Killiecrankie described by an Eye-Witness

THE chief authority for details of the Battle of Killiecrankie is Lieut.-General Hugh Mackay of Scourie, who led the army of William of Orange against the Jacobite troops under Viscount Dundee. There are passing allusions in various letters of the period which give clues to the order of battle; but no detailed history of Killiecrankie as seen by the Jacobites is known to exist. This is unfortunate, as Mackay could not know the disposition of Dundee's army save by conjecture and defective observation, and there is consequently much dubiety as to the events of the day. Professor C. Sanford Terry, in his *John Graham of Claverhouse, Viscount of Dundee*, gives a very graphic and probable account of the battle, founded principally upon Mackay's *Memoirs*. No writer on the subject, however, seems to have utilised the poems of Iain Lom MacDonald, the renowned Bard of Lochaber, who was with the Jacobite forces, and who composed two ballads about the battle while the scene was fresh in his memory. These have been traditional since his time, and are, no doubt, corrupted or altered from the original; but they are interesting as giving vivid glimpses of the Jacobite feeling of the period, and of the enthusiasm which pervaded the army of Dundee.

Iain Lom MacDonald is described by John Mackenzie[1] as 'a poet of great merit as well as a famous politician.' He was known as 'Lom' = bare, because he had no beard; and sometimes he is designated 'Manntach' from an impediment in his speech. He belonged to the Keppoch family, and was born in the Braes of Lochaber. The Rev. A. Maclean Sinclair[2] states that he was great-great-grandson of Iain Alainn, fourth Mac-Donald of Keppoch, and was a Roman Catholic. The exact date of his birth is not known, but it may be surmised

[1] *The Beauties of Gaelic Poetry*, 1904 edition, p. 32.

[2] *Orain le Iain Lom Mac-Dhomhnuill*, 1895, Antigonish, Nova Scotia.

that he was born about 1620, for his earliest poem is a lament for his chief, Angus Mac-Donald, and his own father, Domhnull Mac Iain mhic Dhomhnuill mhic Iain Alainn, who were slain at the skirmish of Stron-a-chlachain in 1640. Mackenzie declares that 'the first occurrence that made him known beyond the limits of Lochaber was the active part he took in punishing the murderers of the heir of Keppoch,' which event occurred in 1663; but long before that time Iain Lom had composed a memorial poem on Sir Donald Mac-Donald of Sleat (Domhnull mac Dhomhnuill Ghuirm) who died in 1643. From another poem of his it seems certain that he was present at the Battle of Inverlochy on 2nd February, 1645, when Montrose vanquished Argyll; and still another poem by him describes the Battle of Auldearn, fought in the following May, as though the poet has also witnessed that encounter. Iain Lom was apparently associated with Montrose throughout his campaign, and he commemorated in verse the capture of Sir Lachlan MacLean of Duart, the surrender of Dunaverty, and the betrayal and execution of the Marquess of Huntly, which events took place in 1647; while he lamented in pathetic language the execution of the Marquess of Montrose on 27th May, 1650, and the death in battle of Sir Lachlan MacLean in 1651. All these poems precede in date the *Mort na Ceapich* which Mackenzie quotes as Iain Lom's first poem. Even the song of welcome to Charles II. at the Restoration in 1661 was earlier than the poem on the murder of MacDonald of Keppoch.

The comprehensive little volume by the Rev. A. Maclean Sinclair, to which reference has been made, contains 41 poems by Iain Lom, arranged chronologically; and these cover the period from 1640 till 1707, the last undisputed poem dealing with the Union of the Parliaments. His final warlike poems are those that describe the Battle of Killiecrankie, (or Raon-Ruari, as the Highlanders call it), and they are usually accepted as the productions of an eye-witness. Iain Lom lived to an extreme old age. His death took place in 1709 or 1710, when he was probably in his 90th year. He was buried at Dun-Aingeal, in the Braes of Lochaber, and a few years ago a monument was erected to mark his last resting-place. Dr. Magnus MacLean[3] thus characterises the venerable bard:—'A man of great force of character, he combined in his personality the ardent poet and the keen politician, the intuitive dreamer and

[3] *The Literature of the Celts*, p. 270.

the restless man of action. This is the wonderful schemer whom some regard as the real genius of the Montrose Campaign during the Civil War. Were it not for him, it is certain, events could not have developed so favourably and so brilliantly for the victorious Marquess as they did. Keen Jacobite as he always was, he accompanied the latter on most of his marches.'

The two poems here literally translated into unrhymed stanzas, are of interest historically and philologically. Some of the expressions are obscure, probably because of alterations that have taken place in the course of oral tradition. The poems must be taken by the historian for what they are worth; but they are interesting as the record of an eye-witness of the fatal victory of Killiecrankie: it is believed they have not been translated before:

King James' Army Marching to the Battle of Killiecrankie.

It is high time that we were now on the march from this region,
Since we have made scarce beef.
After being a while in order with our host,
Our hardy young warriors advanced forward.

O, kind young darling, hast thou been wounded?
May the Great King look on thee wherever thou art.
'Twas on Tuesday morning commenced our move onward,
The sergeants passing on to us the word of command.

Near the shore the warriors halted;
The resolute brigades parading in good order.
As the shades of evening were falling, we encamped.
Our strong commander surveyed our lines.

The word of our Colonel[4] to Sir Donald,[5]
As also our order to be in our keeping,
'Make no delay in posting sentries,
And keep your enemies at a distance.'

Wet was the morning when we donned our plaids,
And travelled to the house (where our transport carts awaited us).
When we arose we put on our garb;
Each one hurriedly strapped on his knapsack.

There was little sign of weariness when evening came;
As soon as a little flame was kindled of many sparks.

[4] Coll MacDonald of Keppoch, the famous 'Coll of the Cows.'

[5] Sir Donald MacDonald of Sleat, third Baronet. He set out from Lochaber to join Dundee, but fell ill and had to return home. His son, Donald Gorm, is mentioned in the second poem on Killiecrankie.

From the head of Loch Eil[6] we marched,
And when the sun set we halted.

At the head of Loch Lochy we pitched our camp,
A day before Sunday and two days thereafter
Our friends all gathered on the spot,
And lifted up their hands in the presence of God's Son.

Gold and silver they despised,
And we left behind us our wives and children
Absolutely defying whatever injury our persons might suffer;
Little rest will we take until we slaughter Lowlanders.

Said the Graeme, the man of excellent disposition,
'Sons of the Gael, do not let me see your gloom;
Lift up your courage (minds), the time for you has arrived,
It is high time for us to be marching into the country before us.'

We marched out elated and stately,
Until we reached the head of Glenroy.
Up through Glen Turrit and the pass of Drummond
Marched the men that were eager for the fray.

Over the heights of Druimuachder marched the gallants,
Of great hardihood and hard to weary;
When we reached Atholl, we found none but women,
The men kept out of our way for fear we would put them under tribute.

After mid-day, marching at ease,
We proceeded down by the bank of the river;
A horseman came in thro' the head of the valley
To tell us that Colonel Mackay and his company had arrived.

Short the consultation made by the King's people,
Up the side of the hill they went;
Copiously poured the sweat from each brow,
As thro' the north side of the pass they climbed.

The leader of the troop went before his men,
It would be cause for regret if he were absent;
Stubborn and proud was the spirit of the Macdonalds,
Though they suffered severely, they welcomed the hour.

Each Clan moved without (showing any signs of) being damped or daunted,

[6] This poem gives an itinerary of the march of the MacDonalds of Keppoch. Leaving Loch Eil (Inverlochy) on Tuesday, 18th July, they marched northwards to Loch Lochy, where they camped on Saturday, 22nd July, and waited till Tuesday, 25th, for the MacDonells of Glengarry, and other portions of the clan. On that Tuesday they marched by Glenroy, Glenturrit, the Pass of Drummond, and Druimuachder, to Atholl, arriving there on the forenoon of Wednesday, 26th July. Proceeding along the banks of the Alt Chluain, they were met on Thursday, 27th July, by a horseman, who warned them that Mackay's troops were advancing from Dunkeld by the Pass of Killiecrankie. The MacDonalds then formed in order of battle under Dundee's command.

Without fear or tumult they fell into their own places;
Stately we breasted our enemies,
And not an arrow was discharged that day needlessly.

At the close of the day[7] we drew our swords,
We began our chopping as the sun set.
In spite of their thrusting, and though their hopes were strong,
They lost their ground, and their souls after it.

O heroic leader, thou didst fall in the fight,
And dreadful was thy arm, till thy hour came,
'Tis thy death, O Dundee, that left me in a nightmare,
Transfixed my heart, and bedewed my cheek.

'Tis small reparation for thy loss what fell of the beasts in the war of King James,
Although victory rested with us;
But dispersed like flies are King William's men,
And we are in grief though we chased them away.

Colonel Ramsay,[8] great was his disgust at the time of being taken,
We were so wicked, and venomous towards our enemies,
That we wouldn't let go our hold of a single Lowlander.

O Colonel Balfour, worthless man,
I think you got all you wanted of warfare:
They smashed your crown, and brought your hat over your ears,
And they cut your boots at the back.

Killiecrankie.

In the name of Good I will begin
On the theme I have fancied;
The close of our fame is not yet.

See ye not the sloops of the King
Pour their strength on the beach—
'Tis not William that I prefer,

But King James and his seed,
Whom God ordained for our defence.
No borrowed King is worthy of our homage.

But if thou comest not soon,
And thy defenders getting fewer,
I would as well thou wert over in Egypt.

[7] This agrees with the statements of Mackay, 'half an-hour before sunset,' and of Balhaldy, 'the sun being near its close.' Indeed, the text of the poem confirms Professor Terry's account of the battle in every particular.

[8] Colonel George Ramsay and Colonel Bartholomew Balfour commanded two regiments of the Scots Brigade from Holland. Balfour was slain at Killiecrankie.

Behold that unstable vapid crew
Who now in the place of state sit,
Branded by Satan with the seal of cowardice.

The sly scheming pack
In whom guile is innate,
The raven with the dirt of injustice hath fouled them.

'Twas not the traitor, worthy man,
That set fire to the peat,
But the head of a house, whom natural ties barred—
Became their beacon light.[9]

In the tender birch copse,
Near the farm of MacGeorge,[10]
Full many a gay cloak lies torn.

Many a helmet and skull
Lay in splinters on the knolls,
Blood ran in waves through the grass.

Ye got a ruffling in the wood
From the steel blades of Conn's seed
That sent ye over the hillocks sore wounded.

On Killiecrankie of thickets
Are many graves and stiff corpses.
A thousand shovels and spades were requisitioned for covering them.

Gallant Claverhouse of the steeds,
True leader of hosts,
Wae's me, thou should'st fall at the opening of the fray.

Like flaming fire to them (the foe) thy wrath,
Till fate crossed thy path;
'Neath the folds of thy clothing the bullet pierced thee.

Great was the slaughtering by thy hand
'Neath thy white helmet.
Alas! thy naked white corpse is being enshrouded.

Not one of your enemies would be up
From Orkney to Tweed,
Were it not for the stub that pierced thee in front.

When thy followers burst forth,
No crowd of herd boys they,
But men used to facing death-dealing arms.

[9] This verse is obscure. It may mean that it was not the traitor (or bastard) Duke of Monmouth that had usurped the place of state, but the legitimate Prince of Orange, 'whom natural ties barred' because of his marriage to Mary, the daughter of King James.

[10] This may be the farm of Lettoch, immediately adjoining the true site of the battle.

On the crest of the hill,
Above the dark of the thicket,
Stood the men who could rout the evil-doers.

The successful MacDonalds,
Ever victors in the fray,
Ne'er by rebels have they been dismayed.

Many a fellow of mettle
'Neath thy banner went forth,
Not of tow, but of flax, thy regiment.

Many a valiant youth
Who though meagre in flesh
Were cleavers of skulls, bones, and sinews.

My love on young Donald Gorm,[11]
From the towers of Sleat and Ord,
'Tis a pity how sore he was dealt with.

My love on the young laird,
A tender plant was he,
But no camp-lingerer when lines were arrayed for combat.

My love on Black Alastair,[12]
From Ardgarry of the rills,
Who brought confusion to the renegades.

And his brother Iain Og,[13]
A ball passed through his flesh,
Very narrowly he survived the ordeal.

[11] Donald Gorm MacDonald, eldest son of Sir Donald, and afterwards fourth Baronet of Sleat. He greatly distinguished himself at Killiecrankie, where, according to the poem, he was wounded. In the Rising of 1715 he took a prominent part, and was attainted. His death took place in 1718, and he is remembered in tradition as 'Donald of the Wars.'

[12] Alastair Dubh MacDonell of Glengarry, who is said to have carried the Royal Standard at Killiecrankie. Macaulay gives a brilliant description of this hero's conduct during the battle. After the battle Alastair joined Generals Buchan and Cannon in an attempt to rally the Jacobites, but the enterprise failed. He led 500 of his clan to Sheriffmuir in 1715, but afterwards made his submission to General Cadogan at Inverness. He died in 1724. His eldest son, Donald Gorm, was at Killiecrankie, and 'fell gloriously after having killed eighteen of the enemy with his broadsword.' (Mackenzie, *Hist. of the MacDonalds*, p. 348.)

[13] Black Alastair had four younger brothers,—Angus, who succeeded to the lands of Scotus; John, (Iain Og), progenitor of the MacDonells of Lochgarry, now represented by Arthur Antony MacDonell of Corpus Christi College, Oxford; Donald, who fell at Killiecrankie; and Archibald, founder of the MacDonells of Barrisdale, now extinct. Iain Og, who was wounded at Killiecrankie according to the poem, was married to Helen, daughter of Donald Cameron of Lochiel.

'Tis Prince William and his men
Steeped this country in woe,
When they banished o'er seas King James from us.

Let me invoke ruin and plague,
Famine, malice, and death
On their race, as on the children of Egypt.

Each day that doth pass
May swords gnaw through their skin,
And dogs devour their remains on the hillside.

The French will come in
With their mighty camps and their horses,
And thy feast and thy trout-steak will be broiled for thee.

To Hanover thou'lt go back,
And thy coat will quickly come off.
'Tis the old grey dog's ring would serve you best.

Very bitter is this war,
Relentlessly waged;
With a snake's head it will have a peacock's tail.[14]

Dispute has arisen regarding the order of battle at Killiecrankie. Mackay gives one version, Balhaldy gives another, and Professor Terry is inclined to accept Mackay's statement. The following is the description given by the Rev. A. Maclean Sinclair, who apparently follows Balhaldy:

'At the battle of Killiecrankie, Dundee's men were ranged in one line, and in the following order from right to left: the Macleans, Colonel Cannon's Irish regiment, the MacDonalds of Moydart, the MacDonells of Glengarry, the cavalry, the Camerons, a battalion under Sir Alexander Maclean, and the MacDonalds of Skye. The Grants of Glenmoriston were with the MacDonells of Glengarry. Dundee had about 2500 men, and M'Kay about 4000. The battle began about seven o'clock in the evening, or half an hour before sunset. The Highlanders, whilst moving down the hill, received three successive volleys from M'Kay's line. When they got to close quarters and drew swords, the battle lasted only a few minutes. They gained as complete a victory as could be won.'

While it would be unreasonable to place Iain Lom's poems in a superior position as an authority on Killiecrankie to the technical description of an expert like Mackay, it is interesting to find so many confirmations of Mackay's history of the event in poems that have been preserved by continuous tradition.

A. H. Millar.

[14] This obscure metaphor implies that the war, though begun in danger, would have a brilliant end.

Scottish Industrial Undertakings before the Union

V

The Society of the White-Writing and Printing Paper Manufactory of Scotland (Established in 1694).[1]

As early as 1590 an attempt was made to establish a paper manufactory in Scotland, but without success.[2] It was not till the year 1675 that it could be said that paper-works were actually founded. Mills were built at Dalry, on the Water of Leith, within easy reach of Edinburgh. Under the Acts of 1661 and 1662 foreigners were brought into the country, and the usual privileges granted to the manufacturers. The founders of this industry had the misfortune to have to re-build their mills owing to a fire having destroyed the original building. By 1679 the works were able to produce 'grey and blue paper much finer than ever this country formerly offered.'[3] On March 7th of the same year a petition was presented to the Privy Council stating that not only did the manufactory supply good paper which had hitherto been imported, but also it was deserving of encouragement through its use of rags, 'which formerly were put to no good use.' The gathering of rags gave employment to numbers of poor people, and already many Scotsmen had been instructed in the art of making paper. The owners of the mills asked that they should receive encouragement by the Privy Council suppressing 'the faulty custom not practised anywhere else' of

[1] See *Scottish Historical Review*, vol. i. p. 407, and vol. ii. pp. 53, 287, and 406.

[2] *The Domestic Annals of Scotland*, by R. Chambers, i. p. 195, ii. p. 398.

[3] *Ibid.*, ii. p. 398. In 1679 another paper work was established by Nicholas de Champ on the banks of the Cart. His apprentice erected a larger factory at Milnholm. *Glasgow Past and Present*, p. 1224; *Smiles' Huguenots*, p. 338.

employing fine rags for the making of wicks for candles. It was represented that cotton wicks should be used by the candlemakers, which, though dearer, would give better light. In reply to this petition, the Privy Council prohibited the use of rags for making candle-wicks.[4]

Another paper-mill had been established by Peter Bruce about 1685 in conjunction with the working of a monopoly he had obtained for the making of playing-cards. Bruce fell into monetary difficulties, as he alleged, through a bill of suspension 'surreptitiously stolen forth against him' by some merchants of Ayr whom he had prosecuted for contravention of his monopoly.[5] Eventually the exclusive grant, together with the paper-mill, was transferred to James Hamilton of Little Earnock, who petitioned for a confirmation of the privileges enjoyed by Bruce. He obtained an Act of Parliament in 1693, which gave the privilege of a manufacture as defined by the Act of 1681 to his various undertakings.[6]

These works confined themselves to the production of coarse grey and blue paper, the attempts made to manufacture writing paper having failed.[7] As in several other cases, local efforts to found new industries did not succeed through want of capital, and because (as recorded in the Act founding the Scots Paper Company) 'such undertakings cannot be managed otherwise than by a Society and incorporation.'[8] Nicholas Dupin, a French refugee, who had already founded Paper Companies, which were so far successful, in England and Ireland, was encouraged by several noblemen to introduce English capital into Scotland for the manufacture of white paper. He had already had experience of Scottish industry through his connection with the promotion of the Scots Linen Company, of which he was Deputy-Governor.[9] Accordingly he petitioned the Privy Council on July 5th, 1694, asking for the 'privileges of a manufacture' according to the Act of 1681. He stated that 'he had arrived at the art of making

[4] *Domestic Annals of Scotland, ut supra*, ii. pp. 398, 399.

[5] Privy Council Papers, 1685-6 (General Register House, Edinburgh). 'Petition to the Privy Council by Peter Bruce, Master of the Manufactory of Playing Cards.'

[6] *Acts of the Parliaments of Scotland*, ix. p. 340.

[7] Petition of Nicholas Dupin to the Privy Council, *Domestic Annals, ut supra*, iii. p. 86.

[8] *Acts of the Parliaments of Scotland*, ix. p. 429.

[9] See *Scottish Historical Review*, ii. p. 53.

all sorts of fine paper moulds as good or better as any made beyond seas and at a far cheaper rate, insomuch that one man may make and furnish more moulds in one week than any other workman of other nations can finish in two months' time.' He and his associates 'have arts to make the greatest mortar and vessel for making paper without timber,' and they have also provided 'several ingenious outlandish workmen to work and teach their art in this kingdom.'[10] The Privy Council granted permission for the establishment of paper-mills in Scotland, 'but without hindering any persons already set up,' and also 'to put the coat of arms of this kingdom upon the paper which shall be made at these mills.'[11] On July 10th, 1695, by Act of Parliament, Dupin and his partners were granted the privileges of a manufactory, with the right to incorporate themselves under the title of the 'Scots White Paper Manufactory.'[12]

On the Act of the Privy Council being obtained in 1694, the first steps towards starting works had been made, on a small capital outlay. The mills appear to have been at Yester,[13] and there was later a warehouse for storing paper in Edinburgh at Heriot's Bridge, in the Grass-market.[14] A month after the passing of the Act in favour of the Company, articles of partnership were signed, on August 19th, 1695, which prescribed the internal management of the undertaking and fixed the terms for a new issue of shares. At the first general meeting every year thirteen shareholders were to be chosen to act as a governing body, and these should elect from their own number a Præses.[15] The capital already paid in, together with that now offered for subscription, amounted to £5000 sterling. This was divided into 1400 shares.[16] No one person, except by an act of the general meeting, was allowed to subscribe for more than twenty shares, so that the minimum number of shareholders would have

[10] Chambers' *Domestic Annals, ut supra*, iii. p. 86.

[11] *Ibid.*, iii. p. 87.

[12] *Acts of the Parliaments of Scotland*, ix. p. 429.

[13] Parliamentary Papers, 1698 (General Register House, Edinburgh), 'Overture for an Act for the Improvement . . . of the White Paper Manufactory.'

[14] Advertisement in *Edinburgh Gazette*, No. 8, March 23, 1699, Advocates' Library (bound with *Scots' Postman*).

[15] *Articles concluded and agreed upon by the Society of the White Writing and Printing Paper Manufactory at Edinburgh, the 19th of August*, 1695, *in the terms whereof partners were to be assumed* [Edin., 1695], *British Museum*, 1391, c. 21, p. 2.

[16] *Ibid.*, p. 6.

been seventy, if the issue had been taken up.[17] Each five shares entitled the owner to one vote. The shares, like those of the King's and Queen's Corporation for the Linen Manufacture in England, with which Dupin was associated, were offered at £4 sterling, or a premium of 12 per cent. In addition, each shareholder was to pay a further premium of 18s. sterling of 'subscription money' to Dupin at the time of application.[18] At the same time one-third of the £4 sterling was to be paid to the treasurer, and the remainder 'whensoever the same shall be judged necessary by the general meeting or a Committee of seven persons, to be chosen out of their number for that effect.'[19] In 1697 Dupin stated that the project was likely to have failed for want of enough subscribers, unless the promoters had taken up the shares themselves, which at that date they were prepared to offer 'at a reasonable rate.'[20]

In 1696 the producing stage had been reached, and according to contemporary evidence, enough paper was being produced to supply the country.[21] The next year the company, in support of a petition to the Privy Council, was able to provide evidence of having produced good white paper, but it required 'a little further encouragement to be an advantage to the whole kingdom.'

Mention was made of the great expense incurred in securing foreign workmen, and the fact that the making of paper had now been brought to perfection. The other industries that had received special privileges were less generally advantageous than this one, because they depended on foreign raw material, whereas paper not only was made from something found at home, but utilized what would otherwise have been a waste product. The company was able to undersell foreign paper, but in view of having introduced the manufacture of white paper, it asked the sole privilege of this trade in Scotland for a term of years, 'because it was unjust that others should reap the reward of their labours,' especially as the books for subscriptions had remained open for such a long time. It was also urged that there was some danger that their servants might be enticed away, and therefore they asked further powers similar to those conferred upon the Newmills Company.[22] The latter concession was granted by the Privy Council,

[17] *Ibid.*, p. 5. [18] *Ibid.*, p. 7. [19] *Ibid.*, p. 7.

[20] Acts of the Privy Council of Scotland, under July 15, 1697.

[21] Chambers' *Domestic Annals*, *ut supra*, iii. p. 88.

[22] Acts of the Privy Council, under July 15, 1697.

but in view of the existence of other paper-mills, the monopoly of white paper making was withheld. Having failed to obtain the monopoly, an overture of an Act was presented to Parliament in 1698 asking encouragement in other directions. Apparently the demand for paper made by the Company had increased considerably, for there was some difficulty in obtaining a sufficient supply of rags. An Act was asked prohibiting candlemakers from using wicks made of rags, as in the case of the Dalry Mills.[23] The candlemakers of Edinburgh petitioned against the draft Act, claiming that they had a prescriptive right to use rags in their trade. The Paper company had 'in a most clandestine manner' obtained an Act of the Privy Council preventing them from using rags as heretofore, and the candlemakers had raised a process of reduction. The company 'fearing the reduction would prevail,' had brought in the overture with a view to monopolising the supply of rags, reducing the wages of rag-pickers, and, in fact, obtaining the raw material at an artificially low price by abolition of the competition of the candlemakers.[24] The company also complained that not only did the Government abstain from using home-made paper, but that those who imported for official purposes ordered much larger quantities than were required, which were sold to the public. The draft Act also recited that 'the importing from Holland and the vending here of many English books which are usually, or may be, printed or reprinted here, is not only a manifest prejudice to the improvement of printing and the paper manufactory in this kingdom, but may also be the means of corrupting and leading the common people of this kingdom into dangerous errors by their reading such imperfect Bibles, New Testaments, Psalm-books, and Confessions of Faith.' Therefore it was proposed to levy a duty of a fixed percentage on all writing or printing paper imported, but this Act did not become law.[25]

In the next year (1699) the company advertised a considerable stock of Imperial writing, printing, pressing, and packing papers.[26] After 1699 there is no further direct information as to the fortunes of the company. From a curious series of events it would appear, however, that, before 1705, the undertaking

[23] Parliamentary Papers, 1698, 'Overture for an Act for the Improvement . . . of White Paper.'

[24] *Ibid.*, 'Representations of the Candlemakers of Edinburgh against the White Paper Manufacture.'

[25] *Ibid.*, 'Overture of an Act,' etc.

[26] *Edinburgh Gazette*, No. 8.

had ceased to manufacture, and that the mills had been let to Evander M'Iver. At that date there were two Edinburgh newspapers, the *Gazette* and the *Courant*. For some time there had been a keen rivalry between the proprietors. It happened that in 1705 Evander M'Iver, who was described as the 'tacksman of the Scots-Manufactory Paper-Mills,' had petitioned the Privy Council to complete the reprinting of an English book, entitled *War betwixt the British Kingdoms Considered*. The *Courant* published this petition, and the Privy Council, disapproving of the work in question, suspended the publication of both newspapers.

W. R. Scott.

Reviews of Books

THE LIFE OF ST. PATRICK, AND HIS PLACE IN HISTORY. By J. B. Bury, M.A., Regius Professor of Modern History, and Fellow of King's College, in the University of Cambridge, etc. Pp. xv, 404. Demy 8vo. London: Macmillan & Co. 1905. 12s. nett.

THE last twelve months have seen the issue of two most important works dealing with the Patrician documents. The first to appear was *The Latin Writings of St. Patrick*, edited by Dr. N. J. D. White, and published in the *Proceedings of the Royal Irish Academy* (1904). This is the first critical edition of the Latin texts of the 'Confession' and of the (so-called) 'Epistle to Coroticus.' It quite supersedes Dr. Whitley Stokes's exhibition of the texts as they appear in his *Tripartite Life of St. Patrick*, edited for the Master of the Rolls, in 1887. Dr. White's is a really scholarly piece of work. And now, a few months later, comes Professor Bury's new volume.

Dr. Bury's work consists, first, of a reconstruction of the life of St. Patrick, after the sifting of the materials: and, secondly, very elaborate appendices, containing a critical inquiry into the sources, notes illustrative of the biography, and a series of learned Excursus, dealing with particular points, which were only briefly noticed, or but slightly treated, in the earlier part of the work.

For several years by the articles on Patrician subjects which have appeared in *Hermathena*, the *English Historical Review*, and in the columns of the *Guardian*, Dr. Bury has been preparing the small circle of scholars interested in the early history of Christianity in Ireland to expect from him a great work; and the expectation has not been disappointed. We have here unquestionably the most important and valuable discussion of Patrician problems which has appeared since Dr. Todd's *St. Patrick Apostle of Ireland*, published more than forty years ago, a work which Professor Bury does not overrate when he says that 'in learning and critical acumen it stands out pre-eminent from the mass of historical literature which has gathered round St. Patrick.' While in arrangement, lucidity, enlarged outlook, and even in thoroughness, Dr. Bury distinctly surpasses his distinguished predecessor. It may be true that Todd, as observed by Dr. Bury, was not without an ecclesiastical bias; but it does not follow (as Dr. Bury's volume proves) that a writer who has shaken off ecclesiastical prejudices is necessarily wholly free from prejudices of another kind.

Hitherto the soundest scholars have been disposed to attach but little value to the traditionary notices of St. Patrick which appear for the first time in writings dating some hundreds of years after the death of the saint. They have relied almost exclusively on the scanty authentic writings of St. Patrick himself. And here at least they were on sure ground. For, if anything is certain in the higher criticism of literature, it is certain that the *Confession* and the *Epistle* are the work of the Irish Saint. That Professor Zimmer should for a time have impugned the authenticity of the *Confession* seems to me only to prove that a man may be a brilliant philologist and a very bad critic. But Zimmer has recanted,—a hard thing to do,—so his arguments, such as they were, need not be considered further. I doubt whether any reader, properly equipped, and with no prepense, could study these two documents, and not be profoundly impressed with the sense of their genuineness. It need not be said that Dr. Bury throws the whole weight of his learning and critical acumen in support, we may add, even ardent support, of the genuineness of the *Confession* and *Epistle*. He dismisses Pflugk-Harttung's recent attack on their genuineness with the brief remark, 'a piece of extraordinarily bad criticism.'

The value to be attached to the Patrician tradition embodied in later writings is a very different and difficult question, and one upon which there is legitimately room for a large variety of opinion. Prof. Bury attempts the extremely arduous task of weighing the evidence for the details of the later tradition, and works into his biography of the saint the results at which he has arrived. Here is the point at which there will be the largest amount of hesitancy and doubt in following our author. Certainly Prof. Bury is not, at least consciously, guilty of the fatal fault of many modern hagiologists, who after they have discarded the miraculous in the narratives, accept the residue as authentic. He expresses himself admirably when he says, 'The most striking parts of it [the Ulidian tradition] are pure legend, but they are framed in a setting which might include some literal facts . . . But the difficulty which meets the critic here is due to the circumstance that he has no sufficient records of a genuine historical kind to guide him in dealing with this mixed material. Most of those who have undertaken to deal with it have adopted the crude and vain method of retaining as historical what is not miraculous.' It is impossible in this short notice to examine Prof. Bury's work upon the traditional sources; but it is no small matter that he approaches the task with a full sense of its extraordinary difficulty.

The attention of students of ecclesiastical history may be specially called to the valuable Excursus (pp. 375-380) on the organisation of the Episcopate in the early Irish Church. The author gives weighty reasons for believing that bishops of Ireland were originally diocesan bishops, and that it was only gradually (perhaps never universally) that bishops appear as without sees, and as members or heads of monastic houses.

The time and labour expended by Prof. Bury on the Irish topographical questions raised by the place names of the Patrician literature deserves especial notice. Maps are supplied of part of Ulidia (Ulster), and of the kingdoms of Meath and Connaught. All future enquirers are bound to

avail themselves of these researches, even though they may be unable to accept them in every detail.

Dr. Bury has given us a really important and valuable work; but it seems to me that its value would not have been diminished by the excision of the occasional (though happily rare) sneers, covert or open, directed at what many Christians, especially among the writer's fellow-countrymen, regard with reverence. The editing of the *Decline and fall of the Roman Empire* has, it would seem, infected the editor with a tendency which is not among the many great merits of Gibbon.

We cannot conclude without noticing that, in the judgment of Dr. Bury, Scotland must surrender the distinction which has been so long generally, though not universally, accorded, of containing the birth-place of St. Patrick. We have reluctantly to confess that Dr. Bury seems to us to have made a strong case against Bannauemtaberniae being placed in Strathclyde. But the recent investigations of Roman remains in the province of Valentia, exhibiting ample proofs of a long-settled civilization, go at least some way to detract from the force of the argument that we have no evidence that there were towns with municipal constitutions in Strathclyde. Some place in south Britain near the western coast is all that at present Prof. Bury can determine as to the spot which gave birth to the Apostle of Ireland.

JOHN DOWDEN.

THE SCOTS PEERAGE. Edited by Sir James Balfour Paul, Lyon King of Arms. Vol. I., pp. xv, 575; Vol. II., pp. vi. 602. Edinburgh: David Douglas, 1904-5. 15s. nett each. (To be completed in about six volumes.)

SIR JAMES BALFOUR PAUL is warmly to be congratulated on the issue of a second volume of the *Scots Peerage*. The general appearance of the volumes is excellent; the printing is clear, and as to the merits of the woodcuts readers of this magazine can judge from the examples which appeared in a previous number,[1] and which offer a marked contrast to the simple and homely appearance of the *Complete Peerage*, whose compiler is a Gallio in matters of book production.

However, in genealogical works the substance is incomparably more important than the form, and in this regard it seems sufficient to say that there is hardly an article here which does not constitute a marked advance on any previous account of the family concerned. An immense amount of matter has been brought to light and made available of late years which was unknown to old Peerage writers. Although this increases the labours of preparation, it renders possible the advance we have mentioned both towards accuracy and completeness.

There is much to be said both for and against a work of this kind being produced, as in the present case, by a number of collaborators. On the one hand, by getting a Kennedy to treat of *Cassillis* and a Lindsay of *Balcarres*, the special knowledge of particular families and

[1] See *Scottish Historical Review*, vol. ii., pages 4, 8, and 12.

unrestricted access to their charters and archives is secured, to which it would be quite impossible for a single editor to attain, unless he were prepared to devote a lifetime to preparation; on the other hand, there is bound to be some falling off in that uniformity of treatment which is so desirable. On the whole, however, the advantages outweigh the drawbacks.

The extent to which recourse must have been had to original documents is striking, the result being that many venerable errors which have been passed on from one peerage writer to another are here for the first time expunged. I have been able to test the truth of this very completely, as I have been for many years collecting genealogical data correcting and amplifying the received peerage accounts, from non-peerage sources—such as Records, Memoirs, Letters, etc.—and it is surprising to find in how many cases these manuscript notes are incorporated in the *Scots Peerage*.

The Editor makes some apology in his forewords for having curtailed in certain cases the historical matter, but this he need not do. No one goes to a book of this kind to learn the history of a country, but that of a particular family; and though the two are often inseparably connected, there should be as little swelling of the bulk by the former as is consistent with making clear the feats and conduct of the latter.

Indeed, with all reverence for the Lyons, Unicorns, and other dignified mammals, who have lent their services to this publication, I should say that the purely genealogical statements are sometimes overlaid and obscured by superincumbent historical matter; and one would willingly trade away a page or two about English intrigues, or accounts which might be found in Robertson, for the name of a peer's mother-in-law and the *place* of his marriage. In the future volumes these two facts should invariably be given, when known. Taking as an illustration the article on Cassillis (otherwise an excellent performance though slightly too diffuse), the place of marriage is not given in the writer's own account of himself, and yet he must be presumed to have known it!

People often fail to realise the importance of stating the place of birth, marriage and death, especially where no authority is given for the date—*e.g.* if *Scots Peerage* states that a man was married Aug. 1733, and another Peerage records the same event as occurring in 1738, there is practically no clue to help one in deciding in which work the common printer's error of interchanging 3 and 8 has occurred. But if the words 'at St. Anne's, Soho,' are added, a reference to the register will probably solve the difficulty. It may also be suggested that where an error of any importance has obtained general currency, it is well worth while not merely to correct it, but to contradict it. Thus, if in all previous accounts we have been told that 'Lord Lackland m. in 1738 Alice, da. of Robert Shepherd,' and read in the accurate pages before us for the first time that 'He m. 20 Aug. 1733 Agnes, da. of Roger Sheppard,' we may feel sure that there is an advance towards perfect accuracy, but may still be uneasy lest one or other of the changes has arisen through oversight or printer's errors. If, however, we should read, 'He m. 20 Aug. 1733 (not 1738)

BREADALBANE

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

Agnes (not Alice), da. of Roger Sheppard (not Robert Shepherd),' we should know that they were all considered emendations in the light of fuller knowledge.

In some of the accounts there is a tendency to vary the form of words in which the peer's death or marriage is stated; sometimes it is even thrown in parenthetically at the end or in the middle of a long paragraph dealing with other matters. This is probably done with a view to obtaining a better literary effect, just as newspapers talk of a man 'handling the willow' at cricket instead of 'batting,' but it is to be regretted. However brightly and ably this peerage may be treated, it is impossible to imagine the most patriotic Scot taking it up for a little light reading as he would *Blackwood*. Those who consult it will in nine cases out of ten do so in search of precise dates or information as to relationship, and for the convenience of such students the birth, death and marriage of the subject of each memoir should be as nearly as possible in the same form, in the same place, and isolated from other matter.

It is inevitable where so many different writers are employed that the standard of excellence should vary. The 'Buchan' articles are perhaps below the general average of the work, while in that on 'Coupar' the new and valuable facts bear about the same proportion to trivial anecdote and quotation of doggerel as the bread did to the sack in Falstaff's bill, and the contrast between it and the workmanlike treatise by Mr. Harwood on 'Cramond' which immediately follows is most striking. Genealogical narrative cannot be too precise, and baldness is preferable to vagueness, or diffuseness.

The fact that the change of style for New Year's day from 24th March to 1st January did not take place in England till 1752, while in Scotland it occurred some 150 years earlier, has naturally led many of the writers in this work to regard the double spring date as unnecessary after 1600, but it can be clearly shown that, if dubiety is to be avoided, it should be used until 1752. Opening the second volume at random at page 236, there appears the statement that the third wife of David, second Earl of Wemyss, died in February 1688, and no authority or reference is given for the date. Now if this fact comes from a Scotch source it would mean that she died in 1687-8, if from an English one that she died in 1688-9; and yet she may have died in Piccadilly, and the source may be an English news-letter, in which case there can be no certainty as to whether the compiler has reduced an English date to its Scotch equivalent or left it as he found it. If there is to be one plan for writing in English of a Scot who died in the spring, between 1600 and 1752, and another for writing of an Englishman, we shall arrive at the paradox that Charles the First, King of Scotland, died in January 1649, and that Charles the First, King of England, died in January 1648!

Leaving now the consideration of the work as a whole and examining more closely some of the parts, it seems strange in the 'Buccleugh' notice that the writer should merely record the restoration in favour of the Duke of Buccleuch in 1743 of the Barony of Scot of Tindal and Earldom of Doncaster without any comment on its unjust and illogical character.

It seems *unjust* to reverse an attainder passed on account of a rebellion which was entered on without justification by a bastard fighting on his own behalf, and to leave unreversed attainders on Scotch peers who had fought in support of their *de jure* sovereign—as, for example, the Duke of Berwick, though in this case the now (1905) heir is an alien and Spanish subject. It seems *illogical* to reverse an attainder in respect of a Barony and Earldom and to leave standing one of the Dukedom of Monmouth incurred at the same date and for the same cause. Partial and unreasonable as this restoration was, it was not so inequitable as the action of Parliament in 1858, which restored the Barony of Herries of Terregles in favour of William Maxwell of Everingham Park, while leaving under attainder the Earldom of Nithsdale, which would have vested in William Maxwell of Carruchan, although both peerages had been forfeited by the same man for his share in the '15. It may be assumed that if a proved heir of any of the titles forfeited in 1716 or 1746 were to come forward he would now probably be able to secure a reversal of the attainder, and in this way, if it were worth his while, the Earl of Errol for instance could add the Barony of Kilmarnock to his titles. In this connection also it may be mentioned, though it be not strictly germane to a discussion on the Scots peerage, that the reversal of Queen Mary's attainder of the Duke of Suffolk in 1554 would vest the Marquessate of Dorset, held by that nobleman, in the present Earl of Stamford.

Whatever may be thought of the policy of reversing old attainders, it seem obvious that if they are to be reversed in favour of one man or one title they should be reversed in favour of all, where the conditions are the same.

It is much to be wished that the scheme of this *Peerage* had admitted of showing the descent of families under attainder, and consequently who are, and who have been, the men who but for that disability would have been peers. As far as I know this has never been attempted except in isolated cases, and it would furnish much valuable information; indeed, to make room for it such articles as those on Brechin of Brechin and Comyn of Badenoch might have been sacrificed. They never were peers of Parliament, and are surely quite out of place in a peerage. The only explanation of their inclusion must be that the example of the original 'Douglas' has in this case been too slavishly followed. Yet if this is to be the line of defence, how does Rothesay Herald justify in his article on Erskine Lord Cardross, p. 366, the suppression of the names of the children of John, 4th son of the 2nd Lord, which are to be found in full in Wood's *Douglas* (vol. i. p. 274)?; and why in the case of his elder brother William, when the old work carries on his offspring down to the year 1816, is this valuable matter compressed in the new, into the jejune statement 'with issue'? The principle on which such omission is made is undiscoverable, and where we looked for amplification behold a blank. It is indeed hard on the impecunious genealogist that he should be forced to buy Wood's *Douglas* to supplement *Scots Peerage!*

In the notice of Buchan no reference is made to the marriage of the widow of an early Earl of Buchan with Sir William Lindsay,

although the fact that such a match took place is clearly shown by Sir William Lindsay of Symington (younger son of Sir David Lindsay, Regent of Scotland, 1255) having founded masses for his two wives, Alicia and M., Countess of Buchan.

With great respect for the capacity of the writer of the treatise on Colville of Culross as shown here and elsewhere, I am surprised at the leniency which (as contrasted with Riddell and with G. E. C.) he displays in dealing with the audacious and inaccurate claimant, and the lax and ill-informed tribunal of the House of Lords, in May 1723. He offers no remark on the eccentricity of finding a man entitled to the dignity of Lord Colville of Culross with the precedency of a patent which did not create, and never mentions, that title. With regard to the petition itself he carries his benevolence to an extreme point when, after admitting that the petitioner professed to descend from a non-existent brother of the first Lord, he goes on to allege in a note that the other statements were accurate, although in fact two of them (and one of them of cardinal importance) were false. The second Lord did *not* die about fifty years before the date of the petition, but about seventy. The second Lord did *not* die without male issue, but left two sons, both of whom succeeded to the title. Now here we have a peerage claim allowed where material facts are misrepresented or withheld from the Court, where no attempt is made to prove the bastardy of the fourth Lord or his death without lawful male issue, or the extinction of the same, although such proof was absolutely essential before the claim could properly have been admitted.

Does the Editor not think on re-consideration that such inaccuracy, if not fraud, on one side, and such carelessness and slovenliness, on the other, should be exposed and should receive reprobation?

A few minor blemishes may be pointed out scattered through the two volumes, which *incuria fudit*. Under 'Abercorn' the surname (Gore) of the third wife of the first Marquess is omitted. Under 'Argyll,' on p. 336, Archibald, second son of the second Earl, married firstly Janet, da. of James Stewart, Sheriff of Bute, from whom he was divorced; he had by her a son, John, who married Marion, da. of Hugh Montgomery, widow of Crawford of Auchinames, and of William, second Lord Sempill. This John had a grant as heir to his father. Under 'Argyll,' p. 382, Mary, Lady Rosebery, did not die in 1756, but 3rd December, 1783, at Bath; and on p. 385 of the same article the first da. of Capt. William Campbell, R.N., is wrongly called Anne, instead of Louisa. Under 'Campbell, Earl of Atholl,' the compiler has become tired of enumerating the many matches of Joanna Menteith and has omitted her fourth husband, William, fourth Earl of Sunderland, for which union Papal dispensation was granted 5 Id., Nov. 1347. In vol. ii., p. 109, the battle of Ancrum Moor was not fought in March, but on 27th February, 1544-5. Under 'Brechin,' on p. 224, it is stated that Margaret, Lady of Brechin, married Walter Stewart, and it should be added that this Walter was afterwards created Earl of Atholl.

However, there is no need to put one's finger on any more of such

little blots, from which no work on this scale can be altogether free, and it is pleasant to be able to end this review on the same note of praise with which it began, by awarding special commendation to the articles on Angus and (Murray) Atholl in vol. i., and on Borthwick and Bothwell in vol. ii.

VICARY GIBBS.

RECORDS OF THE BOROUGH OF LEICESTER. Edited by Miss Mary Bateson, and revised by W. N. Stevenson, M.A., and J. E. Stocks, M.A. 3 Vols. Ry. 8vo. Cambridge: University Press. 1899, 1901, and 1905. 25s. nett per vol.

THESE volumes reflect credit on the Corporation of Leicester, by whose authority they are published, and on the editor and revisers, who have performed their several duties with an efficiency which leaves nothing to be desired.

Vol. i. contains extracts from the Archives of the Borough from 1103 till 1327, vol. ii. from 1327 to 1509, and vol. iii. from 1509 till 1603.

By all persons interested in the burghal history of Scotland it has long been recognised that while in some respects the Scottish burghs were freer in their constitution than those of England, where the monarchial power was stronger than in Scotland, they were largely modelled after the old boroughs of England. The Leges Quatuor Burgorum, which are given in full in the first volume of the folio edition of the Acts of Parliament of Scotland, and more recently by Professor Cosmo Innes in one of the early volumes of the Scottish Burgh Records Society, were compiled and operative in Berwick-on-Tweed, whence they were taken to define the right duties and privileges of the Burghs and burgesses of the Northern Kingdom as early as the reign of David I. That Code, as it now exists, no doubt contains additions of later date, but its English origin, and the similarity of the early constitution of the Northern with that of the Southern Burghs, are evidenced by the identity of the phraseology of the clauses of the oldest Scottish Charters with the earlier Charters of England.

The publication of these interesting records, along with other works of Miss Bateson, in which she has utilised the contributions to burghal history of Professor Maitland and other eminent English writers of modern times, suggests the desirability of endeavouring to trace points of resemblance between the boroughs of Scotland and England, and to notice some of their dissimilarities. This we hope to do at an early date.

JAMES D. MARWICK.

THE COLLEGE OF ST. LEONARD: being documents with translations, notes, and historical introductions, prepared and edited by John Herkless and Robert Kerr Hannay. Pp. 233, med. 8vo. Edinburgh and London: William Blackwood & Sons. 1905. 7s. 6d. nett.

CURRENT questions regarding property and other rights in connection with St. Andrews University were the occasion of the historical inquiry

which has resulted in this interesting and scholarly book. Old compromises, which worked tolerably, though always with more or less friction, in many easy years of the past, have been strained to breaking by the new vigour of academic life; and it became necessary for the University to examine its early records and documents in order that the re-opened problems might be considered in as full light as possible. Perhaps the chief of these problems was that of the position of St. Leonards Church. There is a parish of St. Leonards; but it has never had a manse or a glebe (although in the 19th century it was found to be entitled to these), no part of its minister's stipend comes from the teinds of the parish, its church (until last year) was also the chapel of the College, and until the first half of last century its minister was always the Principal or a Professor of the College. The church, though the date of its foundation is unknown, is certainly much older than the College of St. Leonard. The earliest reference to it occurs in a document of 1413, which records a meeting held *in ecclesia parochiali sancti leonardi infra civitatem sancti Andree.* It was originally the church of a hospital of six beds, founded by an abbot of the ancient Celtic monastery at St. Andrews, for the entertainment of pilgrims to the shrine of St. Andrew. This hospital, with its endowment, was in 1144 transferred by the Bishop of St. Andrews to the canons of the newly erected priory, who made it large enough 'for all comers.' The canons were confirmed in their possession by royal charters and papal bulls, and the hospital received further endowments, including a gift of land from David, 'the sair sanct.' It was at first described as the hospital of St. Andrew, and in 1248 Pope Innocent IV. styled it the hospital of St. Andrew, and also, in another bull, the hospital of St. Leonard. The change of name, Professor Herkless thinks, may have been due to David de Bernham, Bishop of St. Andrews (died 1253). St. Leonard, as the patron of prisoners and also of hospitals, was reverenced in England from the time of the Norman Conquest, and from the 12th century there were in Scotland many foundations in his name.

In the sixteenth century the hospital, or what remained of it, was transformed into the College of St. Leonard at the instance of John Hepburn, prior of the monastery. In 1512, the youthful Archbishop, Alexander Stuart, who with his father, James IV., was to fall at Flodden, granted a charter in which he 'sets up and constitutes the hospital and the church of St. Leonards joined to it as St. Leonards College, to be called the college of poor clerks of the church of St. Andrew.' In this charter the Archbishop, who was a pupil of Erasmus, indicates the causes of the decay of the hospital, saying that 'in the lapse of time, when the number of the miracles and the pilgrimages had decreased, through the faith of Christ being established (*firmata Christi fide*), there were lodged in the hospital certain women, chosen on account of their years, who, however, showed none of the fruits of devotion and virtue.' The hospital, in short, had ceased to be of use either as a guesthouse or as an almshouse, and the object of the new foundation was, as the

Archbishop declares, 'not that men be supported there for their poverty but the rather that in the Church persons learned in doctrine and of excellent instruction may be multiplied to the glory of God Almighty and the spiritual edification of the people.' Mr. Hannay suggests that, while the archbishop and the prior acted together in the founding of the college, there was probably some difference in their motives. The thoughts of the pupil of Erasmus 'must have dwelt mainly upon the fascinations and the possibilities of the new learning,' while the prior, 'with his accepted belief in the efficacy of a life according to rule, and with the conviction of a practical man that something must be done for the education of the clergy,' was primarily concerned with the revival of his monastery and his order.

In the early history of the college we can see something like a struggle between these different tendencies. In his introduction to the documents Mr. Hannay unravels with much skill the 'chaotic history' of the relations between the monastery, the college, and the church. It is impossible, in a summary fashion, to give any clear idea of this. But it may briefly be said that the college appears at first to have been practically under the dominance of the monastery (Hector Boece describes it, during the first ten years of its existence, as an 'appendix' of the monastery, where 'novices' and 'many others of like age' are trained 'in habits of obedience to rule'); but that very early there arose within the College itself movements towards greater independence. The monastery was drifting away from the ideals of the monastic life, the strong hand of John Hepburn was removed, and the college consequently sought more and more 'to manage its own affairs and pursue its own ends.' The college also, which at first had only two Regents, had to fight for its full recognition in the University.

In this controversy Gavin Logie, one of the Regents, took a conspicuous part, and apparently it became necessary, in order that full recognition might be obtained, to increase the number of Regents to four. This, with other causes, involved a decrease in the number of students on the foundation, and at one time it seemed as if the college might become extinct. But in 1545 the college received from Cardinal Beaton an Apostolic Charter of Confirmation, which enabled it to meet in chapter and thus to become a corporate body. Thus in less than thirty-five years from its foundation the college had outgrown to a great extent the purposes of its real founder, John Hepburn. The Reformation was approaching, and the attempt to revive the monastic life came too late. This appears in another way when we consider the teaching, as well as the administration of the college. 'The rapidity,' says Mr. Hannay, 'with which St. Leonards acquired the character of a college specially devoted to Arts teaching is a feature in its history which should not pass unnoticed.' The new learning no doubt had its share in this, and St. Leonards soon gained the reputation of Protestantism. Knox in his *History* (i. p. 36) says that 'within schort space many begane to doubt that which befoir thei held for a certaine veritie, in so much that the Universitie of Sanctandrose, and Sanct Leonardis Colledge, principallie, by the labouris of Maister Gawin

Logy, and the novises of the Abbey, by the suppriour' [Wynram], 'began to smell somewhat of the veritie, and to espy the vanitie of the receaved superstitioun.' And Calderwood, the church historian, tells us that 'Mr. Gawin Logie instilled into the scholars the truthe secreitlie, which they, in processe of time, spread through the whole countrie, wherefrom did arise a proverbe, "Yee have drunken of Sanct Leonards well"' (*Historie of the Kirk of Scotland*, i. pp. 82-83). Calderwood declares that in 1533 Gavin Logie was forced to flee the country. Dr. Laing, however, in his edition of Knox's *History*, points out that Logie was elected Dean of the Faculty of Arts in November, 1534, and he suggests that the flight took place before the close of 1535. In 1536 Logie did not act either as regent or principal; but Professor Herkless shows that 'neither Calderwood's statement nor Dr. Laing's suggestion about Logie's flight for heresy can be accepted. Among the documents in possession of the University is a charter connected with the altar of St. John the Evangelist and St. Mary Magdalene in the Church of St. Leonard. The charter, which is dated 8th August, 1537, has Logie's seal among others appended to it. It bears that the new chaplain to be appointed is to train the youths of the college in good manners, virtues, and liberal arts, to the honour of the University and the whole realm, and to the advantage of the commonwealth, "quem admodum fecerat modernus possessor Magister Gavinus Logye dum ei corporis vigor suppeditabat et nunc per alium facit cum (ut constat) morbo et egritudine correptus per seipsum facere non possit." The implication from these words is that Logie had worked to the honour of the University and the advantage of the commonwealth, and they certainly suggest no charge of heresy.' There can be no doubt, however, of Logie's adherence to the new faith, and Calderwood speaks in particular of his influence on the Wedderburns of Dundee. That he was not prosecuted may have been due to the religious indifference of Patrick Hepburn, prior of the monastery, who appointed him to the principalship in 1523. The whole story illustrates the decay of the monastery and the slackening of its hold upon the college.

It is impossible in this notice to do more than mention Professor Herkless's interesting account of the later history of the college, and the valuable information which the book affords regarding details of academic life before the Reformation. The various charters and statutes of the college have been carefully edited and admirably translated by Mr. Hannay. The early 'visitations' are also printed with notes, and there is an interesting appendix, containing a number of illustrative documents from the records of the University. It is to be hoped that the editors will continue their researches, and that some day we may have from their hands a history of St. Andrews University. Meanwhile they are to be congratulated on the excellent work they have done.

R. Latta.

THE FAROES AND ICELAND: Studies in Island Life. By Nelson Annandale. With 24 Illustrations. Pp. viii, 238. Oxford: Clarendon Press, 1905. 4s. 6d. nett.

THIS is an interesting book, and has the merit of dealing with subjects not too familiar to most readers. Mr. Annandale has spent several summer and autumn holidays in the Faroes and some parts of Iceland, and has made good use of his opportunities for observing what is most characteristic in these islands and their inhabitants. His account of the Faroes and Faroese is the fuller of the two, and his obvious preference of them to Iceland and the Icelanders may be partly due to a less intimate knowledge of the latter in some respects. The only strictly historical chapter is the third, which gives at some length the story of the descents made by Algerian pirates in 1627 on some parts of Iceland, especially on the Vestmannaeyjar, or Westmen Islands, off the south coast. The first chapter, however, touches to some extent on the history of the Faroes: here the author perhaps makes a little too much of the contact between Scandinavia and the Gaelic lands in early times. The idea that Iceland was largely peopled from the Gaelic districts in Scotland and Ireland has very little basis in the historic records, and as to the Faroes we have practically no evidence at all on this point.

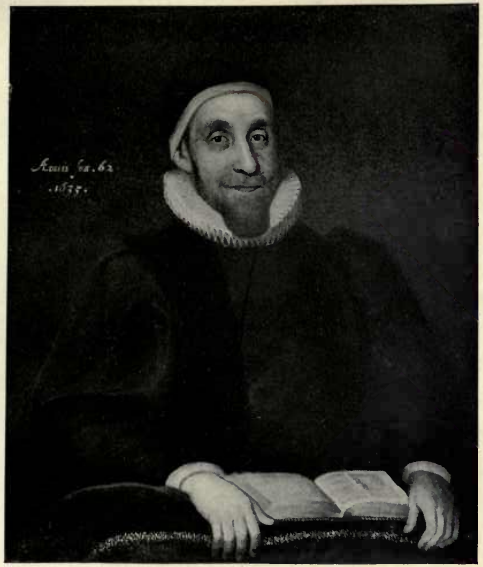
Of the other chapters, which form the main part of the book, the second and fifth deal with life in the Faroes and Iceland respectively. In the former there is much information about the sea-birds of the Faroes, while those of the Vestmannaeyjar have the fourth chapter to themselves. The domestic animals form the subject of the sixth chapter, and there is an appendix on the Celtic pony by Dr. Marshall, besides a section on 'Agriculture in the Islands.'

As the above brief summary will show, there is sufficient variety in the book to make it readable throughout, and the illustrations are not only ornamental but give real aid to the understanding of the text. They show not only characteristic pieces of island scenery, but various household articles which have some culture-interest attaching to them. A few inaccuracies in the forms of native words and names are of slight importance compared with the general merit of Mr. Annandale's work, which will probably help towards a wider knowledge of these northern isles.

W. A. CRAIGIE.

ILLUSTRATED CATALOGUE OF A LOAN COLLECTION OF PORTRAITS OF ENGLISH HISTORICAL PERSONAGES WHO DIED BETWEEN 1625 AND 1714. Exhibited in the Examination School, Oxford, April and May, 1905. Oxford: At the Clarendon Press. 1905. 6s. nett.

THE Exhibition of Historical Portraits this year at Oxford, while artistically contrasting in many ways with that of last year, may be said at least to vie with it in personal and historical interest. It embraces what may be described as constitutionally the most critical and pregnant period of English history. The more prominent influences in the earlier period



ROBERT BURTON

JOHN MILTON

From *The Oxford Catalogue of Historical Portraits*

Facing page 88

were ecclesiastical; but it was not till this later period that the political and social results of the great ecclesiastical revolution were fully manifested. Practically it was the ecclesiastical revolution that gave birth to the political revolution of which the culmination was the protectorate of Cromwell. The reaction from the protectorate and from the dominance of Puritanism produced the Restoration, followed finally by the almost peaceful revolution which heralded the successful reign of William and Mary. The political England of to-day properly dates from the arrival of William of Orange, but it was created not merely by his timely arrival, but by the preceding years of political storm and stress by which the nation had been educated and disciplined. Even, therefore, had this period produced no names of first rank, it was bound to embrace many names to which there must attach a never-dying interest. Amongst its greatest names are, of course, Cromwell, Milton—here represented by a rare copy of a picture of him in his youth, which has been lost—Dryden, Harvey, Hobbes, Locke, and William of Orange; and among others of prominent interest and importance are those of Richard Burton—whose smiling countenance at the age of 62 suggests that in writing of melancholy he had succeeded in his aim, that of avoiding it—Clarendon, Prince Rupert, Archbishop Laud—represented, however, only by copies of Van Dyck—Falkland, Pembroke, Shaftesbury, Selden, Sydenham, Jeremy Taylor, to name no more, though many well-known persons of the period are of course absent, and, as may be supposed, Oxford is lamentably deficient in portraits of Puritan leaders—neither Fairfax, Hampden, Lambert, Pym, nor Vane being represented: Pope, Marlborough and Newton, who survived till after 1714, are necessarily omitted.

The leading artists of the period are, of course, Van Dyck, Sir Peter Lely, and Sir Godfrey Kneller, the characteristics of whom and their principal contemporaries, are instructively pointed out in Mr. Lionel Cust's admirable introduction. The Catalogue is illustrated by over fifty reproductions, evidently selected mainly for their artistic interest.

T. F. Henderson.

Studies on Anglo-Saxon Institutions. By H. Munro Chadwick. Pp. xiii, 422. Crown 8vo. Cambridge: University Press. 1905. 8s. nett.

This small volume will be found by advanced students of legal and constitutional origins to be valuable out of all proportion to its size. Several of the fundamental problems of the Anglo-Saxon period are here discussed with fairness, thoroughness and moderation by a scholar who shows himself well-equipped, more especially on the philological side, for the onerous task he undertakes. Among the topics treated in separate chapters are 'The Monetary System,' the key to which is found in the varying value of the shilling, equated as a unit of reckoning to four pennies in Mercia, to five pennies in tenth-century Wessex, and to 20 pennies in Kent; 'The Social System,' in which the wergeld of the Kentish ceorl is reckoned as 100 oxen and that of the ceorl in

Wessex (and, approximately, in the rest of England) at 200 sheep or 33 oxen, and ingenious, if unconvincing, attempts are made to show why the one is thus so much higher than the other; 'The Earl,' in which it is maintained that each southern county of England, except Cornwall, had its separate Earl, until Edward the Elder made a drastic reduction of their number, while the individual midland counties never enjoyed Earls of their own after they had been subjected to Wessex; 'The Administrative System,' in which it is argued with much force that the shire-system of the south fell completely into abeyance after the reforms of Edward the Elder, who superseded it by an arrangement of burghal districts, each under one of his new great Earls; 'The History of the Older Counties,' 'The Constitution of the National Council,' and 'The Origin of the Nobility,' all of which will be found compact with historical material handled with knowledge and skill.

This very short summary will serve its purpose if it calls attention to the great value of Mr. Chadwick's treatise for advanced scholars, for whom alone it is likely to prove profitable reading. Tyros, on the other hand, who may attempt to make their way unaided through its pages, rendered obscure in places by the very wealth of the author's erudition, should be warned that they will find hardly a single proposition that, rightly or wrongly, is not contradicted by writers of equal authority. Mr. Chadwick, indeed, seems more successful in undermining the positions held by Mr. Seebohm and others than in establishing his own rival theories. Two careful perusals of the mass of learned argument and subtle suggestion tightly compressed into this little volume tend to strengthen the impression that, in our present stage of knowledge, a sufficiently learned and skilful debater may show fair grounds for maintaining any theory whatsoever upon any one of the fundamental institutions of Anglo-Saxon England. If Mr. Chadwick's valuable contribution to the study of origins seems meanwhile to have made darker than before some questions already sufficiently dark, such darkness may still be welcomed as showing progress towards the dawn. Future investigators, grappling with any of the questions here discussed, will be unwise to neglect the help which this conscientious and scholarly treatise would undoubtedly afford them.

Wm. S. M'Kechnie.

The Heraldry of the Johnstons, with Notes on the Different Families, their Arms, and Pedigrees. By G. Harvey Johnston. Pp. 56. Cr. 4to. Edinburgh: W. & A. K. Johnston. 1905. 10s. 6d. nett.

As only a hundred copies of this work are issued to the public, it will probably get scarce, if not valuable. It has, however, a value of its own, and the author is to be congratulated on having brought together the armorial bearings of upwards of thirty families of the name of Johnston. Between eighty and ninety representations of shields are given, most of them coloured; and there are some half-dozen sketch pedigrees giving the descent of the heads of the principal families. Within the limits

prescribed there is not, of course, much room for any very extended treatment of either genealogy or heraldry, but Mr. Johnston has put together in a condensed and readable form a great deal of interesting and useful information which may save many a student from a weary hunt through the records of the widely-spread clan of which the book treats. What is better still, the information given is, so far as we have been able to test it, accurate, and much care has evidently been given to its compilation. The illustrations are of varying degrees of merit: most of them are satisfactory, some of them very good, and a few only, such as the Caskieben achievement on Plate VI., decidedly weak. Mr. Johnston has, unfortunately we think, adopted the fashion recently introduced by some writers who ought to know better, of blazoning the arms in colloquial language and abandoning the well defined and crisp nomenclature sanctioned by long usage. 'Silver a black saltire, between a black crescent in chief and a red heart crowned gold in base: on a red chief three gold cushions,' is surely not a bit more lucid than 'Argent a saltire, between a crescent sable in chief and in base a heart gules imperially crowned proper: on a chief gules three cushions or.' In the latter blazon we get rid of the cumbrous repetition of the words red and gold. And the new system is not carried out consistently: 'Silver three red cushions within a red double tressure flory counter-flory' is a mixture of the old and new styles. 'Flory counter-flory' certainly expresses in two words what is meant, but to carry out the system it should be rendered as 'pierced with lily flowers looking alternately inwards and outwards.' But this 'blazonry for babes' is really not a bit better than the old 'jargon.' We should not, however, take leave of this pretty book in a spirit of fault finding: it is, within its limitations, quite a good piece of work, and much credit is due to its author.

J. Balfour Paul.

The Rathen Manual. Edited with Translation and Notes by the Rev. Duncan MacGregor (Minister of Inverallochy, Aberdeenshire). Aberdeen, 1905. Printed for the Aberdeen Ecclesiological Society. 5s. nett.

Before its amalgamation with its younger sister in Glasgow, and their union into the *Scottish Ecclesiological Society* (1894), the Aberdeen Ecclesiological Society had undertaken the publication of the unique MS. to which its discoverer and editor has given the name of the Rathen Manual, and which he has now presented in a form which leaves nothing to be desired; and both he and the Aberdeen Society are much to be complimented on this, the final, publication of its separate existence.

The *Manual* (or *Ritual*, as it is sometimes called) was that one of the numerous service-books of the medieval Church which contained what we may call the 'Occasional Offices'—certain religious services which it was convenient for a parish clergyman to have together in one small volume, so as to be, as the name implies, 'ready to his hand.' This is the only copy of a *Manual* prepared for use in medieval Scotland now known to be in existence; it helps, with the Aberdeen *Breviary*, the Arbuthnott *Missal*, the *Kalendars* published by the late Bishop A. P.

Forbes, and the *Pontifical* of David de Bernham, Bishop of St. Andrews (1239-1253), to make up the somewhat scanty list of the liturgical books of our pre-Reformation Church.

The MS. of which we have here a transcript and translation was discovered in 1894 in the library of the late Rev. John F. M. Cock, D.D., minister of the Parish of Rathen, in Aberdeenshire; but there seems to be nothing in the volume to connect it with that part of Scotland. Dr. Cock was of old clerical descent, and it may have been an ancestral possession of long standing; however, there were no *data* forthcoming for its history. Neither is it complete: a leaf or two at the beginning, and some other leaves elsewhere, have disappeared. It consists of 98 pages of parchment, 8 inches long by 5½ inches broad. The writing is in black-letter characters with red rubrics, and red and black initials. It is neatly enough done, but the editor has detected numerous mistakes. Internal evidence indicates clearly enough that it is Scottish, and that it dates from the end of the fifteenth century.

The contents of such books, being determined by the wish of the priest for whom they were severally prepared, vary considerably. This one contains (1) the latter portion of the Order for making holy water; (2) the form for blessing the *Eulogia* (the rite of the *Pain bénit*, so familiar to the tourist in the churches of France); (3) the Marriage Service; (4) Churching of Women; (5) the preliminary parts of the Baptismal Service—the Order for Baptism itself is wanting; (6) part of the Service for the Dead; (7) the peculiar office said before Mass on the Feast of Candlemas; (8) the additions to the Liturgy on Ash Wednesday; (9) the additions to the Liturgy on Palm Sunday; (10) the Reproaches, etc., on Good Friday; (11) the special features of the Mass of Holy Saturday; (12) the Great Curse (in Scots). Of these the first eleven are according to the *Use of Sarum*, which prevailed over well-nigh the whole of Scotland; and while they are all more or less interesting, they contain little or nothing peculiarly Scottish. With the last item, however, it is different. The *Great Curse*, unknown out of Scotland, was a great institution here, as all readers of John Knox's *History* must remember; but the Reformation rather changed its form than abolished it, if we may accept Mr. MacGregor's statement that 'the practice was the parent of our fencing of the Tables.' Like many old 'fencings,' this *Curse* is terrible enough at the outset, but closes with a saving clause, 'bot gyff' (*i.e.* unless) 'thai cum till amendis befoir or thai dee, the quhilk almychty gode grant thaime to do foir his mekil mercye and his greite grace.' The mention in the *Curse*, as it appears in the *Rathen Manual*, of 'Sanct Cutbert, Mungo, and all haly confessours' supplies perhaps the sole clue in the volume to the parish in which the original owner of the MS. was priest, for it points to a church in whose dedication the Saint of Tweeddale and the Saint of Clydesdale were conjoined; but we fear it must be added that the fact of their conjunction is most easily explained by the existence of a doubt in the mind of the dedicator as to whether S. Mungo was quite orthodox, or his ordination (which was by one bishop only) quite canonical, according to strict Roman standards.

Mr. MacGregor's translation of the various Offices with its hymns is admirably done; his notes show competent liturgical learning: they are full, lucid, succinct, and to the point. This important publication assures Mr. MacGregor's standing as a real scholar in such matters.

JAMES COOPER.

THE REGENCY OF MARIE DE MÉDICIS, A STUDY OF FRENCH HISTORY FROM 1610 TO 1616, by Arthur Power Lord, Ph.D. With five portraits. Pp. x, 180. London: George Bell and Sons. 1904. 7s. 6d. nett.

THE period covered by this 'Study' opens with a murder and closes with a murder; and during the intervening years, mean intrigue, shameless bribery, sordid ambition are so rampant as to be hard to match in any other seven years of French history. The author has mastered thoroughly his rather depressing subject, but it must be admitted that he has also been overmastered by the abundance of his material. The reader, carried away at the very outset by a crisp and picturesque style, soon becomes bewildered. It is the old story of the forest that cannot be seen for the trees; there is too much in the foreground. The chief characters, Marie de Médicis, the Prince of Condé, Concini, Sully himself, who, from the preface, is the main object of the author's labours, do not stand out in clear perspective; they are smothered in the throng of the subsidiary actors that plot and scheme for their own profit, just like their betters. In spite of this overcrowding, the volume can be recommended to the historical student, who will find it a full and inspiriting guide for the first years of the reign of Louis XIII. Whenever his memory is overtaxed, he should consult the comprehensive Index, in which every item is carefully calendared. The portraits are remarkably good, and the spelling of French names is free from fault, except for a few troublesome accents. One cannot, however, help noting a new reading of the Vulgate: *Errat autem Barrabas latro*! It should have been somebody's business to correct it, as it spoils a good story.

F. J. AMOURS.

RECORDS OF THE SHERIFF COURT OF ABERDEENSHIRE. Edited by David Littlejohn, LL.D., Advocate in Aberdeen, Sheriff Clerk of Aberdeenshire. Vol. i. (Records prior to 1600), pp. xlvi, 456. Aberdeen: Printed for the University. 4to. 1904.

THIS volume—forming No. 11 of the series of Aberdeen University Studies—contains (1) an edition of the six oldest extant books—all belonging to the sixteenth century—of the Sheriff Court of Aberdeenshire, and (2) biographical notices of the officials of that Court—sheriffs, sheriffs-depute, sheriff clerks, and procurators fiscal—prior to 1600.

The six books record the proceedings of the Sheriff Court during fragmentary periods—amounting, in all, to seventeen or eighteen years—of the sixteenth century. In the case of each book the editor furnishes

a brief descriptive introduction, a table of the contents of the book, and a series of excerpts, selected to illustrate the contents of the book and classified according to the subjects to which they relate.

These Sheriff Court books undoubtedly contain much matter interesting and valuable. In particular the first book—recording apparently the whole proceedings of the Court from July, 1503, to September, 1511—is, in some respects, unique, and is invaluable as presenting a picture of the every-day work and procedure of a Sheriff Court during a period preceding by thirty to twenty years the date of the institution of the Court of Session. At that period the proceedings of the local courts still ran in the ancient grooves. The relations between the central courts and the local courts were undefined. The great bulk of the jurisdiction, indeed, was exercised by the local courts, and there were no definite rights of appeal.

One outstanding feature of the earliest of these books is the evidence it affords of the continuance of the old supremacy of the assize or jury. The entries run 'The Assize fand' or 'It was fundin be the said Assize'—and that whether the matter in dispute was a question of law or a question of fact. The Sheriff, as president, saw to the orderly conduct of business and acted in formal procedure; but in any matter of fact or law, involving substantial decision, the Sheriff's position was apparently still nothing more than that of a mere adviser. This is a survival of the time when the Sheriff's Court had the character of a popular assembly—all the free holders being bound to attend it and deciding all questions, civil and criminal. In comparatively late historic times the Sheriff was not even one of the judges, for he was obliged to leave the Court while the members deliberated.[1]

In the period covered by the earlier books we find that the number of jurors varied considerably, and that it was allowable for them to use their personal knowledge, and act to all intents and purposes as witnesses. It seems, too, to have been competent for the jurors to give their verdict by sections, some on one day and some on other days, and, during the course of a case, the composition of a jury might be materially changed. The procurators appear to have been churchmen, but there is scarcely a trace of argument. The Scoto-Norman feudal law, which still held sway at that era, was an unlearned law, consisting of a congeries of customs, rigid, technical, and, at this period—when the original reasons for the rules had been largely lost sight of—imperfectly understood. In some countries these customs had been to some extent systematised and had even attained the dignity of *jus scriptum*, but, in Scotland, in the early years of the sixteenth century, the law was purely customary—a *mos majorum*, vaguely formulated, untempered by equitable considerations, and having little basis in principle.

When we turn to the later books—relating respectively to the periods 1557-60; 1573-6; June to November of 1584; 1595-6; 1597-9—

[1] 'Assize of King David,' *Acts Parl. Scot.* (fol.), vol. i., p. 5 (red ink, p. 317).

we find noteworthy marks of the great legal development which marked the sixteenth century in Scotland. The institution of the Court of Session and the awakening of a new zeal for legal learning—for in the opening years of the sixteenth century the Scots had already begun to frequent in large numbers the law schools of the continent—soon exercised a powerful influence on the law administered in the local courts as well as on the process of its administration. More advanced juridical conceptions, principles, and methods were gradually introduced. Simultaneously with this revival of legal learning, which meant the reception of Roman law in Scotland, occurred the change by which the judicial power passed into the hands of trained lawyers. The decisions of the local courts became more subject to review on letters of advocation. In the fragmentary book of 1557-60, we find that already the Sheriff and his deputes have taken the place of the jurors as judges. Trained lawyers and fuller pleadings are much in evidence. The old complaints to the Lords Auditors, which were directed, not against the decisions of the Sheriffs, but against the verdicts of the juries, had been superseded by letters of advocation to the Court of Session against the decisions of the Sheriffs. The procedure of the local courts, moulded on the pattern set by the Supreme Court, had become more uniform. Contemporaneously with these changes, the extensive jurisdiction formerly exercised in the Sheriff Courts began to be curtailed by the Court of Session. As early as 1563 the Court of Session held in *Bishop of Aberdeen* v. *Ogilvie*, as recorded in Morrison's *Dictionary* (M. 7324) 'The Lordis of Sessioun allanerlie, and na uther judge, ar jugeis competent to actiounis of reductioun of infeftmentis, evidentis or sasines, and of all actiounis of heritage betwix all the liegis of this realme, spiritual or temporal, and to all obligatiounis and contractis followand as accessory thairupon . . .' In this way, step by step, the jurisdiction of the Supreme Court was increased and that of the local courts curtailed.

On the other hand, in these books, there are instances of the serious limitations set to the jurisdiction of the Sheriff Court from a very ancient date, arising from the rights of the Lords of the Regalities who, within their districts, had equal power with the court of the Sheriff as well as privative jurisdiction where they chose to exercise it. The Courts of the Regalities were of course the direct descendants of the ancient courts of the baronies, dating from the times when central courts did not exist. The manner in which the lord of a regality checked an attempt to obtain justice in the Sheriff Court on a man subject to a regality is illustrated by the proceedings, recorded of date 11th January, 1558, in the action of spulzie at the instance of Andro Glenny against Johnne Meldrum, where there 'comperit James Gordoun of Haldoch balze of the regalitie of Tarves within the quhilk regalitie the said Johnne remanis and be vertew of the quhilk regalitie replegit him to the court and prevelege of said regalitie and effixt and sait ane Court to be haldin be him at the towne of Tarves on Setterday the xxj day of Januar instant for administratioun of

justice in the said mater.' Caution was given that the court should be held on the said day and at the said place 'with sufficient Juge and all membris of Court effeirand tharto and justice as effeirit,' and failing thereof to enter the said John Meldrum again before the Sheriff or his deputes on a day named to answer the charge. The regalities were not extinguished till the passing of the Heritable Jurisdictions Act of 1748; and not till then did the Sheriff become, in practice as well as in theory, the Judge Ordinary in the county.

The biographical notes on the officials of the court prior to 1600 have been compiled with much care, and bear evidence of much genuine research. The volume is a valuable contribution to Scots legal history, put together with admirable care and on a plan whose clearness makes reference simple. J. M. Irvine.

Mary Queen of Scots, her Life Story, by A. H. Millar, F.S.A.Scot. Pp. 227. Fcap 8vo. Edinburgh: William Brown. 1905. 2s. 6d. nett.

In spite the number of books on Mary Queen of Scots, another carefully constructed study of her tragic life is always welcome, and for this reason we are pleased to see the little volume before us. Mr. Millar has, we are glad to find, not striven for originality in his view of the Queen's actions, but he has weighed carefully the opinions—usually divergent—of her other biographers, and has attempted, as he says, to place the events of her chequered career faithfully before the reader, so that he may draw his own conclusions.

Perhaps the account he gives of Queen Mary's early life errs not so much on the side of length as on that of brevity. We think that the hatred of Catherine de Medicis to *la petite reinette* is exaggerated, and that more might have been said of the ambition of the Guise family which had so great an influence on the Queen's childhood. We notice that at the time of James V.'s death Queen Mary's mother had still a son by her first husband, as François III., Duc de Longueville survived until 1551; that a serious slip is made in regard to the degree of relationship between the Queen and Lord Darnley, her second husband, and that genealogy in the book needs slight revision.

Mr. Millar makes a decided point in his view of the 'settlements' between Mary and the Dauphin. Whatever double-dealing was intended by the secret document signed on April 4th, 1558, it was superseded legally by the public signature of the Scottish proposals on April 15th, as both were *ante matrimonium*. Although he narrates the Queen's marriage with Bothwell by protestant rites, Mr. Millar does not mention the interesting circumstance that on the day of the wedding the Queen wrote, asking for the Abbacy of Kelso for her nephew (and Bothwell's as well, though this was not stated), Francis Stewart, to the Pope, styling herself *sanctitatis vestrae devotissima filia*, thus showing another example of favour (perhaps by fear) to Bothwell and of her coquetting with both religions at the same time.

With regard to the Norfolk and Hunsdon proposals for the Queen's

hand, we think that Mr. Millar, by citing them, strengthens our doubt whether, in the general contemporary belief, the 'Casket Letters' added much to the vaguer charges against the Queen. We are glad to see also that, though he only reviews Queen Mary's life in captivity shortly, he points out a new fact (a rare thing in a life so often written) as he shows the refusal of the Regent Mar to have the captive Queen handed over to him that she might be 'removed' in Scotland, in order to prevent the odium of her execution falling upon her astute cousin Elizabeth of England.

A. Francis Steuart.

The American Revolution. By the Right Hon. Sir George Otto Trevelyan, Bart. Cheap edition in three volumes. Vol. i. pp. xviii, 400; Vol. ii. pp. ix, 353; Vol. iii. pp. ix, 350. London: Longmans, Green & Co. 1905. 5s. nett per vol.

In this new edition of his chief historical work Sir George Trevelyan has made it his aim to give his treatment of the American Revolution a more systematic and logical form. On its first appearance the earliest volume of his *American Revolution* showed plainly that it was a continuation of Sir George's *Early Life of Chas. James Fox*, but it revealed as plainly that the author's intentions were changing and the scope of his work enlarging. We pointed out in a review of the later volumes that this meant at least the temporary abandonment of such a history of social England as Sir George Trevelyan's interests and knowledge fitted him to undertake. From these volumes, it is plain that Fox and his society must go, for the author desires his work to be regarded as the introductory portion of a *History of the American Revolution.* By the removal of passages from the text to the notes or the appendix, by considerable alterations in order, and by a complete change of emphasis, most of the matter relevant to Fox, but not so relevant to America, has been brought into due subjection to the more firmly defined literary scheme.

But whatever regrets we may cherish for the vanished plan of a social history, there can be little but the highest praise for what is certainly the most charming and the fairest history of the American Revolutionary war, a book which differentiates itself from most modern historical writing by its skilled use of picturesque detail and by the fact that its author is the true amateur in letters, one who 'commenced the book mainly for the personal pleasure of writing about events which had always attracted and moved him.'

The first volume contains as frontispiece a portrait of the author.

J. L. Morison.

The Second Prayer Book of Edward VI., and The Liturgy of Compromise. Pp. 260. William Blackwood & Sons, Edinburgh and London. 1905. 4s. nett.

The useful series of reprints of the *Liturgies and Orders of Divine Service used or prepared for use in the Church of Scotland since the Reformation* issued by the Church Service Society has received a notable

addition in this volume. It contains two separate works—*The Second Prayer Book of King Edward VI.* (1552), prepared for the Church of England at a time when John Knox was a Royal Chaplain at London, but used more widely and for a longer period in the Church of Scotland; and a Service (from a hitherto unpublished MS.) to which its present editor has given the name *The Liturgy of Compromise*, a form of public worship prepared for use in the English congregation at Frankfort, when Knox and many Anglicans were exiles there in the reign of Mary Tudor. The former of these is now edited by the Rev. H. J. Wotherspoon, with great fulness of learning, and in a manner which throws much light on the hitherto obscure conditions under which the Reformed in Scotland carried on their worship prior to John Knox's return from the Continent. The second is edited by the Rev. Dr. Sprott, who has long had his eye upon this MS., and now gives for the first time its full contents to the public. It is not too much to say that in so doing he has contributed a new chapter to the history of the English Prayer-Book, exhibiting, as he does, what Puritan and Anglican were at one time willing to agree to. Apart from the liturgical and doctrinal interest of the volume is the character in which both parts of it show John Knox—as responsible, more than any other man, for the long-continued separation of the Church of Scotland from the Church of England; yet as accepting much more in the way of service than many of his modern admirers would allow, and deprecating, in both cases, internal schism, and frowning on the English Puritans because they would not remain in communion with the latter. 'God forbid,' he wrote to them, 'that we should damn all for false prophets and heretics, that agree not with us in apparell and other opinions, who yet preach the substance of doctrine and salvation in Christ Jesus.'

JAMES COOPER.

A GUIDE TO THE PUBLIC RECORDS OF SCOTLAND DEPOSITED IN H.M. GENERAL REGISTER HOUSE, EDINBURGH. By M. Livingstone, I.S.O., late Deputy Keeper of the Records. Pp. xxvii, 233. 8vo. Edinburgh: H.M. General Register House. 1905.

IN 1885 Mr. Moir Bryce compiled, after much labour, a very instructive Handbook of the records in the Register House. There was no official publication of the sort, and Mr. Bryce's work was privately issued. It had demonstrated the advantage of such a guide, and Mr. Livingstone's volume will be of welcome assistance in historical study. A preface sketches the story of the national archives, including those which went to England in the time of Edward I. and are still there, although it is pleasantly suggested that their return now might be a tardy fulfilment of the treaty of Northampton. The contents of the Register House are described by classes—the documents relative to the Crown, Parliament, public revenue and national administration, judicial records, titles to land, and miscellaneous records. Interspersed are brief accounts of various institutions concerned, including Parliament, Privy Council, Court of Session, Exchequer, Admiralty, Commissariots, Regality and Baronial Courts, Great Seal Register, Register of Sasines and Notarial

Protocols. A list of Clerks of the Rolls and Lords Clerk-Register from 1286 to date forms an appropriate concluding section. There is little detail: the *Guide* is in no sense a calendar; and even for guide purposes the index—a vital part of the equipment—is perfunctory in the extreme. But as a general statement of what categories of muniments are to be found in the Register House the book renders distinct service and will facilitate research.

THE NUN'S RULE, being *The Ancren Riwle* modernised. By James Morton, with Introduction by Abbot Gasquet. Pp. xxvii, 339. London: Alexander Moring, Limited. 1905. 3s. 6d. nett.

IN 1853 the Rev. James Morton edited this thirteenth century Rule for Recluses by an unknown author. There is now reprinted in the pretty form of the King's Classics the translation which accompanied Mr. Morton's Camden Society edition, with some minor revisals and a historical preface by Abbot Gasquet, whose excellence of equipment for such a task is well known. Not in the technical sense a Rule at all, for it rather deprecates Rules, this book of counsels to three recluse nuns is an engaging and gentle expression of earnest medieval piety, a great pleasure to read, and an ornament to the series of classics of the middle ages being produced by the De la More press under the general editorship of Prof. Gollancz. The *Rule* affords a tempting profusion of themes of gravity and humour especially concerning social usages. It is always curious to find modern characteristics forestalled, as, for example, when a man ties a knot in his belt as a reminder or when the author of the *Rule* indicates that soap advertising in his day was somewhat of a public nuisance.

METAPHYSICA FRATRIS ROGERI ORDINIS FRATRUM MINORUM DE VICISI CONTRACTIS IN STUDIO THEOLOGIE. OMNIA QUAE SUPERSUNT NUNC PRIMUM EDIDIT ROBERT STEELE. Pp. viii, 56. London: Alex. Moring, Ltd. 4s. 6d. nett.

THE enterprise of publishing inedited treatises of Roger Bacon needs only to be named to be commended. Mr. Steele's preface is followed by a useful summary of the Latin text, which, apart from its interest as the philosophy of the famous friar, bristles with illustrations of the degree to which classical learning permeated the middle ages. Other tractates, the *Communia Naturalium* and the *Communia Mathematica*, are promised 'if the present publication pays for paper and printing,' as we hope it will.

Thomas M'Lauchlan, M.A., LL.D., by W. Keith Leask, M.A. (pp. 312, crown 8vo; Edinburgh: Oliphant, 1905, 5s. nett), is the record of a busy life spent in the service of the Church of Scotland, and, since the Disruption, in the Free Church. By students of literature, Dr. M'Lauchlan will be remembered rather by his interest in the study of Celtic literature. He published in 1862 a translation, with notes, of *The Dean of Lismore's Book*, a selection of ancient Gaelic poetry; and

eleven years later he edited *The Book of Common Order: commonly called John Knox's Liturgy, translated into Gaelic*, 1567, *by Mr. John Carswell, Bishop of the Isles*. He also found time to hold a class for the study of Gaelic, which for thirty years he carried on in Edinburgh 'without fee or reward.'

Snowden's Brief Survey of British History (pp. xii, 160, demy 8vo; London: Methuen, 1905, 4s. 6d.) is a useful book of reference. The historical charts deal with the history of England from the earliest time, and sketch in parallel columns the development of the Constitution and the growth of domestic legislation. In the column entitled 'foreign,' Continental and Colonial events which affected England are referred to. There are many genealogical trees and appendices, in one of which the chief events in the history of Wales, Scotland, and Ireland are very shortly enumerated. The notes, which are numerous, include more expressions of opinion than is perhaps usual in books of this kind, *e.g.* Charles I. is spoken of as 'a foolish headstrong youth, a narrow-minded and obstinate tyrant.' We hear also of the 'infatuated folly of James II.'

Messrs. George Bell & Sons send us the new volume of their edition of *Swift's Prose Works*, which is edited by Temple Scott. This new volume includes the Irish Historical and Political Tracts. When complete this work will be in twelve handy volumes, illustrated with many portraits and facsimiles.

A Church Law Society publication of antiquarian interest is Professor Cooper's pamphlet on *Ecclesiastical Titles and Designations* (Edinburgh: J. Gardner Hitt) dealing chiefly with the names, titles, and 'adjectives of honour' given to Scottish churchmen. *Sacerdos* and *Presbyter*, priest, parson, and moderator, supply matter of historical note.

Messrs. Oliphant & Ferrier issue *John Knox and His House*, by Charles J. Guthrie, K.C. (sixth thousand, pp. xiv, 140, price 1s.), being primarily a handbook to the so-called Knox's house. It is attractive not only for its notes of Reformation biography, but also because it is profusely rich in portraits and historical pictures. The same publishers issue *The Interpreter's House*, by John Kelman, M.A. (pp. 35, price 6d.), a plea for subscriptions to the Edinburgh Outlook Tower on the Castlehill. Among other pamphlets we have received *The Geography of Religion in the Highlands* (Edinburgh: R. Grant & Son), tracing, with historical and other side glances explanatory of statistics of creed, the Highland Line of religion.

A pamphlet by Mr. E. A. Horne, M.A., *Labour in Scotland in the Seventeenth Century* (pp. 23; St. Andrews: W. C. Henderson & Son), reflects the influence of Mr. W. R. Scott's studies in Scottish economics. Factors dealt with are the excess of beggars, the servile condition of colliers and salters, the survivals of feudal bondage, and the struggle of

the artisan against the shackles on free labour in various handicrafts. Industrialism could advance little until legislation gave up medieval precedents.

In the *English Historical Review* (July) subjects comprise Gaius Gracchus, Sir John Oldcastle the Lollard, the sieges of Hull, and serfdom in Essex. The text is given of Nicholas Faunt's discourse on the office of Secretary of State written in 1592. Faunt was secretary to Sir Francis Walsingham, and thus at the heart of affairs, so that his discourse is worth reading apart from its occasional Elizabethan turns of sententious diction. Among the books he recommends to be kept is one to contain the current negotiations and reports transmitted by the ambassador in Scotland, another to register particulars of 'the Borders against Scotland with their length and breadth,' as well as 'the strength of the said borders, as hills woods heathes straightes marshes townes and castells of defence,' and ledgers for financial purposes, including 'the charges of the borders against Scotland.'

The *Reliquary* for July maintains that magazine's traditions as a repository of instructive illustrations, including neolithic burialplaces, medieval churches, church doors, crosses and grave slabs, and sculptured knightly sepulchral effigies. Baptismal fonts, with dragons and monsters beneath them, are grouped tentatively with a design to search out their symbolism.

The *Juridical Review* for June, in addition to its more strictly legal features, contains several articles of distinct value to historians. Prof. Goudy takes the place of honour with a lucid exposition of the results of the criticism directed by German scholars against the authenticity of the XII. Tables—a vital topic for students of Roman institutions in the making. Under the title of *Magna Carta Re-read*, the conclusions of recent critics and commentators, especially of Mr. M'Kechnie, are examined, and emphasis is laid on such topics as specially affect Scotland. Scottish readers will be interested in an article on *James Boswell and his Practice at the Bar*, to which is appended an editorial note describing Boswell's 'Consultation Book,' presented only the other day to the Advocates' Library by an Australian donor.

Scottish Notes and Queries (monthly; Rosemount Press, Aberdeen) in recent issues has dealt with Argyllshire biography, Edinburgh periodical bibliography, old verses on Kirk of Turriff, and MS. maps and plans of Aberdeen and the neighbourhood. *The Scottish Patriot* for August is a 'Sir William Wallace number.'

We have received *Notes and Queries for Somerset and Dorset* (Sherborne: J. C. & A. T. Sawtell), also *Berks*, *Bucks*, and *Oxon Archaeological Journal* (Reading: Slaughter & Son), and *Rutland Magazine* (Oakham: G. Phillips), all with numerous transcripts, descriptions of brasses and relics, and much local story.

In the *American Historical Review* for July there is philosophically discussed by Mr. A. H. Lloyd the question whether history is losing its human character and interest. Consideration is given to the obvious subordination of the personal aspects to geographical, natural, and materialistic data, but the conclusion is a hope that history will gain anew its humanity and dramatic attraction. Among documents printed in this number are two important Darien letters edited by Mr. Hiram Bingham. They are both from the Secretary of State, James Vernon, at Whitehall, to the Governor of Virginia. The first, dated 2nd January, 1698-9, is a warning against allowing any assistance to the intending Scots colonists. The second, dated 18th June, 1699, more explicitly mentions that the king regards the Darien settlement as a violation of treaties with Spain, and therefore urges strict obedience to the first injunction.

The *Iowa Journal of History and Politics* for July has notes on Iowa mounds, and photographs of skulls recovered from them.

The *Revue d'Histoire Ecclésiastique* of Louvain in its July issue has an article by the Jesuit L. Willaert on the relations and negotiations as to politics and religion between James VI. and I. and the Catholic Netherlands, specially tracing the effects of the Gunpowder Plot. Among the reviews, an extended notice of recent Joan of Arc literature will interest British readers.

In the June issue of the *Archiv für das Studium der neueren Sprachen* appears an interesting and variously important Elizabethan text, edited on Prof. Brandl's suggestion by Herr W. Bolle (see *S.H.R.* i. 329), from the Rawlinson miscellany songbook MS. No. 14677 in the Bodleian. It comprises seventeen pieces, mostly anonymous, but including several by R[ichard] H[ill], Thomas Preston, and Richard Tarlton. Compositions pious and improving alternate with ditties amorous and merry. One 'proper new ballad' sings the praises of the Queen after the Armada time. Part of one verse runs:

> The Spannish spite, which made the papiste boast,
> hath done them little good:
> God dealt with them, as with king Pharoes host,
> who were drowned in the flood,
> Elizabeth to save.

A long paper by Signor A. Farinelli begins an elaborate study on the vogue of Boccaccio in Spain during the middle ages.

Queries.

TURNBULL—BULLOK. Among the Chapter House documents in the Public Record office, Chancery Lane, London, is a detached seal, lettered 'S. IOHIS. TVRNBVL ABBATIS DE PEBB. . . .' The seal, which is in the usual ecclesiastical form, and has a shield bearing a single bull's head, is preserved in a box marked on the lid 'Peebles Trinitarian Friars: John Turnbull.' So far as I am aware, heads of Trinitarian houses were uniformly styled Ministers not Abbots, though on one occasion, in 1509-10, 'the *abbai* of the Trinite callit the Crois Kirk in Peblis' is mentioned in a local record. The list of known Ministers of the Peebles Friars is nearly, if not wholly, complete from about the middle of the fifteenth century, and Turnbull's name is not among them, nor has he as yet been traced elsewhere. Any information tending to identify the 'abbot' will be welcomed. Following out a friend's suggestion, inquiry was made regarding a bishop of Ross said to be named John Turnbull, but this has only resulted in the discovery of a mistake which it may be as well to note. In *Keith's Catalogue* John, bishop of Ross, is referred to (1420-39), while in *Walcott's Ancient Church of Scotland*, p. 158, and in *Laing's Supplemental Catalogue of Scottish Seals*, No. 1067, the name is given as John Turnbull. This surname has apparently been guessed from Bishop John's seal, which does not bear his name, but has a bull's head on a shield (*Laing*, plate ix., fig. 4). The bishop's actual name, as shown by an entry in Exchequer Rolls (1440-1), v. p. 101, was John Bullok.

R. R.

BARONS OF WESTPHALIA, created by Napoleon I. Where is an account given of this title, and of its precedence under the French Empire? M. J.

Communications and Replies.

THE RUTHVEN PEERAGE CONTROVERSY. The family of Ruthven of Freeland, ennobled in 1651, became extinct in the direct male line fifty years later. Since then the title has been continuously borne by the first lord's descendants in the female line; it has been included in all official lists, and its bearer has always enjoyed without challenge all the privileges of a Peer. On the other hand, our earliest Peerage writer in 1716 pronounced the title to be extinct; other eighteenth-century genealogists expressed or implied the same view; Douglas, our still unsuperseded standard authority, writing at a time when the holder's rights were fully admitted and freely exercised, expresses himself with a reserve perhaps not less significant than the denunciations of the free lances. Riddell for once is in agreement with Crawford and not out of harmony with Douglas, though he finds an excuse for falling foul of the latter for not publishing certain curious circumstances first discovered by Riddell himself. In our own day the adverse view has been enforced by Mr. J. H. Round in one of his most vigorous and rigorous essays, and seems to have become so to speak the orthodox faith among English students of Scots Peerage questions. If the lords Ruthven[1] are indeed "a line of commoners," as Mr. Round says, they are surely the most fortunate, if not then they are the most unfortunate, of their class. Against such antagonists it needed courage to enter the lists; but our best all-round historical antiquary[2] has taken up the challenge, and from the readers of this Review at least Mr. J. H. Stevenson is sure of a free field, and some favour to boot.

His pamphlet[3] contains a summary of the known facts, now first fully and clearly set forth; and an examination not of the rights of the case, but of the arguments and assertions of his predecessors. It is a discussion of side issues, but of side issues raised by them, viz., first, the relative value of the evidence adduced on either side; and second, the alleged *mala fides* of the two ladies and one gentleman who assumed and bore the title between 1701 and 1783. Thus it would be possible to assent to every proposition here maintained, and yet to accept the assailants' opinion on the merits.

[1] I use the title throughout for convenience, and without prejudice.

[2] Speaking as a Scotsman.

[3] *The Ruthven of Freeland Peerage*, by J. H. Stevenson. Glasgow: MacLehose, 1905.

The following pedigree of the descendants of the first Lord Ruthven is taken from Mr. Stevenson's pamphlet. His figures show the order of their succession to the estates.

(1) Sir Thomas, first Lord Ruthven.

Anna, *1st daughter* (died 1689, before David).	Elizabeth, *2nd daughter* (died before David).	(3) Jean, *3rd daughter* (died unm. April, 1722).	(2) David, *only son*, second Lord Ruthven (died unm. 1901).
(4) Sir William Cunyngham, Bart., (died without issue, Oct., 1722).	(5) Isobel (died, 1732).		
	(6) James.		

It will be seen that on the second lord's death, his youngest sister inherited the estates—under an entail executed by him. She assumed the title, is styled Lady Ruthven as early as 1702, and continuously till her death, and must have been the baroness summoned to the coronation of George I., if summons there was, which though not proved is admitted on both sides. After her death Sir William Cunyngham, the next heir of entail, was confirmed executor dative to his aunt, who in this record is not styled Lady Ruthven but Mrs. Jean Ruthven of Freeland. He survived her six months only, and died without taking any steps to complete his title to either peerage or estate. His cousin, Isobel, then the sole heir of line of the family, took up the title, and was known as Lady Ruthven for the remainder of her life. She is said, and admitted, to have been summoned as a Peeress to the coronation of George II. On her death her son James succeeded to the estates and assumed the title, but not until he had been served heir both in general and in special to his great-uncle, the second lord. Of this, as of Sir William's attitude, something must be said further on. Meanwhile, it is clear that the assumers of the title were all heirs of entail in possession of the estates, and all, except Baroness Jean, heirs general of the body of the first lord.

It would be unjust to attempt to summarise Mr. Stevenson's most able and convincing dissertation on the evidential value of certain published and MS. lists compiled by private persons on one hand, and of the Union Roll and the 1740 Report of the Lords of Session on the other. The latter are documents affecting not the Ruthvens only, but the whole Scots peerage; this part of the pamphlet, therefore, has an independent and a permanent value. The subject seems to be one of those which the human mind cannot tackle unless it has a case to prove. But Mr. Stevenson not only supplies a necessary corrective to his predecessors; his work is distinctly more judicial in spirit than theirs. It is, or ought to be, henceforth impossible to decry the official roll and report as valueless, and to set such lists as Chamberlayne's and Macfarlane's on a pinnacle. The former listmaker indeed can hardly be considered evidence at all; the latter is only evidence of what was

believed in his own time, and must be classed with, and in the chronology placed between, Crawford and Lord Hailes. But I, for one, cannot hold the testimony of these scholars so cheap as Mr. Stevenson seems to hold them. Crawford was a contemporary of the second Lord Ruthven, and the other two must be taken as representing an important section of well-informed opinion each in his own generation.

The accusation of *mala fides*, founded on the recorded actions of the early holders of the title, is here thoroughly investigated and triumphantly refuted. Rightly or wrongly, Baroness Jean and Baroness Isobel assumed the title without hesitancy, and used it without vacillation. Against the former there is nothing but the phraseology of her Testament Dative, for which she clearly could not be responsible; against the former, only a series of unverified quotations, which prove to be misquotations, of the Commissariot Records. If Mr. Round returns to the charge, he is bound to withdraw this part of his case. Against James, third Lord Ruthven, the ground of the accusation is the fewness of the votes which he recorded at Peers' elections. To which the reply given is enough; unless, and until it can be shown that the votes he gave were given on occasions so selected as to avoid the risk of challenge, his abstentions must be ascribed to other than prudential motives.

So far the disputants—what hypothesis best explains, from the bye-stander's point of view, the known acts of the successive heirs of line of the Freeland family? Mr. Stevenson considers that 'the private views of Jean, Isobel, Sir William, and James the third lord, are not nearly so important as the conclusions of the authorities of their times'; but the family tradition, if we can ascertain what it was, is surely not irrelevant. In the first place, the Patent must have perished, not in the fire of 1750, but before 1716; to record it would have been the only satisfactory answer to Crawford.[1] Here is the place where Hailes' anecdote, if founded on fact,[2] fits in exactly. The suggestion that the Patent ought to be recorded, has been ventured by a friend in the hearing of Baroness Jean. Her reply is to point to her Coronation Summons received two years before, and exclaim, 'Here is my Patent!' A fair repartee; and considering that the lady had borne the title since 1702 (as Mr. Stevenson has proved), Mr. Round's comment that the claim 'originated in a joke' is hardly justified.

It has already been observed that the assumers of the title were each of them, at the time they took it up, heirs of entail in possession. The conclusion to be drawn is, tolerably certain,—the family belief was that the title was to go with the lands; in other words, that it was destined

[1] Assuming, of course, that the claim was not absolutely fraudulent.

[2] Mr. Stevenson well shows that Hailes can only have had the story as a piece of old time gossip. The reference to the Pension granted to 'Lady Ann Ruthven' may date his memorandum. The grant could, no doubt, be traced in London; it seems not to be recorded in Edinburgh; but it is not likely to have been earlier than 1783, the date of the lady's husband's death.

to the heirs of entail. But, granting this to have been the intention, could it receive effect? Mr. Round has a dictum of Riddell's to produce,—a limitation to heirs of entail could only refer to entails executed before the death of the patentee. The Freeland entail was executed not by the first but by the second lord. Obviously, inattention to Riddell's distinction could not imply *mala fides* in Baroness Jean, who died before Riddell was born; but take the hypothesis that Sir William Cunyngham, or his lawyers, were of Riddell's mind, what would he (or they) have done? Not claimed the title for Sir William, who (if it was descendible to heirs female and was unaffected by the entail) was *de jure* the peer from 1701 onwards. Poor men seldom care to offend a well-to-do maiden aunt! But, if after her death he meant to assert his right, the first step would be to dissociate his claim from hers. And we actually find that, in the record of his appointment as her executor dative, the lady is docked of her title; while the executor himself, as Mr. Stevenson tells us, drops his baronetcy,—possibly as about to assume the higher title. If his intention was what I suggest, the next steps would be (1) to come to some arrangement with his creditors which might save his interest in Freeland from being swallowed up in the vortex; (2) to be served heir to his uncle, the second lord. Before he could do either, he died. This is one explanation of his conduct. The other is that favoured by Mr. Round, Mr. Foster, and G. E. C., that he did not believe in the continued existence of the title. Different minds may judge differently; to me my suggestion seems, considering Sir William's surroundings, decidedly the more probable. At all events, his mere failure to assume the title cannot possibly have the importance attributed to it by the critics; six months was all the time he had, and just six months elapsed before James, the third lord, whose path was smooth compared to Sir William's, could carry through what his lawyers considered the necessary preliminaries, and take up the peerage. Now, supposing that Baroness Jean's claim was bad under Riddell's rule, is the claim of her successors, whose title was not derived from her, and who were heirs of line as well as of entail, necessarily vitiated thereby? Surely not.

But, if the family tradition was what I have inferred it to be, we cannot shut our eyes to the fact that there was another tradition, to a quite different effect, in its origin coeval, handed down by Crawford, received by Macfarlane and Hailes. It is outside testimony, but for that reason unbiassed; and the 'rex rotulorum' and Report of 1740, however highly we esteem them, are not decisive against them. Mr. Stevenson may have (in all probability he has) more to produce on a future occasion. For the present, he leaves us still unable to resist the contention that Lord Mansfield's doctrine, the presumption for limitation to heirs male of the patentee's body, is properly applicable to the Ruthven case. And here its application would not, as in the Lindores and Mar cases, bring about any sharp conflict between the legal and the historical presumption. The favourable evidence is of the kind which, taken by itself, might avail (Mr. Stevenson suggests that it does avail) to rebut the legal presumption; while of the adverse proof it may be said that its historical is perhaps more obvious than its legal relevancy.

Let me conclude with Riddell's conclusion:[1] 'Yet there was vested in the family the undoubted representation as heirs-general, which cannot be impugned, of the only remaining branch of a noble house, who were not only ancient, but of the highest note, and distinction, in Perthshire.' Mr. Round, if I rightly understand him, is interested in the case chiefly as providing a text for his denunciation of the 'unaccountable perversity' of those Scotsmen who will not help him to set up a sort of Public Prosecutor of untested peerages. Perhaps it is another instance (in humble life) of the said unaccountable perversity; but will my fellow-Scots be shocked by the suggestion that there are cases and cases? For claimants of the Colville of Ochiltree type there is justice in Scotland as swift and sudden as south of the Tweed. But of a peerage like the barony of Ruthven of Freeland, one may be excused for feeling that its case can wait till it is called.

J. Maitland Thomson.

THE ALTAR OF ST. FERGUS, ST. ANDREWS (*S.H.R.*, ii. 260, 478). What appears to be the original manuscript of this Rental is in the University Library at St. Andrews. It previously belonged to Principal Lee, of Edinburgh University, and was bought at the sale of his manuscripts, on 6th April, 1861, at the price of one guinea. Principal Lee's 'interesting collection of rare and curious pamphlets' was sold on 29th May, 1863, and included the following item:

> 6. Condemnatio doctrinalis Librorum M. Lutheri and Responsio Lutheriana, 1525. Rentale Altaris Sancti Fergucii infra Eccl. Paroch. St. And. 1525, *MS.* Cochlei Responsio 500 Articuli M. Lutheri, 1526. Aristophanis facetissimi Comoedia Vespae, *Gr.* 1540, and another.

This lot also realised a guinea, but I have no information as to who was the purchaser. I thought it might possibly have been the volume which afterwards belonged to Bishop Forbes, but the Rev. E. Beresford Cooke, diocesan librarian, informs me that the Brechin manuscript 'was originally bound up with a multitude of tracts on all sorts of ecclesiastical and other subjects,' mostly of modern date. The Lee volume may of course have been broken up by a bookseller and the manuscript Rental acquired separately by Bishop Forbes. Otherwise it seems evident that another copy of the Rental must be preserved in some public or private library.

The St. Andrews manuscript had at first consisted of 22 leaves of vellum, done up in two quires—one of 12 leaves and the other of 10 leaves, measuring about 8 inches in height and about 6 inches in breadth. As the little volume now stands, five leaves have been cut out—two from the first quire and three from the second. Some of these leaves may have been spoiled and cancelled when the Rental was being engrossed, but others appear to have been deleted when the quires were

[1] *Remarks upon Scotch Peerage Law*, p. 145.

put together. The only leaf on which a catchword is used is followed by the remains of three cut out leaves. The catchword was no doubt written to assure the reader that nothing was missing from the text. On what remains of one of these leaves there are faint traces of writing, while on another of them the following words of an unfinished charter are still quite legible: 'sigillum meum proprium vnacum sigillis dictorum Katrine et Thome sunt appensa apud Newth . . . .' Vellum being a precious and somewhat expensive commodity, use had been made of the clean portions of sheets which had already been put to other purposes, cut to the proper size and just folded sufficiently to catch the needle and thread of the binder. Of the 34 remaining pages 10 are blank. The two quires have been strongly bound between oak boards, with bevelled edges, but without any trace of leather covering. The writing is in a clear, bold hand, nearly every letter standing by itself as in a printed book. A commencement had been made on the second leaf, but the writer having gone wrong stopped and passed on to the fourth leaf, where the Rental begins exactly as in Mr. Eeles's transcript.

About ten years ago Professor A. F. Mitchell made a copy of the St. Andrews manuscript for the then Marquess of Bute, who was much interested in the Rental, but I am not aware that his Lordship made any public use of it. Some time afterwards I made a careful transcript of the same manuscript, and drafted a translation of it, with the intention of including it in a volume of local documents of ecclesiological interest. This projected publication has had to stand aside in order that progress might be made with more pressing work, and may not be taken up again for some time. Now that Mr. Eeles has anticipated me in the publication of the Rental, it is satisfactory to find that he has not bestowed so much pains upon a wholly untrustworthy copy. The Brechin manuscript is in the main a fairly close copy of the St. Andrews one. The rubrication has been followed exactly; there are very few verbal differences; but the spelling, as might be expected, varies considerably. The name which Mr. Eeles in his introduction writes 'Tylless,' and in his text 'Tyllefer,' is quite plainly Eyllesſ. The ſ is, no doubt, provided with a loop which is used elsewhere to indicate *er*; but the same loop is also used in words like Glammyſſ and herſſ, where it can have no meaning at all unless it be to double the final letter.

The most serious defect of the Brechin transcript is in the matter of omissions. On page 265 of *S.H.R.*, line 8 from bottom, after the word 'corporale' the clause 'Item vnam fiolam stanneam' has been left out. On page 267, line 2 from top, the St. Andrews reading is 'Item *tres* fiolas stanneas.' On same page, line 21 from top, before the words 'cum cornu' the words 'ex tribus arundinibus' should be inserted; and in the third last line of the text the word 'altaris' should be followed by 'tenetur.'

But a more unfortunate discrepancy than any of these occurs at the very outset of the document, where the omission of over a dozen

words entirely misleads the reader as to the tenure of office of the first chaplain. The second paragraph of the Rental should read as follows:

> 'Notandum est quod magister Wilelmus Cubbe fuit primus capellanus [prefati altaris et habuit ad spacium quadraginta annorum. Dominus Wilelmus Malwyn fuit secundus capellanus] dicti altaris ad spacium septem annorum et reliquit seruicium dicti altaris quia inde non potuit commode sustentari.'

The words here printed between square brackets have been passed over (in a quite intelligible way) by the transcriber of the Brechin manuscript. It is odd that the word 'dicti' in the third line from the bottom of page 265 did not suggest to Mr. Eeles or to Mr. Law that some previous reference to Malwyn had been omitted.

The date 'Millesimo quadringentesimo nono' is quite plainly written in the St. Andrews manuscript, but it is an impossible one for the simple reason that the church in which the altar was situated had not then been built. If Mr. Cubbe held the altarage for forty years and Mr. Malwyn for seven, the missing word should be 'septuagesimo.' As a matter of fact the altar of St. Fergus was founded on 27th January, 1430-31, by William Cairns (Wilelmus de Kernis), vicar of Glamis. It stood beside the pillar nearest to the west gable of the church, on the south side. The Thomas de Kernis whose name was associated with the foundation had been rector of Seton. The chaplain in 1555 was Andrew Baxter, who feued one of the Kirk Wynd properties on condition that the roof was to be renewed and the building maintained in good and habitable condition for ever. It is now the site of the *St. Andrews Citizen* office.

This is scarcely the place in which to discuss purely local details, and I am afraid I am not the 'local antiquary' desiderated by Mr. Eeles. I would only venture to add that I agree with Bishop Dowden as to the meaning of the term *solium*, which I had translated 'attic.'

J. Maitland Anderson.

THE BROOCH OF LORN. The brooch worn by King Robert Bruce still exists in the possession of Captain A. J. MacDougall of MacDougall, Dunollie Castle, Argyllshire; and this, a short history of it, is derived in part from original sources, and from information supplied by members of the two families concerned.

The brooch is an article essential to the dress once worn by both sexes in the Highlands, and in many Highland families of various ranks favourite brooches have been preserved through many generations as heirlooms which no pecuniary inducement would tempt their humblest owner to part with. A Highland bridegroom gave his bride, not a ring, but a brooch, usually with some affectionate inscription upon it; and as the same article sometimes served several generations of one family, it was apt to become invested with many endearing associations.

The Brooch of Lorn, 'The brooch of burning gold,' and 'Gem ne'er wrought on Highland mountain,' is not of gold, as Sir Walter

Scott,[1] from misinformation erroneously represented it, but of silver 'of very curious form and ancient workmanship.'[2] It consists of a circular plate, about four inches in diameter, enriched with filigree work, and on the under side is an ordinary tongue for the purpose of fastening it to the plaid. The margin of the upper side is magnificently ornamented, and has a rim rising from it, with hollows cut in the edge at certain distances, like the embrasures in an embattled wall. From a circle within this rim rise eight very delicately-wrought tapering obelisks, about an inch and a quarter high, each one finishing in a large pearl. Within this circle of obelisks there is a second rim, also ornamented with carved work, and within which rises a neat circular case, occupying the whole centre of the brooch, and slightly overtopping the obelisks. The exterior of this case, instead of forming a plain circle, projects into eight semi-cylinders, which relieve it from all appearance of heaviness. The upper part is also very elegantly carved, and in the centre is a round crystalline ball, or magical gem. This case may be taken off, and within there is a hollow for holding amulets or relics, which, with the assistance of the powerful stone, must needs prove an infallible preservative against all harm. In this cavity are the remains of human bones. What the gem is which crowns the whole no one can say with certainty.[3]

At the time that Robert the Bruce asserted his claim to the throne of Scotland among those who opposed his claim was Alexander de Ergadia, or of Argyle, the ancestor of the MacDougalls of Lorne, the chiefs of that surname, being for some considerable time dignified with the title of Lords of Lorne. This Alexander, or Alastair, was in alliance with the English monarch, and had further and more special causes of hostility to Bruce, from his being married to a daughter of John Comyn, Lord of Badenoch, chief of that potent and numerous surname, whom Bruce had slain in the Monastery of the Grey Friars in Dumfries. In consequence of this event the MacDougalls became mortal enemies of the King, and were among the most persevering and dangerous of them all.

[1] 'Lord of the Isles', canto ii.

[2] *Memorial of the Royal Progress in Scotland*, by Sir Thomas Dick Lauder, Bart., of Fountainhall.

[3] The brooch is one of a class of Reliquary Brooches distinguished by the presence of a central capsule to hold the relic. This capsule is made the principal feature of the decoration of the brooch, both by its position, its size, and its being surmounted by a large hemispherical setting of rock crystal or other stone. These brooches have also the common feature of having a circle of minor settings on elevated bases placed in a circle round the central one. They are all from the West of Scotland, indeed all from Argyleshire, and probably locally made. There are only other two specimens known, viz.: The Lochbuie brooch, a family heirloom of the Maclaines of Lochbuie, and 'The Ugadale brooch,' preserved by Captain Hector Macneal of Ugadale and Lossit, Campbeltown. This latter brooch, according to a tradition in the family, also belonged to King Robert Bruce.—Communicated to the writer by Captain Macneal.

After his defeat at Methven, in 1306, Bruce retreated to Athole and the wilds of Rannoch with the dispirited remnant of his followers. But as Rannoch could in those days afford but scanty supplies for an army, however small, Bruce, towards the beginning of autumn, was compelled to move south and join his friends in the Lennox and in Dumfriesshire. His route lay along the defiles, or passes, between Rannoch and the head of Loch Tay, but he was encountered by the Lord of Lorn, and his allies, the Macnabs of Glendochard, the Macnaughtons, the MacFarlanes, the Maclagans, and many of the minor clans, at Strathfillan, upon a plain still called Dailrigh, or Dalry, and he was completely defeated, and in his flight narrowly escaping capture or death. The traditional story is well known that in the struggle Bruce lost his brooch, which was long kept as a monument of victory by the chiefs of the house of Dunollie.[1]

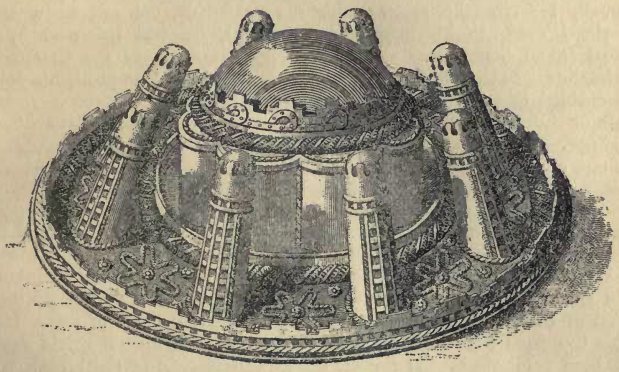
The royal relic continued in the family till the year 1647.[2] In the Civil War, the MacDougalls adhered to the cause of Charles I., and suffered much for their loyalty. Dunollie Castle was besieged by a detachment of General Leslie's army, under Colonel Montgomery, but from its strong position it resisted the efforts of the enemy. But Gylen Castle ('Caisteal nan Goibhlean,' 'Castle of the Forks,' referring to the forked configuration of the rocks around the Castle), in the island of Kerrera, the 'Doon House,' being less strongly situated, was captured, sacked, and burned. It was on this occasion that the brooch of Bruce was carried away. It became the spoil of Campbell of Braighghlinne,[3]

[1] Barbour's *Bruce*, John of Fordun's *Chronicle of the Scottish Nation*. Barbour calls the men Makyne-drosser (interpreted Durward or Porterson), while in the family tradition they are named MacKeoch or MacKichian. It is interesting to note that the guardian spirit of the house of Dunollie is called 'Nic Kichian,' and is said to have her abode on the Maiden Island, close to the ruins of the castle. Loch Dochart is always stated as the locality where the royal struggle with the henchmen of Lorne took place, but this is erroneous. Angus Fletcher, Esq., Abbotsford Lodge, Callander, has sent the writer for perusal copy of a correspondence which passed between Mr. Duncan Whyte of Glasgow and Captain Stewart of Tigh-an-Duin, Killin, on the above subject. Mr. Whyte's remarks seem incontrovertible. 'Examination of the locality has strongly convinced me that the conflict could not have taken place at the side of Loch Dochart, because this loch is seven miles east of "Dail-nan-Geoichein," and the retreat of Bruce from Dail-Righ can be traced up the glen of Achariach and down Glenfalloch to Loch Lomond. The conflict rather took place by the side of Lochan-nan-arm, the lake of the arms.' The battle-axe used by Bruce on this occasion is still preserved at Dunstaffnage, Oban. There is a tradition in the family of Dunstaffnage that the battle-axe, along with some other things, was left by Bruce after handing over the castle to the Campbells.—Communicated to the writer by Mrs. Campbell of Dunstaffnage.

[2] Tradition in Dunollie family, *New Statistical Account of Scotland.*

[3] Braglin is situated at the head of Loch Scamadale, and is about 8 miles in a direction to the south-east of Oban. 'Little John' was celebrated in his day for his dauntless bravery and fertility in resource, and many stories are still current concerning him in the district of Nether-Lorn. The laird of Braglin was buried in the Churchyard of Kilbride, where his curiously-carved gravestone is still to be seen. Vide Lord Archibald Campbell's *Records of Argyll.*

or Braglin, better known in song and story as 'Iain beag Mac-Iain'ic Dhòmhnuill,' *i.e.* little John, son of John, son of Donald, who took part in the latter affair, secured the brooch of King Robert, or as it was now commonly called, the brooch of Lorn, which he took into his possession as fair spoil, though he did not think proper to make his good fortune too well known, lest the MacDougalls might have thought it necessary afterwards to attempt the recovery of the highly-valued relic by force. Time rolled on. In 1715, 'Iain Ciar,' the chief of the MacDougalls, joined the Earl of Mar, and his estate was forfeited, but it was restored just before the 'rising' for Prince Charles,



and he, consequently, did not 'go out' on the occasion. Meanwhile, the brooch continued safe in the strong chest at Braglin. To the MacDougalls themselves it was not even known to exist.

During the long period that the brooch was lost to the MacDougalls, and in the absence of any direct knowledge of its fate, it is not surprising that imagination should have supplied the place of truth, and that many of the stories hitherto accepted as truthful accounts may be dismissed as untrue. In the most recent publications,[1] it is asserted that the brooch was kept in Dunollie Castle, that it disappeared in the seventeenth century when the castle was burned by the Macneills, assisted by the Campbells of Braglin; that it was carried into England, finding its way ultimately to a London broker's shop, from which it was rescued at a good price by one of the Lochnell Campbells; and that it was destroyed by an accidental fire, and was replaced by another brooch of much less ancient date. It is also frequently stated that the brooch was presented to the late Queen Victoria by the MacDougalls.

[1] Vide *The Book of the Bishop's Castle, Scottish National Memorials.*

The authentic account, derived from the two families[1] concerned, goes to show that the brooch remained in the possession of the Campbells for the long period of 172 years, until 1819. Major Campbell, the last holder of the brooch of Lorn, served with distinction in the Peninsular War. After his return to Braglin, he had a list made of his title-deeds to his lands, and in turning out these old parchments from the bottom of the strong chest came on the brooch, and knowing the tradition in the family, recognised it as the brooch taken by his ancestor, the celebrated 'Iain beag,' at the capture of Gylen Castle; and there being no longer any reason for concealment, spoke openly about it. As already stated, the MacDougalls believed the brooch to have been lost or destroyed, so that the late Admiral Sir John MacDougall of MacDougall, K.C.B. (the present chief's grandfather), did not know that it existed until, to his intense astonishment, he was informed by a mutual friend that it was safe, and in the possession of the Campbells of Braglin? Subsequently, by the courtesy of Mrs. Campbell, Sir John was enabled to see the long-lost treasure.[2]

Major Campbell died in 1819, leaving a widow and three infant daughters. General Campbell of Lochnell, Major Campbell's first cousin, and one of his trustees, in whose custody the brooch now was, with the consent of the other trustee, Campbell of Craigmore, made arrangements for its restoration to the MacDougalls in order to neutralize their opposition to some election that he was interested in. No price was paid for it, and it is questionable if the trustees had any right to dispose of it in any way, it being a family heirloom of the Campbells. Thus the brooch again changed owners, and passed out of the possession of the youthful heiress of Braglin, to whose ancestor it had fallen as a spoil of war. Had Major Campbell left a son the idea of alienating the brooch would never have been entertained. However, the further fortune of the brooch was singularly appropriate. In October, 1824,[3] at the county meeting held at Inveraray, General Campbell presented the brooch to his old friend and neighbour, Sir John MacDougall. Thus the brooch of Lorn, and relic of the Bruce found its way back to Dunollie after being out of the family for the long period of 177 years, by whose ancestors it was captured in fierce combat with the Bruce at Dailrigh in 1306.

On the occasion of the pageant at Taymouth, when Queen Victoria visited it in course of her progress through the Highlands in 1842, the royal barge on Loch Tay was commanded by Sir John (then Captain), in full Highland costume. Lord Breadalbane presented the wearer to the Queen, mentioning his profession, and that he bore the historic brooch of Lorn, which belonged to Robert the Bruce. The Queen

[1] From information supplied by the late Miss Louise MacDougall, of MacDougall and Dunollie, daughter of the late Vice-Admiral Sir John MacDougall, K.C.B., of MacDougall; also from Miss Giles M. Campbell, of Braglin, Ashbank, Gorebridge; and Campbell A. Robertson, Esq., London, members of the Braglin family.

[2] Miss M. O. Campbell, in her *Memorial History of the Campbells of Melfort.*

[3] Vide *The Gentleman's Magazine and Historical Chronicle* for 1824.

took the brooch in her hand and examined it minutely, asking about the centre stone, etc.[1] One more royal reminiscence attaches to the brooch. When the Princess Royal, at that time Crown Princess of Prussia, was visiting the Duke and Duchess of Argyll at Inveraray, she expressed a curiosity to see the brooch. Hearing this, Sir John, then well advanced in years, started off on horseback to Dunollie, and was back at Inveraray before dinner, a distance of over 80 miles, proudly bearing the brooch.[2]

IAIN MACDOUGALL.

FRENCH TRANSLATIONS OF *THE WEALTH OF NATIONS*. The first edition of *An Inquiry into the Nature and Causes of the Wealth of Nations* was printed in the end of the year 1775, and was published at London in the beginning of 1776, in 2 vols. 4to. It was very favourably reviewed in the *Journal des Sçavans* of February, 1777 (p. 81 of the 4to, p. 239 of the 12mo edition), but the reviewer remarked that no author or publisher was prepared to take the risk of publishing a French translation.

The Abbé Morellet, writing to Lord Shelburne from Paris on 12th March, 1776, says: 'I have got the loan of the first volume of the new book of M. Smith, in which I have found some excellent things. The developments are somewhat drawn out and the "Scottish subtilty" is present in all its luxuriance. This possibly may not be pleasing to you, but the work has given me great pleasure, as I delight in such speculations' (*Lettres de l'Abbé Morellet à Lord Shelburne*, p. 105: Paris, 1898, 8vo). In his *Mémoires* the Abbé states that he spent the autumn of the year 1776 at Brienne, in Champagne, and occupied himself very assiduously in translating *The Wealth of Nations*; but an ex-Benedictine, the Abbé Blavet, the author of a bad translation of the *Theory of Moral Sentiments*, took up Adam Smith's new treatise and sent it in weekly instalments to the *Journal of Commerce*. 'This,' says Morellet, 'was an excellent thing for the journal, as it filled its columns, but poor Smith was traduced rather than translated, according to the Italian proverb *tradottore traditore*. Blavet's version, which was dispersed through the columns of the journal, was soon issued in a collected form by a bookseller, and proved an obstacle to the publication of mine. I offered it first for a hundred louis, and then for nothing, but the competition caused its rejection. Long after I asked the Archbishop of Sens, during his ministry, for a hundred louis, and said that I would take the risk of publication, but he declined, as the booksellers had formerly done. It would have been a hundred louis well employed. My translation was carefully made. Everything of an abstract character in Smith's theory becomes unintelligible in Blavet's translation, but in mine may be read with profit' (*Mémoires de l'Abbé Morellet*, p. 243: Paris, 1823, 8vo).

The reprint of Blavet's version to which Morellet refers appeared at Yverdon in 1781 in 6 volumes 12mo, and at Paris in the same year

[1] *Leaves from the Journal of our Life in the Highlands.*

[2] *Records of Argyll.*

in 3 volumes 12mo, and again at London and Paris in 1788 in 2 volumes 8vo, and revised and corrected, with Blavet's name as translator, at Paris An. ix. (1800-01) in 4 volumes 8vo.

In the meantime another translation, of no great merit, was made by Jeane Antoine Roucher, the poet, author of *Les Saisons*, and was published at Paris in 1790 in 4 volumes 8vo; again at Neufchatel in 1792 in 5 volumes 8vo, and lastly at Paris An. iii. (1795) in 5 volumes 8vo. According to Blavet, Roucher was more concerned with the language than the sense. He says that he did not understand English, and relied upon his version, although he pretended that he was not aware of any French translation of the work.

A third and better translation by Count Germain Garnier appeared at Paris An. x. (1802) in 5 volumes 8vo, with a portrait of Adam Smith. Other editions were issued in 1809 and 1822, the former in 3 the latter in 6 volumes 8vo, one being a volume of notes. This edition was revised by Jerome Adolphe Blanqui, and was republished at Paris in 1843 in 2 volumes 8vo as volumes 5 and 6 of Guillaume's *Collection des Économistes.*

As the Abbé Morellet lived until 1819, and depended for his livelihood, in his later years, on translations for the booksellers, it seems strange that he was unable to dispose of his MS. of *The Wealth of Nations* when other two translations found a market, notwithstanding that of Blavet.

In his edition of Paris, 1800-01, the Abbé Blavet, or Citizen Blavet as he then styles himself, gives some information regarding his translation. He made it, he says, entirely for his own use, and with no great exactness. He had no intention of publishing it until his friend M. Ameilhon happened to complain of a scarcity of interesting articles for his *Journal de l'Agriculture, du Commerce, des Arts et des Finances*,[1] which had just come under the control of the mercantilists. It struck him that he might offer it to him, which he did, with the explanation that it was far from

[1] This is a third series of the *Journal de Commerce* of Camus and the Abbé Roubaud. Bruxelles, 1759-62, 24 vol. 12mo. It was discontinued for a short time and reappeared again at Paris in July, 1765, under the title *Journal d'Agriculture, du Commerce et des Finances*, and Dupont de Nemours was associated with the other two as principal editor. This series ran until December, 1774, in 114 monthly parts, making 48 vols. 12mo. The *Journal* had been the battle-ground of the mercantilists and the physiocrats. In 1767, the former having got the upper hand, dismissed Dupont de Nemours, who with his party found an organ in the *Ephémérides du Citoyen*, which was then edited by the Abbé Baudeau, who retired in favour of Dupont de Nemours in May, 1768. It stopped in March, 1772, but reappeared again in December, 1774, and ran until June, 1776. A copy for the years 1765-67 was in Adam Smith's library.

The *Journal d'Agriculture* was discontinued until January, 1778, when it appeared under the title in the text, with Ameilhon as editor. It ran until December, 1783, in 72 monthly parts, forming 24 vols. 12mo. It was then absorbed by the *Affiches, Annonces et Avis divers*, which in 1784 adopted the sub-title, *ou Journal général de France*, and became in 1785 *Journal général de France*. From 1787 to 1790 a Supplement devoted to agriculture was issued.

perfect. It was accepted, and appeared in the issues of the *Journal* between January, 1779, and December, 1780. He did not anticipate that it would go further, but scarcely had the last part appeared when it was reprinted and published at Yverdon in 1781, with more faults than in the serial publication. The edition of 1788 likewise appeared without his knowledge or consent, and was still more marred by errors than that of Yverdon. Blavet had stipulated with Ameilhon that his name was not to appear, but seeing the popularity the work had secured he sent a letter to the *Journal de Paris* of 5th December, 1788, claiming the authorship. This letter brought him into communication with M. Guyot, of Neufchatel, with whom he had hitherto been unacquainted. Guyot, who was a friend of Smith and of Dugald Stewart, said that although complaints had been made regarding the translation, the faults were of a kind that could easily be corrected, and he offered his assistance in doing this. He said that when the edition of 1788 appeared both he and Stewart believed that it was by the Abbé Morellet.

Blavet followed Guyot's advice, revised his translation, and published it with his name at Paris in 1800. In the British Museum there is a copy of the edition of 1788, with numerous MS. corrections, said to be by Blavet, most of which have been given effect to in the edition of 1800.

Adam Smith had a copy of Blavet's edition of 1788, and another of that 1800. The latter bears the inscription, 'À M. Smith de la part de son tres humble serviteur, l'Abbé Blavet.' Although Blavet did not acknowledge the translation until 1788, it seems to have been known that it was by him, for he prints a letter from Smith to himself, dated Edinburgh, 23rd July, 1782, in which Smith says he had had a letter from the Comte de Nort, a colonel of infantry in the French Army, proposing a new translation, but he had written to him that it was not required. He adds that he did not propose to encourage or favour any other than that of Blavet.

While all of these translations are well known, and have been the subject of considerable discussion, there was a fourth and earlier one which seems to have been entirely overlooked. The title page of the first volume reads thus: Recherches | *Sur* | La Nature | Et Les Causes | *De La* | Richesse | *Des* | Nations. | Tome Premier. | Traduit de l'Anglois de M. Adam Smith, par M. . . . | A La Haye | MDCCLXXVIII.

The book is in four volumes 12mo. Volumes I. and II. bear date 1778, volumes III. and IV. 1779.

Blavet's translation, as we have seen, appeared in the columns of the *Journal de l'Agriculture* between January, 1779, and December, 1780, so that the Hague translation was thus a year earlier in date, and was evidently by a different hand, as may be seen by comparing one or two passages.

I. Introduction.

The Hague.	*Blavet.*
Le travail annuel de la Société est le fonds qui lui procure originairement toutes les nécessités & les com-	Le travail annuel d'une nation est la source d'où elle tire toutes les choses nécessaires & commodes qu'elle

modités de la vie qu'elle consomme annuellement, & qui consiste toujours ou dans le produit immédiat de ce travail, ou dans ce qu'elle achete des autres nations avec ce produit.

Ainsi, selon que ce produit ou ce qui est acheté avec ce produit, a plus ou moins de proportion avec le nombre des consommateurs, la Nation sera plus ou moins abondamment pourvue des nécessités ou commodités dont elle a besoin.

consomme annuellement, & qui consistent toujours ou dans le produit immédiat de ce travail, ou dans ce qu'elle achette des autres nations avec ce produit.

Ainsi, selon qu'il y aura plus ou moins de proportion entre le nombre de ses consommateurs & ce produit ou ce qu'elle achette avec ce produit, elle sera mieux ou plus mal pourvu par rapport aux besoins & aux commodités de la vie.

[In the revised edition of 1800 the concluding words run thus: 'pourvu des choses nécessaires et commodes dont elle a besoin.' This alteration is not in the British Museum copy of 1788.]

Book I. c. 1.

Le travail paroît tirer sa principale force; le talent, l'adresse, l'art qui l'applique ou dirige, paroissent tenir leurs plus grand succès de sa distribution.

La division du travail est ce qui semble avoir contribué d'avantage à perfectionner les facultés qui le produisent, & a donner l'addresse, la dextérité & le discernement avec lesquels on l'applique & on le dirige.

[The revised edition of 1800, after 'produisent,' reads 'et de la dextérité, de l'habileté et du jugement.' This alteration partly appears in the British Museum copy of 1788.]

Book I. c. xi.

La rente, considérée comme le prix du loyer de la terre, est naturellement la plus forte que le Colon puisse payer au propriétaire relativement à l'état actuel de la terre.

La rente considerée comme le prix payé pour l'usage de la terre, est naturellement le taux le plus haut que le tenancier puisse en donner dans les circonstances actuelles de la terre.

[The revised edition of 1800 for the last four words reads, 'ou se trouve la terre.' The passage is unaltered in the British Museum copy of the 1788 edition.]

There is no copy of this early translation in the British Museum, or, so far as I can ascertain from catalogues, in any of the large libraries in the country. The collection of works by and relating to Adam Smith in the British Museum is very inadequate, and that in the library of the University of Glasgow—Smith's own university—is still more so.

Perhaps I may add, as supplementary to Mr. Bonar's *Catalogue of the*

Library of Adam Smith, that I have the following books bearing his book-plate :

(1) Cumberland (Richard).
De legibus naturae. Lubecae, 1694, 8vo.

(2) A volume of Tracts by Josiah Tucker.
There is a list prefixed in Smith's handwriting. They are as follows :
(*a*) Reflections on the expediency of a law for the Naturalization of Foreign Protestants. Part i. London, 1751, 8vo.
(*b*) The same. Part ii. *Ib.*, 1752, 8vo.
(*c*) A Letter to a Friend concerning Naturalizations. Second edition. *Ib.*, 1753, 8vo.
(*d*) A second Letter to a Friend concerning Naturalizations. *Ib.*, 1753, 8vo.
(*e*) An impartial Inquiry into the benefits and damages arising to the Nation from the present very great use of *Low-priced* Spirituous Liquors. *Ib.*, 1751, 8vo.
(*f*) Reflections on the expediency of opening the Trade to Turkey. *Ib.*, 1755, 8vo.
(*g*) Instructions for Travellers. Dublin, 1758, 8vo.
(*h*) Two Dissertations on certain Passages of Holy Scripture. London, 1749, 8vo.
In 1756 Tucker's *Essay on the Advantages and Disadvantages which respectively attend France and Great Britain with regard to Trade* was reprinted at Glasgow. There can be little doubt that this was upon the suggestion of Smith.

(3) Virgilii Opera. Glasgow, 1778, folio, 2 vols.
A large paper copy in full polished calf; original binding. His name appears amongst those 'of the Persons by whose encouragement this Edition has been printed.' DAVID MURRAY.

SIGNATURES TO ROYAL CHARTERS. In his able review of Sir Archibald C. Lawrie's work on Early Scottish Charters (*S.H.R.*, vol. ii. page 428) Mr. Maitland Thomson, *inter alia*, states that in the fifteenth century, when the Register of Scone was written, 'private deeds were signed by the granters rarely, Royal charters never.' It may be noted, however, that this statement, though correct in the main, is subject to an interesting exception, as at least one monarch in that century, King James II., did occasionally sign his Great Seal charters with his own hand. There are five instances known to the writer : (1) a charter dated 5 November, 1449 (original in the Register House), abridged, with engraving of signature, in Sir William Fraser's *Douglas Book*, vol. iii. pp. 429, 430; (2) a charter 22 May, 1452, printed, with signature, in Fraser's *Memorials of the Montgomeries*, vol. ii. p. 33; (3) a charter dated 13 May, 1453, and (4) one of date 9 November, 1454, both originals in the Register House; (5) a confirmation of uncertain date, said to be signed by the king, and noted in the *Registrum Magni Sigilli*, 1424-1513, page 62. These are all Crown Charters, and are subscribed by King James Second; while doubtless there are others to be found in private repositories.

General Register House. JOHN ANDERSON.

BATTLE OF GLENSHIEL (*S.H.R.*, ii. 415). In Professor Sanford Terry's valuable article on this affair, mention is made of Major Mackintosh, brother to Brigadier Mackintosh of Borlum, and in footnotes 13 and 15 his Christian name is given as *James* in a quotation from the Portland MSS. His name was *John*. He was third son of the elder Borlum, the Brigadier's father, and in 1715 he had been major in the chief of Mackintosh's regiment, forming part of the Jacobite force which marched into England under the command of his brother William, the Brigadier. After the surrender at Preston, in Lancashire, he had been taken to London and confined in Newgate, whence he had escaped with his brother and others on the 4th of April. Another brother, Duncan Mackintosh, was a captain in the same regiment, and was found guilty of high treason on 14th July, 1716.

A. M. M.

'SHELTA: THE CAIRD'S LANGUAGE.' With reference to the notice of this pamphlet which appeared in *S.H.R.*, ii. 467-468, Mr. David MacRitchie writes to point out that the chief exponent of the doctrine that Shelta is mainly a perversion of the pre-aspirated Gaelic spoken anterior to the eleventh century is Professor Kuno Meyer, and not himself. Mr. MacRitchie fears that the allusion to Professor Meyer's deduction as a flight of Romany philosophy might perhaps convey the impression that the jargon in question (*not* being perverted Old Gaelic) is a variety of Romany speech, which it is not, as may be seen from Professor Meyer's treatise 'On the Irish Origin and the Age of Shelta,' in the *Journal of the Gypsy Lore Society*, vol. ii. pp. 257-266.

ABERCROMBY (*S.H.R.*, ii. 472). Elizabeth, daughter of Abercromby of Glassaugh, married, 7th February, 1712 (as his second wife), William Baird of Auchmedden, who died 22nd August, 1720. She died at Banff 12th April, 1756. (*Genealogical Collections concerning the Sir name of Baird.* London, 1870, p. 36.)

J. R. A.

Record Room

INFORMATION AGAINST JACOBITES AND PAPISTS.

THE following papers are inserted by the kind permission of their owner, Mr. Alexander Erskine-Murray, to whom they have descended from his ancestor, Charles Erskine of Tinwald and Alva, Lord Justice Clerk, 1748-1763, for whose information they were originally written. The earliest (undated) here placed second, is interesting as it bears upon the fate of Dr. Archibald Cameron and the little known Jacobite intrigues of Mr. Charles Smith of Boulogne and the Patersons of Bannockburn. The letter in which this was found is concerned with the 'Treason,' in 1755, of an 'unqualified' Popish priest, Hugh MacDonald, half-brother of Allan MacDonald of Morar. He was in August of that year bound under £300 security to repair until November to the vicinity of Doune. On further trial he was banished for life from Scotland after May 1st, 1756.

A. FRANCIS STEUART.

LETTER. C. AMYAND, Secretary to the Regency, to the LORD JUSTICE CLERK. Whitehall, July 31, 1755.

MY LORD,

Your Lordship's letter of the 19th inst. to Sir Thomas Robinson inclosing a copy of the Declaration of Hugh MacDonald a Romish Priest, who has been lately apprehended, having been laid before the Lords Justices, I am to acquaint your Lordship that they entirely approve what you have done in this case, and likewise your intention of keeping the said MacDonald in Prison, untill such time as he can be dealt with according to Law; and in case anything material shall be discovered upon the examinaton of John MacDonald who is in custody here and is supposed to have been concerned with him in treasonable Practices, so much thereof shall be transmitted to your Lordship as shall appear to be usefull upon the Tryal of the said Hugh MacDonald.

I am with great truth and regard, my Lord,

Your Lordship's most obedient

Humble Servant,

C. AMYAND.

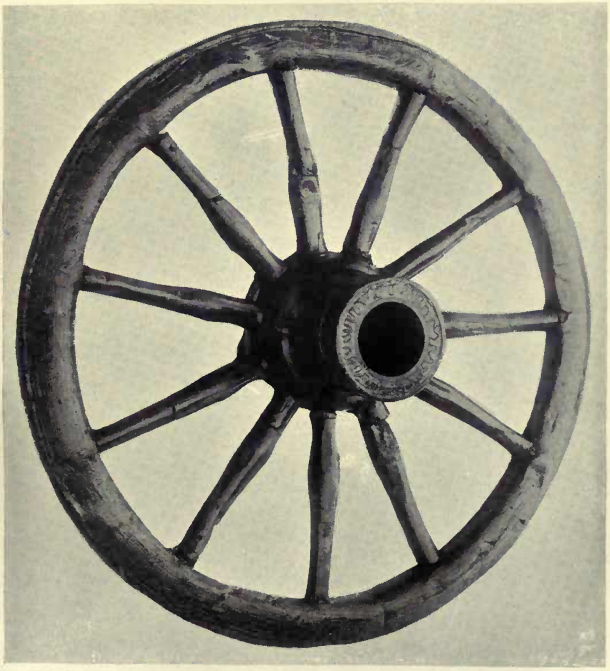
Enclosed in this letter, backed 'INTELLIGENCE,' and belonging to an earlier date, is the following:

'That there were lodged in Clanranalds' country, 9000 stands of arms, under the care of Ronald MacDonald, Brother to the late Kinloch

Moydart; Macdonald of Glenaladle; and the Bailie of Egg; and are kept, still by them, in as good Order as possible: That one John Macdonald who is cousin german to Glenaladle, said, in March last, that, if there was any Invasion, there was Plenty of Arms; and mentioned the Way and Manner, in which they were concealed;—But that, immediately before they were lodged in the Hands of the above mentioned Persons, Dr. Cameron had taken away, without orders 250 stands;—That the Arms might be got in Order, in Six Days Time, by very few Hands, for they had sustain'd very little Damage. That Mr. Gordon the Principal, sent for James Ogilvie, Ship Master from Boulogne, where He had been some time before, that He staid, for Ten Days, at the Scotch College, when the Pretender's son was at Paris.—That is Sir John Graham was sent, by the young Pretender's order, to deliver to Capt. Ogilvie 8000 Swords which had lain at Berlin, since the last Rebellion; that he was to deliver them to Capt. Ogilvie, at or near Dunkirk, conceal'd in Wine-Hogsheads, and that Capt. Ogilvie was to land them at Airth, in the Firth of Forth; and to get them convey'd to the House of *Tough* (which is two miles above Stirling;) where they were to remain, under the charge of Mr. Charles Smith; whose son is married to the Heiress of *Touch*.

'That Sir Archibald Steward of Castle-Milk near Greenock, had seen Dr. Cameron in Stirlingshire; who told him, that he hoped the Restoration would happen soon; For that Preparations were making for it; And that He had been sent to Scotland, to transact some affairs for that purpose.

'That proper Persons should be ordered to notice Captain Ogilvie's motions; and to watch Sir Hugh Paterson's House; as also the House of *Tough* for the Swords, lately sent over by Capt. Ogilvie; that all possible means should be fall'n upon to discover the Arms, which are lodged in the Macdonald's Hands; and that the motions of such French officers, as arrive in Scotland, should be strictly observed.'



ANCIENT WHEEL UNEARTHED AT BAR HILL, JUNE, 1905

Notes and Comments

THROUGH the kindness of Mr. Whitelaw of Gartshore we are able to give here a reproduction of not the least remarkable of the many interesting relics that his excavations on the Roman station at Bar Hill have yielded. This is an ancient wheel which was (literally) unearthed in June last, along with some other finds, from a hole eight feet deep. The illustration renders detailed description unnecessary. But it may be noted that the full diameter is 2 ft. 10½ in., while the nave measures 14½ in. from end to end. Both nave and felloe are shod with iron, the nave being also bushed inside with iron, and the whole workmanship is excellent. The general style and finish suggest that it is the wheel of a chariot or a *carpentum*. The nave, probably of elm wood, and spokes, which appear to be of willow, are beautifully turned, and the inlaid ornamental iron on the end of the former is worth observing. A striking feature of the wheel is that the felloe, which is probably of ash, is formed from a single piece of wood bent: only one joint is visible, and the same grain of wood can be seen all round. The whole owes its excellent preservation to the fact that it was embedded in decayed animal and vegetable matter. A hub with fragments of spokes was found recently at Glastonbury, and there are one or two others in the museum at Homburg. But no specimen anything like so fine as the Bar Hill one would appear to have come to light anywhere else in Western Europe.

Ancient Roman Wheel.

IN his translations of MacFirbis's Tract on the Fomorians and the Northmen, and of the Saga of Cellachan of Cashel,[1] Professor Alexander Bugge, of Christiania University, continues his investigation of the Norse elements in Gaelic tradition. Professor Bugge is well known as a diligent student of the problems connected with the Scandinavian settlements in Ireland in the ninth and tenth centuries. In his *Contributions to the History of the Norsemen in Ireland*, published some years back, he

The Norsemen in Ireland.

[1] 1. *On the Fomorians and the Norsemen, by Duald MacFirbis: the Original Irish Text, with Translation and Notes. By Alexander Bugge, Professor in the University of Christiania.* 1905. 2. *Caithreim Cellachain Caisil: The Victorious Career of Cellachan of Cashel, or the Wars between the Irishmen and the Norsemen in the Middle of the Tenth Century. The Original Irish Text, with Translation and Notes. By the same Editor. Christiania*, 1905.

may be said to have acted as pioneer in a new field of historical research. We can recall no other scholar who has united such considerable knowledge of the Gaelic literature of the subject with so intimate an acquaintance with the Viking Sagas of Norwegian literature. It is perhaps to be regretted that Professor Bugge, whose mastery of his subject from both the Scandinavian and the Gaelic standpoints is so complete, should confine himself, as he does in these publications, to the provision of materials and to what may be termed the technical side of his subject. For in some of the earlier publications we have referred to he has indicated a capacity for historical analysis which is perhaps rarer than the turn for accurate editorial scholarship which he also possesses. The latter quality is abundantly illustrated in his annotations to these translations, and no doubt the provision of accurate texts of the scanty literature available demands hearty gratitude. It is time, however, that some attempts were made to popularise the additions which have been made to knowledge in this department in the last quarter of a century. Some such space has elapsed since the publication of Charles Haliday's work on *The Scandinavian Kingdom of Dublin*, a work which, though it embraces of course only a fraction of Professor Bugge's subject, is still the best available source of information open to any but professional students regarding the Scandinavian Settlements in Ireland.

Numismatic Chronicle.

In the *Numismatic Chronicle*, 4th series, vol. v., Mr. George Macdonald, LL.D., describes in some detail the hoard of Edward pennies found at Lochmaben, as noticed in *S.H.R.*, ii., p. 182. An important result of this find, and Mr. Macdonald's studies upon it, is by a comparison of the lettering of the pennies to obtain new classification of Edwardian coinage and new principles of distinction for future opportunities. Mr. Macdonald also describes the coins found at Bar Hill (noticed *S.H.R.*, vol. i., p. 347), thirteen denarii of M. Antony, Vespasian, Domitian, Trajan, Hadrian, and M. Aurelius found in the sludge at the bottom of the well, all of pure tin. These tin coins, which can never have been made for circulation, are, it is concluded, not in the ordinary sense forgeries, but belong to a class by themselves expressly intended for votive offerings. 'So far as the Roman Empire is concerned these fragments of evidence would seem to stand alone; there is no record, for instance, of any tin coins having occurred in the huge accumulation of money discovered in Coventina's Well at Procolitia. But parallels could easily be found in other times and other countries. Archaeologists know that the objects unearthed from Greek tombs are often mere dummies, cunning imitations of the articles they are supposed to represent. And even under the sharp eyes of the priests false coins occasionally found their way into the treasuries of Greek temples. But for a really close analogy we must go to China, where coins of paper are regularly manufactured to be used as offerings by devout worshippers.' Such facts suggest interesting reflections on the unity of the human mind as exhibited in the offertory, whether in the well at Bar Hill, under Marcus Aurelius, or in the 'Charitie of the Boxe' (*S.H.R.*, ii., p. 37), which the Kirk

THE CLOCHMABENSTANE

THE JOHNSTONE CREST OVER GRETNA HALL
FRONT ENTRANCE

From *Gretna Green and its Traditions*

Session of Gask in 1732 found to contain so large a percentage of 'ill hapenyes.'

New Periodicals.

A GAELIC monthly is projected under the editorship of Mr. Malcolm MacFarlane, Elderslie, to be published by Mr. Eneas Mackay of Stirling. *An Deo-Ghreine* (*The Sunbeam*) is its title; it is to be bilingual, devoted to 'subjects of interest to the Gaelic People,' and generally designed to forward what is called the Gaelic movement.

Another new prospective periodical is *Northern Notes and Queries*, a quarterly magazine devoted to the antiquities of Northumberland, Cumberland, Westmorland, and Durham, to be edited by Mr. H. R. Leighton of East Boldon, and published by Mr. Dodds of Newcastle.

A still more important undertaking announced is *The Modern Language Review*, a quarterly journal devoted to the study of medieval and modern literature and philology, which is to be brought out by the Cambridge University Press, beginning in October. It is to continue on a wide basis the *Modern Language Quarterly*, and is designed to encourage research in the study of modern languages. Edited by Prof. John G. Robertson, with the aid of an advisory board, which includes such names as Henry Bradley, Edward Dowden, W. P. Ker, Kuno Meyer, A. S. Napier, W. W. Skeat, and Paget Toynbee, it promises papers of a scholarly and specialist character, in which the English language and literature will receive a large share of attention. The collaboration of all interested in linguistic and literary research is invited in the prospectus.

Gretna Green.

GRETNA is a place of romantic matrimonial memories, and the little book *Gretna Green and its Traditions*, by 'Claverhouse,' with 22 illustrations (pp. 78. Paisley: Gardner. 1905), although not a very critical or strictly historical production, gossips pleasantly over the comparatively recent annals of the border parish, its succession of self-ordained 'priests' of Hymen from the late eighteenth to the opening twentieth century, and the more notable examples of weddings there, averaging at one time, it is computed, from 300 up to 700 per annum. 'Claverhouse' (self-styled 'a young author,' who is perhaps a Graham of the gentler sex) might perhaps have added to her chronicle the fact that in the eighteenth century the parish-minister was harassed by irregular marriages, not of fugitive lovers from England and other parts coming to Gretna, but of his Gretna parishioners going across the border to hedge-priests in Cumberland and Northumberland. The waifs and strays of biography and anecdote presented however form—what the writer hoped—a readable account of the marriage traffic. Some of the illustrations are excellent. Two of them we are permitted by the courtesy of the publisher to reproduce. The first is the Lochmaben stane, a border landmark so well known in the records and traditions of March Law. The other shows the arms of the Johnstones of Gretna over the entrance to Gretna Hall.

Roman Station at Newstead.

THE excavations undertaken by the Society of Antiquaries of Scotland at Newstead, near Melrose, promise very satisfactory results, and we are obliged to Mr. James Curle, Priorwood, for a short preliminary account of the work accomplished. The site which is generally accepted as that of the Roman Station of Trimontium gives no surface indications of its ancient fortifications or buildings. Everything has been levelled by the plough, but, none the less, it has been found possible to trace its limits, and the south and east ramparts are at present being investigated. The defences have been of great strength; a large mound of impacted clay some 41 feet in width, faced with an 8 foot wall, has formed the principal defence; in front of this ran a ditch 21 feet wide by 13 feet in depth, and beyond it two subsidiary ditches. In all of these, accumulations of black sludge, full of decayed vegetable matter, indicate that they must have been open for no inconsiderable period. An interesting feature of the investigation of these defences has been the discovery under the great inner mound of an older ditch, and behind it the existence of posts has been noted, forming in all probability a stockade around a smaller earlier fort. This earlier fort has not yet been traced out, but the relation of the old ditch to the rest of the defences on the east side of the station gives every prospect that this will shortly be accomplished.

The examination of the buildings of the station began at its south-western angle, where several long barrack-like structures were traced, and a larger building, of storehouse type, all running north and south. These have now been filled in, and at present the Society is tracing the outlines of what are no doubt the chief buildings of the camp. In the angle between the south rampart and the *Via principalis* the foundations of a large house measuring about 125 feet square have been uncovered. Entering from the street a passage opened upon a wide corridor giving access to the rooms on the one side and on the other to an inner courtyard. An interesting feature of the plan is the existence of an apsed apartment projecting into the courtyard on the west side and opening upon the corridor. To the north of this house lies the buttressed building so commonly found in military stations, probably a granary. Farther north is situated the prætorium of the camp. The plan so far as it has been recovered closely resembles that of the prætorium at Housesteads. In the outer court the heavy stones which formed the bases of the columns of the ambulatory are many of them *in situ*. In the inner court their position may still be traced from their cobble bases. The chambers at the back of the inner court have not yet been excavated. Two features of the building are peculiar—first, the existence in the outer court of a small chamber about 16 feet square immediately facing the entrance; and second, the discovery on the north side of the same courtyard of a great pit which has just been cleared out. Into this pit, which at the surface is some twenty feet in diameter, there has been cast a confused mass of building material, for the most part rough hammer-dressed stones, with here and there a block showing the well-known diamond broaching. The first relic of importance was met with in cutting a trench through the

deposit near the surface. It consisted of a small fragment of an inscription bearing the letters:

IVS III
LEG X`
Λ

which, it has been suggested, may form a portion of a tombstone to some soldier of the Twentieth Legion. At a depth of about eight feet a number of large blocks of roughly dressed stone were discovered, some of which have no doubt served as the bases of the columns which supported the ambulatory on the north side of the courtyard, none of which are now *in situ*. On the same level human bones were met with, near them were picked up a beautifully patinated ring fibula of bronze ornamented with inlaid silver and enamel, and some small beads. Here the pit began to narrow, and at twelve feet below the surface an altar lying on its face among the black mud began to make its appearance. It was an interesting moment for the excavators when it was slowly uncovered and rolled out of the bed in which it had lain for so many centuries, and the earth washed from the inscribed surface. The letters are clearly and boldly cut and in perfect preservation:

I O M
G·ARRIVS
DOMITINVS
)LEG·XX·V·V
V·S·L·L·M

Doubtless we have here a dedication by the same centurion of the Twentieth Legion, whose altar to the god Silvanus was discovered in 1830 in an adjoining field. Beneath the altar a much corroded first brass coin, of Hadrian, was found. A still more important discovery was made towards the bottom of the pit which was reached at twenty-five feet. Among a confused mass of bones, skulls of oxen, horses, and other animals, leather, and broken pieces of great amphorae, human remains were found. Near them portions of an iron cuirass, ornamented with mountings of what appears to be gilded bronze, and upwards of three hundred and fifty scales of brass, which had formed part of the armour—a find as unique as it is interesting.

The importance of the site is evident, not only from its extent, which is considerably greater than that of any station hitherto investigated in Scotland, but also from the size of the buildings, and the character of the finds which have been recovered, and it is to be hoped that the necessary support will be forthcoming to enable the Society to complete the work they have taken in hand.

The Discovery of a Crannog at Bishop's Loch.

An islet close to the south shore of Bishop's Loch, near Glasgow, has recently been dug into, when its artificial character became apparent. The structure consists of layers of brushwood, many large horizontally laid oak beams and upright wooden stakes. Many of these are carefully worked by means of a metal axe. There have been found large quantities of bones and nuts, evidently food refuse, several perforated objects of shale, material containing apparently amorphous vivianite, a worked piece of a white

friable stone, probably barytes, nodules of a fine, red-coloured clay, a metal implement in a horn handle, a metal axe-head and hammer stones and anvil stones. The most valuable finds are more than 100 fragments of hand-made, thin-lipped, flat-based pottery. Several vessels appear to be represented. While other crannogs in Scotland have nearly all yielded wheel-turned pottery—mediaeval, Romano-British and Roman—the site at Bishop's Loch has so far yielded pottery fragments assignable, not improbably, to a pre-Roman period. It is, however, too early yet to venture a guess as to the chronological horizon of this newly discovered crannog, the exploration of which will be carried out in a scientific manner.

Stone Circle.

In the excavation of the Stone Circle at Garrol Wood in the Parish of Durris (*S.H.R.* ii. 344) Mr. F. R. Coles, of the National Museum of Antiquities, discovered a small funnel-shaped pit in the centre of the circle. It was made of slabs and filled with incinerated bones; and around this were four other deposits of charcoal and bones, each constituting a separate human interment.

Justiciary Records.

Justiciary Records, always a mine of historical lore, have from time to time attracted the attention of capable antiquaries. Pitcairn's collection is, of course, the monumental example. The Scottish History Society has just issued a volume covering the years from 1661 to 1669, under the editorship of Sheriff Scott-Moncrieff. The work will be reviewed in a later number; but, meantime, legal antiquaries may be glad to have notice directed to the usefulness of the historical introduction dealing with the methods of the judicial proceedings then current; nor are the Records of the Civil Tribunals of less importance. The researches of the Sheriff-Clerk of Aberdeen, Dr. David Littlejohn, in his introduction to the New Spalding Club's recent volume of Sheriff Court Records (commented upon elsewhere by Mr. Irvine) constitute a learned chapter on the institutional history of Scots Law.