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Dunstaffnage Castle

THE historic Castle of Dunstaffnage, it is hardly necessary to say, stands on a small peninsula on the south side of the entrance to Loch Etive. Various explanations of the name have been given. In the Latin of Buchanan it takes the form of *Stephanodunum*—that is, the Dun of Stephen—possibly the most foolish of them all. Another and more popular one was the Fort of the Two Islands. This is less foolish, while nobody ever heard of Stephen, there are two small islands in the mouth of the loch. But it is not easy to understand why a fort on the mainland should be called the Dun of the Two Islands, especially as one of them has a dun of its own.

A more satisfactory explanation, however, is given by Professor W. J. Watson.

'The first part of the word is the Celtic word *Dun*, meaning a fort. The latter part *staffnage* is a slight corruption of a Norse compound word *stafness* or *staff-an-ness*, meaning the staff point. *Ness* is applied to promontories jutting into the sea amongst other things. There are numerous examples round the coast of Scotland of *Ness* applied to promontories. *Staff* means a staff of wood; there is no doubt about that. But the exact occasion on account of which the place was called *Staff point* is doubtful. The Norsemen often used to give names to places from quite trivial incidents. On one occasion a place is called *Combness* from the fact that a lady lost her comb there... My view is that there was a place called *Staff-*

ness, and when the fort was built there it was called the Dun of the Staffness.'

An old form of the name is Ardstofniche, and in this connection it is not immaterial to notice that on the north side of the entrance to Loch Etive near the famous Beregonium there is Ard-na-Muicknish, another compound name which also fits in well with Professor Watson's view.

Some 160 yards south of the castle is a ruined chapel, now used solely as a place of burial, of which the origin and dedication were, until lately, quite unknown.

It is curious that the castle chapel should be outside the castle at all, and it is still more curious that it should be such a distance from it. But there seems to be an explanation and an interesting one.

The foundation of Dunstaffnage is attributed by Hector Boece to King Ewin, who reigned in Scotland before the Christian era. Boece, who was a native of Angus and became the first Principal of King's College, Aberdeen, in 1505, has long since ceased to be regarded as an authority, though many of the fictions which he relates were not his own invention. There seems no special reason for believing that there ever was a king of Scotland named Ewin or that he built Dunstaffnage. But it would be foolish to assert that all the traditions preserved by Boece are unfounded or to deny that in the present case there may have been some petty king or kings who in early days had a stronghold there. Then Boece goes on to say that in Dunstaffnage was the famous marble chair—the Stone of Destiny. Brought, so the story goes, by Symon Brek, from Spain to Ireland, it was then taken to Argyll by Fergus and placed in Dunstaffnage, where it remained till Kenneth Macalpin, the first king of both Scots and Picts, transported it to Scone in Gowry, about the year 850. Time need not be wasted on observations on the Stone of Destiny or on the narrative of Boece. Suffice it to say that in Dunstaffnage Castle the place where it had been was once solemnly pointed out to the present writer! There may also be seen in *Pennant's Tour* (p. 354), 1785, the engraving of an ivory image dug up in the castle which he says 'was certainly cut in memory of this chair and appears to have been an inauguration sculpture—A Crowned Monarch is represented sitting on it with a book in one hand as if going to take the Coronation Oath.' Other opinions as to this interesting object have, however, prevailed, and it is now recognised as a chessman of Norse design. But the old legends cling to the spot, and

Dunstaffnage is still called a royal castle, as if it were like Edinburgh or Dunbarton.

It is thus described by Messrs. Macgibbon and Ross in their classic work, *The Castellated and Domestic Architecture of Scotland*,¹ Dunstaffnage Castle 'stands near the point of a low-lying peninsula jutting out into the sea at the entrance to Loch Etive and is about four miles distant northwards from Oban. The peninsula, about half a mile in length, is about 700 yards in width at the neck, uneven and diversified on its surface, and well wooded. The site of the castle is a rocky platform, rising from twenty to thirty feet above the general surface of the ground, with precipitous faces, that along the north front overhanging considerably. The walls follow the outline of the rock, and are built sheer up from the edge so as to allow no foothold on the rock outside.

'In plan the Castle is rudely quadrangular, with great curtain walls, from nine to eleven feet thick, and about sixty feet high from the ground outside to the top of the battlements, or twenty-five feet high from the parapet walk to the courtyard inside. At the east and west ends of the north front are round towers; over these this front measures about 137 feet. At the meeting of the south and west fronts the wall is rounded, and slightly projected beyond the west face only, along which the castle measures about 112 feet. At the south-east corner, where the entrance is, there is a twofaced projection—one face parallel with the east front and the other set on diagonally and connected with the south front by a solid round in the re-entering angle. Along the south front the walls are about 68 feet long and along the east front about 100 feet. . . .'

At the entrance there is an oblong building—'mostly in the style of the sixteenth or seventeenth century . . . The battlements which are in a ruinous state, have evidently been altered for guns. . . . The quaint eighteenth century house along the north curtain is two stories high.' It is thus obvious that changes or repairs have been made from time to time. 'About 160 yards south-west from the castle is the chapel. It measures 90 feet 7 inches long by 26 feet 6 inches wide and is divided into nave and chancel. . . . Inferring from its details, the erection of the chapel may be assigned to about the year 1250; and there is every probability, and almost certainty, that the castle is of the same age, and built by the same men.'

¹ Vol. i. p. 85 *et seq.*

Who these men were admits of little doubt. On the death of Somerled in 1164, his dominions were divided among his sons. Dougal, the eldest son, got Lorne, that is to say, the coast of Argyll from Knapdale to Lochleven, and founded the house known as De Ergadia or Argyll. His son and successor was Duncan, whose son again was Ewin, known also as King Ewin, and his son was Alexander.¹

It is pretty certain, therefore, that the Castle of Dunstaffnage described by Messrs. Macgibbon and Ross must have been built by Ewin de Ergadia, probably the King Ewin of Boece, or by Alexander, his son. This Alexander of Argyll married a daughter of Comyn, Lord of Badenach, and aunt of the Red Comyn, who was killed by Bruce at Dumfries in February 1306.

Between Bruce and the whole Comyn connection, including Alexander de Ergadia and his son John of Lorn, there was thus a blood feud, which accounts for their inveterate hostility to the King.

That hostility nearly resulted in the destruction of Bruce after his defeat at Methven in the following June. But later on he finally routed the men of Lorne in the Pass of Brander and took Dunstaffnage. According to Fordun :

‘Eodem anno [1308] infra octavas Ascencionis beatae Virginis Mariae idem rex Ergadiensis devicit in medio Ergadiae et totam terram sibi subegit, ducem eorum nomine Alexandrum de Argadia fugientem ad castrum de Dunstafinch per aliquod tempus inibi obsedit, qui eidem regi Castrum reddidit et sibi homagium facere recusans, dato salvo conductu sibi et omnibus secum recedere volentibus in Angliam fugit et ibidem debitum naturae persolvit.’

Lorne and its great fortress thus passed into the hands of the King, who for some reason did not pull it down, as was his general practice, but stocked it with provisions and put a garrison therein.

Barbour, who gives more details than Fordun, makes this quite plain : (x. 112).

‘The King that stout wes, stark and bald
Till Dunstaffynch richt suddanely
He past, and segit it sturdely
And assailyeit, the castell to get.
And in schort tyme he has thame set
In sic thrang, that tharin war than,

¹This has been disputed, e.g. *Clan Donald*, vol. i. p. 64, but without sufficient reason. Cf. Skene's *Highlanders of Scotland*, 2nd edn. p. 411 (Dr. Macbain's notes).

That, magre thairis, he is van ;
 And a gud vardane thair-in set,
 And betaucht hym baith men and met
 Swa that he thair lang tyme nicht be
 Maigre thaim all of that cuntre.'

This statement is corroborated by entries in Robertson's Index of Missing Charters, which tell how Arthur Campbell received the constabulary of Dunstaffnage and the mains thereof whilk Alexander de Ergadia had in his hands.¹

In 1368 King David II. confirmed a charter of his father, Robert I. to William de Vetere Ponte, dated at Dunstaffnage on October 20th and the fourth year of his reign. By some strange mistake this has been cited as evidence for David II. having been at Dunstaffnage. But it is correctly given with his usual accuracy by Lord Bute as showing that Robert I. was there. The fourth year of his reign began 27th March, 1309, and ended 26th March, 1310, so this charter proves that he was at Dunstaffnage on 20th October, 1309, thus throwing light on his movements at a time when we know very little of them.

The Castle no doubt remained in the King's hands for a considerable period.

The forfeited John of Lorn had a son Alan, who left a son John.² This John the younger married Joanna Isaak, daughter of the Princess Matilda, the younger daughter of Robert I. and Thomas Isaak, and had restored to him a great part of the family inheritance. Of this marriage there were two daughters, Joanna and Isabella, who married two brothers, sons of Sir Robert Stewart of Innermeath and Durrisdeer. By a family arrangement Jonet and her husband Robert Stewart the younger brother excambed Lorne for Durisdeer with John Stewart the elder brother and husband of Isobel, who on April 19, 1388, received a crown charter of the lands 'de lorne de benachir de loch et de Aphane

¹ There is another entry of a charter to the same Arthur Campbell of 'the three penny land of Torrinturks in Lorne with many other lands.' These unspecified lands are given in the copy of an old inventory at Inveraray as follows: 'The 3d. lands of Torrinturkis within the bounds of Lorn 1d. land of Loursolios 2d. land of Letter-nan-ella with the isle thereof 6d. land of Glenrinness 3d. land of Blarhallachan and Blarnanenheimach (? Blarnaneirannach) 4d. land of Achana-kelich and Auchinvachich 2d. land of Kilmore 2d. land of Auchinafure 1d. land of Dunollach 3d. land of Ardstofniche near to Dunollich in a free barony' . . . 'the 3d. land of Ineraw the 3d. land of Achnaba the 5d. land of Ferlochan the 3d. land of Achendehach within the bounds of Benderloch.'

² *Vide Highland Papers* (Scot. Hist. Soc.), vol. i. p. 75; vol. ii. p. 148, note 1.

ac de lesmore'—*i.e.* Lorne, Benderloch, Appin, and Lismore. This charter, which does not appear in the existing Register of the Great Seal, is still extant at Inveraray. On the death of John Stewart Lord of Lorne in 1421, he was succeeded by his son Robert, who in turn was succeeded by his son John 'Muireach,' *i.e.* the Lepper.

This last John Lord Lorne, it is noted in the *Auchinleck Chronicle*, in the Parliament of 12th June, 1452, 'talyeit all his landis to the male surname'¹ (p. 48). He had three daughters married, respectively to Sir Colin Campbell of Glenorchy, Colin, first Earl of Argyll, and Arthur or Archibald Campbell of Otter.

The universal tradition is that by a Maclaren of Ardveigh he also had a son Dugald, born after his wife's death, and therefore younger than any of the daughters; that he was desirous of legitimating that son by marrying his mother, and sent for her and her son to Dunstaffnage; and that on the way from the castle to the chapel he was, in December 1463, stabbed by one Alan M'Coul. Before he expired, however, the marriage, it is said, was duly celebrated, and the legitimacy of young Dugald fully secured.

To go back for a moment. On the death of John Macalan MacDougal, the restored Lord of Lorne, the heir male of the house of Lorne was his brother Alan MacDougal, or in Gaelic, MacCoul. There may possibly have been some trouble with the clan, on the passing of the Lordship from the chief to a south country Stewart laird. But a considerable extent of Lorne seems to have remained in the possession of members of the old family, and in particular in 1451 John McAlan Vic Coul received from John Lord Lorne a charter (probably a confirmation) of Dunolly and Kerrera, and other lands south of Oban, along with the office of bailie of Lorne and a curious grant of the 'alumnam et nutrimentum' of his heirs.

This John had two sons, John Keir MacDougal, his successor, and Alan, known as Alan of the Wood. This Alan became mixed up with the Lord of the Isles and the Earl of Douglas in their intrigues with Edward IV., and seized his brother and chief, and imprisoned him in the Island of Kerrera. According to the *Auchinleck Chronicle*: 'The yer of God 1460 the Erll of Ergyle Colyne Cambel passit in Lorne, for the redempcioun of his cosing John Keir of Lorne the quhilk was tane by his brother Alan of Lorne

¹The Tailzie is contained in a crown charter of 20th June, 1452. *Reg. Mag. Sig.*

of the Wood, sister son to Downe Balloch.¹ (It is to be observed how the designation of *Lorne* still persists, though the Lordship had been acquired by the Stewarts.) 'And schortlie this Erl forsaide with his oist come to the ile of Kerewra quhar this Alan had his brother in festynans. And his entent was to destroy him that he mycht have succedit to the heretage. And schortlie they come sa suddanlie upon the forsaide Allane in the said ile that he mycht nocht pass away with his schippis in the quhilkis war an hundreth men and this said John Keir was bound. And his men was slane to the noumer of 4 or 5 score and brynt thar schippis and redemit his cosing and restorit him to his lordschip. And the tother chapit richt narrowly with his lyfe and 4 or 5 personis. And this was the first slauchter eftir the deid of King James the Second' (p. 58).

As James II. was killed in August 1460, this slaughter must have been after that date. On Alan's death shortly thereafter another Alan, an illegitimate cousin, took his place as a mischief maker, and extended his operations to the Lord of Lorne.

It is said by Hume of Godscroft that the Earl of Douglas had to take refuge with the Lord of the Isles at Dunstaffnage, but this is a mistake. At that time the Lord of the Isles had nothing to do with Dunstaffnage, and the Stewart Lords of Lorne were not likely to give Douglas shelter or countenance. Moreover, in the *Auchinleck Chronicle* it is clearly stated that he met John Earl of Ross and Lord of the Isles in Knapdale (p. 54).

It has been suggested that this murder of Lord Lorne was instigated by the Campbell sons-in-law. But there is no direct evidence to this effect, and on the surface it is difficult to see what motive they would have had. Their wives, on whom suitable provision had been made on their marriage and who were also the heirs of their father's fee simple lands were not entitled to Lorne. That lordship was a male fief entailed on John Stewart Lord Lorne and the heirs male of his body, whom failing Walter Stewart his brother and a whole series of substitute heirs, and the only effect of the murder of the Lord of Lorne was to pass on that great Lordship to his son if legitimate, and to Walter and the other heirs if he were not. So far, therefore, it is difficult to see what advantage the Campbell sons-in-law could hope to derive from the murder of the father of their wives. On that footing it would rather

¹i.e. Donald Balloch Macdonald of Isla. This shows that John M'Alan Vic Coul had married a daughter of John Mor Tannister.

seem that the murder arose out of some of the troubles of the time—not unconnected, perhaps, with the attempts of the Lord of the Isles and the Earl of Douglas to overturn or curtail the power of the Crown. Still, however, there is the persistent tradition, and there is also a deed in the Register House which certainly shows that before the murder Argyll and Walter Stewart were apprehensive that Walter's right of succession was in danger, and were prepared to maintain it by force. As the deed is apparently not at all well known, it may be well to give the official summary *in extenso*. It is an indenture made at Innis-trynich on Loch Awe :

'Indenture made at Inchdrenich the 11th day of December 1462 between Colin Earl of Eryyll and Lord Cambel on the one part and his cousin Walter Steuard, apparent heir of John Steuard Lord of Lorn, whereby *inter alia* the said Earl binds himself and the heirs of his body to help and defend the said Walter Steuard and his heirs male against any revocation reversing or changing of the Tailzie made by the said Lord John to any other persons except said Walter, and if the said Lord of Lorn should be induced to revoke and reverse the said Tailzie, the Earl obliges himself and his heirs to help and support the said Walter Steuart as far as law will 'agains al tham lyffis or de may,' the king and queen and other lords to whom he is already bound excepted, and to uphold and defend the said Walter in all lawful matters, causes, actions and quarrels. And the said Walter Stewart on his part, as apparent heir foresaid, has given and agrees by charter and sasine to give to the said Earl and his heirs one hundred merks of land lying within the Lordship of Lorn to be held of the said Walter and his heirs for one penny blench, being all the lands lying between the waters of Aw and Etyffe, with the half of all the fishings of both waters, and the rest of the said hundred merks worth to be given together in Lorne, beginning at Ordmaddy and Achynasawll ay and until the rest is made up, or else in Beantraloch alltogether in the most competent place, and also 20 merks worth of land in the Sheryfdom of Perth called Kyldonyn, lying within the barony of Innermeth ; also in blench, a charter of the said six score merks of land to be given to the said Earl and his heirs within 40 days after the said Walter has taken sasine of the said Lordship of Lorn, highland and lowland, and, failing due performance, shall give an obligation in the strictest form for payment of 4,000 merks. And the Earl further, with consent of Esabell Stewarde, Countess

of Eryll, his spouse, gives up all claim he or she has, or may have, to the tailzied lands of Lorn, high and low, then in possession of the Lord of Lorn. Attested, the copy remaining with Walter Steward, by the Earl's seal and (the other copy), by the seal of Duncan Campbell, Walter having none. Witnesses; John Makalister McGillewun and Archibald McEun (? McEuir) and others sundry. (Reg. Ho. Charters, No. 372.)

It would thus appear that the Campbells and Walter Stewart may have had after all some motive for encompassing the death of Lorne, and that Alan the outlaw may possibly have been a mere tool in their hand.

But be this as it may, there is no doubt but that John Lord Lorne was killed by this Alan M'Coul, and that Alan M'Coul seized the Castle of Dunstaffnage. This is clearly brought out by the following passage from the 'Minutes of Parliament, 1464-5 :

'Item as tueching the punicioun of Alane M'Coule, quhilk as cruelyn slayn John Lord Lorn the King's cusing. The Lords thinks speidful that, als soon as the session of the wedder askis, the King move in proper persone with his Lords for the inwading justifying and punyssing of the said Alane and asseyzing of the Castell of Dunstaffnich, and that he be forthwith put to the horne of party and syne opinly to the King's horne. And that notwithstanding the letters written of befor to the Earl of Ross. The Lords ordains that new letters be written with the autoritie of the King and of Parliament charging hym that he neither supple support nor resett the saide Alane in the said deds under all the heast pain et charge ye convict et juries agayn the King's Maestie etc.'¹

The King, of course, was the boy James III. who in 1460 succeeded his father when nine years old.

It is unnecessary to go into the feuds and fighting that followed. The result is sufficient—Dugald Stewart got Brae Lorne—that is practically the region between Loch Creran and Loch Leven, and founded the family known as the Stewarts of Appin.

Walter Stewart completed his title to the rest of Lorne, and in terms of a family arrangement handed it over to Argyll in exchange for certain lands elsewhere in Scotland, Argyll becoming Lord of Lorne, and Stewart obtaining the title of Lord Innermeath. From Argyll, as Lord of Lorne, Glenorchy received considerable lands within the Lordship, while Otter, the husband of the third

¹ *Acts*, vol. xii. p. 30.

lady, being a person of too little importance to make himself effectually disagreeable, seems to have got nothing out of the transaction.

Dunstaffnage thus passed into the hands of Argyll, whose first Crown charter of Lorne is dated 17th April, 1470—the reddendo for that great lordship being *una clamis*—one plaid—at the feast of Pentecost, *i.e.* Whitsunday, if asked only. There is no mention in it of the castle of Dunstaffnage.

Seventy years later, on 14th March, 1540, Archibald, fourth Earl of Argyll, got a charter incorporating Lorne and many other lands into a new Lordship of Lorn, and of this new and extended barony and lordship Dunstaffnage is declared to be the chief messuage. The reddendo which is payable there on the feast of the Nativity of St. John the Baptist, *vocat. mydsommer*, is now *una clamis vulgo lie mantill*—along with one red rose, one pair of gloves, and two silver pennies—obviously in respect of the other lands in the charter. Although the property of many of the lands contained in that charter has been feued out, Argyll is still the Lord of Lorne, and the reddendo is still one plaid, a red rose, a pair of gloves, and two pennies money at the Feast of St. John the Baptist in name of Blench duty—if asked only.

On his acquisition of Lorne, Argyll, like Robert I., found it necessary to put a proper 'vardane' into Dunstaffnage. Tradition says that this was Donald Campbell, the bailie of Glenaray, a grandson of Colin Iongatach of Lochow, and tradition is probably right. But be this as it may, a liferent charter of certain lands in Strathearn was granted by John Lord Drummond in 1490 in favour of Alexander Campbell, designed as *Capitaneus de Dunstaffynich ac ballivus de Glenaray*.

In 1502, Archibald, second Earl of Argyll, who had succeeded his father in 1493, granted to his kinsman, Alexander Campbell Keir (or left handed), and the heirs male of his body, certain lands described as 'Omnes et singulas terras nostras de Penycastell de Dunstafynche, Penny Achinche denariatam de Gannewane, denariatam de Penginaphuyr, denariatam de Garvpengyn, denariatam de Kilmore, denariatam de Dawgawach, duo decem mercat terrarum de Glencrutten et sex mercatas terrarum de Barranoachtrach, cum pertinen. Jacen. in dominio nostro de Lorne infra vicecomitatum de Ergile et Lorne.'

The reddendo is thus set forth: 'Dictus vero Alexander et sue heredes masculi, prout predicitur, in firma custodia custodien. ac sine lesione nobis ac heredibus nostris tenen. castrum nostrum

de Dunstafynche et semper inibi tenen. et haben. sex homines probos et decentes cum armatis et armis licitis pro guerris et custodia dicti castri et sufficien. ostiarium et vigilem ad numerum in toto octo personarum in tempore pacis et si forsan contingat guerra. existe. in illis partibus qua patriam vastare contingerit nos et heredes nostri propriis expensis tenebimur demidiatem hominum et expensarum in illo nostro castro ad numerum necessarium pro custodia et firma detentione ejusd. castri. Insuper dictus Alexander et sui heredes ut predicatur inven. nobis et heredibus nostris annuatim focalia pro cameris coquina pistoria et le brouhouse et semper prima nocte pro aula toties quoties nos aut heredes nostri contingim. ibid. esse. Etiam dictus Alexander et sui heredes, prout prius dicitur, solven. nobis et heredibus nris triginta bollas farrine et duas bollas ordeï annuatim pro omnibus exactionibus et demandis.’

It may be convenient to give also a translation of this reddendo from a vernacular deed dated May 18, 1667. It contains, as will be observed, certain additional stipulations which do not appear in the charter of 1502.

‘The said Archibald Campbell and his foresaids keeping in sure custodie and without hurt to us our aires and successors holding the said Castell of Dunstaffneis and ever keeping and holding therein six able and decent men with armour and arms sufficient for war, and keeping of the said Castell and ane sufficient portar and watch, at least extending to 8 persons in tyme of peace. And if warr shall happin to fall out in those parts wherthrow the cuntrie shall hapin to be wasted we and our aires shall be holden on our own propper charges to be at the half of the expense to be necessarilie bestowed for the keeping and sure detaining of the said Castell over and above the saides eight persones to be kepted therein be the said Archibald Campbell and his foresaids on ther own charges as said is. Moreover the said Archibald and his aires above w^{ren} shall be obleist to make our said Castell patent & open to us and our foresaids at all tymes when they are requyred thereto. As also shall furnish to us and our aires and successors foresaid yearlie peats or aldin for chambers, kitchine, bakehouse and brewhouse, and for the hall also, also oft and sua oft as we or our aires shall hapin to be ther.

‘And sicklyk the said Archibald Campbell and his aires foresaids shall be astricted bund and obliged to sufficientlie uphold and maintaine the hail house and buildings of our said Castell of Dunstaffneis in the samen conditione evrie way as the said

Archibald Campbell does presentlie, or shall hereafter happin to enter to or receive the samen the fewars and tennents of our said lands in Lorne who were formerlie in use of doing service to our said Castle of Dounstaffneis being alwayes astricted thereto in tyme coming for careage of all materialls necessarie for the upholding and repairing of the samen according to use and woint. As also the tenants of the fôresaid lands of Pennychastell Pennychinie Gannivan Penginaphour Garrowpengine Kilmoir and Dongarvach doeing also service at the said Castell of Dounstaffneis als oft as wee or our foresaids shall happen to be ther and as they shall be requyred thereto with the rest of the fewars and tennents of our other lands in Lorne astricted as said, is conforme to use and wont. And in lyk maner the said Archibald Campbell and his aires foresaids payand to us our aires male and successors above w^{ren} threttie bolls meal and twa bolls bear yeirlie.'

Alexander Campbell Keir and his heirs were also made hereditary maors or factors for the country round about, receiving the office 'quod in vulgari vocatur Marnychti,' and on that account were taken bound not to marry without the consent of the Earl of Argyll for the time.

Such were the terms on which Alexander Campbell Keir received his estate and they remained the terms of his tenure till modified by the Clan Acts of 1746.

Alexander Campbell Keir was succeeded by his son Angus, who apparently impressed himself on the popular imagination, as to this day the Dunstaffnage Campbells are known in Gaelic as Clann Aonghais an Duin—the children of Angus of the Dun. It is good to know in these days of change that they still hold their ancient place. And on his father's death the present captain was formally invested by the present Duke of Argyll with the ancestral gold chain and key, worn as their badge of office. The crest of the Captain of Dunstaffnage is a Castle, and his motto, appropriately, *Vigilando*.

Though Inveraray had become the chief residence of the Earls of Argyll before the acquisition of Dunstaffnage, and though Inchconnel, the island fortress in Loch Awe, still remained their chief place of strength under a family of Maclachlan as hereditary captains, Dunstaffnage was much used by them, especially in connection with troubles in the Isles, of which there were many. James IV. in his expedition to the Isles was at Dunstaffnage on August 18, 1593, as we know from his granting a charter on that date apud Dunstaffynch.

During the sixteenth century, however, there is little to note about the castle, though no doubt it often served as a stronghold, as a prison, and as a gathering place for those expeditions against Macdonalds and Macleans by which the power of the house of Argyll was steadily built up. It had, however, fallen into some disrepair, for early in the next century it was found necessary to repair it. The seventh Earl of Argyll, the well known Gilleasbuig Gruamach, had found the Swiss-made theology which had been imposed on Scotland by the Melvilles and their associates somewhat unsatisfying; so in 1618 to the great annoyance of the King, he had returned to the old faith, and had been declared forfeited. His eldest son, Lord Lorne, afterwards the well known Marquess of Argyll, was then a boy of eleven, and for him, as far of the estates, these were managed by a body of Campbell lairds. In 1625 an order was issued by Lord Lorne for 'the tenants and heritors fewaris, tenantis, tackismen, 'occupiaris and possessouris of lands and other gentialmen within 'the bounds of Lorne to mak service for reparatioun and upholding 'of the Castell and House of Dunstaffness.' And a similar and even more stringent order was issued by him again in 1636. That this reparatioun was duly carried out appears from the statements already quoted from Messrs. McGibbon and Ross, and also from documents showing that from 1644 onwards Dunstaffnage was used as a magazine of arms and a depot for provisions for the support of Argyll and his allies. Dated at The Leager near Ruthven in Badgenoch 9 October, 1644, this order was issued.

'Captain of Dunstaffnag

Being certainly informed that Alexander McDonald¹ and his rebellious complices are going to Ardnamurchan, these are to [direct you on] sight hereof to send [meal] . . . beer and biscat to Inverloche and caus man my gallay and some other boats to cum along with it—if the bark can cum I desire she may cum lykeways, but whither by journey or sailing let the meal cum and tho' the bark carrie it yit let my galay and as many small boats as can be manned in a suddente cum along lykeways being cairful to keep themselves from the treachari of the people thair-about: so in heast I rest your loving Cusin ARGYLL.'

This letter, it may be noted, was written when Argyll was vainly wandering about after Montrose, who had lured him onwards

¹ Alexander MacColl Ciotach, described by Dr. J. H. Burton as Macdonald of Colkitto!

from Aberdeen into the wilds of Badenoch. Another letter of the same period is also of interest :

‘ Loving Cusin,

Sieng the bark is come heir with the meal I desire now that you send onelie about threttie seckis alongis in Auchnabrekis boat and lat all the rest remaine till my farder ordours. In the meantime haist heir all the amunitione, powder, lead and matches that come fra Glenurquhy and send back this boatt of Macleanis with it and send some trustie man with it and some of the sojouris that are coming up to guard it. And lat it be haisted with expeditioun. Iff this overtake Auchnabrekis boatt lat the amunition be sent on hir. And howsoevir you shall not fail to haist both McCleanis boat and your awine sax oared boat with all possible diligence. And so I rest, your loving Coosen,

ARGYLL.’

Inverlochie, last Jan. 1645.

After the writing hereof I have stayed yor awine boatt and so send the amunition in the reddiest boatt.’

This, it will be observed, was written on 31st January. Next day, February 1st, as night fell, a vision was seen of Montrose’s men, and Argyll with other Covenanting leaders embarked on his galley. In the morning Inverlochty was fought and 1500 Campbells were killed, with Auchenbreck at their head.

One other incident of the same period may be noted. After the fall of Dunavertie in 1647, and the treacherous massacre of its garrison,¹ the Covenanters under Leslie attacked Dunyveg in Isla, where Coll Ciotach MacGillespick, the father of Sir Alexander Macdonald, was in command. In Turner’s words, ‘Before we were masters of Dunneveg the old man Coll, comeing fulishlie out of the house where he was governour on some parole or other to speak with his old friend the Captaine of Dunstaffnage Castle, was surprised and made prisoner not without some staine to the Lieutenant General’s honour.’² He was taken to Dunstaffnage, kept there in prison for some little time, and in spite, it is said, of the protests of the Captain of Dunstaffnage, hanged from the mast of his own galley, which had been placed over a cleft in the rock beside the castle. According to tradition he asked that he might be buried ‘so near to the place where MacAonghais would be buried that they might take a snuff from each other in the grave.

¹ *Vide Highland Papers* (Scot. Hist. Soc.), vol. ii. p. 248 *et seq.*

² *Memoirs*, p. 48.

When his request was told to Dunstaffnage the latter ordered him to be buried under the second step at the door of the burying place, and when they would be burying him that they would step over Collas grav.¹

From 1652 to the Restoration the castle was held by a Cromwellian garrison. Thereafter it was much used by the ninth Earl in his war with the Macleans from 1674 onwards, and in 1681 it received considerable repairs.

On the forfeiture of the ninth Earl in 1681 Dunstaffnage Castle was burned by the Marquess of Atholl, who had been, let loose to plunder the territories of Argyll. After the Revolution of 1688 it was to some extent repaired. In particular a roof was put upon the principal tower, but according to a memorial sent in 1704 by the Captain to the Duke of Argyll, 'the two other towers and the office houses were still ruinous and continue so, and since that time the outer wall, being very old and long since it was lymed, is riven in very many places and will certainly fall shortly if not repaired. And since this place has been always very useful to the Duke of Argyll's predecessors, and the whole country, it being the only sanctuary against the insults of the M'Leans M'Donalds and all the other clans, May it therefore please your Grace to order the reparation of the said houses and walls, either by procuring mony from the publick or otherways as your grace shall think fit.'

Apparently the place was put in order, for in 1716 it was held for the Hanoverian Government, and a bill for the maintenance of the garrison was duly sent in by Angus Campbell, the hereditary Captain.

In the '45 it was again held for the Hanoverians, and had the honour of accommodating a very illustrious prisoner, as appears from the following letter. The writer, afterwards fourth Duke of Argyll, was distinguished by his humanity from most of the Butcher's subordinates. Though on the Hanoverian side he never forgot that he was a Highland gentleman and that the so-called rebels were of his own race.

'Horse Shoe Bay,
Aug. 1st, 1746.

Dear Sir,

I must desire the favour of you to forward my letters by an express to Inveraray, and if any are left with you let them be sent by the bearer.

¹ *Records of Argyll*, p. 98.

I shall stay here with Commodore Smith till Sunday morning, and if it is not inconvenient should be glad to see you. If you cant come I beg to know if you have any men now in garrison in your house and how many. Make my compliments to your lady and tell her that I am obliged to desire the favour of her for some days to receive a very pretty young rebel; her zeal and the persuasione of those who ought to have given her better advice has drawn her into a most unhappie scrape by assisting the Younge Pretender to make his escape. I need say nothing further till wee meet, only assure you that I am, dear Sir,

Your sincere friend and Humble Servant,

JOHN CAMPBELL.

I suppose you have heard of Miss Flora McDonald. If Dunstaffnage is not at home his lady is desired to open this letter.'

This letter was soon followed by another :

'Horse Shoe Harbour,
Wednesday evening.

Sir,

You will deliver to the bearer John M'Leod, Miss M'Donald, to be conducted her in his wherry; having no officer to send it would be very proper you send one of your garrison alongst with her.

I am, Sir,

Your most obedient humble Servant,

JOHN CAMPBELL.

To the Captain of Dunstaffnage.'

In the same month the following bill was sent in by the Captain of Dunstaffnage and paid by order of General Campbell.

Accompt due to Neill Campbell of Dunstaffnage.

Upon the breaking out of the late unnatural Rebellion the Deputy Lieutenants of the Shire of Argyll, of whom Dunstaffnage is one, knowing the importance of the Castle of Dunstaffnage and judging highly necessary to immediately put some men into it for defending the place as the only safe channel in these parts for transmitting letters and intelligence to and from and holding correspondence with the Shippis of Warr stationed on the West Coast and the garrisons of ffort William and Duart, as also the castles of Elanstalker and Mingary, and they having appointed the boats on the coast of Lorne to be all brought to Dunstaffnage and disabled there to prevent their being used by the Rebels,

the said Neil Cambell in compliance to these orders and conscious of the consequence it was to the Publick service took into his castle tho' it was his own dwelling house a partie of men and carryed directly thereto the whole boats on that coast except such as lay more convenient to be brought to Duart, Elanstalker, or Mingary Castles, whereby his house became the only resort of all the troupes, expresses, officers and all people passing and repassing on his Majesty's service in these parts as there were boats nowhere els.

To the pay of 12 men in the said Garrison of Dunstafnage from the 15th August 1745 that they were interd to the service and were paid by the said Neill Campbell 6d. a man pr. day till the 29th January 1745/6. That a partie of Argyllshire levies was ordered there by General Campbell Inde in all 167 days - - - -	£50	2	0
To a sergeant's pay during that time at 9d. a day	6	5	3
To repairs made in the Castle, Coall and candle furnished the guards from the 15th Augt. 1745 till the 26th Augt. 1746, that a partie is still continued there, all per acct. - - - -	31	6	0
The company of militia which the said Neill Campbell levied out of his own estate, part of them being ordered north alongst with the army, part of them were putt into Elanstalker Castle and the remainder to Dunstafnage Castle. I kept only a Capt. and Lieutenant for the whole company when together, and the Lieutenant being stationed at Elanstalker Castle. To the Captain's pay at Dunstafnage from the 29th Janry. till the 26th Augt. 1746 at 5 sh. per day of 209 days	52	5	0
	<hr/>		
	£139	18	3

In 1810 the castle was accidentally burned and has never been restored since that date.

Some years ago it may be remembered that there was a lawsuit regarding the ownership of the castle. The late Duke of Argyll contended that it still remained his property as Lord of Lorne, while the Captain of Dunstaffnage, who, as has been shown, originally held certain lands in the vicinity in return for keeping his Lord's castle, maintained that the castle had somehow come

to belong to him. The Lord Ordinary upheld the claim of the Captain, observing, 'There is now no castle in any proper sense of the word, but only a considerable extent of ruined masonry.'

This judicial utterance gave rise to the following lines in a London sporting paper :

'Of Angus John Campbell, the tale will be told
How he fought for a heritage centuries old,
And saved from the grip of Argyll by a twist
The right to a castle that does not exist.'

The Inner House, however, took a different view as to the rights of the contending parties. And so after four hundred and fifty years Dunstaffnage still belongs to Argyll as Lord of Lorne, and MacAonghais an Duin is still its keeper.

Since that litigation two things have happened. Looking into the writs produced in that case, the present Duke of Argyll discovered that the penny land of Kilmore¹—given to Alexander Campbell Keir, and the exact locality of which could not be traced—is in one document called *Kilmorrie alias Claze Morrie*. His unrivalled knowledge of the Celtic dedications in the west at once enabled him to see the value of this variant, and he communicated the facts to the *Scottish Historical Review*, vol. viii. p. 109. *Kilmore*, of course, might be the big church, or perhaps a corrupt form of the *big wood*, Killimore. *Kilmorrie* again might be the Church of Mary, or the Church of St. Maelrubha. This saint flourished about 750; he preached and founded churches all over Ergadia, from Melford to Applecross. These early Celtic dedications generally, if not invariably, mean that they were personal foundations of the saint. And the matter was clinched by the alias *Claze Morrie*. The Gaelic word *cladh*, which the scribe rendered *claze*, means a burial ground, and the actual name *Cladh Morrie* is found at Applecross, where, as at Dunstaffnage, the faithful were wont to be laid to rest in ground once hallowed by the presence of St. Maelrubha.

It is therefore evident that the old chapel, 160 yards from the castle—and like the castle built by Ewin of Argyll in the middle of the thirteenth century—is on the site of some much more ancient building long since crumbled into dust, and was placed there because the site was already holy ground.

The next thing that happened is this. The Duke found some time ago a notarial instrument narrating that sasine of the

¹ *Vide supra*, p. 262.

Lordship of Lorne was given to Sir Colin Campbell of Boquhan, afterwards sixth Earl of Argyll, on 8th April, 1572—and concluding with the words, '*Acta erant hec super solum terrarum montis vocati sendown apud castrum de Dunstaffnage, i.e. on the ground of the mound known as the old Dun, at the Castle of Dunstaffnage.* And the question at once emerged, What was this old Dun at the castle?

Knowing as we do that such castles as Dunstaffnage were not built in Scotland till the thirteenth century, it is obvious that it probably had a predecessor—of the type on which Dr. George Neilson has thrown so much light—a mound natural or artificial with a stockade—not unlike a kraal, to use the African term. The present thirteenth century castle rises sheer from a rock into which a stockade could hardly have been driven. It therefore seemed as if this old Dun might have been the site of the original stronghold.

The next question was, of course, Where was this old Dun—can its site still be identified?

Last autumn the present writer made his way to Dunstaffnage in the hope of getting some light on the matter. Quite close to the chapel, which, it will be recollected, is some 160 yards south of the castle, is a natural mound of considerable area, extending southwards from the chapel, and marked on the ordnance map (6 inch) as Chapel Hill. It is mentioned by Pennant (i. 355) and part of it appears in his plate xliii. On the east it slopes up from the shore of the loch. The other sides are steeper, and in places faced with precipitous rock. The top is flat. Altogether, it would afford a suitable site for a fortified camp or rath; and on the assumption that this was the old Dun it is easy to understand why St. Maelrubha built his little church under its shelter. The distance of the thirteenth century chapel from the thirteenth century castle and its identification with St. Maelrubha's foundation in their turn seem to support the theory that this mound was the eminence known in the sixteenth century as the old Dun, and the site of the ancient Dalriad stronghold where the Stone of Destiny rested from the days of Fergus till it was removed by Kenneth Macalpine to Scone.

J. R. N. MACPHAIL.

The Distaff Side : a Study in Matrimonial Adventure in the Fifteenth and Sixteenth Centuries

A NOTICEABLE feature of histories and biographies is the slight attention paid by the compilers to the women of the families concerned. The achievements of men, their aspirations, their motives and their characters, are minutely considered and appraised ; and, as far as is consistent with truthfulness—or the bias of the writer—success is ascribed partly to the man himself and partly to the generosity of his father in transmitting the requisite qualities to his son.

Very little consideration is necessary to lead one to the conclusion that many characters, historical and otherwise, have derived their dominant qualities from the distaff side—the male parent having been what is technically known as the ‘recessive’ factor. An ambitious, energetic, unprincipled woman married to a douce ordinary man will certainly transmit her peculiarities to some of her sons, probably not to all of them. And the history of Scotland is largely a function of traits inherited on the distaff side.

A man’s wife, also, may *ex proprio motu* exert a tremendous influence on himself and his career ; his actions, good or bad, may be actuated entirely by her. But she, in exercising her influence, may really be acting, unconsciously, as a representative of her own family. Many a man, no matter what his position in life or the age in which he lives, thinks he is taking an entirely independent course of action when he really plays the part marked out for him by his mother-in-law. To him history awards the credit or blame which, if we knew more, are due to her.

Finally, a man’s daughters may by their marriages exercise a marked influence on his career. The most casual reference to the history of Scottish families shows what care the medieval father, under the direction no doubt of his wife, exercised in the selection of sons-in-law. Misreading of Scottish history is often caused by neglect of the distaff side. In the history of Scottish families, of

cadet branches as well as of the main line, women played almost as important a part as the men. By their own and their daughters' marriages the men of these families bound themselves to certain lines of policy; and, though it may not always be possible to determine whether the policy was *post* or *propter feminam*, it may fairly be said that, with their own inherited tendencies and those of their wives, no other course of action, no different careers could have been expected.

Women and men, they mutually influenced each other, and nearly always in the same direction as their preceding generation; and they must have known that in their blind adherence to certain ideals they were often playing a losing game. These women saw their menfolk killed in battle, attainted, imprisoned and ruined, generation after generation; but they appear rarely to have used their influence to make them change their outlook on life. They accepted it, though all these misfortunes recoiled on themselves.

Whatever was the custom amongst the general population of Scotland in the Middle Ages, there can be little doubt the *mariage de convenance* was the universal rule among the greater and lesser nobility. Marriages were arranged on business lines—including in that term political; and the Scottish baron was more interested in the property and political connexions of his helpmeet than in her personal charms or character. The Crown recognised the advantage to itself that resulted from this system, and bestowed heiresses on its supporters with the same open-handed generosity as it showed in the disposal of the lands of its opponents.

Innumerable examples of this are to be found in Scottish family history; one only may be quoted here, viz. the bestowal of Elizabeth, daughter and heiress of Sir Nicol Ramsay, by King David, in 1335, on Sir Alexander de Seytoun, in recognition of the latter's gallant defence of Berwick. Sir Alexander, in turn, gave the lady—and her lands of Parbroath—to his son John.

The system of contracting alliances with the definite object of acquiring lands or political influence had the obvious defect that, if the conditions which originally determined the contract were themselves altered for the worse by the kaleidoscopic changes of political life, the inducement for the man to be quit of his engagement and to embark on a new venture became overpowering. The same applied to the women.

Throughout the Stewart régime in Scotland long minorities occurred at intervals, and the country was governed by regents

whose tenure of office was liable to sudden ending when the reins of government were seized by a powerful rival. In such circumstances there must always have been men who found that, with a little more acumen or a little more luck, they might have made choice of a more profitable wife. These men found themselves under the painful necessity of trying to cut their matrimonial losses and make a fresh start.

As romance in these matters does not appear to have then existed, the Scottish nobles were rarely backward in claiming the assistance of the only institution that could help them in their difficulty, *i.e.* the Church; and, in many families at least, divorce of successive wives became almost a family habit—each divorce synchronising with an actual or prospective change of government or political conditions. Looking back on the history of leading families of medieval Scotland, it is possible to estimate the enormous influence on the political activities of the leading men in the country of their matrimonial arrangements, and to explain the otherwise inexplicable changes of policy which punctuated their chequered careers. The obvious difficulty in regard to these so-called ‘divorces’ is the fact that marriage, according to the Roman Catholic Church, is indissoluble, and when the term itself is used—as it habitually was in findings of Bishops’ Courts—it implied either nullity, *ab initio*, on the technical grounds recognised by the Church, or separation *a mensa et thoro*. Neither would be regarded as divorce in the modern sense.

Even the term marriage in those days was a somewhat elastic one. A regular marriage involved consent by both parties, absence of fraud or misrepresentation by either, proclamation of banns and solemnisation *in facie Ecclesiae*. And, normally, the marriage would be preceded by *sponsalia* entered into by the parties concerned, or their parents or guardians, before a priest and witnesses.

But there were other engagements which had all the consequences of a regular marriage attached to them. *Sponsalia per verba de futuro carnali copula subsequuta* constituted such an arrangement as voided any future marriage contracted by either party during the life of the other; similarly *sponsalia per verba de presenti*—which meant that the parties were prepared to marry, but left the celebration of the ceremony to a future date—constituted a valid though not a regular marriage.¹

¹ For a very complete and instructive dissertation on the marriage laws of the early sixteenth century see the preface to *Liber Officialis Sancti Andree* (Abbotsford Club).

Consanguinity and affinity within the prohibited degrees—whether through a legitimate or illegitimate connexion—voided a marriage, however celebrated; and this convenient fact was taken advantage of freely, not only by men but by women, who had come to the conclusion that they might have done better for themselves in the matrimonial market. Out of 170 actions for divorce recorded in the *Liber Officialis Sancti Andree*, between 1513 and 1553, ninety-two were founded upon an original nullity on account of consanguinity or affinity.

Scotland, it must be remembered, had few inhabitants, and the ruling class was numerically very small indeed, and kept at a low level by constant fighting, assassination and political murder. Intermarriage among these few families necessarily resulted in an ever increasing degree of blood relationship in succeeding generations, which tended sooner or later to make any particular marriage a matter in which the Church took more than an academic interest.

An example of such a divorce, followed by remarriage with another lady of superior political attractions, is detailed below; and it casts a lurid light on the part played by the fair sex, sometimes deliberately sometimes unconsciously, in the history of Scotland. This particular case has been noted by family historians and peerage lawyers alike as obscure, though the result—determining the succession of the Earldom of Huntly to a younger son by a second marriage—is of considerable importance.

About 1408 Sir Alexander de Seytoun (i) married Elizabeth, daughter and heiress of Sir Adam de Gordon, and thus started the family of the Seton Gordons, the large majority of whom subsequently dropped the patronymic and became simply Gordons. Besides the large Gordon possessions in Berwick, Sir Alexander obtained from the Regent, the Duke of Albany, a confirmation of the lands of Strathbogie, which had been forfeited long previously by the Earl of Athol and granted by King Robert the Bruce to an earlier Sir Adam de Gordon. And subsequently, in 1427, he got, through his wife's mother, Aboyne and Cluny. In the same year he was created a Lord of Parliament, with the title of Lord of Gordon.

He was a man of considerable prominence in his time. He accompanied John, Earl of Buchan, to France with the force of Scots troops raised by that remarkable man, and shared in the victory over the English at Beaugé and in the defeat at Verneuil. On his return to Scotland he became *persona grata* at the Court

of James I., and was one of the hostages and guarantors of the young king's ransom. In 1437, after the murder of James, he was one of the ambassadors sent to negotiate a truce with the English.

During this time Alexander was no doubt brought in contact with that skilful adventurer Sir William Crichton, who had been a confidant of James I., Master of the Royal Household, and Keeper of Edinburgh Castle, and, generally speaking, the power behind the throne.

Crichton's position increased still further in importance after the king's death. In 1439 he became Chancellor of Scotland, and was created a Lord of Parliament, and in the following year was deeply implicated, along with Sir Alexander Livingstone, his quondam rival, in the murder of the young Earl of Douglas; with occasional temporary reverses of fortune he continued to exercise a dominating influence in the country until his death in 1454.

Alexander de Seytoun, Lord Gordon, had a son Alexander (ii), Master of Gordon, who is the hero of the divorce case.

When seventeen years of age, in 1427, he married Geilis or Egidia de Haya (Hay), daughter and heiress of Sir John de Haya of Touche, Tulibothie (Tullibody), Enzie, 'and utheris grit landes,' a lady to whom, as indicated in the Papal letter below, he was related 'within the fourth degree of consanguinity.' As, however, he obtained the necessary dispensation there is no question of the validity of the marriage.

By this marriage he had a son Alexander de Setoun (iii), ancestor of the Setons of Touch and the Setons of Abercorn.

Alexander (ii), Master of Gordon, succeeded his father on the latter's death about 1441. Long before that event, however, he had observed the rapid rise of Sir William Crichton, and decided to get rid of his wife and marry Crichton's daughter; this he proceeded to carry out.

The date of this affair is uncertain, but it must have occurred before November, 1438; for in 1436 a charter¹ of James II. mentions Elizabeth Crichton as 'sponsa nobilis domini et potentis Alexandri de Cetoun, domini de Gordoun.' The forgiving Egidia Hay, 'Lady of Tullibody,' granted him, for his lifetime, all her lands of Tullibody and certain properties in Banff, and in the relative charter (Gordon charters) describes him as 'her beloved kinsman, Sir Alexander de Seton, Knight.'

¹ *Antiquities of Aberdeen and Banff* (Spalding Club), iii. 319.

This unfortunate and ill-treated lady died some time subsequent to the remarriage of her fickle husband, but before the Papal letter of August 13, 1441, leaving a son Alexander (iii), a lad of about nine years of age.

The divorce of Egidia Hay and the remarriage of Sir Alexander de Seytoun with the daughter of Chancellor Crichton are facts which have been long known; as to the tortuous methods adopted by him to bring them about there has been no information available until recently.

In connexion with questions arising out of the subsequent disposal of his dignities after his elevation to the Earldom of Huntly a search was made in the Vatican records for documents connected with the divorce proceedings; and the following letter, now published for the first time,¹ has come to light:

TRANSLATION OF LETTER FROM POPE EUGENIUS TO THE
BISHOP OF MORAY, dated 13th August, 1441.

Eugenius etc. to his venerable brother . . . the Bishop of Moray, Greeting. Whereas the course of the petition of thy diocese and that of Saint Andrews presented to us on behalf of our beloved son, Alexander de Seton, layman, and of our beloved daughter in Christ Elizabeth Crichton, his wife, showed that formerly after that the aforesaid Alexander and Egidia de Hay his former wife, who were united within the fourth degree of consanguinity, having obtained a dispensation from the Apostolic See, at the same time contracted Holy matrimony by the lawful words and consummated it by holy wedlock through the procreation of offspring, the aforesaid Alexander, asserting the marriage contracted after this fashion between himself and Egidia to be null and void on account of the impediment which arose from the aforesaid consanguinity and by reason of a defect in the dispensation of the said Holy See, which dispensation he denied having obtained and concealed with malicious intent in his own house, sought that his marriage with the said Egidia should be declared null and void and that he should be divorced from the said Egidia:

and, whereas our beloved son Henry Horny, Archdeacon of Moray, to whom thou, by thy authority as Ordinary, hadst committed the hearing of this cause and the due settlement thereof, in virtue of such commission, caused the parties to be cited before him for trial:

¹A printed précis will be found in the Advocates' Library, *Papal Letters*, vol. ix. p. 72.

and, whereas, the said Archdeacon, having entered into the said cause, pronounced a definite judgment against the said Egidia :

and, whereas, the said Alexander, since the said Egidia made no appeal against this judgment, contracted marriage according to the legal form with the aforesaid Elizabeth, who was entirely unaware of the said previous marriage, (the said Egidia being still alive) and solemnised the said union in the presence of the Church, and lived with her for some years in the marriage thus contracted, and continues to do so at the present time :

and whereas the aforesaid Alexander and Elizabeth cannot continue in the marriage thus contracted between them unless they obtain an apostolic dispensation therefor :

and whereas this same Petition sets forth that the aforesaid Egidia hath departed this life, and that the said Alexander, being pricked in his conscience, is sincerely repentant of the sins committed by him :

and whereas, if a divorce took place between the aforesaid Alexander and Elizabeth, dissensions and scandals would be likely to arise between their friends and kinsmen ;

an humble supplication hath been made to us on behalf of Alexander, and also of the aforesaid Elizabeth, who, as she declares, was entirely unaware of the previous marriage, and who was not in any degree party to the death of the aforesaid Egidia, praying that we, of our apostolic benignity, would be pleased by the grace of a fitting dispensation, to free the said Alexander from sins of this kind, and from any sentence of excommunication which, by reason thereof, might perchance lie against him and the said Elizabeth.

We therefore, inasmuch as we have not certain information concerning the foregoing matters, and seek the peace of all and sundry and desire to avoid all causes of offence whatsoever, so far as by the Grace of God we may, for the reasons aforesaid and others which have been laid before us, being moved by the petitions in this matter,

Do now charge and command thee, by our Apostolic letters, by reason of the special confidence which we have reposed in thee in the Lord in these and other matters, that thou shouldest absolve the said Alexander, if he should humbly seek such absolution from these his sins and from any sentence of excommunication which he may have incurred as aforesaid ; and this absolution thou shalt grant on this Our authority, for this occasion only, in the accustomed form of the Church : and thou shalt enjoin him,

by virtue of an oath which he shall take in thy presence, that he shall commit no such things any more nor countenance those who do such things, by aid, counsel, or favour.

And, nevertheless, if it appear expedient to thee that such a dispensation be granted, the said Elizabeth shall not on that account be ¹: since thou shalt, by apostolic authority grant a dispensation to the said Alexander and Elizabeth, permitting them to contract a marriage afresh at the same time, and to remain lawfully in the same when it is contracted, by declaring legitimate any offspring born of the said Elizabeth, or which may be born from the marriage to be thus contracted.

Given at Florence in the year of our Lord's Incarnation 1441 on the 13th day of August in the eleventh year.

Arch. Segret. Vaticano Reg. Lateran 368 (alias Eugen iv. 1439. Anno 9 Lib 116) fol 661.

From this remarkable document it is possible to form a fairly close idea of the course of the tragedy.

It is quite certain that the original marriage between Alexander and Egidia, though related within the fourth degree, was perfectly regular: but the mere fact that Alexander is absolved from the guilt of having 'concealed' the dispensation 'with malicious intent in his own house' indicates that he did act precisely in this manner. Egidia Hay was a young girl, and an orphan, and may well have been ignorant of the necessity for a papal dispensation before she could marry;² on the other hand, Alexander probably concealed the document against a day when it might be useful to forget he had had such a dispensation, and would get his marriage declared null and void in consequence.

It emerges then that the Archdeacon granted the divorce without being aware of the existence of a dispensation; and the divorce was in consequence obtained by fraudulent means.

Alexander then took advantage of the silence of Egidia and married Elizabeth Crichton.

'For some years' all went well, and a son was born; and then Alexander found himself faced with difficulties. In the first place he was afraid of excommunication; then he was afraid of his

¹ Illegible in the manuscript.

² The cynical view may be taken that Egidia Hay, in spite of her youth, was a worldly young woman who, in her desire to marry Alexander, did not trouble about dispensations or prohibited degrees; and was herself a party to the fraud.

fraudulent action being found out, and of another divorce which might lead to unpleasantness with his father-in-law; and, possibly, he had already made up his mind to leave his property to his son by Elizabeth Crichton.

So he applied for the belated dispensation to marry Elizabeth Crichton, which was given by the Pope. Even then, however, he lied—for he asserted that Elizabeth 'was entirely unaware of the previous marriage,' a statement which is incredible. It is inconceivable, too, that Crichton himself was unaware of Seytoun's previous regular marriage to a lady of such old family and such great possessions.

The Pope himself admits that he has not 'certain information concerning the foregoing matters'; but indicates that he had 'other' reasons 'which have been laid before us'; and so, to save a scandal in high life, he granted the request, subject to a formal remarriage.

Truly a pitiful exhibition of fraud on the part of Alexander and Elizabeth on the one hand, and of weakness on the part of the Bishop and of the Holy See.

With Egidia Hay dead and his own and Elizabeth's characters whitewashed, Sir Alexander's career was now quite straightforward. On his father's death he became Lord Gordon in 1440 or 1441, and in 1445 he was created Earl of Huntly.

But again he failed to run straight.

With the concurrence, no doubt, of Elizabeth and the Chancellor, he decided to disinherit his eldest son by Egidia Hay, Alexander (iii), in favour of George, son of Elizabeth Crichton; and to accomplish this, he surrendered his dignities to the Crown in 1449, and had them regranted to him—with the exception of one—in favour of George, who subsequently succeeded his father as second Earl of Huntly.

This case is not a peculiar one, except perhaps in so far as the tortuous procedure of the principal character was particularly unprincipled.

With the upbringing he must have had, George, second Earl of Huntly, was unlikely to attach much sanctity to marriage vows, especially when it was to his advantage to do otherwise. He, indeed, was married three times, and divorced two wives, both of whom he selected in the first place—or had selected for him—on account of their family interest, and both of whom had had previous experience of matrimony. With each he acquired something to his material advantage.

Before considering his first marriage it is necessary to go back a few years.

James Dunbar, Earl of Moray, left two daughters, co-heiresses. Of these, the younger, Elizabeth, married Archibald Douglas, brother of the eighth Earl of Douglas. By devious means the elder sister was ignored, and Archibald became Earl of Moray. On the murder of his brother at Stirling in 1452, Moray took arms to avenge his death. Huntly, the first earl, in his capacity of Lieutenant of the North, happened to be engaged in fighting 'the tiger Earl' of Crawford; and, during his absence, Moray harried Huntly's lands of Strathbogie. After beating Crawford at Brechin, Huntly was himself beaten by Moray at Dunkinty in May 1452.

For this Moray was attainted, and his earldom was conferred upon the Chancellor's eldest son, James Crichton, who had married the disinherited Janet Dunbar—another example of the ambition of Crichton. The forfeiture appears to have been reversed, however, soon after, and Moray then again devoted himself to the support of his young nephew, the ninth Earl of Douglas, and was killed fighting the king's troops at Arkinholm, on 1st May, 1455.

Only a few days after Moray's death his widow made a contract of marriage with the Earl of Huntly's son, George; both of them evidently thought she would be allowed to take the Earldom of Moray with her. In this, however, they were disappointed, as very shortly after the marriage, in 1455, the Earldom was again forfeited to the Crown.

Having failed to secure the Earldom of Moray, and appreciating that the Douglas family was ruined, the Master of Huntly made haste to divorce the lady, and, in 1455, advanced the time honoured plea of consanguinity. Perhaps he had avoided the mistake made by his father, and had no awkward dispensation to conceal or explain away. Elizabeth herself, in 1462, married, for a third time, Sir John Colquhoun. The plea of consanguinity and affinity appears to have been a more than usually exiguous one, as it was based on the fact that the son of young Huntly's uncle, Lord Crichton, his own cousin, had married Janet Dunbar, sister of Elizabeth.

The Master of Huntly then decided to contract a royal alliance, and, in 1459, married the Princess Annabella, sister of James II. In this he was no doubt advised by his parents. Crichton was dead, and the old earl perhaps felt that it would be very

advantageous for his son to be connected by marriage with the Crown.

The Princess had previously married the Count of Geneva, but the King of France, in 1458, succeeded in having the marriage dissolved; and the lady was given 25,000 crowns and sent back to Scotland. Her disposal presented considerable difficulties, and the king was probably glad of the opportunity to make such a good alliance for her.

The Master of Huntly's married life continued without any noticeable incident until 1471, the year in which he succeeded his father as second earl; and the Princess bore him four sons and four daughters. But the inherited tendency was again too strong for him, and, in the same year, he got rid of his royal wife, on the ground that she was related *in tertio et quarto gradibus* to his previous wife, Elizabeth Dunbar, Countess of Moray.¹

The new king, James III., bore Huntly no malice for casting off his aunt, as is clear from the earl's subsequent career.

Within a month of this second divorce, banns of marriage between the Earl and Lady Elizabeth Hay, daughter of the Earl of Errol, were proclaimed at Fyvie; but the marriage only took place five years later. It is not possible to determine now what Huntly's object was in marrying Elizabeth Hay. The connexion between the two families, however, was not a new one; and it continued in later generations.

The Huntly family was by no means peculiar in respect of their matrimonial vagaries. For instance, another crop of divorce cases occurred about the same time in the Maule family, and these too were effected by the Consistory Court of St. Andrews.

Sir Thomas Maule married Elizabeth Lyndsay, daughter of the first Earl of Crawford, and Maule's sister married Sir David Guthrie. After some years, and after having borne him several children, Lady Guthrie was divorced by her husband as being related to him within the prohibited degrees, and, in bringing about the desired result, the Earl of Crawford took a prominent part.

This action on the part of his father-in-law infuriated the lady's brother, and, as the old chronicler of the family expresses it: 'Thearfor Sir Thomas did tak sic indignatione at the Earle that he did repudiat his wyf, albeit ane innocent woman, and to quhome no man could reproche any notoure fault.' She lived long after

¹ The statement that the Princess divorced Huntly, made by certain writers, is evidently incorrect, in view of the wording of the divorce proceedings.

her husband, but he soon married again and lived happily ever after.

The seamy side of married life in the middle ages is ruthlessly exposed by the Records of the Bishops' Courts that have survived; and an interesting fact is that, in the claims for nullity, the ladies of those days were often not too modest in showing cause why they should obtain release, even at the expense of their own fair fame.

An example of this, one of very many at the time, is to be found in the matrimonial history of Ninian Seytoun of Touch, grandson of the Alexander Seytoun whose mother was the Egidia Hay above mentioned.

Ninian Seytoun married Matilda Graham. Unfortunately, this lady, before her marriage, had had a regrettable affair with the Earl of Montrose, who was related to Seytoun in the third and fourth degrees of consanguinity; and thus, at the time of her marriage, bore the same degree of affinity to her husband. It was consequently decreed that the '*pretensum matrimonium*' was null and void.¹ Seytoun was then free to marry again, and his choice fell on Janeta Chisholm, widow of Napier of Merchiston. There was evidently friction between them, and the lady, after many years of married life, brought a suit for nullity on the same grounds as were advanced in the previous case, *i.e.* that, on account of a liaison with one Andrew Buchanan, who was related to Ninian Seytoun in the third and fourth degrees of consanguinity, she herself bore that degree of affinity to her husband when she married him. So the marriage was dissolved, and Janeta married Sir James Touris of Innerleith within a couple of years.²

This Ninian Seytoun's daughter, Margaret, married Daniel Somerville of Plane, a widower. In July 1544 a sentence of nullity was pronounced by the Bishops' Court of St. Andrews,

¹ *Lib. Off. St. Andr.*, fol. 14. The sentence in this case was as follows: 'Ex et pro eo quia dicta Matilda diu ante celebrationem dicti pretensi matrimonii fuit carnaliter cognita per quondam nobilem et potentem dominum Wilhelmum comitum de Montrose . . . quiquidem Ninianus et dictus quondam Wilhelmus se invicem attingebant in tercio et quarto gradibus et sic dicta Matilda in tempore contractus dicti pretensi matrimonii attingebat sibi Niniano in tercio et quarto gradibus affinitatis de jure prohibitis.' This is a good example of the acquirement of a prohibited degree of affinity by one party to another through a previous lapse with an individual who was himself in the prohibited degrees of consanguinity.

² *Ibid.* fol. 232.

on the plea of Somerville that his first wife, Elizabeth Elphinstone, was related in the fourth degree of consanguinity to Margaret Seytoun, and that she consequently was in that degree of affinity to him when she married him.¹

One of the most striking matrimonial histories of the sixteenth century was that of Queen Margaret, daughter of Henry VII. of England and consort of James IV.

To begin with, her original marriage with James was a political affair, the ultimate object of which was the securing of a stable peace between the two countries. The negotiations commenced in September 1499, shortly after the renewal of the Truce of Ayton at Stirling, but took close on two and a half years to carry through. It was necessary to obtain a Papal dispensation for the union, and, on the day following the signature of the marriage agreement, 24th January, 1501, the Earl of Bothwell acted as proxy for James in the ceremony. The Princess at this time was only in her fourteenth year. In August 1583 she arrived in Scotland and the wedding took place at Holyrood.

Left a widow by the disaster of Flodden in 1513, the position of the young queen was one of great difficulty; and it is not to be wondered at that she looked around for some man to help her in her responsible duties of guardian of the infant king, and regent of the kingdom. These were already coveted by Albany and a large section of the nobles, while her relationship to Henry VIII. did little to commend her authority to the country at large.

In these circumstances she selected as a helpmeet the most eligible of the Angus Douglasses, Archibald, sixth earl, grandson of 'Bell-the-Cat,' a youth of about nineteen years of age; and married him in August 1514. His object in marrying the Queen Dowager was to obtain the Regency, and to benefit his own family; but, having married in haste, he found he was quite unable to carry out his plans, and, on the landing of Albany in May 1515, was compelled, with his wife, to take refuge at the English Court.

Shortly after their departure Margaret had a daughter, the Lady Margaret Douglas, afterwards mother of the unfortunate Darnley; but Angus, anxious to fish once again in the drumlie waters of Scottish politics, deserted his wife within a year of his marriage, and made his peace with Albany. Henry VIII., furious at this treatment of his sister, at once visited his wrath on Scotland, and finally succeeded in forcing Albany out of the country.

¹ *Lib. Off. St. Andr.*, fol. 325.

In the years that followed the relations between Angus and Margaret became increasingly strained, and, in 1527, she obtained a separation '*a mensa et thoro!*'

Although such a separation did not permit of a fresh marriage she immediately married Henry Stewart, subsequently Lord Methven, who was related to Angus '*in III^o et 4 gradibus consanguinitatis,*'¹ and therefore held the same degrees of affinity to herself. The facts that she was not entitled to marry again, and that Stewart and Angus were related in these degrees, must have been perfectly well known to both parties at the time of the marriage.

After some ten years of married life, Margaret claimed and obtained a declaration of nullity of the marriage on the grounds above stated, and it is believed her intention in doing so was to remarry the Earl of Angus, now at the zenith of his power.

This plan did not eventuate, and in 1541, after a life full of matrimonial excitement vouchsafed to few women, she died at Methven Castle, the seat of her latest husband.

The cases of divorce quoted above—cases of nullity they might be more properly called—are merely samples selected almost at random; but they show sufficiently clearly what went on in the leading families of Scotland, prior, at least, to the Reformation. The records show that a large proportion of cases, of which details are still available, were based on pleas of consanguinity or affinity in the prohibited degrees. Generally speaking, it will be found, if contemporary history is brought to bear on individual cases, that there was always some reason, apart from mere incompatibility of temper, domestic differences, or disregard of the Seventh Commandment, which was a sufficient inducement to one or other of the parties to apply for release from the contract which had become unbearable or even inconvenient; and this reason was the superior attraction of some one else, as a possessor either of wealth or political influence.

The astonishing thing, however, is that—men and women alike—the parties concerned had no hesitation in pleading impediments of which they and their kinsfolk must have been perfectly well aware before they embarked on matrimony; and this appears to indicate that *per se* prohibited degrees of consanguinity and affinity were not deterrent to any appreciable extent when weighed against material advantage.

¹ Angus and Methven were great-great-grandchildren of a common ancestor.

The part played by the Church may appear to be open to criticism. In the creation of all kinds of barriers to matrimony canon law was, no doubt, originally actuated by a perfectly justifiable regard for eugenics; but the multiplication of these impediments defeated its own ends, and produced a demand for dispensations on the one hand and declarations of nullity on the other which had to be met. Granted, as these were, on payment of fees, and with a minimum of inconvenience to the parties, the indissolubility of marriage became a mere theory which was negligible in everyday life.

And so it comes about that, in endeavouring to estimate the part played by individuals on the history of their times, it is essential, for a right understanding, to take into account the enormous effect of the distaff side.

BRUCE SETON.

Scots Pearls

SCOTS pearls have a beauty of their own, but their chief glory is that they decorate the 'Honours of Scotland' (the oldest regalia now extant in Britain), and are to be found in the gold circlet with which King Robert the Bruce was crowned. A closed-in crown was added later, and this was used at the coronation of James V. and his daughter, Mary, Queen of Scots, and the beautifully designed sceptre has a very large Scots pearl at the top.

It is also likely that Scots pearls must have been used earlier in royal jewellery, for in 1120 an English church dignitary begs the Bishop of St. Andrews to get him large pearls 'even if he has to ask the King of Scots (Alexander I.) who has more than any king.'¹ At a much later date the chamberlain to the Queen of Charles II. gave her a 'Conway Pearl,' believed to occupy a place in the British Crown.

Julius Caesar, when preparing to invade Britain, knew of the pearls to be found in the rivers² of Scotland and of Wales (and probably Ireland). It is known that he was a lover of pearls and that he dedicated to Venus Genitrix a breastplate studded with British pearls,³ and that there are references to them in Tacitus⁴ and Pliny,⁵ and thus they would come to be known throughout Europe.

In 1324, 1338, and 1389 Scots pearls are noted in an inventory among the English Crown jewels. As early as 1355 Scots pearls are referred to in a statute of the goldsmiths of Paris, and there are frequent allusions to them in inventories of the Middle Ages,⁶

¹ Wharton's *Anglia Sacra*, vol. ii. p. 236.

² 'Multi prodiderunt (J. Caesarem) Britanniam petisse spe margaritarum quarum amplitudinem conferentem, interdum sua manu exegisse pondus,' Suetonius, cc. 46, 47. Cit. Petrie and Sharpe's *Monumenta Historica Britannica*, p. xlix.

See also Gibbon, *Decline and Fall of the Roman Empire*, vol. i. chap. i.

³ Pliny, *Historia Naturalis*, ix. c. 57.

⁴ *Agricola*, xii.

⁵ He calls them small and of a bad colour.

⁶ *Comptes de l'Argenterie de France au xiv^e siècle*, pp. 26, 395.

and they formed an extensive export trade. Aeneas Sylvius, Pope Pius II., mentions them in his account of Scotland as among the 'commodities' exported to Flanders—'hides, wool, salted fish and pearls.'¹

The Dutch merchants knew Scots pearls to be inferior to those of the Orient,² but imported them in large numbers, classing them with those of Bohemia and Sweden. In the latter country they were greatly esteemed, and there was a large trade with Scotland for them, and there are references to them in books of travel. The quantity of pearls used in Sweden must have been enormous, so that though the Swedes were able to supply numbers from their own lakes and rivers, they must have been obliged to augment them from other sources. We read that the grandmother of Henrik Brahe³ is said to have had sheets of silk sewn with pearls—as uncomfortable a thing as can be imagined in the way of a luxury—and that the dead were buried, as a mark of rank, with a pearl-embroidered cushion under their heads. This was a custom in Denmark also, for one was found in the Earl of Bothwell's coffin.

When Maria Euphrosyne, sister of King Carl Gustaf of Sweden, married Magnus, son of Ebba Brahe (the old love of Gustaf Adolf) in 1647,⁴ she received among her presents a necklace of Scots pearls, the gift of her mother-in-law. Horace Marryat, in 1860, mentions that during his residence in Sweden he was much struck by the quantity of Scots pearls he saw. 'There is scarcely a family of note in Stockholm who does not possess a necklace gathered from the Highland Unio. I have sometimes counted as many as twenty or thirty worn by ladies in the same rooms—heirlooms inherited from their great-grandmothers. Though of large size, they are inferior in lustre to those of Norrland produce.'

The Scots pearl can be traced in old Scottish records,⁵ although

¹ *Ex Scotia in Flandriam corium, lanam, pisces salsos, margaritas ferri.*

² *Anselmi Boetii de Brodt Gemmarum et Lapidum Historia*, p. 85. Cf. also *Account Book of Andrew Halyburton*, conservator of the Privileges of the Scottish Nation in the Low Countries. MS. in 1498 a Scottish merchant at Middleburg remits a small sum 'to by perll' in Scotland.

³ H. Marryat's *One Year in Sweden*, i. 131.

⁴ *Ibid.* i. p. 70, n. 122, 465 n. See also p. 24, The pearl fisheries of Sweden were a royal monopoly.

⁵ *Accounts of the Lord High Treasurer of Scotland*, i. The succeeding items are from the same source, except where noted.

the ancient ways of spelling may cause the reader surprise. A 'stomokk,' an 'eye of gold,' or a 'corse,' being interpreted, represent a stomacher, an eyelet or loop, and a cross.

James IV., like his predecessor Alexander I., seems to have had many pearls among his 'jowalis.' Amongst other things 'a buke of gold like ane tabell and on the clasp of it faire perles and a fare ruby.'

'Item in the same box a stomok and on it set a hert of precious stanis and perle.'

'Item. In a trouch of cipre tre . . . a point maid of perle contenand XXV perles with hornes of gold.'

'Item. Twa tuthpikis of gold with a chenze, a perle and erepike . . . with other small japis.' Item. 'A purs maid of perle' which contained among other things 'a serpent's tounge sett.' The use of the last must be left to conjecture: it was probably a charm, but the toothpicks and ear-pick were of practical value. Then further on may be found a 'Sanct Andoues cors and in it a diamant a ruby and a grete perle.'

'Item a trete of the Queen's owr set with grete perle sett in fouris and fouris' and many other 'grete perle' and 'perle' ornaments. For example, 'A hanger of gold with twa perle without stanis.' Were the great pearls exceptionally large and fine stones and the 'perles' without an adjective inferior or small ones, like those used for embroidering on velvet and silk?

The Queen seems to have been fond of pearls, for we find a bill for 'twa corses giffen be the King to the Quene' and many other notices. 'In the said kist of the Quene's ane string of grete perle continand fyfti and a perle, and stringis of small perle.' It is highly probable that many of the 'grete' pearls were oriental, but many of the smaller must have been Scots from their number, and, as we shall see later, they are mentioned among the jewels of Mary, Queen or Scots.

Here is a note of an account in 1503:

The XXVII of Aug. To John Curroure to mak ane unicorn of gold to the King three ridaris of wecht	iij li. ix s.
Item for making of the samyn	- - - xviii s.
Item for ane perle to hing at the samyn	- - - iij s.

Here is another interesting item in the same year, especially at the present time when so many swords of honour have been given recently to victorious admirals and generals:

'A sword of honour and scheith.

'Item for perlis that wantit to the broudering (embroidering) of it xiiij s.

'Item payit to Nannik, broudestar, for broudering of it and grathing of the samyn iiij li.'

In 1504 we find paid 'to ane preist that del verit perle to the King, xxiiij s.' Any one curious about the manner of fishing of Scots pearls during this century will find an account of it with many observations on their value and dimensions in the *Descriptione del Regno di Scotia*, by Petruccio Ubaldini, 1576, an Italian refugee.

In the time of James V., in 1538, John Mosman, a goldsmith, has an account :

'To mak hornis and buttonis to ane bonet of the Kingis grace set in perle and precious stanis xvij cronis of wecht weyand xvij li.'

The making and the setting of the buttons of the 'bonet' in 'perle and dyamantis vj li.'

And in the expenses for 'Newar (New Year) gifts,' 'Ane quhynger (whinger) garnist wytth perles quhilk was given to Monsieur D'Orleance, ijcxlij cronis.'

This M. d'Orléans was the King's brother-in-law, afterwards Henri II. of France.

Later Monsieur d'Orlean's 'quhyngzear' is further embellished with a 'grete perle' costing 18 francs.

Then, too, there is a note which is interesting because the pearls mentioned in it are specified as being Oriental.

'Item. Given for vjxxv grete Orient Perle price of the pece viij cronis. Summa jm. cronis.'

There are accounts for pearls bought by the thousand at 104 francs for the thousand, and 'given for viiic-xvi litill perles price of ilk perle iii summa jcxix fra viiiij s.'

'Item. Given to Robert Crag for ane collar of gold sett with perle brocht hame by him to the Quene's grace xvij li xii s.'

After the death of the Queen-Dowager Margaret Tudor, 1540-41, her 'perle bedis' were delivered 'to the Kingis Grace' in 'the littill copburd of siluer.'¹

Passing on to the reign of Mary, Queen of Scots, we find :²

'Treize vingtz quatre grosses perles achaptées de Jean Guilbert Orfevure d'Edimbourg comprins quatre que l'orfevure de la Roynne a rendu qui estoient dessus une paire d'heures d'or.'

¹ Pitcairn's *Criminal Trials*, i. 307.

² Joseph Robertson's *Inventories of Mary, Queen of Scots*, p. 89.

'Il a este oste xxvii perles pour envoyer à Paris pour faire boutons et le reste a este prins pour faire une cottouere qui est de diamens et de rubiz et chattons.'

As the pearls were got from Edinburgh it is to be presumed that they were Scots, and a 'cottouere garnished with little tables of ruby and with pearls' is in one of the inventories of Mary's jewels. A cottouere or cotoire was at one time merely a piece of embroidery applied to a dress, but under Catherine de Medici the embroidery was replaced by a 'garniture' of precious stones on clothes for great occasions, and the embroidery was used on less important costumes. Queen Mary also had 'ane carcanne of perle of gold contenand ijcxix perles, weyand thrie crounis . . . and for the fassone costing vi li. x. s.'; probably these, at this small price, were Scots pearls.¹

In 1565² Darnley's 'string to ane bonet set with perles and stanis' cost 40 shillings.

Scots topazes and pearls were among Queen Mary's jewels at Chartley in 1586, when they were sent to Queen Elizabeth by Paulet, her stern gaoler.³

When the Regent Morton⁴ recovered some of the Crown jewels for King James VI. he received in 1573 from Agnes Gray, Lady Home, 15 diamonds in gold enamelled with white 'togidder with ane carcat of perle contenand sevin greit perle and aucht knoppis of small perle every knop contenand fyftene small perle.' They had been given 'in gage' for 600 pounds Scots by the Laird of Grange when he was raising money for his defence of Edinburgh Castle.

In 1588-81⁵ James Richardson of Smeton received from his father, Mr. Robert Richardson of St. Mary's Isle 'a cheinze belt of gold of knottes of perle and fiftie dyamantis' and seven great diamonds belonging to the King, and delivered them to Lord Ruthven the 'thesaurer.' Later we learn it had 'xxv knottes of perle' and was delivered at Dalkeith, in June, 1581, to Esmé, Earl of Lennox.

In 1601⁶ the King got the Crown jewels from John, Earl of Mar, including 'a carkant of gold' set with rubies and diamonds 'and fiftie-twa perles.'

¹ *Treasurer's Accounts*, xi. p. 183.

² *Ibid.* p. 390.

³ Prince Labanoff, *Lettres de Marie Stuart*, vii. p. 246.

⁴ *Privy Council Registers*, ii. 247.

⁵ *Privy Council Registers*, iii. 366.

⁶ *Ibid.* x. 328.

In 1605 Scots pearls are mentioned in the inventories of the Treasury of the Exchequer as being in the English Crown jewels.¹

In 1608 Lady Buchanan is charged with stealing 'Ane perle to the valour and pryce of ane hundreth and twa pound sterling . . . togedder with diverse otheris perles.'

Margaret Hertsyde, Lady Buchanan, had entered the service of the Queen in Scotland, and she and her husband, Sir John, got rich in England, and on their return seem to have given themselves airs. She was apprehended as above mentioned for stealing jewellery valued at about £400 sterling. She confessed her guilt to the Queen, but then she was accused also of revealing secrets 'which a wyse chambermaid would not have done.' She was declared 'infamous' and banished to Orkney, where she had an estate. In 1619 her doom was altered and the reproach of 'infamy' removed.

In 1616² there are letters of David Craufurd, goldsmith, against 'Certane personis whom he had imployed to fish perles,' and in 1620 the Improvement of Pearl Fishing is the subject of an Act of Parliament, and in 1621 there is another Act ordering that pearls are only to be worn by the privileged classes.

In 1620 we learn that a pearl was found in the burn of Kellie, a tributary of the Ythan in Aberdeenshire. 'So large and beautiful that it was esteemed the best that had at any time been found in Scotland.' Sir Thomas Menzies, provost of Aberdeen, obtaining this precious jewel, went to London to present it to the King, who, in requital, gave him twelve or fourteen chalder of victual about Dunfermline and the Custom of Merchant Goods to Aberdeen during his life.³

This beautiful pearl seems to have drawn attention to the old reputation of certain Scottish rivers for the production of pearls, and in 1621 the Privy Council⁴ commissioned three gentlemen to protect the rivers and 'nominat expert and skilful men to fish for pearls at convenient seasons.' One gentleman for the rivers of Sutherland, another for those of Ross, and the third (Mr. Patrick Maitland of Auchencreeve) for the waters of Ythan and Don. The last named was further made Commissioner 'for receiving to his Majesty's use, of the hail pearls that sall

¹ *Antient Kalendar and Inventories of the Treasury of the Exchequer*, vol. iii. p. 286.

² *Privy Council Registers*, x. p. 651.

³ *Succinct Survey of Aberdeen*, 1685.

⁴ *Privy Council Registers*.

be gotten in the Waters within the bounds above written, and who will give reasonable prices for the same : the best of whilk pearls for bigness and colour he sall reserve to his Majesty's own use,' the King having 'an undoubted right to all pearls as he had to all precious metals found in his dominions.'

Mr. Patrick Maitland gave up his commission in July, 1622, and in 1625 one Robert Buchan, burgess of Aberdeen, was appointed in his place. He was reputed to be skilful in fishing for pearls and 'hath not only taken divers of good value but hath found some to be in divers waters where none were expected,' so seemed a very suitable person to be appointed commissioner 'for praeserving and keeping the whole watteris within the Schirifdome of Abirdene from untymeous and unseasonable searching and seeking of pearlis within the same,' and to restrain all persons except 'special personis of skill and experience,' and those only to fish 'in dew and laughfull tymes in the said monethis of July and August yeirlie.'

Anyone who was caught fishing for pearls without being 'laughfully' nominated by Robert Buchan or in the other months of the year was liable to be punished 'by wairding and laying of thame in the stokkis and otherways at the discretioun of the said Robert' and all pearls taken by them confiscated.

Later on Buchan was reported to his Majesty for his good services, and for 'the chargis and expenssis' that he had incurred the Council recommended that he should get 'fyve hundredth pundis sterling and above,' but as for the prices of the pearls which he had presented 'alsweel to your Majesty as to your Majesty's darrest father of blessed memorie the number and value quhair of being unknowne to us we can give no advise anent his satisfioun and recompense,' which is a very cautious judgment, but hardly likely to have given 'satisfioun' to Mr. Robert Buchan.

In 1628-9 Robert Buchan presents a 'supplication to the Lords of the Secret Counsell,' that he may have warrant to produce before Magistrates all persons, natives or foreigners, whom he may ascertain to have infringed his monopoly. Later, however, in 1631, the Free Burghs complain that liberties anciently secured to them had been much impaired 'by certain specious overtures by particular persons who have nothing in view but their own advantage. For example, Robert Buchan, burgess of Abirdene, under colour of preserving his Majesty's Waters from the unseasonable fishing of pearls has obtained a patent by which he

appropriates the privilege of fishing of pearls for himself, a commodity 'which has been ever heretofore customially reaped by the burrowis,' so that they craved that the patent might be recalled and the Burghs allowed to follow their former trade in seeking for pearls and disposing of them.'

In 1632 the King decreed that the monopoly of pearl fishing granted to Robert Buchan is to be revoked, as Buchan 'under collour of preserving our waters from unseasonable fishing for pearl and increasing our yeerlie revenewes,' had taken all the benefits to himself, 'wherein we respecting the ancient custome and lawes of that kingdom preferring the generall good of the publict to our ane particular pretended interest or to the ends of anie privat persoun, our pleasure is that yow call the said Robert Buchan befor yow and discharge his patent and all further prosecution thereby causuing publick by proclamation that all our subjects have libertie freele to fish and take pearls in all rivers and waters in our kingdom for all tyme coming and no other patent be esped heerupon thereafter.'

Buchan did not relinquish his claim without a struggle, and it was not till 1641 that his commission fell into abeyance.

After the Union of the Crowns the vogue of Scots pearls seems to have declined gradually, and in 1705 John Spreull, a jeweller in Edinburgh, wrote: 'I have dealt in pearls this 40 years and more and to this day I could never sell a necklace of fine Scots pearls in Scotland nor yet fine pendants the generality seeking for Oriental pearls because further fetcht.'

A traveller in Scotland¹ about this time mentions 'Mr. Spreull . . . says he has sometimes given 100 Rex. dollars which is near £25 for one Scots pearl and that he had Scots pearl as fine, clear and transparent as any Oriental pearl. Though the latter be more easily matched because they are all of a yellow water, yet foreigners covet Scots Pearl.'

Pennant,² in his *Tour in Scotland*, 1769, says (in writing of the Tay pearls which were 'got out of the fresh water muscles'):

¹ Defoe's *Tour*, with later additions, where there is also a curious account of the medicinal properties of pearls. 'Though the small pearl be not so useful in ornament yet they may be of very good use in Physic and make a fine Article in the Apothecaries Bills, being reputed the chief of all Cordials and very good against the Plague, violent and pestilential Fevers, Fluxes, Heartburning, Giddiness of the Head, Trembling of the Heart, &c. which is sufficient to show that the Pearl-fishery well deserves encouragement since we may be supplied with it much cheaper at Home than from the *Indies*.'

² Pennant's *Tour in Scotland*, p. 88.

'from the year 1761 to 1764 £10,000 worth were sent to London and sold for 10s. to £1 16s. per ounce. I was told a pearl had been taken there that weighed 33 grains.'

About the same time an Aberdeen merchant, Tower by name, got £100 for Scots pearls from a London jeweller. It is amusing to learn that he had expected a hundred pounds *Scots*, which would be about £8, but the London jeweller paid him in pounds sterling!

At intervals pearl fishing was revived, and in 1860 a German, Moritz Unger by name, assisted in restoring it. In 1861 the Scottish pearl fishings were 'singularly successful,' and in 1865 the produce of the fishing in rivers of Scots pearls amounted to £12,000.

It is pleasant to think that Scots pearls are now again being worn, and it is to be hoped that not only 'foreigners' but our own people will 'covet Scots pearls.'

MARIA STEUART.

Social Life in Scotland in the Sixteenth Century ¹

FEW persons, it is probable, went through life without requiring at some time or other the services of a notary. Perhaps the most frequent and ordinary business of those officials was in preparing deeds in connection with the purchase or alienation of land. But these need not concern us here, as we are concerned rather with the personal relations of the community; how and under what conditions they lived, how they loved, quarrelled, married and died. Under most circumstances a notary was always at hand to help or hinder a man. The only event in his life at which a notary did not make his appearance was that of his birth or baptism: no deeds seem to relate to such events.

But with marriages it was very different: obviously a formal deed like a marriage contract required to be drawn up by a person of skill, and we find numerous examples of such documents in the Protocol Books. So early as 1513 there is recorded an interesting instrument, which relates how a certain Lawrence (his surname is not given) was contracted to Besseta Ros; the young couple were evidently not well off, but the youth had prospects of being able to maintain his wife suitably before very long. Meanwhile, her mother in the most complaisant way promised not only to give Lawrence twenty merks at once, but to keep him and her daughter in her own house, supplying them with 'drinkables and eatables,' for four years, and the bride's brother, in addition to becoming security for the payment of the twenty merks, promised to deliver to Lawrence four cows as his sister's 'natural portion.' It seems to have been a not uncommon practice for the parents of newly-wedded persons to agree to give them board and lodging for some time. Thus in 1519 Margaret Tonok in Ayr, about to be married to Gilbert Gibson, gets £22 as tocher from her parents, who also promise that 'they

¹ In continuation of article on *Clerical Life in Scotland in the Sixteenth Century*, as it appears in the Protocol Books of the period. *S.H.R.* xvii. p. 177.

shall keep her honourably with access and receiving of Gilbert when he shall happen to stay with them,' and Gilbert's father gave his son eight merks and also undertook to instal him in a 'malyn' or farm as well stocked as his own; he also came under an obligation to treat the couple well and to sustain them whenever they pleased to stay with him. Not only so, but the parents on both sides bound themselves to 'clothe and repair their offspring in garments and body clothes according to their ability.'

Sometimes the obligations in such contracts involved the payment of money by one of the parties only, the other contributing something in kind. In a contract between Michael Lyel and his daughter Mariota on the one part, and Thomas Lessallis and his son James on the other, it is provided that James should marry Mariota 'in all guidly haist,' and that he should receive from the bride's father £40 'the morn eftir thai be marriet' and another £40 at Martinmas of the next year, 1551. The lad's father made no money payment, but undertook to give the couple a five years' lease of the 'schaddo half of Pitlour,' to sow for them ten bolls of wheat, twelve of barley, and forty of oats, and also at the ensuing Martinmas to give them eight oxen, two horses, thirty ewes and ten 'outcome' sheep, two 'ferow kye,' that is, cows not in calf, and one cow the 'boyle,' probably meaning that James and his wife were to be 'bowers' of this cow from his father, that is, they would pay him a certain rent for it and recoup themselves by the sale of its produce.

Occasionally the lady's tocher was rather of an illusory character, or at least did not come up to the nominal sum mentioned in the contract. When Christina Cleghorn, for instance, the daughter of a worthy burgess of Linlithgow, was about to marry David Binny, her tocher was stated to be £60 Scots, but of this sum she bound herself to relieve her father of £20 'considerand the honest damisolis that the said Archibald (her father) hes by (besides) her that ar to be putt to profit als wele as sche suld be,' in other words that her other sisters should have the same marriage portions as herself. What David Binny thought of this altruistic attitude of his bride is unfortunately lost to us.

There is another rather peculiar marriage contract, also a Linlithgow one, in which the girl's stepfather and mother promise to pay over to her future husband half of their goods moveable and immoveable, surely a disproportionate payment, seeing that there is no obligation at all on the other side; on the

contrary, the bridegroom, John Thomson, must either have been very young or very 'feckless,' as the girl's stepfather further binds himself to 'instruct him in all the points of his craft, called the wabster craft.'

Irregular marriages, *per verba de presenti*, as the legal phrase has it, were not infrequent. In these cases there was no publication of banns or any formal benediction by the Church, although they were sometimes celebrated by a priest, who however laid himself open to censure by his superiors. In 1527 William Cunningham of Polquhairn married Mariota Ross in this left-handed way, but there was a ceremony before a priest, one Robert Wilson, chaplain. The latter took the precaution of getting an obligation from Cunningham and George Ross of Hayning, presumably the lady's father, that they would keep him 'scathless at the hands of all' if he should be called in question for performing the ceremony without requiring the publication of banns and in an unconsecrated place. It is not clear why this marriage could not have been carried out in the usual way as Ross produced a dispensation for the persons concerned, the only known impediment to the marriage being that the couple were within the third and fourth degrees of consanguinity.

Dispensations from such impediments were extremely common, indeed the Church made much money out of them. They were given not only before the marriage but sometimes after. In 1516 Nicholas Stodart and Jonet Mitchell had evidently contracted marriage in some form or other though they were full cousins and therefore within the forbidden degrees. From the phraseology of the deed it is probable that a child had been born, who was of course in the eyes of the Church illegitimate. This may have been the consideration which moved the parties to obtain letters of dispensation from the Archbishop of St. Andrews as Lateran Legate. These letters formally divorced them 'for a certain space,' and enjoined some kind of penance for their transgression. The couple then, 'prostrate on their knees,' presented the letters to Mr. Robert Hamilton, rector of Covington, in the church of the Friars Minor in Glasgow, and he, in terms of the letters, gave an authority to them to contract a new marriage, and legitimated their children, both born and to be born. All this was done before witnesses and Hamilton appended his seal to the document in token of corroboration. This is a typical form of instrument which occurs frequently in the

Protocol Books, though in most cases it is in a shorter form and the statement as to a temporary divorce is generally omitted.

Occasionally, however, the parties had evidently had enough of each other and did not want to be remarried. Thus David Boyd and Janet Smart, his wife, appeared before a notary at Linlithgow in 1553, and the man, declaring that the marriage between them was altogether unlawful 'on account of certain lawful causes,' urged his wife to procure a divorce from him as soon as possible from lawful judges. The lady denied that she knew of any cause of divorce, but that she would not stand in the way of her husband calling her in a suit showing reasonable cause why divorce should be granted according to divine and church laws. What the result of this contention was we are not told, but probably the man got his way.

Children were in these days much more under parental control than they are, unfortunately, now. John Haigis, the proprietor or tenant of the Half Mains of Houston in Linlithgowshire, and his wife grant to their son in 1572 the third rig of the said Half Mains, and the father promises to renounce the whole of the lands in his son's favour at Martinmas of the following year. The son, on his part, undertakes not to marry without 'the advice and tolerance' of his parents; should he do so he loses all right to the lands.

There was a very curious case of marriage and divorce which came before Gavin Ross the notary in 1541. Robert Lindsay, grandson and heir of Alexander Lindsay of Corsbascat, had married, at a date which is not mentioned, a certain Janet Stewart of a family also unnamed. The lady was a very unwilling bride, and she soon after raised an action of divorce against her husband before the Commissary of Kilbride. That judge, after hearing the case, found 'that Janet, compelled by force and fear of death, which might befall a steadfast woman, and coerced by her parents, she unwilling, mournfully objecting and with grief, contracted a pretended marriage *de facto et non de jure* with Robert Lindsay *per verba de presenti*, and in the same manner, though by law unjustly, solemnized her marriage with him in the face of the Church; and the said Janet, remaining always in the same opposition never at any time consented or intended to consent to the said Robert as her husband, and in token of said dissent he never had any intercourse with her as in the libel is fully narrated.' The Commissary then, taking these facts into consideration together with the evidence led, pronounced the marriage

null and void, gave to each party licence to marry again, and ordered any dowry or marriage gift to be returned. Three months after this decree Robert Lindsay found another bride, and having been duly proclaimed 'on three solemn days, ordinary days intervening' in the parish churches of Kilbride and Riccarton, he was married in the chapel or oratory of his father-in-law to Janet Ross, daughter of George Ross of Hayning, a family who, as mentioned above, seem to have had peculiar experiences in their marriages. What the real history of these marriages was we do not know. But it is interesting to note how a girl—forced by her parents into a marriage distasteful to her—was able, without apparently any support from her relatives and indeed in opposition to the will of her parents, to refuse to have anything to do with her husband and to be successful in obtaining a divorce from him. It shows the Church too in a favourable light as the protector of women who believed themselves to be wronged.

There is much information about the ordinary plenishings of a sixteenth century house in the Protocol Books. In 1514 Andrew Campbell of Skerrington received from his mother Mariota Craufurd the following articles amongst others: a caldron or pot containing twelve bottles, presumably of a size capable of containing the contents of so many, a feather bed, a pair of sheets, blankets, coverlets of a green colour, a tin disc or plate, a cushion, a wooden bed with a 'rufe,' in other words a four-poster, a great ark or chest, an armoire and a clothes horse. Of course these were not the sole articles of furniture in Skerrington; perhaps they were the personal property of his mother and were handed over by her to her son after his father's death.

There is a very long inventory of the furniture in Calder House in 1566. It is impossible to specify it in detail, nor is it likely that the family occupied the house very much; they seem to have preferred a dwelling in the burgh of Linlithgow, which will be referred to hereafter. Still the inventory gives us a good idea as to how the house of an influential and leading laird of the country was furnished. The house was a large one, over thirty rooms being mentioned. The furniture on the whole is of a strictly utilitarian type. No carpets are mentioned, the floor either being left bare or partially covered with a few 'lyars'¹ or

¹ So called because they lay on the floor and were not suspended on the walls like tapestry.

rugs, or more likely simply strewn with rushes ; there are but a few chairs, their place being taken by forms or stools ; there are over twenty beds of all degrees, from the stately standing beds of carved work with rods and runners (for curtains) down to the humble 'litigant' (lit-de-camp) beds, a tautological expression for a camp bed which was simply a board and bedding supported on trestles. In one room there are no less than three beds of good quality, two of them carved and the other 'turnit.' In another apartment of lower quality there were four 'fyre' (fir) beds, but they cannot have been of much importance or have taken up a great deal of room. The most interesting list is perhaps that of the furniture of the hall or great living room of the house. In it we find the 'hie burd with twa formis,' that is, the table set on a dais or 'des' at the top of the hall, at which the laird and his wife with any specially favoured friends would sit. Above the table was set 'ane fair paintit brod,' perhaps displaying the coat of arms of the family. Then there was a 'myd burd with twa formis,' which was placed in the middle of the hall, and at which would sit the upper members of the household or guests of a lower rank than their hosts ; there were also three 'by burdis' with their forms, tables with trestles which were folded up and put against the wall when not in use. A 'hart horn' hung on the wall, the only ornament mentioned. There was a wooden stool and a straw chair from Flanders (little furniture was actually made in Scotland at this period), an iron 'chimnay' or grate, and 'ane irne botkin to runge the fyir,' in other words a poker. To light this hall there were three wooden chandeliers (hanging from the roof) with 'fleuris' or ornaments of white iron. Such was the simple manner in which the principal apartment of the house of a laird of high degree was furnished in the middle of the sixteenth century. But this inventory can hardly have included all the furnishings of Calder House.

We get a greater idea of comfort when we turn to a similar document relating to Sandiland's town house in Linlithgow. Here we have not only a sufficient quantity of beds and bedding, but mention is made of bed curtains of satin, damask, and other materials, arras hangings for the walls, no less than thirty-two pairs of sheets, tablecloths, two dozen serviettes and a great deal of other napery. All this was contained apparently in a 'Flanders kist' and another coffer. In the way of furniture we have three velvet and two leather chairs, ten stools of wood and two of leather ; for the dinner table there were a dozen English

pewter plates, with covers, six great plates, probably ashets, with their covers, six saucers (tea and coffee were of course unknown), a dozen trenchers of English pewter and a dozen of Scots pewter, besides a great many kitchen utensils and furnishings. No wooden trenchers are mentioned. The whole inventory conveys a much greater sense of comfort than we found at Calder House itself, and the presumption is that the family found the burghal residence much more habitable than their more stately mansion at Calder.

It is commonly supposed that the clergy of this period, whether of the old church or the new, were not greatly given to studies either in theology or general literature, in fact that they were on the whole ignorant and unlettered. But perhaps there were more exceptions than we have been accustomed to believe. It is at least interesting to find the great Archbishop of St. Andrews, John Hamilton, a natural son of James, first Earl of Arran, lending from his library to James Brown the humble incumbent of the parish of Kirknewton, a really choice selection of thirty-seven books relating both to theology and the humanities. Among the former may be mentioned a Commentary on the Psalter by Petrus Lombardus, the famous *Magister Sententiarum* of the schoolmen; the works in whole or in part of St. Ambrose, St. Clement, St. Jerome, St. Basil, and eight odd volumes of the writings of St. Augustine, a Concordance to the Bible and other works. Some of these were bound in white, probably the usual parchment binding of the time, while others were in red leather or in wooden boards coloured either black or red. In the section of the humanities we find several books by and on Cicero, the *Adagia* of Erasmus, the *History of Philosophy* by Diogenes Laertius, a book entitled *De Modis Latine Loquendi* by Adrian, a curious treatise on ancient coins called *De Asse (et paribus ejus)* by Guillaume Bude, published in 1514, Pliny's Natural History and some more. Altogether a wonderful collection of books with which the country parson could wile away the long winter evenings in his dimly-lit manse of Kirknewton. It says something too for the liberality of the easy-going Archbishop that he should have consented to lend so many books to the parson of a parish so far away from St. Andrews, but it is probable, considering the general character of the prelate, that he was not himself a very earnest student in his library.

Another library is mentioned in a deed recorded at Edinburgh in 1557 by Gilbert Grote. It belonged to Mr. David Whitelaw

of Cauldsyde near Whittingehame, probably a lawyer from the character of most of the books specified. He leaves to a certain Katherine Raite, by whom he had had several children 'all his buikis within his chaulmer,' probably his writing chambers in Edinburgh, together with fourteen specially designed volumes, the work of canonists or civilians. It is hardly necessary to give their titles in detail as the authors are for the most part forgotten, but it is to the credit of the editor of Grote's Protocols that he has been able to identify them all. They are good examples of the dreary studies which the jurists of that age had to undertake.

There is a long will of Isobel Gray, the widow of Alexander Achesoun in Preston, in which are many legacies. Apart from sheets, blankets, cushions, arras hangings and other household plenishings, we may note some of her more personal belongings. To a granddaughter she leaves a gold chain weighing six ounces; other legatee had a ring of gold with a blue stone in it and another ring of gold with a moor's head. Her personal wardrobe was not very extensive; we hear of a black gown, a brown kirtle, 'high meitted clokes of Scots blak,' a new petticoat, two 'paytlets,' a best one of velvet and another, a 'bone grace' or bonnet, an apron and long sleeves of Lille worsted, a gray mantle and a 'best cloke.' This is not a very elaborate wardrobe for a lady who, if not 'of the county' seems to have been comfortably off.

The wife of an ordinary Edinburgh burghess seems to have been better provided with jewellery. The widow of Henry Tindell, having paid out certain sums of money for the tocher of her daughters by her first marriage, leaves to Agnes and Janet Brunton, her daughters by a second husband, three gold rings and 'ane belt of silver ourgilt with gold weand nine ounces.' She reserves power, however, to give her husband or his friends the first offer of them.

Testators, then as now, sometimes attempted to put right by their will any wrongs they may have done in their lifetime. But seldom is there such a candid confession of fault made as was done by John Clerk, burghess of Ayr, in 1531. He, 'moved by the prick of conscience' left certain skins and a doublet to Allan Boyman, brother of the late John Boyman, because the testator had acquired from the said John certain lands in Ayr under the just price. Few purchasers have compunction at buying land at a cheap price, and in this case the difference between what the testator thought the true value of his purchase and the sum which he

actually gave does not seem to amount to very much if it was only represented by some skins and a doublet.

It was not uncommon for elderly people to surrender their lands and goods to their children or others on condition of being kept comfortably for the remainder of their lives; very much the same thing indeed as purchasing an annuity is in modern days. Thus George Cambell, in 1519, gives to his son William the lands on which he lives and all his goods, together with the tutelage and charge of his daughters. William, prudent man, accepts the tutelage only on condition that the said women 'fulfilled his counsel'; otherwise he promises to receive and sustain his father in lodging, bed and table, in eatables, drinks and clothes and other necessaries of life according to his status. And in 1551 Margaret Haliburton, relict of Adam Tunno of Hairheuch renounced her right to her terce of these lands in favour of Adam Tunno and his father William, reserving to herself the property of Eliotlaw for her lifetime. In return for this Adam promises to allow her food and clothes 'befitting such a well-born woman' a well-covered chamber, with one maid and fire and other necessaries during her lifetime. As in many other documents it is expressly stated that the party making it is not compelled nor circumvented, but makes it of her own free will. Lower down in the social scale more modest provision is made in similar instances. Old Mrs. Mutar in Kynneill gets from her son James 'a butt of land sufficient to hold a peck of beir sown, a little house bewest the cheek of his door, a piece of yard and twelve merks a year.'

When a young man made choice of a profession or trade he was entered an apprentice under conditions which seem astonishing in our days, but which no doubt had the effect of turning out craftsmen who knew their work and had a pride and pleasure in it. Take the case of Simon Watson, who in 1555 was, with the consent of his mother, bound apprentice to John Mytok, shoemaker in Edinburgh, for the term of six years. He was to serve for five years for meat and drink only without any wages whatever; his clothing was to be at his own and his mother's expense; the wording of the deed is obscure—of course it is only a condensation of the actual indenture—but sometime or other Mytok was to pay him £6 10s. Scots. The master on his part undertook to instruct his apprentice in all points of the craft and to conceal nothing from him; the apprentice on the other hand bound himself to be a good, true, leal, and thankful servant, and not to hurt nor harm his master in any way.

Stress of circumstances occasionally compelled persons to enter into obligations which would hardly be enforceable in our day. In 1575 John Thomson in Drumcours and his wife Margaret Johnston bound themselves to be servants for life to James Ker in Craigfyne, weaver, and Janet Henderson, his wife. They were to live in the household with them and to hand over all their goods and gear; in return they were to be found in all meat, drink, clothing, and in the case of the death of Ker or his wife half their goods were to come to John and Margaret; perhaps the latter were a shrewd couple, and the bargain may not have been a bad one for them after all.

Servants sometimes got no wages at all, or at least these were much in arrear. One lady solemnly leaves in her will enough money to her servant to pay for her wages which were due for the last three half years; and an old gentleman, being 'agit and seiklie,' assigns to Catherine Cairns, his servant, the crop for 1576 of an acre of land of which he was the tenant, and also the teind shieves for the same year of certain other lands, because he was owing her 'hir fee for hir service the space of six years bigane and thairfor because he hes na maney nor silver nor uthir affaris to satisfie hir with.' Such were the expedients to which an impecunious laird of the sixteenth century, much in need of actual cash which was but scarce in the country, had to resort.

Some interesting items in regard to crime appear in these books. We know, of course, that there were certain sanctuaries throughout the land where offenders could temporarily shelter themselves from justice. Among the best known of these were the lands belonging to the Knights Templars, and their boundaries were generally indicated by crosses, but sometimes this does not seem to have been the case. In 1521 Leonard Clark, bailie of the burgh of Ayr, demanded that David Blair, one of the burgesses, should deliver to him a certain Irishman, who had stolen a jacket out of Leonard's boat and who was then in Blair's house. He was, however, met by the allegation that the house was really a Templar tenement, and as such was, and had been, an asylum, 'girtht' and refuge to offenders for twenty-four hours. It is not recorded whether or not this defence was successful, or if the peccant Irishman was arrested at the end of the twenty-four hours.

It is surprising to find that a peer could not become security for a criminal, at least if he were charged with murder. Even such a high and mighty person as John Earl of Lennox, when he

offered himself as surety for Campbell of Skerrington and others who were accused of the slaughter of James Cathcart of Carbeston, was refused in that capacity by the King's Messenger. The latter official must have been sure of his ground and had a strong sense of duty before he thus ran contrary to the desires of a nobleman who was at that time, 1521, one of the guardians of the young king, and had influence to have made short work of the Messenger had he so desired. Another ineffectual offer to become security for a murderer was made by that Leonard Clark whom we met with before as having had his jacket stolen from his boat. He offered himself as security for John Craufurd of Drongan, accused of murder, to the Royal Macer, the Sheriff of Ayr, or any other person having authority. Nobody appearing to receive his security, he protested 'for remedy of law' that it should not prejudice the accused.

A macer or 'claviger' was in these days a more important official than he is now. Charles Campbell in Bargour being sued for debt before the Sheriff Depute of Ayr, stoutly asserted that being a 'masar' he ought not to be tried by the Sheriff of Ayr or his Depute, because he was under the special jurisdiction of the Lyon King-of-Arms, and ought to be tried by him. The terms of the Instrument are not very clear, but it rather seems that his contention was upheld.

How Patrick Richart of Knokgoif clearly contravened the law and flouted the authority of the Lyon is shown in an Instrument of 1518, in which Patrick acknowledges that he had made a certain leaden seal, containing the figure of a military horn or trumpet 'in arms,' that is, presumably on a shield, and his own name engraved on the circumference, which seal he 'approved, owned and ratified.' What the penalties were in 1518 for taking heraldic law into one's own hands we do not know, but probably they were sufficiently terrible; within the same century, in 1592, the Lyon King-of-Arms and his heralds were given a commission to visit the arms borne within the realm, and to inhibit any unauthorised use of such, under pain of escheat of the articles on which the arms were engraved or painted, together with a fine of £100 or imprisonment. Arms were practically useful in those days, especially for putting on seals in order to authenticate documents, at a period when many men even of good position were unable to write. The loss of a seal was therefore rather a serious matter; in 1523 this misfortune occurred to William Craufurd in Ochiltree, and in consequence he made public pro-

clamation of the fact that his seal was missing and had been carelessly lost by him, by the hands of John Cunynhame, King's sergeant, at the market cross of the burgh of Ayr.

There is a curious formal acknowledgment of an armorial seal in a deed executed by Janet and Lucy Cairns in 1524. They had come under certain obligations to Adam Wallace and his wife Jonet Maxwell in relation to certain lands. Jonet Cairns, 'uncompelled by either force or fraud,' declared that she had chosen for herself the state of religion and that it was her intention to enter the nunnery at Haddington. She accordingly 'acknowledges' her armorial seal, made in lead or pewter, containing the figures of three birds, with the legend 'clearly cut' round it 'S. Jonete (Canis).' There are several seals still extant which bear the arms of Cairns—three martlets—but they all have some difference as belonging to cadets of the family. It is doubtful if Jonet had really any right to the undifferenced arms belonging to Cairns of that ilk, as she was the daughter of Henry Cairns of Dankeith, and not apparently a daughter of the head of the house, who alone had the right to the arms. Indeed at this time there was no such family as Cairns of that ilk; it had disappeared in the male line more than a century before through the marriage of an heiress to Stephen de Crichton.

Doctors had evidently to walk with wary steps or they might be exposed to an action of damages on the part of the relatives of a patient who might happen to die under their hands. Thus Alexander Dera, *Medicinator et curator in arte vulnerum et aliis infirmitatibus*, makes a contract in 1540 with John Caling, who had been severely wounded, by which 'after laying hands on his wounds' he undertook to do his utmost to cure John. The latter, on his part, discharged the doctor of all responsibility in connection with what should be done for his cure, whether he should happen to live or die, and promised, along with his wife and children, not to pursue Alexander at any time to come.

There are many instances of matters referred to arbitration. Not the least curious is a case proceeding on the narrative that Sir John Faw, chaplain, and Duncan Laythis, layman, had been having a game at tennis together. Laythis averred that the chaplain had served a ball with so much force and presumably with so little skill, that it struck Duncan's eye and put it out. But Duncan rather gives himself away by stating that it was done 'by accident,' and, if so, it is difficult to see how he could be successful in his claim for damages. However the parties amicably

agree to submit the matter to the decision of two arbiters, Sir Thomas Layng and Henry Hunter, both chaplains. It says much for Duncan's trust in the impartiality of the Church that he should have consented to a remit to two priests whose sympathies would naturally be with their fellow cleric. But such was the case, and the arbiters solemnly accepted the onus of deciding between the parties, and named a day for the proof and another for the judgment on it. The result of their deliberations is no chronicled.

There was no 'prohibition' in the sixteenth century, and thirsty souls got as much as was good for them and often a good deal more. Ale was the principal drink of all classes in Scotland in the sixteenth century; it was made without hops and its price varied from one to two shillings a gallon. Bishop Leslie gives it his benediction and describes it as 'maist halsum.' But wine could be freely got, and at very moderate price; in 1567 Parliament fixed the price of Claret at a shilling a Scots pint, and Rochelle eightpence, while Cognac was tenpence. Whisky was made and drunk to a certain extent, but it was not the popular national drink then, and its greatest consumers were the inhabitants of the Western Isles. Port was practically unknown.

So long as a customer had credit he could run up a bill at a tavern for a considerable amount. Archibald Cleghorn kept a public in Linlithgow along with his wife Margaret Loverance (a pretty name which only survives in the less euphonious form of Lawrence), and a certain bibulous person, Robert Loch by name, residing in Ochiltree, had incurred a bill to him of £10 8s. Three pounds of this had been paid, but the tapster's patience got exhausted and he repaired to the notary, whose chamber was conveniently situated next door to the tavern, and there an obligation was drawn up by which Loch obliged himself to pay the balance of the said money owing. This was in January 1575, but Loch's habits either in the matter of drinking or paying did not improve. Not a penny of the money did the landlord or his wife see; on the contrary, six months afterwards Loch gives a new obligation to pay the old sum with the addition of £3 12s. 4d., which had been incurred since the former date. By the 11th September he was still owing £11 8s. for 'borrowed money, dinners, suppers and lawings,' the last a generic word for tavern reckonings, for which he gave a further obligation. Shortly after he appears to have cleared his accounts, but immediately began a new score, which amounted on 18th March 1576 to 30s. 4d., for which he

as usual gave a further obligation. On 17th November, 1576, the debt stood at fourteen merks seven shillings, and though the creditors must have been paid some time thereafter, there was a fresh bill of 14s. incurred for drinks consumed from 9th August, 1577, to 2nd February, 1578. This is the last we hear of this drouthy customer.

The above items, taken almost at random from the Protocol Books, throw an interesting light on the manners and customs of our forefathers. We may think them quaint or funny, but they were neither the one nor the other to the persons concerned, merely ordinary occurrences in their daily life. They are grouped round an important period in Scottish history, when the old order was changing or just about to change. By the next century more modern conditions had set in, consequent on the influence of the Renaissance in Scotland, as felt chiefly through the Reformation, and the growing wealth of the country after the Union of the Crowns in the beginning of the seventeenth century. All this is admirably set forth in the remarkable series of Rhind Lectures delivered this spring by Mr. Warrack.

We might not expect to find so much information on social life in the apparently dry records contained in the Protocol Books of obscure country lawyers; we owe a debt of gratitude to the Scottish Record Society for having given historians easy access to those illuminating documents, and we trust that in future, aided by an increase in the membership, the Society may continue the good work it has carried on for a considerable number of years, and will publish still more annals of the past, which will add to our knowledge of the life and personality of our ancestors.

JAMES BALFOUR PAUL.

The Navy in the Great War

FROM such a book as this we are not to expect the vivid personal touches, the sense of adventure, the atmosphere of romance. Sir Julian Corbett has far other aims than to thrill or captivate us. His is a task onerous indeed, and weighted with serious responsibility; no less than to tell the whole and exact truth concerning the naval operations of the great war—in a word, to write the official history.

And he is perforce, therefore, occupied with much and minute detail, abhorrent to the general reader. Popular historians confine themselves to the great battles—St. Vincent, the Nile, Trafalgar—the single supreme days, the lofty mountain peaks in the landscape of time. They say little of the dreary intervening years, the valleys, as it were, of unceasing toil, bitter hardships, harassing anxiety, which occupy, for those who care to examine it, by far the larger area of the authentic record. The battles, taken by themselves, distort the perspective; they are the merest pin-pricks on the chart of history.

During the late war, well-nigh interminable as it seemed to most of us, a brief twenty-four hours probably covered the actual engagements in which heavy vessels took part. One might almost say they were fought in less time than it takes to read of them. Coronel, of bitter memory, was over in an hour; the Falklands, a leisurely affair, occupied five or six; Sidney against Emden, a single-ship action, lasted less than two; Jutland, one of the decisive 'indecisive' battles of the world, began at three o'clock in the afternoon, and was practically at an end before nine. About fifteen hours in all for these earth-shaking events! Battles at sea are like thunderstorms, sudden, terrific, and soon over. The end, delayed in land encounters, is reached with alarming

¹ *Naval Operations, History of the Great War based on Official Documents, by direction of the Historical Section of the Committee of Imperial Defence.* Vol. i., to the Battle of the Falklands, December, 1914. By Sir Julian S. Corbett. Pp. xi. 470. 8vo. With 18 maps in case. London: Longmans, Green & Co., 1920. 17s. 6d. net.

swiftness. For this reason, that supreme issues often hang in the balance there, and the destinies of nations are determined in the twinkling of an eye, to naval engagements belongs a feverish and dramatic interest. And our attention, as is natural, rivets itself upon these hours of doom.

There are still other reasons why, to the exclusion of the intervening time and dull detail, they arrest the mind. Theirs is the romance of the sea itself, a purer element than earth, unstained, untortured even by man's most infernal activities, and subject to moods more capricious and incalculable. The combatants, moreover, as in ancient and chivalric days, enter the arena groomed and gloved, one might say, much as they would enter a drawing-room, and, emerging from a titanic contest, may sit down to a dinner-table adorned with flowers and shining with crystal and silver. In warfare at sea—and here is another touch of romance as of justice—the risks are the same for all—from powder-monkey to admiral. Like the heroes of epic story, the leader shares all the perils of the combat. Not for him, as for the Commander-in-Chief of land armies, a peaceful office out of hearing of the guns, a hundred miles it may be behind the actual scene of battle. The bond of a common and imminent danger unites the whole fleet; nor, when the ships are within range, is the life of any man, whatever his rank, secure for a moment. A single salvo, a single well-directed torpedo may dispose of a thousand men, an entire ship's company. There are no privileged or protected persons in a sea affair.

But it is with scientific history, not with romantic adventure, that Sir Julian is concerned, and we have here a volume of nearly five hundred pages which deals with no more than the first four months of war—from its outbreak to the Falklands. Yet these months covered operations of the first magnitude, and exhibited, as in a prophetic mirror, the probable course of future events. Looking back upon it all we perceive that, save for the submarine attack upon British trade, little that was unforeseen or 'out of the picture' took place at sea. The enemy did what was expected of him, pursued the world-old policy of the weaker power, the policy of avoiding fleet-collisions and concentrating effort by means of raiders, submarines and mines upon two objects, the gradual attrition of our fighting strength and the interruption of our sea communications.

Fleet-actions were not in Germany's programme. A fleet in being, ever threatening to strike, awaiting a favourable moment,

husbanding and adding to its formidable sources, constituted, she knew, an embarrassment the British admirals would gladly have exchanged for an open trial of strength. Once, therefore, the deployment of our fleet had taken place, once our battleships and cruisers were upon their war-stations at home and over all the seas of the world, no crisis was to be expected. The cards had been dealt, and the game took on that 'dead and uneventful character with which our ancestors were so familiar.' But we had not been students of our own history, and the uninstructed public early began, through the pens of eager journalists, to enquire, at times derisively, what the navy was doing. The first duty of the British fleet, so the newspaper strategists informed us, is to seek out and destroy the enemy's fleet—a fleet, be it observed, out of all sight and hearing, buried behind barriers the most impenetrable ever constructed. This ridiculous and unhistorical doctrine was, as Sir Julian Corbett remarks, 'nowhere adopted with more unction than in Germany,' and our enemy's elaborate and reiterated taunts, the merest propaganda, that the British fleet had lost its old offensive spirit, and lay inactive, unadventurous and in hiding, unhappily found echoes among ourselves.

The chief function of the fleet—and there is no second function—is, must be, and always has been to secure for British and friendly vessels perfect freedom of action and to deny it to our enemies. To secure such command of the sea it may be necessary to fight, but if the end can be secured without firing a gun or losing a life, so much the better. Naval battles are not fought for glory. From the outbreak of war Germany's ocean trade was paralysed—that half of the task immediately and completely achieved. The other half, protection of our own trade routes against mines, submarines and enemy cruisers, presented a thornier problem, and occupied practically all our naval energies for the remaining years of the war. 'When we consider,' writes Sir Julian, 'the prodigious nature of the task, the unprecedented volume of trade, the tangled web which its crossing routes wove round the earth, and then how slender was our cruiser force beside the immensity of the oceans, and how in every corner of them the enemy was lurking, all defects are lost in the brilliance and magnitude of the success. We have now, after our manner, ceased to wonder at it, but the fact remains that, for all we may point to occasions and places when more might have been done, the success of the defence over the attack went beyond everything

the most sanguine and far-sighted among us had dared to hope, and beyond anything we had achieved before.' We were in a sense prepared. In the great War-Book the gigantic and necessary plan had been worked out in every particular. 'The requisite telegrams—amounting to thousands—were carefully arranged in order of priority for dispatch in order to prevent congestion on the day of action; every possible letter and document was kept ready in an addressed envelope; special envelopes were designed so that they could be at once recognised as taking priority of everything.' From the *Warning Telegram* to the *War Telegram* the machinery worked with perfect smoothness, and when the *ultimatum* to Germany was dispatched Admiral Jellicoe was already at sea.

In this sense we were prepared, and such readiness was all the more necessary since the naval force at our disposal in 1914 was none too strong. Light cruisers and destroyers were far too few, and but for a miracle, the amazing auxiliary force built up from the mercantile marine and fishing fleets and the indomitable spirit of their crews, we should have been in very evil case. Happily the meaning of the phrase 'a maritime people' magnificently revealed itself. Tramps, drifters, trawlers, yachts, motor-boats, an unparalleled and heterogeneous collection of vessels, gathered to the fray. 'There had been nothing like it,' as Sir Julian writes, 'since the distant days when the mercantile marine was counted as part of the Navy of England—nothing to equal it even in the heyday of privateering, or in the days of our floating defence against Napoleon's invasion flotilla.' 'Our nation was in arms upon the sea,' an inspiring spectacle, which, while it astounded our adversaries, offered the most convincing proof that, however time had changed the conditions and science the weapons of war, England was old England still.

It would be manifestly impossible to follow here the record of naval doings in the busy and early months of war—the destruction of German wireless stations throughout the world, the hunt for German cruisers among all the isles and oceans, the convoying of transports from India, Canada, Australia, the transfer of the Expeditionary Force to Havre, the co-operation with the army in Turkey, Egypt, and off the French and Belgian coasts. But the circumstantial survey of its multifarious activities—not always successful, as the escape of *Goeben* and *Breslau* bears witness—will give Sir Julian's readers some conception of the nature and magnitude of its appointed task. More particularly will it make

clear what formidable additions were made to that task by the constant change of army plans. Take one instance. On August 29th the military leaders decided to evacuate Ostend and transfer the army base from Havre to St. Nazaire. It is easy to write, but what an undertaking! Not to speak of officers, men, horses, 60,000 tons of oil, for which tankers were necessary, and a prodigious collection of military material had to be shipped, transported and unshipped. In the final six days of the evacuation there left Havre 20,000 troops, 4,000 horses and 60,000 tons of stores. Though it drew no admiring gaze this feat deserves, in Sir Julian's words, 'to be enshrined in national memory.' Take another case. Who does not recall the nightmare of Zeebrugge, that painful thorn in the side, from which the attacks on our Channel ports were incessant and exasperating? And who did not ask himself why, before we evacuated that port, were the mole and harbour works not destroyed? That the naval authorities had overlooked so crucial a matter no one could believe. Sir Julian's record supplies the answer to the problem. With the greatest reluctance the Admiralty left Zeebrugge intact at the request of the War Office. It was to be a port of re-entry when the great flank attack on the German armies took place. What charming optimism! And what a price in anxiety, hostile criticism and loss of human life the navy paid for it.

There are few pages in this book which do not add to our knowledge or refresh our memories. The distribution of our naval forces on the outbreak of war, the co-operation of the navy with the army in the Eastern Mediterranean, the Cameroons and the Persian Gulf—a story in itself—the search for the elusive *Karlsruhe* and the mystery of her fate, the convoy system by which the submarine campaign was baffled, the scheme of channel protection, the operations at Tsingtau, the Antwerp affair, the loss of *Audacious* and reasons for its concealment—these and a thousand other matters, with elaborate maps and plans of naval engagements, make of this volume a veritable encyclopaedia of information. Of Coronel and the Falklands—thrilling narratives both—we have a vivid and detailed account. Naturally in those early months, while *Emden* and Von Spee's squadron were at large, there could be no security for either trade or transport, and before and above all else, save the watch upon the High Seas Fleet, a net for the enemy cruisers had to be woven. Vague and incessant rumours of their activities and intentions ran over all the world, and tremors were felt in every sea.

Then came Coronel, a severe blow to British prestige, which brought matters to a crisis. Craddock's heroic intention to cripple the enemy even at the cost of his own destruction, if this be the true interpretation of his action, cannot but elicit admiration. Whether justifiable or not, it compelled at least an instant *riposte*. There could be no question of delay, no temporising with so ugly a situation. It was felt, and rightly felt, however the blame might be apportioned, that the continued existence of Von Spee's powerful and menacing squadron gravely discredited the Admiralty. With the utmost haste and secrecy the battle cruisers *Invincible* and *Inflexible* were detached from the Grand Fleet, and, with Admirable Sturdee in command, dispatched on their avenging mission. Then befel the greatest, indeed the only stroke of luck, with which the Navy was favoured throughout the whole war. Unconscious of Sturdee's presence, Von Spee timed his arrival at the Falklands as if in response to an invitation. Coronel had been fought in a fierce tempest, but on December 8th, when *Gneisnau* opened the harbour of Port Stanley, with no suspicion of how that day would end, the sea was hardly ruffled and the sun shone bright. One look within the harbour was enough, she saw the battle cruisers, knew the game was over, and with the rest of the German squadron made off at full speed to the east. For Von Spee there was indeed no hope, he knew that Coronel was about to be avenged, and that Craddock's fate would be his ere sunset. The details of the action are curiously incomplete and even conflicting. According to one German survivor the German ships scattered, each endeavouring to escape at her utmost speed. Sir Julian Corbett credits Von Spee with the honourable decision to sacrifice his more powerful cruisers to save the rest. It is difficult to accept the suggestion. He had not the speed to save himself, the alternative was to fight or to surrender. The precise movements and positions of the vessels engaged at various stages of the battle are in doubt, there are gaps in the record, and one has suspicions that with so overwhelming a superiority in guns and speed, victory might have been more swiftly achieved. Complete, however, but for the escape of *Dresden*, it was, and since *Emden's* meteoric career had already closed British control of the outer seas was from that day forth unchallenged.

Sir Julian's first volume more than fulfils all reasonable expectations. Quiet and measured in tone, as befits his rôle of responsible historian, without inflation or rhetoric, it forms a worthy

record of events and achievements never to be forgotten. It illuminates much that was obscure in the military as well as in the naval history of the tempest we have so recently weathered, and can hardly fail to bring home once more to English readers our utter and absolute dependence upon the command of the sea.

W. MACNEILE DIXON.