms, says: 'I must desire you will consider this poore country which truly I can make itt appear that one way or other they pay one

¹ *Scotland and the Commonwealth*, C. H. Firth, p. xxx.

² *S. P. D. Commonwealth*, cxxxviii. p. 60-2.

³ *Scotland and the Protectorate*, C. H. Firth, p. 212.

⁴ *Register of the Privy Council of Scotland*, 2nd Series, vol. i. 151. 3.

hundred pounds out of fower for their assessment. . . . And unlesse there bee some course taken, that they may come in equality with England, itt will goe hard with this people: . . . And since wee have united them into one Commonwealth, I thinke itt will bee most equall, to bring them into an equality.’¹

The Burghs also complained of the ‘great disproportione betwix thame and England.’

An excise had been levied in Scotland in 1644.² In 1655 by an Order of the Protector and his Council the rates were declared to be the same as those in England.³

The burden of the assessment was so great, and money at any rate was so scarce, that no capital was set free for employment in industry or commerce. ‘The assessments take up above a fifth part of the rents throughout Scotland, and the people are so generally poor in some parts, all their stock being lost, that they are not able to pay for lands (I mean tenants) so much as formerly by $\frac{1}{3}$.’⁴

Nicoll too in his diary makes constant reference to the country’s poverty. In 1654 he writes: ‘Povertie still increist in the land and thairfoir much pepill . . . wes brocht to great miserie and distress . . . Quhairthrow . . . and by the dayly quarteringis, cassis and uther heavy burdeningis, thair being also lytill or no tred, the land wes forcit to grone under these calamities and burdingis.’⁵

Matters did not improve as time went on, even though the country was at peace after Glencairne’s rising had been crushed.

In 1657 ‘Povertie and skaircitie of money daylie increisit, be ressoun of the great burdingis and chargis . . . imposit upone the pepill, quhilk not onlie constraynit thame to sell thair landis and estait, bot evin thair household geir, insicht and plenishing and sum thair cloathes and abuilzementies.’⁶

Robert Baillie, ‘one of the most eminent and learned of the Presbyterian clergymen of the Covenanting period,’⁷ writing in 1656 says: ‘In our state all is exceedingly quiet. A great army, in a multitude of garrisons bides above our heads, and deep poverty keeps all ranks exceedingly under; the taxes of all kinds are so great, and trade so little, that it is a marvel

¹ *Thurloe Papers*, vi. 330.

² *Acts of Parl. of Scot.* vi. part. 1, p. 75.

³ *Acts of Parl. of Scot.* vi. part 2, p. 827. ⁴ *Letters from Roundhead Officers*, p. 59.

⁵ Nicoll, p. 132.

⁶ Nicoll, p. 207.

⁷ Mackintosh, *History of Civilisation in Scot.* ii. p. 376.

if extreme scarcity of money end not, ere long, in some mischief.'¹

Two years later he writes: 'The country lyes very quiet; it is exceeding poor, trade is nought; the English hes all the moneyes.'²

The poverty of the country and the expense of governing it contributed to the final bankruptcy of the Protectorate Government, for Scotland was far from being self-supporting.

In 'An Estimate of the monthly charge in Scotland,'³ made up in July 1654, the monthly cost of the army is stated to be £41,236 17s. 9d., while the assessment because of 'the broken condition of the country' only amounts to £4,000 monthly. Therefore England has to furnish £37,000 a month. The customs and other revenues of the kingdom 'will but defray the charges of the civill list, and hardly that.'

In December of the same year, £60,415 12s. 7½d. was needed to make good the pay of the forces in Scotland till that date.⁴

A statement presented to the House of Commons, from the Committee for inspecting the Treasuries, in 1659, shows that Scottish finances must indeed have been a heavy burden to the Government.⁵ The debt to the forces in Scotland was £93,827 13s. 0¾d., and to the citadel at Leith £1,800; and the annual issues for the pay of the forces in Scotland was £270,643 4s. 2d. The income was only £135,836, so the deficit in Scotland amounted to £230,435 17s. 2¾d. The deficit in the total revenues of the three kingdoms was £1,468,098 12s. 2½d.

As may be supposed this period of extreme poverty and exhaustion was not a flourishing time for trade, nor did the supposed boon of free trade with England seem to improve matters. As has been said, a great part of the shipping of the country was destroyed and appropriated by the English in 1650 and 1651. The Scots therefore were without the means for pursuing their trade, unless they could buy new ships or use foreign vessels. But difficulties were put in the way of their procuring new ships by a duty levied by the

¹ Baillie's *Letters and Journals*, iii. p. 375.

² *Ibid.* iv. p. 31.

³ *Acts, Scotland*, vi. pt. 2, p. 888.

⁴ Thurloe, iii. p. 43.

⁵ *Journals of House of Commons*, vii. p. 160.

Government on these purchases. This was complained of by the Royal Burghs 'being informed that the commissioners for the customs excys doe exact the 20 peny of custome and the 20 peny of excys of all schippis bocht from straingeris and brocht home for the necessarie service of the natioun and increas of tread which exactionis doe much frustrat and hinder the restoring of the decayed and lost schipping of this cuntrie.'¹

Their trade in foreign ships was put a stop to by the Navigation Act of 1651,² which forbade the import of goods into any of the Commonwealth dominions, except in native ships, or ships belonging to the country whence the goods were brought. This was also complained of by the Burghs. In 1656 a letter was sent from the Convention to their Commissioners, attending the Parliament in London, to demand permission to transport their coal and salt to 'whatsoever places within or without this Island in what boddomes the merchant may be best served with for their advantage';³ also to import all commodities from France and Spain in the ships most convenient for the merchant.

Another source of grievance and check to trade was the prohibition laid on the export of certain articles which were the staple commodities of Scottish trade—skins, wool, hides etc.—on the ground that the said articles should be made use of in manufactures.⁴ But they were 'the onlie meannes quhairby thair tread subsisted and forraine commodities and money imported in the natione—without the which they ar altogether unable for erecting of manufactories and improving of the saidis commodities thairin.'⁵

There was also some new restraint on goods imported, commodities which, according to the Burghs 'wee cannot subsist without.'⁶ With this complaint was bracketed the request that they should be allowed to import these goods although not the growth of the country from which they are brought.

Another result of complete commercial union was that the tariff of customs on imports and exports was the same for

¹ *Records of the Convention of the Royal Burghs of Scotland*, iii. 435.

² *Scobell, Acts*, p. 176.

³ *Royal Burghs*, iii. 394.

⁴ Proclm. $\frac{669f20}{36}$ and *Scobell, Acts*, 138.

⁵ *Royal Burghs*, iii. p. 391.

⁶ *Royal Burghs*, iii. p. 393.

Scotland as for England. The English rates were considerably higher than the Scots were accustomed to pay, and to a country already impoverished this difference entailed a burden which the traders were neither willing nor able to bear.¹

The commodities which suffered most from this equality of customs were coal and salt. Coal was said to be the best staple commodity of the kingdom;² and the manufacture of salt, also an important export, depended upon the coal works, for, unless the great coal could be sold, the small coal, which was used in the salt manufactory, was not worked. The duty imposed was 4s. per ton exported by natives, and 8s. on that exported by foreigners.³ This enhanced the price so much that the Netherlanders, who bought most of the Scotch coal exported, could not purchase it, and began to bring coal down the Rhine from works at Luyck.⁴

Petition was made for lessening the duty on Scotch coal on the ground that it was less able to bear it than the English. The English coal, the petitioners said, was more used in the country than Scotch; also, Newcastle coal was absolutely necessary for the Dutch iron manufactures, while Scotch coal was used in breweries and soap works and could easily be replaced by coal from elsewhere.⁵ If both coal and salt works were to be closed, about 20,000 of the population would be ruined, and the customs very much lessened.

In March, 1658, the Council reduced the duty to 2s. 6d. and 5s. per ton respectively for great coal, until the matter should be more carefully considered.⁶ It would seem, however, that the higher duty was reimposed, for in January, 1660, the Burghs wrote to the Protector urging that 'the extraordinarie imposition upon coall and salt may be moderated.'

Besides these disadvantages resulting from the English rule in Scotland there were other hindrances to trade, which affected English merchants also. Dr. Cunningham says: 'It is . . . quite illusory to suppose that the navy was able to give adequate protection to British shipping; . . . The old evil of the Algerian pirates remained unabated; the Earl of Derby and other royalists had fitted out numerous privateers; the French were ready to prey on English commerce in the

¹ *Royal Burghs*, iii. p. 397.

² *S. P. Dom. Commonwealth*, clxxix. 65.

³ Scobell, *Acts*, p. 384.

⁴ *S. P. Dom. Commonwealth*, clxxx. 12.

⁵ *S. P. Dom. Commonwealth*, clxxx. 12.

⁶ *S. P. Dom. Interregnum*, i. 78, p. 481-3.

Mediterranean; and the Spaniards and Dutch rendered the Channel and coasting trade most insecure.¹

Scotland's trade, small though it was, probably suffered more in proportion than that of England. The communications of the Burghs to their agents in London contain many requests for convoys for their ships, and complaints of the loss they have suffered, both by pirates and on account of the Commonwealth wars with Spain and Holland.

It was particularly disastrous for Scotland to be dragged into a war with Holland, for Scottish trade with Holland had always been considerable. There apparently was, during this period, some interference with the Scots staple port at Campvere, where they had been established since the fifteenth century. This was probably partly due to the war, and partly to the prohibition of Scots staple exports.

The English merchants regarded Dutch commercial intercourse with Scotland with jealousy. As early as 1650 the Council of State recommended that Dutch trade with Scotland should be forbidden. 'They get the main trade into their own hands, and beat out the English. . . . Whatever may seem to be wanting by prohibiting them . . . will be furnished by our own merchants . . . when they shall have an assured market by the exclusion of the Dutch.'² The Council apparently consider that the Scots show a peculiar ingratitude by allowing the Dutch to trade there. 'Their malignancy is such, notwithstanding all the favours they have received from you . . . that they will buy nothing of the English if they can have it from the Dutch.'

The Spanish war, too, ruined several merchants, for Scotland had had some trade there, especially from the time of the English wars with Spain in the sixteenth century. While it went on, Scotland's chief trade was along the coast to England, although some merchants sailed abroad under pretence of being Dutch with Dutch skippers and mariners.³

There seems to have been very little employment in trade for Scottish sailors during the wars. According to Nicoll, writing in 1656, 'many skipperis and maryneris were taken to sea to serve the Inglishes. Many of thame without compulsion wer content to tak on and serve, thair being lytill or no employment

¹ *History of English Industry and Commerce*, W. Cunningham, ii. p. 188.

² *S. P. Dom. Interregnum*. i. 96, p. 318.

³ *Tucker's Report on the Customs and Excise*, p. 44.

for thame utherwayes in tred or merchandise and seas being foull with pirattis and robberis.’¹

There were also some very violent storms during these years, especially in 1654 and 1656, in which many ships were lost, and other damage was done. The Burghs complain of the loss of their ships, stocks and trade, and that the storm had also demolished ‘the maist pairt of thair herberis.’²

The letters of the English Commissioners and the complaints of the Convention of Royal Burghs show that there was little improvement in the state of trade in Scotland. In March, 1659, the Commissioners of the Burghs ‘now convened, taking to consideratione the pressing burdingis this natione with the estait of borrowis lyeth undir and the great decay of tread which wes the meane of their subsistence,’ send instructions to their Commissioners in London requesting a reduction in their cess, relief from the system of quarterings, and the removal of the prohibition of the export of those Scotch goods which were formerly transported, until manufactures could be set up.³

Although the time of English rule cannot be said to have promoted commerce or industry, or to have brought much material prosperity, it was on the whole efficient and successful in some other directions. In the administration of justice the place of the Court of Session was taken by a commission of justice, the members being both English and Scotch. They acquired a reputation for giving more equitable and impartial decisions than had ever obtained before. ‘Thair justice,’ says Nicoll, ‘exceedit the Scottis in mony thinges.’

The preservation of order in the country was also efficiently maintained. Forts were built and garrisoned at Inverness, Inverlochy, Perth, Ayr and Leith, and there were also about 20 smaller ones built. As a result the Highlands were controlled, and internal communication was facilitated. ‘A man may ride all Scotland over with a switch in his hand and £100 in his pocket, which he could not have done these 500 years.’

Nevertheless Tucker says that various causes, the barrenness of the country, the poverty of the country, which he ascribes partly to their own laziness, ‘hath quite banished all trade from the inland parts, and drove her down to the very seaside.’

Schemes were also drawn up for the abolition of heritable jurisdictions and military service, and for removing some of

¹ Nicoll, p. 174.

² *Royal Burghs*, iii. p. 429.

³ *Royal Burghs*, iii. p. 482.

the difficulties in the way of transferring land, but these do not seem to have actually taken effect.¹

The first attempts to improve the sanitary condition of the Scottish towns have often been ascribed to the Commonwealth authorities. In Edinburgh, however, they seem to have promised more than they could perform: ‘. . . thair was ane new cess imposit upone the inhabitants of Edinburgh for bying of hors and kairtes for carrying away and transporting of the filth, muck and fuilzie out of the clossis and calsey of Edinburgh, quich much grevid the pepill, and so much the moir, becaus the pepill resavit no satisfacioun for their money, bot the calsey and clossis continued moir and moir filthie, and no paynes taken for clynging the streitis.’²

On the whole, therefore, it does not seem that the country benefited materially during the Interregnum. Poverty was great, manufactures could not be set up. Trade, both inland and foreign, had decayed, and showed little sign of recovery, and the bankruptcy of the country contributed towards the bankruptcy of the whole government, and the downfall of the Protectorate.

THEODORA KEITH.

¹Burton, *Hist. of Scot.* vii. 60.

²Nicoll, p. 167.

The Highlanders at Macclesfield in 1745

THE following letter,¹ one of a number of letters and other papers about the marches of Prince Charles's army through Lancashire, is the production of a typical English bourgeois. That the army took so many women and children with them is rather surprising. The Highlanders behaved better in the advance than in the retreat, as we know from all sources. The young officer who intended to take service with the Czarina cannot be identified. The date of the march to Macclesfield is December 1, 1745. Lord George Murray made his feint by way of Congleton towards Litchfield, causing the Hanoverians to retreat to Stowe, and then marching through Leek to Ashbourne, and joining the Prince at Derby. The other papers, or extracts from them, will be given later.

A. L.

D^r. S^r.

I thank you for yr. kind advice, but it came too late, for within a few hours after I recvd. yr. Letter we were alarmed with ye approach of ye Rebels. It was then too hazardous to remove my family so I determined to stand my Ground, especially as my wife seemed to be in good spirits and noways affraid. And indeed I must own she had more Courage than all ye whole family besides. My brother Tatton and his Lady were with me y^e morning but they went to Ashenhurst. And Fanny (who when ye Rebels were at Carlisle was as valiant as an Amazon and of all things would like to have a peep at ye Pretenders Son) durst not stay to see 'em march by ye Door, but rode off in great haste with her Bro- abt a Quarter of an hour, before they reached ye town.

We had heard of their coming into Manchester and of

¹The Editor is indebted to Mr. Walter Jerrold, Hampton-on-Thames, for this letter, which was written by Mr. John Stafford, Attorney, Macclesfield.—Ed. S.H.R.

ye great rejoicings there, and that they raised Recruits very fast from whence we concluded they would have made some stay at that town. But a party of about 20 Dragoons of ye King's forces coming into this town on Saturday evening pretty late the Rebels had immediate Notice of it and I believe they hastened their march hither in expectation of surprizing 'em.

Before the dragoons came in a party of ye Rebels that morning crost a ford above Stockport Bridge (wh. with others was very swiftly broke down some time before) and coming into ye town Rode round the Cross and Dispersed papers to Encourage men to Inlist in ye P's Service But not meeting with ye least Countenance they soon retired. However it was expected a larger body of 'em wo^d have marcht in there that evening.

We acquainted ye Officer who comanded ye Dragoons wth. wt. we heard, upon wh. he sent one of our townsmen to Stockport as a Spy to bring him intelligence of their motions. He not returning we Concluded that ye rebels stayd at Manchester. But ye next morning being Sunday ye 1st instant, about 10 o'clock we had Notice from ye country people that ye Rebels were within Quarter of a mile of ye town. The young officer who comanded ye party of Dragoons was at breakfast wth Mrs Mayoress when ye alarm was given And he was just saying Never fear Madam we Sl protect you Down went ye dish and he and his party of dragoons made full as much hast out of town as Madam Frances did. The good folks at Church ran out before half ye Service was over in ye utmost Confusion and ye whole town was in great consternation.

When ye first emotion of my own fright was a little abated I ventured to peep out of a Garrett window, but seeing my wife and her two sisters below at ye Gates, shame raised my courage and I ventured to stand by 'em and saw ye whole army pass by my own Door, except a regimenot of Horse comanded by Lord Elko and some forces wh. came in late But those I saw ye next day.

The Quarter Masters first came into town who with their Guard were 20 in Number; they Rode to the Cross and inquired for ye Constables. By this time I was grown so Manfull, that verily I followed this party to ye Cross (But by ye by my wife went along with me) they Inquired for

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Sr P: Davenports' house whether he was in town or not and being answered not they gave him a Curst and askt when he left it and soon after rode to his house and after viewing it inside and out markt ye Door with ye word Prince. I had now so much valour that I adventured to Speak to one of ye best of 'em and inquired wt. Number of forces wo^d be in town that day. He answ^d. 10,000, upon which I returned home much Dismayed.

Immediately afterwds came in a Regiment of horse by way of advance Guard said to be comanded by the Duke of Perth and the 2^d or 3^d Rank was the poor fellow (our Clyent Sampson Salt by name) who had been sent out as a Spy Guarded by 4 terrible fellows with their Drawn Swordes. They soon found he was a townsman and that ye Eyes of ye Inhabitants were on him. But fear had so metamorphosed our friend that his neighbours scarce knew him: He was shorter by half a yard at least than ye day before. If he cast an Eye to ye right—D—m you (says a ruffin) you must not look yt way. If he lookt to ye left—D—m you Don't look that way so yt he was forst to Conduct his Eyes directly betwixt ye two ears of his Palfry—and all ye while the Guards kept laughing and pointing at him and to ye people who beheld his Distress.

This Regiment seemed to be very poorly mounted I believe for ye most part on such horses as they picked up in ye Country as they came along. But many of ye men were lusty? fellows.

Not long after them came ye Foot in very regular ord with Bagpipes playing instead of Drums marching at ye head of the Colloms of each of their respective Regiments And all ye Forces as well Horse as foot were in Highland Dress except ye body Guards wh. wore Blue bound wth Red.

After abt. 4 or 5 Regiments had passed by us it was said the P: was coming up. You may easily imagin we were all very attentive to see him, and it happened a halt was made just opposite to my Door for a minute or two which gave us an opportunity of having a full View of him: He was in highland dress with a blue wastcote bound with Silver and a blue Highland cap on, and was surrounded by about 40 who appeared as his Guard. He is a very handsome person of a man rather tall, exactly proportioned and walks well, He is *in my thinking not much unlike Mr. N: Wetenhall but his face is not markt with ye smallpox.*

He walkt on foot from Manchester as he had done 'tis said all the way from Carlisle And I believe they made their best appearance into the town expecting to be recvd. as they were at Manchester But there was a profound silence and nothing to be seen in ye Countenances of ye Inhabitants but horror and amazement. Endeavours were made to have given 'em a peal of ye Bells for fear of Insults But 4 Ringers were all that co^d be got and they rung ye bells backward not with design but thro' Confusion.

Soon after the P's Son came into town and got to his Quarters at S^r P's (wh. we now call Holly Rood House) an Order Came to the Mayor to proclaim the Pretender and he and the Aldermen were directed to attend in their formalities. I had 2 or 3 messages to have gone with my Gown but I sent word it was out of the way but that I wo^d come for by this time I had got some of the Rebel Officers in the house and many more at the Gates watching the Procession amongst whom I stood out of Curiosity and therefore durst not say I wo^d not go for fear abused By which means I Escaped being present at so Shocking a Scene. Poor Mr. Mayor was obliged to be at it and I hear 2. or 3 of the Aldermen were. They tell me they made the Town Clerk repeat the Proclamation after 'em and when it was over they themselves gave a huzza or 2. There was not one townsman Joined 'em, *but I believe there was not one Englishman Joined in the huzza except what they had picked up at Manchester.*

Soon after the Advanced Guard Came into Town there was a young Lowlander (but in a Highland Dress) quartered himself and horse upon us for sake of my Stable. His dress was very unpromising but his manner and behaviour showed he had had a Genteel Education and was a person of sense and acc^t amongst 'em. As he was Exceeding Civil the women took courage and soon fell into Discourse with him. He stood with 'em at the Gates ye greatest part of the Procession By wh means we had an Opportunity of learning the Names of the Chiefs as they passed by wh added greatly to the Curiosity Many of the Officers appeared very well. Some few indeed were very old In particular Glenbuckett who seemed to be 80 at least and bended almost Dble on horseback. Some of those who stood by us said he had been bed rid 3 years before the P^r Son arrived in Scotland but he no sooner heard of his coming than he had a kind

of new life and joined him with his whole Clan and Family there being no less than his 2 sons 2 Grandsons a Great Grandson and a nephew along with him.

Many of the Comon men tho' they were Dirty and Shabby appeared to be lusty active fellows. Indeed there were some old men amongst the Comon Soldiers and a great N^o of Boys but I observed they appeared to be near all of a size and of an age viz^t abt 12 and I afterwds was informed that the use they intended to make of those boys, which were to be armed with Pistolls and knives only, was upon an Engagement to Disorder the King's Cavalry by going amongst the ranks and Cutting the legs of the horses.

It was dark before the Artillery came in and as it grew duskish orders were given that the Inhabitants sho^d Illuminate their houses upon pain of Military Execution, Upon wh. most of the houses were Illuminated but with great Ill will.

The young Lowlander I before mentioned whilst at Dinner talked pretty freely and said Manchester was a very glorious Town, that they had been very well recvd there. Asked whether they shod be Joined by any Charlie's Gent and where Lord B was I told him in London, and that they had nothing to expect from anybody in this County for most of the Young Gentlemen of fortune in the Co. had accepted of Co^mons in L. Ch^r Regiment and that all the rest of the Gent of any account had left their habitations to get out of their way To wh. he said it was Strange the English co^d not see their own Interest. Says he they will not let us have the honour of restoring _____ . We have not been joined by 5 Englishmen of any Acc^{tt} since we came from Scotland, but added he thought if they co^d get into Wales they sho^d be joined by a Great Many there.

He pulled out some printed papers and delivered 'em to the Women the like having been distributed in the Streets—I had the curiosity to read 'em all. They seem to be drawn up with a Great deal of Art and to be applied to the passions But the whole is founded upon false principles and begging the Question and I think most of the reasons and Arguments are picked out from our own Debates in Parliament.

Upon reading one of these papers wh is called ye pretenders Sons Declaration wherein he talks of preserving our Religious libertys my sister Molly observed that he said nothing on his own

Religion at which ye youngster Seemed to be a little startled but after some pause he said, why Madam If he had s^d he had been a protestant who wo^d have believed him? It might have Discredited the whole of the Declaration but I can assure you he's no more a Bigot in Matters of Religion than myself who am a Protestant My Wife amongst other discourse mentioned the Confusion the people were in at Church in the morning when they Came in Upon wh he asked her Well Madam and who did you pray for Says she for his Majty King George upon wh he said you did very Right but says she Supposing you had Come here last night sho^d we have been interrupted in our publick prayers by any particular Directions No, the minister wo^d have been ord^d to pray for the King with^t naming Names as had been done at Kendal Church ye last Sunday. He pufft much of his Master's regard for ye Clergy and gave an instance of a Clergyman's horse being on ye rode in their march hither, that as Soon as he knew it belongd to a Clergyman he ord^d it to be restored—But by ye by this appr^d afterwds to be a lye for I saw the Clergyman's serv^t in this town ye next morning inquiring after his Master's horse.

As to No of the Rebels there was no judging of their number from their March into the Town as they seem to be very artfull in Concealment their numbers.—They bespoken Billetts for 10,000 and said 5000 wo^d Come in the next Day but for my own part I Don't think they Exceed 6000 in the whole. All along as they marched they had partys Reconnoitring the Country for 8 or 10 miles round abt. These partys wh are Inconsiderable in N^o and a Regiment of Horse commanded by L^d Elcho were quarter'd ye day before at Prestbury were all that came into This Town the next day, wh Instead of being 5000 were far short of 500, and their was no Forming any Notion of their Number by the Billetts, because in many places where 40 or 50 were biletted on a house not half the Number Came and others had dble the Number that were biletted on 'em—The 1st Billet I recv^d was for 10 Men and 5 horses but with this no body Came only the officer I before mentioned his servants and 5 horses, but abt 9 o'Clock at night there Came a very ordinary Fellow with a billett in these words and figures—Mr. Stafford 408—I read it four hundred and Eight and was (you may Easily imagine) in no little hurry, but he soon told me it was only 40 Men and 8 Officers. And after he had sat with me a very little time he s^d he

believed no more of that N^o than himself wo^d Come in that night—He gave us to Understand he was a Doctor but we all thought him a highwayman and I verily believe he was one. We misst sev^l odd things ye next day and place 'em chiefly to his acc^{ott} for it was very visible he had tryed all the Locks in my Beaurow and in my Wifes Closet, which were in the room where he lay. You may easily imagine we cod have no heart to go to bed with such Company in the house so that we passed a very miserable night, but I had taken Care to get some Townemen in my house for a guard or else I durst not have staid.

The next morning I was very Early abroad and had the Curiosity to step over the way to a poor neighbours house who had above 50 common men quartered on him to see how they lay. The house floor was Covered with straw and men women and Children lay promiscuously together like a Kennel of hounds, and some of 'em stark naked. As soon as it was day light the Streets appeared in the Edinburgh fashion being Beshit all along on both sides from one end to the other; even Holyrood House was in this kind of furniture of any part of ye Town as one of ye Pretender's serv^{ts} told me. I went to sev^l of my neighbours who had Some of the Chief Officers quartered on 'em to enquire what they heard abt. their motions, when finding they did not intend to stir that day I was greatly alarmed and my wife and Sisters being no less terrifyed and it being apprehended that some skirmish wo^d be that Day in or near the Town I applyed to the person who I have before mentioned to know how I co^d get my family safely out of Town, when he told me there was no other way but by a Pass all the Avenues being Stopt, and that if I wo^d go with him to the Secretary he wo^d get me one, wh accordingly I did do leaving the care of my house to my Clk and Serv^{ts} and in a very short time afterwds I marched away on foot thro' by Roads with my wife and Sisters and a Great train of other females of our acquaintance to Shrigley where we were no sooner got but a party of Highlanders came to search the house for Arms. Another party had been there that morning before we Came and had taken all away with 'em. Mr. Downes told these fellows of it but they s^d they were Informed we had a great many more Arms and in particular we had 3 Cases of Pistols whereas he had only delivered 2 and that he might thank his Neighbours for the Information. There was something very

particular in this for in fact he had three Case but had sometime before leant one to me These villians co^d not come to the knowledge of these things but through greater Villians than themselves. We gave them very good words, and I showed them my pass upon which they went away without further trouble.

They searched most of the neighbouring Gentlemens houses for arms as they did every house in the Town and took all they found as well bad as good wh I don't think was through the want of arms (for most of the men seemed to have more than their Compliment) but in order to disarm the Country that they might not be disturbed in their Marches. When they searched at Adlington they brought an acc^{ott} in writing of the Arms wh were in the house and cod tell in what Rooms they were. They enquired for a Couple of French horns, mentioned the place where they usually were and enquired for the silver mouth pieces. Mr. Legh thinks they got their Intelligence Either from a Roman Catholick, who had been a workman at the house or from some of the Manchester . The French horns were out of the way wh made 'em storm but being soon afterwds produced, they were appeased and went away wth the arms with^t doing much Damage but took the Butler and Steward to Macclesfield to swear there was no more Arms Concealed that they knew of.

Soon after I had left my house I had twenty Comon men three officers & 6 horses (more or were) quartered on me. These officers were very scrubby fellows and behaved rudely. One of 'em broke me a good looking Glass and the Comon men wo^d have plundered me If they had not been restrained by the men I had in the house.

You may easily imagine I recvd the News of their leaving the Town on Tuesday morning with Great Joy upon wh I took a walk homewards but was met by many persons within a mile of my house who said that a party of the Rebels were returned back and threatened to burn the Town down because one of their men had been wounded by a Townsman, but I hastened forw^d and found the Case was this. One of their men was cheapening a pair of Stockings at a Hosier's Shop when a young Fellow Came in (who had deserted twice from the King's Army) and Standing behind the Rebel drew out the Rebels Sword Cut him on the head and Stabb'd him in the thigh and then ran away upon wch there was a great Outcry, wch alarmed a party of abt 30 or 40 that still rem^d in the Town who Came to the place with the greatest fury

threatening to burn the Town. They offered a Reward of 50lb to any one would wo^d apprehend the man who had given the Wounds but he being fled they took a Mercer and an Innkeeper, being the masters of the two next adjoining houses to the Shop where the affair happened, as hostages till the offender was delivered up, and after Exercising some fury on the Goods in the Shop they went off taking the wounded man along with 'em, who upon their return home said they were let out upon their Parole of Honour that they wo^d collect all the Arms and things the Rebels had left behind 'em at and use their endeavours to apprehend the offender. The hostages say that they were treated with civility whilst they stayd amongst 'em but under these directions I lost a broad Sword a Target and sev^l other amunitions (?) which I picked up out of Curiosity. On my return home after I had enquired a little into my own affairs I went amongst my neighbours familys The Story of each family was like a Short History or rather a Dream every one having something new.

The main body marched from hence on Tuesday morning to Leek but they concealed their design very artfully for I believe none of the Inhabitants imagined they intended to march thither, but that their design was for Congleton and Newcastle and I believe their Rout was known to but few of their own officers.

I returned back the same day to Shrigley and brought my wife and sisters home the next. We thought ourselves very happy the Rebels had left us but we had not been above two days at home when we were alarmed with their retreat from Derby and that they wo^d make to this place in their Road back

This Second Alarm was a much greater Shock than the first we being apprehensive they might come upon us in the night time and treat us with Severity on acc^{tr} of ye abuse their man had recvd Upon this a messenger was despatched to Leek on the Fryday Evening to bring us Intelligence of their Motions and all my family sat up all that night ready prepared for a march as Soon as we co^d be at Certainty of their coming back to this place. This night (If possible) was a more disagreeable one than the former as we were afriad of ye Messengers falling into their hands and in the Expectation of their Surprising us every moment. About 9 in the morning we had certain Intelligence of their approach and so went back

to Shrigley—And for my own part I expected to be tuckt up if ye Messr was taken he having a Letter of mine upon him wherein I had not used any Ceremony wth 'em.

Upon this second Alarm M^r Mayor and many of the inhabitants fled Some of them lockt up their Doors and those that were left were under the utmost Consternation. About 5 or 6 on Saturday Evening came in 1500 at least and were quite outrageous that the Mayor had left the Town, but they soon quartered themselves and I heard their orders to the High Constable threatening military execution agt all who had locked their doors or refused to provide for 'em what they wanted.

My Clerk sent me an acc^t of this upon wch I walked home from Shrigley the next Morning to give Directions. The Town was very thin of Inhabitants and very dismal were the Countenances of those who were left in it. The only comfort I had was to find the Rebels lookd full as Dismal themselves. The main body came in soon after I got to town and the P—s Son was amongst 'em on horseback with a Guard of Abt. 40 and seemed to be in a good deal of hurry. I accidentally stood at the End of the Street when he passed by to his old Quarters.

I had the Curiosity to go into the Artillery Park and counted the N^o of their pieces wch are 13 Cannon, some English some French but all small ones and 2 Mortars.

The Officer I before mentioned tho he was not quartered on me this time Came to my house. He s^d they were going back to Join the Recruits raised in Scotland and the French who were landed there and puffed much abt. 15,000 French that were to land in ye South, but upon the whole I thought him greatly Disjointed; he said If they had come forward Immediatly after the battle of Preston Pans he thought they sho^d have carryed their point, and that they had ruined their Cause by not doing it but for his own part, If they miscarried he did not doubt but to get into the Czarina's or some other Foreign service. The Quarter Master asked what was the reason why the Town was so thin adding that he supposed the Inhabitants lookt upon 'em as a retreating Army But those who had lockt up their Doors would repent of it. I got back to my wife in Shrigley that Evening as soon as I co^d, leaving a good guard of Townsmen in my house and was hearty Glad to hear the next morning the Rebels were all gone, but upon my Return the account of the sufferings of the Inhabitants

shocked me beyond Expression. Those who had lockt their doors and the houses of others who were not able to guard their effects were plundered and many others were robb'd of what money bedding and Cloaths they had and nothing Escapd that was portable and co^d be of any use to 'em. This Calamity fell Chiefly upon the poorer sort But the better End of people suffered a very particular hardship of an^r kind. The Rebels had heard from their Manchester friends or from some other private villians that this Town as well as other Loyal ones had associated and subscribed to raise money for the support of the present Governm^t. They took no notice of this till about 11 o'Clock on Sunday night the 8th Instant and then issued out an Order that If all the Subscribers did not pay their Subscription money by 6 o'Clock the next morning their houses sho^d burned abt. their Ears. They demanded the subscription paper from Mrs. Mayoress It having been some time before lodged with Mr. Mayor but had been sent out of the way some time before they ever came hither. She s^d she knew nothing of it Upon wch Sev^l of 'em drew their Swords upon her and threatened to murder her instantly and to set the house on fire that moment. Mr. Mayor's Clk being in the house at this time and fearing they wo^d put their threats into Execution said he believed he co^d find a copy and soon after delivered one to 'em.

My Clk Immediately sent me this Order to Shrigley upon which I directed him to pay my money rather than to stand the fury of a Refusal, and they were so Civil as to Give me a Receipt for it, a Copy of wch and of my protection you will find among the Orders. Most of the other Subscribers paid, but some Escaped thro' ye hurry ye Rebels were in.

It appeared that the Officers had little Comand over the Comon men and that the Highlanders wo^d be restrained by none but their own Clans. As they went from hence to Stockp^t in stragling partys of 'em pilfered and plundered all the way. Mr. Legh of Adlington and his Ten^{ts} suffered prodigiously—They robb'd sev^l of his serv^{ts} of all their money and were going up stairs to rob the Ladies when by Great Chance some of their officers hearing of it turnd back and drove 'em away—He was with me yesterday morning and says he has lost 6 horses and 2 of his Serv^{ts} wch they have taken along with 'em and Great Quantitys of Hay and Corn besides other Valuable things—They have taken only 2 horses of

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Mr. Legh's of Lyme What other Damage they have done him I can't tell but I fear some of his Ten^{ts} are almost ruined.

Pretty early in my letter I mentioned our Clyent (Salt) who had been sent out as a spy and taken by ye Rebells He made his Escape from 'em the next day and went directly to the King's Army where he was taken up as a spy by them—The Rebells had frightend him out of what little senses he had, so that when he was taken up at Stone he co^d give no rational acc^{ott} of himself and was therefore Confined 2 or 3 days They then turn'd him out and he Came home again He was no sooner got back to Macclesfield but the alarm was given that the Rebells were coming hither again upon wch he sunk'd down and died instantly.

I hear they were very rough as they went thro' Stockport and took Mr. Elcock and 2 or 3 more wth 'em with Halters abt their Necks, but have since Discharged them.

I doubt not but by this time you are sufficiently tired and therefore shall shift this Horrid Scene to an^r ye most agreeable one I ever saw, for the day after the Rebells left us the Duke of Cumberland wth the Kings Forces came hither and it was a particular (?favour) to me that my house happened to be ye most Convenient in ye town for his Quarters—Never was greater Joy seen in ye Countenances of any people than in those of the good folks of Maccd And every man seemed to have forgott his former Calamities.

I cannot conclude without a kind of short prayer that Good may arise out of ye Evills we have suffered as I verily believe it will. For surely these proceedings must open the eyes of those who were before either luke warm or wavering in their principles and entirely ruin the Pretenders Cause: the people in these parts say they are sure the Rebells are no Christians, nay they are Devills.

May the just vengence of heaven overturn 'em and all other Disturbers of ye peace of Mankind And so ends ye prayer of

2 Decr. 1745.

J. STAFFORD.

Peculiar Ordination of a Cumberland Benefice

THE appended ecclesiastical instrument, dated 21st February, 1285, presents curious features, not often found in the appropriation of English benefices in the thirteenth century. The deed has been transcribed by Mr. William Brown, secretary of the Surtees Society, from the Register of Archbishop John the Roman of York (MS. ff. 131-2), and is now printed with his approval. As there are no diocesan muniments of Carlisle for that date, we are indebted to the good old custom of confirmation by *inspeximus* for its preservation in the archiepiscopal registers of York.

For a right interpretation of the instrument it may be explained that the parochial benefice of Dalston extends over an area of about 12,000 acres, a few miles to the south-west of Carlisle. The Bishop of Carlisle was lord of the manor, which was almost conterminous with the parish, and patron of the parochial church. Rose Castle was the capital messuage of the manor of Dalston, and, at the date of this transaction, had almost become the favourite residential seat of the Bishop. The appropriation of the endowments of parochial benefices for the support of ecclesiastical corporations had been known in the diocese of Carlisle so far back as documentary evidence carries us. It was a well-established custom in the opening years of the twelfth century, but it was held in check by the bishops till the outbreak of the War of Independence, when the Bishop of Carlisle and the local monasteries were so impoverished by Scottish depredations that the revenues of parochial benefices were eagerly seized for the maintenance of the hierarchy. At the outset, in many instances, these appropriations were for the advantage of the parochians, though they do not appear to have had a voice in the matter. As things turned out, however, in subsequent history, they may be described as disastrous. Most of these appropriations were confiscated and secularized by Henry VIII. and his son Edward,

and those that remain are now enjoyed, for the most part, by bishops and diocesan chapters. In the case of Dalston the parochians, for whose use the revenues of the benefice were originally set apart, were very much in the hands of the Bishop, by reason of his ecclesiastical and feudal relations to them. To the credit of Bishop Irton, be it said, that his redistribution of the fruits were for their immediate advantage. A few years later, when this ordination was annulled under the pressure of external troubles, a new diocesan arrangement took place whereby the people of the district were consigned to the ministrations of a perpetual vicar 'passing rich' on Goldsmith's not too generous allowance.

From Bishop Irton's ordination it will be seen that the revenues of the benefice were divided into three portions, allotted respectively to the parochial vicar, the archdeacon of Carlisle, and the diocesan school of Carlisle; they were evidently meant to be equal, but were taxed in 1291, that is, six years after the ordination, as follows: portion of the vicar, £12 16s. od.: portion of the archdeacon, £15: and portion of the school, £16 (*Pope Nich. Tax*, pp. 318-9, Rec. Com.). The terms of this redistribution are most interesting in the history of eleemosynary institutions. It was a time of peace and the Bishop was able to 'think imperially,' untouched by the red claw of personal discomfort. Though there may be a difference of opinion whether parochial revenues were meant to be inalienable from the district which supplied them, it must be conceded that the fruits of this rich benefice were redistributed in such a way that the religious interests of the parochians did not suffer. One cannot withhold a word of admiration for the administrative ability of the statesman prelate who embraced in one comprehensive scheme such a heterogeneous assortment of diocesan agencies.

It should be pointed out that the ordination cannot properly be called an appropriation as that ecclesiastical act was then or afterwards understood. It is the peculiarities of the instrument which make it so historically interesting. If we take the portions in order of allotment we shall find curious features in all of them. In addition to personal residence, the parochial incumbent was under obligation to maintain the ornaments, books, altar and chancel, and to provide one priest and one sub-deacon to assist him in parochial ministration. The upkeep of the chancel as a burden on the vicar is of itself enough

to distinguish the ordinance from the well-known provisions of a stereotyped appropriation, which invariably allotted that duty to the rector or impropiator. It is also curious that the portions of the archdeacon and the school should have been set out as benefices or prebends. The Bishop adroitly got round the difficulty of appearing to create sinecures by obliging the prebendaries to supply substitutes to minister in the parochial office. As it is not definitely known what provision was made for the maintenance of the archdeacon of Carlisle before this period, apart from certain official fees, the ordination throws a welcome light on this obscure department of diocesan action. By the nature of his office the archdeacon was of necessity like 'a bird that wandereth from her nest,' if indeed he can be said to have had a nest at all. At Carlisle, at all events, there was no suitable provision for his maintenance (*propter evidentem ipsius exilitatem*), and the Bishop very wisely undertook to remedy the defect. With this view the prebend in Dalston church was created and annexed to the archidiaconal office. The prebend of the twelve poor scholars, which made up the remaining portion, was also burdened with the provision of a residentiary priest with specified duties in the parish church. Four of these scholars from the diocesan school were enjoined to attend divine service at Dalston on Sundays and Holy Days unless prevented by bad weather or some lawful hindrance. It was stipulated that the chantry priests provided out of both prebends should celebrate masses of the Blessed Virgin and *De Defunctis* in turn at fit times, while the parochial vicar or his priest should be responsible for the daily service. According to the subsequent custom of chantry foundations, all the clergy on the parochial staff were obliged to give due obedience to the parochial incumbent. It will be noted that the archdeacon and the school had to find fit residences for their priests on the respective portions allotted to them.

Another peculiarity of this singular ordination may be seen in the method of dividing the endowments of the benefice. In ordinary appropriations the procedure was very simple: there was either a partial or a total appropriation. In the former case provision was made for the parochial incumbent, who had the cure of souls, and the impropiator took the rest: in the latter, the impropiator took the whole with the obligation of allowing a specified yearly stipend to a resident curate appointed by him. Bishop Irton adjudicated in another way. A schedule

of the parochial endowments, temporal and spiritual, was drawn up, and allotments were made, each independent of the other. It will be observed that the portion of the archdeacon was composed of temporalities as well as spiritualities, just like the others. That this diocesan official had liberty to hold real property at this period is evident from the Constitutions of Archbishop Langton, whereby archdeacons were allowed to let to farm the temporal estate annexed to their office, with the licence of their superiors, but were forbidden to farm spiritualities (Lyndwood, *Provinciale*, p. 282, Oxford, 1679).

The tripartite division of Dalston did not last for a long period. In after years, when the Bishop of Carlisle was reduced to great poverty by the Scottish Wars, he obtained by licence of Edward I. the appropriation of this benefice to his own table, cut the school adrift, and provided for the archdeacon with another benefice of his patronage, which was annexed to the archdeaconry, and of which the archdeacon became *persona impersonata* with cure of souls, a diocesan arrangement which lasted for nearly six centuries, so long as the diocese had only one archdeacon.

Attention may be called to the word 'annexed,' which is the official designation invariably used in connexion with archidiaconal endowment. Appropriation is a misnomer. It was this characteristic which induced me to examine the manuscript authority for a statement in the printed book of the Taxation of Pope Nicholas IV., where we find (p. 320) that the rectory of Great Salkeld was 'appropriated' so early as 1291 to the archdeaconry of Carlisle. Apart from the misuse of a legal or canonical term, I had doubts whether this rectory could have been annexed at so early a date. The editors had access only to two late manuscripts for the diocese of Carlisle, in one of which, and that said to be the earliest (Cotton MS. Tib. C. X. f. 314), the disturbing phrase—'archidiaconatui Karliolensi appropriata'—occurs. In this instance the later manuscript is the more trustworthy authority. The additional words in the Cotton MS. are a late interpolation written in a different hand and with different ink to the body of the manuscript, and crowded into a space manifestly not intended for them. There is a manuscript copy of the Taxation in the diocesan registry of Carlisle (Reg. of Bp. Kirkby, MS. ff. 432-4), which appears to be of date about 1341, that is, a century earlier than either of the London manuscripts, and in this

there is no mention of either annexation or appropriation. No trace of the original returns for Carlisle could be found at the Public Record Office when this investigation was made.

JAMES WILSON.

TEXT, DATED 21ST FEBRUARY, 1285.

Confirmacio metropolitana ordinacionis facte per episcopum Karliolensem super ecclesia de Dalston', sue diocesis.

Per hoc presens scriptum pateat uniuersis quod nos, Johannes, permissione, etc., literas uenerabilis fratris nostri, Radulphi, eadem gracia, Karliolenis episcopi, super ordinacione ecclesie de Dalston', sue diocesis, per eundem fratrem nostrum facta, sigillo suo et sigillis Ricardi, archidiaconi Karliolensis, ac Thome de Leycestria, perpetui uicarii ecclesie prelibate, signatas, tenorem infrascriptum continentes, inspeximus et examinauimus diligenter :

Uniuersis sancte matris ecclesie filiis, ad quorum noticiam peruenerit hec scriptura, Radulphus, miseracione diuina Karliolensis episcopus, salutem in Eo quem genuit puerpera salutaris. Ecclesiasticorum prouentuum dispensacio, prudenter et fideliter administrata, per quam ministrorum ecclesie, in Creatoris preconia uoces continuas extollencium et precipue sacerdotum diuina celebrancium, numerus augmentatur : insuper et juniorum scolarium, literarum studiis ab euo primario deditorum, indulgentie subuenitur, inducit complacenciam et efficit graciarn Salvatoris peculiariter promereri. Hinc sequitur quod effrenata cupiditas quorundam, ad diuicias numerosas anelancium ac modicum de spiritali profectu curancium, decenter reprimitur, et in conuentibus catholicorum dignitas Regis regum attenditur, cum contra serpentis antiqui uersucias deuotus crescat exercitus bellatorum, Christo per suos milites reuerencius famulatur, ac decus ecclesie ac clericalis ordinis celsitudo uehemencius decoratur. Ea propter affectantes diuine laudis cultum in ecclesia parochiali Beate Michaelis de Dalston', nostre diocesis, ad nostrum patronatum spectante, uenerabiliter ampliari : aduertentes eciam terras, fructus et obuenciones ecclesie predictae, que in usus unius rectoris solummodo cedere consueuerunt, ad sustentacionem posse sufficere plurimorum : solempni tractatu et diligenti prehabito, consenciente et fauente domino Johanne de Berdefeld', tunc rectore ecclesie memorate, ac se et ecclesiam suam nostre ordinacioni totaliter submittente : In nomine sancte et individue Trinitatis, ad honorem eiusdem gloriose Uirginis Marie, Beati Michaelis archangeli, et omnium Sanctorum, auctoritate diocesana, de terris, fructibus et obuencionibus ecclesie prefate cum omnibus pertinenciis et aysiamencis, ad eam qualitercumque spectantibus, irrefragabiliter ordinamus quod perpetuis temporibus de bonis predictis tres fiant et sint porciones, quarum unam assignamus perpetuo uicario, qui pro tempore fuerit, in eadem ecclesia continue ministranti et residenti, qui curam tocius parochie predictae suscipiat, habeat et agnoscat. Aliam porcionem archidiaconatui Karliolensi, propter euidenciam ipsius exilitatem, annectimus. Terciam uero porcionem ad

sustentacionem duodecim pauperum scolarium, per nos et successores nostros eligendorum, propter honorem et utilitatem ecclesie nostre Karliolensis, in ciuitate Karliolensi studio applicandorum, caritatis intuitu assignamus. Et has duas porciones ultimas uolumus appellari et esse simplicia beneficia uel prebendas, quarum porcionarii seu prebendarii a prestacione omnimodarum decimarum sint immunes in perpetuum et quieti. Quequidem porciones tales sunt. Uicarius perpetuus eiusdem ecclesie, qui pro tempore fuerit, habeat et percipiat capitale edificium cum omnibus suis pertinenciis. Item omnes prouentus altaragii. Item omnes decimas minutas tocius parochie, exceptis duabus porcionibus ultimis supradictis, preter decimam feni: de qua tamen habet decimas fenorum de Magna Dalston', et Parua Dalston', et de dominico prato nostro in Cartheumyre. Item omnes terras dominicas, ad ecclesiam spectantes, cum suis pertinenciis et aysiammentis, absque prestacione decimarum, preter sexdecim acras in Brakanhou, in territorio uille de Unthanck, et preter grangiam decime de Raghton', et preter tofta et crofta que iacent inter terras Willelmi filii Ade et Rogeri Warde, et preter tofta et crofta que iacent propinquius tofto et crofto Symonis Scort uersus occidentem. Item omnes decimas maiores uille de Magna Dalston'. Idem uicarius supportabit omnia onera ordinaria debita et consueta. Ornamenta, libros et reparaciones altaris et cancelli, propriis sumptibus sustinebit, ac unum presbiterum et unum subdiaconum, sufficientes et ydoneos, preter seipsum, in eadem ecclesia continue ministraturos, exhibebit, et personaliter ibidem continue residebit. Archidiaconus, qui pro tempore fuerit, habeat et percipiat in eadem ecclesia duo tofta que iacent inter terram Willelmi filii Ade et Rogeri Warde in Magna Dalston', et sexdecim acras terre arabilis in Brakanhou in territorio uille de Unthank et grangiam decime de Raghton', cum omnibus pertinenciis et aysiammentis, et omnes decimas bladorum et feni uillarum sitarum ultra riuum de Caldeu uersus orientem. Item decimam feni uille de Cartheu. Idem uero archidiaconus inueniet in ipsa ecclesia unum presbiterum, sufficientem et ydoneum, suis sumptibus, secundum formam nostre ordinacionis continue ministrantem: et in toftis superius sibi assignatis, edificia honesta construet in quibus idem cum uenerit decencius hospitari et capellanus ejusdem continue ualeat receptari. Scolares, qui pro tempore fuerint, habeant et percipiant tria tofta que iacent propinquius tofto et crofto Symonis Scort uersus occidentem, omnes decimas garbarum et feni baron[ie] de Dalston', a riuo de Caldeu uersus occidentem tam in nostris dominicis quam aliis, preter decimas garbarum de Magna Dalston' et preter decimas fenorum de Magna Dalston' et Parua Dalston', et de dominico prato nostro in Cartheumire et de prato uille de Cartheu. Idem uero scolares inuenient unum presbiterum, sufficientem et ydoneum, in ipsa ecclesia sumptibus suis propriis secundum ordinacionem nostram continue ministrantem, et in toftis sibi superius deputatis sufficientes domos construent, in quibus eorum presbiter possit morari. Insuper et quatuor ex ipsis, diebus dominicis et festiuis, ad eandem ecclesiam teneantur uenire, nisi aeris intemperie uel alia legitima causa fuerint prepediti. Uolumus eciam et ordinamus quod presbiteri archidiaconi et scolarium, in ipsa ecclesia

de Dalston' pro tempore ministrantes, uicario ejusdem et suis successoribus infra ecclesiam in obsequiis diuinis subsint et obediunt humiliter et deuote : quorum unus missam de Beata Uirgine, et alius missam de defunctis uicissim celebret horis et tempore oportunis : ipso uicario uel suo presbitero de die cotidie celebrante. Uolumus insuper quod huius ordinationis nostre sub nobis et successoribus nostris archidiaconus, qui nunc est, ac successores sui, curam, patrocinium et tutelam habeant et prestant inperpetuum. Uicarius autem et scolares predicti archidiaconis memoratis in hiis que ordinationis huiusmodi defensio exigit et requirit, fideliter teneantur assistere et deuote parere. Set et uicarius in prima sua institutione corporale sacramentum prestare tenebitur, se presentem ordinationem iniuolabiliter obseruaturum et nullatenus contrauenturum. Uolumus, igitur, et concedimus pro nobis et successoribus nostris hanc nostram ordinationem in omnibus suis articulis secundum tenorem superius annotatum omni tempore ualituram robur obtinere perpetue firmitatis. Et in huius ordinationis euidenciam plenioram hanc scripturam per nostri sigilli appensionem fecimus communiri. Et magister Ricardus, tunc archidiaconus Karliolensis, et Thomas de Leycestria, tunc perpetuus uicarius ecclesie de Dalston', singuli pro se et suis successoribus, hoc scriptum signorum suorum munimine roborarunt. Acta in ecclesia parochiali de Dalston' nono kal. Marcii anno Domini M^oCC^o octogesimo quarto (21 February 1285) et pontificatus nostri quinto.

Prefatam igitur ordinationem piam et prouidam attendentes, eam in omnibus suis articulis approbare censuimus, quam eciam auctoritate metropolitana confirmamus : salua nostra et nostre Eboracensis ecclesie in omnibus dignitate, testimonio presencium quas sigilli nostri munimine fecimus roborari. Data apud Rypon x kal. Septembris anno gracie M^oCC^o octagesimo septimo (23 August, 1287) et pontificatus nostri secundo.

Count Florent V. of Holland, Competitor for the Scottish Crown

AMONG the brave Scottish warriors of the second quarter of the thirteenth century, we find, in the first rank, a Prince named Henry, heir to the Crown. Dying, in 1152, before his father, King David, whose death occurred in the year 1153, Henry left a widow—Ada, daughter of William, Count of Warenne, and the following children: Malcolm II., King, died without issue; William, also King, successor to Malcolm II.; David, ninth Earl of Huntingdon; and Ada, who married Florent III., Count of Holland. Alexander II., son and successor to the aforesaid King William, having no children by his marriage with Queen Joan, allowed Robert Bruce to be recognised as his successor; but his Queen having predeceased him, he married, as his second wife, Mary de Coucy; by her he had a son, who, after the death of his father, reigned under the title of Alexander III. As no son was born to this monarch, he, in his turn, designated Robert Bruce as his successor. Here, then, was a kind of elective kingdom twice proclaimed!

One might have expected that after the death of Alexander, Robert Bruce would have succeeded peaceably; it was not so. The daughter (already deceased) of the late King had left by her marriage with Eric, King of Norway, a daughter, Margaret. This young girl was proclaimed Queen of Scotland by Edward, King of England, and was betrothed by him to Edward of Caernarvon, his eldest son, with the consent of her father and after securing the Pope's dispensation, because of the affinity of blood between the future husband and wife. Edward's object was clear; it was to gain Scotland in a peaceable manner. These projects naturally did not please Robert Bruce; and he rose in insurrection against Margaret. But the plans of the English King were suddenly destroyed. Margaret, for whom

a ship had been sent to Norway, died, in the month of September, 1290, during her passage home.

By this death many things were changed. Edward, having once recognised a female descendant of the late King as sovereign of Scotland, could not consider that country as having lapsed to him (*feodum rectum*), nor could he any longer regard it as an elective kingdom. There only remained to consider Scotland either as a freehold or allodial property (*bien allodial*) in the old family, or as a '*feodum hereditarium mixtum*' of which he would consider himself as lord paramount. We will see that he chose the second alternative.

It is not necessary here to follow the course of the lengthy proceedings so well known in history. The object of this paper is only to note certain historical facts concerning one of the claimants—Florent, Count of Holland—in the disputes between the party of Bruce and that of Balliol. In the first place, we shall consider a letter written by the party of Bruce. By this letter, addressed to the King of England, the partisans of Bruce demanded the King's interference on behalf of their client. They, however, must have understood that if the King really chose to consider himself suzerain of Scotland, the chances for Bruce were not great. They were obliged, therefore, to offer some consideration to the English King. Knowing that, in the month of August previous, a contract of marriage had been signed between the son of Count Florent of Holland and a daughter of the King of England, the Bruce faction admitted the candidature of this Count under certain conditions and in very diplomatic terms. Here are the terms :

Memorandum¹ quod Comes de Holand processit de sorore Domini Regis Willelmi et cognitum est per anticos regni Scocie quod totus comitatus de *Ros* collatus fuit in maritaggio cum predicta sorore Domini Regis Willelmi et predictus comitatus elongatus fuit a predicto Comite de Holand sine aliqua racione et sine [forisfacto] merito² suo vel antecessorum suorum et injuste sicut recognitum est. Et est memorandum quod similiter recognitum est per anticos regni quod si casu contingente de heredibus David Comite de Huntingtun aliquo modo deficiat ita quod non possunt hereditare in Scocia recognitus est predictus Comes de Holand pro justo herede

¹ Palgrave, *Documents and Records*, pp. 20, 21.

² This word has been 'expuncted.'

et propinquiori ad regimen Regni Scocie optinendum ratione predictæ sororis Domini Regis Willelmi.

From this document it follows that the faction of Bruce had found one argument (amongst others) in favour of the descendants of the Count of Holland by the sister of King William, in the fact that the lands of the County of Ross given in marriage portion, had been unjustly kept back from the Count of Holland without any reason or forfeiture either of himself or his predecessors, and therefore declared that he was the nearest heir to the kingdom of Scotland, supposing the heirs of David, Earl of Huntingdon, could not inherit in Scotland. Can it be that the partisans of Bruce had already thought of making an alliance with the Count of Holland for the purpose of obtaining a future indemnity for their client, in case the Count should become King of Scotland?

The King left the last word to the law. It may be that Count Florent was kept informed of the English King's journey to Norham and sojourn there, by 'Nicholas de Durdraght and Walter, his son, men and merchants of Florence, Count of Holland, coming from Holland and Zeeland to trade with England,'¹ but again, on the 17th of April, 1291,² the Count was sojourning in Holland; although already on the 8th of March, 1291, safe conduct is given, for 'Florentius, Comes Hoylandiæ, qui ad regem in Anglia est venturus, habet literas regis de conductu duraturas usque ad festum Sancti Michaelis proxime futurum. Teste rege apud Ishintone Episcopi, VIII die martii.'³

On the 10th of May following an assembly met before the King of England; it was the opening of the great plea for the kingdom: some days later—the 16th of May, 1291—Edward gave an order to his treasurer to pay to the Count Florent a sum of One Thousand Pounds Sterling to diminish the debt incurred by the proposal of marriage between the son of the Count and a daughter of the king.⁴

On the 28th of June,⁵ 'P. de Campania et J. Druet assignantur ad inquirendum per sacramentum etc., per quos etc., qui malefactores etc. in homines et servientes Florentii, comitis Holandiæ, ad regem versus partes Scotiæ nuper accedentes,

¹ Safe conduct of 6 Jan. 1291 (*Calendar of Patent Rolls*, Edw. I. 1281-1292, pag. 413).

² v. d. Bergh, *Vorkondenboek van Holland*, T. ii. No. 768.

³ Stevenson, *Documents*, T. i. pag. 215.

⁴ v. d. Bergh, ii. No. 771.

⁵ Stevenson, *Historical Documents*, Scot. i. 237.

apud Graham et Merston vi et armis insultum fecerunt et ipsos vulneraverunt et male tractaverunt, et eos bonis et rebus suis depredati fuerunt, et alia enormia, etc. ad dampnum ipsorum hominum et regis contemptum manifestum et contra pacem regis, et ad transgressionem illam audiendam et terminandam secundum legem.'

At a session of the 3rd of August the Count presented his claims, and at a later session of the litigation for the Scottish crown, that of the 12th of August, Edward fixed the second of June of the following year, 1292, as the date of the following and principal session, and search was ordered for¹ 'Scriptum illud . . . quod Comes Holandie ad fundandam excepcionem suam allegaverat inveniri: ita quod illud ad predictum diem possit haberi una cum aliis si qua reperiri contingeret que ad rem facerent seu prepositum alicujus vendicantis jus ad Regnum Scocie memoratum.'

From these words it almost certainly follows that a journey on pressing business pertaining to the Count had been the cause of the adjournment of the session. But the Count had not yet started for his own country. Then, on the 26th of September, 1291, the King of England gives the order to pay Two Thousand Five Hundred Pounds Sterling, being the rest of the sum due on account of the projected marriage between the two families.² Finally, in the following December, we find the Count setting off for his own country, if one may judge from a charter of that date guaranteeing a 'protection with clause "volumus" for one year, for Gilbert Heyrun, staying beyond seas with Florent, Count of Hoyland.'

Meantime in Holland many grave affairs had taken place or occurred after the return of the Count. Already on the 19th of July of the same year, the King of France had given an order to his bailiff of Vermandois (and probably to others) to confiscate the goods of the Dutch. At the same time, the quarrels of the Count with Flanders were continued. Whether or not the Count had made his peace with, among others, the Van Brederode and the Van Renesse before his departure for England,³ it certainly appears that this peace had not always been strictly observed by all concerned;⁴ and we also find charters⁵ showing

¹ Palgrave, i. 35-6.

² v. d. Bergh, ii. 785.

³ See Des Tombe, *Geslacht V. Renesse*, page 33, note 6.

⁴ Kluit, *Hist. Crit. Comitatus Hollandiae et Zeelandiae*, I. i. 363.

⁵ v. d. Bergh, ii. No. 793, 794, 796¹.

that after his return from England the Count received oath of fidelity from persons who in 1289 were among his enemies.¹

But in the midst of all these quarrels, Count Florent did not forget his engagement to return to England to plead his cause in his own person at Berwick when the sittings began at the appointed date. Thus we find among the minutes of June the 2nd, 1292, this notice: '*venerunt etiam omnes*² petentes ad prosequendum petitiones supradictas et praeter eos nuncii et procuratores Erici, regis Norvegiae.' The claims being stated, Edward pronounced sentence that first of all it must be set forth whether any one of the three lords, Balliol, Bruce, and Hastings, had a better right to the Crown than the other. This being done, the claims of other pretenders must be examined into. In this decision everyone agreed, notably Count Florent, who is separately mentioned.

The months which followed were given up, in the first place, to the pleadings of Balliol and of Bruce. Without entering here into details, it may be mentioned that Balliol contested every right which Bruce might have to the succession on the ground that he had taken part in the insurrection under the reign of Margaret, Princess of Norway.

Whilst the proceedings were dragging on, it appears that the two parties formed within the ranks of the competitors themselves, of which traces are already evident in the election of the eighty-four members of the Court, became more marked. It cannot surprise us that Count Florent³ took the side of Bruce, since, as we have already seen, it was the partisans of this same Scotch claimant who first suggested the possible right of the Count. It may be that in each of the two factions the contracting parties guaranteed mutual advantages in case one or other was admitted to the Crown. The true nature of such contingent contracts is seen in the only agreement actually known. It is a mutual contract⁴ between Count Florent and Robert Bruce. It follows from this charter, given on the 14th of June, 1292, at Berwick, that both of the contracting parties promise mutually that in case that one of them shall

¹v. d. Bergh, ii. 666.

²The italics are mine.

³Count Florent used as a kind of private mark throughout his pleadings the figure of a horse. This figure is not found on the Dutch documents of the Count. Can it be that it occurs in the arms of the County of Ross which he used while in Scotland, as the arms assumed by him as claimant?

⁴See Stevenson, 318-321.

have Scotland, the other shall receive in fief the third of all the lands and pertinents under pain of heavy fines. Among the witnesses there are only two Dutchmen, Johannes, Sire de Arkle, et Willelmus¹ de Houtshorne.² At the sitting of the 14th of October at Berwick, Edward addressed to the members of the Court the three following questions, to which he received the following answers—

What laws do you follow here?

Those of England and of Scotland.

But if there exist no laws?

Then those which the King of England may make with the advice of his subjects.

On the basis of an undivided kingdom?

Yes.

At the following sitting, that of 6th November, Bruce at first demanded the whole of Scotland, or a part of it; Hastings only asked for the third, which induced Bruce to present a similar claim. From this we see that these two lords were aware that their cause was going ill. It was probably a last effort to obtain something which made them propose to divide the country between the three descendants of David, Count of Huntingdon, but Balliol persisted in demanding the whole. Then Edward once again made the Court declare that the kingdom of Scotland could not be divided.

At the last sitting on 17th November, Eric, King of Norway, Florent the Count, and one other of the claimants, were represented by proxies, but it is stated later that all excepting Balliol, Bruce and Hastings withdrew their pretensions. (In this fact I see a proof that the two parties all were in some way under contract.) The King ended by pronouncing the following sentence. Bruce and Hastings had at first declared Scotland indivisible, but later they had asked for a part—they should have nothing. *Balliol receives Scotland*; wherefore it follows that ‘per eosdem leges et consuetudines utriusque regni in casum presentem concordantes, remotior in gradu, in prima linea descendente, praeferendus est proximiori in gradu in secunda linea in successione hereditaria impartibile.’

What then were the consequences which resulted from the connection between Count Florent and Robert Bruce the elder?

¹ ‘De getromve goede heer’ (the good and faithful gentleman). The hero of Woeringen fell in the battle of Vronen in 1297. (Melis Stoke.)

² v. d. Bergh, ii. 856, 999.

It is clear that since by the decision of Edward, Balliol gained everything, the charter, already quoted, of 14th June, 1292, was valueless. The King of Scotland also demanded restitution from Count Florent (see App. 1). How then can we explain the assertions of Stoke,¹ of Procurator,² and of Beka, that Count Florent received a very large sum in compensation, an assertion to which the first chronicler cited above appears to add that it was Balliol himself who granted it to him? (see Appendices 2, 3, and 4).

Unless it is that there is here some confusion with the money received by the Count because of the proposed marriage of his son, I cannot reply to this question save by a supposition. We know by what has preceded that the County of Ross (to which the Counts of Holland had certain rights by their descent from David of Huntingdon) had been unjustly taken from them by no fault of their own. We know also by a charter of the 26th March, 1293, that the King of England pledged Balliol as king to pay to Eric, King of Norway, a sum of 7000 marks, forming the remainder of the dowry which had been guaranteed to the Scottish Princess, his wife. May we not believe that a similar justice had been done for that which related to the dowry of Ada, Countess of Holland? Dutch authors have generally misunderstood the whole question of the pretensions of the Count to Scotland. Melis Stoke asserts that this kingdom had lapsed (*an bestorven*) to the Count, and asks, with much irritation, how one could sell a kingdom for money? Procurator asserts that it was 'jure hereditaria devoluta' to the Count. Huydecoper³ does not appear to know the difference either between heritage and fief or between the different kinds of feudal goods. If in our days a would-be historian could not distinguish between these categories, and declared that we cannot imagine a person descended from a younger branch entering, after a long series of years, on the feudal rights of the elder branch, and if, after the example given by this study, he still persists in these views, I would address

¹ Melis Stoke, contemporary of Count Florent and author of a celebrated rime chronicle.

² Wilhelmus Procurator, an honest chronicler who lived in the first half of the fourteenth century.

³ Huydecoper, Dutch writer, living in the eighteenth century, and known principally as editor of the Chronicle of Stoke, mentioned above, which he has furnished with notes.

to him the reproach which Kluit¹ addressed to Huydecoper on the *very same question*

‘Talia ignorare in nostris huius aevi historiis non licet.’²

HANS TOLL.

Stockholm.

APPENDIX I.

Rex dilecto et fidei suo Roberto de Brus domino Vallis Anandi Salutem Quia ordinatio dudum facta inter nos et nobilem dominum Florentem comitem Holland et Zeland ac dominum Frisie unde altera pars littere inde confecte et sigillo vestro consignate in custodia venerabilis prioris A. Dunolmensis episcopi in castro ipsius episcopi de Norham residet sicut nobis constat et alia pars sigillo dicti comitis signata in custodia vestra existit teneri non potuit secundum prolocuta Vobis mandamus rogantes quatinus recepta altera parte predictae littere a prefato Dunolmense episcopo per manus constabularii ipsius episcopi castrum predictum illam partem ut predictum est penes vos existentem predicto comiti Holand vel dicto constabulario ad opus ipsius comitis sine dilacione restituatis Et hoc nullatenus omittatis.

Teste Rege apud Aber Conewey vi die Aprilis [1295].

Rotuli Scotiae, i. 21.

APPENDIX II.

The Count had been in England before, for Scotland fell to him. Afterwards the King gained it. Edward gave it to another who paid the Count a great deal of money. I should like to see that man hanged by the neck who advised the Count to this. How could he think of such a misdeed? How counsel the Count to sell a kingdom which had fallen to him? But one may well find such a man, one who esteems money before all other things.

Translation from the *Rimed Chronicle of Melis Stoke*.

¹ Kluit, celebrated professor of Leyden, died at the beginning of the nineteenth century. He is the greatest historian of the Low Countries since the time of Janus Douza. His best known work is *Historia Critica Comitatus Hollandiae*. In publishing an old Dutch Chronicle he added to it commentaries, scholarly criticisms and an important list of charters. He frequently found himself in opposition to the erroneous views of Huydecoper.

² *Hist. Crit.* Tome i. pars i. p. (110), not. 81.

APPENDIX III.

Et nota quod iste Florentius Comes Hollandiae primo causa possessionis Regni Scotiae ad ipsum jure hereditario devoluti versus Angliam dirigitur, cuius quaestio per Regem Angliae quadam summa pecuniae solvitur. Wilhelmus Procurator (Matthaeus, *Analecta*, ii. 532).

APPENDIX IV.

Grave Florens : = : voer over in Enghelant totten Coninc Edewart om te besøeken, of hy in enigher manieren mochte comen int Conincrike van Scotland, datten Grave Florens toe behoirde, als een recht erfname, dat hy niet geeriegen en couste overmids sommige Scoten, die hem tiegens waren, en de dat wederstenden. Ende bij des Conincs rade so verco-coekte hi dat Conincrike om een Som van gelde, dair sy een hurvelic makeden, als det Elisebeth des selven Coninc dochter soude hebben Johan Graven Florens soon tot een manne, op dattie Coninc ende die Grave Florens te meer gevertigt soude bliven in getrouwer vrientschappe. Grave Guy benyde dit vrientschap . . . versamende veel seepen tot Cassant ende woude anderwerf varen i Walcheren met heercracht. Ende doe Grave Florens dat vernam, quam hij hastelic nyt Engeland ende sette met sinen seepen te Vlissingen.

Beka, *Chronijke* [Matthaeus, *Analecta*].

Translation. Count Florent . . . set out to Edward, King of England, with the intention of getting by one way or another into the kingdom of Scotland, which country belonged to the Count Florent as rightful heir, but he could not obtain it, as certain Scotch lords were opposed to him. And by the advice of the King he sold the country for a sum of money, with which they arranged a marriage by which Elizabeth, daughter of the King, was to have as husband, John, son of the Count, whereby the King and Count Florent were to be confirmed in their faithful friendship. The Count Guy, envying this intimacy . . . gathered together a number of vessels at Cassant in order to invade Walcheren with his army, but having received this news, Count Florent came quickly from England to Vlissingue [Flushing] with his ships.

Beka, *Chronique van Holland* (publiée chez Antonius Matthaeus, *Analecta veteris aevi*, Hagae Comitum, 1738).



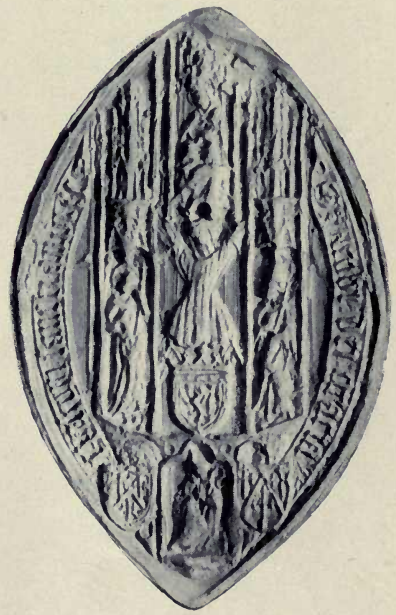
SEAL OF RICHARD,
BISHOP OF ST. ANDREWS. (1163-1177.)



REVERSE OF THE SECOND SEAL OF ROBERT
WISHART, BISHOP OF GLASGOW. (1315.)



SEAL OF WILLIAM LANDELLS,
BISHOP OF ST. ANDREWS. (1371.)



SEAL OF JAMES KENNEDY,
BISHOP OF ST. ANDREWS. (1450.)

Did Ecclesiastical Heraldry exist in Scotland before the Reformation?

IT is pleasing to find that the expressions of appreciation which we ventured to use in these pages (*S.H.R.* vol. iv. p. 326) regarding Dr. Birch's first volume,¹ on Royal Seals, are as applicable to the present volume on the seals of the Church. The author's method is to pass those seals in review which appear to be the most remarkable and important, beginning with the 'simple and unpretentious work' of the twelfth century, describing at greater length the achievements of the thirteenth and fourteenth centuries, which he recognizes as their best period, and leaving them only when, after the Reformation, their artistic interest had dwindled to extinction.

Before the arrival of that last epoch of decadence, however, Scotland had 'been peculiarly fortunate in possessing among her prelates of the Church many dignitaries of notable taste, who selected for their seal artists, men fully up to the foremost mark of their age in this respect, and capable of producing work not the least inferior to English or French contemporary execution.' It is not improbable, thinks the author, that 'the earliest seals of the bishops demonstrate, to some extent, a Gallic influence in the same way that this same influence is seen on the English seals of a corresponding epoch. . . . But later, the seals of the bishops appear to have been designed and executed by natives, with the result that the French elegance gave way to the less polished, but perhaps more virile treatment brought forward by indigenous exponents of art workmanship.'

The seals of the monasteries of Scotland form, says Dr. Birch, 'a class by themselves, different from the contemporary seals of English Houses by their greater simplicity and chasteness, but equal to them in taste and feeling. . . .'

Dr. Birch's opinion on this subject and also his observations on the particular seals which he selects for notice are the more interesting and valuable from his long study of seals in general. We regret to differ from him in anything, but we do on some things, and on this,

¹ *History of Scottish Seals from the Eleventh to the Sixteenth Century.* By Walter de Gray Birch, LL.D., F.S.A., late of the British Museum. Vol. II. Ecclesiastical and Monastic Seals of Scotland. Pp. 263. With seventy-three Illustrations. 4to. Stirling: Eneas Mackay. 1907. 12s. 6d. nett.

among them, that we think there is no evidence that any of the sees of Scotland possessed armorial bearings before the Reformation. There is no doubt that the embellishment of the bishops' seals, as well as their distinctiveness, owed much to their heraldry, but that heraldry was confined to the arms of the king (by Henry Laing and Dr. Birch habitually called 'the arms of Scotland') or those of some other laic patron or protector of the bishop, such as the Earl within whose territories the diocese lay, and to the arms of the particular bishop himself, whose seal it was. To examine each of the half-dozen cases in which the arms of a diocese is said to appear ought not to take very long.

Dr. Birch fancies he detects the arms ('the earliest arms') of the see of St. Andrews in a seal of Bishop William Landells (A.D. 1342-85). That seal contains, among other things, four shields: the first two, which balance each other in the design of the seal, flanking the principal figure in it, are, each of them, the tressured lion of the king. A pair of identical representations of the Royal Coat was not uncommon in the seals of the bishops of St. Andrews, and was to be found elsewhere too; but the author describes the second of the shields in the seal of the bishop as the royal shield surmounted of a staff and sceptre in saltire. This is the shield which he takes to be the shield of the see. Any representation of the seal which we have seen, including that furnished by Dr. Birch (Fig. 61), is too weak at the place where this shield occurs on it to enable us to agree or differ regarding his reading of its bearings. But when he continues that the second pair of shields which flank the effigy of the bishop, in the base of the seal, consists of, first, on the dexter, a repetition of this royal shield with the staff and sceptre, and, second, on the sinister, a shield bearing an orle for Landells, we must appeal to his own illustration, on which both these shields bear an orle, and are identical, save that the first is surmounted of what may be two bishop's crooks or croziers in saltire. It was by no means unknown for a bishop to place thus on his seal a shield of his own arms, and, opposite it, a shield of arms of the family from which he was sprung. Bishop Wardlaw, one of Landells's successors, appears to do so. His seal, which in Dr. Birch's opinion, 'demonstrates the culminating excellence of the seals of the bishops of St. Andrews,' bears in its base the bishop's effigy flanked on the sinister by the arms of Wardlaw of Torrie, three mascles, and, on the dexter, by the same arms with the addition of what seems to be a fess charged with three crosses patée. They are clearly the arms of the bishop, as the bishop's staff is placed behind the shield. There is no tressured shield nor royal lion on Bishop Wardlaw's seal, nor does Dr. Birch find any repetition of that supposed royal shield with the difference added to it in any subsequent seal connected with the diocese. When he comes, however, to the seals of the next two bishops of the see, he finds in both a bishop's effigy flanked, on the one side, by the arms of his name, and, on the other side, by the same arms augmented by the addition of the Royal tressure. 'Apparently,' he says, 'the use of this tressure

corroborates the suggestions made above that the earliest arms of the see of St. Andrews were connected with those of the kingdom.' The seals of these bishops, however, do not support even this modified statement of the suggestion: they are identical in their heraldic scheme with the seals of Landells and Wardlaw. They are the seals of bishops James Kennedy (1440-1466) and Patrick Graham (1466-1478). Each of these personages placed on the sinister side of his effigy the ancient arms of his house; in the one case Kennedy of Dunure, in the other Graham of Kincardine; and on the dexter side, he placed, for himself, these same arms within the double tressure which he derived from their royal mother, the Princess Mary, daughter of Robert III., for, as it happened, the bishops were half-brothers. Their tressures, therefore, were personal, not official.

When Dr. Birch compiled the fourth volume of his Catalogue of the great collection of seals in the British Museum, he thought that the arms of the see of St. Andrews were borne on the seal, of the same fifteenth century, which was used by the Bishop's Official. In the words of the Catalogue, the seal bears 'In base, a shield of arms: a saltire, SEE OF ST. ANDREWS.'¹ This clashes somewhat with the theory of the tressure. If the tinctures of this shield were but known to be *azure and argent*, we should at last have an instance of the arms of the 'kingdom' above mentioned, which were a saltire, not the king's personal tressured lion. If, indeed, tinctures or none, the saltire had appeared to any extent on the seals connected with the diocese, an argument in support of Dr. Birch's earlier view might have been formulated, but it is impossible to found upon this single case: for the saltire, so far as we know, never appeared before, and never appeared again on a shield connected with the see, till more than a hundred years after the Reformation, when Archbishop Sharp obtained a grant of arms from Lyon King of Arms, which consisted of a St. Andrew's Cross impaled with the arms of Sharp. Scores of families have borne saltires of different tinctures, and this fifteenth century official's saltire, which may have been *azure upon or*, or *argent upon sable*, occupies the place upon his seal in which, in the seals of succeeding officials, are found the undoubted patrimonial bearings of the officials themselves.

Thomas Murray, bishop of Caithness (1348-60), placed on his seal the shield of the arms of Murray, three stars, and a shield bearing a lymphad or galley within a double tressure. Laing read the legend on the seal, 'Thomas, by the grace of God Bishop of Caithness and the Isles' (*Cathensis et Insula* are the words with which he terminated it). Dr. Birch, in the *British Museum Catalogue*, pronounces Laing's reading erroneous, and substitutes *Cathanensis in Scotia*. In the volume before us, however, he seems (p. 34) to retreat from his criticism. The lymphad and tressure he here says are 'perhaps' for the bishop's See of Caithness, 'but called by Laing for his See of the Isles, while Burke blazons the arms of Caithness, a galley in full sail.'

¹ *Catalogue of Seals in the British Museum*, London, 1895, No. 14960.

In passing we may observe that John, Earl of Caithness, as early as the end of the thirteenth century or thereabout, bore a lymphad within a royal tressure.¹ There is no evidence that this is the shield of Orkney rather than that of Caithness at that date. Woodward, thought that the lymphad and tressure on Bishop Murray's seal might stand for Caithness or Orkney, but even he does not go further than to suggest that the arms were 'quasi diocesan.'² In no case, however, can the shield be reasonably held to be anything else than the arms of a line of temporal lords, placed, from motives of prudence or loyalty, upon the seal of the bishop of the diocese which lay within their territories, as the arms of Randolph Earl of Moray are found along with those of the king on the seal of one of the Bishops of Moray, those of the Earls of Ross appear occasionally on the seals of the bishops of the See of Ross, the chevrons of the Earls of Stratherne appear on the chapter seal of Dunblane, and on the seal of one of its bishops, and the arms of Lennox and Stewart decorate the seal of the Abbey of Paisley.

Dr. Birch interprets the shield of arms of one of Bishop Murray's successors, Andrew Stewart (1490-1518), as a continuation of Bishop Murray's design, 'with the substitution of the arms of Stewart quartered with a lymphad for Caithness, and in fess point an annulet' (p. 34). But that is a very different thing from a continuation of the design of Bishop Murray, whose seal bore the galley in a separate shield, within a double tressure. It is scarcely necessary to produce more evidence of the fact that this lymphad is a paternal not an official bearing, than that we have found it, as we do in the very case supplied to us, *quartered* with admittedly paternal arms. These arms also strike one at once as obviously the arms of a Stewart of Lorne, or Innermeath, which is much the same thing. This bishop is actually said by Crawford, *Officers of State*, followed by Keith, *Catalogue*, to have been a natural son of the house of Innermeath. Crawford refers for his authority to the Public Records. We cannot find what he alludes to in the Scottish Records. He is supported generally, as we have seen, by the bishop's seal, but it appears that his statement is at anyrate not strictly accurate, for Dr. Maitland Thomson draws our attention to the fact that Eubel, quoting the consistorial act of the bishop's appointment, says that the bishop was 'consanguineus regis Scotiae, defectum natalium patiens, utpote a presbytero de illustrium genere et soluta genitus.'³ Andrew Stewart, bishop of Caithness, was thus certainly not literally a son of the house of Innermeath. The priest who was his father may have been, nevertheless; and the truth is that we have not very far to look to find a personage who combined in himself the characters required by the terms of the act of the Consistory. This personage is Andrew Stewart, bishop of the neighbouring diocese of Moray, third son of the widow of James I. by her second marriage, with the Black Knight of Lorn, Sir James Stewart, a younger son of Sir John Stewart of Lorn and

¹ Macdonald, 308, *Brit. Mus. Cat.* 15884-5.

² *Ecclesiastical Heraldry*, 218.

³ *Hierarchia Catholica Medii Aevi*.

Innermeath. Andrew, bishop of Moray's seal, like that of Andrew, bishop of Caithness, bears, among other things, a quartered shield. The specimen of the seal, which has been described successively by Laing, Dr. Birch and Mr. W. R. Macdonald, is very indistinct. Laing made nothing of the shield it contains. Dr. Birch (*Catalogue*, 15069) gives a curious reading, if, indeed, there is no mis-print in it. The arms of Stewart appear, he says, on the first and third quarters [*i.e.* the two dexter quarters], and the bearings of the third and fourth are uncertain. Mr. Macdonald says the first and fourth may be the arms of Stewart, and the second and third may bear a galley. On the whole, we are entitled to say that there is no probability that the galley in the arms of this Andrew, bishop of Caithness, is anything other than the galley of Lorne. How the bishop came to choose a ring as a difference by which to distinguish his arms from, presumably, those of his priestly father, or some other bishop of the same name, we have no idea.

If we are right, the only remaining symptom of diocesan arms in Scotland detected by the author is in the shield of arms of James Stewart, bishop of Moray. This shield (A.D. 1459), 'a fess chequy between three crowns, all within a double tressure,' 'seems to be a compounded armorial bearing referring not only to the family of Stuart, but to the See of Moray' (p. 40). The same thing, says Dr. Birch in the *British Museum Catalogue* (No. 17269), may be said of the shield on the seal of the bishop's successor, Bishop David Stewart, vizt.: 'a fess chequy, between two crowns in chief, and a cross crosslet in base.' The seal is engraved in Laing, *Seals*, ii. 1039. The arms of the earlier shield, however, are nothing else than the arms of Alexander Stewart, natural son of the Wolf of Badenoch, and Earl of Mar in 1404. Bishop James Stewart was a brave man if he compounded arms at his own hand out of Stewart and his diocese which were identical with the Stewart arms of the Earl. His shield also is thus clearly and wholly paternal, borne, according to the custom with priests, without any heraldic difference. As to the shield of his successor of the same surname: Bishop David, clearly of the same family, would very naturally assume the cross crosslet fitchee¹ in base to distinguish his seal from that of Bishop James.

The Scottish abbeys, like the sees, had no arms; and the heraldry of the abbots and priors is as retiring as that of the bishops was conspicuous. The Order of the Knights Hospitallers, whose knightly priors' arms appear on their seals, affords no exception in the matter of the arms of houses. Their preceptories had no arms. The cross of St. John—gules a cross argent, which appears as a chief on the shields of the preceptors—constitutes the arms of the Order, not the individual house. Dr. Birch, however, considers that an instance of arms of a Priory is afforded by a common seal of the House of the Preaching Friars in St. Andrews. 'In base,' says the *Brit. Mus. Catalogue*, No. 15436, 'a shield of the arms of the Priory: a boar passant of St. Dominic,

¹ Macdonald, 2656.

in chief a saltire of St. Andrew.' The case of a saltire appearing in the arms on a priory seal clashes again with the author's theory above mentioned—that the saltire was the arms of the See of St. Andrews. He is probably right in dropping that theory and saying, as he does here, that the saltire was the saltire of St. Andrew. As to the boar, is it the boar of St. Dominic or the boar of St. Andrews?¹ It does not appear in any other of the known seals of the Friars Preachers in Scotland. Is there any likelihood that the shield is not merely that of the head of the house for the time being? We find a somewhat similar shield used in 1520 by Alexander Kirk, a St. Andrews bailie, namely, a saltire coupé at the top, with, in base, a cinquefoil.² Let us look at the chapter seals of Trinity College Kirk, Edinburgh. The earliest of these, used in 1502 A.D., has, in base, a shield charged with a chevron between three buckles. This does not look ecclesiastical, and we know that the Provost of the Kirk at the time was Sir Edward Bonkle. The next seal, used in 1558, bears, similarly, in base, a shield charged with a cross patée. Personally we are not aware what arms George Clapperton, the then provost, bore. The only Clapperton arms we can discover, are those on a detached seal of probably the same century, namely, a chevron charged with three stars, between a chief, and, in base, an anchor. Still, and though the cross patée looks quite churchy, we must presume it to be the Provost's. The shield on the obverse of the common seal of the Provostry of Abernethy, which was in use in 1557, bears only the undifferenced, and simple arms of the Abernethy family, the representative of which had for long borne these arms quarterly. But it is doubtful if even the survival of the Abernethy arms in the seal of that house can ground a qualification of the general statement that in Scotland, before the Reformation, ecclesiastical heraldry properly so called, did not exist.

J. H. STEVENSON.

¹ See the arms of the Royal and Parliamentary Burghs, *s.v.* St. Andrews.

² Macdonald, 1517.

The Bishops of Glasgow

From the Restoration of the See by Earl David to the Reformation: Notes chiefly Chronological¹

A.D. 1447—A.D. 1508

XXIV. JAMES BRUCE² (de Brois, Brewhouse), bishop of Dunkeld, and chancellor of Scotland; said to be a son of Sir Robert Bruce of Clackmannan (K.). Compare his burial place (see below).

Translated to Glasgow, 3 Feb. 1447 (E.). Spottiswoode (i. 254) says the translation was in 1446, which is true of 1446-47.

He was probably elected very soon after the death of Cameron, for he is styled bishop of Glasgow and chancellor, 19 Jan. 1447 (*Exch. Rolls*, v. 258).

He died in 1447 at Edinburgh (Sc. xvi. 26), and, at latest, in the early autumn: see next entry. A deed dated 4 Oct. 1447 is executed *sede vacante* (R.G. 367). According to *Liber Pluscardensis* (lib. xi. c. 7) Bruce was buried at Dunfermline, in St. Mary's Chapel (i. 381).

XXV. WILLIAM TURNBULL (Turnbol, Trumbil), who had been elect and confirmed to Dunkeld (see *Scottish Historical Review*, vol. i. p. 424), was advanced to the bishopric of Glasgow in 1447 (Sc. xvi. 26). Eubel gives the date of the appointment at Rome as 27 Oct. 1447. On 13 Nov. 1447 Robert, bishop of Dunblane, proctor of William, elect of Glasgow, 'then translated from the church of Dunkeld to the church of Glasgow,' *obtulit* 2000 gold florins of the *camera* (B. i. 154).

Consecration: 30 Aug. 1448 is in the first year of his consecration (R.G. 369), and 1 Dec. 1453 is in the sixth year (*id.* 399). He was consecrated, therefore, after 1 Dec. 1447, and before the end of Aug. 1448. He appears as bishop on 7 May, 1448 (R.M.S. ii. 1791). The *Short Chronicle of James II.* (p. 41) says: 'In that samyn yer [*i.e.* 1449] master William Turnbull said his first mess in Glasgw, the xx day of September.' For the loans made by merchants of Aberdeen, Edinburgh, and Dundee, and transmitted abroad for 'lifting the bulls' of Bishop Turnbull, see *Exch. Rolls*, v. pp. 306, 310, 370.

He is in Parliament 18 July, 1454 (A.P. Supplement 23).

¹ Continued from *S.H.R.* vol. v. p. 213. See also v. 76.

² For his appointment to Dunkeld and consecration, see *Scottish Historical Review*, vol. i. p. 424.

He died 3 Sept. 1454 (R.G. 616): at Glasgow according to the *Chronicle of King James II.*, which document is, however, certainly incorrect as to the year, and possibly as to the month, in assigning his death to the year 1456, 3 Dec. (p. 55). The statement that he died at Rome is noticed later on.

On 24 Jan. 1449-50 Turnbull and seven other Scottish bishops, on their knees, supplicated James II. to abolish the evil custom of the king seizing on the *bona mobilia* of deceased prelates (A.P. ii. 37, 38).

Turnbull procured the bull of Nicholas V., bearing date 'Rome vii. Id. Jan. 1450 anno Incarnationis,' fourth year of Nicholas V., that is, 7 Jan. 1450-51, founding a *studium generale* (a University) at Glasgow. Bishop William (Turnbull) and his successors were to be 'Rectores, Cancellarii nuncupati.' The bull is printed in Theiner (No. 758) and in R.G. (No. 361).

During his short episcopate Turnbull did much for Glasgow. Beside procuring the bull for the erection of the University, James II., who boasts that he is a canon of the cathedral (R.G. No. 356) grants to the bishop of Glasgow and his successors, that they should hold the city and barony of Glasgow and the land commonly called Bishop's forest in pure regality: 20 April, 1450 (*ib.*). The blench was a red rose on the nativity of St. John Baptist, if asked.

With much labour and expense Turnbull procured a bull, permitting the citizens to use butter and *laticinia* instead of olive oil on certain fast days (R.G. No. 364). The date of the bull is 26 March, 1451. He procured also a bull allowing, in the year of Jubilee, the benefits of the Jubilee indulgence to be granted to those visiting Glasgow Cathedral. A third part of the offerings was to go to the repair of the Cathedral (R.G. Nos. 359, 360).

Chalmers (*Caledonia*, iii. 622), without citing an authority, states that Turnbull's death took place at Rome. Pinkerton (*History of Scotland from the Accession of the House of Stuart*, i. 222) makes the same statement. Keith says, 'it seems that he [Turnbull] took a journey to Rome, where he died 3 Sept. 1454.' What is the authority for this? Perhaps Keith had no better evidence than the fact that William, bishop of Glasgow, and Master Andrew de Duresdere, dean of Aberdeen, received from Henry IV. a safe-conduct as being about to visit Rome, 27 July, 1453 (Rymer).

XXVI. ANDREW DE DURISDERE (Durrusdur, Dursdeir, Dusdeir), or, in late writers, MUIRHEAD, dean of Aberdeen, sub-dean of Glasgow, canon of Lincluden, holding the church of Kirkandris (Kirkanders), perpetual vicar of the church of Kirkpatult (*sic*, ?Kirkpatrick) in the diocese of Glasgow (T. No. 772).

In Spottiswoode (i. 224), Keith, and Cosmo Innes (R.G. Preface, p. xlvi) this bishop appears as Andrew Muirhead or Moorhead, I suppose on the authority of an entry in the *Glasgow Martyrology* (R.G. p. 616), where we read 'Obitus Andree Mureheid episcopi Glasguensis,' 20 Nov. 1473, 'qui fuit fundator Collegii Vicariorum Chori Glasguensis.' This list of Obits is from a MS. in the Advocates' Library, and was written after 1553. I think the name, as given in the *Martyrology*, must be an

error, for the evidence for *Durisdere* (or its variants) seems to be conclusive. There is the Papal Letter cited above (T. No. 772). Again, Bishop Lesley (*Historie*, Bannatyne Club edit., p. 37) speaks of 'Andrew Dusdeir bishop of Glasgow' in 1469. In the extracts from the old chronicle quoted by Pinkerton (*History*, Appendix, i. 502), under the year 1454, we read, 'Deit that bischoip William Turnbull, to quhome succedit bischoip Andrew Durrusdur.' But that there was a connexion between the family of the bishop and the family of Muirhead is certain, for we find Thomas de Murhede clerk of the diocese of Glasgow, a *nepos* of Andrew, bishop of



SEAL OF ANDREW MUIRHEAD, A.D. 1455-73.

Glasgow, in Oct. 1460 (T. p. 454). See also note at the end of this entry on his heraldic arms.

Andrew de Durisdere, sub-dean of Glasgow, was evidently a person much esteemed by Pope Nicholas V. (see the bulls in R.G. Nos. 359, 360). He is associated with Bishop Turnbull in collecting and guarding the money offered at the high altar of Glasgow Cathedral in the year of Jubilee. We find Master Andrew de Durisdere as dean of Aberdeen in 1450, when, on 26 March, he (clerk and counsellor of James II.) was made procurator of the king for making requests at the court of Rome to Pope Nicholas V. (R.M.S. ii. No. 330) and in 1452 and 1453 (B.C. iv. p. 407 and No. 1263).

Writing to Andrew Stewart, brother of James, king of Scots, Pope Calixtus III., on 5 May, 1455, says that on that day he was providing to the church of Glasgow, Andrew de Durisdere, dean of Aberdeen, and holding the various benefices enumerated above (T. No. 772). This is the date given by Eubel for Andrew's provision to Glasgow. On 28 May, 1455, Andrew offered *personaliter* 2500 gold florins and the customary five small *servitia*. He was accordingly at Rome at this date. He had (see last entry) received with Turnbull a safe-conduct (available for three years) in July, 1453.

Andrew was not (apparently) consecrated on 31 Jan. 1455-56 (T. No. 775). The date of his consecration can be fixed within tolerably narrow limits. The 16 Sept. 1457 was in the second year of his consecration (*Acta Dom. Conc. et Sess.* vi. 93), and 12 May, 1459, was in the fourth year of his consecration (R.G. 412). Hence he was consecrated between 16 Sept. 1455 and 12 May, 1466. But he was not consecrated

on 31 Jan. 1455-56, therefore we can further limit the period within which his consecration took place.¹

An interesting fact is brought to light by T. (No. 775) : when Durisdere was provided to Glasgow he was only in minor orders, that is, he was not even a sub-deacon.

To Andrew was addressed the bull of Pius II. (23 Oct. 1460) authorizing the annexation of the hospital at Soltray to the Collegiate Church of the Holy Trinity near Edinburgh : and as executor of the papal mandate he gave sentence on 6 March, 1461-62 (Marwick's *Charters relating to Trinity Church and Hospital*, pp. 3-13).

The bishop of Glasgow is a frequent figure in Parliament in 1464, 1467, 1468, 1469, 1471 (A.P. ii.). According to Bishop Lesley (*Historie*, p. 33) he was, on the death of James II., appointed one of the seven who made the council of regency.

Andrew was from time to time employed in affairs of state. He appears to have been one of the commissioners who treated for a truce with England towards the close of the year 1463 (Rymer, xi. 509). And again, at a later time, he was one of those who negotiated the prolongation of the truce with England. In 1468 he with others were sent to Denmark to treat of the marriage of James III. with Margaret, daughter of Christiern I., king of Denmark (Lesley, *Historie*, p. 37 : Torfaeus, 184-188).

In 1467 (16 May) Andrew ratifies and confirms certain grants of land and rents to the vicars of the choir of his cathedral (R.G. No. 391). On 29 Nov. 1469 Andrew, with the provost and bailies of Glasgow, obtained a judgment in their favour from the Lords Auditors against the provost and bailies of Dumbartain, who had impeded the purchase of wine from a Frenchman out of his ship in the Clyde (*Act. Audit.* 9).

In 1471 he founded an Hospital for twelve old men, and a priest to celebrate divine service. The Hospital was dedicated to St. Nicholas, and it was situated close to the bishop's castle at Glasgow (Chalmers' *Caledonia*, iii. 658).

As late as 6 Aug. 1473 the bishop of Glasgow is found acting in the court of the Lords Auditors (*Act. Audit.* 28).

The Obit-book, as we have seen, gives the date of the obit of 'Andrew Muirhead' (Durrisdere), bishop of Glasgow, as 20 Nov. 1473 ; and this date fits in well with the appointment of his successor.

Hector Boece, in his *Vitae Episcoporum Aberdonensium* (p. 85 New Spalding Club edit.) makes blunders as to the founding of the University of Glasgow. He attributes it to 'Wilhelmo Dursdeir Episcopo.' But the fact is mentioned here because he evidently knew of a bishop of Glasgow called Dursdeir, though he gives him a wrong Christian-name.

As bearing on the question of the name and family of Bishop Andrew, attention may be called to the heraldic arms appearing on a shield at the base of his round seal (see Plate ii. Fig. 5, R.G. vol. ii.), 'on a bend three

¹ Since the above was in type I have noticed a confirmation by Andrew (printed in Marwick's *Charters of the City of Glasgow*, ii. 453) dated 6 March, 1458-9, in the third year of his consecration. This shows that his consecration was after 6 March, 1455-6.

acorns.' Acorns appear on the seal of Martin Murheid (A.D. 1542). Macdonald's *Armorial Seals*, p. 239. Whether it is an accidental circumstance or not, it may be observed that the final syllable 'dere' of the word 'Durisdere' is generally supposed to be the Celtic 'dair,' meaning an 'oakwood,' which may have suggested the use of acorns on the shield.

We find Andrew de Durisder sub-dean of Glasgow in 1450 (R.G. No. 360) and in 1451 (*ib.* No. 359) and in 1452 (*ib.* No. 373). In the latter year he was employed in affairs of state (Rymer).

It is to be noted that the parish (the rectory) of Durisdeer was a prebend of the cathedral of Glasgow; but I have not been able to connect it with the sub-deanery, the prebend of which was the parishes of Cader and Badermannoch (Monkland).

These facts are mentioned in view of what I think is a wholly unsupported conjecture, viz. that Andrew's name was Muirhead, but that he was known as Andrew of Durisdeer from the benefice which he held. There is no trace of any connexion of Andrew with the possession of the parish of Durisdeer.

Andrew appears in the Index of R.M.S. vol. ii. under 'Murehed'; and it is not improbable that the name will stick, though there appears to be no contemporary evidence to support it.

XXVII. JOHN LAING (Layng), of the family of Redhouse in the shire of Edinburgh (K.): rector of Tannadice, in the shire of Angus, and vicar of Linlithgow (*ib.*). Rector of Newlands, in the diocese of Glasgow, at the



SEAL OF JOHN LAING, A.D. 1474-82.

date of his provision to Glasgow. Lord Treasurer, in which post we find him in the year 1465.

It is a matter of highly exceptional rarity to find a bishop's Bull of Provision recorded in a Scottish Cathedral Register. We are so fortunate as to possess John Laing's (R.G. No. 402). It was addressed by Sixtus IV. to John Layng, elect of Glasgow, an expression which does not necessarily imply that there had been a capitular election; and no mention is made of such an election in the bull. The Pope declares that during the life of Andrew he had reserved the appointment to himself. On the vacancy occurring through the death of Andrew, the Pope appoints John, presbyter

of the diocese of St. Andrews, and councillor of the King of Scots. Dated St. Peter's, at Rome, 28 Jan. 1473-74. Eubel gives the same date. In January, 1473-74, and probably on the 28th (the deed is imperfect), he receives leave to be consecrated by any Catholic bishop in communion with the Roman see (R.G. No. 403). On the 8 Feb. 1474 he pays 1339 florins, 14 shillings, and 3 pence, and on the following day the elect of Glasgow pays 1250 gold florins for *commune servitium*, and 89 florins, 9 shillings, and 3 pence, for one *minutum servitium*, and 67 florins, 4 shillings, and 9 pence, for three *minuta servitia* (Brady's *Episcopal Succession*, i. 154). We have occasional examples when the *taxa* is not paid so promptly.

Though nothing is said about there having been a capitular election, the form was probably gone through, for we find that John is described as 'elect of Glasgow' on 9 Jan. and 19 Jan. 1473-74 (*Invent. Pious Donat.* 441). Still, on 8 Feb. 1473-74 he is described simply as 'rector of Newlands, Treasurer of the King, and clerk of the Rolls and Register' (R.G. No. 400). The 'elect of Glasgow' is in Parliament 9 May, 1474 (A.P. ii. 106). He had an acquittance from the king for his accounts as Treasurer 2 Dec. 1474 (R.G. No. 406), and a further acquittance 11 Oct. 1475 (*ib.* No. 408), and again, 3 Feb. 1475-76 (*ib.* No. 409). As to the date of his consecration, we have the evidence that 24 Feb. 1477-78 was in the fourth year of his consecration (R.G. No. 415). He therefore received consecration not long after his provision.

He appears as chancellor of the kingdom in 1482 (R.M.S.).

Laing died 11 Jan. 1482-83 (R.G. 615).

Those who are interested in Laing's occupancy of offices of state, such as Treasurer, Lord Register, etc., will consult the invaluable Indexes of R.M.S.

In 1478 the king confirmed benefactions of Laing to the altar of St. Kentigern, 'our patron,' and to the altar of St. Duthac, both in St. Giles' Church, Edinburgh (*Regist. Cart. Eccl. S. Ægidii*, p. 128).

A similar benefaction by John, bishop of Glasgow, to the altar of St. Catherine, in the same church, was confirmed in 1498-9 (*ib.* 181). There is other evidence that he had property in the burgh of Edinburgh. Six stones of wax annually for candles for the choir of Glasgow Cathedral (9 Feb. 1481-2) were derived from the rent of two booths in Edinburgh (R.G. No. 427). See also his gift of a tenement in Edinburgh in 1478 to the cathedral church of Glasgow (*ib.* No. 417).

Laing's seal contained a shield bearing arms:—1st and 4th; a pale. 2nd and 3rd; three piles. Macdonald, *Scottish Armorial Seals*, p. 194. It is pictured in R.G. vol. ii., but is wrongly assigned to John Cameron.

XXVIII. GEORGE DE CARMICHEL (Carmichael, Carmighell, Carmychell), treasurer of the cathedral of Glasgow. We find him rector of Tynninghame on 7 June, 1475 (Fraser's *Douglas Book*, iii. 106). Master George de Carmychell is rector of Flisk in Fife, and is in Parliament, 14 April, 1481 (A.P. ii. 134). He was treasurer of Glasgow 25 April, 1474 (R.M.S. No. 1169), and frequently (see *Act. Audit.* and *Act. Dom. Concil.*) and 5 June, 1480 (R.G. No. 426).

For the family of which he was a member, see Sir J. Balfour Paul's *Scots Peerage*, article 'Carmichael, earl of Hyndford,' which differs from Wood's edit. of *Douglas' Peerage* as to his parentage.

Carmichael must have been elected by the chapter of Glasgow very soon after the death of the preceding bishop, for we find George elect of Glasgow witnessing 18 Feb. 1482-83 (R.M.S. No. 1560): and 'the elect of Glasgow' sitting in Parliament 1 March, 1482-83 (A.P. ii. 145). On 22 March, 1482-83 'George elect of Glasgow' witnesses a charter of James III. at Edinburgh (Laing Charters, No. 189). The king's orator at the papal court, George Browne, afterwards bishop of Dunkeld, urged the claims of Carmichael, but in vain (see *Scottish Historical Review*, vol. i. 427).

On 13 April, 1483, Sixtus IV. declares the *de facto* election of George to be null and void as being contrary to his reservation of the see (T. No. 873), and in a lengthy document denounces, under the highest ecclesiastical censures, all who did not reject George and accept Robert (see next entry). There are expressions in the papal letter which seem to point to the Duke of Albany as being a supporter of Carmichael; and it is not improbable that the Pope, for political reasons, was opposed to his appointment. On 29 Nov. 1483 'Dominus Georgius de Carmighell electus Glascuensis' received from Richard III., at the request of the king of Scots, a safe-conduct as a commissioner on state affairs (*Rot. Scot.* ii. 461). As late as 28 Feb. 1483-84 we find 'the elect of Glasgow' sitting as one of the Lords Auditors (*Act. Aud.* p. 111). The same had appeared on earlier occasions. This must, one cannot help thinking, be Carmichael.

Spottiswoode (i. 224) says that Carmichael died on a journey to Rome for confirmation of his election. If he went to Rome with a view to the deposition of Robert, which is highly improbable, and died on the journey, it cannot have been till the year 1484. Carmichael seems to have been an associate of Archibald, earl of Angus (Bell-the-cat) in 1483 (*Douglas Book*, iii. 406) on whose council he appears 9 July (*ib.* 105).¹

XXIX. ROBERT BLACADER² (Blacadyr, Blacadir, Blakadir, Blakatar, Blaccater), bishop elect and confirmed of Aberdeen (provided to Aberdeen 14 July, 1480: Eubel).

He was translated to Glasgow 19 March, 1482-83 (E.). The denunciation of supporters of George (see last entry) is dated 13 April,

¹ I have to thank Mr. Evelyn G. M. Carmichael, author of the article, 'Carmichael, earl of Hyndford,' in the *Scots Peerage*, for many references to 'George Carmichael,' the more important of which I have used above.

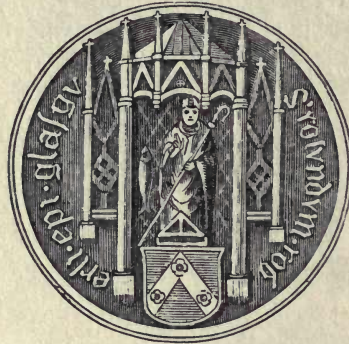
² From a charter of Rolland Blacader, sub-dean of Glasgow, nephew of the bishop, we learn that the bishop was a brother of Sir Patrick Blacader, of Tullieallan, knight (R.G. No. 495). He himself represented to Pope Sixtus IV. that he was 'de nobili genere ex utroque parente.' (T. No. 868).

In 1494 'Patrick Blakater of Tullyalloun' had by assedation half the customs of Glasgow (*Act. Dom. Audit.* 197). In 1503 Sir Patrick is styled the brother germane of the archbishop (R.G. ii. p. 506).

1483 (T. No. 873). Blacader is there styled by the Pope 'our son': but on 20 May, 1483, he (now styled 'our brother') received from the Pope a *littera passus*, he having come to Rome on the king's business and his own. It would therefore seem that Blacader was consecrated at Rome on some day between 13 April and 20 May, 1483.¹ The see of Aberdeen is spoken of as void 12 June, 1483 (*Regist. Aberdon.* i. 315); the news of Elphinston's translation from Ross not yet perhaps having reached Aberdeen.

We find Robert, bishop of Glasgow, witnessing a royal charter at Edinburgh on 20 Nov. 1483 (*Regist. Brechin.* p. 208).

Blacader, in 'prosecuting his translation' from Aberdeen to Glasgow at the Roman See, had dipped himself heavily in debt, and he resorted, with the help of a papal bull (T. No. 882) dated 31 March, 1487, to



SEAL OF ROBERT BLACADER, A.D. 1484-1508.
(No. 1.)

compel, by ecclesiastical censures, regulars as well as seculars to supply him with a 'benevolence' (*carativum subsidium*), collegiate churches, and also monasteries, even those of Cluniacs and Cistercians (ordinarily exempt) being included in the demand. If what was collected in one year was not sufficient, he was entitled to make a second claim. He was also granted by the Pope half of the first fruits of all benefices in his diocese. A citation of Robert, at the instance of the dean and chapter, to appear at Rome within a hundred and twenty days by himself or by his proctor, in litigation as to first fruits and other matters, dated 18 April, 1487, will be found in R.G. No. 448. He was abroad on 30 March, 1487 (the chancellor, archdeacon, and official were his vicars-general): see deed summarised in *Report of Hist. MSS. Commission*: Sir J. Stirling Maxwell's MSS. p. 66.

Steps which led to the erection of the church of Glasgow into a Metropolitan church. As is well known, the erection of St. Andrews

¹ A writ of Robert's (printed in *Munimenta alme Universitatis Glasguensis*, i. 40) is dated 30 April, 1501, in the nineteenth year of his consecration. This further narrows the limits, and shows that his consecration must have taken place *before* 30 April, 1483.

into the Archiepiscopal and a Metropolitan See of the whole kingdom (bull of Sixtus IV. is dated 17 Aug. 1472) was received with the strongest disfavour by the bishops of the other sees, and was highly distasteful to the king. The first effective opposition was made by the able prelate Thomas Spens, bishop of Aberdeen, who obtained from Pope Sixtus (14 Feb. 1474) a complete exemption for himself and his diocese, as long as he lived, from all jurisdiction of the archbishop of St. Andrews (T. No. 858). In 1487 (27 March) Innocent VIII. added a new dignity to the archbishop of St. Andrews: he was henceforward Primate of all Scotland and *Legatus natus*. But in less than a year the Pope, to appease the contentions which arose



SEAL OF ROBERT BLACADER, A.D. 1500.

(No. 2.)

between the archbishop of St. Andrews and Robert, bishop of Glasgow, exempted the latter and his diocese from all jurisdiction, visitation, and rule (even such as might arise by reason of the primatial and legatine dignity) of the archbishop of St. Andrews, so long as Robert lived (T. No. 885). The powerful see of Glasgow was not content with such a temporary favour. James IV., who held the honorary dignity of a canon of Glasgow, warmly espoused the cause of that see. Letter after letter was despatched by the king urging on the Pope that Glasgow should be raised to a primacy like that of York in the Church of England. (These letters will be found in substance in R. Brown's *Calendar of Venetian State Papers*, i. pp. 199, 200, 203-6).

The Scottish Parliament, 14 Jan. 1488-89, enacted the following statute: 'It is concludit and ordanit be oure souerane lord and his thre estatis that for the honour and gud public of the realme the sege of glasgw be erect in ane Archbisshoprik with sic preuilegiis as accordis of law, and siclik as the archbisshoprik of york has in all dignitez

emunitis and priuilegiis as vse and consuetud is, and salbe compakkit and aggreit betuix the said bischop of glasgw and the prelatis and baronis that Ore Souerane lord will tak with him to be avisit with, And that nane of the kingis liegis do in the contrar herof vnder the kingis Indignacioun and panis of brekin of his actis of Perliament' (A.P. ii. 213).

This Act was communicated to the Pope by the chancellor in the name of the 'Three Estates,' and the king again wrote to the Pope urging that the bishop of Glasgow should be raised to the rank of metropolitan, primate, and *legatus natus*.

Erection of Glasgow into an Archiepiscopal and Metropolitan Church. It was during the episcopate of Blacader that Glasgow was raised by a bull of Innocent VIII. (dated 9 Jan. 1491-92) to the dignity of a Metropolitan church. Blacader became first archbishop, with the bishops of Dunkeld, Dunblane, Galloway, and Lismore (Argyll) as suffragans.¹ Another bull, bearing the same date, addressed to the four suffragan bishops and commanding them to render obedience to the archbishop of Glasgow, is also printed (R.G. No. 458).

It has hitherto been uncertain when Dunkeld and Dunblane were restored to St. Andrews. But as regards Dunblane, Dr. J. Maitland Thomson has lately discovered in the Vatican (*Reg. Lat.* 1065, fol. 130) a bull of Alexander VI. dated 1499, 5 Kal. Feb. *anno* 8, in which, after citing the bull for the erection of Glasgow into an archbishopric, it is added that at the instance of James, administrator of the church of St. Andrews, and with the consent of Robert, archbishop of Glasgow, the church of Dunblane is restored to its former subjection to St. Andrews. It will be observed that the dignities of the style Primate and *Legatus natus* and the Pall were not granted; but during the life-time of Robert, the new archbishop, the see of the archbishop of Glasgow was exempt from the primatial and legatine jurisdiction of St. Andrews, and the same privilege was accorded to the suffragan sees of Glasgow during the lives of the bishops of those sees (T. No. 889). As to the time when Dunkeld was restored to St. Andrews, the information as yet available does not allow us to be so precise as in the case of Dunblane. All we can say for certain is that when Leo X. provided Gavin Douglas to Dunkeld, as Dr. J. Maitland Thomson has discovered at the Vatican, the provision was accompanied with a letter of recommendation to the archbishop of St. Andrews as metropolitan. The date is 25 May, 1515 (*Reg. Lat.* 1325, fol. 135). This falls in consistently with the fact that James Beaton, I. archbishop of Glasgow, appears in R.G. (ii. 531) as having as suffragans only Candida Casa and Lismore.

In 1495 King James IV. besought the Pope to make the archbishop of Glasgow a cardinal. He was supported by King Ferdinand and Isabella of Castille. But the request was not granted (*Calendar of Spanish State Papers*, i. p. 69.)

¹The bull is printed in R.G. No. 457 and in T. No. 889.

In 1501 Robert was one of the commissioners under the Great Seal for negotiating the marriage of the king with Margaret, sister of Henry VIII. (8 Oct., R.M.S. ii. 2602).

On 27 Jan. 1507-08 Robert founded a chaplainry in the church called St. Mary's of Welbent, in the parish of Casteltarris (Carstairs) where the bishops of Glasgow had a manor (R.G. No. 486). He annexed certain benefices to the University of Glasgow 5 Feb. 1507-08 (*Munimenta Universit. Glasguen.*).

Archbishop Blacader died 28 July, 1508 (R.G. p. 616) on a voyage in pilgrimage to the Holy Land. On 16 May 'a rich Scottish bishop' appears to have been at Venice. On Ascension Day (1 June) he accompanied the Doge in the *Bucentaur* to the wedding of the sea. He afterwards set out from Venice in a ship bound with pilgrims for Palestine. On the return of the ship in November it was found that out of 36 pilgrims 27 had died, and among them the Scottish bishop. There can be little doubt that this bishop was Blacader, archbishop of Glasgow. See Dr. David Laing's paper (based on Maria Sanuto's *Diaries*) in the *Proceedings of the Society of Antiquaries of Scotland*, ii. 222-226.

For the date of Blacader's death we have Lesley (confirming the martyrology in R.G.). After recounting how 'the Queene partit with ane madin barne the xv day of July [1508],' he says, 'About this time the bischop of Glasgow, quha wes passit to Jerusalem, or he come to the end of his jounay, deceissit the xxix day of July. He wes ane noble, wyse, and godlie man' (*Historie*, p. 78). He had probably left Scotland early in the year. He was 'in remotis agens' 11 March, 1507-8 (*Dioc. Reg. of Glasgow*, ii. No. 382). He was 'itinerans ad sepulchrum Domini' 16 June, 1508 (*ib.* No. 322).

The news of Blacader's death (or probable death) must have reached Scotland at latest in Oct., for see next entry; his successor's election was on 9 Nov. 1508.

Blacader's arms: on a shield, with an archiepiscopal cross behind it;—On a chevron three roses. Macdonald, *Scottish Armorial Seals*, p. 20.

Additional notices of Blacader with clues to authorities for those desiring fuller information. In 1471, several years before his appointment to Aberdeen, Robert Bakadire (*sic*) was a messenger of James III. to Pope Paul II. (T. No. 850). At a later period he was at Rome on the king's business and his own, and received from the Pope a *littera passus* on 20 May, 1483 (T. No. 876). Blacader was a member of several embassies of importance to England, to France, and apparently twice to Spain (A.P. ii. 224: *Rot. Scotiae*, ii. 495, 499). He arrived at the court of Ferdinand and Isabella on 24 Aug. 1495; and on 12 Sept. those potentates wrote to the Pope urgently begging that Archbishop Robert might be made a cardinal (Bergenroth's *Calendar of Spanish Papers*, i. Nos. 103, 104). He appears to have returned in the winter and to have arrived at Stirling two days before Christmas (*Excheq. Rolls*, No. 308). He seems to have again gone to Spain in the following spring: see Dr. T. Dickson's Preface to *Accounts of the Lord High Treasurer* (vol. i. p. cxxiii).

Blacader was present at St. Paul's Cross, London, at the 'hand-fasting' (espousals) of Margaret Tudor, afterwards Queen of Scotland, on St. Paul's Day, 25 Jan. 1502-3: Leslie (*Historie*, 70). It was Blacader who, with the Earl of Morton and a brilliant train, met Margaret at Lambertoun, near the border, and convoyed her to Dalkeith, prior to the marriage at Holyrood, 8 Aug. 1503, which ceremony was performed by the Archbishop of Glasgow, the Archbishop of York reading the bull of the Pope assenting thereto (Leland). Blacader was one of the god-fathers of James, the infant son of James IV. and Margaret, at his baptism in the Abbey Kirk of Holyrood 23 Feb. 1506-7 (Leslie, 75). This child died 27 Feb. 1507-8 (Dunbar's *Scottish Kings*, 2nd. edit. p. 219).

Contentions between the Archbishops of St. Andrews and Glasgow. The Act of Parliament forbidding the two archbishops to carry on their strife, with the certification that, if they will not cease and leave their pleas in the court of Rome and be obedient to the king, his Highness will command and charge his lieges that none of them make finance nor pay to them fermes, rents, nor males to the sustentation of the said pleas, 26 June, 1493 (A.P. ii. 232, 233).

Notices of the earlier history of Robert Blacader. On 11 March, 1477-78, Pope Sixtus IV. states that he had received a petition from Robert Blakidir, rector of the parish church of Lesuarde [Lasswade], in the diocese of St. Andrews (which church he held *inter alias ecclesias*) and Papal Notary. Robert proposed to erect near the church a hospital for poor people, pilgrims, sick and feeble folk, and other miserable persons, to be known as the Hospital of St. Mary of Consolation. He desired authority from the Pope for charging on the revenue of the rectory (which was more than 150 lbs. Scots) 20 lbs. Scots for the hospital and a chaplain to officiate there. The Pope, knowing the merits of Robert, who was then 'orator' of King James at the Apostolic See, grants his request, and exempts the hospital from all jurisdiction save his own (T. No. 865). The Pope appoints executors and conservators to give effect to his bull (T. No. 866). A few days later (17 March, 1477-78) Blakidir obtained leave from the Pope to make the parish church of Lasswade the prebend of a canon of the Collegiate Church of St. Salvator in the city of St. Andrews. His love for learning shows itself in the requirement that the holder of the new canonry should be either a doctor or licentiate *in utroque jure* (T. No. 867).

In 1480 (5 June) Blacader subscribes a charter of the dean and chapter of Glasgow as 'Prebendary of Cardross' (R.G. 444). He sat as 'elect of Aberdeen' among the Lords of Council on 12 and 23 June, 1480 (*Act. Dom. Con.* 49, 59). Notices of his history at Aberdeen must be reserved.

In addition to the structural features of the architecture of the cathedral of Glasgow due to Blacader (for an account of which the reader will look elsewhere), he founded a chaplainry at the altar of the Name of Jesus; and another at the altar of St. Mary of Pity. He made an endowment for the singing of an *Ave gloriosa* or *Salve regina*, with versicle and collect, at night after compline by the vicars of the choir,

in the nave of the cathedral, before the image of St. Mary of Consolation. In honour of St. Kentigern he built a church and founded therein a chaplainry near the monastery of Culross (on the Forth) 'where the same (St. Kentigern) was born' (1503). Not long before he left Scotland on his pilgrimage to Palestine he founded a chaplainry at the altar of St. John in the nave of the cathedral near the image of St. Mary of Consolation, while his brother, Sir Patrick, founded a chaplainry at St. Kentigern's altar in the lower church, near the tomb of the saint (27 Jan. 1507-08) (R.G. ii. pp. 505, 519).

It was in the court of the archbishop of Glasgow that the Lollards of Kyle were brought up for examination in 1494. They seemed to have escaped without punishment. Knox, who says that the articles against them were received by him 'furth of the Register of Glasgow,' is our chief source of information (*History*, i. 7-12). No Register containing an account of the trial is now known to exist.

J. DOWDEN.

(To be continued.)