Excavations at Newstead Fort

Notes on some Recent Finds

THE work of excavating the Newstead Fort still continues. Much has been done in tracing the plan of the buildings in the interior, and several points of interest have emerged; but the most striking result of the work lies in the collection of objects from the Roman period which have been brought to light. In this respect the Newstead excavations more closely resemble those of the German Limes Forts than any hitherto undertaken on similar sites in Britain.

The finds for the most part have been made in clearing out what would appear to be disused wells or rubbish pits. These have been found outside the Fort as well as within the ramparts. In depth they vary from twelve to thirty feet, and all of them are more or less full of decomposed animal and vegetable matter which has a marked preservative influence. In many instances branches of birch and hazel have been found with the bark bright and silvery. Animal bones occur in large quantities, and rope, fragments of cloth, even a tiny portion of an egg-shell, have been met with. Pottery is well preserved, and the red Samian ware retains the full brightness of its glaze. Iron tools seem little the worse for their immersion, and brass and bronze objects have been recovered showing little or no discolouration. The finds made in the pit discovered in the courtyard of the Praetorium, consisting of an altar and remains of armour, were noted in the October issue (*S.H.R.* iii. 126). In tracing the barrack buildings on the east side of the Fort, the sinking of a wall revealed another pit, at the bottom of which was found a bronze vase with a single handle. It stands eleven inches high, and belongs to a type emanating from Southern Italy. It probably dates from the end of the first century. Similar specimens have been found in Central Europe, and traces of them have been met with before in Scotland, as in the remains of bronze vessels found on Ruberslaw,

now in the Hawick Museum; but the metal of which they are made is thin, and we do not know of another specimen in the north which has survived in its entirety. The vase is undecorated, except for the handle, which is of fine workmanship, and in part beautifully patinated. The highest point is formed by a lotus bud, rising from a collar of leaves from which two arms in the form of long-beaked birds spread out to attach it to the rim of the vase. The lowest point of the handle, where it is fastened to the side, takes the form of a Bacchanal head, with ivy tendrils wreathed in its hair.

In the field known as the Fore Ends, lying to the south of the Fort, and just beyond its ramparts, fourteen pits have been cleared out with most interesting results. In one of these two chariot wheels three feet in diameter were found. The felloes were made of a single piece of ash, with an iron rim. The hubs were of elm, bushed with iron. The spokes, which were unfortunately broken, were neatly turned, fitting into the hub with a square tennon and into the felloe with a round tennon. The type of wheel is precisely that of the interesting specimen found last year at Barrhill. In the same pit was found a human skull cleft by the blow of some sharp weapon, an axe, and remains of two buckets. In another pit was found a small globular vase of Samian ware, an iron sword, a battered bronze object, which at first was thought to be a helmet, but which is more probably a vessel, with the name LVCANI twice scratched upon it, two long chisels, one with its haft of bone, a hoe or entrenching tool, and a number of iron mountings.

A most valuable collection of armour came from a third pit. It consisted of four pieces of bronze armour, two for the protection of the shoulders, and two probably for the arms; nine phalerae of bronze; a circular plate of bronze, nine inches in diameter, embossed in the centre; an iron helmet considerably damaged; fragments of a second helmet; an iron visor mask, unfortunately broken; and a very fine helmet of brass decorated with embossed figures in high relief. The pit also produced an iron sickle-shaped knife or bill-hook, a quantity of leather and some shoes, two bridle bits, a complete quern, and several fragments of Samian ware. Part of one bowl, of a type dating from the end of the first century, has been put together. The bronze armour and the brass helmet, all objects of the greatest rarity, are in wonderful preservation,

C. H. Curle

ROMAN HELMET OF BRASS FOUND AT NEWSTEAD, 11TH APRIL, 1906

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and it adds greatly to their interest that on most of them the owner's name has been scratched with a sharp point. Three of the four armour pieces have the number XII punctured upon the inner side, and one the number XV. All of the four have scratched upon them the name SENECIONIS or SENECIO. In addition, the last-mentioned piece has a name faintly scratched, of which the reading is possibly SIUSELI. The nine phalerae all bear the name DOMETI ATTICI. The brass helmet has an inscription punctured on the rim, probably an owner's name, but it has not as yet been satisfactorily deciphered. The armour pieces are without decoration of any kind; they appear to have been sewn on leather, and are furnished with small holes round the edges for that purpose. The phalerae were, on the other hand, fastened to the lorica by small nuts, many of which remain. It is interesting to note that, though undecorated, they correspond exactly in number and in shape to the well-known set of these objects found at Lauersfort, in Prussia, in 1858, now preserved in Berlin. Of the two iron helmets one has probably been quite plain, only fragments of it are left; of the other, though much damaged, enough remains to show us that in type it probably resembled the specimen found at Bettenberge, now at Stuttgart. The whole of the back of the head is fashioned to resemble curling locks of hair bound with a wreath. Several attachments of bronze which remain were, no doubt, intended for use in fixing a plume or crest. The rim round the neck is overlaid with a band of bronze decorated with a chevron ornament.

It is probable that the iron mask found formed the visor of this helmet. The features are of classical type, as in the visor of the well-known Ribchester helmet, and in other specimens found on the Continent. On the forehead and above the ears are curling hair-locks resembling those of the helmet, and among them small pieces of silver are to be noted, probably the remains of some ornamentation. The most perfect object of the find is the brass helmet. No visor was found with it. It covers the head and neck, and has a high projecting peak in front. The whole of the crown is covered with an embossed design. At the back a winged figure stands upright, driving a two-wheeled chariot, to which a pair of griffins are harnessed. In one hand it holds the reins, in the other a whip, with which it urges them on. In front another winged figure floats through the air. A helmet in many respects

resembling it was found at Nikopol in Bulgaria, and is now preserved in Vienna. It has the same projecting peak, and though more elaborately executed, a design with winged figures.

Twice in England a large number of iron objects have been found in Roman pits. The first find occurred at Great Chesterford in Essex in 1854. The second at Silchester in 1900. A similar find has lately been made at Newstead. The pit was twenty-two feet in depth. In the usual deposit of black decaying matter it contained a quantity of bones, among them some fine red deer antlers, a saddle quern, an oak plank, a yoke also of oak, a beautifully made shoe with the upper part of openwork, a large vase of black ware, portions of a human skull, and no less than ninety-one objects or pieces of iron, and three of brass. These consisted of two small anvils, one sword, five spears, four scythes, five hammers, two pairs of tongs, two chisels, two gouges, one stirrup, one axe, four pickaxes, one chain, two handles, a smith's drift, a bucket hoop, two wheel rims, twenty-six hub rims, two staple mandrils, five pieces resembling the tops of a railing, three brass mountings, and twenty-two pieces of iron or portions of objects to which a purpose cannot be assigned. The sword blade is broken in two. Some of the spear points are blunted by use. The pickaxes, which have all the appearance of military tools, have the edges broken and the points turned by hard usage. Many objects show signs of wear, others were evidently in process of being converted to some new purpose. The whole find suggests the contents of a forge.

A considerable area still remains to be excavated if the necessary funds are forthcoming. Should it yield results as interesting as those already obtained, the Newstead finds will form a collection of the greatest archaeological value as illustrative of the life on the Roman frontier.

JAMES CURLE.

[*The nature and variety of the finds at Newstead Fort and the care with which they are being recovered and preserved, make the excavations a work of national importance. The expense of digging is very considerable, and further funds are required. Contributions may be sent to Joseph Anderson, LL.D., Society of Antiquaries of Scotland, Queen Street, Edinburgh.* *Ed. S.H.R.*]

The Ruthven of Freeland Barony and Mr. J. H. Round.

THE Ruthven of Freeland peerage controversy, so far as I am at present concerned, consists of Mr. J. H. Round's articles or article to prove that the peerage is extinct,[1] my pamphlet to shew that Mr. Round has not made out his case,[2] Mr. Maitland Thomson's review of that pamphlet (*S.H.R.* iii. p. 104), and Mr. Round's reply to it (*S.H.R.* iii. pp. 194 and 339). I now proceed to make my second, and, as I propose, my final contribution to the controversy, consisting of an examination of Mr. Round's Reply.

One preliminary observation occurs to me to be made. It is, that I propose to treat as Mr. Round's *own* arguments all arguments which he puts forward for his own purposes. Mr. Round desires to distinguish, in the matter of his responsibility, between the arguments which he has only borrowed from Riddell and the late Earl of Crawford, and those which he has discovered or invented for himself. I do not refer to his statement that 'Mr. Stevenson . . . persistently ignores my own points which tell against his case.' The truth of that assertion may be left to the judgment of those who have taken the trouble to read my pamphlet. What I refer to are the passages in which he says that I put in his mouth, or foist upon him statements which are not his, but which he only quoted. I reply that a disputant is not permitted to borrow statements or arguments and use them for his own purposes, and at the same time deny that they are his arguments. It is impossible to recognise any differences in a controversialist's responsibility for the weapons which he uses.

Ingrained in all Mr. Round's writings on the question of the peerage of Ruthven is the theory that a special Scotch

[1] See Foster's *Collectanea Genealogica*, 1884, p. 167; *Quarterly Review*, 1893, p. 407; *Studies in Peerage and Family History*, 1901.

[2] *The Ruthven of Freeland Peerage and its Critics* (MacLehose), 1905.

system exists which affords a shelter to the pretender to a peerage from the necessity of proving his right, to which he would have been exposed in England. It has to be remembered therefore that there is no such system. The same law with regard to the assumption of titles of peerage obtains in both countries, and the jurisdiction of the House of Lords to compel its observance is the same in Scotland as it is in England.

Mr. Round informs us, however, that 'no less a writer on the British Constitution than Sir William Anson has declared the absence of any certain bar to the wrongful assumption of Scottish dignities a flaw in our existing system'; and that Mr. Æneas Mackay and the late Lord Clerk Register, and Lyon King of Arms 'reluctantly admitted' to the Lords' Committee of 1882 that there were persons in Scotland who had not been put to a proof of their pretensions, and persons who might and might not be peers. But we should like to have the proof that these authorities admitted or asserted the fact that what they said applied specially to Scotland, or, what is better, the proof of the fact itself.

As Mr. Round informs us at this point that he is an Englishman, his proof of the Scottish flaw must not be called Irish; but the fortification of his statement consists, *firstly*, of a citation of the Irish 'Lord Carlingford' case; *secondly*, of the mention of 'a certain title,' unnamed, and not said to be Scottish, 'which has never been, and, it is alleged, never could be proved,' and of which Mr. Round mysteriously announces: 'I may add that, to my own knowledge, this case causes anxiety in an official quarter';[1] and, *thirdly*, 'at least one English peerage title which is at present persistently assumed.' (*S.H.R.* iii. p. 195.) It is only as he writes that Mr. Round finds a current Scotch case, or a rumour of one, in a newspaper, and puts it in a footnote.

So Mr. Round has admitted that the unwarranted assumption of a title of peerage may be found in England and Ireland; and has proved that his authorities cannot possibly have meant what he attributed to them.

The only peculiarity in peerage matters in Scotland, which is not found in England or Ireland, is one which has nothing to do with freedom or restriction in assuming titles; it is that in Scotland the peers are summoned to elect their parliamentary

[1] Society papers, please copy.

representatives without a roll of peers, but with a roll of peerages only; with, in fact, no roll of voters, but only a roll of qualifications, and with no power of refusing votes without the intervention of the House of Lords. But whose fault is that?

The Lords' Committee of 1882, from whose Minutes of Evidence Mr. Round quotes, a Committee the majority of whom were Scotsmen, reported unanimously in favour of the institution of a Roll of Peers. They also, by a majority, reported in favour of altering the system in matters of protests, etc., and of taking evidence in Scots peerage claims, by utilising the Court of Session. Who then appeared 'passionately attached to the present system or lack of any,' or revealed that the subject was a 'tender' one for him? It was Mr. Round's own countryman, the Earl of Redesdale, who dissented from the majority because he considered that their suggestions were an imputation on the efficiency of the House of Lords as the Court for all these matters for the last 170 years. Mr. Round must have missed the Report.

The Committee also was moved to make recommendations by the advice of its Scots witnesses, Mr. Mackay, the Lord Clerk Register, and the Lyon King, who agreed on this at least, that the present electoral system was in want of amendment. Mr. Round must have missed that too; for it turns out that the facts which he innuendoes as 'admissions,' 'reluctant,' 'very reluctant,' and so on, Lyon indeed being 'driven to admit,' were actually the facts which they had come expressly to London to persuade the Committee to accept as grounds for the changes which they desired.

The discussion, however, has no relevance to the question of the peerage of Ruthven, unless proof is forthcoming that the system, Scottish or not, has actually protected that peerage from any sufficient trial to which it would otherwise have been subjected. That proof is absent.

In his original case, Mr. Round stated that, in Scotland, 'Wrongful assumptions were challenged in one of two ways: (1) by a counter-claimant, as in Oxenford, and Rutherford. . . . (2) by the vote happening to turn the scale at a contested election, as in Newark, and Lindores.' He asserted at the same time that the first test 'could not' apply to Ruthven, because there was in fact no counter-claimant. He stated also that on the only 'important' occasion on which the second test

was in fact applied, Ruthven, being a minor, was not present. 'We thus perceive,' says Mr. Round, 'that it was from special circumstances that the Ruthven peerage escaped challenge.'

The argument, of course, embodies the familiar formal fallacy of the 'illicit major.'

The rival claimant and the said contested election are dangers.
Ruthven escaped these.
Therefore Ruthven escaped all dangers.

But it does not appear why there was no counter-claimant, if, as one of Mr. Round's authorities says, the peerage was open to collateral *heirs male*. Nor do we perceive that the Ruthven vote was never exposed to challenge merely because the peer was not able to be present on the only 'important' occasion on which other peerages were challenged. There is thus, manifestly, a complete failure of proof that the Ruthven 'escape' from challenge was due to 'special circumstances.'

In consequence of the abundant evidence which I adduced in my pamphlet that the event of the appearance of a rival, or the event of a vote turning the scale at an election, were not the only contingencies which a pretender to a peerage had to fear, Mr. Round now rejoins: 'I never used the word "only"' (*S.H.R.* iii. 200, note 2). I accept the disclaimer, without examination of the fact. His amended statement of his argument is now: 'That the accident of its [Ruthven's] survival is explicable by its lucky circumstances, which saved it from the usual perils' (*ib.* 196).[1] Verily, Mr. Round, whatever he meant before, puts forward a transparent fallacy now.

To the consideration of the cases of protest which were not made by rival claimants, and not made when there were contests imminent, Mr. Round has now applied himself; and he says that they were 'rare,' and, arguing from the occasions of the cases on record, he says such protests were 'only based' on '(1) the claim being at variance with a known limitation, and possibly (2) on a claimant not having proved his pedigree.' In the case of Ruthven, therefore, he concludes: 'Naturally there was no protest, because these grounds of a protest were wanting.' This is an instance of an argument in a circle, Mr. Round having premised that the bases he observed were the 'only bases.' But there was nothing to restrict the peers from challenging on any sufficient ground.

[1] Mr. Round's arguments here from the cases of Duffus and Oxenford, even if otherwise valid, which they are not, contain this fallacy.

It therefore stands that Ruthven's 'lucky circumstances' did not save it from the danger of challenge. Other peerages were challenged by the Lord Clerk Register, or by a peer who was no rival claimant, and at times when there was no contest of any kind. And the House of Lords repeatedly interfered whether there was a competition or a protest or not, and ordered the pretender to a peerage to prove his right before he further attempted to use the title.

I find no important observations in Mr. Round's reply on the cases I adduced in my proof. To some of them he makes no reply at all. The only argument which seems to call for notice regards the case of Wigton. It, says Mr. Round, was 'a glaring case of baseless assumption.' In his view, however, that circumstance cannot distinguish Wigton from Ruthven, which he has announced to be a 'fraud,' and a 'flagrant scandal . . . of, I believe, unparalleled character.'

But not even a fragment of Mr. Round's argument remains. For he denies also that he ever said that the Lord Ruthven of 1734 in question never voted when his vote might have turned the scale. (*S.H.R.* iii. 199.)

It is thus clearly to be presumed that the peers at elections, and the peers in parliament, refrained from challenging the Lords Ruthven, not because of the absence of any interested party to bring the case before them, but simply because they did not class the Lords Ruthven with those whose titles ought to be challenged, or needed to be proved.

Mr. Round here falls back upon an argument which concludes for a smaller concession. The cases of Borthwick [which he has admitted] and Wigton 'will not,' he says, 'avail Mr. Stevenson, for what he has to prove is that "all things" were set right, and if it can be shewn that a single known wrongful assumption ran the gauntlet successfully, Mr. Stevenson's argument breaks down, for Ruthven may have done the same.'

It would no doubt be a relief for the assailant in this case if the onus of proof which he has undertaken might now be shifted on to the shoulders of his opponent; but the principles of probation decline to assist him. Firstly, I cannot be compelled to prove a negative, and secondly, as I have shewn that the House of Lords once set its hand to the elimination of mere pretenders, and that it successfully eliminated a number of them, a presumption has come in, whether Mr. Round or I

will or not, that the House continued its work till it completed it.

Mr. Round styles the peerage of Ruthven 'an accidental survivor,' but that proves nothing. How accidental? Because the 'exceptional' action of the House of Lords was 'but a flash in the pan.' If there was ever any use in conundrums, I should be inclined to ask why Mr. Round so frequently argues in a circle.

There is, then, no presumption that the House stopped short. That is a fact which Mr. Round has to prove; and if his proof is to neutralise the presumption arising from a recognition as prolonged as that of Ruthven, he must be able to point to an instance in which a peerage was (1) known to be extinct, and (2) was, nevertheless, allowed to a line of pretenders for a very considerable term of years.

Mr. Round tables two cases, Newark, and Colvill of Ochiltree, and my respect for his abilities entitles me to assume that they are the most apposite to his purpose that can be found. But neither of the cases possesses the requisite characteristics. Newark fails in the first; it was not known to be extinct until the House of Lords, in 1793, pronounced its documentary title to be bad. The case of Colvill fails in the second requisite. As Mr. Maitland Thomson says: 'For claimants of the Colvill of Ochiltree type there is justice in Scotland as swift and sudden as south of the Tweed.' (*S.H.R.* iii. p. 108.) The pretender to that title appeared in 1784, and in that year voted at an election; he voted again in 1787, but on tendering a vote a few months later, in January, 1788, his vote was challenged, and on a petition was disallowed. That was the end of that claimant; he at least cannot be said to have 'run the gauntlet successfully.'

The proof, then, that any known wrongful assumption ever ran the gauntlet, or received the recognition accorded to the peerage of Ruthven, has failed.

It is not surprising, as I have said, that the assailant of this peerage, who has asserted the fact that the peerage is extinct, should desire to be relieved of the proof of it.

So we find Mr. Round harking back to the presumption of law, which, he complains, I have not dealt with. Abandoning his proof that the patent was to heirs male of the body, or else to heirs male, he states the fact that, 'when the contents of a patent are unknown, the law, as laid down by Lord Mansfield,

presumes a limitation to the heirs male of the body of the patentee.'

That is, no doubt, perfectly true, but the existence or nature of a legal presumption invented in 1761, which fixes the onus of proof, relieving the heir male, and burdening the heir of line and the heir of entail, is quite irrelevant to the enquiry. It deals with the necessity, not the weight of evidence.

'As the contents of the patent are admittedly unknown,' he perseveres, 'that title has been extinct in the eyes of the law, as now understood and acted upon, for the last 180 years.' So Mr. Round invites us to consider a presumption of law as a point in a demonstration of fact! But it won't do. Lord Mansfield's doctrine neither extinguishes nor vivifies peerages.[1] If it absolves Mr. Round from proof until the presumption is rebutted, good and well. But if from any feeling that, for example, facts and circumstances have rebutted the presumption, Mr. Round enters the arena of fact, he is on the level of all disputants, he has to prove his facts.

What then are the facts? It is amazing, at this advanced stage in the discussion, to find a disputant who has been engaged in it for twenty years, starting the suggestion, that perhaps there never was any Ruthven of Freeland peerage at all. Mr. Round is not very sure of his law, he does not 'insist in any way upon this'; but he states the fact 'for what it is worth,' that the Ruthven patent never passed the Great Seal! (*S.H.R.* iii. 198.)

But what ground does Mr. Round shew for the statement? Not a scrap. He points out that the contemporary patent of the Earldom of Ormond never passed the Seals. But granted that a second patent had to be issued before the heir could sit in Parliament, Lord Ruthven was already sitting there. That is all that Mr. Round's facts on this head come to. His assertion that the patent of the lordship of Ruthven was in the same case with that of Ormond, is entirely out of his own head. He refers to Riddell (*Peerage Law*, pp. 67, 68), at the end of his sentence, but Riddell says not a word about the Ruthven patent in the whole book.

On entering into the discussion of the validity of the attack on the survival of the Ruthven peerage I found ranged against Mr. Round the Union Roll of 1707 (along with which

[1] If Mr. Round were right, the Sutherland peerage had been extinct for 250 years when the same Lord Mansfield, in 1771, awarded it to an heiress.

may be taken the Parliamentary Roll of 1706), the Roll of 1740 returned by the Judges of the Court of Session, and the uniform practice at Holyrood at the Elections of Peers, and at Court, Coronations, etc.; and cited in his favour Crawford's *Peerage*, Chamberlayne's List, MacFarlan's List, and a manuscript note by Lord Hailes, also John Riddell's opinion, in his *Remarks on the Scottish Peerage Law*, 1833, pp. 136, 143.

It is thus seen that the evidence here in favour of the peerage contained in the official Rolls is at least superior in kind to the evidence collected against it. The distinction is well recognized in all Courts of Law. The official Roll is certainly admissible evidence and to be taken as good until it is proven not to be good; while the evidence of irresponsible writers has to be shewn to be admissible before the nature of its contents can be looked at.

The Union Roll of 1707. This Roll of 1707 was but a certified copy of the Roll of the Scotch Parliament, as was proved by its identity with the Roll of 1706. It admittedly included the title of Ruthven. Mr. Round, following Riddell, argued that the inclusion of a peerage in the Roll did not prove that the peerage existed, because the Roll omitted three peerages, Somerville, Dingwall, and Aston of Forfar, that were extant, and admitted two, Abercromby and Newark, that were extinct.[1]

The omission of the holders of good titles does not prove the inclusion of bad titles; but in the case of each of these omitted titles I found something that distinguished it from the cases of peerages in a normal state of exercise. Somerville had not appeared even in the Decreet of Ranking of 1606, and had not been asserted since. No Lord Dingwall had ever taken his seat in Parliament; the first lord had become an Irish Viscount and Earl, and the family had entirely left Scotland for near a hundred years. The first Lord Aston of Forfar was an Englishman. He had sat in

[1] Mr. Round says that his reference to the inclusion also of two dormant peerages, Ochiltree and Spynie, on the Roll was merely to shew that inclusion did not infer a recognition that the title had been validly assumed by any particular person. Of course it did not. The Roll was merely a Roll of Peerages. Inclusion in it inferred merely that the peerage was extant. For the sake of a full statement of the elements of the Roll, I called Mr. Round's attention to an admission of another extinct peerage, that of Glasford; but as he does not appear to accept the case, I do not press it. It turns on whether Lord Glasford's death in the Fleet Prison should have been officially known in Scotland.

Parliament on two successive days in the year that Charles I. went to Edinburgh to be crowned, and that was all. He died in 1639. His son and grandson had never sat. If the framers of the Roll of 1707 had happened to know of the survival of these titles so long after they had disappeared from Parliament, good and well. But it is ridiculous to insist that as they knew of the survival of Fairfax, they should have sent a commission abroad to enquire for Aston and his pedigree.

As to the inclusion of the two extinct titles, Abercrombie and Newark, I found that their retention on the Roll was capable of explanation.[1] The case of Abercrombie turned upon the construction of its patent, one of the clauses of which bore that the title went to collaterals. Newark turned, as I have already said above, on the validity of a document, which was not ascertained till 1793.

After stating the facts just summarised I added, 'Mr. Round will perhaps be dissatisfied with the foregoing account of the errors of the document in question, for again, following Riddell, he informs us in a footnote that such was the carelessness and inaccuracy with which the Union Roll was constructed that "Douglas himself confesses the inaccuracy of the test, for he at the same time observes that the Lords of Session in 'their report found the titles of no less than twenty-five Peers of that Roll dubious,' *so little reliance is there to be placed upon it.*" (Round, page 174, Riddell, page 136.)

Mr. Round's sentence bears only one construction. It meant that the judges had found that twenty-five of the titles on the Union Roll were doubtful when they were placed there. I proved that Douglas never confessed or asserted what Mr. Round said he had confessed; and that, whether he had or not, the judges never found or pretended to find what Mr. Round says they found. What has Mr. Round had to say in reply? He says: 'My readers are now, doubtless, prepared 'to learn that I have nowhere made any such statement. The 'statement that the Lords of Session found the titles of no 'less than twenty-five Peers of that Roll dubious is triumphantly 'cited by Riddell from Douglas, who is therefore the person 'responsible for it. I am in no way responsible for its accuracy, 'nor did I myself impugn more than two titles, besides Ruthven, 'on the Roll' (*S.H.R.* iii. 209). So in the act of running

[1] It is worthy of notice that they appear also in Chamberlayne's List of 1708, the first edition of the List cited by Mr. Round, as an authority.

away he says over his shoulder that the charge was good–'triumphant.' Some pages earlier in his Reply (page 203), he quotes an accusation of irrelevancy levelled by me again against Riddell. On that he comments: 'Riddell is a dead man who cannot defend himself.'

Mr. Round accuses me of not meeting his argument, that 'retention of a peerage on the Roll was merely an admission that its extinction *had not been demonstrated, and was not a recognition that it had been validly assumed by any particular person.*' (The italics are Mr. Round's.)

But no one ever said that the presence of a peerage on the Roll was an assertion of the pedigree right of the holder, and it is quite unnecessary to take the trouble to confute the assertion that the retention on the Roll of a peerage, which was in the position of the Ruthven peerage, for six years after the extinction of the grantee's male line, while the patent was no more than fifty years old, was merely an 'admission' that its extinction had not been demonstrated.

The Roll of 1740 was made up in the form of a Return, in pursuance of an Order of the House of Lords demanding, among other things, a list of all the existing Scotch Peerages and a statement as far as the judges were able to make it of the particular limitations of those peerages. The judges confined themselves to the first part of the remit.

Their Return contained a list of Peerages, which list was, practically, the Roll of 1707 along with some additions, some omissions, some alterations and some observations. The Return has all the weight of an official document made by the most responsible authorities in the performance of a public duty. And the form and contents of the Return are such as to leave no alternative to the conclusion that the judges proceeded to their work with the greatest method, and that they deliberately classed the peerage of Ruthven with those of the subsistence of which they had no doubt.

Mr. Round's assertion first in logical order against this Roll was that it had 'no judicial or even official authority.' I believe I showed in reply that the Roll has both. What then does Mr. Round reply? He attempts to escape from the responsibility of having made the assertion.

'Here we have Mr. Stevenson again trying to foist on me a statement which was not mine, but as we discover in his next page Lord Crawford's.'

Other people must have discovered Lord Crawford's authorship in my next *line*. My words were : 'Mr. Round's argument which comes first in logical order, is the formal objection that the report has "no judicial or even official authority." His statement is couched in what is, or appears to be, a quotation from the great pleading in favour of heir of line of the earldom of Mar.'

But Mr. Round adopts the statement. He puts it in italics. He announces that Lord Crawford in the quotation 'disposes of this unfortunate document,' and pronounces his Lordship's assertions an '*exposé* of "the Lords of Session" and "their elaborate (!) report."' Finally he adds, 'so much for the evidence of this report.' After all this it is that Mr. Round attempts to disown the statement. Then, after having solemnly treated us to all this quibble as to whether the words are his own or not, he takes the trouble to reprint them *in extenso*, and again in italics, and comments on them, 'this is strong enough, and I cannot wonder that Mr. 'Stevenson does not like it.' He petitions to be allowed to adopt other people's statements, without having to take the consequences.

Then, similarly after disclaiming the responsibility for the statement, which he quotes from Lord Crawford, that the report was the work of one man, he concludes, 'and at 'the end of it all what do we find? The above quotation 'from Lord Crawford is perfectly accurate, which is all that 'concerns me.'

The extent to which the logic of authority appeals to Mr. Round on occasions is remarkable. The strength of Lord Crawford's statement carries conviction to his mind, and terror, he concludes, to his opponents' souls. But what *was* the 'end of it'? I proved that it was not the fact that the Report was the work of one man, and I shewed that the Report certainly has official authority. What the accuracy of Mr Round's quotation of inaccuracies matters I do not pretend to know. Mr. Round made other and longer quotations from the Earl. But I showed, by printing the original passages, that Mr. Round's quotations were so selected and pieced together as to be essentially misleading.

Leaving the contemplation of Lord Crawford's statement, Mr. Round proceeds to adduce some equally partizan assertions of Riddell's, and immediately expresses the anxious hope that 'if

'Mr. Stevenson should attempt to dispose of these assertions 'so fatal to his whole argument,' he will at least refrain from describing them as 'Mr. Round's statements.' My present business is to examine Mr. Round's statements and arguments. If, therefore, he does not adopt the assertions and make them part of his case, they do not come within the circumscribed task to which I have set myself.

It appears, then, that my conclusion remains, and that the Report of 1740 'is a certificate of the existence of the peerage of Ruthven at its date, which can only be outweighed by very direct and overwhelming evidence to the contrary.'

Mr. Round gravely assures us that Riddell was *reluctantly compelled* to admit that the Roll of 1740 contained inadvertencies and inaccuracies. Just so, and the wolf who set himself to pick a quarrel with the lamb was reluctantly compelled to admit that the lamb who was down stream was polluting the water which he, the wolf, was drinking. If Mr. Round knew more about his subject than he appears to do, he would not fall into the solecism of quoting Riddell as he does.

Riddell's works are a quarry of charter and pedigree facts, but in argument they are little more than the vehicle by which, if he did not consciously attempt to influence public opinion in favour of his clients, he at least gave the world the substance of his briefs. His confession of the history of his published opinions deprives them of the slightest particle of judicial authority. It is to be found at the end of his *Stewartiana* (Edinburgh, 1843). His section there headed *My Last Chapter* which begins on page 147 of that work, and which was inserted in that book after the index was completed,[1] is one of the most cynical confessions ever made by any writer. From what prudential motives the confession arose does not appear, but they were at any rate sufficient to induce Riddell to state expressly that his published books, including the two on which Mr. Round so confidingly founds, were written in advocacy of his clients:—

'I only praise Lord Hailes because I find his authority 'convenient to support some peerage cases which I am engaged 'to defend. If I had been on the other side I would have 'abused him as I have done other judges who differed from 'me' (p. 149).

[1] I cite from Riddell's presentation copy to Thomas Thomson.

Then follows an extraordinary catalogue of his forensic resorts in objurgation and vituperation, mainly of Lords Mansfield and Roslyn, culled mostly from his *Peerage Law*, that storehouse from which his disciple in the Ruthven case brings out things new and old under the blissful impression that every word of Riddell is of the quality of a citation from the judgment of a supreme court. Some lines further down (p. 150) Riddell reveals the character and intention of his writings:—

'I am quite aware that anyone who liked to pull them to 'pieces, might make a curious contrast between my first 'performance and my last (my *Remarks* of 1833 and my '*Peerage Law* of 1842), and what more natural when they 'were written on different sides of the question?'

As it is unnecessary to add to what I have already said on the subject of the coronation summonses I pass to Mr. Round's proof in contradiction of the Rolls.

Crawfurd's Peerage. Crawfurd had said that the peerage died with David, the second lord. (That Crawfurd changed his mind afterwards we may neglect in this context.) As there were collateral heirs male, Crawfurd meant that the peerage was to *heirs male of the patentee's body*. I found, however, that Crawfurd's short article in the peerage in question was otherwise full of errors, it is wholly unreliable. There is no need of rehearsing these errors.

Chamberlain's List of 1726. This list Mr. Round adduces to prove generally that the Ruthven peerage was non-existent when David's heirs were assuming it. The list is an anonymous part of a London periodical of the almanac type, entitled '*The Present State of Great Britain*,' and I showed it to be full of errors and utterly unreliable, even if it were admissible as evidence at all.

'*A Contemporary Manuscript of Note*.' 'There is,' says Mr. Round, 'no contemporary clue to its [the patent's] contents save a manuscript of note in the "Advocate's Library," in which the dignity occurs in a list of creations, granted to Sir Thomas Ruthven and to his heirs male.' I showed that the manuscript, on the face of it, was a hundred years later than the patent, and that it was notable only for its errors and its unreliability; and I asserted that Mr. Round must have founded upon it without examining it.

I pointed out also that, if reliable, the list completely con-

tradicted Mr. Round's other authority, Crawfurd, for the List gives the title to collaterals, while Crawfurd denies it to them.[1]

Lord Hailes's Manuscript Note. Mr. Round's fourth and last authority was a statement of Lord Hailes's on the margin of his copy of Douglas's peerage (a book published only in 1764) at the statement in the text dealing with Isabell, Lady Ruthven's, summons to Royal Coronations. The note runs that 'in a jesting way she said that this was her patent, and that she would preserve it as such in her chartered chest,' and it added that he had heard that Lady Ruthven's pension was 'to Lady Ann Ruthven.'

I showed (1) the immateriality of this tale, (2) that there was no evidence of its truth; that from the dates of Lady Ruthven's death, 1732, and Lord Hailes's birth, 1726, the story depended on hearsay, possibly on hearsay of hearsay; (3) that Lord Hailes was not shewn to have been in any special position to learn the family tradition; and (4) that the designation 'Lady Ann' was not necessarily any denial of her peerage, in support of which last I cited the instances collected in the minutes, etc., of the Herries Peerage Case.

What has Mr. Round had to say in reply? Not a word. The whole of his positive authority for the absence of right of the heirs in possession has thus gone by the board, without an attempt to save it.

The conduct of the family. In one of his opening sentences in his original indictment Mr. Round announced that the assumption of the peerage under consideration originated in a joke. It is of course obvious to every one, whether lawyer or not, that if the statement was true, the burden was at once thrown on the defenders of the peerage to show when the assumption of the title changed its character and became anything else than a joke. He now explains—an extraordinary explanation—that the joke he referred to was the joke retailed in or after 1764 by Lord Hailes, and he stands amazed at my not recognising the fact. My observation is that the fact was unrecognisable in the fiction. The peerage was assumed by the female heir of entail in 1702, and Mr. Round has said that that assumption originated in a joke. Now that he is brought to book, he

[1] Mr. R. complains that I 'persistently ignore' his 'own' points. The word 'contemporary' was Mr. R.'s 'own' here. All the rest was Riddell's.

says he did not mean anything more than that there was a joke made twelve or twenty-five years afterwards, after the coronation of 1714 or of 1727, he does not know which; and that if the lady in a joke seized upon her summons to the coronation as the 'first official recognition of her assumption,' it appears to Mr. Round to be admissible for him to say that the assumption of the peerage had originated in 1702 in a joke. It is most certainly not admissible, and the proof of that is that the statement was essentially and grossly misleading.

The question is, however, settled. Mr. Round no longer asserts that the assumption of the peerage originated in any such way.

Jean, Lady Ruthven. Mr. Round's indictment as concerned her, rested on two propositions: The first of these was her significant delay. He asserted that she did not assume the title till twenty years after her brother's death. I proved that she took it up in twenty months, and in how much less we know not. Mr. Round admits that correction. If I dealt with him as he deals with Douglas, Burke, etc., I should say he 'carefully kept out of sight' the fact that Jean took up the title thus early because it would have been a 'fatal flaw' in his story about her 'significant delay'; but I think it was done through pure ignorance, the same which is visible in so many other parts of his performance.

The second proposition was the lady's cautious use of the title. Mr. Round stated that the lady had not ventured to assume the title in legal documents, which might, 'even in Scotland,' have been invalidated by her use of a style to which she was not entitled. I produced evidence (pages 57, 58 and 59) that she did style herself a peeress in legal documents.

Mr. Round asserted, in addition, that the lady reverted three times to her designation of Mrs. Jean. But on investigation I found that on each occasion when she did so her conduct was explainable as due to a formality of her lawyers, which did not involve her or their apprehension of the bench, and that on the one occasion, when that explanation was inapplicable, it turns out that she did not revert. Mr. Round replies that I have 'had to admit' that the lady deserted her title on one of these occasions 'as if apprehensive of the scrutiny of the bench.' I leave this to the verdict and sentence of the reader.

The culmination of Mr. Round's proof was the fact that finally Jean was no longer able to keep up the masquerade of

bearing a title of peerage, and that in her last will she deserted it. I showed that she died intestate and that all that was proved was that Mr. Round did not know the meaning of a *testament dative*.

I may here cite with regard to the case of Jean, what Mr. Maitland Thomson, whose opinion on such a subject carries more weight than any other's, does me the honour to pronounce on my whole proof of the conduct of the family, 'that the accusation 'of *mala fides* founded upon the recorded actions of the early 'holders of the title, is here thoroughly investigated, and tri-'umphantly refuted.' (*S.H.R.* iii. 106.)

Passing by Sir William Cunningham for a moment, who succeeded Jean, I come to: *Isobell, Lady Ruthven*. In her case also, the evidence of consistency appeared to me to be satisfactory. But, says Mr. Round, 'I alleged that more than three years 'after assuming the title she gave up, under the humble name 'of Mrs. Isobell Ruthven, the additional inventory of her Aunt. 'Is this the fact or not?'

The document referred to by Mr. Round is now printed in the Appendix to my pamphlet (p. 77). Mr. Round had professed to quote it. Isobell, he said, had styled herself Mrs. Isobell Ruthven, and her aunt 'ambiguously' as 'Lady Jean Ruthven,' or as plain 'Jean Ruthven.' I took the trouble to examine the document, and discovered that Mr. Round had misquoted it essentially. It had styled Jean throughout as Jean, Lady Ruthven. It was thus an assertion, not a denial of the peerage. How, then, was Isobel 'Mrs. Isobell'? The question seemed to be reasonably answered only in the manner which has already suggested itself to me in the case of Jean. To all this the question just quoted is Mr. Round's sole reply.

Mr. Round alleged that Isobell had vacillated in her assumption so far that, as once she styled her aunt Jean, Lady Jean Ruthven, she styled herself in her own will in the same 'ambiguous' way. I proved that she did neither, and also, that she made no will.

I observe that Mr. Round criticises my statement of sundry dates of documents cited by me in this branch of my proof by adding a laconic '*sic*' to his restatement of them as follows: '4th Jan. 1703 (*sic*),' '26th Jan. 1712 (*sic*).' What is the ground of this criticism? The dates are accurate copies of the originals in each case. Is it possible that Mr. Round means that the dates are incompletely, though not wrongly, stated, that he is

left in ignorance of whether they should be, in the first instance, 1702-3 or 1703-4, and, in the second instance, 1711-12 or 1712-13! For I notice that both dates are between 1st January and 25th March of these years. Mr. Round perhaps is not aware that though this double enumeration was required in England till the year 1751, it had been abolished in Scotland by the year 1600. A very slight acquaintance with Scottish documents of the seventeenth and eighteenth centuries would have brought this to his knowledge.

Sir William Cunynghame. The questions which arise over the case of Sir William Cunynghame are somewhat different from those concerning the other heirs of the Ruthvens. He was nephew, through his mother, to David and Jean, and succeeded Jean in the lands under the entail.

His first step, or that of his lawyers, was naturally to obtain control of his aunt's moveable estate, and he was forthwith appointed her *executor dative*. But he survived her only six months, and died without being served heir either to her or to David, without being seized in the estates, and without having taken up the title.

Mr. Round had only two 'proofs' that Sir William believed that the title did not descend to him.

(1) The terms of his appointment as executor dative to Jean. In this appointment Jean was undoubtedly not accorded her title of peerage, and Sir William did not take it. But Mr. Round's argument that the document is therefore a denial of the survival of the honour is deprived of all force, from the circumstance that if Jean is not styled a peeress, Sir William is not styled a baronet. The document proves nothing or it proves too much. If Sir William did not deny his baronetcy he denied nothing.

Mr. Round has no reply? He simply repeats that Sir William 'made no attempt to assume the title' and that, 'to this we may now add that he gave up his aunt's testament dative as that, not of Jean Lady Ruthven,' but of 'Mrs. Jean Ruthven.'

Here again Mr. Round, as is so usual with him, ignores the existence of an argument, and restates his misleading or controverted statement as if it had been admitted or corroborated.[1]

[1] Before passing to Mr. Round's next point, I may observe that Mr. Round affects to quote a passage of mine (from my p. 63), and that, as he has done repeatedly in making quotations, he has omitted an essential part of that passage, and has misrepresented my meaning.

(2) 'Sir William retained his baronetcy title in his own will.' I suggested that he might have said *reverted*, but Mr. Round has not responded, which is as well, as Sir William neither retained nor reverted, for, as I had to point out, this will was our old friend the 'testament dative,' Sir William died intestate, and his designation was the work of his cousin and successor, Isobell, or her agents. I confess, however, that I did not see the full interest of the fact, that at the last, so far as we know, Sir William dropped his baronetcy title, as, naturally, I had not seen Mr. Maitland Thomson's interesting speculation that it marked an intention to assume the peerage.

It seemed incredible that at this date any one should be left who does not know that even if Sir William had left the peerage dormant for the term of a long life, the fact would not have impeached his right. In the circumstances, however, I instanced the much stronger case of the lordship of Somerville, which, as every one knows, was dormant for a hundred years. Surely, exclaims Mr. Round, Mr. Stevenson 'cannot be ignorant that the failure to assume that title was due to a doubt whether it should descend to the heir male or the heirs of line, and that when this doubt was removed by a single person becoming heir in both capacities, he successfully claimed the peerage.' A 'doubt,' when there was an heir male of the body, and no known limitation of the title! I am glad to hear it!

But Mr. Round, I am sorry to say, is again quite wrong on the facts. The two lines of the Somervilles united in the person of the great-grandfather of the claimant. For four generations thereafter the line possessing the rights of heir male and heir general abstained from asserting them. Poverty has hitherto been accepted as the reason why the Somervilles allowed their pretensions to sleep.[1]

James Lord Ruthven, son and heir of Isobell. I found that my theory of the practice regarding delay in the adoption of the peerage style is borne out by the case of James, the next peer after Isobel. He is styled James Ruthven of Ruthven as executor of his mother, 'Isobell Lady Ruthven,' and in his service to David his grand uncle, in which service his mother Isobell, and his grand aunt Jean, were styled Isobell Lady Ruthven and Jean Lady Ruthven. Mr. Round's answer to that is that he 'may repeat' from his original article that James gave up his aunt's 'testament dative,' and was also served heir

[1] Maidment, *Peerage Claims*, 92.

to his uncle, David, as 'James Ruthven of Ruthven.' He dilates on the fact that the jury served James as a plain commoner, but he is silent as to the fact that the jury by the same act served this commoner as son and heir of a peeress.

James succeeded in 1732. 'It was not till late in the following year,' says Mr. Round, 'that we find him styling himself (in a private deed) James Lord Ruthven.' I showed that he had already made the most public demonstration then possible to him of his pretensions, by voting at the first election of Peers that had taken place since his succession. I am glad to find that Mr. Maitland Thomson agrees with my conclusion on the conduct of this member of the family also, and that the charge of *mala fides* against him is groundless. (*S.H.R.* iii. 106.)

To print the names of the jury that served James Ruthven of Ruthven as heir-in-special to his grand-uncle David, and styled his mother and his grand-aunt Jean as peeresses, is, as I meant it, a complete refutation of Mr. Round's attempted argument that, as some services have been found to have proceeded on false premises, this service of James Ruthven is to be disregarded. There have been bad judgments of the Court of King's Bench, and we have all read of 'bad Ellenborough law' as well as good. What then?[1]

Mr. Maitland Thomson, in his review of my pamphlet, indicated his view that the belief probably entertained by the Ruthven family regarding their peerage right was that it was destined to the heirs of entail. That there is much to be said for that view is already obvious, and, were Mr. Thomson to enter into a further analysis of the facts, I have no doubt that more reason for it would appear. In spite of what Riddell may have said, and Mr. Round may have believed, there is, of course, nothing in law to render Mr. Thomson's theory impossible.

As I stated, however, at the opening and close of my pamphlet, the task of shewing what the terms of the unknown patent actually were was no part of my undertaking in that particular controversy. Mr. Round appears to think that he is entitled to call for a statement from the 'champions' of the peerage. I, personally, do not think that he is. If he has

[1] Services of the 18th century have been received by the House of Lords, as in the Airth peerage proceedings, 1871, as evidence of considerable weight.

assumed the role of assailant, and failed to produce a *prima facie* case, what concern to him is the nature of the peerage? As for myself, a mere critic of Mr. Round's success in making out his case, I am not required to have any theories about the peerage. All I say is that it has once lived, and that it has not been shewn to be dead.

What use would Mr. Round make of a theory if an 'apologist' of the assumption of the peerage presented him with one? Mr. Maitland Thomson, an entirely independent critic, not addressing Mr. Round in particular, advanced one theory. What use does Mr. Round make of it? He immediately tramples it under feet and turns to rend Mr. Thomson with a fallacy. This is a characteristic specimen of the method of the vicious circle, and it is not good manners.

At the close of my pamphlet I expressed my conclusion, in terms which need not be repeated here, that Mr. Round had entirely failed to prove his case. At the close of his Reply to that pamphlet I find my conclusion only strengthened. Mr. Round has now admitted such important facts to be fictions, has abandoned so much of his argument, to say nothing of the whole of his authorities for the actual limitation of the patent, that even if he had succeeded in doing away with the weighty authority of the Official Rolls which are against him, he would have had nothing to found his case upon. By dint of an oblivion both of facts and of logic, Mr. Round accomplishes the figures of a series of successful arguments on selected points; but he has not rehabilitated the case with which he set out, which was to prove that the peerage was not destined to the present line.[1]

J. H. Stevenson.

[1] I have noticed that parts of Mr. Round's argument are eiked out by the indications which he sees of my 'annoyance,' 'wrath,' and even 'wild indignation,' etc., etc., at his insistences. To these elements of his Reply I pay no attention, as the indications which he so frequently sees may be purely subjective. For I observe that Mr. Maitland Thomson, speaking of the same treatise in which Mr. Round finds such various emotions, announces that 'Mr. Stevenson not only supplies a necessary corrective to his predecessors; 'his work is distinctly more judicial than theirs' (*S.H.R.* iii. 105). So much do things go by comparatives.

Reviews of Books

THE LIFE OF JAMES ANTHONY FROUDE. By Herbert Paul. Pp. ix, 454. Demy 8vo. London: Pitman, 1905. 16s. nett.

AT the death of Mr. Froude in 1894 it was announced that he had given injunctions that his personal papers should be destroyed and that no authorised biography of him should be written. Mr. Paul's book, therefore, is not based on original documents, nor does it contain any revelations fitted to agitate the world as did Froude's own memorable *Life of Carlyle*. But, if not an 'authorised' biography such as Froude prohibited, Mr. Paul's book has at least been written from trustworthy sources so far as they were accessible; the accuracy of his narrative is guaranteed by the best authority; and he gives a few unpublished letters which, if not of a sensational character, have the interest of most things that came from Froude's hand. The result is a book eminently readable, at once from the interest of its subject and from Mr. Paul's own manner of treatment. It is a book, moreover, which Froude himself would have approved—approved both for its sympathetic appreciation of his own character and work and for the style in which it is written. Mr. Paul is always lucid, always trenchant, and as uncompromising in the expression of his opinions as Froude himself in his most militant humour.

The biographical portion of Mr. Paul's book which will be read with the greatest interest is his account of Froude's boyhood and of his early surroundings. From Canon Mozley's *Reminiscences* it appeared that Froude's early years were unhappy, but Mr. Paul has added further details that tell a tale of harshness and petty tyranny which should not be forgotten in any estimate of Froude in his later years. His father, Archdeacon Froude, never understood him, and persisted in regarding him as a discredit to the family till the opinion of the world partly convinced him that he was mistaken. But it was from his elder brother, Hurrell, subsequently the ally of Newman in his attempt to de-Protestantise the Church of England, that Anthony had most to endure. Mr. Paul thus describes the means which Hurrell took to educate his younger brother. 'Conceiving that the child wanted spirit, Hurrell once took him by the heels, and stirred with his head the mud at the bottom of a stream. Another time he threw him into deep water out of a boat to make him manly' (p. 8). Sent to Westminster at the age of twelve, Anthony found himself even more unhappy than at home—bullied by the boys, censured by the master, ill-fed, and in bad health besides. Recalled from this 'den of horrors,' as Mr. Paul in his

emphatic way describes the historic school, the boy returned to a home that was little of a home to him. That he was there at all was considered a disgrace to the family, and he was even accused of having pawned his books and clothes which had really been filched by his schoolmates. Such was the uncongenial atmosphere in which Froude spent his early years, and, though Mr. Paul does not make the inference, these years must partly explain that undertone of bitterness and cynicism which is seldom absent from anything that Froude wrote.

The least satisfactory portions of Mr. Paul's biography are those which deal with those critical years in Froude's career when for a time he came under the spell of Newman, then broke with him, and finally learned from Carlyle the gospel that was to serve him to the end of his life. It is during these years that Froude's essential characteristics are most fully revealed, and, with the materials at his disposal, we feel that Mr. Paul might have probed more deeply than he has done. To what extent was Froude really under the influence of Newman during his brief association with him? According to Froude's own testimony in his later years his attitude towards Newman was always more or less critical, but, on the other hand, in his contributions to the *Lives of the Saints* he shows a sympathy with the spirit and aims of the Tractarian movement which must have been entirely to Newman's satisfaction. Nor does Mr. Paul sufficiently emphasise the period of moral collapse which followed Froude's break with Newman—his break, indeed, with historic Christianity. To this period belong Froude's tales—*Shadows of the Clouds* and the *Nemesis of Faith*, productions written in a time of mental and moral strain, but which reveal the permanent strata of the writer's nature. Nor, again, does Mr. Paul bring out with adequate fulness the debt which Froude owed to Carlyle—a debt which Froude himself ungrudgingly acknowledged at every period of his later life. There is, indeed, hardly another instance in literary history of a writer of Froude's force so completely enduing himself in another man's garments. The governing ideas that henceforth determined his life and achievement were all those of Carlyle, set forth in very different language from that of his oracle, but with a force of conviction that gave them an individual stamp.

The longest chapter in Mr. Paul's book is that devoted to the defence of Froude against Freeman—perhaps a work of supererogation at this time of day. The persecution of Freeman was a painful experience in Froude's life and is an unhappy chapter in literary history, but the respective merits of assailant and victim have been judged by the world, and it is perhaps as well that the feud should be forgotten. What Mr. Paul makes unhappily too plain is that the persistent and petty attacks of Freeman were not so much inspired by any disinterested love of truth as by a blind fury of personal dislike that almost justifies Matthew Arnold's description of him as a 'grotesque and ferocious pedant.' In Mr. Paul's own opinion the 'besetting sin' of Froude was 'love of paradox' (p. 75), but it is perhaps nearer the truth to say that love of effect accounts for most of the shortcomings with which he has been charged. Whether he is stating opinions or facts, we feel that the note is constantly strained: the Regent Moray is

'stainless,' Queen Mary is a pantheress, and so with all the characters he likes or dislikes—Henry VIII., Thomas Cromwell, Julius Caesar, Carlyle, whose natural traits he exaggerates beyond recognition. But the general tone of Mr. Paul is not that of carping or even of friendly criticism: his admiration of Froude's merits as a writer is so great, he personally owes to him so large a debt of pleasure, that, as a genuine lover of literature, he deems it ungrateful to insist on the shortcomings of one who has given the world so much that is a permanent source of enjoyment. And with his general estimate comparatively few will be disposed to disagree, for only blind prejudice could gainsay that Froude wrote history as few have written it, and that his abiding purpose was to say the truth as it had been delivered to him.

P. Hume Brown.

The Scottish Parliament: Its Constitution and Procedure, 1603-1707; with an Appendix of Documents. By Charles Sanford Terry, M.A., Burnett-Fletcher Professor of History in the University of Aberdeen. Pp. x, 228. Demy 8vo. Glasgow: James MacLehose & Sons. 1905. 10s. nett.

Mr. Terry's industry is unflagging and most commendable: it seems only the other day that his *Life of Claverhouse* was noticed in these pages, and now we have another volume from his pen which forms an important contribution to the constitutional history of Scotland. No previous writer has attempted to deal with the development and functions of the Scottish Parliament in anything like detail, though we must not forget the chapter which Cosmo Innes wrote, with his usual charm of style, in his book on legal antiquities. He, however, attempted to sketch the history of the Parliament from the earliest times: Mr. Terry confines himself to the century before the Union. And indeed before the year in which James succeeded to the English throne there is little to tell in the way either of Parliamentary constitution or procedure. The right of representation enjoyed by both counties and burghs was looked upon more as a burden than a privilege: many of them did not take the trouble to send a representative at all, and the members who were returned found that their duty practically consisted in attending the opening of Parliament, electing a committee called the Lords of the Articles, or in many cases accepting the nominees of the Crown for that committee, and after a more or less lengthy interval attending the closing of Parliament and ratifying what had been decided upon by the committee. But for by far the greater part of its existence there was no debating, no interchange of opinions between the members. And this state of matters was not in the least considered a grievance: in was, on the contrary, accepted with placid acquiescence and looked upon as the most natural and comfortable way of doing business.

It was not till well on in the seventeenth century that this system received a check. In 1640 an Act was passed which abolished the Lords of the Articles as a standing legislative committee, and enabled

committees of the House to be appointed which had no power to initiate legislation, but were charged solely with the duty of considering specific matters remitted to them. This alteration was due not so much, as the author points out, to any general development of constitutional ideals as to the fact that the clergy were no longer one of the Estates of Parliament. The custom which had obtained for a considerable period before 1640 was for the nobility to elect the clerical members of the Committee for the Articles and for the clergy to elect the peerage members, and both these estates elected conjointly the representatives of the shires and burghs. In 1639 it was known that the Crown intended to step in in place of the clergy, but this raised protests from all the other estates, and the ultimate issue was the passing of the Act of 1640, which provided that it should be competent for future Parliaments to choose or not to choose Committees for Articles as they might think expedient. Practically, it abolished the Committee of the Articles and substituted in its place small committees which had only to consider questions specially remitted to them by the House itself. No more drastic innovation on the procedure of Parliament had ever been produced, and while it lasted the Legislature was never freer in the exercise of its duties. Unfortunately it did not last, and at the Restoration the 'Articles' were again re-established and the clergy and nobility, through their representatives whom they had mutually elected, nominated the sixteen barons and burgesses who were to serve on the committee. This was a step backward, and it was not till 1689, after the Revolution Settlement, that the Articles disappeared for ever and committees were elected by the votes of the whole House, while officers of State, while they might attend the meetings of the committees, had no voting power in them.

We have mentioned the Committee for the Articles somewhat in detail because in reality its rise and progress, decline and fall, make up a large part of the history of the Scots Parliament. Freed from its incubus, Professor Terry shows that Parliament advanced rapidly in the direction of constitutional power and development of debate. He is of opinion that by the time it came to an end at the Union it had brought itself to a reasonable level of procedure with the English Parliament of the day, but points out the fact that it did not secure for itself the respect, popularity, and authority of its English contemporary. This arose from the fact that the abiding interests of the Scottish nation were non-secular, and that it was to the General Assembly of the Church, rather than to Parliament, that it looked for light and leading. It is a pity that for so long circumstances prevented its development as a truly representative assembly, and that just when it was beginning to show signs of becoming a potent factor in the evolution of the country the 'end of an auld sang' came, and it ceased to exist.

Professor Terry has written a sound and scholarly work which should be a valuable mine of information to students of Scottish history.

J. Balfour Paul.

A History of England in Six Volumes: General Editor, C. W. C. Oman, M.A. Vol. IV. England under the Tudors. By Arthur D. Innes, sometime Scholar of Oriel College, Oxford. With Maps and Appendices. Pages xx, 482. Demy 8vo. London: Methuen & Co. 1905. 10s. 6d. nett.

Henry VIII. By A. F. Pollard, M.A., Professor of Constitutional History at University College, London. New Edition, with Portrait. Pages xii, 470. Cr. 8vo. London: Longmans, Green & Co. 1905. 8s. 6d. nett.

It cannot be questioned that the period of the Tudor sovereigns is maintaining a pre-eminence as the favourite period of English history if we judge of the demand from the quantity of the supply. This may be considered a blessing or the reverse, according to the temper of the reader. If much attention is devoted to the Tudors, the cause may be to some extent ascribed to the vast mass of new material that has been brought within reach of students in recent years. As there is no finality in history, every fresh accession of evidence necessitates a revisal of the old verdicts. The process of our enlightenment is going on perhaps with more activity in relation to the sixteenth century than to any other period of equal length in our national history. The labours of the scholars working under the direction of the Master of the Rolls have achieved enormous results in the Calendars of State Papers at home and abroad. This work has been supplemented by the publications of the Historical Manuscripts Commission, the Camden and kindred Societies. Mr. Pollard bemoans the wealth of documentary evidence available for the reign of Henry VIII., and in a lesser degree the same feeling might be entertained for the reigns of the rest of the Tudor sovereigns. The series of Letters and Papers of Henry VIII. previous to 1544 comprises a summary of thirty or forty thousand documents in twenty thousand closely printed pages, which, when taken with the materials gathered from other sources, places at the disposal of students at least a million definite facts about a period of some thirty-five years. It is useless for Midas to quarrel with a situation of his own creation: the gods themselves cannot take back their gifts. There is little doubt that Mr. Innes has hit upon the true explanation of this superabundance of material. The Tudors were the instruments of gigantic revolutions: the dynasty covered a period of unprecedented intellectual activity and great national development. It was inevitable that a period of this kind, coming so near our own, should have produced a wealth of documentary history, and fortunate it is for us that so much of it has been preserved. It is the glory as it is the danger of the modern student to assimilate this wealth and reproduce it in a well-ordered and intelligible narrative.

A new edition of *Henry VIII.* in cheap and handy form could not have been long delayed. The sumptuous monographs of the English Historical Series, published with illustrations by Messrs. Goupil & Co. during the past dozen years, are within reach only of the few persons with ample means. In the present enlarged re-issue of the letterpress,

it may be anticipated that the volume by Mr. Pollard will attain a wider circulation and a not less intelligent appreciation. Few sovereigns have attracted more attention than the 'majestic lord who broke the bonds of Rome.' It is notoriously difficult to hold an even balance between rival estimates of his person and policy, like those, for instance, of Nicholas Sander on the one side and Froude on the other, but no reader of *Henry VIII.* can justly accuse its author of ecclesiastical bias. Nor does he claim to have said the last word on the subject of his memoir. 'Dogmatism,' he tells us, 'is merely the result of ignorance: and no honest historian will pretend to have mastered all the facts, accurately weighed all the evidence, or pronounced a final judgment,' a due appreciation of the difficulties which beset a delineation of the life and character of an exceptional personage playing a large part on the world's stage.

The task of Mr. Innes was more concerned with writing the history of a period than with the illustration of a character. It is not many weeks since we pointed out the excellence of one of the volumes of *A History of England*, edited by Professor Oman, and the volume now before us forms the fourth in the series of six. Mr. Innes possesses the same masterly grasp of the evidences, the same critical ability, and the same independence of judgment manifest on almost every page of the previous volume. In some episodes of his narrative he has perhaps laid himself open to objection from an indifference to detail and from a little too much self-confidence about his knowledge of the facts. He is quite certain, for example, that 'the English victory' at Flodden 'was not one of the bow, as so often before, but of the bill or axe against the spears in which the northern nation trusted.' The poet Skelton was much nearer the truth when he ascribed the cutting of 'the flowers of the forest' to an effective combination of both weapons. Nor is he clear about his topography of the fight in 1542, commonly called the Battle of Solway Moss. The contest was decided on the plain south of Esk, in the region of what is now the village of Longtown, a land which was never debatable. The swollen river was the first obstacle encountered by the fugitives, the salmon pools of which claimed a tithe of routed Scots. The morass between Esk and Sark, to which the Ordnance Survey gives the name of Solway Moss, and which it makes the scene of the battle, was only the trap into which the flying squadrons had fallen. On the other hand, Mr. Innes has doubts whether the comperts of the visitors of the monasteries in 1536-7 were laid before Parliament. All that may be said in this connexion is that if a perusal of the Act of Suppression does not convince him, without the help of the other evidence, his scruples are somewhat difficult to overcome.

The volume is furnished with a short pedigree of the descendants of Edward III., some appendices on contemporary rulers, genealogies of Lennox Stewarts, Howards, Boleyns, the houses of Habsburg, Valois, Bourbon, Guise, the claimants to the English throne, and a bibliography of authorities ancient and modern. The maps are valuable, one of which is a pen sketch of the campaign of Flodden, showing the circuitous route

taken by the Earl of Surrey. The aim of the whole work has been well maintained by Mr. Innes in the period allotted to him, for he has produced a text-book of a high order—scholarly, attractive, complete, and useful.

JAMES WILSON.

SCOTLAND AND THE UNION. A History of Scotland from 1695 to 1747. By William Law Mathieson. Pp. xiii, 387. Demy 8vo. Glasgow: James MacLehose & Sons, 1905. 10s. 6d. nett.

THREE years ago Mr. Mathieson set himself at a bound among the foremost of modern historians of Scotland upon the publication of his *Politics and Religion in Scotland from* 1550 *to* 1695. The present work is a continuation 'on a broader and more comprehensive plan' of its predecessor, and aims at providing 'a history of Scotland during the period.' Dealing with the period, 'which may be distinguished as that of the origin, the accomplishment, and the consolidation of the Union,' Mr. Mathieson, under his more comprehensive plan, has been compelled to follow in considerable detail the history of an episode which has been treated exhaustively elsewhere, and must inevitably be dealt with again in the forthcoming volumes of Dr. Hume Brown and Mr. Lang's *Histories*. What one valued in Mr. Mathieson's earlier work was the fact that it was an exegesis rather than a narrative, a most illuminating expounding of familiar facts from a fresh and detached point of view. By 'broadening' his narrative, and by making it 'more comprehensive,' does he not fail to fill his own distinctive niche?

But, apart from the question of treatment, Mr. Mathieson's new volume will certainly sustain his already high reputation. Of particular interest and value is his handling of the ecclesiastical and economic aspects of the period, and his Introduction—a broad treatment of the ecclesiastical developments of the seventeenth century—is a very model of conciseness, suggestive and illuminating. Nowhere else, in similar compass, will the student find a better and clearer guide to the intricacies of an intricate period. Mr. Mathieson's announced intention to deal with the social changes, the literature, and the philosophy of the period 1695 to 1747 in another volume will be welcomed by everyone who has the interests of Scottish History at heart.

C. SANFORD TERRY.

LECTURES ON EARLY ENGLISH HISTORY. By William Stubbs, D.D., edited by Arthur Hassall, M.A. Pp. vi, 391. Demy 8vo. London: Longmans, 1906. 12s. 6d. nett.

THE POLITICAL HISTORY OF ENGLAND FROM THE EARLIEST TIMES TO THE NORMAN CONQUEST. By Thomas Hodgkin, Litt.D. Vol. I. Pp. xxi, 528. Demy 8vo. London: Longmans, Green & Co. 1906. 7s. 6d. nett.

THESE two volumes, published almost simultaneously and both treating of the formative periods of English history, suggest interesting points of comparison and contrast. Any book that bears the name of Bishop Stubbs is certain of a hearty welcome and a careful hearing. When the greatest

English historian of last century accepted the see of Chester in 1884, his historical labours were practically at an end; but Mr. Hassall, since the bishop's death, has been a diligent gleaner among the drafts of his lectures and other unpublished papers. Acting scrupulously on the motto that 'the king's chaff is as good as other people's corn,' Mr. Hassall has here published, apparently word for word, without addition, comment, or reservation, a somewhat heterogeneous collection of those lectures with which Dr. Stubbs instructed a bygone generation of students, admirably suited alike in style and substance to the time and purpose for which they were delivered, but obviously never intended for publication in their present form, and superseded to a great extent by the researches of the last twenty or thirty years.

The public is thus introduced, unannounced as it were, to an amiable and chatty Regius Professor, lecturing in the privacy of his own class-room, untroubled by suspicion of the prying eyes of a remote posterity, explaining at the commencement of his course that he does not 'feel convivial, or at home, and certainly not majestic' (p. 40), and later on regretting that 'both the class and the subject are becoming very much attenuated' (p. 175). The picture is an entirely pleasant one; yet probably the most enthusiastic of Bishop Stubbs' hero-worshippers would not have seriously blamed Mr. Hassall for omitting utterances of such purely temporary interest.

The title 'Early English History' is hardly applicable to the last half of the volume, which is devoted to the comparative constitutional history of medieval Europe, and founded, to a great extent, on the researches of Hallam. Teachers of history will read with interest the lectures numbered III. to VIII., containing a free-and-easy commentary on some of the leading documents of the *Select Charters*. Younger students, however, must exercise great care in their perusal, since many of the positions still tenable in 1880-4 (presumably the date of these lectures) have now been completely overturned, while no word of warning has been vouchsafed by the editor in places where supplement is needed, beyond the addition at the close of each essay of the names of a few of the more important among recent authorities. The reader will accordingly find here many obsolete theories which Bishop Stubbs assuredly would never willingly have published at the present day: the exploded theories of the 'mark' and 'folcland' (discarded, not without some apparent reluctance, in the later editions of the *Constitutional History*) here appear in their crudest forms (pp. 6, 7, and 311); 'borough English' is connected with burgage tenure (pp. 26-7); the Conqueror is credited with a revenue of £1060 a day (p. 29); the husting of London forms 'the collective court of the citizens' (p. 127); Henry II. confirms his grandfather's concessions to the city of London (p. 128); Magna Carta is 'signed' not sealed by John (p. 345), and is made to enshrine trial by jury (p. 342). It is notable, by the way, that these lectures, like the *Constitutional History* itself, while deriving copious illustrations from almost every country on the continent of Europe, show practically no interest in the peculiarities of the Scottish constitution.

While everything that Bishop Stubbs has written commands the respectful attention of scholars, little of importance would have been lost if Mr. Hassall had interpreted his editorial duties more liberally, and used the pruning hook more freely. The lectures add little to those views of early England with which Dr. Stubbs' great *Constitutional History* has familiarised us. What the present generation of students urgently require is a new edition of that work, supplementing its conclusions in the light of modern research.

In some important respects Dr. Hodgkin's volume supplies, for the early centuries, the supplement that students require. The author is thoroughly conversant with the trend of recent speculations affecting the wide but difficult period of which he treats; and where he refuses to follow blindly the most recent guides, it is clearly not from lack of knowledge. His volume suffers from two defects, for which he is not responsible: the decision of the editors of the series of 'Political Histories' to which this volume belongs has forbidden the addition of foot-notes in which authorities might be cited; while a somewhat arbitrary restriction is imposed by the title of the series. The scope of 'political history,' indeed, is not defined by the editors; but, from internal evidence contained in this volume and its companions, it would appear that 'political' history is more concerned with military and international affairs than with methods of government or the growth of institutions—a strange use of the word 'politics,' when it is realised how inseparably political science and constitutional theory are related.

The particular task allotted to Dr. Hodgkin by the editors was a difficult one, demanding perhaps a more nicely balanced judgment and a more varied equipment than any one of its eleven companion volumes; and Dr. Hodgkin seems to us to have amply justified his selection. He has produced a readable and scholarly book, well fitted to maintain the high standard set in the volumes that have preceded it. Many and varied were the vicissitudes through which our island passed between that early morning of August 27, B.C. 55, when Caesar's soldiers first caught sight of the white cliffs of Kent, until the fatal day of October, 1066, when William of Normandy planted his standard on the spot from which Harold's banner had fallen. The materials at the disposal of the historian of the intervening centuries, broken and tantalising as they often are, are yet almost as varied as the events to which they relate. Sound judgment in selecting and rejecting is here urgently required, along with a due sense of proportion and a stern will to suppress whatever is not essential to the main thread of the story. No little skill is required to weave the miscellaneous materials thus selected into a coherent, lucid, and interesting whole. Dr. Hodgkin has shown himself possessed of the necessary qualifications, and has produced a work distinguished by breadth of outlook and by a keen appreciation of all matters of human interest lurking in the most unpromising of historical documents. The search for modern instances, indeed, has sometimes been carried almost to excess: Aidan is compared with Francis of Assisi, Wilfrid with Loyola, while Columba is 'the John Wesley of the 6th century,' and Degsastan is 'the Flodden

of the 7th century'; a Killiecrankie of the 8th century is referred to, while Nansens, Franklins, Talleyrands and Sunderlands are discovered in abundance in the 9th; the fall of the Roman city of Camulodunum is a reminder of the Indian Mutiny, and the arrow-flights at Hastings, of the deadly musketry of the Boers at Majuba Hill. A characteristic note of moderation, however, runs through the book; the author identifies himself neither with the extreme partisans of the theory of Teutonic origins, nor with those who postulate the continuing influence of Roman civilisation. The same quality is shown in the treatment of such thorny problems as the functions of the Witan, which, as he cleverly and rightly tells us, 'are better learned by watching the course of national history than from any attempt to frame a definition of that which was essentially vague, fluctuating, and incoherent' (p. 232). The passages dealing with the early relations of Scotland and England are equally fair-minded. The arguments on both sides are clearly stated; but Dr. Hodgkin makes no reference to a conscientious monograph which deserves to be better known in this country, namely, *Feudal Relations between the Kings of England and Scotland*, by Mr. C. T. Wyckoff, a writer who, from his American nationality, is better fitted than either Englishman or Scotsman to act as an impartial judge. Scholars need not expect to find in this volume any new sources of historical information, or to derive from it any specially original theories; but they will be rewarded for the pleasant labour of perusal by a fresh and well-proportioned presentment of an intricate period of history, and they can hardly fail to profit from a new survey of familiar ground under the guidance of so cultured and interesting a companion.

The general reader will find here exactly what he wants—the story of eleven momentous centuries told in vigorous and straightforward English, embodied in a narrative which is always readable, and never overburdened with unnecessary details.

WM. S. MCKECHNIE.

THE POLITICAL HISTORY OF ENGLAND FROM THE ACCESSION OF GEORGE III. TO THE CLOSE OF PITT'S FIRST ADMINISTRATION (1760-1801). By William Hunt, M.A., D.Litt., President of the Royal Historical Society. Vol. X. Pp. xviii, 495. Demy 8vo. London: Longmans, Green & Co. 1905. 7s. 6d. nett.

THIS volume is number ten of a series of twelve in which the political history of England will be dealt with. The prefatory notice states 'that as the life of the nation is complex and its condition at any time cannot be understood without taking into account the various forces acting upon it, notices of religious matters and of intellectual, social and economic progess' will also be dealt with by the writers. The volume which we are considering makes its appearance not inappropriately just 100 years after the death of Pitt, and it deals with a period covering some forty-one years of that life which ended only too soon at the early age of forty-seven. Few periods in the history of any country can equal in importance this stimulating era. And when the vast changes which it had in store for England, as dealt with by Dr. Hunt, are adequately

considered, one feels indeed that the times were spacious, and that England, exposed to the most critical influences both at home and abroad, emerged after what Lord Rosebery has called the 'convulsion of a new birth' into what may truly be termed modern times. The vital changes which were wrought in those forty years affected the country internally as well as in her status as an international power, and no less in relation to her colonial possessions. Internally they included the growth of the privileges of parliament, the rise of the Cabinet, 'a government within a government'; the decay of the personal power of the sovereign, or, as Dr. Hunt calls it, 'The King's Rule,' in affairs of government; the enormous increase of trade and manufactures, the dawn of labour combinations, the union by act of Parliament of Great Britain and Ireland, and the publication of Adam Smith's *Wealth of Nations*. Abroad England was called upon to deal with the problem of taxation in her American colonies, their subsequent revolt and final separation, with the affairs of the East India Company and the growth of Parliamentary interference therewith. Added to all this there was the unrest and reaction of the French Revolution and the struggle with France on sea and land—a great age, truly, abounding in great names. Pitt follows Chatham, Rodney and Wolfe give way to Nelson and Wellington, and as Thackeray puts it in his lectures on *The Four Georges*, 'Napoleon is to be but an episode, and George III. is to be alive through all these varied changes, to accompany his people through all these revolutions of thought, government, society: to survive out of the old world into ours.'

Dr. Hunt deals very clearly with two movements of the first importance which characterise the period we are considering: the one, the personal political predominance of the king, and the other the gradual rise and growth of that interesting constitutional anomaly, namely, the Cabinet. The real balance of power, as he points out, was not to be found in either of the Houses of Parliament, but in the Crown. The Princess Augusta imbued her son with extensive notions of kingly prerogative, and her reiterated advice, 'George, be a king,' was further instilled into his Royal pupil by the Earl of Bute.

The King's personal character, resolution, and capacity for intrigue, it may be safely surmised, enabled him to pursue this line of action with comparatively little serious difficulty until the failures of the American War.

The growth of the Cabinet as a 'homogeneous body collectively responsible to Parliament' is a study of deep interest, and we are indebted to Dr. Hunt for the lucid manner in which he has dealt with this highly important subject. The rise of the Cabinet as we know it to-day can be traced to no alteration of the law, nevertheless its constitutional status is determined beyond all dispute. Dr. Rudolf von Gneist in his *History of the British Parliament* has pointed out that the main reason for its existence is to be found in the necessary unity of action in dealing with the political and commercial relations of the British Empire, which can only be reached by forming the ministerial council from men who were mainly at one as to the principal measures of the government for the time

being and who had secured or were in a position to secure a majority in both Houses in favour of such measures.

Sincere praise is due to Dr. W. Hunt and his colleagues for the decision to treat English history from the point of view of periods chosen with reason and sound judgment, and in the particular instance under review the result is eminently satisfactory. A severe critic might perhaps be forgiven for wishing for a more picturesque presentment so far as style is concerned; but for lucid, accurate, and copious treatment, Dr. Hunt's work is worthy of high praise, and he has made all students of their country's history his grateful and cordial debtors. PERCY CORDER.

LES PRISONNIERS ECOSSAIS DU MONT SAINT MICHEL (EN NORMANDIE) AU XVI^e SIECLE.

UN historien normand, Charles de Bourgueville, qui vivait au seizième siècle, rapporte dans ses Memoires que, vers 1548, 'trois gentilshommes écossais qui avaient tué le Cardinal Daivid, au Château de Saint André en Ecosse, furent enfermés par l'ordre du roi au Mont Saint Michel.' Il raconte que ces Ecossais réussirent à s'évader; qu'une enquête fut ordonnée, qu'elle fut faite par le bailli de Caen et que le capitaine gouverneur du Mont Saint Michel, responsable par sa négligence de cette évasion, fut destitué de sa charge.

Nous savons par les historiens écossais[1] que Norman Lesley, Lord Pittmillie et Lord of Grange furent d'abord convoyés à Cherbourg et, de là, internés au Mont Saint Michel; mais voici la copie authentique, très intéressante, nous semble-t-il pour l'histoire de l'Ecosse, de documents trouvés dans les archives des Tabellions de Cherbourg, année 1547, et qui, incontestablement, s'appliquent bien aux réformateurs écossais:

'Le VII Décembre à Cherbourg, devant Jehan Guiffart et Jehan Le Vallois, tabellions et notaires commis et establis au siège de Cherbourg pour le Roy, furent présents nobles hommes Jehan de Fontaynes, seigneur de la Faye, homme d'armes de la garnison du dict lieu de Cherbourg (suit l'énumeration, sans intérêt, de plusieurs hommes d'armes), lesquels nous ont certifié et attesté que le VI^e jour d'octobre, dernier passé, fut bailli par les Seigneurs Gouverneurs généraux de Rouen et mit en la saisigne et garde de noble homme, Janot de Lasne, lieutenant en la dicte ville et Chasteau de Cherbourg, troys gentilshommes écossais, sçavoir: *Nirmont Lessetey*, cappitaine du Chasteau de Saint André, *Millort de Granges* et le Seigneur de *Petit Mel*, suyvant le commandement et voulloyr du Roy, nostre d. seigneur, dont nous a esté requis ce présent certificat pour servir et valloir qu'il appartiendra. Présents pour témoins Thierry de Goberville, escuier et Jullien Fouoche de la Garnison.'

Une annotation sur ce même registre dit: 'Les prisonniers furent envoyés par le Roy au Mont Saint Michel, où ils ont esté prisonniers virons des ans. Comme du Mont Saint Michel eschappèrent, dont le capitaine du lieu eut bien affaire.'

[1] *Kirkcaldy of Grange*, by Louis Barbé, pp. 41-42.

Aucun doute n'est donc possible sur l'identité des prisonniers écossais, enfermés au Mont et que ne citait point l'historien de Bourgueville.

Nirmont Lessetay n'est autre que *Norman Lesseley*, Millort de Granges, *Kirkcaldy of Grange* et le Seigneur de Petit Mel *Pitmillie*. Cette altération dans l'orthographe des noms est très fréquente quand il s'agit de transcrire en France des noms propres étrangers.

ETIENNE DUPONT.

SELECT DOCUMENTS ILLUSTRATIVE OF THE HISTORY OF THE FRENCH REVOLUTION. THE CONSTITUENT ASSEMBLY. Edited by L. G. Wickham Legg, M.A., New College. 2 vols. Pp. xxii, 632. Crown 8vo. Oxford : at the Clarendon Press. 1905. 12s. nett.

No better companion to a good secondary history of the first two and a half years of the French Revolution could be put into the hands of a reader than these volumes. Extracts from contemporary documents do not and cannot give an adequate account of any event, but they are invaluable in transporting the reader into the atmosphere of their own day and in representing accurately the phases of popular opinion. It has been Mr. Legg's aim to represent the 'opinion of the ordinary person,' and to this end he has selected his extracts mainly from the most influential contemporary journals. But he has not confined himself to the eight or nine great newspapers of the period, and has chosen many extracts from papers quite unknown to the general reader and not often consulted by the student. In an excellent introduction Mr. Legg gives an account of the journals from which he quotes, indicating their political and historical value.

The two volumes now published cover the period from the opening of the States-General in May, 1789, to the dissolving of the Constituent Assembly on September 30, 1791, and the documents selected divide themselves—although not formally divided—into two classes : one relating to the events and the other to the constitutional changes comprised in that period. It is in respect to these last that Mr. Legg earns the student's deepest gratitude.

The first National or Constituent Assembly had before it one main object, the making of a Constitution for France. By reprinting decrees, resolutions, and the opinions of the press concerning these, Mr. Legg enables the student to follow the progress of this work, and in his connecting paragraphs and notes he gives an immense amount of definite information on exactly those points which a general history is apt to leave obscure or untouched. To this he adds an appendix in which he gives the full text of the Constitution of 1791, and of the decrees most important to the early history of the Revolution ; that is, those on the municipal and local administrations, on the civil constitution of the clergy, on the judicial reforms, and on the organisation of the ministry.

A very useful feature of these volumes is the reference to further authorities given in the connecting paragraphs. There are, however, several points on which fuller references might well have been made,

as for example to the documents in the Bibliothèque Carnavalet on the organisation of the National Guard.

Where so much has been given it may seem invidious to complain of Mr. Legg's rejection—from considerations of space—of contemporary pamphlets. But their omission (with two exceptions) leaves unnoticed the political lampoons, and those travesties of the liturgy which represent popular opinion in so piquant a manner; the pamphlets also often give a more graphic account of an incident than do the newspapers. Perhaps in the volumes which will surely follow these, Mr. Legg may see his way to represent these sources of contemporary opinion more fully.

SOPHIA H. MACLEHOSE.

THE PEDIGREE OF HUNTER OF ABBOTSHILL AND BARJARG, AND CADET FAMILIES—HUNTER OF BONNYTOUN AND DOONHOLM, HUNTER-BLAIR OF BLAIRQUHAN, HUNTER OF AUCHTERARDER, HUNTER OF THURSTON. Compiled by Andrew Alexander Hunter. Pp. vii, 47. Demy 4to. With numerous illustrations. London: Elliot Stock. 1905. 30s. nett.

THOUGH in his preface the author handles a long-standing tradition that the families of whom he treats are descended from the family of Hunter of Hunterston, he unfortunately is unable to adduce any evidence to prove this tradition more reliable than others of its kind. The work has been compiled on sound lines, and we note with pleasure the lists of family portraits and of their present owners, as also the plates reproducing many of these portraits representative of each family. Views of mansions of the families are introduced, and there is careful blazonry of their arms. But though the scheme of the work is excellent, the work itself, as a whole, does not meet so well with our approval. The list of authorities which the author cites in his preface is meagre in extreme, and not sufficient to warrant the genealogist to place reliance on his statements without further verification. Particular references are almost entirely ignored. The book is overladen with reproductions of patents and matriculations of arms which, so long as the Lyon register exists, serve no useful purpose. In various passages also, the composition is at fault. With all its shortcomings, however, the book contains a great deal of information about the various families of Hunter, the pedigree charts are carefully executed, and in the text the descents of the families lucidly traced.

ALEXR. O. CURLE.

THE FRONDE (the Stanhope Essay, 1905), by George Stuart Gordon, Oriel College, Oxford. Pp. vi, 67. Cr. 8vo. Oxford: B. H. Blackwell, 1905. 2s. 6d. nett.

THE tragi-comedy of the Fronde, which may be said to be composed of two acts, or four scenes, preceded by the short prologue of the 'Cabale des Importants,' has attracted the pen of many writers, and it needs no little skill to sum up the results of those labours within the compass of sixty odd pages. It must be acknowledged at once that the

skill needed is present in the essay under review. The writer has mastered many authorities, from the contemporary memoirs and documents to the most recent researches, from de Retz to Sainte-Beuve and Cousin, from the Mazarinades to the latest collections of documents. The Fronde, in spite of its riots and civil wars, of its bloodshed and waste of money, was never taken very seriously, even by those who played leading parts in the different scenes; no crisis in French history has produced such a harvest of songs, of epigrams, of witticisms; and de Retz in his Memoirs set the tone which subsequent writers have thought fit to adopt in narrating the events of those fateful years (1648-1653), during which Parliament, Princes, Minister, fought, imprisoned, banished, and cajoled each other by turns. The essayist has breathed so deeply in that literary atmosphere that in every page of his book one comes across sprightly phrases, well-balanced epigrammatic sentences that bring out in vivid relief a character or an incident. Indeed, were it not for a conscientious use of quotation marks, it would be hard to distinguish between what is old and what is new. The narrative is clear, and the crowded events are easily followed; yet at times the casual reader will be pulled up by a passing hint or allusion that he may not readily grasp; but of course the essay was not written for casual readers, and evidently these obscure passages have been appreciated in the proper quarter. The little book is certainly full of promise.

F. J. Amours.

A History of the Post-Reformation Catholic Missions in Oxfordshire, with an Account of the Families Connected with them. By Mrs. Bryan Stapleton. Pp. viii, 372. 8vo. Oxford: Henry Frowde. 1906. 10s. 6d. nett.

Careful and loving hands have sought and found details of the lives of all those faithful and tested adherents of the Old Faith who, in Oxfordshire, have kept its vital spark alive in times of trial and indifference. The book has no pretensions to literary merit, but the quaint and often pathetic stories, mostly told in the words of the original records, have a charm of their own. Oxford readers will be interested in the following account of a pathetic incident of the siege of Bletchingdon, the seat of the present Member for the City. Francis Windebank, son of Mr. Secretary Windebank, was in command of the garrison of Bletchingdon House. After many attempts, the Parliamentary forces were enabled at last to cross the Cherwell, and they advanced upon Bletchingdon, calling the governor to surrender, 'who being summoned by the victorious Cromwell, and persuaded by his beautiful young bride and other ladies that came to visit her, surrendered the place, with all the arms and ammunition, for which surrender the hopeful young gentleman, for all the entreaties of his wife and the merit of his father, was shot to death against Merton College wall, to the great regret afterwards of the King when he understood the business, and for which he was highly displeased with Prince Rupert.'

Local interest may be taken in such stories as those of the 'three old cronies of Holywell' related by Hearne. 'Old Mr. Joyner often

desired Mr. Kimber to be his executor, but he declined, though he wished he had, because after his death, when he examined his books, they found money stuck in almost every one of them, in all to the value of three or four hundred pounds, which I take to be the reason why he never would let one see his study.'

The 'Catherine Wheel' in Oxford, once a hostel near St. Mary Magdalene's Church, was a favourite meeting place of Catholics. There one, Thomas Belson of Aston Rowant, arrived to confer with Father Nicol and Father Yaxley. 'Their secret was known, and one midnight they were disturbed by the violent entrance of the University servants and all taken the next morning before the Vice-Chancellor's Court. In reply to the examination they all confessed their faith. With needless barbarity they were taken to London, imprisoned, racked and tortured, and finally sent back to Oxford for execution. The inn servant, Humphrey Prichard, suffered with them, and their heads were set upon the old Castle walls and their quarters over the city gates. The good landlady also suffered for her hospitality to the martyrs; she was condemned to the loss of all her goods and to perpetual imprisonment.' One would like to quote in full the account of the receiving of Dr. Newman into the Old Faith by Father Dominick, and the well known '"Little-more," and you will be right.'

The authoress rightly hesitates to claim the poet Milton (who was an Oxfordshire man) as a Roman Catholic, though there seems to be a persistent report of his conversion. The book, though mainly interesting to members of the old religion, is of distinct value to the historical student, and covers ground that has never before been dealt with.

C. C. Lynam.

Ecclesiological Essays, by J. Wickham Legg. Pp. xi, 275. Med. 8vo. London: A. Moring, Ltd. 1905. 7s. 6d. nett.

These Essays form the seventh volume of that most interesting series, *The Library of Liturgiology and Ecclesiology for English Readers*, which is issued under the editorship of the Provost of S. Andrew's Cathedral, Inverness. They have been collected from various publications, and the fact that they are from the pen of Dr. Wickham Legg is in itself a sufficient recommendation. Dr. Legg treats of such subjects as 'Revised and Shortened Services,' 'On Two Unusual Forms of Linen Vestments,' 'On the Three Ways of Canonical Election,' 'Notes on the Marriage Service in the Book of Common Prayer of 1549,' 'The Lambeth Hearing,' etc. The essay on 'A Comparative Study of the Time in the Christian Liturgy at which the Elements are prepared and set on the Holy Table' is a most useful and scholarly compilation. And that upon 'Mediæval Ceremonials' is of exceptional value at the present time. It is no surprise to those who have made any study of this subject to find it stated that 'the character of the Roman rite during the early part of the middle ages was one of extreme simplicity.' Ignorance of the true nature and character of mediæval ceremonies is unfortunately too prevalent. This essay should be of service in dispelling it. These Essays will prove of interest to all who desire that

soberness and sense should regulate the services of the Church, and that if changes must be made, that they be made according to knowledge. It is a matter for congratulation that we should have them in such an accessible and attractive form. The illustrations are excellent and informative, and there is a full index.

W. H. MacLeod.

Ecclesia Antiqua : The Story of St. Michael's, Linlithgow. By the Rev. John Ferguson, Minister of Linlithgow. Pp. xxi, 357. Dy. 8vo. Edinburgh : Oliver & Boyd. 1905. 7s. 6d. nett.

St. Michael's has had a great history and was the Church of Scottish kings and queens. Through the energy and devotion of the present parish minister, it has been added to the list of restored Scottish temples, and although its beautiful steeple-crown was removed in 1821 'to avoid the danger to the building,' it is a noble church, much admired by all who know it. Mr. Ferguson has done again distinct service to his parish by writing the history of his church, and his book is characterised by exact scholarship, sympathetic study, careful research extended over many years, and by a fine literary style. It reveals an intimate knowledge of the subject, and specially valuable is the appendix information regarding the twenty-five ancient altars, St. Mary's Chapel at the East Port, St. Magdalene's Hospital, the Sang Schule, Carmelite and Augustinian Friaries, as well as the Obits.

St. Michael's illustrates the Middle Pointed or Decorated Period of Scottish Architecture, and MacGibbon and Ross' great book gives an exact and reliable account of its structural features.

Regarding its former collegiate ministry, Mr. Ferguson says: 'We have, in this second charge at Linlithgow, a proof that the clergyman in possession of a teind-stipend, and the clergyman voluntarily supported, had, for centuries before the chapel at Stewarton was built, sat together in the Church Courts, and enjoyed equal rights and privileges: and it might have been better for religion in Scotland to-day if the rights of heritors had been safeguarded otherwise than by deciding that the possession of a legal stipend was necessary to a clergyman's enjoying the full status of a Presbyter.'

Mr. Ferguson's history is worthy of its subject. D. Butler.

The Romanization of Roman Britain. From the *Proceedings of the British Academy*, Vol. ii. By F. J. Haverfield, Fellow of the Academy. Pp. 33, with 13 illustrations. Imp. 8vo. London : Henry Frowde. 1906. 2s. 6d. nett.

We do not know whether the British Academy produces many papers of quality equal to this. Even if it produces only a few, it will soon justify its existence. The besetting sin of the archaeologist is undoubtedly his inadequate sense of proportion, his tendency to regard all facts as equally important: if he digs up a camp or a barrow, he is prone to bury it again immediately beneath a mountain of detailed description. Mr.

Haverfield's training as a historian has delivered him from this weakness. There is no lack of facts in what he writes; but every fact is strictly relevant, and is assigned to its proper place with a clearness and decision that make the argument easy to follow. In the present paper he sets himself to enquire: How far was Roman Britain really Romanized, in the sense that, say, Gaul and Spain were Romanized? His answer, based on abundant archaeological evidence, is at variance with the results that have been reached by earlier authorities. He begins by emphasizing the vital distinction between the two halves of the province,—'the one the northern and western uplands occupied only by troops, and the other the eastern and southern lowlands which contained nothing but purely civilian life.' In regard to the former, we know but little about the natives. In regard to the latter, we know a great deal, and we find that, within the region indicated, the average Briton was as completely 'Romanized' as his Gaulish neighbour. He adopted the civilization of his conquerors. Latin was his everyday speech. Even his native art was abandoned, or survived only sporadically as in the potteries on the Nene. Not the least interesting portion of Mr. Haverfield's paper is its conclusion, where he shows how the traces of this Roman period in British history were largely obliterated, not merely by the English invasion, but even more effectually by a Celtic revival which set in about the opening of the fifth century A.D. Altogether, the *brochure* is one to be carefully read, and laid aside for frequent reference.

GEORGE MACDONALD.

HISTORICAL ABERDEEN. By G. M. Fraser, Librarian, Public Library, Aberdeen. Pp. xxviii, 172. 8vo. Aberdeen: Wm. Smith, 1905.

MR. FRASER continues to make admirable use of his leisure and of his position and resources. He had already gratified Aberdonians and others interested in Aberdeen by his account of the Green and its associations. In this volume he gives an excellent account of The Castle and the Castlehill, The Snow Church, The Woolmanhill and Neighbourhood, and The Guestrow. On two disputed points, namely, the original breadth of Broad Street, and the origin of the name Guestrow, we take Mr. Fraser's view. It cannot be proved that the Guestrow and Broad Street ever formed one street, and we are of opinion that the origin of the name Guestrow is to be found not 'in the circumstance that it was here that hostelries or houses of entertainment existed—that it was the Guest Raw'—but in the fact that it overlooks the city Churchyard, and was therefore called the Ghaist Row. On the question of etymology we note that Mr. Fraser ignores a derivation suggested to account for the name Mutton Brae. It is true that in the north country *provisional* etymologies are favoured; thus St. Brandon's Fair (Banff) has been corrupted into Brandy Fair, and this has given rise to Porter Fair (Turriff), and Whisky Fair (Aberchirder). The suggestion, however, that the word 'Mutton' in Muttonbrae is connected with A.S. *mōt*, a meeting, is worth consideration.

The book contains a good index, a copy of Parson Gordon's map, and interesting illustrations. Strangers who may visit Aberdeen in September in connection with the University quater-centenary celebrations will find it extremely useful. A. M. Williams.

Napoleonic Studies. By J. Holland Rose, Litt.D. Pp. xii, 398. Post 8vo. London : George Bell & Sons, 1904. 7s. 6d. nett.

Mr. Rose's well-established reputation, and his admirable life of Napoleon —so marked a service to English readers—have already taught us to expect from him accurate research and a clear style.

Of the twelve essays which this volume contains some have already appeared in the various reviews; but of greater interest and importance are the four new essays in this collection. One traces in Pitt's Plans for the Settlement of Europe (in 1795, 1798-99, and 1804-1805) a clear forecast of the settlement arrived at by the Congress of Vienna. In another is printed an interesting description (July, 1802) of Egypt, its geography and antiquities, the nature of the French administration, its commerce, the possibilities of its agriculture—'a proper management of the water is the first, the last, and the only object to be attended to.' A third works out the intimate connection of Napoleon's downfall with the pacific disposition of Austria, and his belief that she could be bribed or bullied into an understanding with him. Most likely to interest the general reader is Mr. Rose's study of the Idealist revolt against Napoleon, with which he joins the names of Wordsworth, Schiller, and Fichte. We wish Mr. Rose had given himself more space here : the discussion is too short to be adequate, and—we have no wish to quibble, but surely his use of the work 'idealist' is a little misleading. Napoleon represented heedless force as the executant of vague cosmopolitanism. It was the full exhibition of this that drove speculators into contact with reality, and aroused in Germany a nationalism, that was ill developed but perfectly genuine, and historic from the days of Charles V., and long before him. This, of course, is much more obvious in the case of England; and Mr. Rose scarcely notices, when writing of Wordsworth, to what an extent—and far more than Wordsworth then realised—his enthusiasm for the Revolution was based on his actual experience of sober liberty in England : that life in which he had been trained, and to which he returned 'to nurse his heart in genuine freedom.'

At the end of the volume Mr. Rose has printed a variety of letters and despatches illustrative of the operations in the Mediterranean, 1796, 1798 ; Napoleon's plans for invading England ; and other matters.

K. L.

Life of Sir John T. Gilbert, LL.D., F.S.A., Irish Historian and Archivist. By Rosa Mulholland Gilbert. Pp. x, 461. Demy 8vo. London : Longmans, Green & Co., 1905. 12s. 6d. nett.

It is not very easy to see the necessity for the *Life of Sir John T. Gilbert, LL.D., F.S.A.*, which his widow has lately published. Sir

John Gilbert was a capable and indefatigable worker in the historical antiquities of Ireland, in regard to which he occupied for many years a position of acknowledged pre-eminence among his contemporaries, and his long labours undoubtedly did much to enlarge the available sources of information upon many important periods of Irish history. But large as was his knowledge, and great as was his enthusiasm for the historical records of his native country, Gilbert can scarcely be reckoned an historian, and there was nothing in his career to differentiate him from numerous learned contemporaries of whom even in this age of superfluous biography the world is content to go without a formal record. The public which Lady Gilbert rightly believes to feel an interest in her husband's career would gladly have welcomed a short account within the compass of a hundred pages of her husband's useful and laborious career. Such a memoir Lady Gilbert is well qualified to write.

STUDIES IN ROMAN HISTORY. By E. G. Hardy, M.A., D.Litt. Pp. ix, 349. London: Swan, Sonnenschein & Co., Limited, 1906. 6s.

THESE essays, chiefly on the introduction and spread of Christianity in the empire, begin with the earlier attitude of the Republic towards foreign cults, especially Judaism, and go on to examine the growing faith under Nero and the persecutions for the 'Name,' which are treated as rather social than religious. Not the slight to the national religion moved Nero, Domitian, or Trajan, but the disobedience shown through religion to the imperial government. Mr. Hardy often prefers a view opposite to Prof. Ramsay's. Included are essays on the movements of the legions, on parallelisms of Plutarch, Tacitus, and Suetonius, and on the Bodleian MS. of Pliny's letters. The miscellany displays wide classical research. In the military section Hadrian is treated as builder of both the Wall and the Vallum in north England, a standpoint now more than dubious.

THE HEADSMAN OF WHITEHALL. By Philip Sidney. Pp. ix. 114. 8vo. Edinburgh: Geo. A. Morton. 1905. 2s. 6d. nett.

MR. SIDNEY in this small book gives a well-written series of essays upon the execution of King Charles I., and the circumstances connected with it. He prints a detailed list of the regicides which will be found of use, but the main object of his speculations turns upon the identity of the King's executioner which is a still unsolved historical mystery. To eighteen persons has been attributed the dubious honour. One contemporary distich ran—

> The best man next to Jupiter,
> Was put to death by Hugh Peter.

But the mass of the evidence seems to fix the responsibility upon the headsman, Richard Brandon, who at first refused absolutely to do the deed, but may later have been compelled by main force to mount the scaffold. It is an interesting study of one of the bypaths of history.

THE RELIGIOUS CONTROVERSIES OF SCOTLAND. By the Rev. Henry F. Henderson, M.A. Pp. 274. Crown 8vo. Edinburgh : T. & T. Clark, 1905. 4s. 6d. nett.

A GOOD deal of the marrow of divinity has always been in the heresies. Mr. Henderson is full of guarded sympathy for the struggles of nationalism to permeate theology. His pleasantly toned volume surveys the burning questions of other days, from Hume's essay on miracles and Home's *Douglas* to Edward Irving's gift of tongues, and brings the theme down to date by its account of the troubles of Robertson Smith, Marcus Dods, and Professor Bruce. Heresies, however, quickly grow stale. Hume's question alone seems to preserve its salt.

PATHFINDERS OF THE WEST. Radisson, La Vévendrye, Lewis, and Clark. By A. C. Lant. Pp. xxv. 380. Cr. 8vo. New York: The Macmillan Company. 1904. 8s. 6d. nett.

THIS is a well-illustrated account of the careers of the early explorers of the Western portion of North America from 1651-1806. It is full of exciting adventure and discovery, and, in spite of some uncouth phrases, is well written. The writer in her dedication bases much of her knowledge upon the researches of Mr. Sulte, President of the Royal Society, Canada. And from them and other careful study, she has constructed a book that will delight those who love adventure and who care for North American exploration.

Historical and Modern Atlas of the British Empire specially prepared for Students is the title of a new work by C. Grant Robertson, All Souls' College, and J. S. Bartholomew (Methuen, 1905, 4s. 6d. net). The aim of its compilers is to provide a geographical and historical companion to past history and present conditions, so that teachers and pupils may examine the historic, the physical, the economic, and the modern political factors which affect the development of the nation. The maps and charts admirably fulfil this purpose, and the book is likely to be as useful as it is interesting.

Shakespeare and the Supernatural, by Margaret Lucy (Liverpool : Jaggard & Co., 1906, pp. 38, 2s.), carries a little information in a great deal of sentiment. Mr. William Jaggard's appended bibliography of the Shakespearean supernatural at least begins the subject.

Notes on Shipbuilding and Nautical terms of old in the North, a paper by Eirík Magnússon read before the Viking Club Society for Northern Research (London, Moring, pp. 56, with index, 1s.), brings, alongside of the vessels of the old Norsemen, the evidence of archaeology and etymology conjoined towards tracing the evolution, from the dug-out 'oakies' of the prime down to the 'snekkia,' 'dragon,' and 'buss' of the sagas. Very attractive is this assembling of the data, showing the

changing types of construction and tackle from the coracle of wicker with hide 'sewn' over it to the ocean-faring clinker-built galleys. The viking mast, always a pole-mast, the rudder or 'styri' (steering-oar) at the right-hand side buttock of the ship, the old nautical terms, the names of ships and winds and seas—all are discussed with abundant reference and document. 'Starboard' is well explained, but the old crux of 'larboard' is a problem still. The little book brings us out of difficult material a pleasant chapter of the story of the North Sea.

The Letters of Cadwallader John Bates, edited by Rev. Matthew Culley (Kendal, Titus Wilson, 1906, xiii. 192), with portrait frontispiece, recall the bright and winning personality of an accomplished and original Northumbrian antiquary, who died—too soon—in 1902. Mr. Bates did fine work in North English history, notably in his *Border Holds* and his short *History of Northumberland*, but he was as versatile as he was learned, and his sympathies attracted him not only to problems of the Roman Wall, to 'peels' and heraldry and medieval record, but also to such dark age interests as the computation of Easter and the biography of St. Cuthbert. His letters show a genuine workman in his study, and carry for his friends echoes of happy hours in his company at Langley Castle and elsewhere. A bibliography would have been a valuable supplement to this collection of letters, many of which were well deserving of preservation.

Of Burns biographies there is no end. The *Life of Robert Burns* by John Macintosh (Paisley: Alex. Gardner, 1906, pp. 309, 2s. 6d. net), follows orthodox Burnsite lines; though its note is local and not critical, it tells the old, proud, sad story with due sympathy and the expected discretion, and it avoids heroics. Its detail of the memorials, monuments, celebrations, centenaries, exhibitions, clubs, etc., in honour of the bard is, in spite of its disproportion to the subject, an expressive section of the chapters on Burns and Posterity.

In *The World's Classics* (1s. per volume), now published by the Oxford University Press, the last two volumes, VI. and VII., have now been issued of Gibbon's *Decline and Fall.* A commendable feature of this handy and readable reprint is an index of no fewer than 138 pages.

Among periodicals received are *Archiv für das Studium der neueren Sprachen und Literaturen* (March), giving the close of a transcript of the *Dicta Catonis* and studies on Frankish sagas and on Boccaccio in Spanish Literature: *Revue des Etudes Historiques*: *Annales de l'Est et du Nord*: *Analecta Bollandiana*: *Kritische Blätter*: *Iowa Journal of History and Politics*: *Notes and Queries for Somerset and Dorset*: *Northern Notes and Queries*, (April), containing a compact well-informed biographical column on Mr. Neil Munro. Reprinted from the American Quarterly, *Modern Philology*, is Mr. Carleton F. Brown's expository and combative paper, entitled *Chaucer's 'Litel Clergeon,'* directed with no small force,

to disproving Professor Skeat's interpretation of the little schoolboy as a chorister. The *Ulster Journal of Archæology* (April) contains, besides place-name studies, an instalment of the story of the Fall of Down in 1642, discussing the 'massacres.' *The Rutland Magazine* (April) has a paper with facsimiles on handwriting from the times of Mary and Elizabeth to the days of Oliver Cromwell. We have received an Alcuin Club tract on the litany—*The People's Prayers* (Longmans, pp. 43, 6d.).

The Reliquary (April), among its illustrations, has numerous sanctuary rings, like the knocker at Durham. *The Gentleman's Magazine* (February) has a paper which champions 'the real Claverhouse.' *The Revue Historique* (March and April) surveys in chivalrous yet patriotic retrospect the story of the fall of Quebec and loss of Canada in 1759-60. *The Modern Language Review* (April) deals with Dante's references to sports and pastimes, with Shakespeare's ghosts, and with Professor Churton Collins's editing of Greene's plays. In *The American Historical Review* (April), notable as usual for the generous space—100 pages—given to able and informing book-notices, Professor McMaster discusses American standards of public morals as exhibited in history, especially in such matters as repudiation of State debts, toleration, and codes of punishment.

Scottish Notes and Queries (February) had a note on a tombstone in Dundee, brought forward as a suggestion towards identifying Christian Lindsay, whose elusive shadow flits across the court literature of James VI. In the June issue points deserving study are raised regarding the *Dict. Nat. Biog.* articles on David and John Leitch, both Latinists —John certainly a Scot, and David claimed as such.

The Celtic Review (April) contains Gaelic texts both from manuscript and tradition, as well as discussion of place-names and debate on the date of Gildas. In its Reviews we note the following interesting comment on the Killiecrankie ballad, 'by an eye-witness,' dealt with by Mr. Millar in our October number (*S.H.R.* iii. 63). 'This eye-witness,' remarks our Celtic reviewer, 'was Iain Lorn, and while we admit his descriptions of the battle are given as if he had been a witness, we are not prepared to accept them as proof of his presence there. Iain Lorn was notoriously lacking in physical courage, and the fact of a poet describing a battle as if witnessing it when in reality he has never been even on the ground is a simple literary device which proves nothing except the poet's dramatic power. It is not commonly accepted in the Highland traditions that Iain Lorn was present at Killiecrankie, and there is really no proof either way.'

Much discussed as have been the relations of Saint Simon and Comte, the questions take a new departure in the light of M. Pereire's article in the *Revue Historique* (May-June), editing documents of the first value for philosophic biography.

Queries

ROBERT LITTLE. To what family did Robert Little belong, who was born on 1st January, 1755, was for a year or two, 1778-9, at the University of Edinburgh, and then went to America and settled in New York county? He married Elizabeth Townsend there, and died in 1831. HENRY PATON.

120 Polwarth Terrace, Edinburgh.

'SALVO KER MEO.' In the famous charter of liberties granted to the borough of Egremont in Cumberland by Richard de Lucy towards the close of the twelfth century, there is the puzzling phrase which I have placed as the title of this note. As it occurs twice I think there can be little doubt of the true reading. The reservation is thus set out in the grant:

(1) 'Item, burgenses mei quieti erunt de pannagio suo infra diuisas suas de porcis suis, scilicet, a Crokerbec usque ad riuulum de Culdertun, saluo Ker meo.'

(2) 'Item, burgenses capient necessaria ad propria edificia sua infra predictas diuisas sine uisu forestariorum, saluo Ker meo.'

When Nicolson and Burn printed the deed in 1777, they read the difficult passage in both cases as 'salvo maeremio,' but it seems clear that though the reading would be appropriate in the second passage, it would be altogether out of place in the first. Canon Knowles gave us a facsimile of the document in 1872, and if the script has been reproduced correctly there can be no question that 'saluo Ker meo' is the true reading. In the first passage we have 'Ker' with a capital and 'meo' with the customary interspace. There is no mark for contraction. In the second passage the first letter of the difficult word has been rubbed and no dogmatic opinion can be offered about it, but the 'meo' occupies the same relative position as in the other instance. Of course the scribe may have mistaken the word if he wrote from dictation. On the whole I think he meant to write 'saluo Ker meo.' It is scarcely possible that the central letter of 'mer[e]meo' could have perished in both places. On the other hand, Nicolson and Burn, no incompetent authorities, had seen the original, and I am depending solely on the facsimile by Canon Knowles, who was not by any means an expert palaeographist. But, as I said, if the facsimile is to be trusted, my reading of the word in the first passage is indisputable.

The only analogy I can suggest is from a Norfolk inquisition of 1277—'de quadam consuetudine que vocatur Kerhere,' which Ducange interprets as *droit de chaucée*, deriving from the Latin *carriera*. It is perhaps not inadmissible to take the Egremont word from the English *cer*, *cerre*, *cerran*, which would amount to the same thing, viz., the lord's right of passage through the burghal district.

JAMES WILSON.

Dalston Vicarage, Cumberland.

[Mr. Wilson is not to be rashly questioned on such a point, but is it not probable that the 'Ker' reserved from the grant was a piece of ground rather than a right? The word is still descriptive on both English and Scottish border connoting a low-lying wet tract of land. The *N.E.D. s.v.* 'Carr' cites Robert of Brunne, telling of an archbishop of York that 'He livede in Kerres as doth the stork.' In the *Coucher Book of Selby* (ed. Fowler) there is charter mention (i. p. 146) of 'Stainer Ker' in 1259; in the fourteenth century 'Risebrig-Ker' was a waste (ii. 28, 31) being reclaimed; while 'one lytle carre' is referred to in 1540 (ii. p. 349) which was 'overronne with water almoste all the yeere.' The great alliterative author of *Sir Gawayne* knew the word 'Kerre' (ll. 1421, 1431) which his editors have perhaps wrongly explained in the glossary. Scottish indications of the sense appear in such charter passages as that which connects '*le Halch Kerre Molendinum et terras molendini*' of Ardonane in 1509 (Reg. Mag. Sig. 1424-1513, No. 3288) shewing that haugh and Ker and mill lie together. The correlation with brushwood is well shewn in the *N.E.D.* by instances from 1440 downwards: a citation from the Selby book (ii. p. 357) in 1540 may be added: 'Totam terram et boscum nostrum vocatum le Carre.' G. N.]

A SILVER MAP OF THE WORLD. There are in the British Museum two Silver Medallions engraved with a Chart of the World having Drake's Voyage of circumnavigation clearly marked on it; only one other copy is known to exist.

Mr. Miller Christy in his interesting Monograph[1] on this Medallion suggests that it was engraved in commemoration of Drake's voyage, but states that the engraver's name is not known, nor the map from which the Medallion was copied. A reference to this Silver Map in *Purchas His Pilgrimes*, vol. 3, pages 461 and 462 has, however, apparently escaped Mr. Christy's notice, and in the hope of eliciting further information on the subject we draw attention to it here.

Purchas is defending the claims of the English navigators to the prior discovery of the passage round Cape Horn against those of the Dutch navigators, and instances in support of his contention 'The Map

[1] A Silver Map of the World. A contemporary Medallion commemorative of Drake's Great Voyage (1577-1580), by Miller Christy. London: Stevens, Son & Stiles, MDCCCC.

of Sir Francis Drake's Voyage presented to Queene Elizabeth still hanging [c. 1625] in his Majestie's Gallerie at White Hall neere the Privie Chamber and by that Map wherein is Cabotas Picture, the first and great Columbus for the Northern World may be seen.' He then proceeds, 'And my learned friend Master Brigges told me that he hath seen this plate of Drake's Voyage cut in Silver by a Dutchman (Michael Mercator, Nephew to Gerardus) many yeeres before Schouten or Maire intended that Voyage.'

There can be no reasonable doubt that the 'plate cut in Silver' is this Silver Medallion, but who was Michael Mercator the engraver, and is the map of Drake's Voyage with Cabot's portrait engraved on it, still in existence?

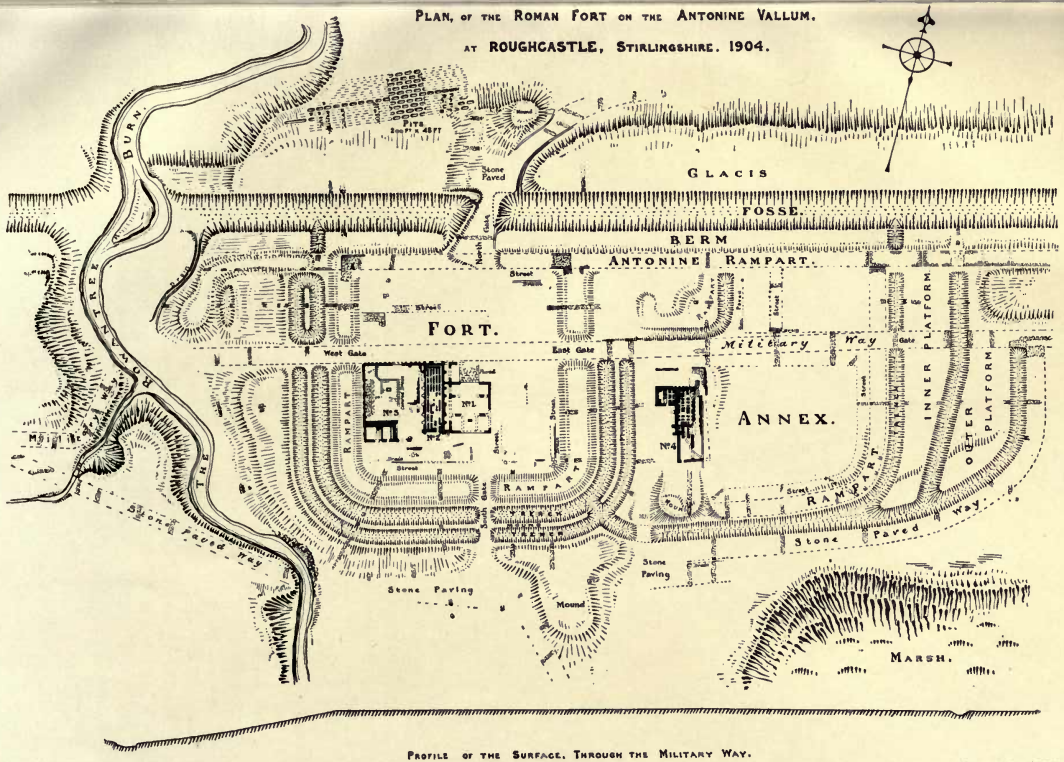
'Master Brigges' is doubtless Henry Briggs, the Mathematician, 1591-1630, whose life is given in the *Dictionary of National Biography*, vol. vi. pages 326 and 327. S. D. J.

DEDICATIONS TO ST. SUNNIVA. In *A Description of the Isles of Shetland* (p. 530), Dr. Hibbert says: 'The parish of Yell boasted twenty chapels, variously dedicated to Our Lady, to St. Olla, to St. Magnus, to St. Laurence, to St. John, to St. Paul, or to St. Sineva.' Regarding the last-mentioned saint, the Rev. S. Baring-Gould quotes the substance of a twelfth century Saga: 'There lived in the days of Earl Hako (*i.e.* between 995-1000) a king in Ireland, who had a most accomplished and beautiful daughter named Sunnifa. A northern viking, hearing of her charms, became enamoured, and harried the coasts of Ireland because the king hesitated to give him her hand. The damsel, to save her native island from devastation, left Ireland. Her brother Alban and a multitude of virgins accompanied her, and all sailed away east, trusting in God. They came ashore on the island of Selja, off the coast of Norway, and would there have been massacred by Earl Hako had not the rocks opened, and all the maidens having retired within, they closed on them again, and they came forth no more alive. In 1170 the relics of Sunnifa and her virgin train were translated from Selja to Bergen by the bishop, Paul.' (*Lives of the Saints*, October, p. 543.) The writer of the article on the united parish of Mains and Strathmartine in the *New Statistical Account of Scotland* says: 'There is only one spring that claims to be noticed. It is called Sinavey, and issues from the crevice of a perpendicular rock at the castle of Mains.' Bishop Forbes, however, is inclined to derive the name of the spring from that of St. Ninian, to whom the church of Mains was dedicated. Had St. Sunniva any other dedications in Scotland besides the one in Yell referred to above? Were any Norwegian churches named after her?

J. M. Mackinlay.

PLAN, OF THE ROMAN FORT ON THE ANTONINE VALLUM,

AT ROUGHCASTLE, STIRLINGSHIRE. 1904.



PROFILE OF THE SURFACE, THROUGH THE FORT.

PROFILE OF THE SURFACE, THROUGH THE MILITARY WAY.

SCALE.

100 50 0 100 200 300 400 500 FEET.

Mungo Buchanan, Del.
FALKIRK.

See page 526

Communications and Replies

THE RUTHVEN OF FREELAND BARONY. He who puts himself into the position occupied by Mr. Pickwick on a certain historic occasion must not complain of a cuff or two. But it is not stated that that gentleman evaded Mr. Slurk by sheltering behind Mr. Pott. If I have failed to grasp the import of the Records relied on to establish the charge of *mala fides* against the two Baronesses and the third Baron Ruthven,[1] I accept full responsibility therefor. But in courtesy to Mr. Round, I have asked the Editor's leave to explain my view of the particular instances on which he still insists. (*S.H.R.* iii. 104, 194, 339.)

The case of James Lord Ruthven is simple. Acting no doubt under legal advice, he took the title in succession, not to his mother or to his great-aunt, but to the second Baron; and forbore to assume it until he had been served heir accordingly.

But why did Baroness Jean drop, in a legal document of 1721, the style which she had constantly used since 1702. It is a puzzle. What special risk would the lady have run by retaining on that occasion the title which she had employed on so many seemingly similar occasions before? Till that question is answered, Mr. Round's theory is inadmissible, and he suggests no answer. Nor does Riddell. My explanation, offered with diffidence, is as follows. The third Lord in his Retour as heir to the second Lord is styled as a commoner, because on that Retour he was basing his claim to the title. What if Baroness Jean, in recording the entail executed by her brother, were seeking (so to speak) to re-found thereupon her right, which had been ignored in Crawford's Peerage? In that case, her reason for dropping the title would be the same as her grand-nephew's for delaying to assume it. It does not follow that the entail really gave her a legal right to the title; that I, like Mr. Round, think improbable, though I do not concur with him in thinking that the matter can be settled by quoting the terms of another patent. If the Ruthven patent, or the traditional version of it known to Baroness Jean, *could* be so understood, that is enough to explain Baroness Jean's action. In my former notes I showed cause for suspecting that her assumption of the title was rather acquiesced in than approved of by some of the family. Be that as it may, the third Lord, as has been already pointed out, took up the title in succession not to the Baronesses but to the second Lord; and his and his descendants' withers would be unwrung though Baroness Jean's claim were definitely rejected.

[1] As before, I use the titles for convenience and without prejudice.

These remarks do not touch Mr. Round's case on the merits, the strength of which I have admitted. He might without loss to himself have taken much of the wind out of the sails of his opponent, by dropping the argument *ad invidiam* altogether. But 'Ephraim is joined to his idols.' We have to thank him for giving us chapter and verse for Baroness Isobel's Coronation summons. I wish he could have proved or disproved the story of the like summons having been sent to Baroness Jean.

J. Maitland Thomson.

THE ANDREAS AND ST. ANDREW. A few words should be said in reply to the remarks of Mr. Skeat in the *Review* for April, 1906 [*S.H.R.* iii. 245 and 383]. Mr. Skeat asserts very positively that *Andreas* and *The Fates of the Apostles* must be taken together as constituting a single poem, which he would call *The Twelve Apostles*, and for his proofs in detail he refers us to his article in *An English Miscellany*, Oxford, 1901. These proofs are repeated in summary by Mr. Skeat in his remarks in the April *Review*, without reference, however, to the discussion of the subject which had appeared in the meantime in the introduction to my edition of *Andreas* and *The Fates of the Apostles*, New York, 1906. With all deference to Mr. Skeat, I must repeat the conclusions which I have expressed there, that there is no proof that *Andreas* and *The Fates of the Apostles* are to be taken together as a single poem, and that, on the contrary, there is very good indication that they cannot be so regarded. The argument which Mr. Skeat bases on the mechanical arrangement of the poems in the manuscript is inconclusive, since, as I have shown, the scribe of the Vercelli manuscript uses exactly the same method in marking off sections of a poem that he uses in separating entirely different poems. There would, therefore, be as much reason for regarding the *Dialogue between the Soul and the Body*, *Sermon in verse on Psalm xxviii.*, and *The Vision of the Cross*,—three poems that no one has ever thought of uniting, as three cantos of a single poem,—as for regarding *The Fates of the Apostles* as a sixteenth canto of a poem consisting of *Andreas* and *The Fates of the Apostles* united. The arrangement of the poems in the manuscript does not speak decisively in favour of accepting *The Fates of the Apostles* as an integral part of *Andreas*.

An examination of the subject matter of the two poems in their relation to each other leads to the positive conclusion that they are separate and distinct compositions. Limitations of space do not permit a discussion of the question here, but the matter will be found fully set forth in the introduction to my edition of the poems. It will suffice for the present to point out that no part of either poem is necessary for the understanding of any part of the other poem, nor is there any allusion in the one to the other. Furthermore, an examination of the sources of the two poems shows that the author or authors followed these sources closely. In neither poem is there any indication that the author thought he was writing a great epic poem on the Twelve Apostles; he was simply retelling old stories as he had found them. The story of *Andreas* is derived from the *πράξεις Ἀνδρέου καὶ Ματθεία εἰς τὴν πόλιν τῶν ἀνθρωποφάγων*,

and to this source the poet adds not a single episode. The immediate source of *The Fates of the Apostles* has not been discovered, but the type of composition to which it belongs is a well known form of apocryphal literature preserved in numerous examples. The poem is obviously nothing more than a translation of one of these apocryphal Latin lists of the names and fates of the Twelve Apostles. The poet made no attempt to fuse old and detached episodes into a single unified poem; or if he did so, the evidences of success are so slight that no one could think of assigning such work to Cynewulf. The poems are separate and distinct. They belong to two different types of medieval composition; their sources prove this and their own internal economy permits no other supposition.

Like Mr. Skeat, I do not at present 'write to convince others,' but simply to call attention to an explanation of the relation of the poems that otherwise might escape notice. The question is of some importance in the history of Anglo-Saxon literature, and it deserves a cool and unprejudiced examination, instead of which it has been treated of late with a hasty dogmatism that passes belief.

In conclusion, I think we may clear Thorpe of the charge which Mr. Skeat brings against him, of wilfully disregarding the runic signature containing the name Cynwulf. The fault, if fault there was, probably lies further back than Thorpe. For it is not at all probable that Thorpe saw anything but a copy of the manuscript, and it is altogether likely that the runic signature was missing in this copy.[1] Thorpe pretty certainly printed everything his copy contained, and there is no reason for supposing that he 'coolly ignored' any part of the manuscript.

George Philip Krapp.

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THE ANDREAS AND ST. ANDREW (*S.H.R.* iii. 245 and 383). Not to accept Professor Skeat's inferences does not necessarily imply ignorance of the facts. I do not regard as proved or provable the unity of the *Andreas* and the *Fata Apostolorum*. In my judgment the poem called the *Andreas* is rightly so called since St. Andrew is undoubtedly the hero of it, occupying the stage for the longest time and figuring in triumph. As I have said, the poem is a free translation of a well-known Greek original, and it is complete in itself. There is a short introduction referring to the twelve apostles, but to use it to cover the incorporation of the *Fata Apostolorum* is a mere straining of the facts. Professor Skeat's assumption that the poet 'finding the whole story would be too long, accounts for the rest of the apostles by merely mentioning their ultimate fate,' is quite unwarranted. The Anglo-Saxon poet did not boggle at the length of his composition; the *Andreas* contains 1722 lines, the *Genesis* contains 2935; moreover,

[1] For the full details of this question I must refer to my discussion of it in 'The First Transcript of the Vercelli Book,' in *Modern Language Notes*, vol. xvii. pp. 171-172 (1902).

Professor Skeat ignores the fact that in the *Fata Apostolorum* St. Andrew and St. Matthew are introduced again, St. Andrew in line 16, St. Matthew in line 67. I have no hesitation in regarding *Fata Apostolorum* as an independent composition.

A. M. Williams.

SOLOMON'S EVEN IN SHETLAND. (*S.H.R.* i. 350.) Respecting the word the Rev. A. Smythe Palmer, in his *Folk-Etymology*, says: 'I have no doubt that this is a corruption of *Sowlemas Even* or *Soulmass Even; Sowlemas Daye* or *Sowlemesday* being an old name for the Feast of All Souls, which fell on the 2nd of November.' As may be remembered, a superstition of ill-omen was connected with Solomon's Even not out of harmony with the sombre associations of the day of the dead. Why Solomon's Even should have fallen on the third of November rather than on the second, or, more correctly, on the evening before the second, does not appear.

J. M. Mackinlay.

SCOTS IN POLAND. The following translation from a document in High German in the possession of Mr. Patrick Keith-Murray is printed here, as it throws some light upon the doings in the early part of the seventeenth century of two of the many Scots in Poland whose history is still to be written. The two, Peter Lermondt[1] and William Keitz, were doubtless members of the Scottish families of Learmonth and Keith serving in the army of King Sigismund III. of Poland, who, from his claims to the throne of Sweden in the North, and the pressure of the Turks on the South, had great need of foreign soldiers. The introduction of the name Learmonth into Eastern Europe has a special interest of its own also, when we remember the Russian poet Mikhail Yurievitch Lérmontoff (1814-1841), the Poet of the Caucasus, was descended from George Learmonth, who—like the soldier Peter who was probably a relative—entered the service of Poland with sixty Scots and Irishmen,[2] and afterwards, in 1613, passed into that of Russia.

We, Sigismundus the Third, by the grace of God King in Poland, Grand-duke in Litthauen, Russia, Prussia, Massawen (Masovia), Samoitia, Livonia, Wolinia and Lierland Lord, and also of the Swedes, Goths and Wends, King and Grand-duke in Finland, Carelen, Watz, Lipetin and Ingern in Russia, of the Esths in Lierland Duke, send to all and each Palatinate and Princes both Cleric and Lay, prelates, counts, lords, knights, burgo-masters, councillors and others, of whatever dignity they may be, who may see this our open letter, in which they are assured of our friend-ship, our gracious favour and all good wishes to your beloved countries and yourselves. We hereby declare that we have accepted and named the noble

[1] As Peter Leermonth 'nobilis,' he appears in the Minute books of Marienburg in 1619. *v.* Fischer's *Scots in Eastern and Western Prussia*, p. 131.

[2] *v. Russian Literature*, by P. Kropotkin (London, 1905), p. 51. Another, Captain David Learmonth, son of Sir John Learmonth of Balcomie (who died, 1625), is said to have died 'in Germany' (Wood's *East Neuk of Fife*, p. 444.)

INSCRIBED TABLET FOUND IN ROUGH CASTLE

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and brave Peter Lermondt as chief Captain over three companies of German soldiers, nine hundred foot soldiers, for the protection of our kingdoms, provinces, countries and people against the hereditary enemy of the Christian name, the Turks. It is therefore necessary that such soldiers should be levied and brought to camp partly outside of, but best in our own countries: the newly named Lermondt has ordered and installed the noble and brave William Keitz as captain. We herewith request your beloved countries and yourselves, also each one individually kindly and graciously, but our own people with authority, that they should allow the aforenamed Lermondt as chief Captain and his captain William Keitz, or the commanders of the same, to levy and enlist the aforenamed soldiers in your beloved countries towns, villages, authorities and realms; also to let the enlisted soldiers pass freely secure and unhindered and direct wherever they may be sent by Lermondt as chief Captain or his ordained captain or the commanders named by them by sea or land, to shelter them hospitably and give them fair and proper payment provision and other necessaries; also to give them everywhere good help and furtherance, so that the said soldiers may pass through all the speedier. This we will in all friendship and favour make up to your beloved countries and yourselves. In witness whereof we have signed this with our own signature and have our Royal Seal put thereon. At our Royal Castle of Warschau the 17th. January 1621, of our reign (in the four and thirtieth year of the Polish Calendar and the twenty-eighth of the Swedish Calendar).

A. Francis Steuart.

Notes and Comments

Rough Castle.

ROUGH CASTLE, two and a half miles west of Falkirk, well deserved the care and labour expended on its exploration by the Society of Antiquaries of Scotland. 'The vast Roman Fort upon the Wall, called Rough Castle,' said the *Itinerarium Septentrionale* of 'Sandy' Gordon, published in 1726, 'for intireness and magnificence exceeds any that are to be seen on the whole Track from sea to sea.' A position naturally favourable for defence was strongly fortified. Having the Antonine Vallum as its northern face, the fort, admirably shown (page 520) in Mr. Mungo Buchanan's plan (reproduced by permission of the Society), consisted of two parts, the fort proper and the annex. The main rampart of the fort is of earthwork 'cespiticious' in character on a base of stone like that of the Antonine Vallum itself. Outside of the rampart—west, south, and east—are two fosses. The rampart of the annex differs in structure from that of the fort. Although on a stone foundation it does not show the same mossy lamination, and it has not the double outer ditch of the fort. All the main fosses are of **V** section. Foundations of buildings in both fort and annex, while scarcely definite enough to warrant specific identifications of parts, exhibit apartments and structures various in size and character, with cross walls, indications of tile floorings, buttresses, hypocaust pillars, flagstone paving, drains, culverts, etc. What are believed to be clear evidences of alterations and additions point to the character and duration of the occupancy—a subject on which the report in the last volume of the Society's *Proceedings* is chary of theorising. Dr. Christison confines himself to a general description and account of this important station, Mr. Buchanan records the facts of the exploration, which owed much of its success to his own work and that of Mr. J. R. MacLuckie, of Falkirk; while Dr. Joseph Anderson registers the potter's marks of earthenware remains and the special features of the glass, bronze, lead, iron, and leather articles—in this instance neither numerous nor important.

The sole inscription previously found associated this station with the sixth cohort of the Nervii. A tablet (page 524) was during the Society's explorations found at the entrance to the building in the fort marked on the plan No. 1. It is of special interest not only as confirming the connection between the Nervians and this fort, but as showing that, in the second century A.D., '*principia*' was probably the true name of the group of buildings in a Roman camp which we have been accustomed to call the '*praetorium*':

[IMP. CAE]SARI. TITO
[AELIO.] HADRIANO.
[ANTO]NINO. AVG
[PIO.] P. P. COH. VI
[NER]VIORUM. PRI
[NCI]PIA. FECIT

(In the reign of the Emperor Cæsar Titus Aelius Hadrianus Antoninus Augustus Pius, father of his country, the sixth cohort of Nervii made the headquarters.)

Yet more interesting than this inscription, however, was the discovery of a series of defensive forts (p 524) forming a guard to the north-west side of the approach to the north gate of the fort. There were ten parallel rows with the pits arranged obliquely, so that pit and plain surface alternated either way. This curious feature of the works of Rough Castle was, with surprising exactness, explained by Mr. Haverfield's reference to Cæsar's Commentaries for the pits with sunken stakes, set quincunx fashion, used by Cæsar to strengthen his lines at the siege of Alesia.

George Buchanan.

George Buchanan is being very variously honoured as he enters upon his fifth century. As was to be expected the occasion has already produced a number of books. Professor Hume Brown has written a popular sketch expressly for the young—*George Buchanan and His Times* (Edinburgh: Oliphant, Anderson & Ferrier, pp. 96, with portraits, etc., 1s. net)—in which the career of the scholar, historian and politician are briefly traced with attractive simplicity of language, and with the same studied moderation of tone as distinguished the fine biography which the author published in 1895. To the latter work, as of prime authority, all subsequent writers have been profoundly indebted. The late Dr. Robert Wallace, in his unfinished sketch of Buchanan for the Famous Scots series now reprinted (*George Buchanan*, by Robert Wallace, completed by J. Campbell Smith. Quater-Centenary edition. Edinburgh: Oliphant, Anderson & Ferrier, 1906, pp. 150, six illustrations, 1s.), expressly said that he did not pretend to contribute any fresh material, but that his object was to boil down Dr. Hume Brown. This he did, but with constant touches of enthusiasm and characterisation, which mark the posthumous essay as a specially bright biographical estimate. The most considerable recent work on this theme of the hour, however, is *George Buchanan, a Biography*, by Donald Macmillan, M.A., D.D. (Edinburgh: George A. Morton, 1906, pp. ix, 292, 3s. 6d. net), in which a revised judgment is offered on the chief issues dealt with by earlier biographers and critics. The standpoint is, perhaps, rather too obviously clerical, but in popularising and canvassing the older opinions upon the one Scot whom Europe has ever hailed as pre-eminent among the scholars of his time, Dr. Macmillan's review of the evidence will be of service in shaping the new verdict to which a Quater-Centenary Celebration can hardly fail to lead. Time—deadly in the part of Devil's Advocate—seems to have taken his stand definitely on Buchanan's side.

His Quater Centenary

His vigorous survival after four complete centuries is to be scholastically celebrated, as it were, at St. Andrews, where, besides Lord Reay's oration in his honour, there are to be University receptions and the like, as well as a bibliographic exhibition which can hardly fail to be of historical importance. Buchanan was, of course, not only a writer of books himself, but the cause of so many books by others in his own time and since that a bibliography is now a spacious task. In Glasgow the proposed celebrations (not a little due to the initiative of Lord Provost Bilsland) are on a purposely subordinate scale and embrace an archaeological visit in August to the Moss, Killearn, where Buchanan was born, and an anniversary address in November by the Rev. Principal Lindsay in connection with the Historical Society of the University of Glasgow. A special Committee in Glasgow has in charge the preparation of a Memorial Volume or 'Festschrift' to contain along with Dr. Lindsay's address a number of documents and special essays. Contributions by Prof. Hume Brown, Sir Archibald Lawrie, Dr. David Murray and others are expected—the papers including unprinted texts and charters relative to Buchanan, notes on books belonging to or gifted by him, the reprint of at least one very rare pamphlet shewing his poetical influence, discussion of the provenance and effect of his political doctrine, and other first-hand studies in the history and literature of his time. We are authorised to state that the Committee will be pleased to consider any contributions on those lines which may, not later than 1st September, be offered or submitted to them by students of Buchanan or of the intellectual movement he represents.

Colonial History.

Mr. H. E. Egerton, M.A., Beit Professor of Colonial History in the University of Oxford, has published at the Clarendon Press his inaugural lecture, *The Claims of the Study of Colonial History upon the Attention of the University of Oxford* (pp. 32, 1s. net). He protests against the Oxford curriculum for dealing with 'English history only as far as the accession of Queen Victoria.' His thesis that for colonial history the year 1837 is an impossible limit establishes easily a foregone conclusion. We have often no great sympathy with ultra-patriotic outcry against a broad application of the word 'England,' but what excuse is there for the use of the term the 'English Empire,' by any person presumably exact, speaking from a chair of history?

The Rymour Club.

The Rymour Club, Edinburgh, has been formed to 'gader the relefis [fragments] thatt ar left that thai perische nocht'—in other words, to collect waifs and strays of traditional rimes and popular airs. Printed for members only, the first part of their *Miscellanea* contains reminiscences of children's chants, and the gallant ballad of Jack Munro. Mr. A. H. Millar contrasts the original and improved versions of 'Within a Mile o' Edinboro' Town.' There is clearly a field for useful work by the Club, which bids fair to earn the benison of students of Scottish folk-lore.

THE PITS (LILIA) TO NORTH-WEST OF NORTH GATE OF ROUGH CASTLE FORT

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