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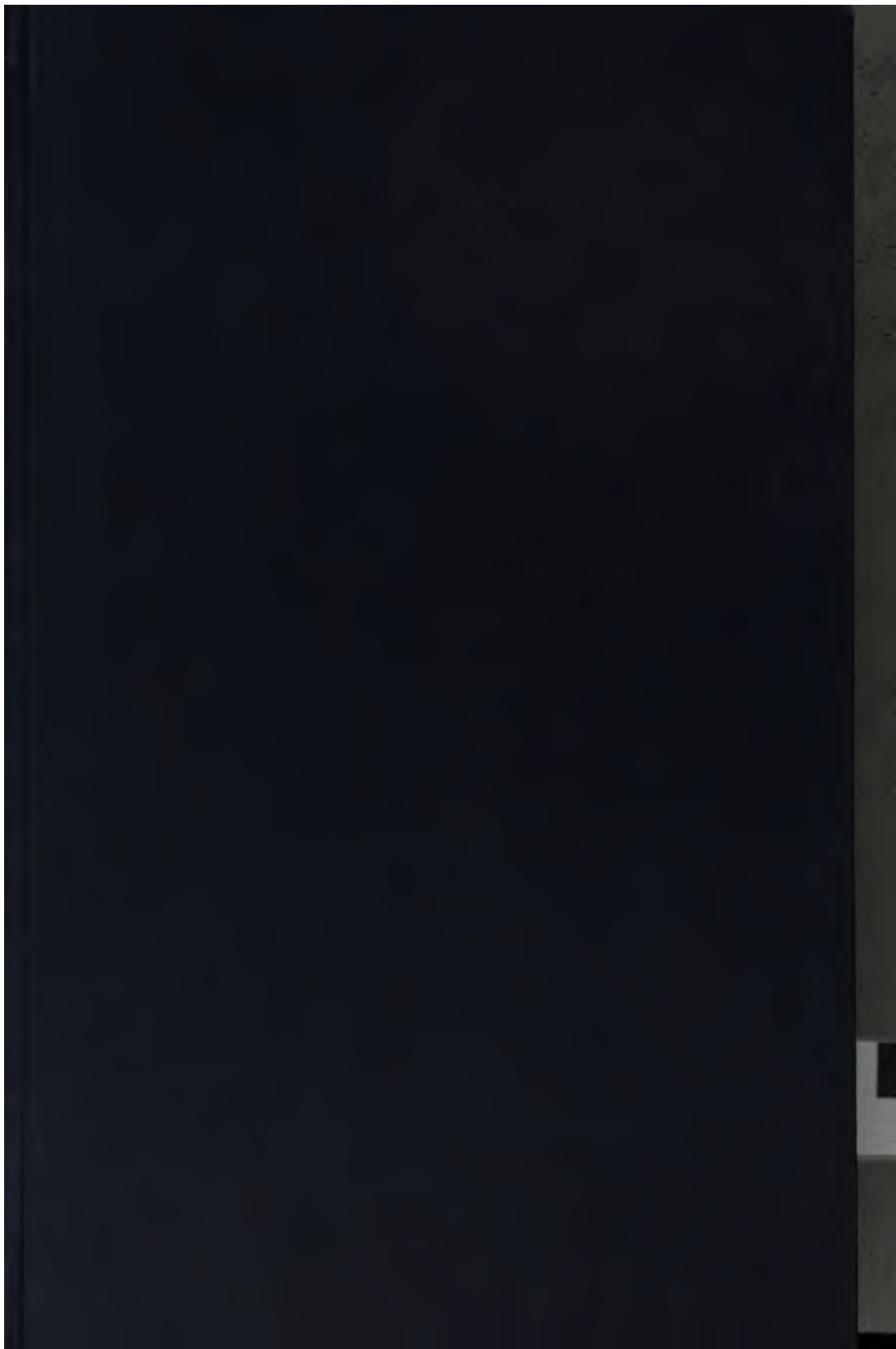
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Contents

	PAGE
Story of the King of Ireland and his Two Sons. Translated from the Gaelic by the late Rev. J. Gregorson Campbell, of Tiree - - - - -	I
Margaret Nairne; a Bundle of Jacobite Letters. By E. Maxtone Graham - - - - -	11
The 'Scalacronica' of Sir Thomas Gray. By the Right Hon. Sir Herbert Maxwell, Bart. - 24, 185, 262, 417	417
The Witches of Alloa. By R. Menzies Fergusson, D.D.	40
The Scottish Parliament, 1560-1707. By Wm. Law Mathieson - - - - -	49
Glimpses of Old Scots Parish Life. By Edward Pinnington	63
Bishop Norie's Dundee Baptismal Register, 1722-26. By A. H. Millar - - - - -	73
The Union of the Parliaments of England and Scotland, 1707. By Professor Hume Brown - - - - -	121
About Mary Queen of Scots' Portraits. By Monsieur L. Dimier; with Notes by Andrew Lang - - - - -	135
Scotland and the Papacy during the Great Schism. By A. Francis Steuart - - - - -	144
A Contract of Mutual Friendship in the '45. By J. H. Stevenson - - - - -	159

	PAGE
Ancient Legend and Modern Poetry in Ireland. By J. L. Morison - - - - -	164
John Carmichael of Medowflat, the Captain of Crawford. By A. O. Curle - - - - -	178
Unpublished Topical Poem by Dr. Blacklock. By Frank Miller - - - - -	205
The Dispensation for the Marriage of Mary Stuart with Darnley, and its Date. By the Rev. J. Hungerford Pollen, S.J. - - - - -	241
The Union of 1707 : Its Story in Outline. By Wm. Law Mathieson, author of 'Scotland and the Union' -	249
Thomas Maitland. By Wm. S. McKechnie, M.A., D.Phil.	274
The Balfours of Pilrig. By Sir J. Balfour Paul, Lyon King of Arms - - - - -	294
Separation of Church and State in France in 1795. By Sophia H. MacLehose - - - - -	298
Saving the Regalia in 1652. With note by P. Keith Murray - - - - -	309
Mary Stuart and the House of Huntly. By Thomas Duncan - - - - -	365
Scandinavian Ballads on Caithness Soldiers. By Hon. George A. Sinclair - - - - -	374
Burnet on the Scottish Troubles. By Robert Dewar -	384
The Scottish College in Paris. By V. M. Montagu -	399
Some Early Scottish Book-bindings and Collectors. By E. Gordon Duff - - - - -	430

Contents

vii

PAGE

The Roman Fort at Newstead : Traces of Successive Occupations. By James Curle, F.S.A. <i>With Plan and Illustrations</i> - - - - -	443
Reviews of Books - - - - -	83, 213, 318, 451
Queries - - - - -	106, 231, 353, 479

Replies

Phinn, 110. Historical Aberdeen, 111. Major Colin Campbell of Strachur, 233. Mr. Niall Campbell, 234. The Pentland Rising, 235. Giving Change at the Church Plate, 235. Last of the Royal Stuarts, 358. *See also Communications and Replies.*

Communications and Replies - - -	108, 232, 355, 481
King's College, Aberdeen, Two Centuries ago. By W. Macgill, B.A. (Lond.) - - - - -	108
Tilting in Tudor Times. <i>With three Plates</i> - - -	111
Pentland Rising and Rullion Green. By Professor C. Sanford Terry - - - - -	114
The Old Crown Cushion at Edinburgh Castle. By P. Keith Murray - - - - -	117
A Letter from Haddington, 1674. By A. O. Curle - - -	232
Campbells of Strachur. By A. W. G. B. - - - - -	233
Sir William Rollock : A Correction. By A. Lang - - -	234
The Death of Keppoch. By A. Lang - - - - -	355
A Scottish Trial-by-Combat Charter of 1167. By Rev. James Wilson - - - - -	482
Exchequer Tallies. <i>With two Plates</i> - - - - -	482
The Norse Attempt on Erin - - - - -	485

Notes and Comments

Ormulum : its author and date, 119. Archaeological Jubilee at Hawick, 120. Somerset Archaeological Society, 120. Mary Bateson, 236. Sturla, the Icelandic Historian, 238. St. Andrew's tomb fragments at York, 238. Scots History in Schools, 239. An Elizabethan Scheme of Army Reform, 239. Aberdeen Quatercentenary studies, 240. Historical Manuscript Commission, 359. Queen Mary's voyage in 1548, 360. Defoe's scheme for Scottish intelligence, 360. Mr. John Edwards, 361. Hospital of the English at Rome, 362. Pilgrimages of Children, 362. A Book-relic of the Dundee Black Friars, 363. Scottish Text Society, 364. Roman Station at Newstead, 364. Scottish Portraits in Paris, 488.

Illustrations

	PAGE
Portrait of Edward Gibbon - - - - -	92
Portrait of Jonathan Swift - - - - -	96
Joust at St. Ingleverts - - - - -	112
Complete Suit of Armour of the Tudor Period—Front View -	112
Complete Suit of Armour of the Tudor Period—Back View -	113
The Roman Forts on Bar Hill. Section showing shape of Ditches	336
Carved Capital at Bar Hill - - - - -	336
Plate of Black Ware, Copper Pot and Fragments of Coarse Ware from Bar Hill - - - - -	336
Plan of the Roman Military Station at Newstead - - -	444
Iron Helmet with Iron Face Mask from Newstead - - -	448
Bronze Ewer from Newstead - - - - -	450
Four Pioneers' Axes from Newstead - - - - -	450
Group of English Exchequer Tallies (Front View) - - -	482
Group of English Exchequer Tallies (Side View) - - -	484

Contributors to this Volume

F. J. Amours	John Hutchison
Miss Mary Bateson	Professor Henry Jones
Mrs. Nancy Bell	Prof. W. P. Ker
Professor P. Hume Brown	Andrew Lang
A. W. Gray Buchanan	Principal T. M. Lindsay
Niall D. Campbell	W. Macgill
A. O. Curle	W. S. McKechnie
James Curle	J. M. Mackinlay
Prof. Gilbert A. Davies	James MacLehose
Robert Dewar	Sophia H. MacLehose
L. Dimier	Kenneth Macleod
E. Gordon Duff	Andrew Marshall
Thomas Duncan	W. Law Mathieson
John Edwards	Sir Herbert Maxwell, Bart.
C. Litton Falkiner	A. H. Millar
Rev. R. Menzies Fergusson	Frank Miller
G. M. Fraser	V. M. Montagu
Gilbert Goudie	Professor J. L. Morison
E. Maxtone Graham	P. Keith Murray
T. F. Henderson	George Neilson

Sir J. Balfour Paul

Professor J. S. Phillimore

Edward Pinnington

Rev. J. Hungerford Pollen, S.J.

W. R. Scott

Hon. George A. Sinclair

David Baird Smith

Professor D. Nichol Smith

A. Francis Steuart

J. H. Stevenson

George S. C. Swinton

Professor C. Sanford Terry

A. M. Williams

Rev. James Wilson

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Story of the King of Ireland and his Two Sons

[This story was written down in Gaelic and translated into English by the late Rev. J. Gregorson Campbell, of Tiree, who is also the author of the notes. See *The Story of Conal Grund* in *Scottish Historical Review*, Vol. I. p. 300; also *Superstitions of the Highlands and Islands of Scotland*; collected entirely from Oral Sources, Glasgow, 1900, and *Witchcraft and Second Sight in the Highlands and Islands of Scotland*, Glasgow, 1902.—ED. S.H.R.]

THERE was a king of Ireland, and he had one son by his first wife and one son by his last wife.* One day 'Trouble the House' came in and said to his wife, 'You better put the oldest son out of the way, for when the children grow up he will have everything, and your son will have nothing.' The mother said she was quite as well pleased at that as though her own children would have it. She, 'Trouble the House,' began at her, and went on till she persuaded her to agree to the destruction of the boy, but the stepmother said she did not know how to get it done. 'I will not be long finding a way,' said 'Trouble the House.' 'Have you not always a warm drink for him when

* This story is to be fallen in with in fragments under various names, some of which have made their way into books. Portions of it have been called 'The Knight of Riddles,' some 'The Lad with the Skin Covering,' and some 'The Hero of the White Shirt.' The following version is adopted as giving in an intelligibly consecutive form the incidents which have been thus handled; and will be of value as showing how a *sgeulachd* or work known to be pure imagination is distorted or twisted to suit the narrator's or audience's fancy. It is difficult to affix any date or even probable date to the origin of this story. We hear in it of the King of Ireland, 'the Knight of the Harvest Field, Fionn MacCumhail,' the leader of the Fian host, of the Druids and their enchantments, and it may be as old as the origin or activity of the human race.

Story of the King of Ireland

he returns from school?' 'Yes, I have,' she said. 'I will make for you a drink and we will put poison in it, and whenever he drinks it he will be dead,' said 'Trouble the House.'

The young brother was overhearing, and took good notice of what he heard, and was looking out for his brother's return. When he saw him coming, he ran to meet him. He met him in the middle of a snow shower, and said to him, 'Brother, dear, sit down, for I have a story to tell you.' 'I will not,' said the brother, 'walk home, and the day so stormy.' 'I will not walk home,' said the youngest, 'Sit down, do you know what my mother is going to do to you? she is going to poison your drink to-day, and you will not go in any more; they are for killing you, and you must not for all you ever saw take a drink.' 'Why is she going to do that?' said the older brother. 'It is,' said the younger brother, 'lest you get the whole estate, and that I have nothing when my father dies.' 'Go you away home, my good lad,' said the older brother, for I will not go home any more.' 'I will not,' said the youngest, 'but wherever we are there we shall be,' and, said he, 'I will put the drink past you, and you will not get it to drink it.' They went home. When they reached home, the step-mother rose to meet them with the drink. 'Drink that, darling!' she said, 'for you are cold.' He was going to take it, but the young brother rose, caught the dish, and threw it out with everything it contained. His mother went after him, but did not catch him.

Night now came, and they went to sleep. They were not long asleep, when the young brother rose. 'Are you awake, brother?' he said, 'it is time for us to get on our clothes' (lit. to be drawing to us). They rose, and the younger brother took with him as much gold and silver as he could. When they went out they saw three ravens that were killed by the poison in the drink. The young brother said, 'Brother, mine, we will take these with us; we will not be the worse of them in our company,' and they went away, taking with them the birds. They reached a house where there was only an old man, from whom they asked a kettle to boil the birds. They got this, and when the birds were ready, the young brother took the kettle, and broke it against the wall of the house. 'Hoot! hoot!' said the old man, 'why did you do that?' 'Never you mind,' he said, 'I will give you its value,' and he gave him a handful of silver. He tied up the birds, and went away with his brother, the old man wishing them success.

They were journeying and ever moving on, when they came to a cave, in which there was every precious thing that could be thought of. They went in, but found no one there, but were not long until they saw a large band of men coming. 'Oho! brother mine,' said the young brother, 'they are coming, and if we were never dead before we will be now if they catch us, but I will go to meet them, and if you see that they kill me, you will make your escape.' He ran to meet them. 'Have you come?' said he, 'I am tired looking and searching for you.' 'Why are you looking for us?' said the leader. 'I heard,' he said, 'that you were heroes and brave men, and I wished to see you; and more than that, I knew you would be cold and hungry, and I wished to have food ready for you.' He took them in, and put them sitting at the table. There were twelve of them, and he made the birds into twelve pieces, and said that it was the way in his father's house to take the meat first, each one with his piece ready, waiting for word to begin. 'That is right enough,' said the leader. They had no sooner tasted the meat, than one fell here and another there of them dead. 'Out now, older brother, dear, and if we ever had now or before enough of this world, we have it now.'

They returned to the cave again, and passed the night cheerfully and joyfully. Next morning they went away, taking with them as much gold and silver as they could, and close upon dusk they saw a pretty white house, and the young brother said to the older, 'Do you know what house that is down there?' 'I do not.' 'That house is the house of the Knight of Riddles; it is there that we shall be to-night; he will set a puzzle for us, and if we are not able to solve it, our head will be on the stakes in front of his house in the morning.' 'Well, we will not go at all.' 'This is how it will be. I will be your servant lad, you will go with the knight, and I will go with the men-servants, and if he sets a question before you, say that it is beneath you to solve it, but that your servant lad will solve it.' They did this. The knight set the older brother a question, and he said that he had a man-servant with him who would solve the question. 'Get your servant lad up here.' He came instantly, and solved the question. 'Well,' said the knight, 'my head is now as white as lint, and many a one had his head put on the stake for the question, but I never got it solved till to-night.' 'I will now set you a puzzle; try if you can solve it,' said the young brother. 'Let me hear it,' said the knight.

'A wife made a drink for one, the drink killed three, the three killed twelve, and two escaped.' The knight began to think. He went through the questions and through the books, and though he would be going through them to the day of judgment, he would be unable to make anything of it. 'If you have not the question solved before twelve o'clock to-morrow, your own head will be on the stake,' said the young brother. The king had only one daughter, and he sent her to them to say that they would get this much of gold and the same of silver, and the half of his kingdom as long as he lived, and his daughter if they would tell the solution of the question. The young brother said to her that they were only throwing gold and silver on the highways, and that that would not solve the question, and 'brother, it will be as well for you to marry the daughter, we are only wanderers, and in trouble here at any rate.' 'I suppose,' said the elder brother, 'that that is as well.'

The end of the matter was that they settled at this, and a day was set apart for the marriage. When the entertainment was going on an ugly creature came in, and went past the table. The young brother rose, and said to the oldest, 'Rise, brother, and let us tear it in pieces for daring to come to disparage us.' After it they went, and one of them took hold of it by the ears and the other by the tail. It rose up in the air with them. The eldest brother looked down, and he could only see the ground as small green specks. He let go his hold, and where did he fall but in the park of the fed wild boars of Fionn MacCumail. He was greedy for food, and he killed one of the boars and skinned it whole. He had steel for striking fire, and flint. He put the red side of the skin inside and the hairy out. When he had kindled a fire he began to roast the meat. Fionn was lying sick, and he asked the overseer of the wild beasts to look out. When he did so, he saw that it was the best boar that Fionn had that was killed, and he told Fionn this, and that under its skin was a bothy, with smoke from it, and the appearance of the man. 'Out,' said Fionn, 'twelve men of you, and bring him here with you, whoever he may be.' When they reached, they called to him to come out, till they would put him in a coil of rope. He said he would not, till he ate enough of the boar to satisfy him. They then went in with the coil of rope to take him out. He jumped up, caught the coil, opened it, threw it round them, tightened them altogether like a bundle of straw, and threw them at the back of the bothy. Fionn was feeling it long; they were

not coming back. He asked the man beside him to look out to see what was keeping them. When he returned, he said, 'The smoke the one in the bothy had was getting larger and larger.' 'Out,' said Fionn, 'other twelve of my men, and whoever it is, bring him here.' They went, and called on him to come out. He said he would not till he ate enough, and he caught them, tied them together, and threw them at the back of the bothy. When Fionn was told the smoke was still increasing, he said, 'He must be a powerful man-at-arms.' He rose, went at once, and found his own warriors tied. He put in his hand, got hold of the man who was inside, and took him out to the waist. The other then caught hold of Fionn, pulled him in the same length, and threw him on the other side of the fire in the bothy. Fionn thought he was far from his friends and near his enemies, and said to him. 'Hold on your hand, strong lad, you may take of the food as much as you like,' and asked his name. 'My name,' he said, 'is the Lad of the skin covering.' 'Take service with myself,' Fionn said. 'I will only ask you to do what you like, and that you will let my men home safe.' He untied the men, and let them go away. When he himself reached Fionn's house he was well, and very well received. They were passing the time that way, and agreeing well. When he went to the barn the work he had was throwing the men from hand to hand over the rafters, one on the palm of each hand.

One day then who should come in but 'Trouble the House.' She said to him, 'Are you not the one man who has the biggest wages, and is of the smallest use, that any one ever saw or heard of?' He gave her a slap in the face with the tip of his finger, and she went off with a querulous cry where Fionn was. 'Did I not tell you to avoid that man; that he was dangerous?' Fionn said. 'Kill him then,' she said. 'How can I do that?' Fionn said. 'I will send him to a place that he will never return from,' she said. 'Where is that?' said Fionn. 'To the "Master of the Field of Glass," to find out why he was for seven years without speech or cheerfulness or laughter.' Fionn was very desirous of hearing this, and he went to him to see whether he would go. 'I will do that, if any one will go to shew me the way.' 'I will send any one but "Trouble the House."' 'I will not take any one but her.'

They were going together when she said, 'There's the house before you, and go to it yourself.' 'Will you not go yourself any further than that?' 'No,' she said. He saw a peat-bog a

gun-shot distance before him, and he gave her a lift and threw her into the pond until there was only the two eyes and the two eyebrows to be seen of her. 'Be you there,' he said, 'and whatever happens to me, you will know what will happen to yourself before you leave that.' He went on, and found the 'Knight of the Field of Glass'¹ sitting at the fireside. They attacked each other, and where the ground was hardest they sank to the calfs of their legs, at the next throw to their knees, and in the softest place to their waists. He began to think he was far from his friends and near to his enemies, and he gave a joyous, lightsome lift to the 'Knight of the Field of Glass,' put him on the broad of his back, drew over a block and axe, and said to him, 'If you will not tell me why you are without speech, humour, or laughter for seven years, I will chop your head off on the block.' 'Hold your hand, and I will tell you that.' 'Let me hear it.' 'I will then.'

'I myself and my men were playing chess (?), when a mean, ugly creature came in past. I and my men caught hold of it, and it took us away till it left us in the Red Island near Iona.² They sent out my men to bring in a wild boar. It put its venom in them and killed them. The man of the house then put a griddle on the fire, and when it was hot, he put me sitting on it until I was burned to the bone, and that was what has kept me for seven years without speech, humour, or laughter.' 'It is a pity the creature would not come at this moment,' said the other. He hardly said the last word when the creature came in. 'Rise now,' said he. 'I will never rise after it,' said the 'Master of the Field of Glass.' 'Rise, or I will twist your neck like a hen's.' They both took hold of the creature, and it took them with it till it left them again in the Red Island near Iona. He sent the servantmen of the master of the island out to bring in a wild boar. The boar killed them, and he then put the griddle on the fire. When it was at white heat, he put the master of the house sitting on it till he was burned to death. He then saw three or four red women in a corner of the house, and he took an iron

¹ The knight here denoted is no doubt ice, and the effects of heat melted it and caused its disappearance.

² 'I' was taken by the reciters to be the island of Iona, and one reciter said 'Red Island' was near the west of it, but there is no islet large enough near the west of Iona to justify that supposition. Ai, Eye, or I is said to be the Nores name for an island, in which case the locality may be very distant, but the story being pure imagination, it may be any place or anywhere.

prong to kill them, but they called out, 'Forbear, and we will give you what will restore your men to life; we have a life-restoring stoup that will bring the men of the man who is with you to life.' They got the stoup, and said to the other, 'Tell me where your men are.' When he found them he sprinkled it on them, and they rose to life as they were before. They returned joyously, taking the men with them, and when they were parting, the 'Master of the Field of Glass' said to him, 'Whatever strait or difficulty comes to you, seek me, and there is not in the four red divisions of the globe any one who will withstand us both.' He left him, good-bye. Fionn looking out, whom should he see coming but the young man, and he said, 'It is I who might lay my wager on him, when I and my men could not manage him that all the world might give it up.'

He told Fionn what kept the 'Master of the Field of Glass' without speech, humour, or laughter for seven years, and went out to the barn as before, and began playfully to toss the men over the rafters as before. 'Trouble the House' came in, and said the same as formerly. He gave her a slap, and she went in, learning where Fionn was. He said to her, 'Did I not tell you to avoid him?' 'I will not avoid him,' she said, 'but I will send him this time to a place that he will not return from.' 'Where is that?' said Fionn. 'To the "Knight of the Yellow³ Field," to seek the warrior's cup. No one, weak or strong, that ever went there came back alive.' Fionn sent for him. 'What is your wish, Fionn?' he said. 'That you go to the "Master of the Yellow Field," to ask for a while of the *ceatharnach* cup.' He said as before, that he would go, but would take no one alive but 'Trouble the House,' to show him the way. 'Now,' she said on parting, 'the house is up above you; I will not go any farther.' He did as before, and threw her into a peat-bog, but for all that happened to her, she got out of it. He kept on, and at an old ruin that was there he met a beggar, who asked him where he was going. He told him the place. The beggar said, 'Well, that is where I was last night, and when they see your appearance they will try to kill you, for these are a powerful, strong people, and no one ever went on the same errand that you are going on

³"The Yellow Field" is probably enough the Harvest Field. When the fields are yellow and ripening for ingathering one crop succeeds another, so that, like John Barleycorn, "They grow up again and sore surprise them all." The most powerful and longest lived man will in the course of time be worn out at such work.

that came back with a story, but they are very kind to beggars, and do you put my ragged clothes on and pretend that you are a poor man, and you will get in.' He did this, and went on, with a step now and then, jogging from side to side. When the 'Knight of the Yellow Field' saw him coming, he called to his men to go to meet him, for the beggar they had last night was nothing to this one, 'who has the appearance of having been at one time a warrior, though he has now fallen off so much.' One of the men went under each arm to help the poor man to the house. When he got a chance, he leant heavily on them, and broke and pounded their bones.

'The Knight of the Yellow Field' then asked his wife to bring the warrior's cup to give the beggar a drink out of it. 'It is as well for you to leave the warrior's cup where it is,' she said. 'Bring it as I ask it,' he said. The cup was brought, and the beggar with his hands and head trembling was taking a mouthful. When he got a chance, he jumped up, shook the house, and away he went. The other one cried out, 'Men, if you ever did it, try and get hold of the young man'; but there was not a sod of the green sward that he threw after him with his feet but was blinding those behind him, and they returned home; it defied them to get at him. He found the beggar where he left him. 'You have returned, brave man.' 'Yes,' he said, 'and I had need of your help.' He gave the poor man a handful, and they parted.

As Fionn was taking a look out, whom should he see returning but him. 'May I not be here,' said Fionn, 'if this is not himself returning; I might well wager that I could trust him.' He said to 'Trouble the House,' 'Did you not tell me that not one ever came alive from that place?' 'But I will send him,' she said, 'to a place that he will not return from.' He came, handed the cup to Fionn, and went to the barn as before. This day he gave 'Trouble the House' a bigger pelt, so that she was hardly able to stagger back. Fionn pitied her in the same way. 'Good Fionn,' she said, 'do you send him to the "Hero of the White Shirt" ⁴ to see what condition he is in, for he never wears but a white shirt on the coldest day of the year, when he goes to the deer forest and hunting hill.' The young man was sent for, and

⁴ The Knight of the White Shirt is most probably snow, under the protection of which the earth is at all times safe. Game under its influence takes itself to the high hills, and is followed in all weather by the Knight of the White Shirt.

having asked Fionn what he wished with him, was told, and had the one to whom he was to go described to him. When he asked for some one to go with him, he was told he would get any one to guide him but 'Trouble the House,' who was nearly dead. 'I will not take but her.' 'She must go then,' said Fionn. They reached a ferry. 'There,' she said, 'is a coracle; it will take you across, and when you reach the other side, turn its face backwards and it will return itself.' 'And you will not go any farther?' he said. 'I will not,' she said, 'I am far enough.' He caught her and thrust her under the green sward, put a huge boulder over her to keep her down, and said, 'Be you there; you cannot now send me to another place.' He went over to the other side, and when he reached it, found two wives sitting at the highest part of the fairy hillock. He asked them where the 'Hero of the White Shirt' was. They told him that he was in the fairy hunting hill, and asked him to await his return. When the knight returned, he said to the women, 'You have a stranger to-night,' and when he got some food, he threw the stranger over six rafters, and the stranger threw him over eight; then he threw him again over seven, but the other threw him over ten. When the 'Knight of the White Shirt' saw that the stranger was the strongest, he had a large iron rod for singeing the birds, and he pulled it out of the fire to put it in him. The women cried out, 'Arrest your hand, "Knight of the White Shirt," it is your brother you have.' 'Is it my brother whom I have here?' he said. 'Yes, and we are long enough trying to keep you separate, we are the creature (huge monster) under spells that was at the marriage feast in the house of the "Knight of Riddles," and carried you and the "Knight of the Field of Glass" to the red isle of Ai, and restored the men to life. Your brother has always continued with us. We now part from you, and bid you good-bye.'

He then told his young brother the history, and how Fionn sent him away every time at the request of 'Trouble the House.' 'Here is a rod of gold,' said the 'Knight of the White Shirt,' 'and drive me before you to Fionn's house.' When Fionn saw them both coming, he and his men trembled with fear. He said to 'Trouble the House,' 'Did I not say to you that he could not be killed?' He welcomed them, and said, 'It is I that might trust my servant man,' and told him to come in and get his wages. 'Where is the warrior's cup?' the young man asked. 'Did you not leave it with myself?' Fionn said. Fionn then gave it to

him. The brothers returned to the house of the 'Knight of Riddles,' and a wedding feast that lasted a year and a day was provided. They then returned home, and found their father had become blind and deaf through grief. But he recovered one-third of his sight and hearing when they were first seen coming, the second as they came nearer, and all when they reached the house. The kingdom was settled on them. That was what happened to them on that occasion.

Margaret Nairne;

A Bundle of Jacobite Letters

THE national crisis that produced in Scotland the great-hearted men of Montrose and of the '15 and '45, produced also great-hearted women. Soldiers of a desperate cause, these mothers, wives, and daughters showed not only courage in hours of acute danger, but the resolute spirit of self-sacrifice that never shrunk under a life-time of adversity and of broken fortunes. True to the settled purpose of their lives, they accepted all hardships, all disabilities, all yielding of domestic security, as fruit of the high destiny to which they were called. Bright among the honoured names of those women who thus took part in the troubles of their country, is the name of Margaret Nairne. The daughter, the wife, the mother of men who bore distinguished part in the great struggle for the Stuarts, from the cradle to the grave all her interests, all her associations centred in the fortunes of that unfortunate family. Heroic blood ran in her veins, for she was the grand-daughter of Patrick Graeme of Inchbrakie, the gallant and faithful 'Black Pate' who followed in such splendid enthusiasm the sad and brilliant fortunes of Montrose. She was born to an inheritance of loyalty, to those traditions of honour and chivalry, which she was not only to exemplify in herself, but was to hand on to another and yet another generation.

Her father was Robert Nairne of Strathord. Born about 1620, he joined the Royal troops in 1651, and falling into the hands of the government at Alyth was imprisoned in the Tower of London for ten years. At the time of his capture he was betrothed to Margaret Graeme—a daughter of Black Pate. He endured six years of his imprisonment alone; but in 1657, she joined him, and they were married in the Tower, remaining together there till his release at the Restoration in 1661. On his return to Scotland he was made one of the Lords of Session,

and twenty years after he was granted a Peerage and the title Lord Nairne of Strathord.

All authorities agree in saying that the only child, Margaret, was born twelve years after the marriage of Robert Nairne and Margaret Graeme—and though I find a note in her own handwriting giving the date of her birth April 7th, 1673—sixteen years after her parents' marriage,—the register of Edinburgh gives the date of her baptism on October 17, 1669. The little daughter must have received a joyful welcome. No other child was born, so that when the title was bestowed on Robert Nairne—she being then eleven years old,—it was granted to her after her father 'and thereafter to any heir of her body by marriage with Lord George Murray,' or any of Atholl's younger sons. Robert Nairne died two years after, in 1683, and for seven years little Margaret was Baroness Nairne in her own right. We may suppose the child knew little of all the projects and disputes that went on during those years between her mother and the Atholl family regarding her marriage. Probably no choice would be given, or consent asked, even in the later stages of the negotiations. She was only seven years old when first she was contracted to the three-year-old Lord George Murray. The marriage was broken off some time later, on account of the bad state of the prospective bridegroom's health. He lived till his elder brother, Lord William, married the young Lady Nairne in 1690—dying the following year. Margaret was twenty-one at the time of the marriage, Lord William, who then in right of his wife, came into the title of Lord Nairne, was six years older. The marriage appears to have been a very happy one, and Margaret in the years that followed enjoyed the serenest moments her life was to know—before the enterprise of 1715 drew her husband into the activities of the Jacobite party.

Between 1690 and 1714 twelve children were born at Nairne—ten of these lived to take an active and distinguished part in the adventures of the '45. Devoted as was her own part in all that concerned the Stuarts, Margaret Nairne transmitted her principles of loyalty and self-effacement to her many children. The noble strain bequeathed by Black Pate of Inchbrakie met in these children with the equally heroic blood of Charlotte de la Tremouille, and of the gallant Lord Derby who laid down his life for the cause in 1651, of whom William Murray was the grandson. The Nairnes proved true to the traditions of their race. The exploits of John, the eldest son, born in 1690, are well

known to history both in the '15 and the '45. He paid for his loyalty with life-long exile. Robert was killed at Culloden. James, the only Whig of the family, was the only source of trouble to his mother; her letters speak of him as her 'lost sheep.' Of the daughters, Margaret married Lord Strathallan, a staunch Jacobite like herself. She suffered imprisonment after the '45. Amelia became the wife of Laurence Oliphant of Gask, who staked his all for the cause. Catherine married Lord Dunmore, one of those Jacobites sentenced and reprieved in 1746. Marjory married Duncan Robertson of Struan, and suffered with him a long exile. Charlotte was the ardent Lady Lude known to history. Louisa married the Jacobite Graeme of Orchill. Mary and Henrietta¹ died unmarried at Gask, and from their choice of such a home it can well be guessed what their principles were likely to be.

Brought up at Nairne by such parents, all thought, all tradition, all education were centred in developing their minds in one direction. Lord Nairne had never taken his oath to the government, or his seat in Parliament. He is described as a 'mighty stickler against the Union,' but the activities of his life did not begin until he joined the famous hunting party at Braemar, and threw himself heart and soul into the attempt of 1715. To his wife and his children such action must have seemed the only natural course, though it meant the sacrifice of the home, the beginning of broken fortunes and lost security.

A bundle of old letters,² long long ago put away and forgotten, throw here and there a side-light on the history of the Nairne family. Their interest lies in their domestic simplicity—a charm of far-off lost days brought nearer by an intimate personal note.

In 1709 Lord Nairne and his wife were building a new house—the old one had been partly destroyed by fire in 1706, 'everything lost except one looking-glass.' This new house, according to family records (*Jacobite Lairds of Gask*), cost £5000, but as it was a large house, with a window for every day of the year, this estimate must be much under the real cost. It only stood till 1768, when it was destroyed—but Margaret did not live to see the day.

In March, 1711, Lord Nairne writes the following concerning his children's marriages:—'I have yours of the 5th March with

¹ Henrietta, born in 1714, lived till 1803.

² Now in the possession of the writer, and (with one possible exception) not hitherto published.

my brother Atholl's letter, and the list of the designed Justices of the Peace. I wish you had sent me your opinion about it, which should have been mine, for I am unacquainted with many of them, only I'll object against one, provest Rtson, who I know to be a tricky companion, and has lately given new proofs of it, as your son Willy will inform you, and how he has used me very ill in particular, about a man I designed for my brother Edward's company.

'I hope in God your son John will recover well of the Smallpox, my wife says tis a good signe they appear Red or fry. I'll send one of these days to enquire how he is, and then pray let me have your advice about the Justices of the Peace for I would write accordingly to my brother Atholl. Your son and daughter came here last week, and we have kept them till now, they go from here to-morrow morning and are to wait on you very soon. My wife and I have spoake to them fully about what we discoursed with you, they both appear to have a great desire to please and obey you in everything, being sensible 'tis much their duties, and I'm convinced their inclination, for they have both a large share of sense and goodnature. My wife undertakes for our Katherine and I no less for our Willy, that in everything they will make it their study to satisfy you and your lady, to whom both my wife and I sends our humble service, and I am ever, your most affate. cusin and humble servant,

NAIRNE.'

The Katherine here spoken of was born in 1702, and her brother William in 1700; it is evident that the father's allusions refer to projected marriages for these two children with their cousins.

Across the path of Margaret Nairne lay already the shadow that was to darken her days. Yet when the call to arms came, she would have been the last to withhold either husband or son—that they should be first in the field must have seemed a fulfilled ambition. On November 14, 1716, Lord Nairne and his eldest son were taken prisoner at Preston; on the 28th it is known that Lady Nairne left Edinburgh for Preston to see her husband and son; we must suppose she had her place in the pathetic procession which, to the lasting shame of the English Government, passed with ignominy through the streets of London to Newgate and the Tower. Fortunately Lord and Lady Nairne were assigned quarters in the Tower—John was sent to fever-stricken Newgate. The trial and condemnation of father and son

are matters of history. Some historians say that Lady Nairne was with Lady Nithsdale when she made her frantic appeal to the King. But it was by the intervention of Nairne's cousin, Lord Derby, that a reprieve was granted both for father and son.

Lord Nairne writes from his prison, on February 25, 1716, to the Duke of Atholl:

'Until I be really Dead I can never be nearer it than I thought myself yesterday, for just an hour before the time appointed for my going to execution, I got an account that ye King had been pleased to give me a reprieve to the 7th March; this I believe is much owing to my cusin Derby who has shewed himself a true friend to me.'³

Lady Nairne writes to her daughter, Lady Strathallan, on the same day, giving a very moving account of her husband's bearing under the terrible strain. She herself brought him the reprieve. Two of her daughters⁴ came in while she was writing, greatly to her surprise, as since Lord Nithdale's escape 'all is kept with double strictness.' Lord Nairne writes again to the Duke on March 16th, 'I have twice escaped my execution, and Wednesday nixt is appointed for ye third time. What my fate is then to be, God only knows.'

The terms of the pardon seemed to Lord Nairne, thinking of his twelve children, the youngest only three years old, too hard to be accepted. The following letter is endorsed 'Copy Letter to the Earl of Derby by my dear Lord.' It is in the handwriting of Margaret.

Jully 17, 1716.

MY DEAR LORD,

Since I have not had the honour of seeing your Lordship I thought fit by this line to acquaint you with the reasons made me desire your favour. I understood there is a Bill passed ye House of Comons and twice read in ye House of Lords that disables the King from shewing any compassion to ye wives and children of any who have drawn forfeiture upon themselves. I can never think my wife and children ought to be put in a worse condition especially since the estate came to me by her. No man is more sensible how much I owe to your Lordship for your saving my life. But if I can hold it no other way, but by seeing my wife and children starve, I'll choose much

³ *Chronicles of the Atholl Family.*

⁴ One was Charlotte, afterwards Mrs. Robertson of Lude.

rather to loos it, than live a Witness to the Misery of my Famyly, and be as much indebted to your Lordship for using your endeavour to have my head struck off, as I was, formerly, to have it keapt on,—and when I have the honour to see your Lordship I'll convince you it is no flash but a firm and steady resolution, but while I have life I shall ever be, my dear Lord

Your Lps. most obliged and most obedient servant

W. MURRAY.

An Act of Parliament was passed in 1717 'to enable His Majesty to make provision for Margaret, Lady Nairne, out of her paternall estate, forfeited during the life of William Murray, late Lord Nairne, her husband.'

Lady Derby writes the following letter to Lady Nairne in the Tower:

Halnaker, Oct. 4th.

MADAM,

I was very glad to hear by your Ladyships kind letter that your good Lord and selfe with the rest of your good family, are well under your close confinement; if it were any way in my power to serve you, your confinement would soon be over. I do not know when my Lord intends to be in town. I hope Lady Collchester has bin so good-natured as to make you some visits in the Tower. I am glad that my cosen Nairne also continues well in his worse confinement. With my humble service to your Lord, your son and daughters is all from, dear Madam,

your most obliged humble servant

M. DERBY.

From this letter it appears as if the members of the Nairne family who had travelled from Scotland to bid their condemned father adieu, were now detained with him in the Tower. The unfortunate John Nairne was endeavouring to get his wretched quarters changed from one end of Newgate to the other, as he was confined in a room with four others, one suffering from malignant fever. His aunt, Lady Lovat, writes some particulars in a letter to Mr. Patrick Murray of Ochertyre.

Edin., May 30, 1716.

I had a letter from my sister Nairne who desired with her service to you that you would be pleased to inquire what Robin Murray is doing and to give him your advice that he may be

diligent to gett up Rents quickly. She writes to my Lady Strathalan and me to advise our friends to make all the interest they can while ye Justice Clark is at London, for they think one thing he has gone for is to gett instructions about ye Gentlemen's tryalls here, which she says will be like ye laws of ye Meads and Persians, unalterable. My nephew Nairne has gott his indictment and was to appear yesterday and Mr. Bassell Hamilton, with 5 others. Philiphaugh went to Townsend to desire his brother-in-law might have leave to put in the other end of Newgatt from ye fever. He said he would if ye Phisitions would declare it was malignant, but next day when he went,—he refused it. Curie has made his escape yesternight and was not mist till to-day at ten o'clock. Your son is sume better, but his Stitches comes and goes. Etc., etc.

Your most affate. humble st.

A. LOVAT.

This lady was Amelia, sister of Lord Nairne, wife of Hugh, 10th Lord Lovat, who was carried off by force by Simon, 12th Lord Lovat in 1697—for which he was outlawed. She writes another long letter to Lady Nairne in the Tower in July.

Edin. July 3rd.

I have two of yours, deare sister, which I was glad of, after your longer silence than usual, but especially your last to my Lord Strathalen with your good news of my dear Brothers getting a month reprieve, which I hope in God is a forerunner to his liberation. Our Ministers were all silenced, soe last Sunday we had noe prayers nor sermon, but in one Meeting House one Minister was sike when the others cald. I think we are little obliged to the English Clarge that lets us be soe used, etc.

Ever yours.

Lord Nairne was set at liberty in August, 1717, and returned to his own house in Scotland in July, 1718. The family life began again, but under sadly impoverished conditions, the fearful strain of his condemnation and imprisonment must have been severely felt all the rest of his life. He was destined never again to strike a blow for the cause he loved. In 1722 he writes to his brother the Duke that he and his wife were just setting out for Glen Derby, his new house on the estate in the parish of Moulin, once called Glen Gynate. Another letter

concerns a curling match, another thanks for young trees for Glen Derby. Business letters seem to have been left to Margaret to write. He lived till 1726—it is almost certain his death occurred in February of that year. He was buried at Auchtergaven, the family burial-place.

Margaret Nairne outlived him for twenty-two years. Five of her children were already married, and the years must have been full of interest. She seems to have lived sometimes at Glen Derby and sometimes at Nairne House. Another letter from Lady Derby, undated, is addressed to her at Nairne House.

Halnaker, Jan. 19.

I take it as a great favour from good Lady Nairn that she will let me have the pleasure of hearing how it fairs with her and her good family. I am allso glad to hear that your Episcopal congregations increase and are so good Christians. I wish I could say we were so in South Britain; hear is great work in Treating and making interest for the choice of the next Parlimente and I believe it may be much the same with you in Scotland. It is to be hoped it will not be long before the Elictions are to be, for the continual feastings I fear will kill half the nation, besides the making the common people so very idle. . . . I am glad to hear you have the satisfaction of seeing your daughters live in a happy comfortable way. Give my humble service to those I know and with my most hearty wishes for the prosperity of yourself and yours, I am, dear Madam,

your obliged cosen and humble servant

M. DERBY.

The following letter is written by Margaret Nairne, Lady Strathallan, June 15, 1737, to her mother at Nairne House. Evidently the young sons of John, 3rd Lord Nairne, were staying with their grandmother, and some opposition was expected to their returning to their school at Perth. 'Nephew Harry' was John's eighth son, born in 1727.

'I have my dear Mothers. My Brother has grown every day easier than he was since Munday tho he halts still and cant walk much. My side thank God has been pretty easie. . . . I told Sister Nairn * about Nephew Harry if he has got your dose of physick to-day, she thinks he may get the other in Perth and she begs your Ladyship will send them both into Perth to-

* Katherine Murray, wife of 3rd Lord Nairne.

morrow for she says it was her greatest grudge of coming here till once she got them sent to Perth. Both my brother and her desires your ladyship to send them in to-morrow, and the dose of physick to their Landlady to give Nephew Harry, and if 'tis not possible for your Ladyship to get them sent to Perth, Sister Nairne says she hopes you will send them to Stanley. I wish they were sent to Perth, for I think 'tis hard they should be from the Schooll longer. Both Brother and Sister Nairne wants much to have them in to Perth, and hopes your Ladyship will send them there to-morrow. Cultequhey will tell your Lordship how my brother is, he is to be at Dunkeld to-morrow night. I shall be sure to writt by Perth. I hope your Ladyship will do so too that we may hear how you gett up, and sister Hariot and how all at Lude are. I forgot to tell your Ladyship that last night they say it was a foot deep of snow on ye hills in our view. Brother Nairne is glad to hear there was rain at Stanley, we could not get him to believe it last night when our rain came on, that there was any.

Your Ladyships most humble duty
My dear Mothers,
most dutyfull and obedient Daughter

M. STRATHALLAN.

It is interesting to know that Nephew Harry survived the physicking, as administered by his grandmother and his landlady, and lived to his 90th year.

The Duchess of Gordon, wife of the 3rd Duke Cosmo and daughter of the Earl of Aberdeen, writes the following letter to Lady Nairne in 1743 :

Haddo House, Dec. 24.

'I only had the honour of your letter of the 7th instant some days ago. I am glad to hear that you are well and that Mrs. Murray is so well recovered again. I think myself very much obliged to your Ladyship for the particular concern your so good as to take in asking about the Marquess. I thank God I left him in good health on Thursday morning. He is bathed every morning in cold water, it seems to be quite easie to him, for he never cries or appears to be in the least disturbed with it. He gets meat in the morning and at night, either Bread Berry or Ale Berry but he hardly ever tastes it, but milk which is the only thing that he is fond of. I should make an apologie to your

Ladyship for writing so particularly about him, if you had not desired me to do it. The Duke and his sisters and I came to this place yesterday to keep our Xmas and we designe some time in Jan. to go to Edinburgh for a few weeks, so I hope to have the honour of seeing your Ladyship in the Spring, as the Duke and I intends to come home by Perth Shire. I am sorrie that we could not go, on that road, for the Duke has some business to do at Edin. which requires his being soon their. The Duke desyres to make his compliments to your Ladyship and family your Ladys most obedient

humble servant.

H. GORDON.

As for the news your Ladyship writes me of a Cationer, it is more as I know forgive this bad write Adieu.

The little Marquess was born June 18, so was six months old when this account was given. His strong sense in declining the Bread and Ale Berry may partly have contributed to the good old age he attained—he lived to be 83.

James, the 2nd Duke of Atholl, nephew of Margaret Nairne, had married Mrs. Lannoy. Their eldest child, Marquess of Tullibardine, was born and died in April, 1729. Two girls were born in 1730 and 1731. Four years later came another son and heir, born in March, 1735—the last of their children. Great were the rejoicings over the birth of this boy. 'The child is as tall as ever anybody seed a new born infant, and a very strong cry,' Lord George Murray writes. The neighbouring Laids write to the Duke a round robin congratulating him on the 'thumping boy.' Dunkeld was illuminated, and a Procession of Freemasons celebrated the event 'the fraternity in their aprons made a circle about the Bonfire, crosst arms, shook hands, repeated healths, and a Marquess for ever.'⁵ He lived only a few months. The following letter from his Mother to Lady Nairne is dated from London, Feb. 24th, 1736:

MADAM,

I cannot express the agony of my soul for the loss of my Dearest Boy. I have not only the heart breaking sorrow of a Mother's heart but the grief and anguish to see my dear lord oppressed with affliction, which adds to my sorrow. Almighty God enable us to bear this great triall with due submission to

⁵ *Chronicles of the Atholl Family.*

his Divine Will. We lookt upon the Dear child as a gift and blessing preserved by the imediate interposition of Gods great mercy to us, but now alas he is knatcht from us and our fond hopes are blasted its impossible for me to say more on this melancholy subject, its a point to tender for me att present. I return your Ladyship a thousand thanks for your tender care and concern of my dear children and beg you'll make my thanks and most humble service to lord Nairne and all your young ladys. Miss Lannoy ⁶ begs leave to offer her compliments to your Ladyship and family, and I am with the greatest respect

Madam, your Ladyships
most obedient and
most humble servant

J. ATHOLL.

Margaret was evidently the tender friend to whom many turned in the hour of trouble, but she was also a woman of strong character and influence over men. It was from the living influence of their Mother that the Nairnes drew their Jacobite principles, and the fortitude to put these into practice. All her life she had drawn men to follow the hazardous path on which her own feet were so stedfastly set. The Duke, her brother-in-law, writing to Lord James Murray of Garth, says: 'I hope you will have as little to do with my Lady Nairne as possible, for there cannot be a wors woman. I impute the ruine of my 3 sons to her artifices.'

It is not easy to-day to sympathise with the Duke's point of view, but he thought he witnessed in the career of William Lord Tullibardine, Lord Charles and Lord George Murray, the disgrace of the name and lineage that we now think they covered with glory. Had the eyes of Margaret Nairne been fixed upon the future verdict of history, instead of singly on the fortunes of the Stuarts, she could not have better trained the heroic band of her sons and daughters. Although she saw misfortune overtake family after family, as they fell in the general ruin that followed the '45, she could have suffered no pang of regret for the training that made it possible. Her life, which had flowed evenly since the death of her husband, knew all its bitterest sorrows at its close. She lost none of her twelve children till 1743, when the sailor son, William, died at sea off the coast of St. Helena; and she had the humiliation of knowing that her son James fought on the wrong side. But hope and joy came in old age too—she

⁶ A daughter of the Duchess by her first marriage.

shared in the passionate enthusiasm of the '45, and welcomed Prince Charlie himself at Nairne House, the day before he entered Perth. She saw two of her sons, John, Lord Nairne, and Robert throw in their lot with the gallant and perilous enterprise. Her lofty spirit could never have stooped even to an unspoken wish that they had chosen differently. She saw John, attainted and ruined, passing into an exile that, for him, was never to be at an end. She knew that Robert died at Culloden—where he lies now in the indistinguishable moorland graves. There fell also her son-in-law, Lord Strathallan. Another son-in-law, Laurence Oliphant, ruined and attainted, went into exile. A third, William Murray, was arraigned and condemned for high treason. The families of both her daughters Marjory, Mrs. Robertson of Struan, and Charlotte, Mrs. Robertson of Lude suffered an exile that lasted over thirty years. Not the least of her bereavements was the death of William, Lord Tullibardine, in the Tower—he whose loyalty and self-surrender in the cause had perhaps been first set alight by her own example and influence. His sister, Lady Mary Murray, writes her the following letter :

DEAR MADAM,

18 July, 1746.

We are very sensible of your Ladyship's sympathy with us. The Marquess was indeed all your Ladyship says of him which may give his friends great comfort as we are sure of his happiness and makes us less regret his leaving a world of troubles. Mama offers her most humble service to your Ladyship, and our sincere compliments to the young ladys who I hope are well and the rest of your Ladyship's friends. I am with duty and respect your Ladyships

most obt. humble servt.

MARY MURRAY.

Mama got a letter yesterday from London acquainting her of my Dear Brother's death on the 9th, and that the Governor had offer'd the Chapel for the corps to be deposited and the Lieutenant Governor takes on him the management of the funeral in a private way. We were very well assured that had it pleased God to spare his life he would never have suffered. But he is far happier.

Margaret Nairne did not long survive the bitter griefs of her old age. She died at Nairne House in 1747. 'You're not to

lament her,' writes Laurence Oliphant to his wife, 'as she is happy, free of the solicitous cares of this worthless world, and I believe now knows the events that are to happen to our country and what regards it, which I pray God may be, and they *will* be, suitable to his infinite Goodness.'

The countless descendants of Margaret Nairne may boast a strain of blood as heroic as any that made the olden Scotland the scene of perilous and unforgotten deeds. Not in one generation, or in two, was quenched the stedfast light she set burning. Even when the Cause to which her life had been devoted had taken its tragic place in history among the lost Causes, one of her blood and her name⁷ sang the sad and beautiful songs that were to help to make it immortal. She had learned in suffering what another voice was to teach in song.

E. MAXTONE GRAHAM.

⁷ Carolina Oliphant, Lady Nairne, was *doubly* the great-granddaughter of Margaret Nairne.

The 'Scalacronica' of Sir Thomas Gray

The Reign of Edward II., as recorded in 1356 by Sir Thomas Gray in the 'Scalacronica,' and now translated by the Right Hon. Sir Herbert Maxwell, Bart., continued.

FROM this time forward¹ the King made a truce with the Scots for thirteen years. He kept himself quite quiet, undertaking nothing [in the way] of honour or prowess, but only acting on the advice of Hugh le Despenser so as to become rich, he [Hugh] keeping for himself as much as he could seize of the lands of the aforesaid forfeited barons.

In his [Edward II.'s] time the commons of his realm were wealthy and protected by strong laws,² but the great men had ill will against him for his cruelty and the debauched life which he led, and on account of the said Hugh, whom at that time he loved and entirely trusted. Nevertheless, the said Hugh by their influence was arraigned before a parliament at York in presence of the King, [but] against his will; also others of his intimates whom he loved [were] removed from their offices by them, who then by their decision caused him [Hugh] to be banished from the realm, when he in his exile captured two carracks full of merchandise,³ which cost the realm of England dearly thereafter. The King caused him to be restored to office not long after, without their consent, and, after his example, did everything that wholly unfitted him for chivalry, delighting himself in avarice and in sensual pleasures, disinheriting his subjects who had rebelled against him, and enriching himself with their great property in lands.

And at the same time war broke out in Gascony with the King of France, upon which the King of England spent much treasure as on account of the country and nation which he loved

¹ 13th May, 1323.

² *Maintenuz en reudes loys.*

³ *Avoir de pois.*

The 'Scalacronica' of Sir Thomas Gray 25

best. Accordingly he sent his brother, the Earl of Kent, and other nobles, who scarcely achieved anything, but lost much territory, for it was a disastrous period for the English, which lasted all the time of this King. The King gave the duchy of Guienne to his elder son, the Earl of Chester,¹ but the barons of the duchy would not submit either to him, or to any other living, but only to the Crown of England. He sent his said son to Paris, with his mother Queen Isabel, sister of the King of France, to perform his homage to his uncle and to put an end to the war of Gascony. So when they arrived in France, the mother and the son, they refused to return to England, but entered into another conspiracy against their liege-lord, husband and father, with the support of the people banished from England, [namely] the Lord of Mortimer and others; also with the adhesion of the Earl of Kent, the King's brother, who hastened from Gascony to Paris to join this conspiracy, abandoning his brother's war; also by treaty of alliance between the Count of Hainault and the Queen [providing for] the marriage of her son with Phillipa, daughter of the said Count, which afterwards took place.

The said Queen and her followers moved into Zealand; because, had she remained in the realm of France eight days longer than she did, she would have been sent back to the King of England with all the other partakers in this conspiracy. [For] so greatly had Hugh le Despenser affected the policy of France by his conduct,² that her brother the King would have sent her back to her husband, on the pretext that she had come from her liege-lord on a mission of friendship to the King of France, and upon his safe-conduct; and that the said business,³ the cause of her coming, had been abandoned, as well as other disputes covered by the said safe-conduct. She was warned of this; wherefore she moved into the dominion of the Count of Hainault: which Count sent his brother John of Hainault with a strong force of men-at-arms [to escort] them. They arrived at Orwell in warlike array⁴ without sustaining damage from the great fleet which, by the King's command, lay ready arrayed against them at Yarmouth.

They gained England without striking a blow; for all the

¹ Afterwards Edward III.

² *Par son avoir*. The usual meaning of the noun *avoir* is riches, property.

³ The war with Gascony.

⁴ *Au furre de guere*.

lords and commons rose for them against the King, who, at the time they arrived, was in London, and went off towards Wales, where Hugh le Despenser¹ thought [to find] refuge and support, which altogether failed them. At Chepstow the King dismissed his suite,² and embarked suddenly on the river Wye, intending to have fled with Hugh le Despenser to a foreign country, because his people had deserted him, but wind and tide³ were so contrary for him that during fifteen whole days he could not venture out of the Severn for the storm.

MS. In the meantime came the Queen and her son and Roger
fo. 213 de Mortimer, then chief of her council, which Roger was formerly in accord with Thomas, Earl of Lancaster, and the barons, but he left them and placed himself at the King's mercy [as] the primary cause of their [the barons'] disaffection.⁴ By advice of Hugh le Despenser he was placed in the Tower of London, then a long time after he escaped from prison and went to France, one of the prime instigators of this enterprise.⁵

They [Queen Isabella, Mortimer, etc.] came to Bristol with the foreigners and all the great nobles of England, where Hugh le Despenser, the father, Earl of Winchester, was captured, and drawn and hanged on the spot.⁶

Donald, Earl of Mar,⁷ [who had been] reared with the King of England, was at that time with the King, and had charge of the castle of Bristol by the King's commission. He surrendered it to the Queen and went to his country of Scotland. The whole of the King's suite came from Chepstow to the Queen and her son at Bristol, [where they were] holding the King's court. Men-at-arms in the Queen's cause embarked when the storm abated to pursue the King, who still lay on board ship before them in the Severn. The King, perceiving all these misfortunes which had come upon him, landed in Glamorgan, where he bargained with a Welshman⁸ of the country, in whom Hugh le Despenser put trust, for great reward⁹ to conceal the said Hugh, who was not over courageous, seeing that they had failed two or three times in attempting [to escape] by sea, which

¹ The younger. ² *Gerpy sa meine*, or was deserted by his suite.

³ *Murray*.

⁴ *De primer mesconfourt de lour meschief*.

⁵ *Vn dez plus graunt embraceour de cest veage*.

⁶ A.D. 1326.

⁷ Grandson of Donald, 10th earl, and nephew of Robert the Bruce. Elected Regent of Scotland in 1332, and died the same year.

⁸ *Vn galay*: a Welshman or native of Galis.

⁹ *Pur grant garnison*.

The 'Scalacronica' of Sir Thomas Gray 27

Welshman treacherously delivered the said Hugh to the Queen, and he was hanged and drawn at Gloucester.¹

The Earl of Arundel² was beheaded on the Welsh border at this time, being of the King's party.

The King, who apprehended no danger to his own life, sent word to his wife that he was willing to make amends by good conduct for all the ill he had done her and hers, and that he would be found in a certain place, expecting that she would come to him as a wife ought to her husband. But Henry, Earl of Lancaster, went to find him, and brought him to Kenilworth as a prisoner, so to speak. The Queen caused a Parliament to be summoned in London, where, with assent of the prelates, earls, barons and commons and citizens of London, on the arrival of the Queen in the middle of Chepe, these Londoners³ beheaded the King's Treasurer, the Bishop of Exeter.

The King was deposed by their common assent, and they renounced their homage in a deed under their seals drawn by the Bishop of Hereford, who made known the same to the deposed King at Kenilworth. With bitterness, as one who heartily detested the King because of the special injury he [the King] had done him, he announced to him the articles ^{MS.} fo. 213^b [in which] the commons, his subjects, had set forth the cause of his deposition.

He [the King] took this matter very patiently, giving to his son God's blessing and his own, and praying God that he would make him [his son] a good man, and grant him greater favour and goodwill from the people than he himself had found.

He was taken from Kenilworth to Berkeley, where he died, in what manner was not known, but God knoweth it. He was buried at Gloucester, and reigned nineteen years. He was wise, gentle, and amiable in conversation, but indolent⁴ in action. He was very skilful in what he delighted to employ his hands upon. He was too familiar with his intimates, shy⁵ with strangers, and loved too exclusively a single individual. His

¹ He was executed at Hereford.

² Edmund Fitzalan, 2nd Earl, Justice of Wales and Warden of the Welsh Marches.

³ *Queux Loundrais*.

⁴ *Mesocourous en fait* may signify something more actively evil than indolence.

⁵ *Soleyn*.

son was crowned by common assent at the aforesaid Parliament, during his father's life, and received the homage of the nobles and the obeisance of all the commons, who were delighted at the change of government [both] because of the misdoing of the [King's] father, and because of their fickle habit, so characteristic of a medley of different races. Wherefore some people are of opinion that the diversity of spirit among the English is the cause of their revolutions,¹ which are more likely to happen in Great Britain than in other countries; for, in the time of every king since Vortigern, aliens of all nations, having diverse customs, have received great advancement there; so that when they happened to differ in purpose, each one desired to be lord, because the lordships in that country follow not birth, but fortune. Wherefore they desire change, for each one thinks that the luck will be his; as it is said that running water is the most powerful thing that can be, although so gentle and soft by nature, because all the particles of water take effect equally in the current; wherefore water pierces the hard rock. Just as it is with a nation which exerts itself with a single spirit to maintain the dignity of its lords, who desire nothing but the welfare of the community, and individually follow no other design. In such a people a revolution is seldom seen, at least an overthrow of the estate of their lords, [which is] the greatest dishonour to the people.

This Edward the Second (after the Conquest) had two sons and two daughters. The elder son, Edward, was constituted king during his father's life;² the other was named John, was Earl of Cornwall, and died at the town of St. John,³ and had no offspring. The elder daughter, Isabel, was afterwards married to the Count of Guelders, who afterwards became Duke; the second daughter, Joan, was afterwards married to David, son of Robert de Brus, King of Scotland.

MS.
fo. 214 This Edward the Third (after the Conquest) was not more than fourteen years old at his coronation at the feast of Candlemas,⁴ and was in all things governed, and his realm also, by his mother and by Roger de Mortimer, at that time Earl of March. In the first year of his reign the Scots wrought great destruction in his territory on several occasions. The Earls of Lancaster and of Kent, with the Lords Wake, Ros,

¹ *Lez chaungementz du siecle.*

² 25th Jan., 1327.

³ Perth.

⁴ *I.e.* The Purification of the Virgin, 2nd Feb., 1327.

The 'Scalacronica' of Sir Thomas Gray 29

Moubray, and Beaumont, and other great barons, with a thousand men-at-arms, were sent to Newcastle-on-Tyne to defend the March; where James de Douglas went before them, at a distance of four leagues, burning and wasting the land in open sight of them all; for none of them dared to go forth, so grievously were they demoralised and unprepared for war. Soon after this all the chivalry of England were assembled, with a large contingent of foreigners; which foreigners fought at York with the followers of the earls, of whom a large number were slain there. They [the English] had attacked in drunkenness the foreigners, who were lodged in the suburbs of the said town. This mellay was stopped by action of the Council, because these foreigners had been sent to assist them; and all marched against the Scottish enemy, which was again upon English territory.

The said young King, with his great army, took the road to Stanhope, where he was informed that his Scottish enemy lay. As he was on the march thither, the scouts of his advanced guard came in to inform him that the enemy was in full and disorderly retreat; but indeed it was not so, for they were only shifting camp and choosing for themselves the best ground to await attack. The commander of the said King's army, believing that the scouts had made true report, left the road to Stanhope. Advised by some men of the Marches that they could intercept the enemy, whom they believed to be flying towards their own country, they rode at speed with all this great army a whole summer day, a good six and twenty leagues between Annandale and Tynedale, encamped at Haydon Bridge, where they remained eight days, and received no word of the enemy. It was proclaimed in the army that he who should bring to the King certain news of the enemy should receive one hundred pounds in land. Thomas de Rokeby brought word that they were lying quietly at Stanhope where they [the English] had left them.¹ He received the said guerdon and was dubbed knight.

The King broke up his camp and marched back with all his great army upon the enemy. In the meantime Archibald de Douglas,² having overrun with the foragers of the enemy almost all the bishopric of Durham and brought in much booty to their

ms.

fo. 214^b

¹ Rokeby was taken prisoner by the Scots in the last week of July, 1327, and frankly told them his errand. He was sent back to his master with a message that Douglas and Moray had been waiting eight days for him in Weardale desiring nothing so much as a battle.

² 'The Tineman,' youngest brother of Sir James of Douglas.

army, fell in at Darlington with a great body of common people [marching] towards the English army, and killed them nearly all.

This great army of the English found their said enemy ready at Stanhope, [formed] in three divisions on a fine plain. They were but few in number, with only three chief commanders—the Earls of Moray and of Mar and James de Douglas. The King took up a position before them on the river Wear for three days. On the fourth night the Scots broke up and moved a short league thence [to] within the park of Stanhope, where they waited six days before this great army of English, Germans, and men of Hainault. They did no feats of arms, except that the Scots under James de Douglas rode one night¹ into the lines at one end of the camp, slew a large number of the people of the earls, and withdrew without loss.

The third night after this affair² the Scots broke up and marched to their own country, having done much damage in England. On the very day of their departure they fell in with Patrick, Earl of March, and with John the Steward, who called himself Earl of Angus, with 5000 men of the Scottish nation, who were marching to their relief, having heard say that they were beleaguered. It was said that if they had only had provender they would have returned [to Weardale], such fierce fighters they were.

The King, a mere boy, burst into tears; he broke up and retired towards York, engaging no more in this war so long as he was under governance of his mother and of the afore-said Roger de Mortimer, Earl of March.

When Robert de Brus, then King of Scotland, had laid siege to the castle of Norham, whereof Robert de Manners was then constable, he [Manners] made a sortie with his garrison one day and defeated the watch³ of the Scottish enemy before the castle gate, where a banneret of Scotland, William Mouhaud, was slain. The commander of the watch would not allow them to be rescued because of the flood, so that none of those in the town could get near them.

The Earl of Moray, with James de Douglas, had then besieged the Lord Percy in Alnwick, where there were great jousts of war by formal agreement; but these lords did not maintain the siege, but marched to Robert their King at the siege of Norham. At which time the Lord Percy, with the men of the Marches,

¹ Probably 3rd August. ² Probably the next night, 4th August. ³ *Le gayt*.

The 'Scalacronica' of Sir Thomas Gray 31

made a raid upon the side of Teviotdale, remaining scarcely ten leagues distant. No sooner was James de Douglas informed of this, than he suddenly threw himself from Norham with his troops between the said Lord Percy and his castle of Alnwick; which forced him [Percy] to make a night march towards Newcastle, so demoralised were the English in time of war. MS. fo. 215

The aforesaid Council of the said King of England sent a man of law, William de Denoun, to the said Robert de Brus at Norham [to negotiate] peace, and arranged a marriage between David, son of the said Robert, and Joan, sister of the King of England, which afterwards took place at Berwick.¹

At the Parliament of York, where this King Edward of England took for his wife Philippa, the daughter of Count William of Hainault, this war with Scotland was ended, the relics were restored, and also the indentures of obeisance by the Scottish lords, which men called Ragman [because of] their seals hanging thereto, and which King Edward the First after the Conquest had exacted; and by the same deed the King of England renounced his right over Scotland, and [gave] 40,000 silver marks for the marriage of his sister, and [conceded] that all his adherents should lose their inheritance in Scotland, except the Lords Wake, Percy, Beaumont, and la Touche, concerning whose rights nothing was determined, whereby later they suffered much wrong. The King was not in accord with the whole of this transaction; but, by reason of his youth, the Queen and Mortimer arranged everything, [which was] one of the causes of their subsequent undoing.

To this same Parliament came the news of the death of King Charles of France, uncle of this King Edward of England on his mother's side. He died without heir of his body; wherefore, according to the judgment of some, the right to the realm of France descended to this Edward of England, his nephew, son of his sister, as to the nearest heir male; but on account of the King's youth and the bad, indolent, negligent counsel by which he was ruled in all things, no claim of the right to the crown of France was lodged at the time; so that Philip de Valois, son of the uncle of the deceased, was crowned, because he was born [native] of the realm, and had so many friends and supporters that, without regard to anybody's right, they chose him to be king through affinity, whence afterwards arose a great war.

¹ August, 1328.

The said Philip defeated the Flemish at Cassel¹ in the first year of his reign. For long after this nothing was spoken about the King of England's challenge of the right to the crown of France. Queen Isabella and Mortimer governed all England in such fashion as to displease many of the nobles of the realm, who ranged themselves with the Earl of Lancaster and others of that faction who were beginning to stir revolt in order to throw off this government. But those of the Queen's party had strengthened themselves so well with allies and adherents that the others were not strong enough to rise against them, as they perceived. Therefore, they settled this quarrel so as to place themselves at the King's mercy, because they had not rebelled at all against him; nevertheless they constituted themselves the King's party, as those who had him entirely under control. This obeisance was done at Bedford, where all were received to grace except the Lords de Wake and de Beaumont and Thomas Rosselin, who quitted the realm, and concerted with their friends on the other side for the invasion of England; but a revolution had taken place before the time of their enterprise.

MS.
fo. 215^b

At the same time as this rising of the barons there came knights and esquires in aid of the King's party out of Northumberland to Rothwell, where they had a great encounter in manner of war with the peasants of the neighbourhood, who were there slain and defeated by the aforesaid people of the Marches.

After that there was great display of jousts and tourneys for a long time. The Queen, with advice of the Earl of March, had everything in her governance. One of her confidential friends made the Earl of Kent, the King's uncle, believe that his brother the King [Edward II.], the father, was [still] alive, and that if he [Kent] would assist him [Edward], he could restore him to his [royal] estate. He [Kent] was delighted² [to hear] that his brother was alive, and declared that he would aid him to the death. Now this snare was laid to test the intentions of the said earl. So soon as he had spoken, the other went and told it all to the Queen. The said earl was arrested and arraigned upon this matter before a Parliament at Winchester. He admitted before the coroner of the King's household that he would have helped his brother, if he were alive, [so as] to restore him to his estate at his pleasure. They charged this against him as high treason, because restoration of the father

¹ Aug. 23rd, 1328.

² *Leez*, lætus.

would have been the dethronement of the son, to whom he was bound as to his liege lord. Wherefore, out of respect to his royal blood, they absolved him from the extreme punishment,¹ and caused him to be beheaded straightway.

The King began to grow² in body and mind, which was not agreeable to the authority of the Queen his mother and annoyed the Earl of March, by whose direction the Queen acted in everything. The King entered into a plot with the young people around him to overturn this government and to destroy the said earl. They did not keep this affair so secret as not to be discovered, so that at Nottingham the King and all those who were in the plot were examined as to this design before a council in session. Each of them, on being examined separately, denied that he knew anything, except William de Montacute, who stood upon his dignity,³ declaring that he would return a sharp answer to any man who should accuse him of [being party to] any plot inconsistent with his duty, and justified himself with such words, nobody answering him except in general terms.

The council having been dissolved, the said William said to the King that it were better to eat the dog than that the dog MS. fo. 216 [should eat] them; so he advised him to speak to the constable of the castle, charging him upon his oath and allegiance to keep the plan secret, and [directing] him to leave a postern open to the park that very night, and [warning him] that if he would not do so, he [the King] would cause him to be hanged so soon as he [the King] should have the upper hand. The said William arranged with his comrades to assemble by night at a certain thicket in the park to which all should come; but they missed the trysting place, except the said William de Montacute and John de Nevill with four-and-twenty men, who kept their appointment well.

They were afraid that their comrades might miss them, and they durst not sound a call because of the sentries in the castle; and so, as bold and enterprising men, they declared that, as the matter had gone so far, they would risk the adventure by themselves. They went forward, and found the postern open, as the King had commanded. They entered the castle and mounted

¹ *Le haut jugement*, the cruel form of execution prescribed for those convicted of high treason.

² *Crestre*, misprinted *cresce* in *Maitland Club Ed.*

³ *Se adressoit en souu esteaunt.*

the stairs of the second court without meeting anybody, for it was mirk night, and the followers of the [gentle] folk had left the castle for their lodgings. The Queen, Mortimer, and their confidential adherents were holding a council to take measures against this plot which had been discovered to them. They [the conspirators] entered the hall where the Queen was sitting in council. The usher cried out at their entry. Hugh de Turpington, who was steward of the King's household, [but] was of the Queen's party, rushed out of the council and met them in the middle of the hall, crying 'Down with the traitors!'¹ and made to strike the first [of them] with a dagger, when John de Nevill ran him through the body and slew him, and an esquire [also] who offered resistance.

Then they passed forward into the chamber, and seized Mortimer and those whom they wished to have; so that before dawn none remained in the town save those who were of the King's party, who had armed themselves when the conspirators entered the castle. He [the King] gave directions for [the custody of] his mother, and took the said Mortimer with him to Leicester, where he intended to put him to death; but he took other advice, causing a Parliament to be summoned to London, where Mortimer was drawn and hanged,² upon a charge of having been party to the death of the King, the father [Edward II.], and because of the death of the Earl of Kent, and for the renunciation of the right to Scotland, and for the dissipation of the King's treasure which had been entrusted to him by his [Edward's] father, and upon other counts with which he was charged.

The lords who had been banished were restored. For a long time after this the King acted upon the advice of William de Montacute, who always encouraged him to excellence and honour and love of arms; and so they led their young lives in pleasant fashion, until there came a more serious time with serious matters.

^{MS.}
^{fo. 216^b} King Philip of France pressed to have the submission of the King for the Duchy of Guienne. The King's council, having regard to his nonage, the weather, and the scarcity of funds, caused him to cross the sea privily and do his homage at Amiens, for which they were blamed afterwards, and for the same reason the French declare that the submission of the King established

¹ *Treitors pur nient.*

² A.D. 1330.

The 'Scalacronica' of Sir Thomas Gray 35

the superiority of his suzerain as regarded himself at the time. But his [Edward's] nonage constituted his excuse.

So this King led a gay life in jousts and tourneys and entertaining ladies, until the lords who had been disinherited in Scotland for the cause of himself and his predecessors made supplication to him that he would restore to them their inheritance which they had lost on his account, or allow them to take their own measures.¹ The King referred this supplication entirely to the Earl of Moray, who was then Guardian of Scotland during the nonage of King David after the death of his father King Robert, who had died shortly before of a leprosy.² Which earl replied honourably by letters demanding that he [King Edward] should allow them to take their measures and let the ball roll.

When this message was received, the lords who had been disinherited in Scotland, the Lord of Beaumont, the Earls of Atholl and of Angus, Richard Talbot, Henry de Ferrars, John de Moubray, and all the others, on the instigation of the Lord de Beaumont, gave their adhesion to Edward de Balliol (son of John de Balliol, formerly King of Scotland by election of both realms), who had been kept out of Scotland more than thirty years. They took ship at *Ravenspur*³ and arrived at Kinghorn, few in number, seeing that there were not more than 400 men-at-arms.

The first day of their arrival they fought with the Earl of Fife and defeated him, where Alexander de Seton, the son, was slain. They held their course to Dunfermline, where they found and took all the newly-made iron pikes which Thomas, Earl of Moray, had caused to be made, he having recently died within eight days of their coming.

They held their course toward the town of St. John,⁴ when they found the enemy before them in great force on the water of Earn; for the lords of Scotland had assembled, upon their coming, to choose themselves a Guardian. They chose the Earl of Mar, who had caused this great army to assemble, and occupied the great height⁵ above the ford of the Erne before these people arrived, they [the disinherited lords] being in the

¹ *Lex. lesser couenyr.*

² 7th June, 1329.

³ A port on the Humber, at that time of some importance.

⁴ Perth.

⁵ *Tertre* = territoire.

vale on the other side of the Earn, making a very small appearance compared to the others.

MS.
fo. 217

These people¹ of the Earl of Mar's army were ensnared like a hare; and they intended on the morrow to send a strong force round them, to attack them on all sides, which would greatly increase their own advantage.

These disinherited lords were so much dismayed by the great multitude of the enemy that they began to reproach the Lord of Beaumont very angrily, accusing him of having betrayed them, and of having made them understand that they would receive much support in Scotland.

'By no means, my lords,' quoth he, 'but since the affair has gone so far, for God's sake, let us help ourselves! for no man knows what God has in store for us. Let us think of our great right so as to show that we are descended from good knights, and of the great honour and profit to which God has destined us, and of the deep disgrace that will come upon us if we do not show ourselves [to be men] in this business.'

The result was² that, owing to the brave words of the worthy gentleman and the inspiration of God, they agreed to pass the ford by night, outflank the enemy, ascend the height above them, and run their chance during the night. They forded the water, where Roger de Swinnerton was drowned. The enemy, taking alarm at their crossing, hastened down on foot; but the others had passed over before they could reach the ford, surrounded the ridge, and fell suddenly upon the grooms and horses of their enemy, putting them to flight, and believing that they were the main body of the enemy. They pursued them hither and thither, so that by daybreak there were not forty of them left together. But by the light of a house which was set on fire they drew together again like partridges; and, as the day began to lighten, they beheld the enemy in two great columns, having stood all night in that formation, so that scarcely were they [the disinherited lords] able to put themselves in array before the enemy advanced to the attack.

Their advanced guard was stopped for a little on feeling the lance-points and arrows, when their rearguard charged in such disorderly fashion that, in their furious charge, they bore to the ground a great number of their advanced guard between them-

¹ *Cestez gentz.*

² *Apartice issi.*

The 'Scalacronica' of Sir Thomas Gray 37

selves and the enemy,¹ who fell upon them so fiercely that they fell back one upon the other, so that in a short time you might see a heap of mens' bodies growing² as the strangers³ surrounded them. So were they defeated in this manner by a miracle of God; and there perished the Earl of Mar, Alexander Fraser, Robert de Brus bastard son of King Robert, and a great number of barons, knights, and esquires, who were nearly all smothered, for each one lay beneath another, and died in the manner described without any stroke of weapon.

This day's work accomplished, they held their way to the town of St. John, where they found much provision of every kind. They enclosed the town by repairing the old works, so that each one repaired his post with palisades. Within eight days of the battle there came against them such a multitude of people from all parts of Scotland as was marvellous [to see]. For eight days they lay before them, till for want of provender they departed each man to his own country. MS.
fo. 217^b

The siege having been raised, the stranger lords caused Edward de Balliol to be crowned King at Scone.⁴ Then they left the town of St. John and went through Kyle and Cuninghame towards Galloway, where the people on the hither [east] side of Cree rose to join them.⁵ Thence they took their way by Crawfordmuir towards Roxburgh, where, near Jedburgh, Archibald de Douglas⁶ lay in ambush. He was discovered and defeated, Robert de Lawder the son, and others being captured.

King Edward de Balliol was quartered at Kelso, and his army in Roxburgh; but he [Edward] moved his quarters to Roxburgh on the same day for fear of the river rising. Andrew de Moray, at that time Guardian of Scotland for King David de Brus, having reconnoitred the quarters of the said King Edward de Balliol at Kelso, perceived the water of Tweed rising, and was near at hand in strong force. He posted himself at the end of Roxburgh bridge and began to break down the said bridge, intending to surprise the said King Edward; when the alarm was sounded among the troops in the said town,

¹ *I.e.* the disinherited lords.

² *Crestre*, misprinted *crescere* in *Maitland Club Ed.*

³ *Cestes gentz aryues.*

⁴ 24th Sept., 1332.

⁵ Eastern Galloway was Balliol's own land.

⁶ 'The Tineman,' youngest brother of Sir James of Douglas, d. 1333.

and all [stood] to arms, both horse and foot. Then they took the bridge from the enemy, and the cavalry swam the river and defeated these fellows, whose commander, Andrew de Moray, was captured.

Soon afterwards the King of England held his Parliament at York,¹ whither went the chief officers of Edward de Balliol's army. To which Parliament came envoys on behalf of David de Brus, beseeching the King that he would assist their lord as an ally ought to do, seeing that he had his [David's] sister to wife. Without dealing with any other consideration, the King's council was of opinion that he was not bound so to act against his own subjects who had been disinherited in the cause of himself and his predecessors, and had voluntarily began to reconquer their inheritance.

In the meantime, during the parliament aforesaid, King Edward de Balliol broke up from Roxburgh and marched towards the west March at Annan; where at dawn one day Archibald de Douglas surprised and defeated him with a force of the enemy. He [Edward] escaped with much difficulty to Carlisle, many of his people being slain, and all his followers being driven out of Scotland, to begin their conquest all over again.

MS.
fo. 218

Then Edward de Balliol began to treat with the King of England, which King was of opinion, and his council also, that he was free to look after his own interest, seeing that in the peace concluded with Robert de Brus it had been specially excepted and stipulated that the alliance with France should hold good with the Scots [only], and that the King of England should be bound to them by no tie; and because the Scots by advice of Thomas, Earl of Moray, declined to dissolve the alliance with France, which was the open enemy of the King of England; [and because] no other condition was specified except that the King of England surrendered the right which he had over Scotland (which [right] had fallen to the crown of England in the time of his grandfather by the forfeiture of John de Balliol, at that time King of Scotland, who repudiated his tenure from him [Edward I.], although he himself [John Balliol] had become his vassal by his homage to the suzerainty of Scotland, and became his [Edward's] man by a formal condition in his *clesement* when there was dispute about the said realm between

¹ *A Euerwik*, omitted in *Maitland Club Ed.*

The 'Scalacronica' of Sir Thomas Gray 39

the said John de Balliol and Robert de Brus, the grandfather of that Robert who called himself King of Scotland, and John de Hastings ; which John de Balliol renounced his homage by two Jacobin friars with a sharp sword, declaring that he [John] held nothing as from him [Edward]), wherefore the King was of opinion that a new war was [justified by] a new situation. Now this Edward de Balliol made over to the King of England the town of Berwick with five counties, [namely] the sheriffdoms of Berwick, of Roxburgh, of Edinburgh, Peebles, and Dumfries, and would do homage for the rest of Scotland, on condition that the King should support him, maintain him, and restore him to his [royal] estate.

(To be continued.)

The Witches of Alloa.

IF James the Sixth of Scotland gave special attention to the detection of witches and their punishment, as well as to a study of the black art itself, he was not left far behind in the succeeding years of the seventeenth century when many ministers of the Church of Scotland identified themselves as adept witch finders. One of these, who figures conspicuously in connection with the examination of a number of persons, mostly women, 'apprehended for witchcraft' at Alloa, was the Rev. Matthias Symson. He studied at the University of Edinburgh, where he graduated *Artium Magister* on 30th July, 1646, and was ordained by the Presbytery of Skrey in Kent on 2nd January, 1648, as minister at Mardine. Mr. Symson was afterwards translated to Kirkandrews in Cumberland, and on the recommendation of Mr. James Hamilton, minister of St. Giles, Edinburgh, and seven other ministers of that city, was admitted minister of the second charge of Stirling on 19th November, 1655. 'When the presiding minister was about to read his text, Captain Goslen of the garrison came in and interrupted him, desiring there might be a forbearance of admitting any minister until that matter could be decided by the Council of State, before whom it was depending. A deputation waited upon the Governor, who allowed the sermon to be preached. The Session find that albeit the ceremony of joining hands was impedit, yet they stand obliged in conscience to own and adhere to him, by virtue of their call, which was given before the said interruption was made.' He was presented to the first charge by Charles II., in 1661, and died in November, 1664. He is said to have been 'as headie and bold' as his predecessor, Mr. James Guthrie, who was hanged at the cross of Edinburgh on 1st June, 1661, and his head placed on the port at the Nether-bow. Mr. Matthias Symson was only 39 years old when he died.

The prosecution of the Alloa witches was commenced at Stirling on 19th May, 1658, during the time of the Commonwealth.

On this date the Presbytery of Stirling met, and appointed Mr. George Bennett, minister of Saint Ninians and proprietor of East Livilands, and Mr. Matthias Symson to go 'to Alloway and confer with the persons who are there apprehendit for witchcraft and to endeavor to bring them to confessioun and convictioun.' A meeting of the Presbytery was subsequently held at Alloa on 23rd June for the purpose of trying and examining the suspected persons. The sederunt were 'Messrs. Archibald Muschett [Gargunnock] Moderator *pro tempore* (in absence of Mr. John Craigingelt, eldar, last chosen moderator who is now seik) [Alloa], George Bennett, Robert Wright [Clackmannan], Matthias Symson, John Craigingelt, youngar [Dollar], ministers. The Laird of Clackmannan, the Lairds of Menstrie and Tullibodie and Mr. Robert Bruce of Kennett, Justices of peace, who were present be virtue of their offices anent the trying of the witches, and Thomas Mitchell of Coldon ruling eldar for Alloway. Also Mr. James Cunningham and some other gentlemen being present.' The meeting considered 'ane paper under the hand of Mr. James Meldrum, Sessioun clerk of Alloway, bearing the confessioun of Margaret Duchill (who is now dead) of witchcraft and dilating others the tennor of which paper is heirby appoyntit to be insert and is accordinglie done as followes: At Alloway the elevint day of Maii 1658 zeires, Margaret Duchill indwellar in Alloway for syndrie dilationes agaynst her to the minister be severall eldars of her scandalous cariage in the sinne of witchcraft was cited before the Sessioun. She denyit them all except that she confessed that she had said to William More-sone, eldar, that if they sould tak and burne her there sould better wyves in Alloway nor herself be burnt with her. Upon which confessioun with many presumptions against her the minister and eldars sends ane letter to the Justices of peace with ane of the eldars and clerk of the Sessioun, who returned ane order direct to the constables of Alloway to secure her persone in closs prison, and ane guard night and day attending her, and eftir severall visits maid be the Minister and some eldars with many gude exhortatiouns and pithie prayers with several demands concerning that sinne of witchcraft, she did at last confess as followes.'

The first point in this confession was to the effect that she had been in the devil's service for twenty years bygone, and being asked where she first met him she answered 'in Isobell Jamesones little house where she dwelt herself all alone, and

who came in to me to the said house in the likeness of a man with broune cloathes and ane little blak hatt, who asked her, 'What ailleth you?' She ansorit, 'I am ane poore bodie and cannot gett whereon to live.' He said, 'Ye sall not want if you will doe my bidding, and he gave me fyve shilling and bade me goe buy ane peck of meill with it, and I went to the tron and bought ane peck of peiss meill with it, and it wes gude money. I brought it home and bakit bannoks, and he sent me for ane chopine of aill, and we did eate and drink togither and thereafter I went to the calsey and span on my rok till night. And when I came in he was in the house.' She relates how her uncannie visitor passed the night with her, giving some details which are best passed over. 'Thereftir he said to me, "Maggie, will ye be my servant?" and I said I would be his servant. Then he said, "Ye must quyte God and your baptisme," which I did; and he gave me his mark on my eyebrie by ane kiss, and bade me whensoever I wold have me call upon me by name Johne and I sall nevir leave you, but doe anything to you that ye bid me. Thereftir in the groof of the morning I convoyed him doune the bowrig where he vanished from me.'

In the second part of her confession Margaret Duchill admitted that the first wrong she did was to Bessie Vertie, whose life she took. Being asked for what cause? she answered, 'She and I discordit at the pow of Alloway bearring coalles, and I went to the divell and sought amends of her, and he said to me, "What will you have of her?" and I said, "Her lyfe." Then said he, "Goe to her house the morne and tak her be the hand and she sall nevir doe any more gude," which I did and she presentlie took seiknes whereof she died.'

The third point was causing the death of Jonet Houston, 'spouse to John Duthie, wobster.' This woman owed Margaret ten merks and refused to pay. On complaining to the devil and seeking her life, she was told to go and crave the woman again, and if she refused to pay she was to 'tak her a dunsh upon the back and she sall nevir doe no more gude, which I did and she pyned away ay and till she died.'

The fourth item in her confession was 'the death of Johne Demperstones daughter, who wes about twelf zeirs of age or thereby, who being asked what ailled her at that young lass, she ansorit, 'I going allongs the bridge of Alloway she cuming by me touched me, and I said, "What ailleth the lass to touch me?" She ansorit, "Away witch-theiff." I went to the Divell and

socht amends. He bade me the first tyme I saw her to tak ane tug of her arme and she sould blood to death; and she being asked be the minister how could ane tug of ane arme or ane dunsh on the back or shaking of hands be the death of any bodie, she ansorit, "That eftir she gatt the word from Johne her master she wold have done it to the greatest man or woman in the world."

On being asked who were the women that if she were burned should be burned with her, she implicated Elspett Black, who met the devil along with her at the crofts of Alloway, and also Bessie Paton, Margaret Talzeor and Catherine Rainy, who also seized William Moresone and did violently draw him by his arms and shoulders through ice and snow to Walter Murray's barn, 'where we thought to have drowned him in ane hole, but he crying, "God be mercifull to me!" they all fled from him but myself, who came home at his back lyke a black dog, but he saw me not. All which the said William Moresone did diverss tymes long tyme before this declair that he wes mightilie fearit but never knew till this confession.'

Margaret Duchill also confessed that she had been at a meeting 'in the Cunningar' with Jonet Black, Bessie Paton, Margaret Talzeor, Catherine Rainy, Margaret Demperston, and Elspet Black, 'where they dancit in others hands with the divell present going up and doune among them, some of them singing, and some of them dancing, and Bessie Paton leading the ring. She did lykewyse declair that the haill said women above mentioned haid many severall meittinges in the crofts of Alloway with the divell, and that Elspet Black warnit them ay to their meittinges, and their last meitting wes at Androw Erskynes brewhouse doore within this ten dayes, and being chased be ane James Moreis about elevine a cloak in the night we went by Walter Murrays barne and went all home. She confest ane meiting in the Cunningar of all the sevine with the divell in the likeness of catts, who went to the Grange and destroyed ane cow to Edward Turner. Ane other meiting one night and they went to Tullibodie and killed ane bairne. Another meiting and went to the Bow house and killed ane horse and ane cow to William Menteith. Ane other meiting and they went to Clackmannan and killed ane chyld to Thomas Bruce. Another meitting and they went in to Coldones and wes the death of two bairnes of his. Subscrivit thus J. Meldrum Sess. Clerk of Alloway.'

Another paper was presented to the Presbytery by Mr. John

Craigengelt, younger, minister of Dollar, bearing the confession and examination of Margaret Talzeor, Bessie Paton, Jonet Black, and Kathrine Rainy, all in the parish of Alloway, who were apprehended by order of the Justices of the Peace, partly on the deposition of the said deceased Margaret Duchill, and partly on presumptions and partly upon *mala fama*. 'At Alloway the third day of June 1658. Present, the Laird of Clackmannan and the Laird of Kennett, justices of peace, Mr. Harie Guthrie, Minister of Kilspindie, Mr. Robert Wright, Minister at Clackmannan, Mr. Johne Craigingelt, Minister at Dollar, wreitar heirof, Mr. James Cunningham and Thomas Mitchell of Coldon eldars of the Kirk Sessioun of Alloway, and Johne Kerrie, Elder of the said Sessioun.'

Margaret Talzeor, on being asked whether she was guilty of the sin of witchcraft, 'ansorit yes. And it wes about three yeires since in the winter tyme in the day tyme, without the house in the way to the heuch Margaret Duchall being with her at Bagrie burne, the divell appeired in the likeness of ane young man in blak cloathes, and bade her renounce her baptisme, which she condiscendit to doe, whereupon he promised that she sould nevir want, and bade her call upon him when she stood in neid, by the name of Johne.' She acknowledged that she renounced her baptism upon her knees, after which he gave her his mark. The devil appeared another time, in the presence of the other women already named, and that Margaret Duchall 'came to her in the likeness of ane catt,' and afterwards appeared in her own shape. The next meeting was at midnight in Bods-meadow, about a quarter of a year since, when certain immoral transactions took place, and the witches danced, 'and that James Kirk at the back of the greine wes present and played on ane whistle, and that their language wes not our ordinarie language.' Along with Jonet Black and Bessie Paton Margaret Talzeor went to the Bowhouse and 'went in at ane holl in the byre door and that the nixt day ane horse and ane cow died, and that she wes in the Cuningar (yaird) this winter, in the tyme of snow, the divell being present in his former likeness as ane man, and there wes present Bessie Paton, Jonet Black, Kathrine Rainy and Margaret Duchall. Jonet Black, she affirmes, said that she wes the death of ane bairne in Tullibodie of Marie Moreis, and that Margaret Duchall told her that they were at Clackmannan and killed ane bairne to Thomas Bruce. And that when they mett Sathan calls the roll and her name wes Jonet given to her

at the first when she renouncit her baptisme and interest in Jesus Chryst. And that Satan mett with her in the likeness of ane rouch dog that night when Jonet Grott died, and Margaret Duchall, Kathrine Rainy and Jonet Grott wes with him and they came to her in the night in the last where she lay, and they went in to Androw Thomsons house at his back door and they took out the fusson [strength] out of his wheat bread, and that Jonet Groatt, who died that night, took the bread and gave evrie one of them ane peice bread, which she took with her and did not eat nor ken what came of it, and that she wes at the head of Thomas Mitchells yeard eftir that they haid comed from the burne, being present Bessie Paton, Kathrine Rainy, Margaret Duchall, Jonet Black, and that the divell went first up in the likeness of ane little man, Bessie Paton nixt, and Kathrine Rainy and Jonet Black in at ane holl of the back door, and that she and Margaret Duchall stayed doune the stair and went not in; and that also there wes ane gentlewoman with ane black pok whom she knew not and wes nixt the divell, and that Bessie Paton knew her; and that the divell appeired lyke ane bissome to her since she came to this house, and that he promised that she sould not be burnt. That she wes there but once, and that Jonet Blak haid the meall to be casten first on the dog then on the bairnes. And that Jonet Millar in Tullibodie told her that the divell haid appeired to her, yet the said Jonet knew not that she was ane witch. And being furder prest concerning that gentlewoman that haid the blak pok, greine waistcoatt and gray tailles, ansorit that she could not tell what she wes, because her face wes covered, but that Bessie Paton knew her, because she wes nixt to her.' Being again pressed to tell the name of this mysterious gentlewoman and if she was afraid to tell it out publicly to whisper it 'in the Laird of Clackmannan's ear and the Laird of Kennett's, she ansorit that she could tell nothing but what others said to her, and that she would whisper which she did.'

Bessie Paton denied that she was a witch, and repudiated what had formerly been written. Jonet Black denied using charms, but told of certain meetings referred to by the others, at Bods-meadow and Dickie's Land. The third time of meeting was before the Kirk door, 'and danced throuch the zeatt' (gate). Two nights after they met at Bagraborne 'and that Bessie Paton brought her, and that they danced there and did no more that night.' Kathrine Rainy confessed she met with Bessie Paton,

Jonet Black and Margaret Duchall, and 'they went to Thomas Mitchell's house and returned to Bodsmeadow, and there she saw ane man in gray cloathes, with ane blew bonnett, and that she saw ane woman with ane blak pok and gray gowne and ane greine waist coatt, but knew not what she wes, because she wes covered with ane blak creape over her face, and also that there wes ane gross woman with ane whyte coatt, but that she knew not what she wes except that she might guess, and that it wes lyke Elspett blak, but could not say that it wes she. . . . She confessit that the man with gray cloathes and the blew bonnett took her by the hand and asked her if she wold be fied. She said that she cared not. This wes at that meeting up in bods-meadow, and that his hand wes cold, and when she fand it cold that she wes fearid, and took out her hand agayne. She thought he wes not righteous. She thought that it wes the divell, and she said that she sained herself. This is the truth of what wes confessid by the saids persones before the foirnamit judges and persones present, which I, Mr. Johne Craigingelt, Minister at Dollar, appoyntit by this meeting to write, doe testifie by this my subscription. Subscryvit thus Johne Craigingelt.'

The four women mentioned were re-examined by the Presbytery. Margaret Talzeor repeats her former statements, and admitted that she renounced her baptism 'by putting her one hand on her head and the other on her foote and renuncit her baptisme from God to that Man which she knew not at first to be the divell, but that she knew him to be the divell before they partit at that tyme.' Bessie Paton denied having 'made any paction with the devill.' She admitted having gone to a certain 'Sybie Drummond and desyrit her to come and helpe Elspett Bryce, who wes then travelling in chyld birth about 19 zeires since, and that the said Sybie refusit to goe with her because, said she, the said seik woman wold doe no gude. But bade putt a look salt in her mouth and a sowp south running water, and a look of a mole hill on tilled land, and give her. And that the deponer told this cure to Jonet Baxter, servant to the said seik woman, and David Carron her husband, and that the seik woman forsaide died shortlie there aftir.' Bessie Paton and Margaret Talzeor were confronted with one another, and the latter asserted 'in the said Bessie her face' that she had been at certain meetings with other witches, but Bessie maintained 'she was never at any of these meetings bodilie.' She confessed, however, that 'she wes once on a Sabbath day in James Kirk's

house, the Sabbath before the said Bessie wes tane. The quhilk James is dilated *ut supra*.'

Kathrine Rainy tells her story, mentioning the woman with 'the black poke,' and the 'gross round woman,' who was dressed in a white coat, and how the man in grey clothes asked if she would be feed. On being brought face to face with Bessie Paton, Kathrine Rainy affirmed she was one of them which the other as stoutly denied. Margaret Talzeor was also brought in and averred 'that the said Kathrine wes with the devill and her at a meeting in the Cuninghar and dancit with the rest, which wes on hallow evine, and James Kirk did whistle to them. Nevertheless the said Kathrine denyit the same.'

Jonet Black confessed to having meetings with the other alleged witches, and details the circumstances. 'Also confest that she fand at Bograburne about 20 dayes before zule last a little living blind beast lyke a moidewart whilk she brought home with her and kept it in her house 25 dayes at her fyre side, but it wold eate none, and that she nevir loott any sie it, but thereafter she took it away and laid it in a thorne bush and a broad stane on it, and thought it haid beine dead, but eftir two dayes it mett her besyde her owne house, and then she took a mell and feld it als bread as a bonnett and buried it in a watt fur in the waird. Furder she said that Bessie Paton trystit her to all the said meetings, and being confrontit with her averred the same in her face. Yet the said Bessie denyes the same. Furder she said that Jonet Blak confest that she haid sinned in going to these meetings. Furder the said Bessie Paton declaired that David Vertie, James Maknair and James Nicoll did torture her by putting stones on her bak and feete and burnt her legs with fyre (which she sayes ar not yet whole) and that they did it to mak her confess.'

The Brethren of the Presbytery and the Justices of the Peace, above named, having considered the confessions and declarations, found that Margaret Talzeor had clearly confessed withcraft and express paction with the devil 'and some malifices,' and that the three other women were guilty of witchcraft. They agreed to send a letter 'to the judges competent in criminall causes representing the case forsaid unto them, and desyring that they may tak course with the saids women as accords of the Law.' Mr. Matthias Symson was instructed to do this, and Major-General James Holburne, Laird of Menstrie, was also instructed to sign it. Mr. George Bennett and Mr. Archibald Muschett were recommended to visit the said four women apart, and seriously

and gravely, by prayer and exhortation, to deal with them towards confession, and endeavour to convince them of their heinous offences, and report their diligence next day.

At a meeting held next day (for other business), there is the following minute:—‘Report maid that Mr. George Bennett and Mr. Archibald Muschett went and dealt seriously with the witches towards confessioun, as they were desyrit yester night, but fand no word from them more than wes formerlie confest be them.’

The judges, before whom the case was tried, were the Rev. Matthias Symson, minister of the Second Charge, Stirling; Major-General James Holburne of Menstrie, who had been Governor of Stirling Castle, and fought against Oliver Cromwell; Sir Charles Erskine, 4th son of the Seventh Earl of Mar by his second wife, Lady Marie Stewart, daughter of Esme, Duke of Lennox; Mr Robert Bruce of Kennet, and David Bruce of Clackmannan, all Justices of the Peace for the County of Clackmannan. The trial took place in June 1658, and it is incidentally disclosed that one of the witches died in prison, while three were burned.

Note.—The *Cuningar*, or Cuninghar, is the sloping ground extending from the old Kirk of Alloa down towards the shore. It is now built on, and the name survives in Cuninghar Close. On this ground the tent preaching at Communion times took place, and this, no doubt, commended it as a suitable place for witch dances. It would be interesting to discover the derivation of the word.

R. MENZIES FERGUSON.

The Scottish Parliament, 1560-1707

PROFESSOR TERRY in his recent treatise has ably elucidated the form and working of the Scottish Parliament during the last century of its existence, and has traced the rise in earlier times of its burgh and shire members. He confines himself, however, to constitutional developments as they appear in the records, and does not include in his survey the external causes to which these effects were due. In this paper I propose to view the subject from without rather than from within, and to sketch in outline the action of political and ecclesiastical forces in moulding Parliament from the Reformation to the Union.

The Scottish Parliament was a feudal, not a national, legislature, and its three estates—prelates, barons, and burgesses—sat together in one House, as it was natural that they should, since till the reign of James VI. their right of attendance was one that was common to them all as the King's vassals. Lands held of a subject superior conferred no such right, and the only burghs represented were, in virtue of their charters, the 'free burghs royal.' The Reformation did not directly affect this system, but it set in motion certain tendencies which in the course of half a century were to alter materially both the constitution of Parliament and its relations to the Crown.

The barons, and not, as might have been supposed, the prelates, were the first of the Estates to be re-organised under the new conditions. All freeholders or tenants-in-chief had legally the right—it was regarded rather as an irksome obligation—to attend the King's court, but the privilege was exercised almost exclusively by those of their number whose fiefs, without altering their parliamentary status, had been erected into earldoms or lordships. James I., in order to keep the nobles in check, attempted without success to enforce a general muster of his vassals; and, influenced no doubt by what he had seen during his captivity in England, he sought to compass the same end by instituting a representation of shires as well as of burghs. According to an Act passed in 1427, prelates and temporal lords were henceforth to be

summoned by special writ, whilst 'the small barons' were released from attendance on condition that two or more of them, or one in the case of Clackmannan and Kinross, were elected as commissioners for each shire; and it was probably intended to establish two Houses on the English model, for the shire members, on behalf of the Commons, were to choose a 'speaker of the parliament.' No part of this scheme was ever put into force. The freeholders did not elect representatives—perhaps because they had to pay their expenses; and their reluctance to discharge the alternative duty of personal attendance is shown by the statutory exemption accorded in 1457 and 1503 to those of the poorer class. During the reign of James III. the small barons never mustered more than thirty; and, after the early years of James IV., when a dozen were occasionally present, they all but ceased to appear at all.¹ Their apathy was, however, dispelled by the Reformation, of which in its doctrinal aspect they and the burgesses were the most zealous friends. In 1558 the gentry of the west saved their preachers from a prosecution for heresy by appearing in arms at Holyrood; and in the Parliament of 1560, which abolished the old religion, the smaller freeholders asserted their right, which had almost been forgotten, to have voice and vote, and the names of no fewer than 106 are entered in the roll. Seven years later, when the Reformed Church was to be established, an unsuccessful attempt was made to revive the scheme of James I.; and this scheme was at last inaugurated in 1587 by an Act which assigned the county franchise to all freeholders of forty shillings' value and of less than noble rank. James VI. was no less interested than his ancestor in curbing the power of the nobles; but the gentry were now eager to be recognised as a separate order in the State; and this change in their temper must be ascribed to the effect of the Reformation in consolidating the middle class. 'Methinks,' wrote an English observer in 1572, 'I see the noblemen's great credit decay in that country, and the barons, boroughs, and such-like take more upon them.'

The admission of shire members did not in itself infringe the feudal constitution of Parliament, for these members, as we have seen, were to be elected by the royal vassals, but indirectly it produced this innovation through its effect on the nobles. Hitherto Crown tenure in one shape or another had been practically the sole qualification for a seat, and an earldom,

¹ Keith's *Church and State*, i. 316.

whatever its social pre-eminence, conferred no more political power than an ordinary fief. Now the common freeholder had the right only to be chosen, or to vote in choosing, a representative of his shire, and the privilege of sitting in Parliament without election depended on a title which was no longer inherent in the lands constituting an earldom or lordship, and might be retained though these were lost.² Parliamentary peerages had, in short, been introduced, honours, hitherto territorial, having become personal.³ The shire members, who now monopolised the term 'baron,' had a distinct place in Parliament and on the Committee of the Articles; but their original status as individuals was not altogether lost; and the best proof that lairds and nobles were still legally one Estate is that the former continued to serve on the jury which tried a peer.⁴

Meanwhile, despite its incompatibility with a Calvinistic Reformation, the spiritual Estate still remained nominally intact. Had the abbots and priors, who formed the great majority of that order, been genuine clerics and loyal Catholics, they could not have stood their ground, but they were mostly laymen of royal or noble birth, whose lucrative sinecures had eaten the heart out of the Church, and who had been the chief agents in overthrowing the papal power. The bishops were indeed Churchmen, and only four out of thirteen conformed; but more than half of them were scions of the aristocracy,⁵ in whose favour they had in many cases dilapidated their sees; and, as Parliament still required their services, Queen Mary had no difficulty in gaining assent to an ordinance which permitted prelates of all denominations to retain their dignities and two thirds of their revenues for life. When Mary had been deposed and the Reformed Church established, the bishops were exposed to attack; and several sees—the Isles, St. Andrews, Glasgow and Dunkeld—were soon

² Prof. Terry seems to overlook this point when he says (p. 53) that 'throughout its whole existence the Scottish Parliament remained rigidly feudal in its composition.' Lord Stair in 1701 put the matter more accurately when he said that 'the representation here was feudal.'—Hume of Crossrigg's *Diary*, p. 51.

³ Personal honours were known before 1587, and it has been suggested that men so ennobled may have sat in Parliament, even though they possessed no land.—Wight's *Rise of Parliament in Scotland*, i. 55, note. But this argument, if valid, would prove no more than that certain nobles had anticipated the position occupied by the whole order after 1587.

⁴ Wallace's *Nature and Descent of Ancient Peerages*, 2nd edition, *passim*.

⁵ Keith's *Historical Catalogue of the Scottish Bishops*.

assigned to Protestant divines, who were to do duty in Parliament, whilst noble patrons enjoyed all but a portion of their rents. It was the anxiety of the Church to stop this abuse, and not, as so often asserted, the desire of the nobles to initiate it under legal sanction,⁶ which gave rise in 1572 to the Convention of Leith, providing that archbishops and bishops should have some ill-defined spiritual jurisdiction, and that even the abbot and prior should be recognised in so far at least as such a dignity was needed to 'supply the place of one of the ecclesiastical estate in Parliament';⁷ for it was expressly stipulated that all 'feus, rentals or tacks' to the prejudice of spiritual livings should be void; and the temporalities of Dunkeld, which had been bestowed on the Earl of Argyll, were, after some delay, restored. In the teeth of this agreement, however, the 'Tulchan' scandals went on as before; Episcopacy, discredited in practice, was repudiated as unscriptural by the Church; and in 1592 it was abandoned by the civil power. But the ghosts of a defunct hierarchy continued to haunt the scene of its departed greatness; and in the Parliaments which met after Presbytery had been established we find, not only abbots and priors, but bishops 'voting in name of the kirk, contrare to the laws of the countrie.'

The Kirk was naturally indignant, and the words just quoted are taken from one of its many protests. Monastic superiors were dying out, no more bishops were to be appointed, and the temporalities of both had been annexed to the Crown; but neither King nor Church was prepared to see Parliament revolutionised through the extinction of its first Estate, and there could, therefore, be no reluctance to consider an alternative scheme. Such a scheme had been devised, or at all events prepared, by Lindsay of Balcarres, Lord Menmuir, a most able, accomplished, and patriotic statesman, who was anxious to assist the clergy in their efforts to procure a more substantial livelihood than the wretched pittance assigned to them at the Reformation. It was he who

⁶ A reference to Grub's *Ecclesiastical History*, ii. 226, would have prevented Mr. Gardiner and Prof. Hume Brown from giving their sanction to this popular error. The latter says that the Regent Morton showed 'how he meant to utilize the new arrangement' by nominating Douglas to the Archbishopric of St. Andrews, which had been vacant since the execution of Hamilton; but Douglas had not only been appointed Archbishop in the previous year, but had voted as such in the Stirling Parliament. He was now re-appointed in terms of the Convention, and admitted by the Church. See Botfield's *Original Letters of the Reign of James VI.* pp. x-xiii.

⁷ He was also to be eligible as a Lord of Session.

had drafted the Act of 1587 in favour of the small barons; and, applying the same representative principle, he proposed that the presbyteries should choose commissioners, that a sufficient number of these should be selected by Parliament to complete the spiritual Estate, and that, when the last prelate had died, they should constitute the whole. Consideration of this proposal was delayed, but not at all prejudiced, by the ecclesiastical crisis of 1596; for a strong reaction now set in against the extravagance of the Melville school, and the moderate spirit of the Church solicited attention to its claims. At the close of 1597 the clergy petitioned to be admitted to Parliament; but the nobles and surviving prelates, the former of whom had opposed the representation of shires, were not inclined to give way; and an Act was passed which provided merely that any minister whom the King might appoint a bishop, abbot or other prelate should be entitled to vote, and that bishoprics in future should be bestowed on actual preachers. The Church, on the other hand, stood equally firm. It agreed that its representatives should be 51, this apparently being the number of the ancient prelaties, and that the King should choose each of them out of a leet of six; but the representatives were to be chosen annually, were to propose nothing without consent of the Assembly, and were to be no more than ordinary pastors. James tried hard to relax the rigour of this decision, declaring that he could not dispense with one of his Estates, and insisting that the clerical commissioners should be called bishops, and should be elected for life; and he succeeded at last in practically carrying his point. The restrictions, indeed, were not withdrawn; but in a convention of delegates from the various synods he nominated three ministers to the sees of Caithness, Ross and Aberdeen; and the Assembly of 1602 endorsed this proceeding by choosing ministers 'to be adjoined to these,' and by recommending that all the prelaties should be filled.⁸ The King, however, had no intention of making Protestant divines abbots and priors; and the spiritual Estate, in its greatly reduced compass, was finally re-constituted

⁸ If this was a new scheme, as apparently it was, Gardiner (i. 305) is mistaken in saying that James appointed more bishops 'without the slightest pretence of conforming to the mode of election prescribed by the Assembly.' The bishops, when called to account by the Covenanters in 1638, repudiated the representative scheme—justly, I think: 'As for that Act at Montrose, let them answer to it that have their calling by that commission.'—Charles I.'s *Large Declaration*, p. 261.

in 1606, when the lands of bishoprics, so far as still held by the Crown, were restored, and seventeen prelaties were erected or confirmed as temporal lordships.

The constitutional importance of this change can be appreciated only in its effect on the committee known as the Lords of the Articles, or, more shortly, the Articles. This body comprising an equal number, usually eight, of each Estate and certain royal officials, whose number in 1617 was also fixed at eight, had long engrossed the whole process of legislation, and Parliament in ordinary times had no more to do than to elect the Committee and, having adjourned during its deliberations, to give a formal assent to its Acts. In 1612 the Lords of the Articles for each Estate were recommended by the Crown, and, though such dictation was resented by the nobles, who insisted on altering the royal list,⁹ the Committee was henceforth chosen—notably in 1633—in a manner which made its election a mere farce. The nobles chose eight bishops, these chose eight nobles, and the sixteen thus elected chose eight barons and eight burgesses.¹⁰ The method was only partially new, and the effect it now produced was due mainly to the transformation of the spiritual Estate. Before the Reformation the Crown had succeeded in obtaining the practical disposal of all great benefices, but it had still to reckon with some elements of ecclesiastical and papal power; and for many years after 1560 there were so many pseudo-ecclesiastics in Parliament that the nobles when called upon to choose eight prelates could easily find men of the same interest as their own. Now their choice lay between thirteen genuine bishops, appointed as such by the King;¹¹ and the eight on whom their votes fell, having the whole nobility to choose from, could hardly fail, as Mr. Gardiner observes, to find eight suitable peers. Moreover, the Act of 1587 had connected the

⁹ *Maitland Miscellany*, iii. 115.

¹⁰ Mr. Gardiner and Prof. Terry, following the records (*Acts*, v. 9) say that the barons and burgesses were chosen by the whole body of bishops and nobles. I submit that in this case the records are wrong; for, when the usage of 1633 was avowedly revived after the Restoration, the barons and burgesses were chosen by the eight bishops and eight nobles, and Balcanquhall's correspondent (*vide infra*) expressly says that this was the method in use. So, too, Hill Burton; but he cites as his authority the very passage in the Acts which supports the other view.

¹¹ In 1612, when the Crown submitted its list of nominees, the nobles 'by plurality of votes changed as many of the roll of the prelates as they had men to make change of.'—*Maitland Miscellany*, iii. 115.

nobles more closely with the Crown; and the King, having parliamentary peerages in his gift, could bestow them on Englishmen who voted by proxy, as in the case of Viscount Falkland, father of a more famous son.

It is possible, however, to exaggerate the extent to which Parliament at this period could be manipulated by the Crown. The functions of the legislature as a whole were rather dormant than obsolete, and anything in the nature of a crisis might recall them to life. Prof. Terry in his recent book (p. 156) has arrived at the startling conclusion that before 1640 the House, so far as not comprised in its Committee, did not vote at all. He points out that the shire members and burgesses had 'lost even the power to vote upon the election of the Articles'; that the bishops and nobles elected the Committee, and 'their sanction to its findings may therefore be held as given in advance'; and he refers to a case in 1639, when an Act was read in the Articles providing that every shire member should 'have a separate vote to be markit *per se*,' and the King's Commissioner opposed it as 'contraire to the perpetual custom inviolably observed. . . . and never acclaimed before by the barons.' How we are to interpret this incident, which seems to imply merely that the barons had not hitherto voted as individuals, I do not pretend to know; but it is impossible to agree with Prof. Terry that the reasons alleged by the Commissioner 'entirely harmonise with ascertained facts.' The facts, indeed, point quite the other way. In Calderwood's *History of the Kirk*, vii. 498, will be found a complete division list showing how the members of all Estates in 1621 voted for or against the ritualistic innovations known as the Six Articles; and in the Parliament held by Charles I. in person during his visit to Scotland in 1633 the Government was once in such danger of defeat that the King and most of those who were present marked down the response of each member as he answered to the roll. The Opposition complained that they were allowed merely to vote, not to speak.¹²

The protests made in 1633 were the first mutterings of a storm which was to sweep away the whole machinery by which legislative freedom had hitherto been restrained. The causes of the Puritan revolution were mainly religious and social; but Balcanquhal, the author of the King's *Large Declaration*, was assured that nothing had been more fatal to the bishops than the invidious

¹² Charles I.'s *Large Declaration*, p. 12; Gardiner, vii. 294.

function assigned to them in Parliament.¹³ At the outset of his reign Charles had estranged the nobles by threatening to take away their monastic estates and by restricting their power as tithe-owners to coerce the gentry; their fears were revived in 1636 when a clergyman was presented (without effect) to the abbacy of Lindores; and they were therefore prepared to head the popular outbreak provoked in 1637 by the imposition of an Anglican prayer-book. In 1639, after a futile campaign in which there was no actual fighting, Charles assented to an Act of Assembly, deposing the bishops; and, before their places in Parliament had become legally vacant, the question was raised whether and how they should be filled. Charles wished to substitute Presbyterian ministers, but nobody would listen to this; and Montrose and others, in order to avert the development of an ecclesiastical, into a political, revolution, vainly urged that an equal number of laymen should be nominated by the Crown. It was at length agreed that the King's Commissioner should choose eight nobles as Lords of the Articles, who were to choose eight barons and eight burgesses, but that in future each Estate should make its own choice; and an Act to this effect was carried in the Committee, constituted in a manner so favourable to the Crown, by a bare majority of one. Charles prorogued Parliament, but in the following year it assembled in defiance of his prohibition, and adjusted in detail the new constitution. Nobles, barons and burgesses were henceforth to be the three Estates. Lords of the Articles might or might not be chosen, but, if they were, each Estate was to choose its own; and the Committee was required merely to give its advice with regard to measures which had originated in Parliament, and were there to be discussed and voted. 'No Reform Bill in our own day,' says Gardiner, 'has ever brought about anything like the political change which was the result of this decision.'¹⁴ The Crown had no longer the right to control Parliament, and the nobles, far from helping to choose the Lords of the Articles, were outnumbered in that body, so far as it survived, by the barons and burgesses.

This invasion of the royal prerogative occasioned what is known as the Second Bishops' War; and, the defeat of Charles in that contest having precipitated a revolution in England, he

¹³ Hailes's *Memorials of the Reign of Charles I.* p. 47.

¹⁴ *History*, ix. 53. The working of Parliament from 1640 to 1651 may be studied in Sir James Balfour's *Historical Works*, vols. ii.-iv. Business was prepared by temporary and specific committees drawn equally from the three Estates.

had to accept such terms of peace as the Long Parliament was able or willing to procure. Charles, however, was anxious—vainly, as it proved—to detach the Scots from their English allies; and he consented without much reluctance to accept the new constitution and even to choose his Ministers with the advice of Parliament—a concession which exposed him to much worry and humiliation during his second visit to Edinburgh in 1641. It was not from Charles, but from a much less likely quarter, that the legislature was to receive a fatal blow. The same religious movement which had emancipated Parliament had recalled to life the General Assembly of the Church, which had been in abeyance for twenty years, 1618-1638. So long as the struggle could be regarded as a defensive one against the Crown, Assembly and Parliament worked together in perfect accord; but when Charles had been practically deposed and the nation had committed itself to an aggressive war for the propagation of Presbytery in England, the superior fanaticism of the Church threatened to bring it into conflict with the State. A crisis arose in 1648 when Parliament resolved to send assistance to Charles, then a prisoner, in consideration of his promise to make trial of Presbytery in England for three years. The Assembly Commission denounced the 'Engagement' as a violation of the Covenant; but Parliament contrived to raise a large force, 'contrary,' wrote an astonished divine, 'to the utmost endeavours of the Church,' and the Duke of Hamilton invaded England. A disastrous campaign, culminating in the capture of Hamilton and most of his troops, enabled ultra-Presbyterianism to retrieve its defeat. Under the protection of Cromwell the fanatical minority, known as Anti-Engagers or Whiggamores, formed themselves into a Rump Parliament, and passed the notorious Act of Classes excluding all but themselves from power; and theocracy enjoyed a short-lived triumph till, having made a Covenanter of Charles II., it was itself overthrown by Cromwell at Dunbar. The Act of Classes was first ignored in practice, and then formally repealed, and Charles had the support of a really national legislature when he invaded England in the August of 1651. A few days before his defeat at Worcester, the Committee of Estates, appointed by Parliament to conduct the war at home, was captured by General Monk; and during the next nine years, extending through the Commonwealth and Protectorate, the history of the Scottish Parliament is an entire blank.

During all but one or two years of its Puritan epoch, 1639-1651, Parliament had practically supplanted the Crown, and, directly or through its Committee of Estates, had exercised executive as well as legislative functions. Monarchy reasserted its privileges at the Restoration; but the old system was not at once fully restored, chiefly for want of the bishops, who formed, as it were, the keystone of the constitutional arch. Parliament had no sooner assembled in January, 1661, than, with a view to making its proceedings 'as conform as conveniently may be to the ancient customs,' it repealed the Act of 1640 which required overtures to be brought directly before the House; but, as a temporary expedient, the Lords of the Articles were to consist—in addition to the King's Ministers¹⁶—of 36 persons chosen in equal numbers by nobles, barons and burgesses. In 1662, Episcopacy having been restored, nine bishops who had just taken their seats were added to the Committee; and in the following year the Estates acquiesced in an intimation of 'his Majesty's express pleasure' that the Lords of the Articles should then and henceforth be chosen in the order 'which had been used before these late troubles, especially in the Parliament of 1633.' The Crown thus recovered its power; and meanwhile the political legislation effected during ten years of its usurped authority had been repealed. It is a common but inaccurate expression to say that the so-called Act Recissory of 1661 expunged all parliamentary proceedings, except private Acts, from 1640 to that year. There were two Acts of this purport—the first annulled wholly the Whiggamore Parliament of 1649, the second, passed more than two months later, annulled for political purposes the Parliaments, 1640-1648; but nothing was or could be done against the Parliament, 1650-1651, which Charles II. had held in person, and the Committee of Estates appointed by which, and taken prisoners by Monk, had been revived at the Restoration.

When we turn from these outlines of the Restoration Settlement to its details, we realise at once that the ground gained by Parliament during the Puritan revolution had not been altogether lost. In resigning the initiative in legislation to the Lords of the Articles, the House had reserved the right to receive any overtures which the Committee might fail to present; and Prof. Terry, without going beyond the records, is able to show

¹⁶ These had been excluded in 1640, unless elected as individuals.

that Parliament was no longer the subservient body which James VI. and Charles I. had manipulated through their Episcopal nominees. He points out that, instead of being summoned only at the beginning and close of the session, it met several times a week; that it adopted rules of debate formulated in 1641; that it examined, voted, and even amended measures which the Articles had approved; and Mr. Porritt mentions as proof of a growing interest in politics that in 1678 persons not qualified by residence or profession were anxious to represent burghs, and that in that year a committee was appointed for the first time to determine controverted elections.¹⁷

These facts, however, afford but a faint indication of the independent, not to say mutinous, spirit disclosed in Sir George Mackenzie's *Memoirs*. The House, we find, is sometimes 'overawed,' sometimes 'gained to a compliance'; to interrupt a speaker and threaten him with the King's displeasure is denounced as a breach of privilege; Acts are passed 'after much debate'; the Commissioner, doubtful of success, prolongs a discussion, the motion is carried only by the Chancellor's casting vote, and the dissentients demand a recount. In 1673 the Duke of Hamilton formed a regular Opposition in Parliament, known as the Party, and made the startling proposal that the grievances of the nation should be considered, not by the Lords of the Articles, but by a special committee. The truth is that what one may call the modern phase of Parliament during the period under review began, not at the Revolution of 1689, but as soon as the ancient constitution was re-established under the new conditions introduced by the overthrow of theocracy at the battle of Dunbar. Material interests, fostered by Cromwell and imperilled by the English Navigation Act of 1660, were henceforth to be dominant in the national life. The ecclesiastical question was indeed revived by the fraudulent and summary imposition of Episcopacy in 1662; but the conflicts of Rullion Green, of Drumclog, and even of Bothwell Bridge, absorbed much less attention than is commonly supposed; and the Estates, intent on reviving decaying industries and trade, were roused to opposition by fiscal, not religious, grievances. 'It is the duty of every member of Parliament,' wrote Sir George Mackenzie, with unconscious humour, 'to oppose all impositions upon what commodity soever.'

¹⁷ *The Unreformed House of Commons*, ii. 46, 47.

It is usually assumed that the Lords of the Articles as at present constituted were no more than an instrument of the royal will; but the Governments of Charles II. met with considerable opposition even in this packed committee; and the religious crisis which preceded the Revolution is memorable for the signal defeat which both Articles and Parliament inflicted on the Crown. James VII. in 1686 was anxious to get rid of the anti-Catholic laws, and, as the price of this concession, he offered to the Estates a long list of commercial benefits, and assured them that he was endeavouring 'with all imaginable application' to open up the English and colonial trade. In a reply to this request, drafted by the Lords of the Articles and adopted only after a division by the House, Parliament declared that it would 'go as great lengths therein as our conscience will allow.' This answer was deemed so unsatisfactory at Court that it did not appear in the Gazette; and a conflict now began in which the King spared neither bribes nor intimidation to gain his end. The Lord Advocate, a Lord of Session, and three Privy Councillors were dismissed; one bishop was deprived, and another forbidden to preach; pensions were stopped; and a systematic attempt was made to break up the Opposition by challenging elections and by calling away members to civil or military posts. Nevertheless, Parliament stood firm. The Articles would consent only to a measure providing as a bare exception to the penal laws that Catholics should have the right of private worship; but this overture was rejected by the House, and the Articles amended it by inserting an express provision that the proposed Act should not release office-holders from the obligation to take the Test. The measure was then dropped.¹⁸ The venerable machinery for controlling Parliament was to disappear with the Stewart kings, and the last time it was employed was probably the first occasion on which it had publicly failed.

The Revolution of 1689 put an end to religion as a political issue and enabled Scotsmen to devote themselves unreservedly to those material interests which had been more or less dominant in Parliament for thirty years. William of Orange, on accepting the Crown, found that the Lords of the Articles had been voted a grievance; and, the Jacobitism of the bishops having frustrated his schemes for their retention, he was forced, after a vain attempt at compromise, to consent to the abolition of the Committee, of

¹⁸ For this incident, see Wodrow, and Fountainhall's *Historical Notices*.

which they formed the most essential part. It was impossible, however, that two fully independent legislatures, estranged by commercial antagonism, could exist under a common head; and William, anticipating the policy which was to be pursued by the British Government in Ireland after it had been deprived of the initiative in legislation through the repeal in 1782 of Poynings' Law, lost no time in devising, or rather in developing,¹⁹ a substitute for direct control. As early as 1690 he assured his Commissioner that he would make good 'what employment or other gratifications you think fit to promise'; and in the *Carstares State Papers* may be seen how extensive was the political traffic, sometimes in money, but more frequently in offices, sinecures and pensions. It was to arrest this corrupt influence of the English Court that Fletcher of Saltoun proposed his twelve 'limitations' of the royal power; and Nationalists more cool-headed than Fletcher were fain at last to give up legislative independence when they found that under such conditions it could never be more than a 'name.' Towards the close of the reign a Court party in Parliament had been so well organised by the Duke of Queensberry and Carstares that, after a temporary break-down, it was able to withstand the enormous pressure brought to bear upon it by the Darien agitation, and, had William lived a year or two longer, the Union, which was not then unpopular, might have been easily achieved. Queen Anne, the new sovereign, disliked the Whigs; and at the elections of 1703 Queensberry won an overwhelming but fatal victory over the Country Party, which was almost wholly Whig and Presbyterian, by appealing to the Jacobites. As might have been foreseen, a coalition of Jacobites and official Whigs proved unworkable; the former went into opposition, taking with them not a few of the Government corps; and Queensberry, having lost all control of the House, could only refuse the royal assent to the Act of Security, which provided that Scotland, unless its demands, political and commercial, were conceded, should become independent at the Queen's death.

With a view to retrieving its position in Parliament, the Crown now fell back on what remained of the original Country Party; and this group of about twenty members, popularly known as

¹⁹ Corrupt influence had already been employed in the two preceding reigns to check the growing independence of Parliament, and under James VII. attempts were made, particularly at Dundee, to manipulate the burgh franchise. See Porritt, ii. 55.

62 The Scottish Parliament, 1560-1707

the Squadrone, agreed to form a Government in the interest of Sophia of Hanover, the English successor, on condition that, like Charles I. in 1641, she should choose her Ministers with the advice of Parliament. Such a change of policy, as it involved the dismissal of Queensberry, was extremely offensive to his friends; and the Crown, having lost as many votes as it had gained, was again confronted with the Act of Security, and ventured no longer to withhold its assent. Meanwhile, the Whigs in England had almost recovered their ascendancy, and, on the failure of the Squadrone Ministry to secure the Succession, they insisted on the recall of Queensberry, and set themselves in earnest to promote a Union. Jacobites and extreme Nationalists, such as Fletcher and Lord Belhaven, might be trusted to oppose this project, and placemen and pensioners to support it; and victory was assured to whichever side should be joined by the Squadrone. These men had hitherto been as strongly Nationalist as their Hanoverian sympathies would permit, and they could not reverse their policy without supporting Queensberry who had defeated them on the Darien question, and in the present reign had thwarted, and finally supplanted them, in office. Not till November 4, 1706, when they mustered all their available strength in support of the first article of the Union, was it known what course they had decided to pursue. The private correspondence of Lord Roxburgh, the real leader of the Squadrone, shows with what anxious deliberation, in how serious and disinterested a spirit, he addressed himself to this momentous issue;²⁰ and the best proof that he and his friends were actuated by no sordid motives is the apprehension of an independent Unionist that their personal antipathies would cause them to vote against the Government. 'God be thanked,' wrote Lord Marchmont, 'they have not done so, for which all who wish well to our Queen and to Britain owe them thanks, kindness and esteem, for they have carried themselves and concurred, as became persons of honour, understanding, and lovers of their country, without the least appearance of resentment toward those who are now employed.'²¹

WM. LAW MATHIESON.

²⁰ 'Roxburgh was never in so great anxiety as now: his thoughts have been entirely taken up these eight-and-forty hours about Union, and a torment to him which he has a mind you should have a part of.'—Roxburgh to Baillie of Jerviswood, in cipher, November 28, 1705; *Jerviswood Correspondence*, p. 137.

²¹ *Marchmont Papers*, iii. 309. See also Burnet, v. 287.

Glimpses of old Scots Parish Life

A PERUSAL of the eighteenth century books of the Kirk-session of Montrose raises a broad question of the value of such records in the story of Scots life and character. They hold nothing that enters into the national ideal; to look into them for exemplary martyrs to virtue and duty were idle; they are devoted to the sinful, and ignore the saintly. They are, in fact, chiefly concerned with the shadows that lend variety to parish life as reflected in the laws and usages of the Kirk.

Looking further, another limit is met. In one respect the Kirk minute-book resembles a diary to which the writer resorts after the manner of a sinner to the confessional. It tells at once too much and too little—too much of formal peccadilloes and breaches of Kirk discipline, too little of life's wider issues and more important interests. A cynic might find a subject for satire in the succession of microscopic sins and intrinsically innocent vices; but it is certain that, out of the archives of the Kirk, the typical Scot cannot be constructed. The fragmentary character-sketches they hold partially picture strictly parish figures, and, at the best, are a kind of antiquarian footnotes to the pages of history; or, like a border of archaic arabesques on an old manuscript, they may occasionally pertain to and illuminate a larger, more complete, and more enduring truth. The occasions, however, are rare upon which personal idiosyncrasy can be said to touch national character, and the local usage to illustrate an outstanding national trait.

The Kirk-session minutes furnish, amongst other things, convincing evidence that graver, more corroding sins, were begotten of the methods devised by the Kirk to suppress sin. To take one instance, the parishioners in the lower strata of the social scale were not above resorting to eavesdropping, and to the most despicable methods of playing the spy upon their neighbours. So, to substantiate an actual case of immorality, evidence was given, and received, which had avowedly been

obtained by 'keekin' through a chink in a partition.' Under such circumstances, in the matter of self-respect, the distinction becomes somewhat shadowy between Court, witness and panel. The following is a specimen of neighbourly informing:—'25th April, 1727, David Buchanan informs that Margt. Milne, spouse of James Peart, was yesterday, being the Lord's Day, betwixt nine and ten hours in the morning Walking along the back side of the town with a big kit in the one hand and a lapfull of peats held up with the other.'

This was judged scandalous, and the accused having confessed that she had done on the Sabbath that which she had forgotten to do on Saturday—gathered household fuel, to wit—and professed sorrow, and promised that she would never do so again, was dismissed with a rebuke. Turning men into informers was assuredly not conducive to the cultivation of the religious spirit. Yet it was part of the intolerable system of clerical espionage under which the Parish existed. In a hundred ways it is made clear that, men regarding their brother men with suspicion as perchance their special watchmen, few sins actual or suspected escaped the lynx eye of the Kirk: at what loss of Christian feeling may not be computed. The Kirk made the suppression of sin its first duty regardless alike of the degradation of its witnesses and of the feelings of a supposed sinner. It dragged sin into the light of day, and sent the sinner to 'the pillar,' or pillory, to be gazed at by men and women, perhaps only less openly impure. The practice familiarised the people with the sin it was intended to teach them to abhor.

The Kirk-session itself was practically a detective agency. Its members went after cases of Sunday drinking. On 4th April, 1774, they appointed 'the elders at the church door, with a Town officer, to go thro the Town between the Lecture and Sermon, and to take up the names of such disorderly persons as they shall find upon the streets, in order to be given in to the Magistrates, that they may be properly punished.' A similar instruction was issued in 1781, except that the plate-elders were to be accompanied by both a Town and a Kirk officer 'to observe and report such as shall be found breaking the Sabbath.' The discharge of such a function may have been helpful to the conservation of public morality, but it could hardly have been elevating to those who performed it. Any lowering effect it may have had upon

their status in public respect must needs, moreover, have been ultimately prejudicial to the authority of the Kirk.

That the system of church discipline had pernicious effects upon the character of the people goes without saying. To discuss the question whether they have been transient or permanent might, however, involve the assumption of their continued existence, and a critical analysis of Scots character is not here contemplated. Be its results what they may, the parish mechanism for securing the good morals of convention lasted long. It was not till after the middle of the eighteenth century that a more lenient spirit began to pervade the Session. The lesser sinners were rebuked and exhorted to repentance, and the earlier forms of 'discipline' were generally reserved for the more heinous order of offenders. Many instances also occur of kindly compassion and charitable generosity. At length came an unmistakable token of the incoming of a kindlier sense of justice. On 25th July, 1771, it is written: 'The Session appoint Alexander Smith, their Wright, to fill the vacant space where the Repentance Seat formerly was, with Pews, and that immediately.' The very memory of the 'stool' was best so committed to oblivion, that the place that had known it might know it no more. In the following month the Montrose Session further did well to shake off the mystery that had attached to some of its proceedings, by deciding neither to hold session in private houses, nor to take the confessions of scandalous persons in them: an exception was made only of 'extraordinary cases,' as to which the majority of the Session were to be consulted and to consent.

To show that there was room for improvement in both manners, and the methods taken by the Kirk to purify them, let us take a few of the cases occurring in the previous half-century. In August, 1728, Elizabeth Paul, spouse to Alexander Innes, Haberdasher, was found gathering keall upon the Lord's Day, and gave very rude language to one of the Elders who reproved her in the fact. For so doubly heinous an offence she was sharply rebuked. Some admitted 'the great sin of Sabbath breaking in going out to the country to visit friends and drinking ale unnecessarily in ale houses.' A singular case was that of John Milne, horsehirer, who, on 26th June, 1727, confessed the sin of shearing bear on the Lord's Day. His plea in extenuation was that his horse had come home

unexpectedly from a long journey, and 'he could not let him starve.' The Session thought differently, and judged that he ought to be taken engaged to abstain from the like in time coming. It may have been intended to give John a lesson in forethought and preparing for the unexpected. It may also have been that the Session deemed it better for him to let his horse starve, than to endanger his soul by breaking the Sabbath in getting it food.

The more completely sinners realised the small quantum of their sins, the more inclined were they either to defy the Kirk or to make a joke of its solemn rebuke. In no other respect did Burns more thoroughly represent his people. By driving petty faults under the surface, the Kirk-session went near to suggesting that hypocrisy be placed among the virtues. The hidden sin gave rise to no *fama*, and it came to be held that not the sin but the scandal it gave rise to composed the offence, and wrought the injury to morals and religion. Citation, however, followed upon the merest rumour, and if the person cited was guiltless, the judgment took some such form as this: you are dismissed; there is no evidence to convict you; but don't do it again. Here is a case in point: In 1732 the two parties to a charge of immorality, but against whom none was proven, 'were severely rebuckt and admonished to avoid each other's company and were dismiss'd.' An innocent girl who had an honest lover might, upon the vilest 'surmises and whisperings,' be dragged before the Court, and subjected to unspeakable degradation. Her innocence established, the only satisfaction she received was a Sessional testimonial signed by her clerical judge—sometimes her only accuser—to the effect that she was free of 'all publick scandall' and fit to be a member of any Christian congregation. It is, accordingly, not surprising to read of one contumacious young woman telling the Session that she would not return to it again unless carried in a cart!

The system led wronged virtue into vice, and gave opportunity to spiteful lying and perjury, to the bearing of false witness, and to the bringing of false accusations; nor was it successful in promoting Sabbath observance in any but a Scoto-Jewish sense.

To exemplify this:—About forty years ago two women were charged in the Police Court of Montrose with disorderly conduct on Sunday. One was found guilty of assault, but

the judge was lenient. It was shown in the course of the trial that she had cried out to the other—'An' gin it wasna the Sabbath day I would ca' in your skull.' The judge probably could not think her wholly wicked who showed so nice a feeling of respect for the Sabbath!

An incident of the same sort, though with slightly varying details, may be found in the folk-lore of many Scots parishes; in the following it is run to earth in the pages of authentic local history. In the Kirk-session records of Montrose, for 1725, a case appears in which that Court had sat four times upon two Sabbath-breakers, who had been brawling in the street. A witness stated that one of the accused had threatened the other 'with a pair of *tongues*, and said that *if it were not the Lord's Day* he would knock him down.' A woman made oath that she 'saw David Ogilvie with a pair of "*tongues*" in his hand, calling to John Reid, "Come here till I knock you, and heard him bid his Maker curse his blood he would beat him down were it not the Lord's Day, and called him beggarly lown and rascall and fairy-bitten toad, and would throw him down upon the street. To which he replied that he would not allow him, and that he would answer him upon a week-day.'" It prepares a reader for the climax. At a fifth diet they were rebuked, exhorted, and then they 'struck hands, giving mutual promises to live in peace and amity.' At the same time, the Sabbath was broken in many ways both open and secret. One was reprov'd for selling wilks, others for 'cutting of keall' and frequent absence from sermons. In the following the subject is generalised:—'25th February, 1734: This day the Session taking under their serious consideration how much the Sabbath Day is neglected and contemned by sheaving and Dressing of Wiggs, bearing of burdens, Drawing of Water unnecessarily, Drinking in Eale houses, buying and selling of snuff and other things, Idle walking in the streets and feilds, and many other such unlawful practices: The Session also Considering that the poor suffer greatly by giving in of bad money and Uncurrent coin at the Church Doors . . . enact and ordain that no bad money be given at the church door in charity to the prejudice of the poor, And moreover, unless the Sabbath day be more religiously observed, and people abstain from the unlawfull practices a-mentioned on that day, some more severe course will be taken to crubb these abuses of the Sabbath Day.'

From the context it would appear that putting 'uncurrent coin' into the plate was considered intentional. In 1733, in any view, it was deemed expedient to 'advertise to give into the plate nothing but good money.' The subject comes up so often in the Minutes that judgment and charity alike lean to the view that the offence was, at least sometimes, committed either through carelessness or ignorance. Under date 25th May, 1770, this occurs:—'In regard a number of bad half-pence are circulating thro' the town, the Session appoint an Intimation to be made over the pulpit Sabbath first that none of the congregation may give bad money at the Church door.' On 20th October, 1779, out of a sacrament collection of £21 11s. 7½d. stg. three shillings and one penny consisted of bad half-pence. In a collection for two foundling children, 'the sum collected amounted to £13 1s. 10½d. besides two bad shillings.' The evil fluctuated, apparently, according to the amount of base coin in circulation, for on 14th May, 1785, from a collection on a Sacrament Sunday of £20 12s. 11d., it was found necessary to deduct £2 3s. 4d. for bad half-pence. The extent of the annoyance may best be gathered from a report by the Treasurer on 7th September, 1780, 'that he has sixty-three pound weight of bad half-pence of the Poor's money on hand, and desired the advice of the Session how he should dispose of them. The Session order him to dispose of them to the best advantage for the behoof of the Poor, with this restriction that the Purchaser must oblige himself either to cut or run them down.' The prevailing carelessness of the interests of the poor is further evinced by the frequent difficulty the Kirk-session encountered in collecting sundry minor dues allotted to charitable purposes. In 1725, a decision is minuted to the effect that funeral charges be paid within fourteen days of interment, and those for children's burials before breaking of the ground. Three years later it was found necessary to appoint 'that in all time comming non shall have any bells rung in the steeple for their burriale without their friends give suficient security to the Treasurer for paymt. of the Ordinary Dews.' Shortly afterwards the Kirk-session is found suing for the dues exigible upon the use of the 'mort cloath for childring.' After all the trouble, the legal destination of some of these fees became matter of dispute, and the point came up in a suit brought by the Magistrates of Montrose against the Kirk-session in 1730.

The Court of Session decided that burials in the church and bells at burials did not belong to the poor's fund, but were appropriated for the support of the church fabric, and that, if that fund was not sufficient, the Session 'may have recourse according to law for the deficiency without touching the poor's fund.' The suit suggests an interesting subject of investigation for the proposed Commission to enquire into the working of the poor law in Scotland—how much of the money collected for the poor has been spent in litigation.

To revert to the customs brought to light in connection with Sunday desecration, it appears that the brewers and barbers long held a bad pre-eminence as Sabbath-breakers. On one occasion there was a great outcry over two brewers who were found 'boiling worts between nine and ten o'clock in the morning' of the Lord's Day. To prevent the recurrence of such a 'scandal' all the brewers in the congregation were cautioned against brewing upon Saturday, lest they run the hazard of working upon the Lord's Day, and of being prosecuted as Sabbath-breakers. The warning did no good, as, twenty years later, it was repeated, and, on that occasion, the brewers were coupled as co-offenders with persons who haunt ale-houses, especially in time of divine worship, and the keepers of such houses where entertainment was given. There was obviously a good deal of Sunday drinking, and two instances may be given as illustrating the detective system. On 9th October, 1749, two elders reported having found two different companies drinking in an ale-house in time of divine service. The drinking does not appear to have been condemned, unless it interfered with the ordinances of the Kirk, or was carried to excess. On 10th May, 1758, the Session examined into a flagrant report concerning some persons, both men and women, sitting drinking in William Sandyman's on Sabbath afternoon, until 10 p.m. Those who appeared and confessed were sharply rebuked, and exhorted to 'circumspection.'

The barbers were more difficult to deal with, by reason probably of the burghers' tenacity in adhering to an old custom. It is more than likely that a presumably religious desire, on the citizens' part, to make a good appearance at Church brought about the barbers' breach of the commandment. Their offence is detailed under date 8th November, 1725: 'The Session, considering that the scandalous practice

of Shaving and Dressing Wigs on the Lord's Day is severely prosecute in other places, as being dishonourable to God, and contrary to the Law of the Land, therefore appoints all the Barbers in Town to be advertised by the Elders of the Several Quarters where they reside, that in case they be found guilty of such practice hereafter they will be rigorously prosecute according to Law.' On 6th February, 1727, six barbers appeared and promised to bind themselves under pains and penalties to shave no more and dress no wigs in all time coming, between midnight Saturday and midnight Sunday. This appears to have proved insufficient, as the Ministers next addressed the Magistrates as to obtaining 'an Act of Council for the Barbers associating themselves in a Bond for preventing breach of Sabbath by their Barbarizing on the Lord's Day.' On 12th July, 1731, the aid of the civil authority was again invoked, the Session having appointed the Moderator 'to apply to the Magistrates anent taking an effectuall course to prevent shaving and dressing of wiggs and selling of snuff on the Lord's Day.' For some reason not stated, the Magistrates were unwilling to interfere, and appear to have thought voluntary steps taken by the barbers more likely to be efficacious. In November, 1731, at all events, it was reported to the Session that the Magistrates 'seem to be of opinion that the barbers ought to enact themselves so as to pay a considerable fine for Sheaving and Dressing of wiggs upon Sabbath, as also that an Act of Council should be made to fine such as sell snuff or other commoditys unnecessarily upon Sabbath.' The truth, as already hinted, may have been that, while a Magistrate could replenish his snuff-mull on Saturday, it was below his dignity to appear in Church on Sunday without a properly dressed wig.

So years passed without any abatement of the evil. On 10th April, 1738, the Kirk-session admitted 'that the scandalous practice of sheaving and dressing and carrying wiggs through the streets upon the Lord's Day is as comon as ever.' It was accordingly decided to threaten the guilty with prosecution, and again to seek the concurrence of the Council. The latter was intimated towards the end of the year, but that it led to no improvement is shown by the records of 1741. On 14th December of that year, the Session decided that a more effectual restraint upon the barbers was necessary, and appointed elders to perambulate the streets, so that delinquents might be prosecuted forthwith. Two were detected, 'And the Session

finding that the Town Council upon a Representation from the Min^{rs} At their last meeting had appointed the whole Barber Trade to Enact themselves under the penalty of ten pound Scots for the first fault, and twenty for the second, that they should forbear Sheaving and Dressing wiggs on the Lord's Day. The Session therefore recomends it to [three of the Bailies] to apply the Council to see the said Act signed by all the barbers and made effectuell.' Meantime, the two culprits were to be reproved and admonished by a Committee of the Session. The Ministers accordingly had them up and, besides rebuke and admonition, laid upon them a strait injunction 'to be more cautious of their conduct in that particular for the time to come, to which they submitted and promised so to do.'

Attention to such matters could not be expected to conduce to breadth of view or sectarian charity. When the Roman Catholic Disabilities measure came before the Session on Christmas Day, 1778, the state of feeling towards it may be inferred from what followed. Within a month the Session ordered the publication of its views and decision. As an index to the toleration of the day, the resolution arrived at is here given verbatim :

'Montrose, Jan^y 23rd, 1779. This day the Kirk Session of this Parish met to deliberate concerning an Act passed in last Session of Parliament, relieving Papists in England from certain Penalties and Disabilities therein specified, and which it is generally fear'd is proposed soon to be extended to Scotland. After mature deliberation the members of Session were unanimously of oppinion that an Act giving such unbounded Toleration to Papists, whose Principles and Practices have been long known and experienced to be Pernicious to Protestant States, would expose not only the Protestant interest but our civil and religious liberties to much danger; and that no asseverations nor even the most solem oaths, made by them, can be considered as sufficient security on account of the easiness with which Dispensations from Oaths are obtained in the Roman communion. As this is the oppinion of the Kirk Session and of the great body of the People consisting of more than 5000 inhabitants, they judged it incumbent on them as office-bearers in this church and friends both to the Established Religion of this kingdom and the Protestant succession, publickly to make known their sentiments with regard to this matter, and to declare that tho' they are no friends to Persecution for conscience sake, it is their sincere

desire that such an Act in favour of Papists may not be past into a Law, and their firm Resolution, if it shall be brought into Parliament, to oppose it by every Constitutional method in their Power, and they order this their Resolution to be published in the Edinburgh Advertiser and Mercury.'

The subject which the Session considered next was that of absence from its services. Its office-bearers were not always above reproach. In 1752 the Moderator was appointed to commune with those members of Session 'who have absented themselves for some years past from their meetings.' On 20th August, 1733, mention is made of some half-dozen elders whom it was found necessary to summon, by reason of their having absented themselves from the Session 'for a long time past, all of them more than a year.' Some were deposed, one upon the ground of contumacy and of refusing to have his child baptized. One elder was deposed in 1740, for vice practised within a month of his ordination. In 1759-60, another case ended in deposition by the Presbytery. The culprit was charged by his father-in-law with turning his motherless children out of doors 'almost in a naked condition' at ten o'clock at night, refusing either to give them their clothes or to do anything towards their maintenance. In yet another case, the circumstances were peculiar. On 15th November, 1769, George Cowie, Shipmaster, one of the Elders, was accused of entering 'sale cloth' under the name of 'sail cloth,' in order to secure the Government premium for transportation of the latter. It was seized and detained. Cowie admitted the charge, and resigned his eldership.

From the special instances quoted, the opening sentences of this paper may now be better understood. The contrast between the pages of the Session books and those of national history, say of Hill Burton and Hume Brown, is sometimes so strong as to be ludicrous. They might reflect two different races. The people of the one are seen in the other as marionnettes through an inverted telescope. It is impossible to identify the Lilliputians of the local register with the fighters in the great wars of political and religious independence. The reason, of course, is that the local records show only one facet of the varied life of a many-sided people. They focus vision mainly upon men as errant members of an alert and censorious kirk, and the Scot is neither always discernible, nor seen to advantage, in the Presbyterian under discipline.

EDWARD PINNINGTON.

Bishop Norie's Dundee Baptismal Register, 1722-26

IN December, 1904, when the library which had belonged to the Grahams of Duntrune was being arranged for sale, a MS. was found inserted loosely within a Note-book bearing the name of James Graham, dated 22nd May, 1666, and used first in that year for Memoranda as to the purchase and sale of yarn and cloth; afterwards, in 1675, as a record of sheep delivered to David Newall, shepherd in Claverhouse; and finally as the Family Register of David Graham of Duntrune (fifth Viscount Dundee, but for the attainder), and of his children and grandchildren, the dates being brought up in different hand-writings till 1824. The MS. within the Note-book is written on $8\frac{1}{2}$ pp. measuring 9 inches by 4 inches, and is a holograph record of baptisms in Dundee by Robert Norie (afterwards Bishop Norie), covering the period from 21st June, 1722, till 8th October, 1726. This Record is important in various ways. It supplies genealogical particulars as to Forfarshire families which are not to be found elsewhere; and it also shows that the adherents to Episcopacy were more numerous in Dundee and its vicinity than one might imagine from the Presbyterian histories of the time. Notes as to the leading families might have been supplied, but it has been deemed advisable to print only the text of the Register. Among the families represented either as parents or sponsors are the following: Kid of Craigie, Kinloch of that Ilk, Fotheringham of Bandean, Hay of Murie, Crawford of Monorgan, Graham of Duntrune, Baron Gray of Gray, Balfour of Forret, Brown of West-Horn, Greenhills of Banchrie, Ogilvy of Newhall, Crichton of Crunan, Ogilvy of Templehall, Kinloch of Kilrie, Clayhills of Invergowrie, Wedderburn of Blackness, Forrester of Millhill, and Graham of Fintrie. The MS. is in the possession of Mrs. Ida Clementina Graham-Wigan, of Duntrune, with whose consent it has now been printed.

The writer of this MS. was a notable personage in his day. He was born about 1647, and was (probably) the son of Robert Norie, M.A., minister of Fearn and of Stracathro, 1607-10. He studied at St. Leonard's College, and graduated M.A. on 27th July, 1667, pursuing his studies in Divinity as a bursar of Brechin in 1669. On 30th May, 1678, he was licensed by the Presbytery of St. Andrews, was presented by Charles II. to the Parish of Dunfermline, and was admitted in September of that year. In May, 1681, he complained to the Privy Council against certain Justices of the Peace who sought to interfere with the fines taken by the Kirk Session. 'Being obnoxious to some of the more violent Presbyterians, who had intentions concerning him in December, 1684, not for his benefit, he had wisdom to keep out of their way' (Scott's *Fasti Eccles. Scot.* ii. p. 568). In 1686 he was translated to Dundee, and admitted as pastor of the South Church on 14th June. On 29th August, 1689, he was deprived by the Privy Council for not reading the Proclamation of the Estates, and refusing to pray for William and Mary; and on 26th December, 1716, he was formally deposed for disloyalty. In July, 1717, he was prosecuted before the Lords of Justiciary for intruding into parish churches, leasing-making, and 'praying for the Pretender'; but the Solicitor-General (Robert Dundas of Arniston) deserted the diet in respect of the Act of Grace. Norie continued to serve as Episcopal minister of Dundee, as is proved by the MS. Register, and took an active part in the affairs of the church even at his advanced age. In 1724 the Episcopal College recommended the consecration of four additional bishops, and, through Lockhart, obtained the consent of the exiled King James. Robert Norie was one of the four, and he was consecrated by the Primus (Dr. Fullarton, Bishop of Edinburgh) on 25th July, 1724. This is confirmed indirectly by the Register, for Norie describes himself as 'minister of Dundee' on 24th June, and as 'one of the Bishops of the Church of Scotland' on 15th August, 1724. He was appointed to the Episcopal charge of Angus and Mearns and part of Perthshire, but the Primus insisted that this should only be done by the clergy and laity of the district, and a majority objected to Norie's appointment, preferring Dr. Rattray of Craighall. A dispute arose, the cause of Rattray being supported by Lord Panmure and the majority, and that of Norie by the Earl of Strathmore and Lord Gray. Ultimately some of the

Bishop Norie's Dundee Baptismal Register 75

votes of the majority were disallowed, and Norie retained the episcopate. His death took place in March, 1727, when he was in his 80th year (Grub, *Eccles. Hist. of Scotland*, iii. 395; Stephen, *Hist. of Scot. Church*, ii. 493; *Lockhart Papers*, ii. 124 *et seq.*)

A. H. MILLAR.

REGISTER OF BAPTISMS.

Clementina Dugalla Kid, daughter of Mr. George Kid, eldest son to the Laird of Craigie was baptised at Woodhill June 21, 1722, (The Laird of Craigie, her Grandfather stood God-father and Madam Maitland and The Lady Craigie her two grandmothers God-mothers) by Mr. Robert Norie min^r at Dundie.

John Grahame and Robert Grahame sons born at one birth to David Grahame vintener in Cowties Winde at Dundie, were baptised in his own house June 24—1722, by Mr. Robert Norie min^r at Dundie, Westhal and James Young, surgeon apothecary being witnesses.

Cicil Kinloch daughter to Doctor Kinloch, Dr. of medicine in Dundie was baptised June 20—1722, in his own house in Dundie by Mr. Robert Norie, min^r at Dundie. Mr. John fotheringham brother German to the late George fotheringham, laird of Banden, stood Godfather and Dr. fotheringhame, his lady and Mrs. Bell Hay daughter to the late Sir John Hay of Moorie, God-mothers.

David Miller son to James Miller in Logie was baptised July 18—1722, by Mr. Robert Norie, min^r att Dundie in his house in Dundie befor witnesses.

Patrik Mathew son to David Mathew dyer in the Murray-gate was baptised August 14—1722 by Mr. Robert Norie min^r at Dundie in Mr. Norie's own house befor witnesses.

Thomas Speed son to James Speed merchant in Dundie was baptised October 20—1722 by Mr. Robert Norie min^r att Dundie in Mrs. White's house befor witnesses.

James Fife son to David Fife merchant in Dundie was baptised November 7—1722 by Mr. Robert Norie min^r att Dundie in his own house befor witnesses.

Robert Watson son to William Watson maltman in Dundie was baptised the 23 day of November, 1722, by Mr. Robert Norie min^r at Dundie in Mr. Norie his house befor witnesses.

Henry Crichton son to Mr. Thomas Crichton Chirurgion apothecary in Dundie was baptised in his own house the 7 day of December 1722, James Kinloch of that ilk and Henry Crawford, Laird of Monorgan standing God-fathers and Lady [blank in MS.] Mr. Thomas Crichton's sister, God-mothers, by Mr. Robert Norie min^r at Dundie.

Alex. Grahame son to Walter Grahame merchant in Dundee was baptised the eleventh day of December 1722 years, Walter Grahame his two brothers Alex. and John Grahame standing Godfathers and Christian

Graham their sister God-mother, in his own house by Mr. Robert Norie min^r. at Dundie.

George Greenhill son to Mr. Patrick Greenhill indweller in Dundie was baptised December 19—1722 years in his own house befor witnesses by Mr. Robert Norie min^r. att Dundie.

Christian Miller daughter to William Miller in Whitfield was baptised januarij 12—1723—by Mr. Robert Norie min^r. at Dundie in Mr. Norie his house in Dundie befor witnesses.

James Guthrie son to John Guthrie merchant in Dundie was baptised in his own house in Dundie februarij 3—1723—by Mr. Robert Norie min^r. at Dundie befor witnesses.

Jean Maurice Daughter to William Maurice, weaver in the Seagate of Dundie was baptised februarij 25—1723—by Mr. Robert Norie min^r. att Dundie in Mr. Norie's house befor witnesses.

Charles David Grahame son to Mr. David Grahame in Duntrune was baptised att Duntrune the 27 day of March 1723 the Mr. of Gray and John Grahame merchand in Dundie being Godfathers, and the Mistress of Gray God-mother, by Mr. Robert Norie, min^r. at Dundie.

Margaret Bruce, Daughter to Patrick Bruce in the Seagate of Dundie was baptised March 27—1723—by Mr. Robert Norie min^r. at Dundie in Mr. Norie's house befor witnesses.

David Crichton son to Alex. Crichton in the Seagate of Dundie was baptised on Aprile 9th. 1723 years by Mr. Robert Norie min^r. of Dundie in Mr. Norie's house befor witnesses.

John Murray son to Henry Murray in Dundie was baptised in [erasure in MS.] May 8th. 1723 years, in his own house Westhal, And. Ogilvy of temple hall being God-father and the lady Westhall, God-mother, by Mr. Robert Norie, min^r. of Dundie.

Jean Donaldson daughter to William Donaldson merchant in Dundie was baptised in Walter Grahame merchant there his house on May 26—1723 years by Mr. Robert Norie min^r. of Dundie.

John Balfour son to [blank in MS.] Balfour younger of forret was baptised on June 5—1723 in the laird of Banden his house in Dundee by Mr. Robert Norie min^r. of Dundie befor witnesses.

Christian Low daughter to Abraham Low maison in the hill of Dundie was baptised on June the 6—1723 by Mr. Robert Norie min^r. of Dundie in Mr. Norie's house in Dundie befor witnesses.

Isobel Car daughter to John Car baker in the Murrygate in Dundie was baptised June 24—1723 years by Mr. Robert Norie min^r. of Dundie in Mr. Norie's house in Dundie befor witnesses.

Jean Martin daughter to William Martin in Logie was baptised July 3—1723 years by Mr. Robert Norrie min^r. of Dundie in Mr. Norie's house in Dundie befor witnesses.

James Crawford son to the laird of Monorgan was baptised in Monorgan's house in Dundie by Mr. Robert Norie minister of Dundie on July 12—1723 Mr. James Paton minister of Catness and Mr. Thomas Crichton apothecary in Dundie being Godfathers, and Mr. Paton's wife Godmother.

Bishop Norie's Dundee Baptismal Register 77

John Gib son to Robert Gib Taylour in the Neithergate of Dundie was baptised July 13—1723 in Thomas Davidson's house in the Neithergate of Dundie by Mr. Robert Norie min^r of Dundie befor witnesses.

Agnes Zeaman daughter to James Zeaman in the parochin of Mains was baptised July 26—1723 by Mr. Robert Norie min^r of Dundie in Mr. Norie's house in Dundie befor witnesses.

Barbara Goldman daughter to Mr. James Goldman min^r of the Gospel in Dundie was baptised Aug. 13—1723 years in Mr. Goldman's house in Dundie, Dr. George Rait Dr. of Medicine in Dundie being Godfather and Barbara Rait, daughter to Mr. William Rait min^r of Monikie, and Barbara Goldman daughter to Alex. Goldman in Dundie being God-mothers.

John Johnston son to James Johnston writer in Dundie was baptised in James Johnston his house in Dundie Agust 13—1723 years by Mr. Robert Norie min^r of Dundee befor witnesses.

Grisel Brown Daughter to the Laird of Horn was baptised Agust 16—1723 years in Horn his house in Dundie by Mr. Robert Norie min^r of Dundie befor witnesses.

Clementina Anna Margareta Crichton daughter to Thomas Crichton surgeon apothecary in Dundie was baptised in Mr. Crichton's house in Dundie November 28—1723 by Mr. Robert Norie min^r of Dundie the Laird of Monorgan being Godfather, and Mr. Crichton his mother and Doctor fotheringham his lady being God-mothers.

Christian Guthrie daughter to John Guthrie merchant in Dundie was baptised in John Guthrie his house on January 7—1724 years by Mr. Robert Norie min^r att Dundie befor witnesses.

Robert fotheringham son to James fotheringham merchant in Dundie was Baptised in Master fotheringham's house on January the 19 day jmvijc and twentie four years by Mr. Robert Norie minister att Dundie Robert Graham eldest son to the laird of fintrie and James Clephan son to Colonel Clephan being Godfathers and the lady Balinshaw God-mother.

Elizabeth Grahame daughter to Walter Grahame merchant in Dundie was baptised in his house in Dundie february twentie fift day jmvijc and twentie four years by Mr. Robert Norie min^r at Dundie John Grahame the said Walter Grahame his youngest brother being Godfather and Mrs. White and her daughter Provost Guthrie his lady being Godmothers.

Helen Greenhills daughter to Mr. Patrick Greenhills of Banchrie was baptised in his house in Dundie on february twentie-fifth day jmvijc and twentie four years by Mr. Robert Norie min^r at Dundie befor witnesses.

William Moffat son to William Moffat in the ground of Balgay was baptised March 10 jmvijc and twentie four years by Mr. Robert Norie min^r att Dundie in Mr. Norie's house in Dundie befor witnesses.

Margaret Ogilvy daughter to [blank in MS.] Ogilvy deceased son to Ogilvy of Newhall was baptised April the 9th. day jmvijc and twentie four years by Mr. Robert Norie min^r att Dundie in the Lady Dowager of Monorgan her house in Dundie The Laird of Monorgan being Godfather and Mr. Thomas Crichton surgeon apothecarie in Dundie his Lady and

Mrs. James Pilmor daughter to the said Lady Dowager of Monorgan being Godmothers.

Alexander Fife son to David fife merchant in Dundie was baptised on April 14—1724 years in David fife his own house in Dundie by Mr. Robert Norie minister of the Gospel att Dundie befor witnesses.

Janet Mathew daughter to David Mathew dyer in the Murraygate in Dundie was baptised upon May 25th. day 1724 by Mr. Robert Norie minister of the Gospel at Dundie in the said Mr. Norie's house in Dundie befor witnesses.

Thomas Ogilvy Son to Henry Ogilvy of Temple hall was baptised in his own house in the Murraygate in Dundie on June 2nd. 1724 years by Mr. Norie minister of Dundie befor witnesses.

William Johnston son to Peter Johnston in the Murraygate baptised June 20—1724 by Mr. Robert Norie min^r of the Gospel at Dundie in Mr. Norie's house in Dundie befor witnesses.

John Kinloch son to Dr. John Kinloch Dr. of Medicin in Dundie was baptised June 24—1724 in his own house in Dundie by Mr. Robert Norie minister of Dundie Master Patrick Crichton of Crunan—and Mr. John fotheringham brother German to the deceased George fotheringham of Banden standing Godfathers and Dr. David fotheringham Dr. of Medicin his Lady standing Godmother.

John Kinloch son to the Laird of Kilrie was baptised in Dr. John Kinloch brother germain to the Laird of Kilrie his house in Dundie Agust 15—1724 by Mr. Robert Norie one of the Bishops of the Church of Scotland Dr. John Kinloch and Dr. David fotheringham standing Godfathers and Dr. John Kinloch his Lady Godmother.

David Crawford son to the Laird of Monorgan was baptised in Mr. James Paton minister of Catness his house in Dundie Agust 19—1724 by Bishop Norie one of the Bishops of Scotland the s^d Mr. Paton and Thomas Crichton Surgeon Apothecary in Dundie standing Godfathers and Mr. Paton's lady Godmother.

Clementina Grahame daughter to David Grahame in Duntrune was baptised in Duntrune September 3—1724 by Bishop Norie one of the Bishops of the Church of Scotland Alexander Grahame merchant in Dundie standing Godfather and my Lady Dundie and her Daughter Mrs. Alison Grahame standing Godmothers.

John Kiel son to Alex. Kiel in the hill of Mains was baptised September 27—1724 by Bishop Norie in Bishop Norie his house in Dundie befor witnesses.

Isobel Johnston daughter to James Johnston at the back of Powrie was baptised October the 13 day 1724 by Bishop Norie one of the Bishops of the Church of Scotland in Bishop Norie his house in Dundie befor witnesses.

Robert Miller son to James Miller in Logie was baptised October 15—1724 years by Bishop Norie in his house in Dundie befor witnesses.

Isobel fife daughter to Alex. Fife in Cadgertoun was baptised December 28—1724 years by Bishop Norie in his own house in Dundie befor witnesses.

Bishop Norie's Dundee Baptismal Register 79

John Rait son to David Rait in Wallace of Craigie was baptised January 3^d 1725 years by Bishop Norie in his house in Dundie befor witnesses.

George Guthrie son to John Guthrie merchant in Dundie was baptised in his house on the 25th. day of January 1725 by Bishop Norie befor witnesses.

Margaret Brown daughter to the Laird of Horn was baptised in Horn's house in Dundie on the 28th. day of January 1725 by Bishop Norie befor witnesses.

Elizabeth Crichton daughter to Thomas Crichton Surgeon Apothecary in Dundie was baptised in Mr. Crichton's house in Dundie on the 3^d day of february jmvic and twentie five years by Bishop Norie the Laird of Monorgan standing Godfather and the Lady Kinloch and Mr. Crichton's mother Godmothers.

David fotheringham son to James fotheringham merchant in Dundie was baptised in James fotheringham's house in Dundie on february 15. 1725 by Bishop Norie Archibald fotheringham of Drumlochie and John Strachan merchant in Dundie standing Godfathers and Mrs Helen Miln daughter to the Laird of Milnfield Godmother.

Henry Couper son to James Couper in the cotter toun of Craigie was baptised by Bishop Norie in his own house in Dundie on february 28. 1725 befor witnesses.

David Cook son to James Cook dyer in Dundie was baptised by Bishop Norie in James Cook's house in the Murraygate in Dundie upon March 4—1725 befor witnesses.

Elizabeth Corsar daughter to Frederick Corsar merchant in Dundie was baptised in the Laird of Invergowrie his house on March 12. 1725 by Bishop Norie the Laird of Invergowrie standing Godfather and his Lady and Mrs Margaret Clayhills his daughter standing Godmothers.

James Goldman son to Mr James Goldman minr. of the Gospel in Dundie was baptised in his own house on Aprile 1. 1725 by Bishop Norie Dr. George Rait Dr. of medicine and George Dempster merchant in Dundie standing Godfathers and Dr. Rait his Lady Godmother.

James Gray son to James Gray in the Cottar-toun of Craigie was baptised by Bishop Norie in Bishop Norie's house in Dundie on June 27. 1725 years befor witnesses.

Robert Souter son to Robert Souter Tailour in Dundie was baptised by Bishop Norie in Bishop Norie his house in Dundie on July 27. 1725 years befor witnesses.

Elizabeth Grahame daughter to John Graham merchant in Dundie was baptised in his own house by Bishop Norie Walter Graham merchant in Dundie John Graham his brother standing God-father and Wallace of Craigie his Lady and Milnhil his Lady Godmothers on July 30. 1725 years.

Margaret Wedderburn daughter to John Wedderburn Eldest son to the Laird of Blackness was baptised at Blackness on the last day of Agust 1725 years by Bishop Norie John Wedderburn Doctor of medicine in Dundie standing Godfather and the Lady fullarton and the Lady blackness Godmothers.

James Tasker son to William Tasker Smith in cottar-toun of Craigie was baptised on the fourth day of Septembr by Bishop Norie in his house in Dundie befor witnesses 1725 years.

[A blank equal to nine lines of the MS. is left between above entry and the succeeding entry.]

James Craighead son to James Craighead in the parochin of the Mains was baptised on October the 15 day 1725 by Bishop Norie in his house in Dundie befor witnesses.

Agnes Robertson daughter to James Robertson in the hill of Dundie was baptised by Bishop Norie the first day of Novembr 1725 in Bishop Norie's house in Dundie befor witnesses.

Patrick Crichton son to Mr Patrick Crichton of Crunan was baptised in his own house in the seagate in Dundie Novembr. 20—1725 years by Bishop Norie Dr. David Fotheringham and Dr. Kinloch standing Godfathers and Mistress Landels Godmother.

George Graham son to Walter Graham merchant in Dundie was baptised in his own house in Dundie Decembr. 19 1725 years by Bishop Norie George Dempster and George Ramsay merchants in Dundie standing God-fathers and Mrs Grisel Graham sister German to Walter Graham God-mother.

James Kinloch son to Dr. John Kinloch Doctor of Medicine in Dundie was baptised January 1, 1726 in his house in Dundie by Bishop Norie the Laird of Kilrie and Dr. David fotheringham Doctor of Medicine in Dundie standing Godfathers and the said Doctor [erased in MS.] fotheringham his Lady God-mother.

John fife son to David fife merchant in Dundie was baptised in David fife his house January 13. 1726 by Bishop Norie befor witnesses.

Isobel Muffet daughter to William Muffet in the ground of Balgay was baphtised [*sic*] January 21, 1726 by Bishop Norie in his house in Dundie befor witnesses.

Margaret Millar daughter to James Miller in the cottar-toun of Diddup was baptised by Bishop Norie in his own house in Dundie January 27. 1726 befor witnesses.

Grisel Rind daughter to David Rind in the ground of Balgay was baptised by Bishop Norie in his house in Dundie february 1. 1726 years befor witnesses.

John Crawford son to the Laird of Monorgan was Baptised in Mr James Paton minr. of Catness his house in Dundie by Bishop Norie on february 3d. 1726 Dr. John Blair and the Laird of Milnhill standing God-fathers and Thomas Crichton surgeon apothecary in Dundie his Lady God-mother.

Susanna Lyon daughter to James Lyon merchant in Dundie was baptised in his own house in the Neithergate of Dundie february 7th. 1726 by Bishop Norie Provost Douglas in forfar standing Godfather and Provost Douglas his Lady and Mistress Malcom God-mothers.

Peter Richie son to George Richie in pitcarrow was baptised March 23. 1726 by Bishop Norie in his house in Dundie befor witnesses.

Bishop Norie's Dundee Baptismal Register 81

Margaret Burnet daughter to George Burnet wig-maker in Dundie was baptised March 24. 1726 by Bishop Norie in Bishop Norie his house in Dundie befor witnesses.

Robert Zeaman son to James Zeaman in the parochin of Mains was Baptised April 12. 1726 years by Bishop Norie in his house in Dundie befor witnesses.

Anna Crichton daughter to Thomas Crichton Surgeon apothecary in Dundie was baptised in his house by Bishop Norie May 5th. 1726 the Laird of Monorgan standing Godfather and the Lady Thomas Crichton's mother and Mrs Ogilvy Relict to [blank] Ogilvy of Newhall younger standing God-mothers.

Jean Johnston daughter to Patrick Johnston tenant in the Morrays was baptised June 25. 1726 by Bishop Norie in his house in Dundie befor witnesses

Margaret Ogilvy daughter to Henry Ogilvy of templehall and merchant in Dundie was baptised June 25, 1726 by Bishop Norie in Henry Ogilvy's own house in the Murraygate in Dundie befor witnesses.

Anna Grahame daughter to David Grahame in Duntrune was baptised att Duntrune June 28. 1726 by Bishop Norie James Ramesay Merchant in Dundie standing Godfather and the Lady Duager of Dundie and the Lady fintrie Godmothers.

Barbara Gib daughter to Robert Gib Taylour in Dundie was baptised by Bishop Norie in his own house in Dundie July 17. 1726 befor witnesses.

Thomas Madison son to Robert Madison at the miln of Mains was baptised by Bishop Norie in his house in Dundie July 18. 1726 years befor witnesses.

Anne Corsar daughter to Frederick Corsar merchant in Dundie was baptised by Bishop Norie in Mr Corsar his house July 18. 1726 the Laird of Invergoury standing Godfather and his Lady and his daughter Mrs an Clayhills standing Godmothers.

Helen Broun daughter to the Laird of Horn was baptised july 26. 1726 by Bishop Norie in Horn's house in Dundie befor witnesses.

John Henderson son to Thomas Henderson merchant in Dundie was Baptsised [*sic*] Agust the 17 day 1726 by Bishop Norie in Thomas Henderson's house in Dundie befor witnesses.

John Towson son to John Towson Giager in Dundie was baptised Agust the 23 day 1726 by Bishop Norie in Bishop Norie's house befor witnesses.

Jean Hill daughter to Alexr. Hill in the Murrays Cordiner was baptised Septmbr. 23 day 1726 by Bishop Norie in his house in Dundie befor witnesses

David Rait son to David Rait in Wallace of Craigie was baptised by Bishop Norie October 4 day 1726 in Bishop Norie his house in Dundie befor witnesses.

John Maiden son to John Maiden weaver in the cottar-toun of Craigie was baptised Octobr. 7. 1726 by Bishop Norie in his house in Dundie befor witnesses.

82 Bishop Norie's Dundee Baptismal Register

Alexander Crichton and Elizabeth Crichton two children born at one birth to Mr Patrick Crichton of [blank in MS.] were bapitized [*sic*] in his house in the Seagate of Dundie October 8. 1726 by Bishop Norie Mr James Fotheringham merchant in Dundie and James Johnston writer there standing Godfathers and Dr David fotheringham his Lady and Robert Man merchant in Dundie his wife standing God mothers.

[End of MS.]

Reviews of Books

STUDIES OF ROMAN IMPERIALISM, by W. T. Arnold, M.A., edited by Edward Fiddes, M.A., with Memoir of the Author by Mrs. Humphrey Ward and C. E. Montague. Pp. cxxiii, 281. Med. 8vo. Manchester: University Press, 1906. 7s. 6d. nett.

THIS book gives an account of the provincial administration of the early years of the Roman Empire, in Gaul, Spain, Arabia, Egypt, Greece, and Asia Minor, and of the growth of the power of the Emperor, and more particularly of Augustus, at the expense of the Senate.

It is a fragment, and pretends to be nothing else. But it is a notable fragment, and a pathetic. The only chapters even proximately complete are the two first, in which the author deals with the Constitution. These do not contain much new material; they are a restatement in brief space of results already ascertained. But they are a most efficient restatement. They rest on wide, first-hand knowledge, they exhibit the industry, the caution, the self-criticism, and the sober judgment of the true scholar, and give the results of long enquiry in a style that is strong, clear, and most thoroughly competent.

The same qualities are shown in the chapters dealing with the several provinces of the Empire. 'He had made it his task,' says his editor, 'to show the condition of these lands before the coming of the Romans, and the conditions resulting from the contact of the two diverse elements, and to point out how Roman influence was deeper in one place and weaker in another, and what was the limit at which it ceased to exist.' And there were many causes which made for the performance of this task in a great way. He was devoted to it from his early years—as an Oxford student he had gained the Arnold Prize for an essay on Roman Provincial administration, 'which is still the best book in English on the subject'; throughout his life as a journalist he was intensely interested in all imperial questions, and so reminded by Rome of Britain, and by Britain of Rome, as to read each of them better in the light of the other; he was a diligent visitor of Roman sites; he had the strategist's imagination, 'the topographic vision' for the lie of a country, a gift for the picturesque presentment of its features, and a historian's grasp of the natural effects of physical conditions upon political events; he had the unwearying patience of the scholar in his search for details, and a power of grouping his results into clear, judicious, and decisive issues.

But it is only occasionally, as, for instance, in his account of the causes

84 Arnold: Studies of Roman Imperialism

by which Lyons became 'a Gallic Rome,' that these qualities show themselves with any fulness; and we are left with the impression of what might have been but for the author's early death. 'As a historian,' says Mr. Montague, 'Arnold lost. Dying at fifty-two, disabled at forty-four, unable during his twenty working years to give to history more than the leisure of an exhausting profession, he published very little, and scarcely any part of his main design had been carried, when he died, to the point at which he would have wished a work of his to be judged.'

'The aim of this book,' we are told in the preface, 'is to preserve the fragment of Roman history of the early imperial period which W. T. Arnold left behind him.' Perhaps its best result is that it has preserved the memory of its author. A third of the volume is given to this purpose; and, in every sense, this has been well done. Mrs. Ward's account of the more purely personal and domestic incidents of his life is skilful, restrained, affectionate; Mr. Montague's sketch of him as a journalist is masterly. He shows us a 'journalist who took anonymity seriously, who kept his name unknown with a kind of zest; bearing himself to his paper as a Jesuit to the order, he relished the reach it gave his powers, and relished the self-obliteration in their use'; and yet, one who, 'in the esteem of his profession,' took a place beside Bagehot, Greenwood, Morley, Barth, and Godkin. 'He knew what the experts were at; a civilian, he rode round the outposts; the journalist, passing and repassing between the firing line of knowledge and the base, or the non-combatants.' 'In his friends he liked a strong-lined temperament even more than learning'; 'liking moral non-conformity,' but hating intellectual impudence. A teacher to younger colleagues, without wishing to be a schoolmaster, he had some of the compelling qualities of one—a controlled, judicial impatience, a kind of wrathful affection for ignorance; he would scold like a guide who will not let you lie down in the snow. A man who lived strenuous and yet tranquil years, generously spendthrift of great powers, compelling affection, kindling zeal all around him for what is best, with 'little skill in suffering fools gladly, if they were at their ease,' but 'tender to the bashful and merciful to the absurd,' he seemed to keep a half-humorous liking for your 'true, unrepresentable dull dog, trundling his own little hoop of a life, with no speculation in his eyes.'

The sketch given by Mr. Montague is charming, well-nigh perfect in its way, and reminds the reader of Bradley's account of Lewis Nettleship, who also left a sense of possible greatness on other workers at his craft, and besides, hardly more than 'heaped bricks and a pencilled plan.'

HENRY JONES.

ACCOUNTS OF THE LORD HIGH TREASURER OF SCOTLAND. Edited by Sir James Balfour Paul. Vol. VI., A.D. 1531-1538. Pp. lxxxii, 613. Roy. 8vo. Edinburgh: H.M. General Register House, 1905. 15s. nett.

THE Lyon King's informing preface is concentrated upon the matrimonial negotiations of James V. and his marriage—first to Madeleine de Valois, in 1537, and after her death to Marie of Lorraine, in 1538.

Paul: Lord High Treasurer's Accounts 85

Allusions to these events occur only incidentally in the accounts themselves, and for his detailed narrative of the very curious and tortuous diplomacy antecedent to the successive marriages the editor is indebted to *Les Mariages de Jacques V.*, by M. Edmond Bapst, whose volume contains the results of very extensive research in British and Continental archives and chronicles. The story thus pieced together by M. Bapst is very effectively retold by the Lyon King: it is a tale of high interest, almost as much for the diplomacy it traces as for its romance. For the brides proposed for James V., whether on Scottish, English, French, or imperial initiative, would make for the period a European court picture gallery of no mean significance. The list includes Mary Tudor, Catherine de Médicis, and Marie de Bourbon. King James himself displays in his courtships qualities of a resolute if flighty wooer, with a sufficient sense of what was due to himself and his likings, and latterly a diplomatic determination to be allied to Francis I. by his second marriage as well as his first. Not the least curious of the many turns of historical fortune is the appearance of Henry VIII. of England as unsuccessful rival of James for the hand of Marie of Lorraine.

The accounts themselves are, like those of earlier volumes, full of the most varied domestic interest and information. Whether the subject of finance be crown casualties, the king's dress, 'the Kingis stele bonnat quhilk come out of France,' or strings for the king's crossbows, whether it is the horse-hire of the king's greyfriar confessor, a payment to Bellenden for his translation of the 'croniclis,' or by way of pension to Hector Boece, an award to a pursuivant wounded by the thieves of Nithsdale, or the wage of a falconer going to the Hebrides for hawks, there comes out of it all the impression of an energetic personality such as Buchanan ascribes to the king. A varied social movement is registered in these entries concerning the relic of St. Duthac delivered to the king's grace, those pictures of Flanders bought for him, those charges for lutes and viols, bows and arrows, rapiers, and jousting spears, all for royal use. We have likewise two-handed swords and such-like gear, and among many allusions to firearms there comes a debit 'for ane kow quhilk the Kingis grace slew with ane culvering.' Literature is but faintly discernible, despite the mention of Bellenden and Boece and the yearly fee paid to 'Master George Buchquhannan' as tutor of the Lord James, son of the King. But it is worth while enquiring if the blanks of the following entry of 1534 cannot be filled:

'Item to ane servand of . . . Cocleus quhilk brocht fra his maister ane buyk intitulat . . . to his reward 1 li.'

The author can hardly have been other than that *Johannes Cochläus* (Jean Cochlee) who flourished 1479-1552, and who according to an orthodox French account of him, 'combated Luther and the other heretics.' King James's handsome gift of fifty pounds to the bringer of the book is significant of the welcome offered to those who defended the faith. The precise volume, however, is still to be identified.

Presage of storm appears in the messenger's fee on a warrant to search

86 Paul : Lord High Treasurer's Accounts

for those suspected of the hanging of the image of St. Francis in 1536, and a like payment next year for labours 'in serching of the heretics in the west land.' One of the latest items is for the 'powpenny' or herald's fee of Sir David Lindsay in 1538 among the 'expensis debursat uponne the Quenis saullmes and dirige, quhom God assoilye.'

GEO. NEILSON.

THE REGISTER OF THE PRIVY COUNCIL OF SCOTLAND. Edited and abridged by P. Hume Brown, M.A., LL.D. Second Series. Vol. VI., A.D. 1635-37. Pp. xlvii, 880. Roy. 8vo. Edinburgh: H.M. General Register House, 1905. 15s. nett.

WHILE in 1636 and 1637 Charles I. was trying to force Laud's Service-book down the throats of his reluctant Scottish subjects and to displace the 'old psalms' by substituting the 'new psalms,' which represented the sacred minstrelsy of James VI. and Sir William Alexander in pious combination, the noblemen, barons, ministers, burgesses, provosts, bailies, elders, gentlemen and parishioners, presbyteries and congregations throughout the land were petitioning and protesting against the innovation with free-spoken vigour 'for the glorie of Jesus Christ and preservatioun of trew religioun for the hounour of King Charles and preservatioun of this his ancient and native kingdome.' The voice of Scotland was no uncertain sound; the only marvel is that even Charles could remain deaf to what it said. While he went blindly on to doom, his Privy Council in Scotland was the medium for the successive proclamations, prosecutions, and decrees which culminated in the 'Covenant' and the ecclesiastical revolution accomplished by the Glasgow Assembly of 1638.

But these matters were only a part of the varied national business transacted at the Council board, and the editorial introduction to the present volume of Privy Council records does full justice to its picturesque manysidedness. Professor Hume Brown, indeed, has to present a large body of stirring events, and his preliminary summary of the salient facts constitutes an entirely new chapter of Scottish annals in which the spirit of the impending Covenant strangely alternates with instincts of commerce and traditions of deadly feud. An outbreak of plague; reforms in the coinage, some of it struck from gold brought 'be the adventurers of Guinee'; regulations and recommendations about fisheries, salt, bridges; phases of the undying troubles of the Borders and the Highlands; these were recurrent on the agenda when the Lords of Secret Council met. A curious feature of the time was a wholesale emigration to Ireland, estimated by one observer at no fewer than 10,000 Scots in two years. On our side, *per contra*, there was complaint of a superfluity of 'Yrish beggers.'

One great abuse in the Highlands was a practice known as 'Taskall,' whereby property acquired under the good old rule might be restored to Lowland owners 'upon condition sometime of the halfe and sometime of more of the stollin goods.' An earlier age called it 'theft-bote.' Of course, Clan Gregor had its full share of repressive though ineffectual attention. Piracy by Turkish rovers inflicted heavy losses commercially

Hume Brown : Register of Privy Council 87

and caused great misery to captives held to ransom. Bad examples of 'wrecking' occurred on both east and west coasts. The ways of law were violent, especially on the Border: at one circuit at Jedburgh in 1637 over thirty persons were hanged. A medieval tradition (see *Scottish Antiquary*, Jan. 1901, p. 113) is seen still strangely persisting under Charles I. in the contract of assythment, whereby Laurence Bruce of Culmalundie is to make amends for the slaughter of David Tosheoch of Monzievaird by submitting himself 'barehead and barefoote on his knees' to Andrew, son of the slain David, and is 'to deliver to him in signe and token theirof ane sword naiked by the point.'

GEO. NEILSON.

THE TRUSTWORTHINESS OF BORDER BALLADS. By Lieut.-Col. The Hon. FitzWilliam Elliot. Edinburgh: Blackwood, 1906. 10s. 6d. nett.

THOUGH unable to agree with some of Colonel Elliot's conclusions, I must regard his book with gratitude. In the first place his literary criticism of Scott's version of 'Jamie Telfer' is admirable; would that people wrote about Homer with the same knowledge of early poetry! Colonel Elliot not only detects Sir Walter's spirited interpolations by their poetic quality and *modernité*, but he notes that, in Sir Walter's version, the Homeric and ballad method of textual repetition is modified to avoid monotony. He is wrong in supposing that Scott knew Mrs. Hogg's version of 'Jamie Telfer' before he published the *Minstrelsy*; this is certain from Hogg's letter to Scott of June 3rd, 1802, and from Lockhart (vol. ii. p. 99). One almost regrets the amount of labour bestowed on topographical details, and estimates of how long it takes to drive ten kye from Dodhead in Ettrick to given points on the road to Liddel water. The Captain of Bewcastle never tried to achieve that adventure; and he was captured neither by Elliots (Elliot version, Child, Part ix. p. 249), nor by Scotts as in the *Minstrelsy*. 'Index learning turns no student pale,' and by using the Index to Bain's *Border Papers*, anybody can find out how and when the Captain of Bewcastle was taken, and where, and by whom; namely, by Kinmont Willie and the Armstrongs (July 3rd, 1596). Neither ballad is historical. In the Elliot version there is an 'auld Buccleuch' when Buccleuch was a man of thirty-one; and Martin Elliot's son Simmy is killed in the fray. He had a son, Simmy, but Simmy was not slain on that occasion. In the Scott version is an 'auld Gibbie Elliot of Stobs,' when there was no such person, only a Gavin Elliot of Stobs; and there is an 'auld Buccleuch' when Buccleuch was young, with a quite impossible son, Willie, who is slain. Colonel Elliot is severe on Professor Veitch for saying 'the Catslock Hill of the [Scott] ballad has to be sought in some locality between Coultart cleugh and Branhholm.' Here I thought I had found it, for Mr. T. F. Henderson writes (*Border Minstrelsy*, ii. p. 15): 'Catslock in Branhholm was bestowed on Buccleuch, 9th June, 1594 (*Reg. Mag. Sig. Scot.*) . . . It was tenanted by a Walter Scott.' Here,

88 Elliot : Trustworthiness of Border Ballads

thought I, is the 'William's Wat' in Catslock hill of Scott's ballad. A reference to *Reg. Mag. Sig.*, however, showed that this Catslock was not 'in Branhholm,' but on Yarrow. I find, however, in a copy of the first edition of the *Minstrelsy* (1802), annotated by Mr. James Grieve in Branhholm Park, a very intelligent contemporary of Sir Walter—the following remark 'The Catslochill (*sic*) stands upon the farm of Branhholmtoun, now better known by the name of Branhholm braes. It must have been a considerable place at one time, and strongly defended by nature, and there must. . . . Here the binder's shears have cut off what followed. (Information from Miss M. E. Grieve, Branhholm Park, June 3rd, 1906). This 'Catslochill' is just where Prof. Veitch said that 'the Catslock Hill of the ballad has to be sought,' and, unless Mr. Grieve did not know the land at his own door, is the place intended by the Scott version. But all this is unessential; the story in both ballads is wholly unhistorical. Consequently there is no reason for discussing the conjecture that the Dodhead was at the head of the Dodburn, an affluent of Allan Water in upper Teviotdale. No remains of a peel at Dodhead are found, but documents speak of Upper Dodburn. Colonel Elliot does not say who are the advocates of the Dodburn site, or where their views are to be read. I conceive that I, on local information not wholly correct, suggested the Dodburn site to Prof. Child. 'The situation is a suitable one, fitting in very well with the story of the ballad,' says the Hon. George Elliot, in *The Border Elliots*, p. 504. But, as he adds, there are no remains of a peel there. About 1802 Mr. James Grieve notes that there are no signs of a peel at Prickenhaugh or 'Preskinhaugh,' except a slight swell in the ground, rather more green than the surrounding country, and we are not told that there is now any recognisable site of the Catlie Hill, or Catlock Hill of the Elliot version. Upper and Nether Dodburn were occupied by Elliots in 1607; no traces of Jamie Telfer are found in documents, the farm assigned to him was really occupied by Scotts.

Starting from the ballad of the Battle of Philiphaugh, which from its appalling anachronisms, must be very late, Colonel Elliot makes the most thorough criticism of that fight which has yet been produced. Like Mr. Gardiner and myself (*History of Scotland*, iii. 156-158), he accepts Patrick Gordon's evidence that the main of Leslie's force was at Sunderland, on the left bank of Ettrick at its junction with Tweed, on the eve of the combat. Local tradition places Leslie at Melrose and a local writer in the press seems to suppose that I invented the Sunderland position! In replying, I suggested that Leslie, on the morning of the battle, sent a force across Ettrick, and advanced up both banks. This is also the theory of Colonel Elliot (pp. 96-99). He works it out in very probable detail, though the contradictory contemporary versions leave us to conjecture as we best may. Colonel Elliot does not appear to notice a passage, which suits his hypothesis, in a letter of Buccleuch, Argyll, and others (Mitchell; *Commission of General Assembly Records*, vol. i. Introduction. Willcock; *The Great Marquess*, p. 387). The letter shows that two portions of Leslie's force were widely separated from each other. Leslie, writing to Argyll, after Dunbar, says, 'we

Elliot : Trustworthiness of Border Ballads 89

might as easily have beaten them' (Cromwell's army) 'as we did James Graham at Philiphaugh' (*Ancrum and Lothian Correspondence*, ii. p. 297). The success, then, was 'easy' and no wonder, considering the unequal forces engaged on both sides.

Colonel Elliot, unlike Scott and most writers, does not blame Montrose for leaving his main body on the left bank of Ettrick and retiring to Selkirk. If not careless, he was unfortunate, for, had he been with the army, Charteris of Amisfield's report of Leslie's presence at Sunderland would have received attention. In Colonel Elliot's book Charteris is 'Captain Hempsfield.' It must be confessed that the great Montrose was capable of being surprised: he just escaped at Auldearn by a happy accident.

The essays on the probable genuineness of 'Little Jock Elliot,' Bothwell's antagonist, Elliot of Park, and on Border traditions of Flodden are well worth reading. I have never been able to understand the conduct of Home's Borderers at Flodden. If they were on the ground, on the following day, as they were, where were they when the centre of James's army fell around him in their immortal stand? Colonel Elliot can find no satisfactory account of the battle. The best known to me is that of Mr. C. J. Bates, 'Flodden Field,' in *Archæologia Æliana*. Colonel Elliot proves that the Borderers suffered relatively little at and after Flodden. A fault in his book is the frequent absence of references.

ANDREW LANG.

THE POLITICAL HISTORY OF ENGLAND, in 12 volumes. Edited by William Hunt, D.Litt., and Reginald Poole, M.A. Vol. XI., 1801-1837. By the Hon. George C. Brodrick, D.C.L. Completed and Revised by J. K. Fotheringham, M.A. Pp. xix, 486, med. 8vo, with three maps. London: Longmans, Green & Co. 1906. 7s. 6d. nett.

THIS book had the misfortune to lose its chief author by his death before it was completed. But his surviving colleague, who, besides writing three entire chapters and part of a fourth, has had to recast the volume in order to meet the plan of the series, tells us he has been scrupulous in retaining the expression of Dr. Brodrick's views, and, where possible, his words. This is to the advantage of the work as literature, and the writing has for the most part, and in some places conspicuously, an individual distinction and charm. Mr. Fotheringham's chapters, dealing with foreign affairs, are admirably done.

In the spring of 1801 Ireland had just recently been united to Great Britain. The Irish catholics expected that they would be placed on an equality as citizens with protestants. Pitt thought it right and necessary, and prepared a measure for the purpose. But George III. refused to hear of such a thing. He believed the profession of faith in his coronation oath with all his soul. How, then, could he emancipate the catholics? The king still ruled in England, Pitt resigned, and Addington, a man after George's own heart and pattern, was made Prime Minister.

90 Brodrick : Political History of England

The history begins with Addington's administration, to an account of which the first chapter is devoted. There was no new election. None was needed. The country was dumb. The House of Commons represented less than a thousandth part of the people. Seats in it were private property, openly bought and sold, and his majesty's government had, as usual, secured a majority by the purchase of a sufficient number,—paid for out of the Civil List.

Addington proved too feeble to deal with the public danger—'the greatest and almost the longest war recorded in European history.' At the end of three years Pitt had to be recalled, and the next five chapters carry the history down to Napoleon's surrender after Waterloo and his banishment to St. Helena. One of them is entirely devoted to the campaign in the Peninsula. Another includes the story of the war with the United States, and describes once more the famous fight between the *Shannon* and the *Chesapeake*.

In the wars on the continent Britain furnished troops and money to her various allies with a lavishness that amazes us. The war never touched her shores. It was her part then, as later, to 'Pay, pay, pay,' and Waterloo left her with a debt of 861 millions. Dr. Brodrick shows that the war enriched a small minority at the cost of the people in general, and that it was followed by a period of greater popular misery in England, which was never devastated by invading armies, than in France itself. He shows, too, that the recovery of the country was prevented by artificial trade restrictions and the resulting monopolies, that there was an immense accumulation of wealth, while the poor had never been so many and so wretched as in the years which followed the peace of 1815.

While Britain's part in the last fifteen years of the Napoleonic wars is the chief theme of the earlier part of the book, the reform of Parliament is that of the later. Dr. Brodrick quotes Mr. Goldwin Smith's succinct account of the state into which representation, or rather misrepresentation, had fallen. The description of the franchise in England in 1831 would be scarcely credible to us if we had not proofs of its accuracy. 'Of Scotland,' runs the concluding sentence, 'it is enough to say that free voting had practically ceased to exist both in counties and boroughs, as the borough franchise was the monopoly of self-elected town councils, and the county franchise of persons, often non-resident, who happened to own "superiorities."'

'The Prelude to Reform' is the title of chapter xiii., and in it the conflict is described as 'a life and death struggle between the great majority in the House of Lords and the Commons—the greatest that had been waged since the revolutions of the seventeenth century.' Four more chapters tell the story of the agitation in the country, the dissolution of Parliament over the first bill, the rejection of the second by the House of Lords, the carrying of the third, and of the Scotch and Irish reform bills which immediately followed, and the many beneficial laws made without delay by the reformed Parliament. The stories of these transactions have been told a hundred times, but their interest does not slacken as they are told again in these pages by a competent historian equipped with the

Brodrick : Political History of England 91

knowledge accumulated by his predecessors, and able to take the larger view, and to write with the calmness, of posterity in the third generation.

The history concludes with chapters on foreign relations under William IV., on British India, and a final one on the literature and social progress of the period.

The chapter on British India reminds us that, heavy as Britain's load was, her military enterprise was neither confined to Europe nor her reforms to these islands. It describes the conquests of the early years of the nineteenth century and the beneficent administrations of Wellesley, Hastings, and Bentinck, the adoption of the shortened route by Suez, the prohibition of widow-burning, the promotion of native education, the permission of native judges in courts of first instance, the adoption (by Bentinck) of the idea of governing India in the interest and by the agency of natives, the liberation of the Indian press, and the introduction of English text-books into schools for the people. But the wisdom of these last measures this history does not think even yet beyond dispute.

In the chapter on literature and social progress Scotsmen may read with interest that their country was far ahead of England in higher education in the early nineteenth century. All England had but two universities, and these had lapsed into lethargy and almost ceased to be seats of learning. Scotland had five universities, and aspiring English students resorted to them, as Scottish students had resorted centuries before to Bologna and Paris. London University was established, chiefly by Scotsmen, on the type of the Scottish universities, and in spite of the resistance of Oxford and Cambridge.

The volume has many excellencies. In accordance with the plan of the whole work, its long and complex story of thirty-seven years, with their multitudinous events, had to be told in a few not very long chapters. The facts are gathered together, sifted, selected, and skilfully fashioned into a continuous, clear, and sober narrative, with care and good taste. Although Dr. Brodrick was a journalist, there is a pleasant absence of 'smart' writing.

The book is so remarkable for its clearness, its accuracy, and its moderation that its lapses from these virtues are conspicuous. There are passages (a very few) which are neither lucid nor even grammatical, there are half-a-dozen almost inexcusable inaccuracies, and there is one subject on which Dr. Brodrick ceases to be moderate. It is when he deals with Irish affairs. Perhaps he has thought that

‘On such a theme ’twere impious to be calm ;
Passion is reason, transport temper, here.’

His frank hatred for Irish catholics is in keeping with his peculiar tenderness to George III., who prevented their emancipation while he lived. Thackeray's ‘dull lad brought up by narrow-minded people,’ Green's obstinate and bigoted ruler ‘of dull and petty temper,’ who ‘had a smaller mind than any English king before him save James II.,’ is for Dr. Brodrick ‘a man who must ever stand high, if not highest, in our gallery of kings.’

92 Brodrick: Political History of England

It is a pity that the collaboration of four distinguished scholars should not have secured the trustworthiness of their book in small things. Here are a few inaccuracies taken almost at random from the last chapter.

We find it stated (p. 422) that 'the best work of Jane Austen was done in the early part of the nineteenth century.' This is not so, unless an author's 'best work' is the finding of a publisher, which is perhaps at present a maintainable thesis; but in that case some serious changes will have to be made in literary chronology. Miss Austen's best work was done several years before the end of the eighteenth century. *Pride and Prejudice* was already completed and offered to Cadell in 1797, and *Sense and Sensibility* was finished only a few months later. We are told on page 428 that 'Sir Humphry Davy began his researches in 1800.' Davy's *Researches, Chemical and Philosophical*, was published in 1799. On pages 416-17 it is said that 'the new metre of *Christabel*' 'is not the least of Coleridge's contributions to English poetry.' The metre of *Christabel* was not new, nor does English poetry owe it to Coleridge, although Coleridge appears at one time to have thought so. It was used in English poetry some five hundred years before his time, and again by Spenser in *The Shepherd's Calendar* and by Milton in *Comus*. On page 434 we read that 'it was not till well into the reign of Victoria that steam navigation was used in the royal navy.' There were several special service steamers in the navy as early as 1822, and by 1837 at least three war vessels, one of them, the *Gorgon*, of over a thousand tons and carrying six guns.

The volume is furnished with an appendix containing useful lists of authorities and of administrations, with an index, and with three maps.

ANDREW MARSHALL.

ILLUSTRATED CATALOGUE OF A LOAN COLLECTION OF PORTRAITS OF ENGLISH HISTORICAL PERSONAGES WHO DIED BETWEEN 1714 AND 1837. Exhibited at the Examination Schools, Oxford, April and May, 1906. Oxford: at the Clarendon Press, 1906.

THE third and last Exhibition of Oxford Portraits represents the gradual rise and full dawn of what Mr. Lionel Cust, in his succinct but instructive introduction to the Catalogue, terms 'the golden age of British Portrait Painting.' The establishment of an academy of painting at Great Queen Street, London, in 1711 gave a considerable impetus to native art; and at a new academy started by Sir James Thornhill, who had succeeded Sir Godfrey Kneller as president of the Great Queen Street Academy, William Hogarth was a pupil. He married Thornhill's daughter, and having on that painter's death in 1734 become, as he says, 'possessed of his neglected apparatus,' started a new academy in St. Martin's Lane. Being a zealous advocate of the claims of English art to recognition in England, he gave to the new academy the best services he could, and writing in 1762 he affirmed that it 'is to every useful purpose, equal to that in France or any other.' Under his energetic and enlightened direction it, in fact, laid the foundation of the British School of Painting, though six years after he wrote and four after his



EDWARD GIBBON, BY SIR JOSHUA REYNOLDS
*In the Collection of the Earl of Rosebery, K.G.
From the Oxford Catalogue of Historical Portraits*

See page 93

Portraits of English Historical Personages 93

death, it was superseded by the more permanent Royal Academy of Arts, of which Sir Joshua Reynolds was the first president. Notwithstanding, however, the great work achieved by Hogarth, directly and indirectly, on behalf of English art, his fame rests less on his achievements as a portrait painter than on his humorous and satirical skill as a delineator of manners.

As regards the subjects represented in the last Oxford Exhibition, there were more notable blanks than in the two previous ones. None of the Jacobite claimants of the throne nor any of the Hanoverian sovereigns are represented, with the exception of George III. (by Allan Ramsay) and Queen Charlotte Sophia (by Allan Ramsay and Henry Robert Morland). As for other notabilities, the absentees are as many and illustrious as those who happen to find a place in the Oxford list. This of course could not well be otherwise. The satisfactory thing is that the Exhibition on the whole admirably exemplified the character of the art of British portrait painting during this remarkable period. The 'five great names of English portrait painting'—Reynolds, Gainsborough, Romney, Hoppner, and Sir Thomas Lawrence—are all well represented, as are also most of the more notable artists of lesser eminence, though the only example of Hogarth is 'An Assembly of Artists.'

A peculiarity of this period of English portrait painting is that it very nearly synchronises with the era of wigs. Whether the departure of the wig—gradually manifested in the later portraits of Lawrence and his contemporaries—had anything to do with the temporary decline of the art of portrait painting or not, it is ten thousand pities that we have really no male heads but only faces by any of the great triad—Reynolds, Gainsborough, and Romney—and that the heads of none of the illustrious men of that age are known to us *in puris naturalibus*. What would one not give for a wigless portrait of Johnson or Swift or Gibbon? Be it remembered that since the age of wigs was also an age of clean shaving, we know little regarding the hirsute characteristics of the illustrious men of that period except so far as that is manifested in the eyebrows. In regard to Swift, for example, we know—though not from this catalogue which, though supplying in each case the monotonous information in regard to wigs and clean-shaven faces, is in each case silent as to eyes and eyebrows—that he had blue-grey eyes and dark bushy eyebrows, but did he become bald, or brindled, or in his old age—he lived to 78—had he the white hairs which are a crown of glory? Or let us take Gibbon, depicted in four masterpieces. Of the famous portrait by Reynolds in the possession of the Earl of Rosebery and here reproduced, Samuel Rogers remarked that 'while the oddness and vulgarity of the features are refined away, the likeness is perfectly preserved.' The remark may be coloured a little by Rogers' characteristic malice. In the portrait by Romney the oddness and vulgarity are even more 'refined away,' though in an early portrait the oddness verges on the ludicrous. Doubtless Gibbon's was one of those faces that improve by age, through the refining influence of intellectual exercise. But did the wig add to its dignity, or did it accentuate its oddness and vulgarity?

T. F. HENDERSON.

94 MacKinnon : History of Modern Liberty

A HISTORY OF MODERN LIBERTY. By James MacKinnon, Ph.D.
Vol. I. pp. xx, 398; Vol. II. pp. xi, 490. London: Longmans,
Green & Co. 30s. nett.

No more inspiring theme than Liberty can well be imagined; and a heavy debt of gratitude is due to the historian who can make clear wherein consists its essential nature, or lay bare for our guidance the sources of its growth and decline. Freedom, unfortunately, is as hard to define as truth itself; and, for the profitable treatment of so wide and vague a subject, the first requisite is a clear conception of what is meant by liberty. Is it the freedom of the nation or of the individual: political, social, or economic freedom: freedom from the restraint of law, from ecclesiastical tyranny, or from the thralldom of tradition and social custom? To John Stuart Mill the word meant little more than the claim of the individual to be let alone—to be allowed to live his own life as he pleased apart from the meddlesome attentions of laws and magistrates, a purely negative conception, which the modern socialist would scornfully reject as utterly inadequate, resulting indeed in the hurtful freedom of the few, at the expense of the economic slavery of the many. The two handsome and learned volumes before us make no attempt to discuss the nature and sphere of liberty, or to elucidate the relations, always intricate and often mutually contradictory, of its various phases. They contain, indeed, no indication that such problems even exist. Sometimes, it is true, Dr. MacKinnon, in his zealous and elaborate descriptions of the rise of constitutional liberty in the various nations of modern Europe, would almost seem to identify freedom with the growth of representative institutions and responsible government. Taking his work as a whole, however, it is clear that his conception is a much wider one, and that no phenomenon, even remotely connected with any one of the varied aspects of liberty (or with the absence of liberty), escapes the meshes of his all-embracing net. Of this fact, one glance at the crowded table of miscellaneous contents will furnish sufficient evidence. It is the more necessary to emphasise this characteristic of a truly learned work, because the author's liberal interpretation of the field of his labours is not due to any accident, but is rather the central feature of a position deliberately taken up. While so expansive a view of liberty would appear to some readers to make a truly scientific treatment of the subject impossible, others may regard it as a natural and laudable result of reluctance to narrow unnecessarily the sphere of liberty, or to confuse the broader issues at stake by an insistence on unessential differences. It is impossible not to sympathise with the motto printed on Dr. MacKinnon's title-page:

'Liberty is the Life,
Despotism the Death of Nations.'

Unfortunately, considered as a definition of freedom, such poetic outbursts are as vague as they are lofty; and the history of modern liberty, thus defined, is found equally to embrace all nations and epochs, all institutions and events, until it becomes at last coextensive with the history of

MacKinnon : History of Modern Liberty 95

mankind. What the conception of freedom thus gains in extent, it loses in definiteness and coherence; and, indeed, it is difficult to discover in what respect Dr. MacKinnon's volumes are exclusively or specially concerned with liberty to any greater extent than are the less ambitious histories of Thucydides and Livy, Hume and Robertson, Hallam and Macaulay. Dr. MacKinnon's enterprise is the more remarkable in this commercial age of histories compiled on the co-operative principle, which requires the combined efforts of twelve specialists to produce a *Political History of England*, while the contributors to the *Cambridge Modern History* may be counted by the score. Dr. MacKinnon has set himself, single-handed, a much wider task, and one which might well seem hopeless for any man of ordinary abilities to achieve in a manner likely to satisfy the severe requirements of modern research. The efficient criticism of a work so vast and varied would itself require a syndicate of experts, but it may be said at once that in those portions in which the present reviewer is specially interested, the level of attainment is throughout high, in view of the extensive compass of the undertaking. It is perhaps unnecessary to add—since there are undoubtedly limits to the most encyclopaedic scholarship—that gaps have been found here and there in our author's knowledge. One example may suffice: on a minute and technical point of Anglo-Saxon land-tenure Dr. MacKinnon (Vol. I. p. 266) shows some acquaintance with the most recent theories. 'Folkland,' he rightly says, 'is land held without written title'; but he then proceeds to instruct us how such land 'becomes the King's land, and is practically undistinguishable from the royal domain,' thus unconsciously revealing a complete misunderstanding of the issues involved. This is a small matter, and one in which our author errs in august company. It is a more unfortunate defect, in a work which has for its subject an abstract idea such as Liberty, that there is no attempt to approach a philosophic standpoint, while the most essential terms of Political Science are often used with looseness, and sometimes apparently with recklessness. Thus George Buchanan's *De Jure Regni*—the purpose of which is to justify subjects in rebellion against their Sovereign, is characterised as not 'revolutionary' in spirit, apparently on the grounds that 'it appreciates a good King,' is dedicated to James VI., and contains a model for his conduct. (Vol. II. p. 479.) The revolutions recognised by history would be few, indeed, if all rebels who believed in the 'goodness' of the King they rebelled against were excluded from the list! It would be ungracious, however, to dwell on minute defects in a work which, from its very vastness and wealth of varied erudition, offers an unusually wide target for criticism. If it is difficult to decide what class of readers is likely to derive benefit adequate to such herculean labours, there can be no question of the enormous industry and massive scholarship that have gone to the making of these two volumes, to be followed in due course apparently by many others. Admirers of Dr. MacKinnon's earlier and more compact treatises on *Culture in Early Scotland*, on the Union of 1707, and on Edward III. may regret that he has been enticed from these narrower, if perhaps

96 MacKinnon : History of Modern Liberty

more practicable and therefore more useful fields of research by the lust for universal empire; but few of his readers will withhold their admiration for the pluck with which he has begun, and the considerable measure of success he has already attained, in a task that proved too much for the unique abilities of the late Lord Acton, ripened as these were by leisure, wealth, and application, and every fostering circumstance. Lord Acton died, still collecting materials, before he had written a single line of his projected *History of Liberty*. Dr. MacKinnon must not be blamed if he fails to achieve the impossible.

WM. S. McKECHNIE.

THE CAMBRIDGE MODERN HISTORY. Vol. IX. Napoleon. Pp. xxviii, 946. Roy. 8vo. Cambridge: University Press. 1906. 16s. nett.

IT is perhaps too late in the day to make any general criticism of the Cambridge Modern History scheme; but this, its latest volume, stimulates what were formerly misgivings into active criticism. In accordance with the general editorial plan a volume has been devoted to that period of European history in which Napoleon, no longer merely Bonaparte, plays the one dominating part. If ever the Cambridge scheme was to succeed it should have been on such ground, for only want of knowledge and art (which in the present case may be ruled out), or some radical mistake in plan, can deprive the career of Napoleon of the most exciting interest.

Yet it is not too much to say that in the highest sort of historical interest this volume is lacking. Mr. Fisher brightens some pages with apt characterisation, a finely ironic touch and a style which makes the reader forget that he is reading a compendium; Professor Oman deals with the Peninsular War with full knowledge, and a capacity for lucid strategical description; and Dr. Rose maintains the reputation created by his articles in the 'Revolution' volume and his life of Napoleon. But the general mass of writing here is dull, and overwhelmingly so. The organisation of the French Empire, the subjugation of Europe, the very campaigns of Napoleon, all stifle rather than inform the ordinary intelligence. Yet the writers of the various chapters are authorities brought from the ends of Europe to give special and local information. The campaign of Moscow is described by a Russian, the war of Liberation by a German, and Mr. Wilson deals with naval affairs; and in each case, although least in that of maritime affairs, the subjects are dealt with dully and without historical imagination.

It is customary to contrast ourselves in this respect with the French and to say that we have not, as they have, the genius for composite historical scholarship. But that is merely a conventional parry to a criticism that ought to be faced. This is no way in which to write history, whether they be British or French who make the attempt. English historians of the old school stand where they do because their historical work was both the hard labour of the scholar and the expression of a point of view. They brought to history all their beliefs, even their prejudices,



JONATHAN SWIFT, ATTRIBUTED TO CHARLES JERVAS

In the Bodleian Library

From the Oxford Catalogue of Historical Portraits

See page 93

and wrote because they felt a certain living compulsion. Further, they made no pretensions to omniscience, but dealt only with such matters as a judgment, partly artistic, partly worldly wise, but in the main shrewdly political, told them had human interest. This Napoleon volume is a failure, because it thinks history a science, where facts have some value in themselves; because what can only be fitly written by a single mind keenly interested has been chopped into sections and handed over to experts to be analysed; because such mosaic work cannot, even by the most skilled editor, be given true artistic unity. To particularise, the reader is in almost every article pulled short with two or three intimations that the special aspect of the subject he has reached is dealt with elsewhere. There are too many laws of trespass to be observed here. Again, while everywhere facts are given fully and *ad nauseam*, the artistic and philosophic grouping which alone could justify the information is absent. This fault is peculiarly prominent in the military articles (always excepting Professor Oman's 'Peninsular War'), where campaigns are given fully enough to enable the student to complete his military itinerary; but never with the colour and elaborate detail without which the lay reader rightly abandons the subject as futile. There is here either too little or too much.

There are merits and defects that have been passed by for want of space; but our main plea is that where so many experts have failed, it is obviously not they who are at fault; and we would welcome a revival of that older school of English history which knew neither series nor compendia. Mr. Fisher's chapters, and especially that on St. Helena, point to the true leader of such a revival.

We must add that maps are excluded from the series; the reasons for their exclusion may be sufficient, but conceive of the 1813-14 campaigns with no illustrative plans.

JOHN L. MORISON.

SIDELIGHTS ON THE HOME RULE MOVEMENT. By Sir Robert Anderson, K.C.B., LL.D. Pp. xiii, 233. 8vo. London: John Murray, 1906. 9s. nett.

THIS book has a two-fold interest. Primarily it is a contribution to the materials for the political history of the three kingdoms in the nineteenth century. In a lesser, but still considerable, degree it is also a volume of agreeable personal reminiscence. It is with its purely historical aspects that we are mainly concerned here; but we may note some features of interest which Sir Robert Anderson's recollections possess for the general reader. The author's position and environment, at first in Dublin Castle and later at Scotland Yard, brought him in contact with a number of interesting personages among the past generation of statesmen and politicians. Of such persons he has usually something to tell, and he can tell it with a pleasant mixture of genial good humour and not unkindly malice. Here are two pictures of the functions of a mid-Victorian Viceroy of Ireland which show the different ideas

which different occupants of that office entertained regarding their duties. 'The Earl of Carlisle . . . was much in evidence on festive occasions, made elegant little speeches at public functions, and ogled the pretty women. Not that he was a *roué*; he was only a fop' (p. 52). 'In November, 1864, Lord Wodehouse (the late Earl of Kimberley) succeeded Lord Carlisle as Viceroy. Though there was no precedent for such a course, the new Lord Lieutenant took to reading official papers, and interested himself generally in the state of the country. I recall a *mot* by which one of the clerks in the Chief Secretary's office gave expression to the surprise of the staff at such proceedings. . . . On my asking their opinion about the new Viceroy he promptly replied, "He's the best clerk in the office"' (pp. 53-54).

With Sir William Harcourt, the author was brought into very close and confidential relations, and although they differed sharply on more than one occasion Sir Robert's reminiscences of his eminent chief give the impression of a singularly attractive personality. One of Sir William's characteristics was an impulsive disregard of official reticence which must often have been trying to the head of the Criminal Investigation Department. The latter on one occasion had communicated to the chief of the Home Office the secret information he had just received concerning the meetings of the heads of the Fenian organisation in London. 'The same afternoon the information appeared in an evening paper, and when I tackled the Secretary of State about it he replied in the most matter-of-course way that "he had given it to ——— as he wanted to take a rise out of him"—naming one of the Irish M.P.'s who was supposed to be in the secrets of the conspiracy' (p. 90).

The true value of these 'Sidelights,' however, consists in the light they shed on the secret history of the Irish American conspiracies of the last quarter of the nineteenth century. The story of the Fenian, Invincible, and Dynamite organisations has of course been told already by that strange product of the detective methods of our secret service, Henri Le Caron, the spy. Sir Robert Anderson not only adds some fresh information to the story told by Le Caron both before the Special Commission and in *Twenty-five Years in the Secret Service*, but he corroborates that evidence in the most striking way. It was a matter of surprise at the time that Sir Robert Anderson was not called as a witness at Sir James Hannon's celebrated Inquiry. He was himself keenly desirous of being called, and but ill satisfied with the reasons (which are explained in this book) assigned for declining to do so. The evidence which was withheld from the Special Commission is to a great extent given in these pages. The result is not only to corroborate Le Caron's story in the most striking way; but to add to that corroboration a remarkable testimony to that witness's character for veracity and disinterestedness. 'Of Le Caron,' Sir Robert Anderson writes, 'I formed a very high opinion indeed. He was a man of sterling integrity and honour. Many people are truthful, and some are accurate, but I have seldom met any one who excelled him in these respects. He was not an "informer." It was an almost quixotic desire to serve his country

Anderson : Home Rule Movement 99

that led him to enter on the task of thwarting the Fenian conspiracy' (p. 25). Sir Robert Anderson is justified in describing his book as a 'quota of the materials on which history of the (Irish Home Rule) movement may yet be based.'

C. LITTON FALKINER.

THE PAGEANT OF LONDON. By Richard Davey. With forty illustrations in colour, by John Fulleylove, R.I. 2 vols., 8vo. Vol. I., pp. xxiv, 429; Vol. II., pp. 649. London: Methuen & Co., 1906. 15s. nett.

THE complex organism of London in which so many conflicting elements are fused into a more or less homogeneous whole, would appear to exercise an irresistible fascination on all who are able to appreciate its unique interest and charm, author after author, and artist after artist having treated it from pretty well every conceivable point of view. Yet that it is still possible to deal with it with freshness and originality is proved by the *Pageant of London*, the work of collaborators admirably fitted to do justice to their inspiring theme. The work is indeed worthy to rank with that masterpiece of literature, the *Highways and Byways of London*, by the late Mrs. E. T. Cook, for it enchains the attention of the reader from first to last, and is as full of graphic word pictures of the past as the latter is of realisations of typical street scenes of the present. More erudite than Mrs. Cook, who has touched but lightly on the historical associations of London, Mr. Davey shares her sympathetic imagination, that has enabled him to portray with really remarkable skill the various stages of the evolution of the capital, and which is perhaps the chief secret of the success of both writers, to bring out forcibly the influence of the characters of those who were mainly instrumental in making the capital what it is. In his Preface, in which he sums up succinctly the chief sources of his information, explaining that he has given due weight to legendary and traditional as well as to historical lore, the writer defines the word Pageant as 'meaning not only Coronations, Royal marriages, funerals and other pompous shows and spectacles, but as signifying the unrolling, as in a sort of procession, of the story of the British Capital from the day when Julius Cæsar appeared on the banks of the Thames to that which witnessed the funeral of Queen Victoria. Beginning with Londinium and the way in which conquerors and conquered lived in that already cosmopolitan town, he passes to the coming of the warriors of Aryan descent, whose arrival was the first step in the foundation of the world wide Empire of Great Britain, dwells on the benefits conferred on England by the monasteries and on the great wave of piety which swept over the land after, to quote St. Cuthbert's trenchant expression, the devil of paganism was well laid, and describes London as it was at the coronation of William the Conqueror, relating anew the tragic incident that attended the ceremony. With equal care and minuteness he passes in review the capital of the Plantagenets, describing the first formation of the various city guilds and Companies, tracing back to their first origin the

names of streets and alleys that are still retained, and at every turn bringing in curious information on ancient customs and costumes that, however apparently insignificant in itself, yet throws light on the side issues of history and will be of great value to future students.

Perhaps one of the most interesting chapters of the first volume is that on London in Chaucer's time, in which Mr. Davey has hit upon the happy device of imagining himself to be one of the company of nine and twenty pilgrims immortalised by the poet in his *Canterbury Tales*, who, attended by a trustworthy guide thoroughly explores the City byways as well as highways, concluding with a visit to St. Paul's Cathedral, from the tower of which he gazes down entranced upon the marvellous view of London, lying, he says, 'like a gem bedded in a circle of emeralds, the matchless woods and hills and green meadows that enfold the busy city. Every detail of the Cathedral precincts and of the town beyond, still girdled on three sides by walls, the Thames protecting it on the fourth, is noted before the imaginary wayfarer rejoins at the "Tabard" Master Chaucer, the Pardoner, the Somneur, and the rest of the famed travellers who with the rising of to-morrow's sun should set forth . . . to Thomas à Becket's shrine at Canterbury.' Scarcely less fascinating, however, is the story of London under the pageant-loving Henry VIII., in which the many wives of the 'great widower' cross the stage one after the other, moving amongst contemporary personalities so vividly realised against so carefully reconstructed a background that each is revealed as she was before her final fate was decided.

In the second volume the chapters on the Reformation will be read with bated breath, so full are they of enthralling but gruesome descriptions of what may well be called the Pageant of Death; one melancholy procession to the stake, the gibbet or the block succeeding another with melancholy rapidity, until the imagination becomes saturated with horror and the memory is haunted with visions of the chief actors in the terrible dramas. Now rises up the dignified figure of Sir Thomas More folding his beloved daughter Margaret in his arms for the last time, now the 'Nine Days' Queen' looks down from her window in the Tower on the mangled body of her young husband, or she is seen groping blindfold for the block on which to lay her own doomed head, murmuring 'Where is it? what shall I do?' or the aged Countess of Salisbury appears, overawing even her executioner for a moment, as she defies him to perform his office; succeeded perhaps by a whole batch of the condemned on their way to the fires of Smithfield; some wrapt away from present suffering in contemplation of the reward to come, others pleading in vain for mercy. Very specially noteworthy too are the accounts of the immediate results of the suppression of the monasteries, in which it is shrewdly suggested that that high-handed measure inaugurated the still unsolved problem of the unemployed, and the description of the destruction of ecclesiastical art treasures may well add weight to the writer's plea for a more reverent care of the heirlooms still left to the nation.

The book, which will probably take rank amongst standard historical works, closes with a eulogy of Queen Victoria, whose funeral is contrasted

Davey: The Pageant of London 101

with that of Queen Elizabeth, and whose death in the opinion of Mr. Davey brought to an end the most transcendent era in the story of the English race.

Amongst the beautiful water colour drawings which supplement the scholarly text the best from an aesthetic point of view are those of the Norman Transept of St. Bartholomew's Church; Westminster Hall, and the Victoria Tower, the Gate of St. James' Palace, the Elizabethan Hall in the Charterhouse, and the Houses of Parliament from the river, but antiquaries and archaeologists will also greatly appreciate the apse of All Hallows in the Wall, a very valuable Early Christian relic which, until it was unearthed in 1905, had been buried for many centuries.

NANCY BELL.

THE READES OF BLACKWOOD HILL IN THE PARISH OF HORTON, STAFFORDSHIRE: A RECORD OF THEIR DESCENDANTS, WITH A FULL ACCOUNT OF DR. JOHNSON'S ANCESTRY, KINSFOLK AND FAMILY CONNECTIONS, by Aleyn Lyell Reade. Pp. xx, 283 and appendix. Large 4to. Privately printed for the author by Spottiswoode & Co., Ltd., London. With 18 plates and 29 large tabular pedigrees. 1906.

THIS elaborate volume must have been compiled from love of genealogy, and though needlessly long, is still, from the care and thoroughness with which it is compiled, a remarkable work. Beginning with an account of the family of Reade, which possessed Blackwood at least as far back as 1558, it gives a minute account of many families connected with the parish of Horton, compiled from family bibles, parish records and every available source, and of their ramifications. These, though put together with the utmost care, do not, as the author admits, contain very many figures known to fame. However, there is an account of Sir Thomas Reade who was at St. Helena in 1815 and was later Consul General at Tunis, and of the Rev. J. B. Reade, who is stated to have been a pioneer in photographic discovery. From the Reades the writer proceeded to examine into the genealogy of certain other families in the Potteries in the most painstaking way, and this led to the elucidation of, *inter alia*, that of the Fords, who were the maternal ancestors of Dr. Johnson.

It is the part of the book, therefore, which deals exhaustively with the ancestors of Dr. Johnson that is of the greatest general interest, and many facts which are brought to light, though they seem small in themselves, will interest Johnsonians, and the extensive pedigrees will allow many families to claim kinship to the Lexicographer. All the proofs tend to show that he was not of such 'mean extraction' as he stated. His father—a tanner—belonged to a family of which little can be stated definitely (pp. 209-216) though he possessed influential relations, while on his mother's side his pedigree is here traced back to Henry Ford, his great-grandfather, a yeoman and miller in West Bromwich who died about 1648. His son, Cornelius, was of some social standing, and allied through his sister, Mrs. Barnesley, to the lesser gentry, and he possessed a small evangelical library which, as detailed in his will, is of some interest.

102 Reade : The Reades of Blackwood Hill

It was his daughter, Sarah Ford, who became Dr. Johnson's mother, and her marriage settlement is printed for the first time. Perhaps the most interesting monograph among the many accounts of Dr. Johnson's relatives—Harrisons, Hickmans, Jessons and Skrymshers—is that of 'Parson Ford,' that Abbé Roué, a fragment of whose latinity is rescued from oblivion. We must say a word to commend the care with which the book is produced. It is well illustrated, well indexed, and carefully compiled with an absolute disregard of labour. We only wish the book could appeal to a larger section of the public.

A. FRANCIS STEUART.

AN EXPOSITION OF BROWNING'S 'SORDELLO,' WITH HISTORICAL AND OTHER NOTES. By David Duff, B.D. Pp. xx, 224. Med. 8vo. Edinburgh: William Blackwood & Sons, 1906. 10s. 6d. nett.

STUDENTS of Browning will hail this book with delight. Mr. Duff has done a kinder service to readers of 'Sordello' than all the critics. Someone has compared Browning's poetry to a cathedral window, from the outside only dull and blotchy, from the inside clear, radiant, and beautiful. Mr. Duff takes us to the inside.

There is reason for believing that Browning, like Goldsmith, composed his poems first in prose. Between fifty and sixty years ago *The Pre-raphaelite Brotherhood Journal* stated, apparently on the authority of Browning's friend, Westland Marston, that he wrote on a slate in prose what he wanted to say, and then, condensing it as he turned it into verse, would make an exclamation stand for a whole sentence if he thought it would suggest his meaning. If that be true one may understand, by a sort of sympathetic comprehension, how the poet wrote quite sincerely after finishing 'Sordello,' that this time at any rate the public should not accuse him of being unintelligible. Long afterwards, when perhaps he had forgotten the prose, he thought differently, and 'gave time and pains,' as he writes in his dedication to Milsand, to turn it into what might be less hard for his readers. He failed and abandoned the attempt.

There is much of Browning which can only be thoroughly enjoyed after the reader has with time and pains translated it. One has to know what the poet has wished to say before seeing how supremely he has said it. Mr. Duff has supplied the translation of 'Sordello' in pure, graceful, and adequate prose. He has done it so well that his book may be read by itself. But its best virtue is that with its help the ordinary reader can see the splendour of the original.

The ample notes are most interesting and historically valuable.

ANDREW MARSHALL.

HENRY VIII. AND THE ENGLISH MONASTERIES. By Abbot Gasquet, D.D., O.S.B. Pp. xl, 495. 8vo. London: George Bell & Sons, 1906. 8s. 6d. nett.

THE work of Abbot Gasquet on the dissolution of the English Monasteries is so well known and so widely appreciated that little may be said to

Henry VIII. and the English Monasteries 103

commend a new and cheaper edition. The criticism of nearly twenty years has served only to show that the views, expressed by the author in the original edition, are shared by every candid student of the events of that period. In his latest preface Dr. Gasquet calls to witness the monumental labours of Dr. James Gairdner, and the independent inquiries of Dr. Jessop in support of his conclusions on the main incidents in the drama of suppression. It was scarcely necessary. The letters and papers preserved in the Record Office, of which such free use has been made, are the evidences which must alone restore in public estimation the good name of the religious institutions which Henry VIII. had swept away. It is most satisfactory that another edition of this standard work has been so soon demanded. That it has been issued in a single volume is a distinct advantage.

JAMES WILSON.

THE OXFORD DEGREE CEREMONY. By J. Wells, Fellow of Wadham College. Pp. viii, 98. Foolsap 8vo. Oxford: Clarendon Press, 1906. 1s. 6d. nett.

THE aim of this little book is to explain the meaning of the ceremonies which still exist at Oxford, and to trace their origin and history. Drawing much of its information from the works of Dr. Rashdall and the Rev. Andrew Clark, it is needless to say that it is instructive, and it is too little to say that it is extremely interesting as well. The author traces the University as a place of organised study back to 1184, and since then, owing to its growth and progress, the ceremonies have naturally, as he shows, varied considerably from age to age. For example, the once important 'Act' has almost vanished except in the cognate 'Encaenia,' which was instituted in 1669; and many of the conditions preliminary to the Degree ceremony have wholly changed. The two elements in the Degree ceremony in early times, the consent of the members of the Universities and that of the Vice-Chancellor—who, originally representing the Church, grants the degree in virtue of his own authority—still exist; and the 'Proctor's Walk' is even now the representative of the formal taking of votes of the M.A.'s present at the ceremony. A fine instance of English Conservatism is shown by the statement that the refusal to recognise the University of Stamford—to form which there was an abortive attempt in 1334—was only removed from the Candidates' Oath in 1827. There is an interesting chapter on officers of the University, and on University Dress, and the latter is illustrated by prints of proctors and scholars *temp* Charles II. Among the illustrations of this excellent hand-book is one of the University seal of the fourteenth century, and a picture, from the Chancellor's Book, *circa* 1375, of 'The Chancellor receiving a Charter from Edward III.', which will delight every Oxford man.

OF MISTRESS EVE: A TALE OF THE SOUTHERN BORDER. By Howard Pease. Pp. x, 301. Cr. 8vo. London: A. Constable & Co., Ltd., 1906. 6s.

THIS new historical romance, especially interesting to dwellers on the Southern Borderside, deals with the period of the Restoration of Charles II.,

and introduces us to the King himself and his Court. There is a pen portrait of the redoubtable Anne Clifford, Countess of Dorset, Pembroke, and Montgomery. The wealth of material in the book is sufficient to make, at least, two novels, and it would have gained strength by condensation.

CRANMER, PRIMATE OF ALL ENGLAND: A HISTORICAL DRAMA. By Ralph Richardson. Pp. ii, 107. Foolsap 4to. London: Elliot Stock, 1906. 5s. nett.

IN the preface to the drama the author writes of his hero that, 'never had an Englishman risen so high, never had one fallen so low,' but that 'his glorious death saved the name of Englishman from dishonour.' He gives as his version of the Primate's last speech:

'I gladly go, for I rejoice to give
One martyr more to Freedom's holy cause,
A cause which none can stifle, for 'twill blaze
All brighter by the fire which ends my days'.

The *Celtic Review* (April) has a very indefinite article about 'The Ruskins' of Muckairn, in Lorne. A discussion on Sutherland place-names establishes good points in the transmission of both Norse and Gaelic name-words.

The *Berks, Bucks, and Oxon Archaeological Journal* (July) describes and illustrates Norman churches, tombs, and architectural decorations. It also treats of early almshouses.

Among the contents of *Archiv für das Studium der neueren Sprachen und literaturen* (June) is a search after sources of certain old English sermons. Another English theme is the Rawlinson MS. Song-book. More general subjects are folk-tale origins, Cervantes, and Victor Hugo.

To the 'motte' problem Mr. G. H. Orpen makes a first-class contribution in the *English Historical Review* for July. It is a detailed examination both of structures and place-name survivals, showing the diffusion of 'Mote' and 'Breteche' in the antiquities of Ireland. The latter term indicates the timber work which once was the leading feature of the fortified earth mound.

Mrs. Armitage in the *Antiquary* has been doing stout battle with Mr. T. J. Westropp in maintaining 'the Norman origin of Irish mottes' as against his view that the thing was a native, not an exotic type. By analysing sixty-one castles known to have been in existence by the end of King John's reign, Mrs. Armitage concludes that in at least forty-four cases there were mottes, and that the evidence places the Norman origin of the mottes on a firmer basis than before.

Northern Notes and Queries (July) includes an abstract of Cumberland charters from the MS. chartulary of Fountains Abbey.

In *Notes and Queries for Somerset and Dorset* (June) there is communicated a note from Mr. Falconer Madan concerning a MS. belonging to the

Carthusian priory of Witham. On the book is the name of a former owner, 'Stephanus Battmanus.' Mr. Madan may note that the Hunterian Library MS. T.3.10 has numerous additions from the pen of 'S. Batman,' probably the same person.

Analecta Bollandiana, tom. 25, fasc. 3, published in July, 1906, contains an unusually valuable text, of legend highly charged with history, on the life and miracles of Pope Leo IX., 1049-1054.

The American Historical Review (July) describes the Ecole des Chartes, and essays to explain its influence by its thoroughness of method. 'There are no superficial courses along the gilded margin of attractive subjects. The work is intensive and severe.' Mr. Temperley examines the diplomacy of Canning directed towards checking the Monroe doctrine.

The August issue of *Scottish Notes and Queries* rescues from forgotten hiding-places several poems by John Leyden.

The Iowa Journal of History and Politics for July prints an important record of the War of 1812 in the Journal of Robert Lucas, an Ohio officer in the campaign. His feelings of indignation against 'our Detestable Enemy the British and their savage allies,' rise to fever heat occasionally, as, for instance, when he describes episodes of the surrender of Detroit, including the 'huzzaws of the British troops' and 'the yells of the Savages.' This day-to-day record was well worth printing, but why does not the editor state distinctly where the manuscript is? That it has been 'carefully preserved by the descendants of Robert Lucas' may be true enough: but the statement conveys no scientific information whatever.

In the *Revue Historique* (September-October) there begins an important study from the pen of Prof. Ch.-V. Langlois on the grievances laid before the 'inquisitors' appointed by Louis IX. to hear complaints against officers of the Crown for maladministration and corruption. Registers were kept setting forth these charges in considerable detail, and from them many typical examples are taken. It is gratifying to find that Prof. Langlois considers the results as far from unfavourable to the general efficiency and purity of French administration under St. Louis.

The *Revue d'Histoire Ecclesiastique* (Jan., 1906, April, 1906) has been dealing with the 'Limen Ecclesiae' as anciently a place of special penance, with the False Decretals, with origins of permanent nunciatures, and with the question of predestination in the fifth and sixth centuries. Special interest attaches to an elaborate criticism—which almost combines a bibliography—of the course of recent study and controversy on the legend of St. Francis (*Legenda trium sociorum*) and the *Speculum Perfectionis*.

In the *Annales de l'Est et du Nord* (April, 1906, July, 1906) there is traced the career of a curious personage of the Revolution, the *sans-culotte* Pierre Philip of Nancy. It is an instructive glimpse of a demagogue's life in the days of the Terror.

The Modern Language Review (July) gives an Anglo-Norman poem on the Antichrist, and groups interesting data on continental acquaintance with Shakespeare two hundred years ago.

Queries

MAJOR COLIN CAMPBELL OF STRACHUR. Who was the father of Major Colin Campbell, of Strachur, of the 60th regiment, who in 1816 succeeded his grandmother, Janet Campbell, of Strachur, in that estate? Who also was his mother? Major Colin died in 1824 at Edinburgh. Any other details about this Campbell family would be of use to me.

NIALL D. CAMPBELL.

28 Clarges Street, London, W.

MR. NIALL CAMPBELL. Mr. Niall Campbell, minister at Rosneath, became Principal of Glasgow University in 1728, which office he held till 1761. He is described in the Sasines as the nepos (grandson?) of ——— Campbell, of Clunaray, of which place with Auchindrein he obtained a Charter of Confirmation from Argyll on 22nd February, 1710. Was he the grandson of the Archibald Campbell, of Clenarie, who was a Commissioner of Supply for Argyll 1702-1704, or was he his nephew? Whom did he marry, and what posterity did he leave?

NIALL D. CAMPBELL.

28 Clarges Street, London, W.

THE BACHULL MOR. I should be glad to have any particulars concerning the 'Bachull Mor'—the pastoral staff of St. Moluag, and of the family who were the hereditary custodiers thereof; or a list of the oldest references to it.

W. D. WOODROW.

42 Dalkeith Road, Edinburgh.

[See Notice of the Crozier of St. Moluach by Cosmo Innes, *Proc. Soc. Ant. Scot.* Vol. II., 1859, p. 12; also references by John Stuart, LL.D., *ibid.* Vol. XII., 1878, p. 136; and by Daniel Wilson, LL.D., *ibid.* Vol. VI., New Series, 1884, p. 80. *Ed. S.H.R.*]

DEDICATION OF THE CHAPEL ROYAL IN FALKLAND PALACE. To whom was the chapel dedicated? Lord Ninian Crichton Stuart has recently hung on its walls a complete 'room' of tapestry which came from an old house in Maarssen, Holland, which was built in 1400. The name of the house and estate is 'Ter Keer,'

formerly 'Tuylenburg,' and the tapestry has passed from family to family of those who owned the house, viz.:—Sir Vincent Maximilian van Lakhorst, the Baron van Tuyll van Zuylen, Die Marchie van Vanhuysen, Heer of Maarsse (Lord of the Manor), the Chevalier H. van Weede, Ambassador.

J. M. MACKINLAY.

CHAPEL IN DUNROBIN CASTLE. Sir Robert Gordon in his *Genealogic History of the Earldom of Sutherland, from its origin to the year 1630* (page 8), remarks :

'Their is in Dounrobin one of the deepest draw-wells, all of aister work from the ground to the top, called St. John his well, which is within the castle, in the midst of the court.'

Was there anciently a chapel in Dunrobin Castle having St. John as its patron?

J. M. MACKINLAY.

Communications and Replies

KING'S COLLEGE, ABERDEEN, TWO CENTURIES AGO.

The old documents in Tain, now being examined, have just yielded some fresh information on life at King's College in the early years of the eighteenth century, and, in view of the Quatercentenary of Aberdeen University, they are of special interest at the present time.

The burgh of Tain owns 33 parchments. The oldest documents were destroyed when St. Duthus' Chapel was burned in 1427. The minutes and accounts of the Council are complete from 1670, but between 1427 and 1670 there must have been great loss or destruction. There are many thousands of papers with some charters, the documents of the Commissary Courts held in Tain, Fortrose, and Cromarty. In old times—in fact, till the present Commissary Clerk Depute was appointed—these manuscripts were very badly kept, and suffered great loss and damage. Now, like the burgh documents, they are well kept in the Court-house buildings. Nearly all, including the oldest, have now been examined, and what appeared of historical import has been noted or transcribed. Their appearance in book form, however, awaits financial assistance of subscribers or of friends of historical investigation.

There are two papers relating to the education of a young Ross-shire laird, the first, a receipt, as follows: 'Received from Mr. Daniel Forbes writer in Edin^r in name of George Munro of Newmore four pnds nine sh. Sterling for a quarter's entertainment & school dues 16th June to 16th Sept^r in this present year for John Munro son to the said laird Geo. Munro of Newmore. I say received at Leith 16th June 1718 by me Jo. Forrest.' As John was heir to a good estate, the amount seems modest enough, even allowing for the value of money then, and the part for school dues—apparently fees paid for attendance at Edinburgh schools—must have been small. John's mother was sister of Lord President Duncan Forbes of Culloden. John was remarkable for his feats of physical strength. He was returned as a Member of Parliament in 1733, joined the army in 1740, fought at Fontenoy, and by his bravery gained remarkably rapid promotion. From school in Edinburgh he passed to King's College, Aberdeen, and another paper gives a complete and detailed account of his expenses there. It gives many sidelights on dress as well as education, and is headed 'Ane transcript of the accompt sent to Newmore Augt. 15th 1720, Old Aberdeen 12th, 1720—Ane account of money debursed since August the third 1719, for the use of John Munro younger of Newmore.' The money is Scots except marked stg., and the items, put consecutively to save space instead of in columns, are: 'Imprimis To five moneths' board

at the Colledge table at 100 merks per qtr, inde £111. 2. 4., To seaven moneths' board in Alex^r Miln's at 44 lib per qt^r, £102. 13. 4., To ane year's bedding at 3 lib 6 shill 8 ds per q^r chamber meall 6 lib and for ane iron grate to it £19. 16. 8. For cloathes as followes : 8th Oct 1719 To 3½ yards drab cloath for a big coat at 10 shill. st^s per yrd with furniture to it £29. 15. 0. To ¾ yd of cloath for breeches at 8 sh. st^s per yd with furniture £5. 6. 6.; 24th May 1720 To 14 yds drogat at ½ crown per yd. with the furniture for a summer suite £38' (*the half crown must be sterling*) 'To four pair stockings £9. 15. 6. To nine pair shoes (=shoes) £19. 3. 4th Agst. 1719 To a night gown and worsat cape (*cap*) £15. 10. 4th Nov^r 1719 To sex yds freeze for a reed gown with furniture £10. 6. 4. To 3 pair gloves 1 lib 18 sh, & 2 napkins 1 lib 16 sh. To ane hat at 2 shill st^s ane wigge at 13 sh st^s a pock to ane other at 2. lib 8. sh Scots £16. 16. For making the said cloathes and for other taylor work throughout the year £10. 2. 6. For linnens as followes 4th Augst. 1719 To 4½ yds holland and for necks and sleives £10. To ½ yd muslin for cravats £3. 12. To 1½ yd for stock to the cravats £1. 12. 10. 12th July 1720 To 18¾ yds holland for shirts at 2 lib 1 shill per yd £38. 8. 8. To 18 yds linnen for shifts at 13 shill. 9d per yd £12. 0. 0. To making the s^d linnens £6. 19. 6. To washing the s^d linnens throughout ye year at 2 merks per qtr £5. 6. 8. To the barbar for shaving and powdering at ½ crown per qtr £6.' (*The half crown is sterling and the £6 is Scots.*)

To masters as followes : 'To the humanist and his subdoctor for ane quarter £4. 10. To the Greek regent £31. 10. To the fenceing master for three moneths £12. To the danceing master for two moneths £10. 16. To the danceing master's servant for playing at the danceing & for teaching to play on the fluit £4. 10. To the french master for three moneths £5. 8. To incidental expences and for clubs and balls £13. To books, Latine Greek and English and for sex maps and securing them with mullars as per particular a/t £60. 9. To M^r Munro at severall times for pocket money £27. To fire and candle for the whole year £22. 10. To the Colledge servants viz the portar, cook, and what given to the oeconomous when all the masters dinn'd at the table and to the boys that served M^r Munro in ye Chamber and at table £17. 2. To paper quills wafers and ink £3. 6. To postage to letters to & from Newmore £2. 14. To the servant the Lady sent to carry his charges home £6. To sugars &c to M^r Munro when his throat was sore of ye cold 11 shill. Summa £697. 7. 0.' Next page is headed 'Additional Accompt since August when the within written was sent to Newmore,' but only those items which afford more information need be given : 'To nine weeks' bed and board £35. 10. To the Greek Regent for the summer time £25. 4.' (*the fencing, dancing, and French masters also come in*). 'To ane cover to the french bible 12 shill. To the dancing master for M^r Munro's shane dance £1. 4. To expenses to M^r Munro's shane dance £2. 8. To 2½ pnds candles and 2 loads peatts 16 sh. 6 d. To ane year of the newspapers £5. 12. 6. To a pair leather hose a pair spurs and a whip £1. 12. Given to M^r Munro to bear his expenses home £18. To fee to M^r Barron for fourteen moneths £120. Summa of the heall acct. £968. 7.'—'Sic subst^r Jo: Munro Will: Barron.'

The latter certifies the account evidently as college agent, perhaps 'oeconomus'; the former as the father's agent, perhaps a relative, who held the purse-strings and 'debursed' for everything, even pocket money and 'sugars.'

Scottish, especially Aberdeen, University men will notice numerous points of contrast or correspondence with existing arrangements, such as: the residential arrangements, 'colledge table,' 'cook,' 'oeconomus,' 'chamber meall'—payment for an iron grate as a special luxury and for peat as the only fuel—red gowns worn by the students (and of strong material)—the summer session, really a very old institution, and then nine weeks long—the much smaller fee per quarter to the 'humanist' than to the Greek 'Regent' (though the mention of the 'subdoctor' suggests larger classes in Latin, which would redress the balance)—the rate of payment to the French master between these two in amount, but that to the fencing and dancing masters much higher. That 'masters' did not usually dine at the college table appears from the fact that a special tip to the oeconomus is necessary when they do so. There were other, and cheaper, boarding places than the college one, for the charge there works out at £5. 2s. 6d. Scots per week, at Miln's only £3. 7s. 8d. The summer charge, again, equals £4 a week, agrees with neither, and may have been at a third place. The poorer class of students must have had still cheaper places available, for not only the fencing and dancing, but many of the clothing items show that John was maintained, in accordance with his position, as a sort of aristocrat. Omitting all such items, and allowing a rate of £2 a week instead of £3 7s. 8d., we may say that, while John's total expenses were £697 Scots or £58 sterling, a common student's would be about half of that. The relatively high expense for books, when coupled with the significant item, 'a year of the newspapers' (which at the prices then existing could mean only a reading of them), indicates John's own mental activity. The item for clubs and balls (some older form of hockey or golf) also for spurs and whip indicates his physical activity. With classics, French, athletic and polite accomplishments, current literature and politics, the future M.P. and colonel was verily an all-round youth, and an all-round education he got in Old Aberdeen of two centuries ago.

Rose Place, Tain, Ross-shire.

W. MACGILL, B.A. (Lond.).

PHINN [*Scottish Antiquary*, vol. xv. p. 236]. Thos. Phinn, engraver in Edinburgh, was admitted a burgess there in 1768 in right of his father, John Phinn, wigmaker there, who was himself admitted in 1730, being then described as 'son to John P. in Aberdour,' probably a cadet of the Phins of Whitehill, Aberdour. John Phinn, wigmaker, and his wife Margt. M'Crae have a son James baptised in May, 1721, and a son Thomas in 1728. (Edin. Reg.). Thos. Phinn has a daughter Ester by his wife Agnes M'Brazer, baptised in 1753. Mrs. Phinn, sp. to Mr. Phinn, printer (or engraver), is buried in the Greyfriars, Aug., 1776. In 1781 John Phinn is served heir to his father Thomas, engraver in Edinburgh. A Thos. Phin, grocer, was living in Edinburgh up to about 1846, probably a grandson of the engraver, as he was certainly no relation

to the several other families of Phin in Edinburgh then, whose genealogy is known.

J. C. W.

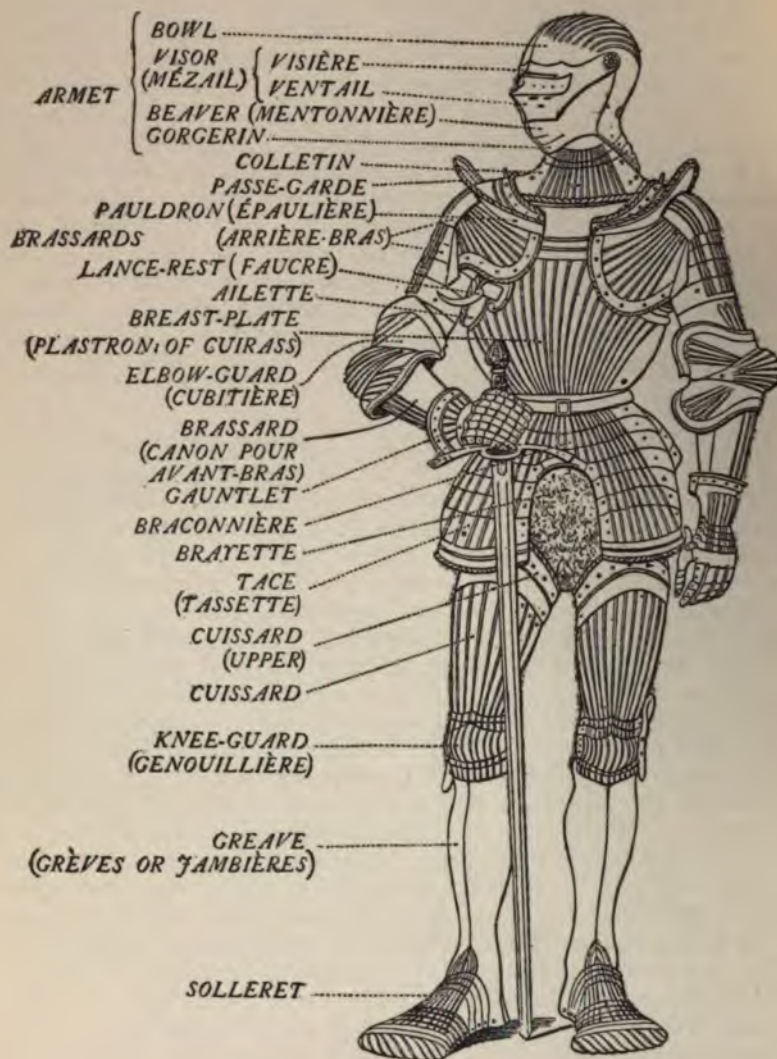
HISTORICAL ABERDEEN (*S.H.R.* iii. 512). The word 'Mutton' in Mutton Brae is not—as suggested—connected with A.S. *mūt*, a meeting, and for two reasons. The Mutton Brae in Aberdeen never was a place of meeting, either in Anglo-Saxon or any other times; and it is not really an ancient place name. It is—so far as I have been able to discover, after very considerable research—no older than the second half of the eighteenth century. The suggestion illustrates a defect of most works on Scottish place names, namely, that seemingly probable derivations are so largely applied in ignorance of the actual history and associations of a particular place. Philology is too dangerously seductive to be used alone in dealing with place names. If the subject is to be placed on a really satisfactory footing men must be content, for a long time yet, to work patiently on the place names of a small area, with all the circumstances and conditions of which they are thoroughly familiar.

G. M. FRASER.

Public Library, Aberdeen.

TILTING IN TUDOR TIMES. The study of history is a continual process of revision. Viscount Dillon makes an important return to the Middle Ages, rectifying and revising Sir Walter Scott and the Eglinton Tournament, by his *Tilting in Tudor Times*, written as a souvenir of the Royal Naval and Military Tournament, Olympia, London, 1906. Illustrated with many drawings from old MSS., this pamphlet is as instructive as it is pictorial; and we have to thank Messrs. Gale & Polden for permission to reproduce the three accompanying illustrations. Older antiquaries considerably misunderstood the tilt, and accordingly both archaeologists and romancers made it a much more serious and dashing encounter than it really was. The name, in French *toile*, in English *tilt* (still used in wagon-tilt and similar connections), arose from the long cloth or screen hung up to divide the lists. Soon the 'tilt' gave place to a wooden partition, but, as the way is with names, the word has remained. The tilters rode along the opposite sides of this 'tilt,' each having it on his left hand, so that his spear was pointed at his antagonist across the horse's neck. Only at the moment of passing was the antagonist within reach. It was a game much more of skill, with well-drilled horses, than of force; the spears, with blunt heads or 'coronals' of metal, were slender, and broke readily on helm or cuirass. There was a long code of rules for marking degrees of merit. To strike coronal to coronal was good work, though not so good as to upset the opponent. 'Considering all things,' says Viscount Dillon, 'scoring points depended more on the adversary running against the lance point than on any skill on the part of the joustier.' The recent Olympia reproduction was a very faithful attempt at rendering the thing as it was in medieval times, a fact for which the committee in charge express their indebtedness to the learned guidance of Viscount Dillon, well known as one of the first European authorities on medieval arms.

Tilting in Tudor Times

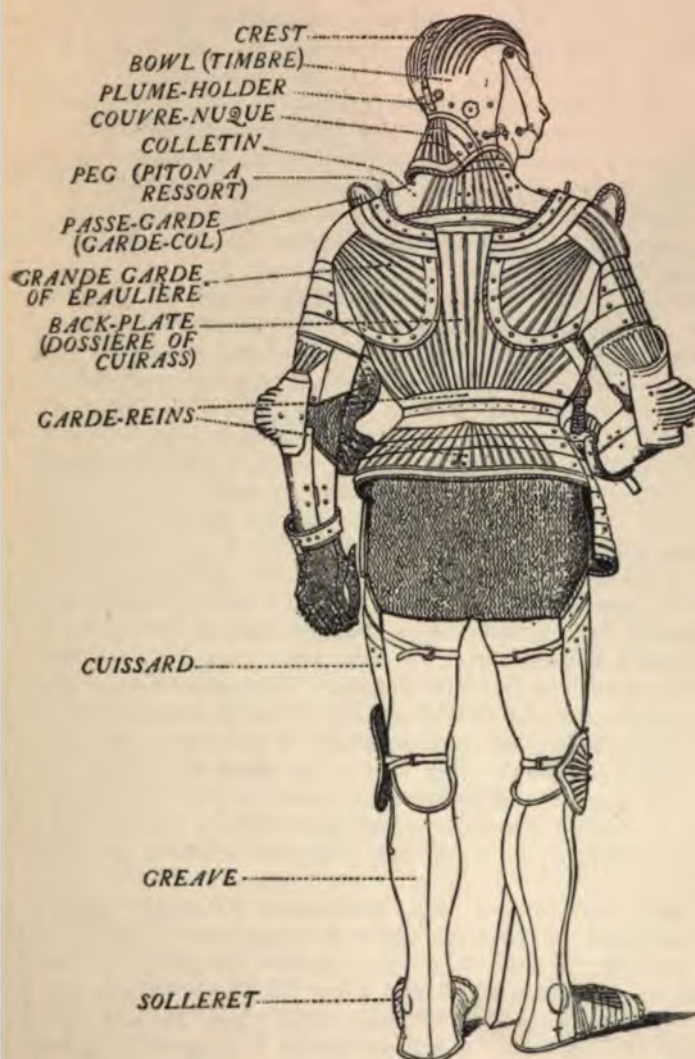


A Complete Suit of Armour of the Tudor Period.



JOUST AT ST. INGLEVERTS
(*Froissart MS., British Museum*)

See page 111



A Complete Suit of Armour of the Tudor Period.

PENTLAND RISING AND RULLION GREEN. Miss Sidgwick is to be congratulated upon her communication (*S.H.R.* iii. 449) of Drummond's despatch to Rothes announcing the defeat of the Whigs at Rullion Green. When I wrote my account of the Rising of 1666 a few months ago I was unaware of the existence of Drummond's despatch. I must acknowledge my indebtedness to Miss Sidgwick for her kind reference to my monograph, and my gratification at her conclusion, that the document which she has discovered 'does, substantially, nothing but confirm' the account which I was able to piece together from extant materials. At the same time, Drummond's despatch corrects or supplements the information available to me on more than one detail, though it leaves my main conclusions unchallenged. I venture, therefore, to point out in a brief note those passages of my book which require annotation in the light of Miss Sidgwick's new-found document.

In the first place, Drummond's despatch gives the first clear indication of the date of Dalziel's march from Glasgow—22nd November. His fore-party was reported at Mauchline on the 23rd (my *Pentland Rising*, p. 28), and a party of Whigs which ventured on the 23rd between Mauchline and Kilmarnock was captured (*Ibid.*, p. 29, note). From Drummond's despatch it appears that Dalziel's cavalry were at Kilmarnock on the 22nd, and that his infantry were at 'Much adoe' on the 23rd. Where was 'Much adoe'? Miss Sidgwick says that Drummond spelt and wrote as a gentleman! I conclude, therefore, that his spelling is euphonic and his orthography not easily decipherable. 'Much adoe' is probably Meikle Earnock, a Lanarkshire village 2 miles S.W. of Hamilton. If my conjecture is correct, it is clear that Dalziel's infantry was sent along the road towards Lanark, while his cavalry skirmished on the extreme right wing towards Kilmarnock. My map (*Ibid.*, p. 17) gives Kilmarnock as the southern limit of Dalziel's advance. Drummond's despatch, however, shows that he and the cavalry advanced from Kilmarnock to Mauchline on the 24th, before turning eastward in pursuit of Wallace and his rapidly marching force. On the 25th, when the Whigs crossed the Clyde at Lanark, Dalziel's advanced party was at Strathaven (*S.H.R.* vol. iii. p. 451). Drummond says the Whigs crossed the Clyde in two boats. Turner says that only one was available (*Pentland Rising*, p. 35).

For the events of the 26th, Drummond's despatch usefully supplements Maitland of Hatton's letter to Lauderdale (*Lauderdale Papers*, vol. i. p. 249). Hatton says that Dalziel's fore-party had reached 'the hill above the Hoorns of Clyde' when Wallace's force across the river was observed 'marching over Lanark Hill.' Mr. Osmund Airy suggested 'Ffoord' for 'Hoorns,' a reading which I adopted (*Pentland Rising*, p. 40, note 3). It should, however, be Howms, as has been pointed out to me by a correspondent. Drummond's despatch, while it confirms Hatton's account of the brief pursuit of Wallace by Dalziel's cavalry on the 26th, gives reliable information upon the position of the infantry. In the absence of any definite statement other than Turner's, I concluded that Dalziel's infantry was close in the rear of his cavalry, and as

Hatton speaks of the 'body' advanced in pursuit as far as 'the pass of Blackwood,' I supposed that the 'body' was the infantry (*Ibid.* p. 47), and inferred that Dalziel, after abandoning the pursuit, called back both horse and foot to Lanark for the night's quarter. From Drummond's despatch it now appears that Dalziel's inability to engage the insurgents was due to the tardy advance of his infantry, which was a day's march in the rear, and did not ford the Clyde and enter Lanark until night-fall.

On the events of the 27th, Drummond's despatch exactly confirms Hatton. In Miss Sidgwick's transcript, however, 'Huhthgour' or 'huhghour' should read 'Newbridge,' and 'tarfichens hather' is clearly 'tarfichens Calder,' Calder House, near Mid Calder. Drummond explicitly states what I had inferred (*Ibid.* p. 61), that Dalziel interpreted Wallace's change of route on the 28th as an attempt to 'gett of to Bigger,' and therefore cut across the Pentlands from Currie.

In regard to the battle itself, Drummond's despatch is inferior to Hatton's as a guide to the actual scene of the engagement. But it confirms other accounts as to the whereabouts of Wallace's force when Dalziel's fore-party first spied it (*Ibid.* p. 60). The Whigs, Drummond writes, were then 'on their march towards Linton the bigger way,' that is, on the road leading to Biggar, 'near a place called Glencors kirk.' Glencorse Church is at no distance from Rullion Green, the spot marked on my map as 'Wallace's Bivouack.'

Regarding the details of the battle, Drummond adds little to the evidence already available. Dalziel's fore-party of horse began the engagement. Hatton gives their number at 22 (*Ibid.* p. 69, note 1), Drummond at 'about 100.' The latter gives no hint of the manœuvrings of the fore-party (see *Ibid.* p. 69). He merely states that the fore-party were 'in a ground where they could not come of' (cf. *Ibid.* p. 69, note 2). Drummond adds a detail, however, in the statement that the fore-party held the enemy for two hours before the body of the cavalry arrived—about two o'clock p.m.—the infantry being then four miles in the rear. Hatton says that the infantry were only 'two myles behind' when the body of Dalziel's horse joined the fore-party (*Ibid.* p. 73, note 1). But as Dalziel's foot did not come up until two hours or more later (*Ibid.* p. 75, note 1) Drummond's statement probably is the more accurate.

Of the preliminary encounters between Dalziel's fore-party and Wallace's left Drummond admits that 'some sharpe charges past in this time, w^{ch} the rebells gave & received with desperate resolucon to our prejudice' (cf. *Ibid.* p. 72, note 2). After the preliminary skirmish, and upon the arrival of Dalziel's body of cavalry, his fore-party thus reinforced retired, to quote my account, to 'high ground westward of Glencorse Burn,' awaiting the arrival of the infantry (*Ibid.* p. 73). Drummond confirms: 'Wee found it convenient to draw from that ground [marked 2 on my map] & gott of a little to a better ground where they made a fashion to annoy us without any gaine' (cf. *Ibid.* p. 74, note 1).

As to the actual locality of the battle Drummond uses a phrase which exactly fits the position which I was led to identify as the site of the engagement. 'Wee put Ourselves in order and embattled,' says Drummond,

'in a faire plaine upon their Noses, they upon the hill above,' clearly the plain having the Glencorse Burn in the rear and facing westward the steep ascent of Turnhouse Hill (see *Ibid.* p. 75, note).

Drummond's brief and concise account of the battle, I am glad to find, confirms my narrative. Of the preliminary attack by Dalziel's right, stoutly met by a party of Wallace's left, Drummond, like Hatton, speaks of the toughness of the struggle. 'They stuck in others birse for a quarter off ane hour,' says Hatton (*Ibid.* p. 79, note 1): 'they mixed like chess-men in a bag,' says Drummond. Hatton admits that Dalziel's party retired 'a little.' Drummond does not say so. Perhaps I have overstated somewhat the extent of Dalziel's repulse (*Ibid.* p. 79). Of the second attack on Wallace's left, Drummond says 'it was disputed toughly.' Wallace declares that Dalziel's party was routed. Hatton claims an equal success for his side. But Drummond conclusively supports Wallace, whose account I followed (*Ibid.* p. 79, note 2): he writes, 'then came a strong partie of foot from their body & forced our right wing back to the foot in some disorder.' This repulse, he adds, was 'instantly rectified,' and Wallace's left was drawn back to its position on the ridge (*Ibid.* p. 80).

On the final episode of the battle my conclusions were, that the repulse of Wallace's left had already unsteadied the small force of cavalry on his right; that observing the Whigs 'no longer solid and unshaken upon the height, Dalziel seized the moment to engage' their right; that Wallace's cavalry on the left endeavoured to reinforce his right, but threw the intervening foot into confusion in the attempt; and that a general advance of Dalziel's force completed the rout (*Ibid.* p. 81). Drummond's account is: 'Their right wing of horse came from their ground foolishly & crosses their foot, apprehending their left wing to bee in distresse, wherein they were mistaken, & soe gave our left wing their Slack, w^{ch} opportunity wee had hold on, & thene went their Cavalrie in disorder, Our whole body then advanced, & beat in their horse upon their foot, then confusion and flight followed.' It will be noticed that Drummond does not state specifically that Wallace's left threw the foot into confusion while attempting to strengthen the body of horse on their right. Hatton does say so (*Ibid.* p. 82, note 2), and Drummond's 'beat in their horse upon their foot' may be regarded as an equivalent statement. It seems clear that the Whig infantry lost the advantages of their commanding position through the desperate manœuvrings of the horse on their flanks.

C. SANFORD TERRY.

THE OLD CROWN CUSHION AT EDINBURGH CASTLE.

The Crown 'always stands upon an squair cushion of crimpson velvet adorned with fringes and four tassels of gold threed hanging down at each corner.'

I quote from the Instrument taken on behalf of the Earl Marischal on the historic occasion when the Regalia—or 'Honours' of Scotland as they used aptly to be termed—were deposited in Edinburgh Castle at the time of the Union in 1707.

The Cushion recently restored to the Crown Room, is, as I shall

attempt to shew, the identical one which was placed along with the Regalia in an oak chest at the Castle in 1707, and shared with them that long period of obscurity lasting until the year 1818, during which they lay hidden and almost forgotten. Although the Report of the Royal Commissioners, who broke open the chest in the last-mentioned year, contains no mention of the discovery of a cushion also, there seems little reason to doubt that it was there. In the first place, there is the evidence of the Instrument referred to above that the Crown always lay upon a cushion, the fashion of which is minutely described, and in face of this statement it is scarcely credible that upon such an important occasion there should have been a departure from the usual custom. In the second place, the Report gives but scanty detail of anything except the all-important Regalia—a not surprising fact considering that the whole nation was breathlessly waiting to be assured of the safety of the Honours, and the minds of the Commissioners were doubtless filled, to the exclusion of everything else, with the joy of being able to give that assurance. Lastly, it is distinctly stated in the *Historical Account of His Majesty's visit to Scotland*, published in 1882 by Oliver & Boyd, that after their resurrection the Regalia were publicly exposed to view at the Castle when the Crown stood upon 'the original square cushion of crimson velvet found along with it.'

The Cushion remained on exhibition with the Regalia for the four years between 1818 and the King's visit in 1822. It then passed into the possession of Sir Alexander Keith of Ravelston.

It must be borne in mind that the ancient office of Marischal of Scotland included the right of keeping the Regalia. This right was exercised by the holder of the office in a direct manner only *in times of Parliament* and on other State occasions, at which times they were actually in his own keeping. At other times the right was exercised indirectly by keeping the key of the strong place in which they were secured for the time being. This office of Marischal was hereditary in the family of Keith, and the head of that family, the then Marischal of Scotland, had been created Earl about the year 1455. Alexander Keith of Ravelston, at the time of the rediscovery of the Regalia, had presented a petition to the Prince Regent praying to be allowed to keep the Regalia. He based his claim on grounds too lengthy to be enlarged upon here, but his point was, that although the Earldom of Marischal had been forfeited by Act of Attainder in 1716, the office of Marischal had not fallen with it, and remained in his person as the existing representative of both earldom and office. His petition was only partially successful, for he was refused the entire guardianship of the Regalia at the time, but, on George the Fourth's visit to Edinburgh, he was created Knight Marischal of Scotland, and as such had the Honours in his keeping from the 12th to the 24th of August, 1822.

The receipt which Sir Alexander gave to the deputy keeper on receiving the Regalia on the 12th of August expressly mentions that he obtained the crimson cushion also, but the receipt which he got

in return on redelivering them on the 24th states that the King had sent a new cushion for the Crown, and that the old one accordingly remained in Sir Alexander's possession. This proceeding of changing the cushion was in accordance with an old custom, which seems always to have been followed, namely, that when the crown cushion required renewal, the Marischal was allowed to retain the old one. The mere fact that the cushion was changed and the old custom followed in 1822, is in itself sufficient to dispose of any suggestion which may be made of a change of cushion between 1818 and 1822.

Both of these receipts and the original Instrument of 1707 have been preserved, and are in my custody.

Sir Alexander Keith kept the cushion at Ravelston until his death, when it passed with his estates to the Murrays of Ochertyre through the marriage of the late Sir William Murray with Sir Alexander's heiress. It was removed to Ochertyre in 1871 or 1872. While there it narrowly escaped destruction on more than one occasion, for, through the mistake of some thrifty housekeeper it did duty for a time in the drawing-room like any ordinary cushion, and I blush to remember that it frequently figured in the pillow-fights of my boyhood! This period of rough usage has left it in a very dilapidated condition. It now lacks the gold fringe mentioned in the instrument before referred to, but still retains the tassels at each corner.

The cushion remained at Ochertyre until June, 1905, when it was transferred to the Crown Room in the Castle.

In view of the frequent renewals of the crown cushions, I have not attempted to trace the history of this one beyond the Union. In all probability, however, it supported the Crown during the last session of a Scottish parliament, but it is impossible to say if it dates back to any occasion more remote.

P. KEITH MURRAY.

19 Charlotte Square, Edinburgh.

Notes and Comments

WHO wrote the *Ormulum*, that fragment, almost Anglo-Saxon, of poetic scriptural paraphrase and exposition? This question of early English literature has evoked a valuable discussion in the *Athenaeum* (May 19-July 28). It began with a very tentative suggestion by Dr. Henry Bradley that Orm, brother of Walter, may have been a canon of Elsham in Lincolnshire, and that the *Ormulum*, which it is assumed from philological reasons must have been written about A.D. 1200 in the North-east Midlands, was his work. This supposition was followed by a much more definite proposal advanced by the Rev. Dr. James Wilson that the poem was a product of Carlisle, dating perhaps forty or fifty years earlier than Dr. Bradley's estimate. Without quite endorsing Dr. Wilson's bold statement that Dr. Bradley's hypothesis was to be dismissed as wholly imaginative, it is impossible to deny the much higher substantiality of the proposition Dr. Wilson himself offers. Orm, author of the *Ormulum*, had, as appears from the dedication of the poem itself, a brother Walter, 'after the flaeshes kind,' who was not only a brother 'i Cristendom,' in God's house, and under the rule of Augustine, but was also Orm's ecclesiastical superior. Dr. Wilson shows that in the Augustinian priory of Carlisle, founded in 1102, there was a prior Walter from about 1150 till about 1170; that the priory was much indebted to Alan, grandson of Earl Gospatric; that prior Walter was a near kinsman of Alan; and that, while one charter proves that Walter had a brother Ailward and a brother Gospatric, another proves that Ailward and Gospatric had a brother Orm. Although there is lacking direct proof that this Orm, brother of Walter, was a canon, it is plausibly argued that he may well have been so in view of his connection with his brother, the prior, as well as with the patrons of the priory, and also in view of his leaving no descendants. In these circumstances there seems good standing-room for Dr. Wilson's moderate contention that the ascertained facts when set into relation with the conditions of the origin and authorship of the *Ormulum* clearly point to Carlisle, and that with that Augustinian house the honour must remain till a better title is made out for some other place. Of course philological difficulties remain for the philologists, who have a way, however, of ultimately accommodating their views to historical certainties. Half a century in an estimate of date or a hundred miles in a speculation upon dialect geography must be accepted as degrees of error easily within the limits of pardonable miscalculation. Dr. Wilson dryly observes, moreover, that he is intelligent enough to know that philology should be the last of the sciences to claim pontifical authority for its conclusions.

THERE are good reasons why honours should be paid while the veteran still holds the stage, and it was a happy idea to make the jubilee celebration of the Hawick Archaeological Society the occasion of a special tribute to its President, Dr. J. A. H. Murray, editor of the *Oxford Dictionary*. Dr. Murray, a native of Denholm, near Hawick, was fifty years ago one of the band who founded the Hawick Archaeological Society. On the membership roll his name alone now survives of the original list. The proceedings on 18th September took the form of a banquet in the Town Hall, at which Dr. Murray was formally presented with a casket containing his enrolment as an honorary burgess. Provost Melrose presided. Addresses from various Border societies were presented to the guest of the evening. Mr. Thomas Shaw, Lord Advocate, proposed the toast of the Hawick Archaeological Society, coupling the general interests of archaeology with a special eulogium of Dr. Murray, both personally and in relation to his services to the society. Dr. Murray, in his speeches, dwelt pleasantly on his youthful residence in Hawick and on his philological development, leading through his studies of the Scottish dialect to the editorship of the *New English Dictionary*. Throughout the evening an enthusiasm for this notable borderer was predominant. The Rev. James Oliver stirred emotion by his reminiscences of the comrade of his youth. Every speaker had his tribute of praise to offer, and notably Lord Rosebery, whose deep respect for the venerable lexicographer by no means restrained his instinctive sense of fun. Such a quarter hour of wit rarely falls to mortal audiences as his lordship's alleged reply for 'Kindred Societies'—a *tour-de-force* of banter, chiefly on spelling reform.

THE *Proceedings* during the years 1903, 1904, and 1905 of the Somerset Archaeological and Natural History Society (third series, vols. ix., x., and xi.: Athenaeum Press, Taunton) record steady and substantial work in most lines of research. Ecclesiastical architecture, family history, and the annual tale of additions to the Taunton Castle museum are recurrent themes. Of broader interest are the accounts of various excavations at Castle Neroche, Small Down Camp, and Worlebury Camp, and the discussion of the problem of the pits, about five feet deep, associated with some such sites. Northern antiquaries, however, will be attracted perhaps still more by the detailed reports on the work being done on the site of the Glastonbury Lake Village, and the descriptive catalogues of bone, horn, glass, shale, bronze, and iron relics, besides handsome pieces of pottery, found there, examples of all of which are shown in admirable illustrations. Curious medieval representations of the Last Judgment illustrate a paper on the tympanum of a Rood-screen, and variously render such things as the weighing of souls, ascent into paradise, the converse process, the fiend in person, and the expansive jaws of hell as traditionally treated in art.

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The Union of the Parliaments of England and Scotland¹ 1707

ON October 3, 1706, the Parliament of Scotland met to deliberate on a momentous question—the question whether its own continued existence was in the interest of the nation it represented. Only on one previous occasion had it a question of equal moment to decide. About a century and a half before, in the year 1560, the Scottish Estates had met in convention and almost unanimously voted that Protestantism should thenceforth be the national religion of Scotland. These two memorable sessions are connected by the strictest relations of cause and effect; but for the decision of 1560, the question that had to be settled in 1706-7 could never have arisen. Had Scotland remained a Roman Catholic country, the Union of the Crowns could hardly in the nature of things have taken effect, and the Union of the Parliaments would have been excluded alike by the laws of God and man. By their common Protestantism the two countries were united in a bond which drew them into relations which of necessity tended to become closer and more complex, and which gradually convinced both nations that they were committed to conjoint interests and a conjoint destiny. However widely different their national traditions and their national characteristics; despite their hereditary hostility, four centuries old, they had one common enemy whom they had never ceased to dread and against whom the instinct of self-preservation constrained them to joint action. This common enemy was Catholic Europe, in whose eyes

¹ Introductory Lecture delivered to the Class of Ancient (Scottish) History, University of Edinburgh, October, 1906.

Protestant Britain was an offence against Heaven and a standing reproach and menace to the community of nations.

From the Union of the Crowns in 1603, Scotland and England had followed very different paths; the form of Protestantism which each had adopted was of a very different type; their national antipathies had not grown less; and no action of Cromwell's had given more satisfaction to Englishmen in general than the punishment he had inflicted on the Scots at Dunbar and Worcester. Yet when James VII. made his deliberate attempt to impose Roman Catholicism on his two kingdoms, it was out of a common sense of danger that both rose simultaneously against him and engaged in the joint action which resulted in the Revolution of 1689 and the establishment of a Protestant succession. The pre-eminent cause, the fundamental condition of the Parliamentary Union, therefore, was that common Protestantism which bound the two kingdoms to present a united front against Rome and the Catholic Powers.

But not only did this common Protestantism make the Union possible; it was also the main force in conserving it when it became an accomplished fact. For a full generation after its accomplishment there was not a class in Scotland which did not remain convinced that its interests had been injured and permanently imperilled by the unequal yoke which the Union had imposed on the nation. The clergy lived in fear that a House of Commons and a House of Lords, whose members were mainly Episcopalian, would eventually seek the ruin of Presbytery; the nobility resented what they deemed infringements of the privileges of their order, and the trading and commercial classes were indignant at the inequality of taxation which crippled their enterprise. Had the successors of James VII., the elder and the younger Pretenders, adopted the Protestant faith and pledged themselves to govern as Protestant kings, the probabilities were that the Risings either in 1715 or in 1745 would have resulted in the restoration of the Stewart dynasty. Amid all the discontent of the nation, however, the dread of Rome held it fast to the Union as the one safeguard of the Protestant religion, now bound up with the interests and aspirations of the great majority of the people.

It was the common Protestantism of the two kingdoms, then, that made the Union possible and conserved it through all the

perils that endangered it. But there were immediate considerations that directly suggested to responsible statesmen that a joint House of Legislature would be in the interests of both countries. Let us look at the chief of these considerations which weighed with the English and Scottish statesmen who carried through a Union which, in the words of a contemporary, was 'a chimaera of the English ministry.'

There was one conviction that had been forced on English and Scottish statesmen alike—viz. that the existing relations between the two countries could not continue. These relations had been tried both under the despotism of the four last Stewart kings and under the Revolution régime, with the result that the mutual antipathies of the two nations were never more violent than at the close of the reign of William. Throughout the reigns of the last Stewarts Parliaments had only been summoned to give their formal sanction to the royal pleasure. Packed as they had always been by the effectual methods devised by James VI., they did not represent the collective wishes of the nation. During the intervals between their meetings, the government was administered by the Privy Council, all of whose members were royal nominees, and who received their instructions from the king, advised by the Secretary permanently resident in London. It was the common saying, indeed, that the Secretary of the Council was the real 'King of Scotland,' and the Council itself was compared to a 'Turkish Divan.' Such was the state of things under the Stewarts. Under the rule of William this despotism was impossible, as the Revolution produced a number of distinct parties in Parliament, each with aims of its own, and ready on occasion to combine against the Government. In consequence of this opposition William was constrained to make important concessions which materially enlarged its powers, but the grievance still remained that Scotland was governed from London and governed in English interests. With this retrospect of the history of the Parliament since the Union of the Crowns in 1603, we can hardly wonder that Scotsmen were disposed to question if its continued existence under the same conditions were really in the interests of the country. On the eve of the Union we find a patriotic Scotsman writing these remarkable words: 'Long ago it hath been a problem in Scotland whether Parliaments were useful or not.' But if Scotsmen had reason to be dissatisfied with the action of their

Parliament, the Government, on its part, had no greater reason to be content with the existing conditions. In the successive sessions of William's solitary Parliament, his measures had been thwarted at every turn, and such was his experience of its refractory spirit, that only dire necessity constrained him to summon it. It was out of this experience, as we know, that he expressed the wish that Scotland and Scotsmen were both at the bottom of the sea, and out of this experience, also, that he gave his dying advice that the Parliaments of the two countries should be united with all possible speed in the interests of both.

The Tory Queen Anne was of the same mind as the Whig William, and in her first speech to the English Parliament she expressly suggested that Commissioners from both countries should be appointed to treat regarding the conditions under which the union might be accomplished. During the first years of her reign, however, the relations of the two peoples gave little promise of that consummation, which nevertheless lay in the immediate future. The Scottish Parliament, which was elected in 1703—the second year of her reign—proved even more refractory than that which had disturbed the stoical composure of William. Without consulting Scotland, the English Parliament had passed an Act of Settlement, which devolved the Crown on the Electress Sophia and her heirs. By the majority of the Scottish Parliament this was regarded as England's crowning act of insolent domination, and, Whig and Tory agreeing, it passed the famous Act of Security, which, meant as a gage of defiance, proved through the irony of events to be the immediate cause of effecting the international compact. By the Act of Security it was declared that, twenty days after the death of the reigning sovereign, without issue, the Estates were to name a successor who should be a Protestant and a descendant of the House of Stewart, and should *not* be the person designated by the Parliament of England, unless under conditions that secured to Scotland complete freedom of government, of religion, and of trade. The Government at first refused its sanction to an Act which virtually declared Scotland an independent country, but was at length constrained to give it as the lesser of two evil alternatives. Sanctioned by the Crown, the Act might now be regarded as the expression of the national will of Scotland, and as such it was interpreted by all parties in England. In the words of Defoe, the Act of

Security 'put Scotland into a posture fit to be treated with, either by England or by any other nation.' It was, in truth, the menace of this second alternative that first aroused in English statesmen a sense that Scotland could no longer be treated as a dependency. 'Scotland,' in Defoe's quaint words, 'began to be talked up in the world a little.' So profoundly convinced were all Englishmen of the menace implied in the Scottish Act that the Tory House of Commons and the Whig House of Lords with one accord took up the challenge. In both Houses bills were carried in terms and spirit as unflinchingly defiant as that of the Scots. The Bill of the Commons, which was eventually adopted by both Houses, bore the significant title: 'An Act for the effectual securing the Kingdom of England from the apparent dangers that may arise from several Acts lately passed in the Parliament of Scotland.' By the terms of this Act, unless the Crown of Scotland were settled by Christmas Day of 1705, all Scotsmen would thenceforward be regarded as aliens, and all importation of Scotch cattle, sheep, coals, and linen be prohibited. More prudent or more calculating than the Scottish patriots, however, the English Parliament offered an olive branch along with the sword. By the same Alien Act the Queen was empowered to appoint Commissioners to negotiate a union between the two countries, which meanwhile seemed on the brink of international hostilities.

Equally under the despotism of the Stewarts and under the régime of the Revolution, therefore, the existing relations between the two countries had been found intolerable. In the interests of both, some new arrangement was imperative that would put an end to a situation which was a permanent menace to peace and a scandal to responsible statesmen. But if a new arrangement was to be effected, there could only be a choice of two alternatives—either some form of union or complete separation of the uncongenial yoke-fellows. We know which of the alternatives was adopted: let us then consider what general causes made it at once possible and desirable, and let us first consider the causes which operated in the case of our own country.

As we know, there had been previous attempts to effect a union of the Parliaments of the two countries. It was a cherished ideal of James VI. on his accession to the throne of England, and he had taken steps to realize it. During the rule of the Commonwealth it even became for a time an

accomplished fact ; and during the reign of Charles II. the project was again revived. But in the way of these attempts there was an insuperable difficulty which only the development of public opinion in both countries could remove. Differences in religion, partly the result of political conditions and partly inherent in the idiosyncrasies of the two peoples, created a sundering gulf which no promise of material advantage could avail to bridge. As Andrew Marvell wrote in 1667 :

‘ Though kingdoms join, yet church will kirk oppose ;
The mitre still divides, the crown does close.’

Throughout the 17th century, though in England in less degree than in Scotland, religion had been the main pre-occupation of the most strenuous section of the people, and had been the main concern of statesmen. By the later Stewarts Episcopacy was regarded as the only form of ecclesiastical polity compatible with the dignity and security of the throne, and their rule in Scotland was largely occupied in seeking to make that polity prevail. During the reign of James VI. his religious policy overshadows every other interest ; it was religion that occasioned the revolt that resulted in the two Covenants and the overthrow of Charles I., and during the reign of Charles II. two-thirds of the public business (so we are told by a contemporary statesman) were concerned with religion. Thus throughout the greater part of the 17th century, religious and theological considerations dominated the public mind and determined the counsels of statesmen. But towards the close of the century there were significant indications that a change was passing over the national spirit, and that new interests and new aspirations were arising in Scotland as in other countries.

If we seek for an explanation of this revolution in the national ideals, we may find it in two causes—one peculiar to Scotland itself, the other operative in most of the countries of Western Christendom. As the result of a policy mainly determined by considerations of religion, the Scottish people had been gradually taught, that at the stage of development which they had now reached, such a policy was no longer possible if a stable and acceptable rule was to be established in the country. On the one side, there had been the sovereign maintaining the divine origin of Episcopacy and employing all his resources to enforce it on his people, and, on the other, there had been a strenuous portion of his subjects holding the divine origin of Presbytery,

and prepared, when the opportunity came, to impose it on the nation at large. The religious absolutism of James VI. resulted in the ruin of his son; the similar policy of the Covenanters resulted in the Restoration; and James VII., carrying the policy of his predecessors to its legitimate conclusion, sought to bring back Rome, and lost himself and his House in the attempt.

Thus it had been brought home to the Scottish people that religious absolutism was incompatible with a stable rule, and that other considerations than the divine origin of this or that form of ecclesiastical polity must determine the public policy. And in the spirit and action of the Scottish statesmen of the Revolution we have a convincing illustration of the lessons which had been learned from the woful experience of the century and a half that had intervened since the national change of religion in 1560. One of the most momentous questions which the Revolution statesmen had to solve was—whether Episcopacy or Presbytery was to receive the sanction of the State. Hitherto the question had received a simple answer from whatever authority had chanced to be in the ascendant. In their hour of triumph the Covenanting party had imposed Presbytery on the nation as the divinely ordained form of Church government, and had even made the attempt to impose it on England and Ireland besides; and at the Restoration Charles II. had set up Episcopacy, at once on the ground that it was of divine institution and the only form of polity consonant with kingship. The Scottish statesmen of the Revolution were influenced by no such absolute considerations; they set aside Episcopacy and put Presbytery in its place for the simple reason that it had given its support to the Revolution and promised to be its strongest stay. Expediency had in fact displaced absolute principles in the conduct of public affairs, and under this new régime the relations of the two kingdoms could be adjusted on a secular and not on a theological or ecclesiastical basis.

Thus by the failure of government on theocratic principles Scotland had been conducted to secularism as the only basis on which a national policy was possible, and as it chanced, there were forces at work in the world at large which influenced her in the same direction. Since Scotland had become a nation, it is to be remembered that she was always an integral part of Christendom. All the organic changes she had undergone had, indeed, been primarily the result of this relation. When David I. gave her the framework of feudalism and the mediæval

Church, he only followed the example of the other countries of Western Europe, and, but for Luther and Calvin, she would have had no Reformation. But throughout the 17th century the leading nations of Europe—notably England, France, and Holland—had entered on a new phase of development, and, as in the past, Scotland was bound sooner or later to follow them. This new development was the growth of the commercial spirit, and the consequent international rivalry for the markets of the world. Throughout the 17th century England and Holland were engaged in a permanent contest for the leadership of the world's commerce, and England's wars with France, begun at the century's close, were wars for the same end. 'Trade,' wrote Fletcher of Saltoun about the time of the Union, 'is now become the golden ball for which all the nations of the world are contending.' And in using these words Fletcher implies that Scotland like other countries was bound to engage in the game. She had, indeed, given striking proof that she was already engaged in it. The disastrous Darien Scheme was *her* attempt to capture the golden ball for which all the nations were contending, and its historical significance is that it shows Scotland bent on becoming a commercial nation like her neighbours. What a change had come over her dream when it could be said by a contemporary that, since the signing of the National Covenant, there had been no such enthusiasm in the country as was shown by all classes in their eagerness to invest their savings in the ill-starred enterprise!

By this revolution in the national spirit, therefore, by this awakened desire to share in the world's goods, Scotland was prepared to make a bargain which would enable her to compete on fair terms with other countries. And in England, also, the same transformation had been wrought in the national ideals. At the close of the 17th century church and religion no longer dominated all other interests, and on purely secular grounds she also was disposed to make terms which would turn to her commercial advantage.

Such was the general disposition of the two nations—by nations being always understood the most strenuous and intelligent sections of their peoples—when the Commissioners of Union met in the Cockpit in Whitehall on April 16, 1706. In nine weeks they had drawn up the terms of a Treaty of Union to be submitted to the decision of the Parliaments of the two countries. It is unnecessary here to specify all the heads of the

Treaty and it is sufficient to bear in mind that the two main recommendations were the Union of the two Parliaments and community of trade. As the greatest opposition to the Treaty was expected from Scotland, it was arranged that the Scottish Parliament should first sit in judgment on its terms. The general circumstances in which the Act of Union was carried are among the most familiar in our history. Within the House and without it the opposition to the Treaty at times seemed to threaten civil war. Writing on November 19, 1706, the Secretary Mar declares that nothing prevents an invasion of Edinburgh but the season of the year and the bad weather. How far this hostility was worked up and how far it was real, is a question which does not admit of a satisfactory answer. The petitions against the Treaty which were sent in from every royal burgh except Ayr are not decisive evidence of the feelings of the commercial classes in general, since we have it on the authority of the Jacobite Lockhart that they were for the most part prompted and even concocted by the agents of his own party. Nor are the riots that broke out in Edinburgh and other towns any proof that the majority of their intelligent citizens were at heart opposed to the Treaty. In the case of certain classes, however, their hostility was undoubtedly genuine and can easily be understood. For Jacobites and Episcopalians the Union would be a crushing calamity as it would for ever cut off the hope of the restoration of the Stewart. But it was from the National Church that the most formidable opposition was anticipated by the government officials charged with the conduct of the Treaty. 'One thing I must say for the Kirk,' wrote the Secretary Mar on the 7th of November, 1706, 'that if the Union fails, it is owing to them.' What the Church naturally dreaded was that a united Parliament, in which the majority of both Lords and Commons would be Episcopalians, would sooner or later seek the ruin of Presbytery and impose a common polity on both kingdoms. In the drafting of the Treaty the question of religion had been deliberately excluded as the safer policy—the implication being that the Union would leave the national churches intact. But to the weaker church this was no sufficient guarantee of its future security, and so formidable was its opposition to the Treaty that the Government was constrained to make terms for its support. The result was the Act of Security which, as far as words could go, safeguarded for all time the National Church

of Scotland as it had been established at the Revolution. According to the terms of this Act, which, though not embodied in the Act of Union, was to form an indissoluble part of it, the Church, as it then existed, was 'to continue without any alteration to the people of the land in all succeeding generations,' and the four Universities, whose professors must be members of the national Church, were similarly to remain 'within this kingdom for ever.' Even this solemn pledge for the immunity and perpetuity of their Church did not satisfy the majority of the clergy, most of whom, we are told, were men of 'little experience and warm zeal'; and throughout the prolonged debate they did their utmost to incite their parishioners against the Union. The sager heads of the Church, however, and notably the sagacious Carstairs, had been won over, and their support was of the first moment in passing the Treaty into law. Though opposed at every step by different parties in the House, the Articles were at length successfully carried after nearly three months' debate; and on January 16, 1707, the Commissioner Queensberry touched the Act of Union with the royal sceptre, and at the same time, as inviolably bound up with it, the Act for the Security of the national Church. On the 19th of March following, amid a salvo of guns from the Castle, the exemplified Act was read in the House, and ordered to be recorded. As the Chancellor Seafield handed the Act with his signature affixed to the Clerk of the House, he is said to have exclaimed, 'Now, there's an end of ane old song.' It was a form of words employed by his countrymen when they would relieve a sigh with a jest.

The Union had thus been carried in the teeth of persistent opposition both within and without the Parliament House, and it was with no exuberance of joy that its consummation was greeted by the country at large. A correspondent writing to the Earl of Mar from Edinburgh on the 1st of May—the day when the Treaty came in force—uses these significant words: 'There is nothing so much taken notice of here to-day as the solemnity in the south part of Britain and the want of it here.' True, the bells rang from the steeple of St. Giles to signalise the occasion, but the same correspondent notes as of dubious omen that the first tune they played was, 'Why should I be sad on my wedding day?' The first experience of the results of the Union was indeed fitted to justify the gloomiest auguries as to the future relations of the two

kingdoms now bound to a common destiny. In their zeal to carry the Treaty the legislators of neither country had taken the most ordinary precautions to ensure its harmonious working in the first stages of its action. Hardly had the Act come into force when one needless cause of friction after another arose to make both nations repent their bargain. By one of the terms of the Treaty it had been arranged that English revenue officials should be quartered in Scotland to superintend the new fiscal operations of which the natives of that country had no experience. In any case the duties to be performed by these strangers must have rendered them obnoxious, but the promiscuous mob of officials who were sent across the border and the manner in which they went about their task awoke a lasting indignation throughout the whole country and, as much perhaps as any other cause, created a settled antipathy to the Union. By another clause in the Treaty Scotland was to receive the sum of £398,085 10s., known as the Equivalent, as a compensation for her losses sustained and losses to be incurred. But the money was so long in coming that it was generally believed that England was disposed to break her bargain. 'The Equivalent is so much despaired of here,' wrote one from Edinburgh, 'that among the vulgar the greatest part believe it is gone to Spain, and some believe that the bridge of Berwick is fallen with the weight of it, and all is lost.' At length, on August 5, the precious burden, for the Scots had refused to accept the money in notes, conveyed in twelve waggons, and guarded by 120 Scottish dragoons, reached the capital, where in spite of doubled guards a riotous mob vented its spleen by stoning the convoy.

The legislation of the United Parliament during the remaining years of Queen Anne was not calculated to remove the fears of the weaker country that she had been entangled into a disastrous alliance which must end in the ruin of her remaining institutions, and the obliteration of her nationality. The nobility, by whose vote the Union had been carried, were exasperated by the Peerage Bill, which placed them at a disadvantage with the peers of England. In the Act restoring lay patronage, and in the Act of Toleration, the clergy of the national church saw a deliberate purpose of eventually establishing Episcopacy in Scotland. In the Malt Tax and other legislation the trading community saw at once a breach of the Union treaty and a

sacrifice of their interests to the advantage of England. Thus all classes in the country had their own grievances and their own fears as the immediate and direct result of the unhappy compact. It seemed, therefore, that when in 1713, the year before Anne's death, the leading Scottish statesmen, Whig and Tory alike, combined to undo the Treaty of Union, they were acting in accordance with the general desire of the country. As we know, the motion for dissolving the Union, brought forward in the House of Lords, was lost only by a majority of four. Yet Jacobite and Whig alike, who supported the motion, were well aware what the dissolution of the Union must inevitably involve. 'If we saw a possibility of getting free of the Union without a civil war,' wrote the Earl of Mar, 'we would have some comfort, but that, I am afraid, is impossible.' The day of the dissolution of the Union would indeed have revealed to Whig and Tory the essential antagonism of their respective ends, and the result could hardly have been other than was anticipated. Again would the issue have been joined between Protestantism, on the one hand, and Roman Catholicism on the other, for in this light would the conflict have been regarded by all Presbyterian Scotland. On more than one subsequent occasion the Union was to be in apparent peril. If at the death of Anne the schemes of Bolingbroke had succeeded, the Stewart would have been restored, and his restoration would have involved a new relation between the two kingdoms. In the Risings of 1715 and 1745 the Union was again threatened, but English and Scottish Protestantism on both occasions proved its safeguard. The restoration of the Stewart meant the restoration of Roman Catholicism, and Protestantism was vitally bound up with the secular as well as the religious interests of both peoples.

Yet for many years to come it was rather the dread of what would follow on its dissolution, than a conviction of the benefits it had brought, that held Scotland fast to the Union. The promise of immediate commercial prosperity had been the golden bait with which the statesmen responsible for the Union had sought to reconcile her to the loss of national independence. An improved coinage and free trade with England and her Colonies were to be the means through which the harvest was to be promptly and bounteously reaped. Proportioned to her deceived hopes, therefore, was her disappointment at the actual result, which seemed the immediate and direct consequence of

her reluctant copartnership. So far from entering at once into a golden harvest, what she appeared to have reaped was the loss of her trade with France, heavier duties, and heavier taxation, exacted with a rigour unknown in her previous history. As late as the year 1742, Lord President Forbes, the most enlightened public man of his day, drew up, at the request of Lord Tweeddale, the Scottish Secretary of State, a statement regarding the national revenue which is sufficiently explicit. 'The revenue,' he says, 'is in such a declining state that the usual expense of the civil government can hardly be answered.' The only cheering fact to which he can point is the promising condition of the linen manufacture; the fishery, he says, 'has totally failed for many years'; the foreign trade of Glasgow had been seriously injured by the Spanish War, and as for the rest of the country, it is 'worse than nothing.' Never was there less coin in the country within living memory, and paper was the only currency to be seen. The expenses of the Government had been hitherto met by the duties from the Customs and the Excise, but for many years the Customs had produced 'little worth speaking of,' and the Excise had fallen to a half of its former value.

Such was the gloomy account which Forbes could give of the state of Scotland thirty-five years after the Union. Yet we now know that for some years before Forbes wrote the country had already entered on that path of material prosperity which was to conduct to such splendid results by the close of the century. New industries had been introduced; foreign trade, especially with the American colonies, had vigorously begun, and such towns as Glasgow, Greenock, and Paisley, already gave promise of their future greatness. When the middle of the 18th century was turned, the evidences were indisputable that Scotland had become one of the competitors for the world's trade, and that she was likely to hold her own in the competition.

In conclusion, the question naturally suggests itself—what benefits have accrued to the two nations from the union of the Parliaments in 1707? The answer must be that the one supreme benefit it brought to both was strength and security as the result of their combined resources. The indispensable condition for successful trade, as the past had already shown and the future was still more significantly to show, was strength of arm, to attack, to defend, and to maintain. It was by sheer force that England wrested the commercial supremacy from the Dutch in the 17th,

and from the French in the 18th centuries. The governing motive, therefore, which induced England to seek the union was the desire for increased security and strength. Had Scotland become an independent Kingdom, retaining her ancient hostility, England would have been seriously crippled in the course she was to run. Scotland, in the phrase of the time, would have remained the back-door through which England's enemies might at all times have found a convenient entrance. On the other hand, Scotland, to hold her own in the conflict of international interests in which the nations were already engaged, would have required a fleet and army, the maintenance of which would have overstrained her resources and permanently retarded their development. Relieved from this necessity and no longer dominated by theological preoccupations, she was at liberty to pursue the new paths on which she had entered at the Revolution, and only under such conditions became possible her growth in material prosperity and her contribution to the world's thought which mark the close of the 18th century as the most distinguished period of her annals.

P. HUME BROWN.

About Mary Queen of Scots' Portraits.

[Monsieur L. Dimier, the well-known French critic of sixteenth century art, wrote, in English, the following review of *Portraits and Jewels of Mary Queen of Scots*, by A. Lang (Glasgow: MacLehose, 1906), and requested the author of that book to revise the article. I have therefore ventured to make a few verbal changes in matters of idiom, and have appended two or three notes.—ANDREW LANG.]

THE recent work of Mr. Lang about the *Portraits and Jewels of Mary Queen of Scots*, first published in two articles in the *Scottish Historical Review*, has enchanted the numerous readers interested in the life of that illustrious and unfortunate princess. From the point of view of iconography, the book is one of the most precious that could be published in relation to the history of the United Kingdom.

Coming after the important works of Mr. Cust and of Mr. Foster upon the same subject, it must be owned that, as completing them in some points of moment, it enlarges their field of investigation, and puts the critic on the way of quite new discoveries and conclusions.

My purpose is not to follow the author on every point of his information, some parts of it being out of my special range. I admire the nice research owing to which we are now informed of the existence of Lady Milford's miniature, the most curious piece of all presented to us in the book. I quite agree with Mr. Lang about the date of that portrait, absolutely confirmed by the fashion of the dress. I am less convinced of the identity of the Duke of Portland's miniature, though I should not venture to deny it absolutely. As for the Penicuik jewel, of which I can only judge by the very small photographs,¹ I own the general shape of the face reminds me of quite other persons than Mary Queen of Scots, but still a close examination of the features in the original might have revealed her very likeness.

¹The photographs are enlarged, the originals are tiny.—A. L.

The point upon which I ask for permission particularly to insist, relates to the now well known Leven and Melville portrait of Mary. Mr. Foster had practically the merit of first publishing this capital work, for, though it was photographed for the South Kensington Museum in 1866, the negative is unfit for duty. Mr. Lang's is the first published study of the portrait, apart from the appreciative remarks of Mr. Foster. As I have been able, by the kind permission of the late Lord Leven and Melville, to examine the original, I shall venture to give my opinion, quite according with Mr. Lang's, upon the style and execution. I really see no reason for which the name of a contemporary picture should be denied to this work, and it is quite impossible that the invention, at least, should not be of the time indicated by both the costume and age.¹

I do not suppose anyone would contest the likeness of Mary's features in this picture. Though such a mode of identification, when used beyond discretion, may be called a very dangerous one, still in the present case it is so natural, and the conclusion appears so convincing to every educated eye, that the proof seems quite sufficient. Thus the work holds in iconography a position of exceptional importance. With the Sheffield portrait (1578), it is the only one of the Queen (miniatures excepted), after the two crayons of the Print Room in Paris, that can be brought forward.² So everybody will own the interest of knowing exactly in what circumstances and at least where and when it was painted.

Upon this last point I regret that I cannot agree with Mr. Lang's opinion. He thinks the work goes as far back as the stay of Mary in France (*circa* 1559-1560). I dare say I am sure its date is much later. The proofs given by Mr. Lang are of a very delicate kind. As there is little concerning Queen Mary that he does not know, mentions of her jewels

¹ M. Dimier's opinion should be compared with that of Mr. Lionel Cust, M.V.O., in *The Burlington Magazine* for October, 1906. Mr. Cust, as I understand him, thinks that the Leven and Melville portrait cannot be contemporary. For my part I have no opinion as to the date of execution of the portrait; I merely maintain that, if not contemporary, it is an excellent copy of a contemporary work, whether in oil, or in crayons, or in miniature.—A. L.

² Since M. Dimier wrote, the portrait of Mary and Darnley, at Hardwick, has been recognised. See Mr. Cust, in *The Burlington Magazine*, October, 1906.—A. L.

in her inventories help him in researches of this sort. Jewels are very conspicuous in the Leven and Melville portrait. There is an overflow of them which is scarcely to be seen in any other French or English portrait of the time. Mr. Lang recognises at least two pieces mentioned in the Queen's inventories: one is called a *tour* or *touret*, the other a *carcan*. Three other pieces in the inventories (a pendant hanging to the *carcan*, a *colliouere* or seams adorned with pearls and rubies, and a ruby) are but tentatively proposed as identical with the similar objects represented in the picture. The identity of the two first objects held for certain by Mr. Lang, if established, is enough to prove what he intends, that the Leven and Melville portrait cannot have been painted after 1561-1568. For it is matter of fact that both jewels in 1568 and later were out of the personal possession of the Queen. How could any painter have sought after what she formerly wore, in order to adorn this present picture?

Mr. Cust who holds the Leven and Melville to be, perhaps, an archaeological reconstruction of the seventeenth century, answers that the said mentions in the inventories may have been used by the late painter. But this supposition is so far from agreeing with what we know of the habits of the time that it should be considered rather as a provisional explanation of an inextricable problem, till new enlightenment comes. No doubt it would seem easier to suppose that Queen Mary wished in later times to have herself painted with her ornaments of old days, so the picture could be ascribed to the last period of her life, although the sold jewels appear in it. But this will never account for such an accurate representation of them as Mr. Lang assures us is to be found there. One thing after all must be owned, that is, if the identity asserted is so precise and perfect as to make the jewels *certainly* known, no reasonable hypothesis remains but to assign the picture to the time when Mary possessed them. That I grant plainly to Mr. Lang.

Another argument I ask permission to reject, namely, that the absence of some pearls, *entredoux*, in the *tour* as it is painted, proves that the painter had this imperfect ornament before his eyes. This argument might be said to prove too much; for who will believe, if some *essential* part of the Queen's *tour* had been lacking, that the painter would not have contrived to supply it in the picture? There is no indication that any prince or princess suffered his or her likeness to be brought

forward with such imperfect ornament. So we can ascertain that the empty clamps in the suit of pearls which garnish the *tour* were allowed by the fashion to be so. And then, why should not the *tour* even in that state be the fruit of the painter's invention? I remark that those empty clamps are only to be seen from the point where, by the turning of the rim, the pearls would come underneath. The true reason of the suppression I do not know, but, as I see the pearls regularly missing in that place and nowhere else, I am obliged to think that there is some reason of general nature, quite different from a chance that would prove the presence of the very object under the eyes of the artist.

So the consideration of the lacking pearls in the *tour*, as it is to be seen in the picture, is really of no help to prove what Mr. Lang intends, viz., that the Queen *did* possess it when the portrait was painted. The only reason for what this conclusion could not be avoided is the abovesaid identification, if it were proved. But I do not think it really is.

To begin with the *tour* or *tourlet*, here are the mentions in the inventories quoted after the French original:

'Thouret de grosses perles auquel il y en a XLIX perles.' 'Un autre thouret garni de cinquante grosses perles,' that number being corrected by this note: 'S'en fault une perle,' that is: one pearl missing.

Referring to both these mentions, as well as to a third one, where the word *tour* is employed, Mr. Lang avers that the *tour* painted in the Leven and Melville portrait is one of the very jewels thus described in the inventories. As he reckons in the portrait forty-two great pearls around the rim, thinking that seven or eight are hidden by the hair, he sums the whole to the same number of great pearls assigned by the abovesaid mentions. Besides, as the *tour* bears some smaller pearls called in French *entredeux*, of which there is no hint in the inventories, the author suggests that these parts of the jewel may have been passed over in the inventories, as it is certain they were in the example of another *tour* once described with *entredeux*, and twice without any mention of them.

With all those suppositions, I for my own part agree, *but as mere suppositions only*; so that, if the things thus supposed were a proof of the identity, this identity ought to be held possible, because it is possible that the *entredeux* were only passed over in the inventories, as well as that seven or eight large pearls are

hidden by the hair in the portrait. But things being such, could this only fact that the same number of great pearls is to be found here and there be considered as a proof of that identity, I say the mere coincidence in one single point as is this? Can that be called a proof? Certainly not. And yet that which in itself is no proof, is supported but by suppositions; so that, to form a probability, Mr. Lang has no certain right, but only a probable one. So it seems impossible to think a critic is by any means engaged by the consequences of the suggested identity.

As for the identity of the *carcan*, it requires peculiar conditions.

The most notable is that this garment is supposed to be worn in Mary's portrait, not properly as a necklace (what the word *carcan* signifies), but as an ornament to the bodice. However probable this alteration might appear, it must be confessed that the proposed identity becomes in consequence less convincing than it ought to be. As we are requested to consider but a fragment of the *carcan*, neither the right place of it, nor the number of stones mentioned in the inventories, can help us to recognise it. Now, if we consider that this jewel in its general shape is as common in the portraits of the time as the abovesaid *tour* is rare, how can we rely upon the likeness Mr. Lang points at? To quote some examples of it, there is such a kind of necklace of alternate stones and pearls worn by a false Elisabeth of France of the Print Room in Paris: by Claude duchess of Lorraine, by an unknown lady in the Pinacothek in Munich, and by Queen Elisabeth of Austria in the Louvre. I own that in all these examples the pearls are not set in couplets, as is said in Mary's inventory: 'A *carcan* in which there are six rubies, one table of diamond, and eight couplets of pearls.' But that the pearls in such a jewel have been set in couplets, and not in groups of three, four, or five, cannot make a sufficient token for strict identification.¹

¹ I do not quite understand M. Dimier's argument about the empty clamps, which are not, like the other clamps, supplied with pendant pearls. Certainly, if Mary chose to wear an imperfect ornament, the artist could easily have supplied the missing pearls. In a highly finished and elaborate work he did not do so, that is all we know. I can imagine no motive on his part for the omission of the pearls except that they were not present when he painted the ornament.

I shall not repeat my arguments for supposing that the *tourlet* is identical with one mentioned in Mary's Inventories. They are given in my book.

Even that very point is to be found in a necklace of the same shape in a portrait called Mary Queen of Scots at Greystoke, in which, as Mr. Cust thought, we ought to recognise Elisabeth of France, Queen of Spain. M. Lang confesses that this necklace has nothing to do with the jewel mentioned in Mary's inventory, the description of which still agrees with it as much as with the one in Mary's portrait. So such an agreement is no proof for the supposed identity.¹

To sum up, neither the *tour* nor the *carcan*, quoted in the inventories, can be found with any certainty in the portrait. Now I come to positive signs of the time when the work was painted.

I take them from the dress, the ruff, and bodice, as well as the hair. The fashion of both I can plainly assert is not to be met with in France before the reign of Henry III. The strictest proofs of this can be afforded, a crowd of portraits of that age, some of them bearing an original date, some ascribed to as certain a time by the name and age of the persons painted. I beg to retain as the principal features of

The *cottouere* or jewelled decoration of the seams of the bodice, in pearls and table rubies, is identical with a *cottouere* which occurs in Mary's Inventories for 1559, and which does not appear later in her lists. This cannot be a chance coincidence.* The bodice belt of alternate table rubies alternating with double pearls, and with a diamond in the centre, appears in 1559 and never again, as a larger *carcan* or necklace. But M. Bapst, in *Histoire des Joyaux de la Couronne de France*, remarks that such jewels were used now as *carcans*, now as head ornaments, now as bodice belts, as is still customary. M. Dimier makes no reference to this fact,† which justifies me in identifying the ruby, diamond, and pearl *carcan* of 1559 with the ruby, diamond, and pearl bodice belt of the portrait. When a *carcan* was used as a bodice belt, some of the jewels were detached, as, with them, the jewel would be too long.—A. L.

* This I did not understand to be a capital argument in Mr. Lang's reasoning. If it is, I shall urge that this kind of jewel, made as is said in the inventories, is too frequent in portraits of that age to make a proof for the identity.

† This fact does not touch my conclusions. I do not say such an alteration is impossible nor even improbable. I only say that, so altered, the tokens of identity in the jewel are unfortunately lessened.

¹ I cannot follow the reasoning of M. Dimier. The *carcan* in the Greystoke portrait of Elizabeth has the pearls arranged as in the bodice belt of Mary, in the Leven portrait. But the bodice belt has rubies and a diamond, as in the description in Mary's Inventory of 1559. The Greystoke *carcan* does not answer to the description in the Inventory. These facts favour my identification of Mary's bodice belt with Mary's *carcan*. How they assist M. Dimier's doubts of the identification I am unable to understand. The bodice belt answers precisely to the description of the *carcan*, and the Greystoke *carcan* has nothing to do with the question.—A. L.

that fashion the puffed hair on one hand and the large ruff on the other. The environs of 1574 are the very date to be attributed to the Leven and Melville portrait.

Mr. Lang urges that early in her life Queen Mary used to wear periwigs; adding some quotations where it is said that she would change them every day. He concludes that there is no relying upon the shape of Mary's hair-dressing. But that is of no consequence, I think. Whatever these periwigs may have been, and in whatever way they may have changed, still it is sure that they kept certain rules according to the fashion of the day. Not only Mary wore periwigs; this was the use of many ladies at Court; but that circumstance does not prove that any shape of hair could have been worn in any time. Perwig and change are not synonymous with absence of rule and fashion. The fashion in periwigs would follow the fashion in hair.¹

Will it be considered a better objection that at the time I assign, Queen Mary was in captivity, and rather unapt to have herself painted in so gorgeous an attire? That depends upon the intentions which may be supposed in the Queen. Besides there is no necessity for supposing the work painted at her own command. An original sketch or crayon taken from life might have been dressed in that way by someone whose name and intentions we do not know.

As for the age and expression, I really do not see that they are not those of a lady of thirty or thirty-two years, especially of a queen whose renown of beauty would engage the painter to flattering.

¹ I am unable to contend with M. Dimier on the point of fashion in costume and hair dressing. I have seen no costume like that of the Leven and Melville portrait in any work of art of the period. That M. Dimier has seen no such arrangement of hair before 1574, hardly proves the negative, namely, that Mary could not have worn it earlier. Her hair seems to be puffed out in the Portland miniature, which Mr. Cust and Father Pollen incline to date in 1566. That Mary, in 1574, was represented as the girl of the Leven and Melville portrait seems to me inconceivable, but M. Dimier thinks that, in the portrait, she may be thirty. She also had not the jewels in 1574, if, as I think, I make good my point about the jewels. I can find no historical *raison d'être* for the Leven portrait, unless it be a contemporary or a copy of a contemporary work representing Mary at the period when she certainly owned the jewels which she wears, and was of the age which she appears to be. I take that age to be eighteen, M. Dimier thinks it is thirty or thirty-two, an old thirty or thirty-two, for, by 1574, she was worn by illness, passion, and captivity.—A. L.

So there is no impossibility of any kind in admitting the date positively certain for the reasons I gave. Though captive and deprived of her richest jewels Mary was painted in this work, no doubt little later or sooner than 1574, in queenly apparel, with plenty of fancied ornaments, in which there is nothing to retain as true but the record of her actual taste for pearls and precious stones. Who was the painter I cannot guess. A Frenchman is little probable; the execution is rather of Flemish appearance, and all internal reason is lacking for the supposition that it was made in France.¹

I am now coming to some other portraits of Mary Queen of Scots spoken of by Mr. Lang. About the so-called Morton portrait I dare say I am of the same opinion as Mr. Cust is about it, and consider it an altered copy of the Sheffield one. Mr. Lang thinks it must have been more like the queen, whose face appears so unpleasing in the latter. But an altered and (I think) rather late copy, though embellished and more agreeable, is still less convincing as a likeness than the crude replica of such an ignorant workman as Oudry was. Skilfulness it is true is still the best warrant of likeness in portrait, and nobody is obliged to take as authentic the ugly features of Oudry's picture; but later amendments are of still less value.

The more we examine the question, the more we are convinced the Leven and Melville is, with Lady Milford's miniature, the most important of the whole iconography since Mary's departure from France. Besides the Sheffield, they are the only certain ones that are not a copy or accommodation. And as none of the Sheffield type (not even the Morton) can be thought an original, as probably both the Leven and Milford portraits are, the first rank of all belongs to one among the oil paintings, to the other among the miniatures.

No doubt new discoveries will bring forward some copies of the Leven and Melville, proving that contemporaries recognised its importance. Such a copy, or rather accommodation, I recognise in the miniature in the national museum in Florence, which Mr. Cust and Mr. Foster reproduce. The dress is changed, but the drawing of the face is the same, and the general outline of the ruff is preserved.²

¹ The only reason for supposing that the original was done in France is that Mary did not own some of the jewels after she left France.—A. L.

² This miniature represents a fat, flat-faced, grey-haired woman with a bulbous nose!—A. L.

One word more will be of some use about the Gaignières portrait, a copy of which is at Buckingham Palace. To find it so named in Gaignières' album is a serious reason for believing its identity. A bad copy with such altered features that it becomes impossible to recognise the person painted in it, ought not to be expelled from a scientific iconography, on account of possible identifications for which it may become an assistance.

As for Jean Decourt, whose name comes so often in Mr. Foster's and Mr. Lang's studies, and about whom the latter discovered such precious mentions, it will not be needless to advise the learned reader that Jean Court called Vigier, enameller, ought not to be taken for the same person as that painter. A Limousin poet, Joachim Blanchon, has sung the praises of both, carefully distinguishing their names. It is true some confusion may arise because of the likeness of the names. Till further information we hold Jean de Court, enameller, represented in the Wallace collection, for the same with our Jean Decourt painter in oils to the king. But that gives us no right to extend the identity to Court called Vigier, who was nothing else but an enameller.

The latter worked for Mary Queen of Scots as well as our Decourt. What Jean Decourt executed for her will become some day an aim of interesting researches. I think his name has nothing to do either with the Leven and Melville, or (as far as can be judged from the photograph) with the Greystoke, representing Elisabeth of France Queen of Spain.

L. DIMIER.

Scotland and the Papacy during the Great Schism

BEFORE the Reformation, Scotland was one of the most faithful daughters of the Roman Church, far less independent than France, and more submissive than England. It had, moreover, a period of separation from the latter country in its religious adherence, during the 'Great Schism,' when the Papacy was divided, and the Catholic world gave its obedience according to its conscience or profit to either of the Popes who ruled simultaneously; the one at Rome, and the other at Avignon.¹

This—'The Great Schism'—arose from the Election at Rome in 1378 of a Pope as successor to Gregory XI., who by the exhortations of St. Catherine of Siena had quitted Avignon to take up his abode in Rome after the Papal exile. The Cardinals unquestionably elected Bartolommeo Prignano, a Neapolitan, who took the title of Urban VI.; but they made the Election in circumstances of much disorder, and afterwards protested they had done so only from force and fear. Still for three months they acknowledged him as Pope, and suffered his harsh rule; but when a favourable opportunity occurred later, and they found themselves at Fondi under the protection of the Count Honorat Gaetani, they threw off the mask, declared Urban's election null, entered into solemn conclave, and on September 20, 1378, elected as their rightful Pope, Robert of Geneva, brother of Amadeo, Count of Geneva, a strong young noble of 36, who took as his papal name that of Clement VII. After causing futile strife in Italy, of which he soon lost hold, he fled to France in 1379 and reigned over his Papal Court at Avignon, abandoning Rome to his rival, by whom, and ultimately by the Roman Church, he was styled Antipope.

The Western World was now forced to take sides with one or other claimant to the Papacy. The Empire, Hungary, Tuscany, Lombardy, Bohemia, Poland, Denmark, Sweden,

¹ I have to thank the Bishop of Edinburgh for his kindness and suggestive help in regard to this paper.

Norway, and England recognised Urban VI.; as did the Count of Flanders, although he was himself a near relative of the Antipope Robert of Geneva.

The latter, however, had many adherents, his native Savoy, Naples, Lorraine and France. Scotland acknowledged him as well, either because France had sided for, or England against him. It flattered the Scottish national vanity at this time to trace the descent of their spiritual chief to one of their own princesses, Mary Countess of Boulogne, the daughter of King Malcolm Canmore and of St. Margaret his queen. The Spanish Kingdoms at first stood aloof, but between 1380 and 1390, by the clever advocacy of the legate of the Court of Avignon, Peter de Luna, who had been created Cardinal-deacon by Gregory XI., before the Schism, they also were brought within the obedience of Clement VII. and proved for long faithful adherents of the Antipopes.

The Schism had many effects, the chief of which was to turn men's thoughts to doubt the reality of the Papal headship of the Church. Another result was that it forced the Popes, who had to maintain not only their ecclesiastical state but also standing troops, to exact much money from the faithful and to use the whole machinery of the Church to help them to extort it. Pope Urban VI. died at Rome in October, 1389, but his death was far from ending the schism, as the cardinals of his creation at once elected Pietro Tomacelli, another Neapolitan, as Pope under the title of Boniface IX.

Worn out by the conflicts of the schism and disputes with the University of Paris, which though recognising him as Pope, kept clamouring for the union of the church, Clement VII. died, the last male of his race,³ Sept. 16th, 1394. He had reigned at Avignon fifteen years, and during that time made thirty-four Cardinals. He ruled the countries in his obedience well and kept up the Papal office with dignity. The Exchequer Rolls show that King Robert III. of Scotland sent to him two special ambassadors in 1392, Master John de Mertoun, rector of Cambuslang, and Master Duncan Petit, Archdeacon of Whithorn, envoy to France. Scotland was from Argyll to Orkney, almost, though not quite, unwaveringly faithful, although the Roman Pope sent special preachers thither to further his cause,⁴ and

³ His sister's son Imbert de Villars succeeded as Count of Geneva, until then a male fief. Dupuy's *Histoire du Schisme*, p. 253.

⁴ Bellesheim, *Hist. of the Catholic Church in Scotland*, ii. 45-46.

Clement's register of Petitions shows that in early times at least certain English and Irish ecclesiastics⁵ acknowledged his authority also. That the inconvenience of the dual papacy was great is shown by the granting at Avignon on October 2nd, 1379, of the petition of the Abbot and Convent of Cambuskenneth for confirmation of the patronage of the Church of Kilmarnock which narrates that the Register of Petitions is in the hands of 'Bartholomew (Urban VI.) the Intruded Pope,'⁶ and the same year there was a dispute about the church of Tannadyce in the diocese of St. Andrews between two priests, Thomas Cornell and William Ramsey, who 'holds by letters of Bartholomew the Intruded Pope' and had held it 'for a year without being ordained priest.'

At this time the Antipope's authority, however, was withstood in the succession to the Abbacy of Lindores, the competitors being John Stele, whom the monks supported, and William de Angus, the Antipapal nominee. The latter petitioned Clement VII. for a faculty in 1380 to hear the confessions of persons regular and secular, clerical and lay, and to absolve them, even in cases reserved to the Apostolic See, and to enjoin penance, on account of mortality being rife in Scotland.⁷ Stele and his adherents were excommunicated by the Antipope, but his nominee, William, left the monastery with three monks, failing to obtain possession and fearing evil treatment. Clement VII. wrote to the Bishops of Glasgow, Dunkeld, and Aberdeen to provide William with a Benedictine Monastery in despair of getting Lindores, and, after the unfortunate Postulant had with his three followers begged their bread for the space of two years, the Antipope assigned him a pension for his immediate relief of 20 pounds out of the Abbatial *mensa* of Dunfermline.⁸

On the other hand Clement VII. had a warm supporter in Walter Trail, Bishop of St. Andrews,

Hic fuit Ecclesiae directa columna, fenestra
Lucida, thuribulum redolens, campana sonora.

for he, when referendary at Avignon, had been appointed by the Antipope to the See Nov. 29, 1385.⁹ It was on account of

⁵ See *Calendar of Papal Registers*, Petitions, i. 1378. John Passelewe, for a Canonry of Lincoln, Stephen de Lymington for a benefice in the Province of Canterbury, etc., and for the Roll of the Irish.

⁶ *Ibid.* pp. 542-3.

⁷ *Ibid.* p. 557.

⁸ *Chartulary of Lindores*. App. iv. pp. 308-9.

⁹ *Hierarchia Catholica Medii Aevi*. Conrad Eubel. p. 88.

Bishop Trail's adherence to the Antipope that the Roman Pope Urban VI. bestowed the Bishopric of St. Andrews upon Alexander de Neville, the deposed Archbishop of York; but this appointment was naturally disregarded by the Scots, as was a subsequent one by Pope Boniface IX. to Thomas Arundell, Archbishop of Canterbury when an exile from England. Archbishop Trail, moreover, survived until 1401 at St. Andrews, distinguished both by his virtues and his ability. In 1381, in accordance with the petition of Robert II. of Scotland, the Antipope granted a prayer, on behalf of Andrew Chaparal, of the diocese of Liège, for a canonry of Brechin, since he had lived 'so long in Scotland that he had learned to speak the language and who since Liège rebels against the Pope and the Roman Church proposes to live constantly in Scotland.'¹⁰ We now see another result of the Schism, namely, the necessary flight of the Schismatics to countries where they were welcome, and about this time we notice many of the religious in Scotland bear English names,—for example, some among the Augustinian canons of St. Andrews,—and they, with many more, perhaps, were refugees for conscience sake. A contrary movement is perhaps shown by the letter in 1382 of King Richard II. of England to the University of Oxford, which orders toleration of the Scottish students there, notwithstanding their 'damnable adherence' to the Antipope. The Papal Schism, it is likely, was therefore not without some influence in Scottish education and, in the end, it may be furthered culture in the North, as it sent at least a few Antipapal fugitive monks to Scotland from England and the Continent, and a few of the Scots schismatics went southward as poor scholars with a certain amount of toleration to be educated at Oxford at a time when many Scottish benefices were still being ravaged and their churches destroyed, as the Papal petitions show but too well, by the English invaders.

One of the few Scottish Cardinals on the Papal Rolls we owe to Clement VII., as he advanced in 1381 Walter Wardlaw, Bishop of Glasgow, to that dignity.¹¹ In 1386 he was Papal legate in Scotland and Ireland, which indicates that Clement had by no means lost all recognition of his titular authority over the latter country. The 'Cardinal of Scotland' did not long enjoy this honour, as he died before November, 1387, when Pope Urban VI. unsuccessfully nominated John Framisden, a Friar Minor¹² to

¹⁰ *Cal. P. R. P. I.* p. 559.

¹¹ *Keith*, 246.

¹² *Registrum Episcopatus Glasguensis*, I. xl. He was a suffragan of London, 1393, and of Sarum, 1396. (*Stubbs Reg. Sac. Angl.* (2 Edit.) 197.)

succeed him in his See and appealed to King Richard II. of England to institute him by force. His nephew Alexander Wardlaw succeeded him in the Archdeaconry of Argyll. His other nephew, Henry Wardlaw, then a Canon of Glasgow, became later the founder of St. Andrews University.

In spite of the protests of the King of France and the University of Paris, the Cardinals at Avignon lost no time in electing a successor to the late Antipope. It was a condition precedent, however, that, if the union of the Church was probable in the future, he should be ready to resign the triple crown to promote it. Now Peter de Luna reaped the full results of his advocacy of Clement VII. In him the Electors saw an ideal candidate. He was ready, he said, to resign, 'as easily as I take off this hat,' if the future required that course, and his learning and decent life all pointed him out as fit for the Office. He was therefore elected Pope at Avignon by unanimous voice on September 28, 1394, taking the title of Benedict XIII.

The new Antipope belonged to a very distinguished family in Aragon, being the son of Juan Martin de Luna and Maria Perez Gotor, and his position was made the stronger by the marriage of his kinswoman Maria de Luna to Martin, King of Aragon. All the countries in the obedience of the late Antipope acknowledged him as Pope and at first France hailed his accession with acclamations. By 1398, however, France had revolted and had withdrawn its obedience from him. He was besieged in his papal Palace at Avignon in that year, but by the assistance of his brother, Roderigo de Luna, and his Spanish troops, a fierce defence was made and ultimately, in April, 1399, the King of France withdrew his forces. By 1402 the obedience of Provence was again rendered to him by Louis of Anjou, and on 28th May, 1403, King Charles VI. restored the French obedience to him also. But that the evils of the schism were more strongly felt is shown by the fact that, even in loyal Scotland, Parliament discussed and determined ecclesiastical questions itself instead of leaving them as formerly to Provincial Councils of the Clergy; and in 1401 Parliament, with the consent of the clergy, enacted that any person deeming himself unjustly excommunicated should appeal within forty days from his Bishop to the Conservator, then to the Provincial Council, where such questions should be decided as long as the Papal Schism should last, an important constitutional change which made Parliamentary and not clerical authority supreme in a

religious question.¹⁴ We find a curious instance of the grief that was felt in regard to the Schism when we read that from 1403 to 1413 an annuity of £5 was paid to the Bishop and Cathedral of Aberdeen for a Chaplain to celebrate Mass for the souls of King Robert III., his ancestors and successors 'quousque universalis ecclesia fuerit ad unitatem reducta.'¹⁵

In 1404, the Roman Pope Boniface IX. died, and Cardinal Migliorati was elected in his place as Innocent VII. There now began politic negotiations between the two Popes, but none of these came to any good. Benedict XIII. indeed made a show of attempting to negotiate, and even left Avignon (which he had fortified more strongly) for Genoa and then Savona. Innocent VII. died in 1406 and the negotiations were renewed with his successor Angelo Correr, Pope Gregory XII., and a conference at Savona was arranged, which, however, never took place. France and the University of Paris continued to threaten Benedict with the withdrawal of the French obedience. The King of France proclaimed his neutrality in May, 1408, and Benedict finding his position at Avignon no longer safe, fled thence to Porto Venere, whence on 15th June, with four of his Cardinals, he sailed to Roussillon, his native country, taking refuge at Perpignan,¹⁶ and residing there in the Chateau royal, assigned to him by the faithful Martin, King of Aragon, issued a Summons for a General Council of the Church to assemble on November 1 in the *Eglise de la Real*. The object of this Council was to restore peace to the Church, in opposition to the Council of Pisa, which a number of the Cardinals of both Popes had convoked, but although it was attended by some 120 prelates it was unwilling or unable to effect anything.

The Council of Pisa, on the other hand, attended by twenty-two Cardinals and nearly ten thousand prelates, Doctors, and Ecclesiastics with their suites, deposed both popes on June 5, 1409, and elected as the new Pope a Greek, Peter Philargi, as Alexander V., who only survived for a year. He was followed

¹⁴ *Statuta Ecclesiae Scoticae*, i. lxxviii.

¹⁵ *Exch. Rolls*, iii. pp. 579, 606, 640, iv. pp. 31, 63, 92, 121, 154, 184.

¹⁶ In the *Livre vert mineur* (fol. 358 r^o) is a Privilege of Benedict XIII., permitting the Perpignan authorities to imprison clerics, married or not, for debt. It is particularly interesting as the scribe has added to it besides the initial letters, the arms of the Pope and the head of a bearded old man, most probably his portrait. This is reproduced in Pierre Vidal's *Perpignan*, Paris, 1898.

by Baldassare Cossa as John XXIII., but the troubles of his reign forced the summoning of the Council of Constance in October, 1413,¹⁷ to settle the affairs of troubled Christianity.

During this interval of tumult we must see how Scotland fared. Unlike France, Scotland and Aragon remained steadfastly in the obedience of Benedict XIII. It was nothing to the former that France threw over the Antipope and that he was forced to flee from Avignon, the old Papal city,¹⁸ to his Spanish dioceses, Scotland still regarded him as lawful Pope. So did Aragon, and his chief supporter there, his friend S. Vincent Ferrer of Valencia, was, as yet, a tower of strength to him. The Kingdom of Castille also clung to him, and the Kings of these 'schismatic' countries therefore received no notification from pope Alexander V. of his election.¹⁹

In 1405 Benedict XIII., without the election of the Chapter, who, however, did not oppose, promoted William de Lawder to the Bishopric of Glasgow.²⁰ In 1403 he had, despite the wish of the Priors and Canons of St. Andrews to elect Gilbert Greenlaw as their Bishop, appointed Henry Wardlaw to be Bishop of that diocese, and this wise, if arbitrary, appointment was to bear good fruit. In 1410 Bishop Wardlaw, no doubt seeing the sad plight of the Scottish Students—schismatics—at the foreign Universities,²¹ founded in the City of St. Andrews the first University in Scotland, and the Establishment of this '*Studium Generale*' was petitioned by James King of Scots, Henry the Bishop, the Prior, Chapter and Archdeacon of St. Andrews 'with the Consent of the Three Estates of the realm' it was confirmed, 'for the faculties of theology, canon and civil

¹⁷ At the sale of the MSS. in the collection of the Earl of Ashburnham in 1899 there was sold a folio '*Benedicti XIII. Antipapæ Testamentum, cum epistolis et scriptis variorum super magno schismate in Ecclesia Romana, inter Urbanum Papam VI. et Clementem VII. antipapam, eorumque successores.*' The testament was dated the last day of Oct., 1412, and the collection evidently made by an adherent of the Antipopes. It is now in the *Bibliothèque Nationale* of Paris. [1793, *Nouvelles acquisitions du fonds latin.*] M. Delisle has mentioned it in the *Journal des Savants*, June, 1899, pp. 325-330.

¹⁸ The papal troops held it however till 1411 under the Antipope's nephew Roderigo de Luna.

¹⁹ *Histoire des Souverains Pontifes qui ont siégé à Avignon*, II. p. 355; par J. B. Joudou. Avignon, 1855.

²⁰ *Registrum Episcopatus Glasguensis*, I. xlv.-xlv.

²¹ James I. of Scotland and the University of St. Andrews, by J. Maitland Anderson. *Scottish Historical Review*, No. 11. April, 1906.

law, medicine and the liberal arts,' with many special privileges by Pope Benedict in a Bull dated from his stronghold of Peñíscola, 28th August, 1413.²² This bull was brought to St. Andrews from Spain by Henry de Ogilvy, Master of Arts,²³ on the Morrow of the Purification, 1413-1414, and next day being Sunday was laid before the Bishop, as Chancellor, and read to the assembled Clergy, with solemn religious Ceremonies, ringing of bells, and consequent feasting. It is interesting to note that memory of the connection between Scotland and the schismatic Pope is kept green in the Seal of St. Andrew University, which bears, besides the Shields of King James I. and Bishop Wardlaw, the arms (supported by 'two Nudes of the two Genders') of Benedict XIII., 'per fess, in the upper part a Crescent reversed,' the same as may be seen on the font which was presented by him to the Cathedral Church of Tortosa.²⁴

Peñíscola in the diocese of Tortosa, where Benedict XIII. now chiefly resided after its owners, the Knights of Montesa had granted it to him, and from whence he governed his Kingdom of Scotland, merits a word of description. Situated between Tortosa and Valencia on an impregnable rocky peak jutting into the Mediterranean Sea, it is a Gibraltar in miniature. Strongly fortified, and in the Middle Ages almost unassailable, as it is difficult of access and has a plentiful spring of clear fresh water, it was successively a stronghold of the military order of the Templars, and on their suppression of the Knights of St. John and then of the order of Montesa, and it bears traces of their successive rule and occupation. The Papal Halls of Audience and fortifications remain as well, and give it the appearance of great strength and religious dignity, while the lowest walls and ramparts are those of the later Kings of All Spain, whose arms adorn them. Legends connected with Benedict XIII. are still told there. The traveller is shown the windows of the Papal

²² *Cal. of Papal Registers*, 'Petitions,' I. 600, 1.

²³ Henry de Ogilvy, of the Diocese of St. Andrews, M.A., obtained (Peñíscola, August 19th, 1413) a grant of the Canonry and Prebend of Tulynestyn in Aberdeen. He is dispensed as the illegitimate son of a baron and has collation of the Church of Enraritie in the diocese of St. Andrews. (*Cal. of Papal Registers*, 'Petitions,' I. p. 600).

²⁴ This coat appears also on the reliquaries and Church furniture given by Benedict XIII. to Saragossa. The arms on the portrait given as a frontispiece to Vol. II. of Fages' 'vie de S. Vincent Ferrier' (Paris) are different and probably of much later date.

Hall whence the dim eyes of the failing old pontiff were strained across the sea towards the coveted City of Rome. A secret staircase, said to issue into the sea through solid rock, is pointed out as the Pope's means of escape should he be threatened by enemies, and a curious cavern in the rocks through which the sea moans and from which it casts its spray is still known as 'El bufador del Papa Luna.'

Circumstances, however, drew Benedict once more from his seclusion at Peñíscola. The Council of Constance proceeded apace and gained in power. In 1415 it deposed the reigning pope, John XXII., and then brooked no opposition. Backed by the Emperor Sigismund, the Council continued to grow, and the Emperor, to show his zeal for the Union of the Church, proposed in 1415 a meeting at Perpignan between himself, Benedict XIII., and Ferdinand of Aragon, the chief supporter of the latter. This was really an extraordinary step for the times, even when the resignation of a Pope depended on it. Sigismund started from Constance with a train of 4000 men, amongst whom were many prelates, and directed his route towards the meeting place. At Narbonne, however, he found a letter saying that the King of Aragon had fallen ill, and he was implored to remain there. During this interval the astute Benedict XIII., who had obeyed the summons to come to Perpignan, dwelt quietly there until the 30th of June, when he quitted the town secretly, and at the same time he complained of the breach of faith and contumacy of the Emperor.

When Ferdinand's health improved, the Emperor proceeded to Perpignan and there met him and was joined by the Ambassadors of Scotland,²⁵ Castille, and Navarre, for the Conference. Benedict now demanded a Safe Conduct before he would return, and wished to dictate his terms in regard to the Project of Union. He would, he said, assemble a general Council to confirm him as Pope, then he would resign, reserving to himself legatine

²⁵ Creighton's *Hist. of the Papacy*, i. 364. I have not been able to find out who was the Scottish ambassador. In the Exchequer rolls (iv. p. 163) we find that in 1412 there is paid ccxxvj Li to D^{ns} Walter Stewart, Mr. John Gray and John de Leth, sent on an embassy to the King of France and the Roman Curia, but that was three years before. Walter Stewart, brother to Robert Duke of Albany, a student of Avignon, obtained from Benedict XIII. a grant of the Deanery of Glasgow in 1418. He seems to have again gone abroad, if he is the canon of Glasgow of the same name who was a student at Cologne and had a safe conduct to Scotland, in March, 1424-5. (*Cal. of Documents relating to Scotland*, iv. p. 200.)

powers over all his obedience. Summoned again to Perpignan, however, these stipulations having been definitely refused, he was lodged in the Convent of S. François while the Emperor held his court in the House of the '*Députation*,' and news of his arrival was then transmitted to the Council of Constance.

All was in vain. In spite of the pleadings of S. Vincent Ferrer, who on his failure now left his former allegiance, and preached in favour of the united Papacy; the aged Pontiff declared himself to be the only true Pope, and, if he resigned, that he, as the sole living cardinal created before the Schism, had alone the right of nominating a new Pope; and also that he was resolved to maintain his rights to his death. Upon this final ultimatum Ferdinand withdrew to Narbonne, followed by the Ambassadors of Scotland and the Spanish Kingdoms, and though he waited there at the prayer of the King of Aragon, the latter could make no terms with the inflexible old man, who terminated the negotiations, fearing seizure of his person, by fleeing from Collioure to Peñíscola, where, fortified in his peninsular capital, he wrote denunciatory letters to the chief persons of the countries of his former obedience and to the Council of Constance. But the only result was that the Articles of Narbonne were signed on 13th December, 1415, and that the Spaniards later joined the Great Council, and in this way Scotland was at last the sole country which acknowledged him as Pope.

During these years the petitions from Scotland to the Pope are as numerous as ever, and from his 'Roman Court' at S. Matthew, in the diocese of Tortosa, Barcelona, Valencia, Perpignan and Peñíscola he dated Bulls granting and refusing them with no diminution of authority and dignity. In 1414 the Monastery of St. Mary's Lindores prayed that it might appropriate the Church of Crech as it had 'had its buildings ruined and its rents diminished by reason of its nearness to the wild (silvestrium) Scots.' We notice that in 1415 Henry, Bishop of St. Andrews, was still a firm adherent of the Antipope, as he petitions him for a Canonry and Prebend and the deanery of Glasgow for his nephew, George de Hawdaen, of noble birth, rector of Ratho, M.A.,²⁰ and for three years a student of theology. But the Antipope, it seems, did not help at all to redress the real abuses of the church, for in 1416 we find him granting to Alan Stewart, nephew of the Governor of the realm of Scotland, and son of the Earl of Athol and Caithness, the Canonry

²⁰ *Cal. of Papal Registers*, Petitions, I. 604.

and Prebend of Menmuir in Dunkeld, value £20, though he is illegitimate and twelve years of age.²⁷

But although Scotland was steadfast in its allegiance as a whole, the obedience to the Antipope was not absolutely universal. Thus we find in 1411 there was a dispute for the Augustinian Hospital of St. German of the Star of Jerusalem 'wont to be given by the Bishops of Bethlehem to Clerks bearing the Red Cross,' in which Henry de Ramsay succeeded in ousting one Roger de Edinburgh, who had obtained possession, though 'a notorious schismatic.'²⁸ And, again, in the following year the Antipope had trouble in obtaining the Priory of the Hospital of Torphichen for Alexander de Lichton, Hospitaller, as the administration of its fruits was in the hands of a schismatic Philibert de Nerlhaco, formerly master of Rhodes, from whom it had been snatched for John de Benyng.²⁹ That the Antipope did not forget or forgive his enemies in the schism we know also by the grant in 1417 to Richard de Creyth, Precentor of Moray, of the plurality of the Canonry of Bethre in Dunkeld, void by the death of 'Master Alexander Trayll, Member of the Household of G. Bishop of Palestrina, of cursed memory.'³⁰

The Council of Constance, stronger than ever, continued to work for the Union of the Church, but the pretensions of Benedict were still in its way. The Council therefore, after solemn deliberation on November 28, 1416, cited him to appear before them. This citation was carried to Peñíscola by two monks of the order of S. Benedict. After the toilsome journey, they were received at the Palace gate by the nephew of the Pope with two hundred guards, well armed, and these accompanied them until they were admitted into the great hall at Peñíscola overlooking the sea, where they found the aged Antipope seated tranquilly in state surrounded by three Cardinals, some Bishops and many priests, and a court of two or three hundred persons of both sexes. The Pope seeing the black monks muttered 'Here are the Crows of the Council. It is no wonder, since Crows gather round a dead body,' but when they read the citation to him his old spirit and vigour returned and he proudly said, 'It is not at Constance that the Church is, it is here in Peñíscola.' He refused to send an answer to the Council, which he denounced as heretical, and striking his Papal Chair, said, 'This is the Ark of Noe.' The Monks, in despair,

²⁷ *Cal. of Papal Registers*, Petitions, I. p. 605.

²⁸ *Ibid.* p. 639, and also p. 599.

²⁹ *Ibid.* p. 598.

³⁰ *Ibid.* p. 607.

were forced to return to Constance, where they made a report of their journey on March 10th, 1417, and the Council thereupon pronounced on April 1st that Benedict was guilty of contumacy. On July 26th he was again cited, and again declared contumacious, and he was solemnly deposed by the Council from the Papacy as a hinderer of the Union of the Church, as one perjured by his unfulfilled oath to resign, and, lastly, as a heretic. This being, in their view, accomplished, the Council, having now deposed two Popes, proceeded to the election of yet another. Accordingly, on 11th November, 1417, Oddo Colonna was elected to the Papacy by the Council of Constance, and on his elevation reigned with the title of Martin V.

For some time in spite of this change of position, Benedict XIII., abandoned by the rest of the world, retained the full obedience of Scotland. Robert, Duke of Albany, Regent of Scotland, was favourable to him perhaps because, as the St. Andrew's Statute Book shows, the fear of Lollardy and heresy was growing in Scotland, yet in spite of this the toils were closing round the Antipope. The new Pope Martin V. in 1418 deputed two Ecclesiastics, one of whom was Finlay, Provincial of the Dominicans in Scotland,³¹ to withdraw Scotland from its Obedience to Benedict, and the result was that a General Council of the Three Estates of the Realm was for this purpose held at Perth in October, 1418.

The Abbot of Pontigny, who was a delegate from the Council of Constance, had (perhaps previously) spoken eloquently before the Regent and the Three Estates to join the Council, and his cause was backed up by a letter of the Emperor Sigismund. The Regent still wished to adhere to the Antipope, and appointed his envoy, a learned Minorite Friar, Robert Harding—an Englishman, be it noticed,—to defend his cause. The students of the newly founded University of St. Andrews, however, even though their University owed its foundation to Benedict XIII., clamoured for union with the whole body of Western Christendom and renounced their Obedience to him at an Assembly held at St. Leonards 9th August, 1418, but they postponed the public withdrawal of their Obedience on account of their regard for the Regent until the decision of the General Council.

³¹ Bellesheim, ii. 69. He was appointed to the See of Argyll by Pope Martin V. in 1420 [Eubel's *Hierarchia* before cited, p. 251] probably as a reward for this service. Bellesheim quotes Raynald as saying that Griffin, Bishop of Rochester, was sent with him; but there was no Bishop of that name until 1554, so that another delegate must be intended, if two were sent.

This General Council³² was held at Perth on October 2 or 3, 1418, and ended by withdrawing the Obedience of all Scotland from Benedict. The pleadings of Harding had been refuted by the zeal of John Fogo, afterwards Abbot of Melrose, supported by the fulminations of the new Pope, and as the antagonist Harding died suddenly, ('venit mors naturalis super eum in Lanark,') 'the matter ended,' and Scotland submitted to Martin V. without more open opposition.

But some Scots, not only Clergy (who as Ecclesiastics perhaps did not recognise the Decree of the General Council as binding on them) but Laity, some from interest only but others apparently from affection, remained faithful. In 1418 a petition is granted from Peñiscola, December 9th, to John Lithstare, bachelor of Canon law; but he must, we fear, be included among the self-seekers. His petition begs 'for absolution rehabilitation and dispensation.' He had in ignorance of his appointment by the Pope (Benedict) to the Priory of St. Andrews procured the election of James de Haldeston to the same, and by order of the Chapter came with James to the pretended Court of the Intruder called 'Martin,' to whom he paid Obedience and reverence, and on his return found at Bruges the Papal (anti-papal) letter of appointments, whereupon, coming to himself, he wept bitterly and knew not what to do to make amends for his ingratitude and grave offence, wherefore he now prostrates himself before the Pope, saying, 'God be merciful to me a Sinner,' any papal constitutions and an ordinance made by the Duke of Albany touching the assent of some prelates, princes and barons of the realm of Scotland, in which it is said that none of that realm shall obtain grants from the Intruder notwithstanding.³³ It is rather satisfactory to find that his rival Haldeston succeeded in retaining the Priory, and that his appointment by Pope Martin V. was confirmed by the Canons and (this is noticeable as well), by the Three Estates of the Realm. On 8th December of the same year Pope Benedict XIII.³⁴, *proprio motu*, as a result deprived Haldeston of a pension of 200 gold *scudi* granted him out of the fruits of the Priory of St. Andrews, 'as it appears that he is a schismatic and adherent of Otto de Colonna, who calls himself Martin V.'

³² The dates in Bower are confused and misleading.

³³ *Cal. of Papal Reg.* Petitions, i. 609. One would be glad of more light upon this Ordinance.

³⁴ *Ibid.* p. 611.

But all Scots were not so self-seeking, and amongst the petitions granted by Benedict XIII. after the decision of the Scottish General Council are some of the royal family itself.

On December 23, 1418, the Antipope granted from Peñíscola a petition of John Stewart, Knight, Lord of Lorn, kinsman to Robert, Duke of Albany, and Isabella his wife, 'for a plenary indulgence at the hour of death, for license to choose a confessor and for a portable Altar.' At the same time Walter Stewart, Dean of Glasgow,³⁵ of the blood royal, David and John Stewart of the royal family, also received dispensations. Stranger still, Henry Wardlaw, Bishop of St. Andrews, received³⁶ on the same date renewed dispensing faculties, and his nephew, Alexander de Newton, figures as well in a petition to Peñíscola. It is difficult, therefore, to say when the Dioceses of Scotland finally renounced all allegiance, from spiritual as well as temporal reasons, to their late spiritual head and bowed the knee to Martin V.

Of a similar innocent nature are the last Scottish petitions³⁷ which reached Benedict XIII. at Peñíscola in the beginning of the next year, after the Obedience of Scotland had been withdrawn; yet to receive the same must have cheered the failing hope of the aged Pontiff. He granted four petitions on 1st Jan., 1419, one to Thomas de Hay, of a prebend in the diocese of Glasgow, and one to Robert 'Juvenis,' eldest son of George Earl of March, and Archpriest of the Collegiate Church of Dunbar, of the perpetual vicarage of Ederham. Another petition was granted to William Forster, Esquire, and Agnes Sandson, of the diocese of St. Andrews, to legitimate their marriage, though related in the third degree, and yet another, for a dispensation to hold an additional benefice, to Nicholas Inglys, rector of Frederesolk, in the diocese of St. Andrews, M.A., of Noble birth and (this is curious) nephew of Henry (Wardlaw), Bishop of St. Andrews (who had by this time submitted to Pope Martin V., though, as we have seen, he received faculties from Benedict XIII. as late as December 23, 1418.) Although Benedict XIII. still hoped for the restoration of the Obedience of Aragon (for two Spanish Cardinals, Julian Lobéra, and Dominique de Bonnefoi, a Carthusian, remained faithful, and its King Alfonso V. certainly still coquetted with him,) no power outside Peñíscola itself now remained to him. He reigned in that rocky fortress, however, with unabated pride as Pope until

³⁵ *Cal. of Pap. Reg. Petitions*, i. p. 612.

³⁶ *Ibid.*

³⁷ *Ibid.*

he died in extreme old age, though not without suspicion of poison, in 1424, being regarded as a Saint by his followers, who alleged that his body³⁸ (which was entombed in his Papal Chapel and six years later transported to Igluera—Illueca—in Aragon, the seat of the Luna family³⁹) was redolent with a sweet odour, which belief in his sanctity, however, a hostile chronicle says was owing 'mas por aficion que con verdad.' He attempted to embarrass Pope Martin by extorting a promise from his four cardinals to elect a new pope, and two of them, Julian Lobéra and Dominique de Bonnefoi, obeyed his will, electing in his place Gil Sanchez Munoz, Canon of Barcelona. He took the title of Clement VIII., but even his election led to a further schism, as another of the antipapal Cardinals, Jean Carrier at Tourène in Roüerque, not having received sufficient invitation to this Conclave, elected as his own nominee a phantom pope Benedict XIV. (Bernard Garnier), under the support of the Court of Armagnac,⁴⁰ who addressed a question to Jeanne d'Arc, no doubt as a Holy person, to know if he was the lawful Pontiff. As he was unsupported after his Coronation by any power, Spanish or Scottish, Clement VIII. soon found his meagre papacy untenable, and he therefore submitted to Martin V., resigning all claims to the Popedom in 1429, and receiving instead the Bishopric of Majorca. His two Cardinal-Electors, however, still held out firmly against the now generally acknowledged Pope, and the latter thought that he was only able to make the tranquillity of the Church secure by incarcerating them for life. Thus by their unwavering consistency, itself worthy of the inflexible Benedict XIII., whom Scotland had so long venerated, they gained for themselves not only no authority or recognition, but only the 'tres dures prisons . . . où ils moururent de déplaisir et de misère.'⁴¹

A. FRANCIS STEUART.

³⁸ Mariana, ii. 313. Cit. Robertson's *History of the Christian Church*, viii. 9.

³⁹ Tessier's *Histoire des Souverains Pontifs*, p. 470. The shrine built over the Antipopes' tomb at Illueca bears his arms with the crescent and the Papal Keys between its horns, but no Papal Tiara. His tomb was violated by the French in 1811, but his head is still preserved at Savagnan. Sir Rowand Anderson presented a cast of it to the University of St. Andrews.

⁴⁰ This Benedict XIV. died 'après avoir gagné quelque partisans dans le midi,' and on his death Jean Carrier took his place and name, and refusing to retract, died in a prison in Foix in 1433. (*Le Grand Schisme d'Occident*, p. 370, par L. Salembier, Paris, 1902.)

⁴¹ Dupuy's *L'histoire du Schisme*, 408.

A Contract of Mutual Friendship in the '45

THE relations and negotiations of the rebel chiefs of the '15 and the '45 have properly received much attention from a number of writers on Scottish History; those of the loyalists are not less interesting and illustrative of the times.

The advent of the year 1745 found quarrels existing between the loyalist lords of the extreme north of Scotland—the Earl of Sutherland and the Lord Reay. The Lord Advocate of the day (Craigie of Glendoick) attributed their dissensions principally to their differences at parliamentary elections. It is possible that other influences were at work. The Dowager Countess of Sutherland declared that Lord Reay was a 'very cunning man,' and she certainly, and a number of the Earl's real or affected friends were much vexed at the reconciliation between them which followed. But whatever the causes of the dissensions were, the Government was seriously concerned at the discord which existed between two chiefs whose co-operation with each other in the service of King George was so certain to be required, no one knew how soon.

The steps by which the reconciliation was attained were, according to the late Sir William Fraser, initiated by the Earl (*Sutherland Book*, i. 403). In the July of that year, the Earl, he says, sent Major Hugh Mackay to Tongue on a friendly mission to Lord Reay. The Major reported to the Earl by letter that Lord Reay's sentiments to him were most friendly, 'that he had the heartiest disposition to serve the Earl and his family's real interests on terms equal, honest and honourable on both sides; and that, while regretting they were hindered from doing so for some time past, he was now well pleased that the Earl was disposed to allow them to serve him.' (*Sutherland Book*, i. 403, citing Letter 15 July, 1745, Sutherland Charter Chest).

This letter accurately represents Lord Reay's sentiments. Lord Reay, however, had already taken the initial step by

addressing a letter to the Earl in the same strain; and had received from him a friendly reply. Lord Reay's letter, dated 1 July, 1745, is printed in vol. ii. of the *Sutherland Book*, p. 252. He explains that, considering his loyalty and friendship with the Earl's father and grandfather, he had expected to have shared in their descendant's friendship and confidence as well. The blame of their estrangement he throws on the Earl. He was ready and anxious, however, to bury all differences in oblivion, and had gone so far as to frame certain proposals which, he thought, were equal and honourable to both parties, and which his son George would present whenever the Earl pleased.

For a copy of the Earl's reply, we are now indebted to Mr. P. W. Campbell, W.S., Principal Clerk of Session.

LETTER—THE EARL OF SUTHERLAND TO LORD REAY.

My Lord,

I have the Honour of your Lordship's letter of date the first current, setting forth the reasons why I have not for some years past shar'd in your Lordship's friendship, equallie with my Grandfather and Father, and as I had done myself formerlie; And at the same time desiring an oblivion of past differences and also acquainting me that your Lordship had proposeals readie for my peruseal, as the basis of a reconciliation and lasting friendship, and such as are equallie honourable, and for the interest of both our Families. Your son Mr George who you tell me has these Proposeals, shall be welcome here, and if I find the Terms equall and honourable for both of us, I shall agree that mutual confidence take place of any Differences that might formerlie have subsisted, and I shall have the pleasure of your Lordship's friendship, which I shall value and endeavour to cultivate by all suiteable returns in my power as my Grandfather and Father did.

I am, My Lord,

Your Lordship's most humble Servt.,

'SUTHERLAND.'

Dunrobin, 6th July, 1745.

It was nine days after this that Major Mackay wrote his report of his visit to Tongue, above-mentioned.

The result of these negotiations was a contract of mutual friendship and for mutual action between the Earl and Baron, dated before the expiry of the month. For the terms of the Contract also we are indebted to Mr. Campbell.

Contract of Mutual Friendship in the '45 161

CONTRACT OF MUTUAL FRIENDSHIP BETWIXT THE EARL OF SUTHERLAND AND LORD REAY.

AT TONGUE and DUNROBIN the Eighteenth and Twenty Sixth days of July Seventeen hundred and forty five years, It is mutually agreed and condescended upon betwixt the Parties following, vizt., The Right Honourable William Earl of Sutherland ON THE ONE PART, and the Right honourable GEORGE LORD REAY, ON THE OTHER PART, As follows, That is to say, FORASMUCHAS some differences and disputes have arisen between us to our mutual lesion and prejudice, on occasion of the late Election of Members to serve in Parliament for the Shire of Sutherland, and for the District of Northern Burrows; AND NOW SEEING We are on both parts very sensible that the honour and interest of both our families will be better promoted and secured by our acting in concert and mutual agreement, than by our pursuing opposite or separate political courses, AND CONSIDERING ESPECIALLY how highly necessary it is that there should be a firm union and confidence between our families in the event of any public disturbance by an Invasion or Rebellion, either or both of which calamities there are but too just grounds to apprehend from the restless malice of foreign and domestic enemies in the present critical conjuncture of the affairs of Europe, THEREFORE and to secure our acting with mutual harmony and uniting the whole strength of both our families and adherents, so as to be able in any public danger to render the more considerable and effectual service to his present Majesty King George the Second, for supporting the succession in the Protestant Line of his most illustrious house, and for securing the present happy Establishment in Church and State, and for defeating the designs of his Majesty's enemies both open and secret, We do for these and many other weighty considerations Mutually agree and by the sacred tie and pledge of our word and honour on both sides BIND AND OBLIGE ourselves and our families and friends and followers to each other in manner and to the effect aftermentioned To Wit PRIMO, That from henceforth we shall bury in everlasting oblivion all differences and misunderstandings that may have unhappily taken place between us before the date of these presents and we promise from and after this date to cultivate a firm and inviolable friendship for the mutual support of the honour and interest of both our families for the future in conjunction with the defence of the present Government in Church and State, And in order to perpetuate such mutual friendship we do agree and promise to each other That in the event of any jealousies or differences arising for the future betwixt us or our successors and families from whatever cause or occasion, and on whatever points of honour or interest, that in such case neither party shall act upon surmise and suspicion to the prejudice of the other, but on the contrary that the party thinking himself aggrieved shall communicate the whole matter of his jealousy to the other, and that both parties sincerely endeavour to have all suspicions of one another and all differences removed in the way of friendly communing and correspondence, and if any difference shall happen to subsist

and that method of removing it is attempted in vain, that then it shall be submitted to the arbitration of friends hinc inde. SECUNDO Whereas by an Act of Parliament Anno Primo Regis Georgii primi Entituled an Act for the more Effectual Securing the peace in the Highlands of Scotland, We the said George Lord Reay are freed from all services commonly called personal attendance, hosting, watching, warding, etc., that were formerly due and prestable by us to the Family of Sutherland by virtue of our Charters from them, YET CONSIDERING That in the event of any public disturbance the said Noble Earl and We with our vassals and tenants and adherents would be in condition to render more considerable service to his present Majesty, as well as better promote and secure the mutual interest of both our families, by acting in concert and agreement with one another than by taking separate measures in the prosecution of those ends as is above observed, THEREFORE WE, the said George Lord Reay do by these presents bind and oblige ourselves and successors, that in the events above mentioned, we shall raise all our vassals and tenants and others capable to bear arms on our estate, and employ them in conjunction with the said Noble Earl, and his successors and their other vassals and friends and tenants and adherents for the defence of His Majesty, King George the Second and his successors and the present Establishment in Church and State and for the mutual defence and support of both the families of Sutherland and Reay, and our several properties and legal interests, TERTIO, It is mutually agreed upon by us the said William Earl of Sutherland and George Lord Reay, and we solemnly promise one to another for ourselves and for our successors and our friends and adherents, that we shall employ our influence and use our best endeavours in all future elections of Representatives in Parliament in the way of mutual concert and agreement among ourselves so as best to answer the foresaid ends of promoting and securing the mutual interest of both our families in conjunction with our duty to His Majesty and successors and our subserviency to the present Establishment in Church and State IN TESTIMONY WHEREOF both parties have subscribed these presents at the places and times after written Before these witnesses rexive vizt., To the subscription of us the said George Lord Reay at Tongue the said Eighteenth day of July and year foresaid Major Hugh Mackay of General Ogilthorpe's Regiment, Master George Mackay our second lawful son and Mr James Gilchrist Minister of Thurso, writer hereof, witnesses also to the subscription to the marginal note on page third: And to the subscription of us the said Earl of Sutherland at Dunrobin the said Twenty sixth day of July and year foresaid the said Major Hugh Mackay and Mr James Gilchrist, witnesses also to his Lordship's subscribing the marginal note on the preceding page.

(Sgd.) Hugh Mackay, Witness
 " Geo. Mackay, Witness
 " Jam. Gilchrist, Witness
 " Hugh Mackay, Witness
 " Jam. Gilchrist, Witness

(Sgd.) SUTHERLAND.
 " REAY.

Contract of Mutual Friendship in the '45 163

Before the Contract was concluded, the Earl had a letter from the Lord Advocate—'I received with much pleasure the account you send me of the thorow reconciliation between your Lordship and the Lord Rae . . . at the same time I hope you'll forgive me to observe that I do not think it was quite proper that your aggreement touching the elections shou'd have been reduced into writeing especially in the way of contract.' (22 Aug., 1745, *Sutherland Book*, ii. 253). It was possibly this same provision which offended some of the Earl's friends.

Lord Reay on 24 August writes again to him—'I reckon the many letters your lordship is pleased to acquaint me you get against your joining in friendship with me a double tye on me to exert myself all in my power on every occasion to make you as easy as I can, to convince you of my sincerity and readiness to support your honour and interest, and thereby to shew others how far they are mistaken, for your lordship will still find me your fast friend' (*Sutherland Book*, ii. 254).

J. H. STEVENSON.

Ancient Legend and Modern Poetry in Ireland¹

IN literature as in politics Ireland at present has the cry. Persuaded by the seeming calm which has succeeded a century's storms, the passionate nationalism, generated in long and bitter conflict, is at last finding an expression wherein art, still true to its inspiration, is civilising the fierceness of its Celtic loyalty and veiling the angularities of politics under a cover of imagination. To the poets of 'The Nation' have succeeded Mr. Yeats and Lady Gregory with their fellow-workers in lyric, drama and Celtic scholarship. At last the Irish nation may cease to lament the absenteeism of her sons and daughters of genius, and English critics, however hostile, must recognise the existence of a school in literature, individual and enthusiastic, definite in its objects and daring in its experiments. It will probably be by virtue of this daring that the alien critic will be first impressed, for the ventures of the school have already raised most exciting problems on the theory and practice of literature. Is it possible to recall to life and nervous energy a language made in and for an earlier age? May any national school actually succeed in opposing the entrance of alien intellectual influences? Has Ireland the material in dramatic professionalism and popular interest for the creation of a national theatre?

Among these questions, all of them the result of a movement intensely national and therefore essentially conservative, there has arisen one of deep and far-reaching importance, the relation between the legends and folk-lore of a people and its modern

¹ Lady Gregory: *Cuchulain of Muirthemne*. John Murray. 1902.

Lady Gregory: *Gods and Fighting Men*. John Murray. 1904.

W. B. Yeats: *Poems*, 1895. *New Edition*. T. Fisher Unwin. 1904.

W. B. Yeats: *Poems* (1899-1905). A. H. Bullen. 1906.

W. B. Yeats: *Ideas of Good and Evil*. A. H. Bullen. 1903.

A. E.: *The Divine Vision*. With certain other volumes.

Ancient Legend and Modern Poetry 165

imagination. For England, the matter has remained quiescent, partly because her middle and renascent past has so completely overshadowed the most ancient days, partly because one great modern artist in folk-lore wrote himself down ironically as the follower of a less excellent fashion, 'the idle singer of an empty day.' But if Mr. Yeats is in any sense representative, the Irish poets claim something infinitely more decisive for their readings and reinterpretations of the past. In his most personal and charming volume of essays, *Ideas of Good and Evil*, Mr. Yeats has expounded what may not unfairly be called a national literary system in which ancient legend holds a foremost place. Poetry, we are told, if it is to be vital, must connect itself with the people; not, however, with 'the middle class of people who have unlearned the unwritten tradition which binds the unlettered, so long as they are masters of themselves, to the beginning of time, and who have not learned the written tradition which has been established upon the unwritten,'¹ but with the folk, still living in old pagan dreams and fenced round with immemorial fears. 'I admit' writes Mr. Yeats in an essay on 'Ireland and the Arts' 'that even when I see an old subject written of or painted in a new way, I am yet jealous for Cuchulain and for Baile and Aillin and for those grey mountains that still are lacking their celebration'; and again with greater definiteness in 'The Celtic Element in Literature': 'I say that literature dwindles to a mere chronicle of circumstance or passionless phantasies and passionless meditations unless it be constantly flooded with the passions and beliefs of ancient times, and that of all the fountains of the passions and beliefs of ancient times in Europe, the Slavonic, the Finnish, the Scandinavian and the Celtic, the Celtic alone has been for centuries close to the main river of European literature.'² One more quotation will suffice to complete the position: 'And now a new fountain of legends, and, as I think, a more abundant fountain than any in Europe is being opened, the great fountain of Gaelic legends The Celtic movement, as I understand it, is principally the opening of this fountain, and none can measure of how great importance it may be to coming times, for every new fountain of legends is a new intoxication for the imagination of the world.'³

What this new fountain of legends is, happily even the wayfarer may comprehend. The days of neglect in Celtic lore,

¹ *Ideas of Good and Evil*, p. 96.

² *Ibid.* p. 290.

³ *Ibid.* p. 293.

which Matthew Arnold had reason to lament, are now over. For fifty years German, French and Irish scholars have been at work, tale after tale of a legendary world formerly only dimly realised, has been unfolded, and now of late, in the quaint charm of Lady Gregory's Irish-English, the public may grow familiar with the ancient myths of Irish paganism and the lives and deaths of Irish heroes. Nor can one question the extraordinary interest of the material thus made generally known. It is no mundane story like that of Troy where men and women live vividly before us and where the Gods have been civilised into human vices and virtues; it is certainly no medley of ancient fact dimly discerned through mediæval religious mysticism such as one finds in the Grail legend; it has little of the blunt forceful heroism which seems to have reduced the supernatural in Beowulf to a dragon and two inhuman monsters. The Gods of this Irish world, the Tuatha de Danaan, have the waywardness, the colour, the capacity for instant transition from evasive shadow to concrete reality, which mark the creatures of an unaffected primæval imagination labouring in the unseen. Angus Og, with his beauty and his music and the birds flitting about his head; the Dagda, Red man of all knowledge, absurd, ingenious, half God, half Caliban; potent spirits like the Queen of Battle, feared, yet as much for their inhuman humanity as for their divinity, take us to a past remoter than that to which Greece and Rome has accustomed us. They are suggestive of the individual and positive fears and reverences of a very early people, and create in the modern mind a blending of the interest attaching to rude barbaric ways of life and the awe with which we view the terrific imaginations produced by primitive religious horror. And in the world not ruled but invaded by these powers, now pleasantly poetic, now direful, heroes play their part amid adventures pre-epic in their vastness. For Ireland, the demigod who dignifies the humanity he only half shares, is no man Beowulf, but a fellow of the Gods, Cuchulain. His birth resembles that of some Zeus-born hero, except that the parent God's magic form—a mayfly in a cup of wine—has in it nothing Hellenic but comes from a darker pagan world. His boyhood and youth afford in strange juxtaposition a very earthly aptitude for games at ball, stick and dart, or rough tests of boyish force, and superhuman capacities, strength beyond that of men and wisdom dark with early riddle mysteries. 'He had the gift of caution in fighting until such time as his anger would come on him and the hero light would shine about his

head; the gift of feats, the gift of chess-playing, the gift of draught-playing, the gift of counting, the gift of divining, the gift of right judgment, the gift of beauty.¹ At once transcending and falling below the mean of human heroism, he stands out as some huge boy hero-deity, great in simplicity and in the dark magic of his supernatural gifts. The tasks of his life, which constitute the great Cuchulain cycle, present the same picture of superhuman, childish power: his converse in friendship and wooing with the Irish Gods, his defence, single handed, against great armies reinforced by supernatural powers, the feasts, vast and splendid, of Gods and men. His weapons have magic powers that none can resist, his comradeship is one in feelings not recognisably human; the tragedy of his life connects itself with one of the ancientest motives in the world, the unholy conflict of father and son, with a mutual recognition after the death wound has been inflicted, and his death shares the uncouth energy and terror of his life. Held by delusions, cast on him to stave off his wild wrath, he is overcome not by man or even God but by nature.

‘In three days’ time Cuchulain with a moan
 Stood up and came to the long sands alone.
 For four days warred he with the bitter tide,
 And the waves flowed above him, and he died.’

So strange and vast a figure cannot but dominate the minds of those who concern themselves with ancient things; it is time that he became a familiar figure in the eclectic hero-world of modern civilisation.

Round this hero cycle and in continuation of it, the early Irish imagination has created stories hardly second to it in weirdness, and sometimes greater in human interest. In Mr. Yeats’ enthusiastic words, there are ‘the tale of Deirdre, who alone among the women who have set men mad was at once the white flame and the red flame, wisdom and loveliness; the tale of the Sons of Tuireann, with its unintelligible mysteries, an old Grail Quest as I think; the tale of the four children changed into four swans, and lamenting over many waters; the tale of the flight of Grainne with Diarmuid, strangest of all tales of the fickleness of woman, and the tale of the coming of Oisín out of faeryland, and of his memories and lamentations.’² Out of all these, one at least, the tragedy of Deirdre’s love and prophecies and fate, fires the imagination as hardly even Helen’s

¹ *Cuchulain of Muirthemne*, p. 21. ² *Ideas of Good and Evil*, p. 292.

story does, while in the wars and huntings of the Fianna there comes a wind from out the early centuries, full of freshness and boldness and crude nobility. It is true indeed that here, for whatever purpose it may be, there is a storehouse rich beyond any but a nation's wealth, a source of infinite pleasure to those fitted to take delight therein.

Problems arise only when we are invited to regard this as the foundation and chief subject-matter of a great school of modern poetry. At once we are confronted with two vital questions. Of what nature is the appeal made by these ancient stories to the modern mind? How may that interest, whatever its nature be, find adequate imaginative record?

To the first psychological analysis returns an abundant answer. For modern readers, these ancient stories come with a threefold appeal. They furnish to minds sick with the weariness, the fever and the fret of our day, the bracing atmosphere of a simple, brutally frank acceptance of life. Wherever, to-day, great centres of learning or business have been established, there little groups of men are finding refuge from themselves in the boyhood of the world. A salt tang from off the sea makes inland readers of Beowulf forget the closeness of the city street; the clash of arms, the very cool circumstance in murder, of Icelandic sagas, sweeps the cloistered student from the quiet monotony of his learning. And in these Irish legends too the call comes home to us from every page. The colours and sounds of the world the heroes live in, strike on our tamed senses with surprise. Even common description thrills with colour. 'Who is that sweet-worded man,' asks Grania concerning Diarmuid, 'with the dark hair and cheeks like the rowan berry'; and to picture the glories of Tir na-n-og the keenest impressions of every sense are culled and brought together. It is a land where trees stoop down with fruit and leaves and blossom; a land flowing with wine and honey; glittering with silver, gold and jewels; where precious silk, and horses and hounds are to be had for the asking. 'A hundred glad young girls shining like the sun, their voices sweeter than the music of birds; a hundred armed men strong in battle, apt in feats, waiting on you, if you will come with me to the Country of the Young.'¹ Finn, Oisín and their fellows hear the notes of birds and the call of beasts with a sharpness of perceptive joy, unknown to later days. Removed alike from

¹ *Gods and Fighting Men*, p. 433.

Ancient Legend and Modern Poetry 169

religious dimness of effect in organ or chant or bell, and from the jangle of modern discords, it is the song of the blackbird that Oisín calls back for us, or of 'the very sweet thrush of the Valley of the Shadow or *the sound of the boat striking the strand.*' 'The cry of the hounds,' he argues in anguish, 'was better to me than the noise of your schools, Patrick.' Encircled with sharp colours and clear sounds, bathing and sporting and fighting with the zest of youth, these 'gods and fighting men' come to recall men to their lost boyhoods and reinforce the impression that never joys were as those of early days and never imaginations so true and pure as those which we have loved long since and lost awhile.

Intimately bound up with this merely physical appeal, the broad simplicity of legendary manhood fascinates the modern imagination. We have become too complex in mind to be able to create great simple humanity; but some still may long after it; and turn in disgust from the impotency of modern literary effort to the former virile days. What men cannot find in Shakespeare, or even in Chaucer, what Scott admired but could render only in lowly or at times artificial form, that they discover in old story. And here again Irish legend responds adequately. It does not, indeed, excel in that plain strong manhood which the Saxon folk incarnated in Beowulf, for in old Ireland the senses and the influence of external things are always too strong for the will. The very faculty that grasps at sensations with vivid apprehension, and the readiness to respond to an environment overfull of magic stand in the way of self-reliant manhood. But the heroes have the great air which has now passed beyond literary recovery. Cúchulain goes to the court where his future glory is to be displayed, driving like the great healthy boy that he is, his ball before him, throwing after it his hurling stick, and after it his dart. 'Then he would make a run and catch them all in his hand before one of them would have reached the ground.' He and his comrades have the magnificent boastfulness which, when we rid ourselves of civilised standards, reads so spaciouly in story. Birth and death seem more real when told in their simplicity, and no Christian fortitude is half so splendid as the barbaric contemptuousness of Goll's dying mood: 'It is best as it is, he said, and I never took the advice of a woman east or west, and I never will take it.' Then, as the reality of the living world thrusts itself on him—'And, oh,' he adds, 'sweet

voiced queen, what ails you to be fretting after me? and remember now your silver and your gold and your silks and stuffs, and remember the seven hounds I gave you at Cruadh. . . . And do not be crying tears after me, queen with the white hands, he said, but remember your constant lover, Aodh, the son of the best woman in the world, that came out from Spain asking for you, and that I fought at Corcar-an-Deirg; and go to him now, he said, for it is bad when a woman is in want of a good man.'¹ Or if it is that final manliness we seek, beyond which neither ancient nor modern can go, the sense of work finished and the needlessness of sorrow, Irish legend can add the tale of Oscar's death. 'If it was yourself fell in the battle,' said Oscar to Finn, 'you would not hear me keening after you; for no man ever knew any heart in me, he said, but a heart of twisted horn and it covered with iron. But the howling of the dogs beside me, and the keening of the old fighting men, and the crying of the women, one after another, those are the things that are vexing me.'² It is only in such pages that we may forget the gracious screen cast by religion over nature, and glory in pure strength and physical loveliness and all the crude qualities by which evolutionary nature has wrought us. The very being of modern civilisation depends on a curious concealment from ourselves of these things and their consequences, but men tired with so beneficent a convention, yet too little daring or forceful to cast it aside, turn with glee to the ancient days, and find in them the heroic brutal forces through whose failure or decay their social existence has become possible.

The third great appeal that old makes to new is subtler and more involved, the call of the unseen and the mysterious. Social convention and scientific inquiry in excess have banished from modern life the greatest of all imaginative motives. Love and hate stand as two primary forces in humane literature, but there is a third, deeper in its roots, dominating, where it enters, every other impulse; I mean the fear that loves to brood over the mystery that afflicts it. Supernaturalism and its companion awe are vanishing from modern literature, but, except in minds warped by city life, they are potent still for men, and ancient legend comes with its magical powers and hoary terrors to deepen and enlarge the imagination. I do not mean that in these old cycles men may satisfy the decadent longings of

¹ *Gods and Fighting Men*, p. 423. ² *Gods and Fighting Men*, p. 429.

infirm minds for a concrete and tangible spiritualism. It is something infinitely different. The mood which finds satisfaction in old tales is that which recognises how things which do appear constitute only a fringe of reality and how beyond are truths whose import may bow the mind with awe. It finds in legendary lore the same mood, a hundred times exalted, and expressing itself in figures as strange as the darkness it tries to describe. The modern effort is to recover this lost sense of mystery from the legendary symbols, obsolete but terrific, and their very ancientness reinforces the thing desired. So apart from any myth-world of Gods intermingling with men in friendship and hate, legends, and conspicuously these Irish legends, bring back a sense of darkness and fate by their most ancient imaginings. Theirs is a world of symbols, chosen from the natural objects of early life. Wells, hazel trees, and weapons, connected in old times one knows not how with the things of spirit, but ever since gathering to themselves associations whose vagueness, extent, and suggestiveness have left them no inadequate expression of the early gropings in the unknown gloom. Whether it be the Cuchulain story or that of Finn, these potent objects of mystery, these incalculable intrusions of the unseen, create an atmosphere of fate, more barbaric than that of Greece, but as deep felt; and civilisation which has forgotten fate and providence in its streets and politics, now and then awakens through these antiquities to a sense of want. Such are the appeals of old folk-lore to present civilisation, and when, as in the story of Cuchulain's death, the effects combine, weird fate wrestling with heroic strength in a world full of cries and colours, the crisis is felt as a supreme moment of the imagination.

If all this be true, one duty at least faces the modern poet and scholar plainly. Since all these impressions are unique, a possession peculiar to the early tales, they may be best obtained from versions, which, while they may plane away excrescences and difficulties, often the result of corruption, retain the very spirit of the originals. As the English reader finds Mr. Lang's prose version of the *Odyssey* the truest equivalent of the ancient tale, if not of its poetic framework, so he will refresh his mind and clothe his world once more with greatness through versions such as Lady Gregory has bestowed on the people, written with full knowledge of both old and new, and prepared as hers are, to risk failure by a kind of editing justified only by genius. If it be for their own sake that we read the stories,

then obviously only the most faithful version of them may suffice. But poetry is tyrannous and content with nothing but actual creation. If legend is to furnish the 'stuff' of poetry, the poetic instinct claims the right to recast the whole and do with it as may seem good. It is here that Mr. Yeats asserts his right as poet. He has appreciated with great warmth the work of Lady Gregory, but he has secret great ambitions. He is not even content to render in ballad or imitative epic such themes as Sir Samuel Ferguson, the real originator of the school, has chosen. I do not mean that Mr. Yeats ever suggested an ungenerous criticism on that great servant of Irish tradition. For as he has called *Cuchulain of Muirthemne* 'the best book that has come out of Ireland in my time,' he has praised Ferguson, and included him with Davis and Mangan in 'that company who sang to sweeten Ireland's wrong.' But it is difficult to see why he should separate the best work of the Irish poet-scholar from that of Walter Scott and Macaulay, of whom he writes, 'Macaulay in his Lays, and Scott in his long poems are the poets of the middle class.' Logic bids us add the Irish legends rendered by Sir Samuel Ferguson. For what this unambitious poetry strives to do is to convey in the modern forms most suitable for the occasion the enthusiasm for the past achieved by scholar-poets through hard years of study inspired by love. Neither Scott, nor Macaulay, nor Ferguson really attempted to give an equivalent for the ancient stories, nor even to create something different but as good. They had no ambitious ideal for poetry, and wrote not as prophets but as scholars taking their ease in a form pleasant to others as well as to themselves.

But Mr. Yeats and his fellow poet A. E., being of the school of the prophets (I speak in no mocking vein) are content neither with faithful rendering nor with popular reproduction. As poets they are content with nothing short of supreme originality; as Irishmen they have felt the call of old days; as Irish poets they wish to make the old symbols express the latest discoveries of the soul. The boldest venture, then, of a daring school has been to use Cuchulain and the Fianna, the Gods and their homes, as mystic signs in a strange world of poetic magic. Mr. Yeats explicitly, A. E. in every line he writes, contend for a new theory of poetic usage whereby diction itself and the symbolic figures in which it masses its greater forces are to awake from passivity to an aggressive initiative. Of

Ancient Legend and Modern Poetry 173

symbolism, the former says, and we may agree with him in letter: 'All art that is not mere storytelling, or mere portraiture is symbolic.' But symbolism with him is portentous, the instrument in a system at least half magical. 'All sounds, all colours, all forms,' he writes in an admirable essay on 'The Symbolism of Poetry,' 'because of their pre-ordained energies or because of long association, evoke indefinable and yet precise emotions, or, as I prefer to think, call down among us certain disembodied powers, whose footsteps over our hearts we call emotions.'¹ I shall not endeavour to enter here fully into his theory and practice of symbolism, but it is fair, I think, to represent him as using figures and images, not as dead metaphors, things 'not profound enough to be moving,' but as symbols, the magic counters in some poetic game where they possess inherent powers of suggestion apart altogether from the artist. Believing then that poetry is the one supreme medium for symbolic treatment, and that symbols are representatives in literature of the eternal, Mr. Yeats turns to these hoary tales with mysteries faintly discernible. Already, we have shown, he has acknowledged the fundamental importance of legend and the value of the Irish store. Here then are the symbols of the new poetic faith; now, as when they served high or awful purposes in primitive religious thought, they must once more stand for the unseen and the spiritual, only with all the added force of conscious design.

Not once or twice but everywhere in the poetry of A. E. and Mr. Yeats the old Gods and heroes enter in this new rôle. There are some very characteristic verses of the former which may be allowed to express the spirit in which both write:

'Now when the giant in us wakes and broods,
Filled with home-yearnings, drowsily he flings
From his deep heart high dreams and mystic moods,
Mixed with the memory of the loved earth-things;
Clothing the vast with a familiar face,
Reaching his right hand forth to greet the starry race.'

For both poets the elder world has this advantage in its symbols over commoner 'loved earth-things,' that its imaginings are very ancient and very beautiful and served of old some purpose not altogether dissimilar to that they have now to serve. Their verses then are not merely filled with hints

¹ *Ideas of Good and Evil*, p. 243.

and glances from old story or based on its heroic traditions, but they use its content to create a new poetic mystery. In simplest form the transformation may be seen in figures and lyrics; images of druid moons, secret roses, the ancient stars and the sacred hazels. It is obvious in such elucidatory notes as that of A. E. on the story of Lir's children: 'The story of the fate of the Children of Lir was probably in its earliest form a mythological account of the descent of the spirit from the Heaven-world to the Earth and its final redemption.' But it deepens and grows stranger in the more ambitious of Mr. Yeats' poems and dramas. The unwary reader may take his *Wanderings of Oisín* as a simple narrative, peculiar only in the richness of its imagination and its diction. But to Mr. Yeats a simple story is not true poetry. More subtle inquiry suggests an allegory of immortal beauty and the longing of the human heart for home with the key-note in its introductory quotation, 'Give me the world if thou wilt but grant me an asylum for my affections'; but there too Mr. Yeats has been explicit, seeming to approve his friend's dictum 'that allegory says things that could be said as well or better in another way,' and poetry deals only with the unique and perfect. Here and in such an elaborate production as his drama *The Shadowy Waters* he attempts, or he is unfaithful to his theories, a composition which will not merely captivate the reader's imagination but even lead him by a process of literary hypnotism into new spiritual regions. The poem, one may conjecture, once fitly written, becomes a powerful source of suggestion through a careful arrangement of symbolic effect. Angus with his birds and music, Edain with her immortal love must sweep us beyond their own story into a palace of the imagination where we forget the symbol in that it signifies; Fergus exchanges the kingship of some mystic import for a dream nature which carries us beyond old Celtic fancies into the heart of esoteric theosophy; 'immortal, mild, proud shadows' wed themselves to the memories of the heroes, and the rude vigorous, beautiful legends of a barbaric age are refined into the subtle animistic speculations of a civilisation trembling towards decay. So daringly has Mr. Yeats appropriated these stories for his strange purposes that at times he seems to wonder at his rashness. It is surely something like the shade of a suspicion which dictated these lines, 'To the Rose upon the rood of time':

Ancient Legend and Modern Poetry 175

'Ah, leave me still

A little space for the rose-breath to fill!
Lest I no more hear common things that crave;
The weak worm hiding down in its small cave,
The field mouse running by me in the grass,
And heavy mortal hopes that toil and pass;
But seek alone to hear the strange things said
By God to the bright hearts of those long dead,
And learn to chant a tongue men do not know.'

And is not the suspicion wise, whether it refer to ordinary verses or to old tales retold? To the poet doubtless none but the poet may speak, but laymen may express a fear lest men of genius expect more than mind or words can give. The deepest symbol has ever been struck out in some moment of passionate enlightenment, to operate with no other magic than that of passionate truth, and to be interpreted by all whose sympathetic passion places them in contact with a feeling immortally expressed; and the darkest mystery is dark, not with magical powers and prohibitions, but with a stammering confession of the little we can know and the vastness of what lies beyond. Is not the simplest way the best, and have not even these poets in their most inspired moments followed that very way? The lyric note which has set them foremost among modern poets, and the extraordinary charm of those mosaics of humanity, song, mystery, and lyric beauty which they call dramas, depend not on any mystery of symbolism but on æsthetic qualities great because the same that every spiritual poet from Dante to Wordsworth possessed, new and fresh because they are one with all fresh thought and fancy from Cuchulain's age to ours. They themselves have revealed the true function of ancient legend in poetry. As Irishmen and poets they have contrived to beautify their verses and plays with old legendary imaginings, richer symbolic adornments for them than those of Greece, because they are Irish. Their more ambitious dramas, and more especially Mr. Yeats' legendary plays, if one might be permitted to forget the possibility of uncanny symbol, may take their place beside the finest restorations from classic learning, as fit tribute from the present to the past. And as sources of lyrical inspiration, the loveliest and most moving episodes of Celtic myth are the natural resort for Irish poets. It is fitting that the sorrows of the children of Lir, and Deirdre's fate and Connla's well should inspire modern verse, for their motives are those which never alter, love and death and the mystery and glory of the world.

With all their mysticism no verses of modern days strike the lyric note more exquisitely than those in which A. E. thus reinterprets an ancient symbol. Of Connla's Well old myth says, 'That is a well at which are the hazels of wisdom and inspirations, that is, the hazels of the science of poetry. And in the same hour their fruit and their blossom and their foliage break forth and then fall upon the well in the same shower, which raises upon the water a royal surge of purple'; and the modern poet thus:

'And when the sun sets dimmed in eve and purple fills the air,
I think the sacred Hazel Tree is dropping berries there,
From starry fruitage waved aloft where Connla's well o'erflows,
For sure the enchanted waters run thro' every wind that blows.

I think when night towers up aloft and shakes the trembling dew
How every high and lonely thought that thrills my being thro'
Is but a ruddy berry dropped down through the purple air,
And from the magic tree of life the fruit falls everywhere.'¹

But it is vain for poets who magnify their calling to expect more than these partial aids from the past. Great poetry has always looked truth straight in the face and spoken of it in simple manliness. To every prophet, his own day and the truth of that day. So they did in the days of the legends and men eager to re-live the life of old days must draw from the original fount. Retold in modern verse, legend and modern imitation alike, descend from the first rank in literature, and no modern subtlety may hope to build on things designed for heroic ages. It may seem unworthy to reduce this ancient heritage to a repertory for poetic symbol and the origin of lyrical moments. But can it really offer more to poets aiming at the stars? It is the spirit which avails, and that humble dramatist is surely the true learner from immemorial Irish tradition who has gone to the Irish people for his subject and has been rewarded as of old, not only with a vision of the sorrows of men and women but with a clear sight of nature herself: 'the cold and the frost, and the great rain, and the sun again, and the south wind blowing in the glens' . . . 'the herons crying out over the black lakes . . . the grouse and the owls with them and the larks and the big thrushes when the days are warm.' Mr. Yeats and Mr. Russell may rest content in that besides recalling to men's imaginations the old glories of Ireland, they have, like Oisín, seen not only the freshness of the world

¹ *The Nuts of Knowledge.* A.E.

Ancient Legend and Modern Poetry 177

but something of its spirituality. It would be lamentable if, having known fear, hate and love, the great trinity in literature, and having seen them work out in a passionate actual Irish life, they were to condescend to speak with tongues and reduce the tales they love from a record of high ancient life to the abracadabras of a new and decadent poetic creed.

J. L. MORISON.

John Carmichael of Medowflat, the Captain of Crawford.

IN the Southern angle of the county of Lanark where the Clyde, still a modest limpid stream, hurries down from the lonely hills where it has its source, is situated the village of Crawford, and across the river at no great distance stood the Castle of Crawford. As its name implies, it was at an early date the home of the Crawfords, thereafter of the Lindsays, who in their turn made way for the Douglasses, when on the forfeiture of David Lindsay, Duke of Montrose, in 1496 James IV. bestowed the lands and lordship of Crawford with its castle upon Archibald, Earl of Angus, commonly known as 'Bell the Cat.'¹ Throughout the sixteenth century it remained in possession of the Douglas family except for the incidental forfeitures of rebellious earls, when for a time it reverted to the crown, but uninterruptedly the office of castellan or captain remained hereditary in the family of Carmichael of Medowflat, whose head, by an arrangement which sorely worries the genealogist, always bore the name of John. Of the old castle little now remains, but as late as the end of the eighteenth century it was still sufficiently weather-proof to afford accommodation for a rural dancing class in its deserted banquetting hall.² In this country the forces of disorder were never so rampant and the laws so ineffectual to cope with them as during the last half of the sixteenth century, from the close of the reign of Mary Stuart till the re-establishment of governance under her son. The causes of these disorders were many, and it may suffice here to mention the long minorities of James V. and Mary and the absence of religious control prior to and at the time of the reformation. Besides the notorious thieves, broken men, and vagabonds who flourished in such a state of anarchy, there was no small number of men of respectable

¹ *Douglas Book*, vol. iii. p. 152.

² Mitchell's *Old Glasgow Essays*; article, Katherine Carmichael: Glasgow, 1905.

birth and ancestry, proprietors of considerable estates who openly, in defiance of the law, indulged their taste for adventure at the cost of their neighbours when occasion offered, and such appears to have been that John Carmichael, Captain of Crawford, the subject of this article. He was a man of good family, possessed of powerful friends and connections; Katherine Carmichael—whose pathetic story has been told so well by the late J. O. Mitchell in one of his Old Glasgow Essays—was a daughter of an earlier generation of his house; she fell a victim to the royal charms of James V. when that monarch came a-hunting to Clydesdale and bore to him a son, John, afterwards prior of Coldingham—the father, in his turn, of the notorious Francis Stewart, Earl of Bothwell. He was closely related to the house of Buccleuch, his mother being Elizabeth Scott, a sister of Sir Walter Scott, and he, consequently, a cousin of the first Lord Scott of Buccleuch. In 1594 he succeeded to the family estate of Medowflat and to the hereditary office of Captain of Crawford,³ and almost immediately thereafter we find his name figuring in the records.

The sources of information drawn on for what follows in this article are two, viz., the Records of the Privy Council—accessible to all—and a single sheet of fragile paper on which are written fifteen charges, dated between the years 1596 and 1607, in the possession of the author. Between these two a distinction must be observed. The first are charges pursued in proper form before a regular tribunal, with a record of the sentences pronounced; the second is a mere list of indictments without any statement of the court before which they were called nor of the verdict, if any, that followed thereon. But the latter are related with such realistic detail that they appear to bear on the face of them the impress of fact. With this list we shall deal hereafter.

Now it happened that the Earl of Angus, being the owner of Crawford Castle as well as the Captain's superior, was to some extent responsible for his good behaviour, and so long as he merited his friendship he could exert himself to shield him from the interference of the higher powers. Thus it may be that, previous to the year 1607, we find in the *public* records few accusations against the Captain for deeds of violence, and observe on his part a singular disregard of the sentences passed on him. A short glance at these will suffice. In 1595 he has to find caution to suffer the tenants of Mark, Lord Newbottle, to live

³ *Ab. Ret. Lanark*, 6. 7. 8.

in peace, also to refrain from harming Jean Hamilton, 'Lady Lamington.' Two years later he and his mother, Elizabeth Scott, are denounced rebels for not appearing to answer a charge of theft and reset of the cattle, to the number of forty-two head, which belonged to a poor woman, Janet Williamson. The denunciation being of no avail, the rebellious persons are charged, the following year, to enter themselves in ward in Dumbarton Castle and to render up their dwelling-house under pain of treason; this charge likewise they 'most treasonably and contemnantly disobeyit,' in consequence of which the Earl of Angus is ordered to present his vassal before the council. This charge the Earl himself disregarded, wherefor, and for having spoken with the Captain since the time of the charge, he too is put to the horn. Thus far the hornings have been utterly ignored. Now the date of the manuscript indictment is obviously either 1607 or subsequent thereto, and it is noteworthy that in that very year the friendly relations hitherto existing between the Captain and his Superior were rudely sundered by the murder of William Carmichael, the Captain's brother, at the hands of the sons of Walter Weir of Nether Newton, tenants and friends of William Lord Douglas, the representative of his father the Earl of Angus, who had for some years been living abroad.⁴ The result of this murder was the breaking out of a deadly feud between the Carmichaels, their friends and tenants, on the one part, and the Weirs, and Inglis of Braidlie, Lord Douglas's baillie at Douglas, and their whole kin and friends on the other part.⁵

Further, in 1610, because of the frequent stouths, riefs and slaughter of black fish in forbidden 'time within the Lordship of Douglas, etc.,' two commissions of justiciary for trying and punishing all offenders within the said bounds were granted to William Lord Douglas. By virtue of these commissions a number of the captain's tenants were summoned to answer various charges before a court to be held in the castle of Douglas, but by reason of the feud, not daring for their lives to venture there, they petitioned the Council to have the Commission in respect to them discharged.* It seems therefore highly probable that this indictment was framed against Carmichael after the outrage on his brother, and that the tribunal was this, or a similar court to be held in the castle of Douglas. Though his offences might be condoned while he remained on good terms with his Superior,

⁴ *Reg. of Priv. Coun.* viii. 765.

⁵ *Ibid.* ix. 463.

* *Ibid.* ix. 463-465.

when the breach occurred his old crimes were brought to light and every endeavour used to bring him to justice. Hence also it happened that from 1607 onwards he was summoned more frequently before the Council.

The charges in the manuscript have not been hitherto published and they afford a vivid picture of the life of the time. '1. The Captane of Crawford cam to the Southwood he and his compleices and there stall fra Barnard Tynto xxxviii scheip in September the year of God 1596 and that to the taikin the said Barnard cam to desire him to follow them and he bad him giv fourtie pounds fallow' (*i.e.* apparently a fee) 'that he would have borrowit and he stowit the scheip in his awin seller in the castle of Crawford and to the taikin there was ane of the scheip put the heid furthe at the windo and John Tynto his brother's son persawit the scheip and desirit him to let them go and he schoirit' (*i.e.* threatened) 'him for that and the scheip was never gottin agane.' Next, in the same month, other twenty-seven sheep were driven off from the same unfortunate Barnard, and yet again for the third time the same year, the Captain, his 'compleices' and servants paid another visit to the Southwood and 'drift eftir drift' they denuded the pasture till they had the number of fourteen score of sheep all taken from 'Barnard his wife, and bairnes.' But worse was to follow on this occasion, for Andro Bell, one of the servants, 'granted the hail stewthe to Thomas Jardine in Byrnok,' wherefor the Captain, with 'Mungo Carmichael of the Myll, and Mungo Park in the Westhaw, tuik the said Andro and callit him ane theif and drounit him on the nycht forout ane syse' (without a trial) 'where nane knaw bot thair selffis.' The same year from other poor tenants in the Nether Southwood in the night-time he 'cruellie reft' twelve cows, which, however, were returned 'at the king's plesoure and the king spak with his awin after the complaint was maid gif evir he hard the lik in onny tyme cuming of that he suld gar hang hym.' Next, in August 1595, under the silence and the cloud of night, a visit was paid to the Rilbank upon Clyde, belonging to 'the Lady Stonebyres,' and nineteen cows and oxen removed. All day long the 'compleices lay in the Neipland Wood callit Oxenmalbenshaw and the Capten and James of Longbodome cam to Lanerk and drank all day quhill nycht, and met all at the foirsaid wod and then to thair purpose.'

How realistic is this next narrative. 'Sicklik in the nixt yeir eftir in the moneth of Nowembir he cam to the Falside and Hilend

and there thifteouslie stall fyve scoir of scheip he and his servands and brought thame to the Watter of Clyd it being ane flud and drounit fyftene of them and they horssit our the wattir fourtein upone thair horss necks and left the rest because of the gritness of the watter, this committed be the Capten and his complices.' The next four charges merely recounting thefts of sheep and cattle call for no particular comment. The eleventh, however, relates to an act of violence of a different nature. '1596. Attour the Capten of Crawford cam to the town of Crawford togidder with Mungo Carmichael of the Myll and ther cruellie schot and slew with ane hagbut John Mackkynrick tailzeour in the sextene yeir of God and that to the taikin he tuik Johnne Gibssone and Gideone his brother and put thame in pressone for the space of twentie days because thay resisted his furrie and wald haif saiffit the man's lyf.' The fifteenth, the last charge in the indictment, that of the year 1607, is for a crime of another character. 'Item in the sevynt yeir of God the Capten of Crawford is delattit to the prespetre of Lanerk for wichecraft and consulting with Crestene Beg and Janet Makmorone in the art of wichecraft and convenit with thame dyvers tymes in privie places quhill in the chappell of Crawford upone the nycht and at thair awin houss thinking by theredoing to haif procreatioune of childrene.'

To return now to the Records of the Privy Council for this period, we find John Carmichael called to account for resetting sundry fugitives and outlaws, including his brother Walter, who played a part in many violent escapades, and he is again at the horn for not paying his taxation. But the authorities have got their eye on him, and he and such as he are having the special attention of the king. In 1607, for quieting the middle shires, his Majesty 'thought mete that some of the ringleadaris suspected for thair bigane conversation or for thair present disordered courses should be confined in some pairt removed from thair ordinary residence,' and under this ordinance the Captain was ordered to betake himself to Dundee to enter within six days under pain of rebellion, and there to remain till relieved by George, Earl of Dunbar. But it is very doubtful if Dundee ever enjoyed the society of the pushful captain, for the following year a complaint is lodged by Mark, Earl of Lothian, and Andro and David Johnston, his tenants of Crawfordmure, against John Carmichael and others, all at the horn, for not finding caution, for coming armed with swords, lances, hagbuts and pistoletts to the said

lands in the month of July, pursuing the tenants and their families with hagbuts, chasing them off the lands, removing their goods and houghing their sheep and horses, and even threatening to burn them in their houses if they continued in possession. Though to this charge the Captain alone was present to answer, yet in respect that neither he nor his fellows were able to find caution to underly the law, the Sheriff of Lanark was ordered to apprehend them and keep them in safe custody till they should satisfy the complainers.

With the relation of one more picturesque incident we shall conclude this list of crimes. Again it is against one of the Earl of Lothian's tenants that the outrage is committed. Accompanied by his brother Walter, John Tynto, in Southwood, and others to the number of four score, including a burgess and one of the bailies of the town of Crawford, all armed as usual with hagbuts and other weapons, the Captain proceeded on the 9th June, 1609, to the Kirktown of Crawford Lindsay and to the lands of Glencaple and there sought out Umphra Jerdane, one of the tenants, 'for his slaughter.' Umphra very prudently was from home, so on the 11th, being Sunday, the same party and others to the number of two hundred, armed as usual, arrived at the parish kirk of Crawford. Here their victim was worshipping in his 'ordinary parich kirk sitting in an aisle whereof he had been in possession thir aucht years bygane and being upon his knees at his prayers and Mr. Williamson the minister being in the pulpit saying the first prayer and the said Umphra's back being turned towards the said John his face,' the Captain charged and 'bendit' his hagbut and presented the same to 'Umphra his body.' But ere the tragedy could be accomplished, for the Captain must have been slow at discharging his weapon, the minister shouting a warning to the worshipper and a timely word to the Captain caused a diversion, otherwise the latter 'had not failed to have cut off Umphra from his natural life.' So once more the Captain is summoned before the Council, and being found guilty of the comparatively innocent offence of wearing hagbuts and pistollets is ordered to be committed to ward in the castle of Edinburgh. But good friends are at hand to help him in the persons of Sir John Murray of Blackbarony and Sir Edwin Murray of Elibank, who become surety for him to the extent of £2000 to keep good rule in the country, not to carry hagbuts and pistollets, and to appear before the Council when charged. What power the Murrays had over him does not appear, but it was sufficient,

for no further notice of his misdeeds appears; on the contrary, he seems to have mended his ways and even to have enjoyed a certain amount of royal favour.

On 30th October, 1612, the king interferes on his behalf in a letter to the Earl of Mar, objecting that a lease of the teinds of Crawford Lindsay had been wrongly granted to the Earl of Angus in place of John Carmichael of Medowflat, whose lease had not expired and who, with his predecessors, had been in continual possession thereof 'these fourteen score of years bygone,' and a new tack is ordered to be given to him.⁶ In later years we once or twice get a glimpse of him, not as Captain of Crawford, but as Sir John Carmichael, knight. On 24th June, 1621, a warrant was issued to the Treasurer not to dispoise his escheat to any one before Martinmas following, by which time he was to 'take final order with his creditors.' 'Wee sold be loth,' the king added, 'that his house whereof so manie honest men and faithful servants to our selfe and our predecessours are descended should by the cruelty of a hard hearted creditour be utterly overthrowen.'⁷ In September of the same year, under reservation of a liferent to himself and his wife, dame Sara Douglas, he resigned certain of his lands to the Earl of Angus, who three years thereafter obtained a charter to them under the great seal.⁸ In the spring of 1637 he died, the last male representative of his line; he was survived by an only sister, Margaret, who after being served heir to him⁹ sold Medowflat and the remainder of the family estate.¹⁰⁻¹¹

⁶ *Douglas Book*, iv. 43.

⁷ *Hist. MSS. Rep. Mar & Kellie*, 95.

⁸ *Reg. Mag. Sig.* 1624. 700.

⁹ *Ab. Ret. Lanark*, 196.

¹⁰ *Reg. Mag. Sig.* 1640. 953.

¹¹ Although in the 'Upper Ward of Lanarkshire' (iii. 471) it is stated that John Carmichael, Captain of Crawford, alive in 1612, and Sir John Carmichael, who died in 1637-8, were different individuals, I can find no evidence of this in any published record, and have, therefore, considered them as the same person.

The 'Scalacronica' of Sir Thomas Gray

The Reign of Edward III., as recorded in 1356 by Sir Thomas Gray in the 'Scalacronica,' and now translated by the Right Hon. Sir Herbert Maxwell, Bart., continued.

THE King being eager for arms and glory, and his council being enterprising and burning for war, they soon came to an agreement upon that point—all the sooner because they desired to retrieve their prestige from those by whom they had forfeited it. Some of those [who were] in the inner council of the King acted with Edward de Balliol, who laid siege to the town of Berwick by land and sea in the second week of Lent; and just before Pentecost the King of England himself went [there], and they assaulted the town, but did not take it; but they re-timbered their works so as to renew attack upon the said town. Meanwhile, those within the town treated for terms, [proposing] to surrender the town if they were not relieved before a certain day, and for this they gave hostages. Before which fixed time all the power of Scotland, a marvellous multitude of people, crossed the Tweed at the Yair ford one day at dawn, and showed themselves before Berwick on the English side of Tweed in open view of the King and his army; and threw troops and provisions into the town, and remained there all day and night. Then on the morrow, about noon, they decamped and marched through the King's land into Northumberland, burning and spoiling the country in open view of the English army.

These people [the Scots] having departed in this manner, the King's council at the siege summoned the town according to the terms [agreed on]; but those within replied that they had been relieved both with men and provisions, and showed [how they had appointed] new wardens of the town and [received] knights sent in from their army; of whom William

MS.
fo. 218

de Keith was one, with others. It was the opinion of the said council that they [the Scots] had forfeited their hostages, so they caused the son of Alexander de Seton, warden of the town, to be hanged.¹

This hostage having perished in this way, the others in the town, out of tenderness for their sons who were hostages [also], re-opened negotiations with the consent of the knights who had passed in, who were of opinion that their Scottish forces exceeded the army of the King of England. So they obtained these new terms—that within fifteen days they should throw into the town two hundred men-at-arms by force on dry land [marching] between the English army and high water mark, or else they would give battle in the open. The knights William de Keith, William de Prendergast, and Alexander Gray, who were those thrown into the town, had safe-conduct to pass through the [English] army to their Scottish friends with these terms, and were taken under safe-conduct through Northumberland. They found their Scottish army at Witton Underwood,² and brought it back to Berwick to effect its relief, where they engaged in battle and were defeated.³ Archibald de Douglas, at that time Regent of Scotland for King David de Brus, was slain there; the Earls of Ross, Moray, Menteith, Lennox, and Sutherland were slain there.⁴

[William] Lord of Douglas (son of James of Douglas, who perished on the frontier of Granada fighting the Saracens, having undertaken this crusade⁵ with the heart of Robert de Brus his King, as he [Robert] had instructed him on his deathbed) and a great number of barons, knights, and common

¹Wyntoun says Sir Alexander had already lost two sons in the defence of the town, but neither he nor his wife shrank from sacrificing a third.

‘Then sayd the lady that scho was yhyng [young],
And hyr lord was yhowng alsua,
Off powere till have barnys ma.
And set [allow] that thai twa dede war thare,
Yhit off thare barnys sum lyvand ware.’

(*Cronykil*, viii. c. 27.)

²Probably the parish of Nether Witton, near Morpeth.

³Battle of Halidon Hill, 19th July, 1333.

⁴The list is not quite correct. The Earl of Moray escaped from the field, but the Earls of Carrick and Athol made up the tale of six of their degree who perished.

⁵*Cest saint veage.*

The 'Scalacronica' of Sir Thomas Gray 187

people were slain at that place. The town surrendered upon fixed terms. The Earl of March, who had charge of the castle of Berwick, became English, having, indeed, no great esteem from either side.¹ In the mean time [or, at the same time], by permission of the King, he caused his castle of Dunbar to be fortified, which was afterwards the cause of much mischief.

This battle having been fought, the King of England marched to the south, where he attended assiduously to peaceful deeds of arms.² Edward de Balliol, King of Scotland, went to the town of St. John,³ where he held his Parliament at Scone and [received] the fealty of many [persons] of Scotland. The whole of Scotland was in subjection to the King of England and to him, except the castle of Dunbarton, whence King David de Brus, who was still a youth, was removed to Chateau Galliard in France, where he and his wife, the King's [Edward's] sister, remained a long time, until he was of such age that he might return. ms. fo. 219

In the second year after the battle of Berwick, Edward de Bailliol returned to Newcastle-on-Tyne, and performed his homage to the King of England for his land of Scotland, according to the terms aforesaid; and then he retired into Scotland because certain people of that country had risen against him with the Earl of Moray, a youth approaching manhood.⁴ The said Edward was at Stirling with his forces, where there arose some disagreement out of jealousy between certain of his council, who suddenly took themselves off to their strongholds, wherefore the said Edward returned to England. Henry de Beaumont, at that time Earl of Buchan, through inheritance by his wife, went to Dundargue, a castle in Buchan, which he had fortified anew.⁵ The Earl of Athol betook himself to his own land, the others to their castles. Richard Talbot was beyond the mountains in the lands inherited by his wife, the daughter of John de Comyn. On receiving news of this quarrel he set off for England, but was captured in Lothian, and John de Stirling also, by people in fealty to Edward de Balliol, who broke faith out of avarice for the

¹ Or perhaps 'For either side,' being a most uncertain and fickle gentleman. *Qi nauoit my graunt gree de nul coste.*

² That is, tournaments, jousts, etc.

³ Perth.

⁴ *Vn enfant parcru.*

⁵ On the Moray Firth, near Aberdour. Once a great fortress of the Comyns, nothing remains above ground now except the entrance.

ransom of these [knights]. Henry de Beaumont was besieged in Dundargue, and surrendered the castle on condition that he was to leave the country. The Earl of Athol made fealty to David de Brus and deserted his fealty to Edward de Balliol, being constrained to do that or to die, as well as most of the English knights in his company, who could not preserve their lives in any other way. At this time there remained in Scotland none of the King of England's adherents of any importance, except the Earl of March, who went to Newcastle-on-Tyne [in obedience to] summons from the King of England. In returning home he [March] was waylaid by some ruffians of Northumberland, coveting the money which the King had given him at his departure, and came near to being murdered. He caused his complaint to be laid before the King of England, who had then come to Roxburgh, where in winter he caused the castle, captured and dismantled in the time of his father, to be fortified. The council, which was at that time with the King, would not consent to his exacting such reparation from the said evil-doers as reason demanded, so it seemed to him [March] as a warning against such misdeeds; wherefore he renounced¹ his homage to the King by a letter when he [Edward] came near Dunbar after a journey which

MS.
fo. 219^b he had made into Lothian from Roxburgh in very bad winter weather, letting it appear in the said letters that he could not maintain himself in security any longer.

At the same time the King's kinsman, Edward de Bohun, was drowned in the Water of Annan, in attempting to save a valet from a flood. He seized him [the valet] by the shoulders, but he [the valet] pulled him out of the saddle beneath him. The knight perished: the valet was saved.

The said castle of Roxburgh having been fortified, the said King of England moved to London and prepared for the coming summer, when he marched to Scotland in great force. He sent with Edward de Balliol the Earls of Warren, Arundel, Oxford and Angus, the lords Percy, Nevill, Berkeley and Latimer, and a great army, which entered [Scotland] by Berwick. He himself entered by Carlisle with all the rest of his chivalry, having with him the Count of Gueldres, who afterwards became marquess and then duke, with a strong column of Germans. The two armies came near each other on the Water of Clyde, the King of England [being] in one

¹ *Si rendy sus soun homage a le roy.*

The 'Scalacronica' of Sir Thomas Gray 189

place [and] Edward de Balliol with his army at Glasgow, where there occurred a great conflict in the army on account of an esquire who carried the surname of de Gournay,¹ whom the people of the Marches killed because it was alleged that one of that surname had been a party to the death of the King's father.

The two armies formed a junction at the town of St. John,² and on their march thither they took the castle of Cumbernauld by assault. At the said town of St. John the Earl of Athol, Godfrey de Ross, and Alexander de Moubray, with others, returned to the King's peace, and the Steward of Scotland there began to treat. At the same time, while the King lay at the town of St. John, came the Count of Namur to Berwick, with other English knights who had not been ready to march with the King. They now foolishly undertook to follow the King and to travel through the country to him at the town of Saint John, when they were surprised at Edinburgh by the Earl of Moray³ and forced to take [refuge on] the rock of the dismantled castle. There they defended themselves one night, and next day, until they received terms, [namely] that the said Count of Namur should swear that he would not bear arms from that time forward in the quarrel with David de Brus, and that the English there should remain prisoners held to ransom.⁴ The said Count of Namur returned to Berwick, whence he went by sea in company with the Queen of England to [join] the King at the town of Saint John. About the same time the Earl of Moray was taken by William de Presfen in an affair upon the Marches.

In the same season the Earl of Ulster was murdered by his own people in Ireland, which Earl was son and heir of one of Gloucester's daughters, and a near kinsman of the King of England. Afterwards Lionel,⁵ son of this Edward the third after the Conquest, married the daughter and heir MS. [of the Earl of Ulster]. fo. 220

The King of England left the town of Saint John and marched to Edinburgh, where he caused the castle to be fortified; and there Robert the Steward of Scotland,⁶ who

¹ Gurney.

² Perth.

³ Whom the chronicler stated above had been killed at Halidon Hill.

⁴ *Pur en some de argent.*

⁵ Duke of Clarence.

⁶ Founder of the Stuart dynasty. Crowned in 1371.

was son of Robert de Brus's daughter, and nearly all the commons, came to his peace. The King caused a strong garrison to be placed in the castle, and repaired to England. In the winter following, the Earl of Athol, who had been appointed by the King guardian beyond the sea of Scotland,¹ was slain, having fought against Andrew de Moray, and the Earl of March, and William de Douglas, and with the people engaged on the side of David de Brus. And in the same season Thomas Rosslyn was slain in another encounter as he was landing from the sea near Dunnottar; but his people gained the victory.

In the next summer after, the King of England (who had sent to the town of Saint John in support of Edward de Balliol some of the greatest men of his realm, [including] his brother John, Earl of Cornwall, who died there a peaceful death²), having received intelligence that the Scots were assembling to fight with his people near the town of Saint John, came suddenly upon the March of Scotland with scarcely more than fifty men-at-arms. He took the March men who had been sent home to defend the country, and hastily set out to go to the town of Saint John, having with him not more than five score men-at-arms. He arrived at the said town so unexpectedly that all his people marvelled at his coming, and that he should have dared to act in such manner. Thence he rode beyond the mountains, where he rescued the Countess of Athol,³ who was besieged in Lochindorb; and there for a while he suffered great scarcity of provender in his army; but all were supplied by the foraying of Robert de Ogle and other men of the Marches; and so he went to Stirling, where he caused the castle to be fortified, and thence he marched to Bothwell, where also he caused the castle to be fortified during the winter, and caused a strong garrison to be placed therein. The Lord of Berkeley escorted the convoy to Bothwell from Edinburgh, and one night defeated William de Douglas,⁴ who lay in wait for him.

The King soon afterwards lost all the castles and towns which he had caused to be fortified in Scotland for want of good government in the prosecution of his conquest. The

¹ *I.e.* beyond the Forth.

² *Morruist de bele mort.*

³ She was a daughter of Henry de Beaumont, and widow of the Earl who had been Edward Baliol's Governor of Scotland, slain at Kilblene in the same year, 1335.

⁴ The Knight of Liddesdale and 'Flower of Chivalry,' c. 1300-1353.

The 'Scalacronica' of Sir Thomas Gray 191

said King repaired to London for his Parliament, where his eldest son, the Earl of Chester,¹ was made Duke of Cornwall, Henry of Lancaster was made Earl of Derby, William de Bohun [was made Earl] of Northampton, William de Montague [was made Earl] of Salisbury, Hugh de Audeley [was made Earl] of Gloucester, Robert de Ufforthe [was made Earl] of Suffolk, William de Clinton [was made Earl] of Huntingdon. Upon which earls and other good men of his the King ^{MS.} bestowed so liberally of his possessions that he retained for ^{fo. 220^b} himself scarcely any of the lands appertaining to the Crown, but was obliged to subsist upon levies and subsidies, which were a heavy burden upon the people. He received a considerable share of the tithe of Holy Church, the fifteenth penny of the laity, and 47s. 8d. for every wool pack. This subsidy was granted by the Commons for a term, but it outlasted the time fixed. During two years he received the ninth sheaf throughout his realm.

At this same parliament it was decided by the King's Council, [acting] on advice of the clergy, that he should no longer refrain from pressing his right and [his] claim to the Crown of France, on which account war was declared, homage was renounced to Philip de Valois, King of France,² who withheld the King's right, and defiance was also sent. Envoys were sent from the King of England to Germany to make alliance with the Emperor, the Bavarian,³ who had espoused the other sister of the Count of Hainault. The expenses of these lords cost enormous treasure, without profit. The envoys were Henry de Borwase, Bishop of Lincoln, and the Earls of Salisbury and Huntingdon, who returned to the Parliament of London with the reply to their mission.

Soon after this time Andrew de Moray, Guardian of Scotland for King David, who [Moray] happened to die soon after,⁴ wrought great havoc in the county of Carlisle, whence he marched and besieged the castle of Edinburgh, at that time in the hands of the English. The Marchmen, hearing of their coming, hastened to the rescue. The Scots raised the

¹ Edward the Black Prince, aged at this time five years.

² *Au roy de France*, misrendered *du roy* in *Maitland Club Ed.* Beginning of the Hundred Years' War, A.D. 1337.

³ Ludovic V. who, before his election, had been Duke of Bavaria.

⁴ He died in the following year, 1338.

siege and came to meet them at Clerkington, the English being at Crichton, where at Crichtondene there was a fierce encounter between them, many being slain on both sides, but the English lost most. The Scots moved off, threatening to make an inroad upon England, and encamped at Galashiels. The English posted themselves before them, beyond the Water of Tweed, where they remained two days; and on the third night the Scots broke up and went their way.

Soon afterwards, the Earl of Salisbury, who at that time was one of the most trusted of the King's Council, was of opinion that the alliance they had formed with the Germans was not likely to lead to profitable result, and that the King would not be able to bear the expense of the conditions which they demanded. Perceiving their greed, he laid his charge to Parliament¹ before the King and went off to Scotland so as to avoid [responsibility for] this policy. He went with the Earls of Arundel and Gloucester and the Lords Nevill and Percy to besiege Dunbar, where the King came near them at Whitekirk² to take their opinion about his affairs, on account of which he could not remain at the siege at that time.

MS. fo. 221 They lay at this siege throughout Lent and until Pentecost, when the Bishop of Lincoln and the Earl of Northampton and the others who had conducted the treaty of alliance with the Germans had come back to London, having achieved a gallant passage of arms in returning from this mission, for they defeated the Flemish in the Isle of Ragent,³ where Guy de Flanders was taken by the people of Walter de Maunay. It was said that some of these envoys on their return declared to those who were then in attendance upon the King, that any persons who interfered with the King's journey in accordance with their treaty should forthwith be held as traitors, and that he need take nobody with him except Giliot de la Chaumbre, for he would be strong enough with his allies over there to conquer his heritage of France.

On hearing this news at Dunbar, the lords there, who were

¹ *Son charge moustre a le parlement enchois au roy.* The meaning is ambiguous. *Enchois*=*ainchois*, *ainçois*, *avant*, *auparavent*.

² In East Lothian. This was the siege made famous by the defence of the castle for five months by Black Agnes of Dunbar.

³ *En lile de Ragent.* It is Cadsand, part of the mainland. The affair is graphically described by Froissart, Book I., chap. 31.

The 'Scalacronica' of Sir Thomas Gray 193

on the point of [receiving] the surrender of the castle, made truce and raised the siege; for they dared not remain longer lest men might blame them for interfering with the King's expedition, seeing that matters had gone so far.¹

The King, [acting] on the advice of those who had set their heart upon this alliance, crossed the sea and arrived at Antwerp, where he lay for fifteen months without making any war, only jousting and leading a jolly life; and here was born Lionel, the King's son.²

At this time the English Marchmen, who were left to keep the March in rear of the Warders and chieftains who had ridden in force into Scotland, were defeated at Presfen,³ Robert de Maners was taken, and all the others were either slain or [taken] prisoners, having, on account of imprudent, angry talk, broken their ranks and hotly⁴ engaged upon unsuitable ground.

The King, within the first two months of his landing, went to the Emperor Louis at Coblenz, where he held a high court,⁵ and the right of the King of England to the crown of France was proclaimed in open consistory and acknowledged in that court. Although they [Emperor Louis and King Edward] had married two sisters, yet the King received no support there except from people who never would be got together but for money, saying that for their part they would serve him willingly, but that was for such an unreasonable sum as it would have made it impossible for him to come to terms [with them].⁶

In the same season that this King Edward was in Brabant, the French came out of their galleys at Southampton, took the town by assault and destroyed it, but did not remain

¹ A plausible excuse for failure: but Black Agnes, having made good her defence for five months, might have maintained it for fifteen, for Alexander Ramsay of Dalhousie ran the blockade of the English fleet and threw provisions and forty men into the fortress.

² 29th November, 1338; afterwards Duke of Clarence.

³ Near Wark-on-Tweed.

⁴ *Enuyousement*.

⁵ *Ou il teint coustoir plener*, apparently the same as *cour plenièrre*, which differed by its greater magnificence and solemnity from an ordinary court.

⁶ In the *Maitland Club Edition* certain words in the original have slipped out of the text. They are printed in Roman type in the passage as follows: *Vngor le roy nauoit illoques autre eide fors com de gentz qe ia ne seruount ensaule de argent qi disoient que pur le soen ils ly seruiroint volountiers, mais, etc.*

^{48.} there long. In the same season the galleys of France took
^{221^b} four of the larger ships of England off Middleborough, which were lying there awaiting the King's pleasure, in case he wished anything from them, he being at that time at Antwerp.

The King of England received commission as Vicar-General of the Empire, so that all those of the Empire should be at his service. The King repaired to Antwerp, expecting aid from his allies and treating with them continually, which availed him nothing, until, in despair from such long delay, he resolved that he would wait no longer. So he sent to inform his cousin-german, the Duke of Brabant, and to the Duke of Guelders, who had married his sister, and to the Marquess of Juliers, his brother-in-law, and to his other allies who had taken his part,¹ that, on a given day, he would be on the frontier of France, where he would test his fortune; therefore, as the Emperor's Vicar, he summoned them to be ready on the appointed day. Whither came some of the King's allies, unable, for very shame, to keep away, and rode with him into France before Saint-Quentin² and into Tierache; in which expedition the English with the Germans assaulted the town of Hennecourt, but they did not take it; in which assault Thomas de Poyning and many other good Englishmen were slain. King Philip of France came suddenly to Vironfoss within a league of the said King of England, without the knowledge of the King's army. The said King [Edward] waited for him [Philip] on the morrow in open field nearly all day, then towards evening he marched to Avesnes, because the army was not victualled, where they remained all next day. King Philip of France pursued no further. In the evening at Avesnes there took place such a fierce encounter between the English archers and some of the Germans that the English men-at-arms were under arms all night. Some of the Germans fell upon a detachment³ of the English army in a hamlet outside the army, killed all the English common [soldiers], and stole horses and harness, and made off, each his own way.

The King marched into Brabant to Antwerp, where the Council of Flanders treated with him, and by their homage and oaths made submission to him as to their sovereign lord the King of France; and he, by their advice, assumed the title and arms of King of France at Ghent, where the King's

¹ *Quoient pris de son.*

² In Picardy.

³ *Cheierent desus une pane.*

The 'Scalacronica' of Sir Thomas Gray 195

son John, Earl of Richmond, was born.¹ He [the King] travelled to England in order to strengthen his array, when he underwent great danger from storm in crossing the sea. He left the Earls of Salisbury and Suffolk as Guardians of Flanders, who by their want of prudence in a foolish reconnaissance were surprised before Lisle and [taken] prisoners and taken to the fortress of Paris. The Earl of Warwick [then] became Guardian of Flanders for the English King.

MS.
fo. 222

The other earls having been taken, the King of France besieged the castle of Thin-l'Evêque in Cambresis which the English had taken; to relieve which went the Duke of Brabant and the commons of Flanders, and the Count of Hainault, who had sent the King of France a fresh defiance on account of outrage which he [France] had caused to be done to him. They took the English out of the castle, who, having given hostages, [thus] forfeited them, and then burnt the castle in the sight of the King of France.

In the mean time, while these people were in the field at this [work of] relief, King Edward of England was on his way to Orwell with his army to join his allies, and had embarked his horses, when news reached him that the Admiral of Normandy, with the whole navy of King Philip of France, lay off Sluys to blockade Flanders by sea, so that no victuals nor merchandise should reach them by sea, and in order to oppose the King's passage. Upon hearing this news he [Edward] caused his horses to be disembarked, and put to sea with the people of his army; so that on the vigil of St. John, at midsummer, he arrived off Sluys by sea, and on the morrow, St. John's day,² attacked this great navy of France, and, by the grace of God, defeated it. All the ships were taken, and the admiral, Hugh Keret, was killed, with such a multitude of Frenchmen as was beyond measure wonderful.

The King arrived at Sluys, whither came to him the lords of Brabant, of Guelders, of Jüliers, and of Hainault, and the councillors of the great towns of Flanders; when, by their advice, the King marched to Ghent, whence within eight days he moved before Tournay, which he besieged. He divided the army of Flanders in two, taking with him the troops of Ghent to Tournay, and sending those of Bruges and Ypres to Robert of Artois, who at that time was his adherent, because

¹ Better known as John of Gaunt, father of Henry IV., b. 24th June, 1340.

² June 24, 1340: the twenty-fifth anniversary of Bannockburn.

of the wrong that Philip de Valois, who claimed to be King of France, had done him in respect of the county of Artois, which he [Robert] claimed by inheritance; for Robert had his [Philip's] sister to wife, and submitted to the said King of England as rightful King of France.

The King sent his letters to Philip de Valois offering him choice either of pitched battle, force against force,¹ in a suitable place and on a day to be fixed, or of one hundred knights against one hundred upon proper conditions, or of personal duel of their two bodies.² The Council of France declared that they knew not to whom these letters should go, because they made mention of Philip de Valois, and him they held to be King of France, feigning excuse for [not] answering definitely upon the specific point.

^{MS.}
^{fo. 222^b} The said Robert [of Artois] marched with the whole of the English and with the aforesaid men of Flanders [to a position] before Saint Omer, where the Count of Armagnac and Duke of Burgundy were quartered, who made a sortie in two columns. Robert of Artois with the English and the men of Bruges attacked and repulsed the column of the Duke of Burgundy, and very nearly entered the said town with them, so close was the pursuit. The Count of Armagnac with his column attacked and routed the rear-guard of the said Robert—the men of Ypres—and pursued them hotly a long way. Upon the return of Robert of Artois in the evening, the Count of Armagnac returned towards Saint Omer, and [the two forces] encountered each other; but [as] this happened during the night, each party stood on the defensive without doing any more. Upon the return of the said Robert to his quarters, they found that their other column of Ypres [had been] defeated and put to flight; wherefore they [Robert's column] broke up that same night, and on the morrow marched to Tournay to the King of England, who had invested that town, within which were the Comte d'Eu, Constable of France, and the Comte de Foys, with fifteen hundred foreign men-at-arms.³

¹ *Batail arrest. Poair countre poair*; the last two words are omitted in *Maitland Club Ed.*

² *Personal darrein de lour ii. corps*: i.e. *deraisne*, a term of law for trial by battle

³ Or 'armed men.' *Genz darmis* and *homs darmis* are sometimes used to express 'armed men,' and sometimes, more specifically, 'men-at arms,' who were fully armed heavy cavalry, each man with his valet or groom.

The 'Scalacronica' of Sir Thomas Gray 197

The King had lain at this siege for eleven weeks, when King Philip of France came with his great army within a league of Tournay, when negotiations began, which the King's allies compelled him [to open], because they would remain there no longer. So they took their departure upon a truce for one year, prisoners on both sides being released, the Earls of Salisbury and Suffolk of the English, and the Lords of Montmorency and other Frenchmen who had been taken at Tournay.

The Flemings were released from the interdict under great penalties laid upon them by the Pope in the Court of Rome in the time of Philip le Beau, King of France, that they should never rebel against the Crown of France; [and this was done] at the instance of this Philip de Valois, who now proclaimed himself King of France, according to the conditions agreed upon in the truce of Tournay for all time coming.

At which time of the siege of Tournay Benedict [XII.] was Pope next after John [XXII.]. He had been named previously Cardinal Blanc, and was of the Cistercian Order. He was strictly conscientious. He made stricter by his constitutions the rule of the Cistercian Order than it had been before his time. He took an active part in the peace by mediation of the Cardinals between this King Edward the Third after the Conquest and Philip de Valois, King of France; but he could not have achieved his purpose, had he not been no adherent of either party.

In the mean time, during this siege of Tournay, the Earls of March and Sutherland came to take booty on the mar. . .

* * * *It is at this point, just as the narrative returns to Scotland and the chronicler enters upon the period of his own greatest activity and adventure, that we have to deplore the loss of several folios. Luckily, John Leland (1506?-1552), the father of English antiquaries, had access to a complete copy, and made an abstract in English of the whole work. That portion which covers the missing part of the original is given here in order to preserve the thread of the chronicle.*

Whil the king was at the sege of Turnay, the erles of Marche and Sothirland made a rode yn to England, and were discomfited by Thomas Gray¹ there.

¹ Old Sir Thomas Gray died in 1343: this encounter took place in 1339-40, and the victor may have been the chronicler himself.

Robert Maners and John Coplande, with the garrison of Roxburg, then yn the Englisch mennes handes, but after won by covyne of the Scottes on Ester day, at the very hour of the Resurrextion. But al they that were capitayne of this covyne dyed after an il death. Alexander Ramsey, capitayne of this deade, dyed for hunger, put in prison for very envy that Wylliam Duglas¹ bare hym.

King Edward repayrid into England, and was in yeopardy of drouning at the Tamys mouth, and at his arrival caussid his treasurers to be arrestid, by cause he was so il furnishid of mony: the which was the great cause of leving of his sege at Turnay.

The wynter after the sege of Turnay, King Edward went to Melros, and rode thorough part of the forest of Etrik in a very il season, and cam to Melros agayne, wher Henry, erle of Darby, sunne and heyre to Henry counte of Lancastre, justid with Wylliam Duglas by covenant yn the Kinges syte.

The King Edward, taking a trews, departid from Melros half in a melancholy with them that movid him to that yornay.

The counte of Derby went to Berwik, and there were justes of werre by covenant with yn the toune of many knightes and esquiers: and ther were killid ii. Englisch knightes.

This season David Balliol cam out of Fraunce, and yn the wynter after, about Candemas, made a roode in to the Englisch marches, and brent much corne and houses: and yn somer after he made a rode yn to Northumbreland on to Tyne.

The same yere debate rose in Britayne,² by the death of John duke there, betwixt the counte Montforte, brother by half bloode to duke John, and Charles de Bloys, that had to wife the doughter to the counte of Penthuvir, brother to duke John by father and mother.

Counte Montfort escapid out of prison in Fraunce, and cam to King Edward as king of Fraunce, and Edward mayntenid his quarel, and sent Walter Mauney yn to Britayne, as his lieutenant, with Robert of Artoys, that dyed ther on fayr death.

The counte of Northampton faught with the barons of Britayne and great pour of Fraunce at Morlays, and discomfitid them, wher Geffray de Charny was taken.

King Edward cam yn to Bretayne, and assailid the toune of Vanes, wher ii. cardinales cam to make treuse betwene the kinges, and the toune was delyverid to them; but King Eduarde wan it afterwarde.

King Edward with great peril of tempest, and ther he gave his eldest sonne the principalite of Wales.³

The countes of Saresbyri and Southfolk, that had been prisoners yn Fraunce, and were deliverid for the counte of Murref⁴ in Scotland, and 3000 poundes sterlinges, with many other knightes of England,

¹The Knight of Liddesdale.

²Brittany.

³The Black Prince, created Prince of Wales in 1343.

⁴John Randolph, 3rd Earl of Moray, captured in 1335 and released in 1341.

The 'Scalacronica' of Sir Thomas Gray 199

toke their yornay into Spayne to the frontier of Granate to the sege of Algesirs, a great toun of the Saracenes upon the straites of Marok, that the good king Alpponsus had besegid, and after wan it by famyne.

King Edward made a great fest at Wyndesore at Christemes, wher he renewid the Round Table and the name of Arture, and ordenid the order of the Garter, making Sanct George the patrone thereof.

King Edward sent an army yn to Flaunders by the meane of James Arteville,¹ capitayn of the communes of Flaunders, of which when they saw the army [at Schluse] they [of Gaunt²] cutte of Arteville's hed.

King Edward sent to the counte of Derby, the erle of Lancaster's sunne, with many gentil men yn to Gascoyne, wher he discomfitid his ennemyes at Albaroche. Ther the erls of Lisle and Valentinoys wer taken, and ther they did many great feates of armes beside.

The baron of Staforde, that after was erle, and many other Englisch men, were besegid yn Agiloune yn Gascoyne by John duke of Normandy, eldest sunne to Philip king of Fraunce: but he left the sege becummyng of King Edward yn to Normandy.

King Edward sent the counte of Northampton and Oxford, with counte Montfort in to Britayn,³ that claymid to be duke there, and that shortely after dyed there of fayr death. The aforesaid counte assegid the toun of Kemperkaretyne, and at the laste toke it by assaute.

Charles de Bloys cam with great pour to rescue the toun, and the aforesaid erle cam foreward to fight with them; but yn dede they fought not to gither.

The counte of Northampton rode through the cuntery, and wan the toun of Rochedirien by assaut, and so returnid yn to England with yeopardy of tempest. Thomas Dagworth sent warden yn to Brytaine,³ anone after this fought with Charles de Bloyse, and put him to flyte. A nother tyme he layd wayte for Charlys de Bloys, where he had assegid Rochedirien, and toke hym, and sent hym prisoner yn to England. And at this tyme were many of the barons of Britayn slayn.³ Abowt this season King Edward landid at Oges in Normandy, and wan the towne of Cane⁴ by force, wher the counte of Owe,⁵ the conestable of Fraunce, and Tankerville the chambreleyn wer taken and sent yn to Englande.

King Edward went up to Lenght yn Normandy apon the ryver of Sene, wher at the bridges wer broken, and made the bridg of Pontoyse, wher many French men wer slayn. Then went King Edward thorough Beauvoisin and Pykardy to the water of Sowme,⁶ wher a great sorte of Frenchmen, wylling to stop the passage, wer slayn. Philip Valoyse cam with his great hoste to have stoppid King Edward at the passage of Soum, but he was over or he cam.

King Edward, passing the forest of Crescy, was sodenly beset with Philip Valoys great hoste: but yet he chase a plott of ground equal

¹ Jacob van Artevelde.

² The people of Ghent.

³ Brittany.

⁴ Caen.

⁵ Le Comte d'Eu.

⁶ Somme.

to fight yn, and wan a great victory of hym;¹ wher wer taken John king of Boheme, the duke of Loreyne, the counte of Alaunsun,² the brother of Philip Valoys that caullid hym self king of Fraunce, the counte of Flaunders, and many other countes.

King Edward went thens to Calays, wher he lay a whole yere at the sege.

King Davy of Scotland, yn the mean while, wan agayne, part by strenght, part by treason, part by famyne, al the holdes that King Eduard had yn Scotland, saving the only toun of Berwik. And the tyme of the ii firste monithes of the assege of Calays, he enterid ons in somer in to the parties of Cairluelshir;³ and a nother by Sulwath,⁴ and after assaylid the pile of Lidel and wan it by assaute, and then cut of the hedde of Walter Selby capitayne there, that afore had beene of the covyn of Gilbertert Middleton, that kept Mitford Castel and Horton pile agayn King Eduarde. Davy king of Scottes went forth in to the bisshoprik,⁵ and there did much hurte, wher the archbishop of York, the counte of Angous, the lorde Percy, the lorde Neville, and lord Moubray, with other marchers, wan the batelle,⁶ and John Coplande toke hym prisoner. The countes of Murref and Strathern wer killid and also Morice Murref, with many barons, banerettes and knightes wer killid. The counte of Marche and the seneschal of Scotland fled. The counte of Marche was taken, and the counte of Menteth, that shortely afterwards was hangid and drawen at London. Wylliam Duglas, that had greatly help the quarel of King David, was restorid to his castel of the Heremitage, apon conditions that he never after should bere wepen agayn King Edwarde, and alway be ready to take his part. This Duglas was sone after slayn of the lord Wylliam Duglas⁷ yn the forest of Selkirk.⁸

Many lordes, knightes and esquires of Scotland, taken yn batayle with theyr King David, wer sodenly ransomid, the which, after they cam yn to Scotland, made great riottes agayn. After this batayle cam to the king of Englands peace the countes⁹ of Berwik, Roxburg, Peblys and Dunfres, with the forests of Selkirk and Etrik, the valleis of Anand, Nide, Esk, Euwide, Muffet, Tevyot, with the forest of Jedworth. The castelles also of Roxburg and Hermitage wher delyverid in to the Englisch mennes handes.

King Edwarde lay stille afore Calays, and there the counte of Flaunders practisid with hym to have his doughter Isabelle.

King Philip of Fraunce to the borders of Calays to remeve the sege; but he prevailid not.

Calays beyng over cum with famyne, the capitayne and burgeses of the toun cum with halters about theyr nekkes, submitting them self

¹ 26th August, 1346.

² Cumberland around Carlisle.

³ Of Durham.

⁴ William, 1st Earl of Douglas.

⁵ Usually Leyland writes 'counte' for 'earl,' but here it means counties.

⁶ Alençon.

⁷ Solway.

⁸ Nevill's Cross, 17th Oct., 1346.

⁹ August, 1353.

The 'Scalacronica' of Sir Thomas Gray 201

to King Edward: the which put a right strong garrison yn the toun, and so cam yn to Englande.

Then cam to King Edward messengers from Rome to trete for peace for viii. yeres folouing.

About this tyme the electors of the empire sent to King Edward, offering hym there voyces to be emperor, Lowys of Bavar being deade. But he for his other great afferes refusid it, and then was electid Charles king of Boëme, sun to King John that was killid at the batail of Crescy. This Charles electid emperor fled at the batail of Crescy.

Henry duke de Lancastre chalengid at the coronation of Charles thempor at Rome a greate part of Province, the which by deathe of his auncestors was fallen to hym, by reason of his fathers mother queen of Navar.

King Edward had prepared to¹ armyes, one at Sandewiche and a nother at Orwelle, to go yn to Flaunders, to thentent to help them of Gaunt and Ypers, the which wer at debate with them of Bruges for his quarel. But trewe taken betwixt them brake this yorney.

King Edward, knowing a pryvy practise that a Genuoyse of the garnison of Calays had for a great summe of mony with the French king for delyveraunce of Calays, cam very secretly thither, and caussing as many of the French men to be let yn as might be welle over cum, slew them, and brake al their purpose; and there was taken Geffray Charnay very prive of the French kinges counsel, and a great cause of thys conspiracy. Geffray Charnay delyverid for raunsom toke in a castel the aforesaid Genuoyse, whom King Edward had made knight, and for he had bene cause of his taking he put the Genuoyse to great tormentes.

King Edward faught with a navy of the Spanyardes cummyng from Flaundes (by cause they had afore done hys navy greate hurte) and vanquishid them, taking many great shippes of Castelle.

The Englisch men of the garnison of Calays toke the castel of Gisnes. The Englischmen toke a great parte of the counte of Bretayne, wher Thomas Dagwort theyr capitayne, a man to hy a corage to fly, was slayne yn a skirmouche of the French menne. This Thomas Dageworth had often tymes over cum the French menne. Gualter Bente was gardian of Britain after Dagworth: did wondrous feates yn Britayne; but after he was put yn the tour by fals suggestion, as it was said.

King Edward and his counsel wher much occupied by the space of a peace of viii yeres, procurid, as it was spoken of afore, by the messagers of Rome; and for the delyveraunce of King David of Scotland, and Charles de Bloys, duke of Bretayn, the which had beene, in these space of viii. yeres, yn divers castelles on England yn prison. In this tyme was a very great pestilence yn England, and many noble men dyed of it, beside the communes. In this season at a parliament was Henry counte of Lancastre made duke, and Rafe Stafferd counte.

Henry duke of Lancastre made after a rode² to Boloyn. And this Henry was at a nother tyme yn the wynter in Spruce:³ but his

¹ Two.

² Raid.

³ Prussia.

yorney faillid to fight with the infideles. Henry went thens to Cracow, whither the Tartares enterid, and were departid a litle afore his cummyng. Henry, at his cummyng to Coylane, fel by chaunce at hy wordes with the duke of Brunswik, that gave hym gage of bataille, and receyvid it, and had leve of King Eduarde to try it. The bataille was apointid at Parise before John king of Fraunce; and there they were armid an a horse bak redy to fight, but King John toke up the quarel. Henry laborid sore for the peace of viii yeris afore spoken of, yn so much that, at the last, by great difficulte, it was concludid apon conditions at Avinion afore certayn cardinales and the counsel of Fraunce. But this peace cam to right smaule effect.

About this tyme John Beauchamp, that was capitayne of Calays, was taken aboute Arde goyng owt of Calays: wher the syre Beauin, capitayne of the French band, was slayn; but the French men, beyng iiij tymes doble as many as the Englishe men, had the victory.

Clement was bisshop of Rome after Benedict. This Clement was a monk of Cluny ordre and archbishop of Roam,¹ and had beene before prior of a celle of the French ordre in Englande. He was a good clerk in divinite.

In the mean whyle that King Davy was prisoner, the lordes of Scotland, by a litle and a litle, wan al that they had lost at the bataille of Duresme; and there was much envy among them who might be hiest; for every one rulid yn his owne cuntery: and King Eduarde was so distressid with his afferes beyound the se, that he toke litle regard to the Scottisch matiers.

At this tyme a baronet² of France caullid Garencieris³ cam with 50. men of armes yn to Scotland, and brought with hym xm. markes of the French kinges treasure to be gyven among the prelates and barons of Scotlande, apon the condition that they should breke their trewis with the king of England, and mak werre apon hym.

About this tyme in playne parlament the jugement of Mortymer, that was erle of March by King Eduard's gift, was revokid at London; and so was the sunne of the sunne of Roger Mortymer restorid to therledom of Marche and to al his possessions, by the meanes of his great frendes, that allegid Mortimer dyed with oute answering to such thynges as were layid agayne him.

About this tyme King Edward was long deteynid by reason of a treatice of alliance betwixt the king of Navar, that was the sunne of the erle of Eworous, and hym. The which alliaunce by tretice afore was offerid, when Henry duke of Lancastre was at Avinion. Apon the which King Edward was with his navy apon the costes of Gascoyn the hole somer for performance of this alliaunce. But his yorney faillid. For the king of Navar thought to have more advantage at the French kinges hand.

¹ Rouen.

² ? Banneret; or perhaps a minor baron. Baronets, in the modern meaning, had no existence till the seventeenth century.

³ Garencières.

The 'Scalacronica' of Sir Thomas Gray 203

King Edward went with his hoste to Calays and rode thorough Artoys and Pykardy, destroying 700. paroches. And apou this King John of Fraunce, sumwhat to redubbe the rebuke of King Eduardes actes in his reaulme, sent his marescal to King Edward, that he should apoint a day by gages. And King Edward assignid the place in the marches of Calays; but King John cam not nere it by viii. lieus. At this season Eduard the prince of Wales was sent by King Edward with a 1000. men of armes, and the erles of Warwike, Oxford, Saresby and Sothfolk, yn to Gascoyn, the which, with the Gascoynes, rode over the hilles of Langedok with yn 2 dayes yorney of Avinion, and brennid the suburbes of Narbone, and destroyed Karkason, and the counteries about; and yn returning to Burdeaux rode over the counte of Ermeniak¹ and cam to Burdeaux with out batail. In the same tyme the Englischmen that wer in Britayne vanquishid the vicounte of Roan and the syre Beaumaners. This Beaumaners had afore faught with the Englischmen by covenant 30. to 30. The Englischmen at the begynning had the better; but at the ende they were vanquishid.

The lordes Percy and Neville, gardians of the Englisch marches, toke trewis with the lorde William Duglas at the tyme that he had conquerid the landes that the Englisch men had won of the Scottes.

Patrik erle of March, that was patised with Garaunceris the baron of Fraunce, King John of Fraunce agent ther, wold not consent to this trews, and so with other cam yn roode to the castel of Norham, and imbuschid them self apou the Scottisch side of Twede, sending over a banaret with his baner, and 400. men to forage, and so gathering prayes drove them by the castelle.

Thomas Gray² (conestable of Norham, sunne to Thomas Gray that had beene 3. tymes besegid by the Scottes in Norham castel yn King Edward the secunde dayes), seing the communes of England thus robbid, issuid out of Norham with few mo the 50. menne of the garnison, and a few of the communes, and, not knowing of Patrikes band be hynd, wer by covyn he set both before and behind with the Scottes. Yet for al that Gray with his men lightting apou foote set apou them with a wonderful corage, and killid mo of them than they did of thenglich men. Yet wer ther vi. Scottes yn numbre to one Englisch man, and cam so sore on the communes of England, that they began to fly, and then was Thomas Gray taken prisoner. Patrik of Dunbar, counte of Marche, and Thomas le Seneschal, that caullid hym self counte of Angus, one and twenty dayes after this preparid them self apou a nighte with scaling laders cumming to Berwik, and with yn vi. dayes after tok by assaute one of the strongest toures of Berwik, and enterid the toun. This tydinges was brought to King Edward at his very landing at Calays yn to England. Wherefore he taried at his parlament apointid at London but 3. dayes, and with al spede cam to Berwike, and enterid the castel, and then the burgeses

¹ Armagnac.

² The chronicler himself, who thus, in the summer of 1355, entered upon his imprisonment, which he beguiled by writing *Scalacronica*.

204 The 'Scalacronica' of Sir Thomas Gray

tretisid with hym, and the toune of Berwik was redelyverid ful sore agayn the Scottes wyll to King Edwarde.

King Edward went to Rokesburg, and there the xxvi. day of January, anno D. 1355¹ Edward Bailliol king of Scottes resignid his corone, and al his title of Scotland, to King Edwarde, saying, that the Scottes were ful of rebellion; and be cause he had no heyre, nor ane very nere of his linage, and that he was of King Edwardes blode: wherfore, he said, he could not telle wher better to bestow his title and the corone of Scotlande, better than apon hym. Apon this King Edwarde went be yond hambremore in hownes, destroying the countrey on to Edingburg. Then he repayrid yn to England, and left the erle of Northampton gardian of the marches, which toke a trows with the Scottes that was not wel kept.

John king of Fraunce toke by covyne the king of Navar, that had afore treatid with King Eduard for alliaunce.

¹N.S. 1356.

(To be continued.)



Unpublished Topical Poem by Dr. Blacklock

IN 1762 Thomas Blacklock, the blind descriptive poet, whose name will always be associated with that of Burns, was ordained minister of Kirkcudbright, in consequence of a presentation from the Crown obtained for him by the Earl of Selkirk. But the parishioners refused to receive him, alleging that his blindness rendered him incapable of performing the duties of his sacred office in a satisfactory manner. After some vexatious litigation the poet resigned his living and retired to Edinburgh, where he remained till his death in 1791. The following lampoon, which does not appear to have been printed heretofore, shows how deeply he resented the conduct of the men who had stirred up the people of Kirkcudbright against him. It is taken from a MS. of the eighteenth century, in the possession of Annan Mechanics' Institute, to which it was presented, together with other Blacklock MSS., by the late Mr. W. R. Duncan, Liverpool, a descendant of the blind poet's sister, whose husband, William M'Murdo, merchant, Dumfries, was an uncle of Burns's friend John M'Murdo, Drumlanrig, father of 'Bonie Jean' and 'Phillis the Fair.'

FRANK MILLER.

PISTAPOLIS.

An Hyperpindaric Ode with Notes by Scriblerus Redivivus.

Written in 1765.

Quem virum, aut heroa, lyra, vel acri

Tibia sumes celebrare Clio?

Quem Deum? cujus recinet jocosa

Nomen imago. Hor.

(See the Notes.)

WHAT Heroes, what Rulers, what Sages profound,
O Muse, shall thy fiddle or Bagpipe resound?
What Demigods wrapt in a Pedlar's disguise
Shall thy numbers once more reinstate in the skies?

Pistapolis, mother of Patriots and Sages,
The glory of Nature and wonder of ages,
With all her high worthies, a numberless throng,
At once shall inspire and ennoble thy song.

But if in thy view their procession should pass,
Though thy Tongue were of Iron, and thy Lungs were of brass,
To praise them in strains, like thy subject refin'd,
Were to p—ss in the ocean, or f—rt at the wind.

But, my Clio, if men will not trust what they hear,
To the truth of each accent then solemnly swear
By that Reverend old Saint, who from Donaghadee
Held his head in his Teeth, whilst he swam cross the Sea—

Rembombo¹ the herald shall first grace my numbers,
Whose voice and whose Drum wake the city from slumbers;
Whose muse, in sublime topographical lay,
Once painted the beauties of *brave Galloway*.

How vain were his Talents, what pity, alas !
That such worth should be stript of its coat and its place !
Ye Magistrates wise, by the length of your ears,
From such heavy misfortunes protect all your Peers.

Who next should in merit and dignity glare ?
'Tis Cebastus,² the great, with his right noble air ;
Whose plans for the good of the public excell
All plans, since the eldest projected in Hell.

Ye Denisons, listen ; whatever betide,
Despotic let these o'er your Councils preside :
Hence, with riches and commerce still cram'd to the throat,
Your purses shall chink and your citizens vote.

¹ Rembombo is an Italian word, which signifies a loud noise ; it is here employed as a name for Alexr. Mcknaught, a town-Officer, and author of a ballad describing the stewartry and shire of Galloway : he is called a Herald, because he published the determinations of the Council with the Drum. He is placed in the front of these Heroes with no other view than to reflect honour on those who succeed him.

² In the year 1740, when Politicians assumed the name of Patriots, a Gentleman of considerable birth and fortune was recommended by a noble Duke to represent five Boroughs in Parliament, of which Pistapolis was one. Cebastus, who then led the town, deluded his Grace with the expectation of its voice till the very day of Election, when it was given in favour of another member. Since that period the same Political interest being still prepollent, is assiduously careful to preserve the votes of the other four boroughs, and thus render Pistapolis of no consequence.

Now, ye Bitches and Jades of Parnassus, rehearse
The praise of Tom Crab³ in most musical verse;
In his Consort's embrace let the husband appear;
Let the Sire o'er his offspring diffuse the soft tear.

In the front of his virtues let charity stand;
On a throne let fair honesty grace her right hand:
Let him never be angry, though even without Sin;
More poignant than snuff, yet more mild than Popin.

Nor thee⁴ shall the Muse to oblivion consign,
Thou laudable germ of a stem so divine;
Whose genius so bright, so diffusively glows,
Thou'rt a Mævius in verse, and a Maitland in prose.

Melpomene, mourn the sad exit of R——d,⁵
Whose soul was as large, and as fair as his Bread;
His zeal was so fervent, his actions so pure,
No means could his happiness further secure.

His conduct, when pois'd in the most equal scale,
Like his weights, in propriety never could fail;
His face and his conscience in colour were one;
He knock'd, and all hell cried, 'Anon, sir, anon!'

Two Brothers⁶ behold of superlative grace,
With sanctified accent and holiday face,
To peddling and traffic so mightily giv'n,
That with words and with forms they would traffic for heav'n.

³ Tom Crab is well known by that name in the place where he lives: he was allied to Cebastus by marriage, and joined with him in the administration of Pistapolis at the period above mentioned; he likewise acted in the honourable capacities of Smugler and Tobaconist: his favorite liquor was hot ale and brandy, which is there called Popin: he is a tyrannical husband, a cruel father, a doubtful friend, a capricious neighbour, and a treacherous Citizen.

⁴ This worthy Descendant of Tom Crab, having offended his fathers piety by indulging loose amours, obtained his reconciliation by writting a most flaming pamphlet against a certain settlement. For the character of Mævius, to whom he is compared, see Virgil, Ecl. 3. Maitland is Author of the Antiquities of Scotland; a dull and inaccurate Journalist.

⁵ R——d was a Baker and a magistrate in Pistapolis, distinguished for his religious enthusiasm: he depended so firmly on his connection with the Council, that his bread was not only composed of the most wretched materials, but far beneath the standard weight: A Gentleman provoked by this avowed insolence and dishonesty, observed, 'that when people had a mind to become villains with impunity, they took care to be elected Magistrates and Elders.' This Saint-errant died of the Black Jaundice worth 1200 pounds.

⁶ The Brothers here mentioned are shop-keepers in Pistapolis; it would be hard to determine whether their pretended zeal or ignorance is greatest; one of them was suspected of swearing falsely, to avoid the charge of a neighbouring Bookseller, from whom he had received Goods.

Unpublished Topical Poem

But here let detraction her malice restrain;
 No ignorance brands them, no perjuries stain;
 To them art and Nature each talent dispense,
 But honesty, decency, manners and sense.

Be the next panegyric, Molliloquus,⁷ thine,
 Whose Wisdom and Lenity gloriously shine;
 In maxims maternal so thoroughly bred,
 No example so fair can be quoted in trade.

Taurophanes,⁷ hail! of deportment so mild;
 Of tender soul'd Father more tender soul'd child!
 When nature soft lessons of Pity requires,
 No school like the shambles compassion inspires.

Thy merit, O Candidus,⁸ ne'er can be told;
 In practice tho' young, yet in Politics old;
 Whose tongue with thy heart is so closely ally'd,
 That the one never thought what the other deny'd:

Thy modest demeanour, so prudent, yet smart;
 Thy sweet smiling fiz and benevolent heart;
 The charms of thy person, thy mind, and thy mien
 Can alone be express'd by the mouth of Miss B——:

Miss B—— of veracity ever sincere,
 Whose words reach the heart ere they pass through the ear;
 For what tongue can be feeble, what heart can design,
 Whose language and feelings are prompted by wine?

But Balbus,⁹ ye Muses, remains yet unsung,
 Of pregnant invention and voluble tongue;
 Whose scull tho' retentive, why should he complain,
 Since bodies opaque still preserve what they gain?

⁷ 'Molliloquus and Taurophanes are merchants in company: the first is gentle in his behaviour, but vindictive in his temper; his mother was transported for debauching the youth of the Town, by alluring them to embezzle the effects of their Parents or masters: the last was the son of a Butcher, and lately elevated to the chief magistracy.'

⁸ Candidus is a Creature of Cebastus, likewise admitted into the magistracy; a parasite to his betters and a tyrant to his inferiors; he is present with no person whom he does not caress; nor absent from any one whom he does not defame: He courted Miss B—— till every thing concerning the marriage was settled; then rejected her without the least apology for his infidelity: the excuse, which he afterwards rather insinuated than urged, ought to have been perfectly known to him before the engagement, as from the 12th year of her age they had lived in the most unreserved intimacy.

⁹ Balbus is a Tobacconist in Pistapolis, whose hesitation of speech is remarkable, and seems to be caused by the barrenness of his understanding.

With Souls, which fraternal affections endear,
 Let Timon¹⁰ and Scurra caressing appear ;
 Who, Brothers by nature and Brothers by choice,
 In the joy of each other alone can rejoice :

Each advantage and pleasure in common they share ;
 No sharp litigations their treasures impair ;
 This fam'd for detesting all Law as a curse,
 That for cleanness of face and profusion of purse.

Mercator¹¹ for sweetness of temper renown'd,
 Of knowledge extensive and judgement profound ;
 For Wisdom more fam'd than his Consort, tho' wise,
 Shall next in my strains be extoll'd to the skies.

In judgement sedate, yet in manner so gay,
 Forgive the fond Muse which describes thee, O R—¹²
 Whose temper ne'er ruffled with passion was known,
 Whose brow ne'er contracted appear'd in a frown :

Let thy Wife and thy Maid, with thy kindness imprest,
 Thy spirits serene and good nature attest,
 Whose skins, with thy favours, embellish'd, still glow
 In all the rich tinctures of Iris's bow.

But tell me, ye Sisters melodious, what mean ye
 To smother in silence the praise of Mack—zie,¹³
 His manners, his lineage, his actions relate,
 The charms of his form, and contents of his pate :

As Boreas, one evening the Nightmare's rude guest,
 In a gust of strong passion his hostess compress'd ;

¹⁰ Timon is said not to have washed his face for 30 years ; he is a most virulent and sarcastic slanderer, particularly when refused half a crown, which he is constantly soliciting to borrow from his acquaintances : he quarrelled with his brother Scurra, who is a half-bred Attorney, of a litigious temper, about the division of their patrimony, and it was with difficulty that both were persuaded to submit their claims to arbitration.

¹¹ Mercator, as the name imports, is a merchant, distinguished for his affectation of knowledge in learning, a claim which is neither supported by nature nor art. He rules his family with arbitrary sway, and the wisdom of his wife is only discovered in her passive disposition.

¹² Mr. R— is an attorney formidable to his neighbours both in a public and private character : his passions are so impetuous that the most trivial incident fires them even to conflagration, which generally exhausts its rage on his wife and maid.

¹³ The person characterized in this and the three following verses is likewise a man of the Law, notable for the vanity of his heart, the weakness of his head and the loudness of his voice.

Unpublished Topical Poem

She produc'd, as the fruit of his mighty embrace,
This minion of Nature, this mirror of grace :

So the mountains of old, as great Esop has shewn,
Were heard in maternal convulsions to groan ;
Till Lucina with pity regarded their throws ;
So they yawn'd, and a mouse from the aperture rose.

Now in Rhetoric, in Law, and in Grammar compleat,
The Charmer was freed of a burden so sweet ;
All the parts of his function hence doom'd to perform
With his Wits in a Cloud and his voice in a storm.

To Brontes,¹⁴ ye Muses, your tribute impart,
Tho' distant in place, yet united in heart ;
Who sings his instructions in such a sweet tone,
As Devils emit, when in torture they groan ;

Who learning and Piety quite would explode
For the Good of the Church and the Glory of God :
Yet thinks it essential to edification,
That Priests should approve and commit Fornication.

When Judas on earth could his Master betray,
Obscur'd in the Man the Divinity lay ;
But pre-eminence sure they must merit in hell,
Who his Cause, not his Person, so gloriously sell.

But who is that Youth for Good nature renown'd,
With conjugal Garlands so recently crown'd,
Where Piety, Wisdom, and Eloquence center,
Adorn'd by the Graces ! Ye Gods, it is Stentor !¹⁵

Should the Winds in fierce anarchy burst from their cave,
Enlarg'd by their Tyrant to bellow and rave,
When the Rostrum he mounts and his genius explores,
Though as little he means, yet as loudly he roars.

¹⁴The Revd. Brontes is Minister of a parish not far from Pistapolis : he opposed the settlement of a man to whose moral character and intellectual qualifications no reasonable objection could be formed, whilst he supported another of his brethren, who was accused upon no slight evidence of criminal amours : the wretched singsong in which he delivers his discourses is well-known, and commonly imitated through the whole Country.

¹⁵Stentor, mentioned verse 34th, is the present incumbent of Pistapolis ; his temper is unequal and subject to chagrin ; his stile inaccurate, his thoughts loose and careless ; but these defects are atoned by a popular manner and sonorous voice.

Old Beelzebub, struck with his high reputation,
 Ascended to hear him in vociferation;
 But with horror return'd to his mansion profound,
 Much afraid of the sense, but still more of the sound.

In these happy regions of Virtue, I ween,
 No Gossips, Detractors, nor Smuglers are seen;
 Each man you behold is a Sage or a Wit,
 And the Cæstus of Venus¹⁶ each Female will fit.

¹⁶ The Cæstus of Venus, to which the 37th verse alludes, could only be worn by such Virgins or matrons as were strictly chaste.

(The Printer is desired to put the Notes at the bottom of their respective pages.)

NOTES ON THE TEXT.

1. 'Pistapolis.'—This word is possibly derived from the Greek *pistis*, faith, and *apolis*, without a city. The poet may have meant to imply that by persecuting him the people of Kirkcudbright had driven a faithful shepherd from their midst.

2. 'Scriblerus Redivivus.'—Blacklock himself. 'Pistapolis' would hardly have secured for its author a place among the wits of the Scriblerus Club.

3. '*Quem virum*, etc.'—The poet's classical quotation is from Horace, *Odes* i. 12. *Sumus* appears to be a mistake for *sumis*. The Immaculate Horace and all the modern editions of the *Odes* to which the writer has access give *sumis* as the reading.

4. 'Popin' (v. 10).—In some parts of the country this beverage was known as 'hot-pot.' A curious old chap-book entitled *The Whole Tryal and Indictment of Sir John Barleycorn, Knight* (1709), refers to 'hot-pots of brandy and ale' as common refreshments.

5. 'Germ' (v. 11).—*Germen*, a shoot.

6. 'Holiday face' (v. 14).—In the MS. 'holiday' is lightly crossed out.

7. 'Stentor' (v. 34).—Dr. Hew Scott thus notices Blacklock's successor:—
 '1765. William Crombie, A.M., graduated at the Univ. of St. Andrews in 1753, licen. by the Pres. of Cupar, 16th Oct., 1759, and ord. by them 5th Aug., 1761, as min. of the Presbyterian Congregation at Wisbech, Cambridgesh., pres. by Geo. III. in Feb., and adm. 6th March, 1765; trans. to Spott 19th Oct., 1769.'
 —*Fasti Ecclesiæ Scoticanæ*, Part II., p. 691.

8. 'Smuglers' (v. 37).—In the eighteenth century smuggling was a flourishing occupation along the coast of the Solway; and doubtless there were Tom Trumbulls at Kirkcudbright as well as at Annan, Blacklock's native place. Matters became worse after *Pistapolis* was written, as the following extract from a

Unpublished Topical Poem

Galloway book shews :—‘Subsequent to the revestment of the Government of the Isle of Man in the crown of Great Britain, in the year 1765, the illicit intercourse of smuggling with that island so much occupied the attention and capitals of the most intelligent and enterprising part of the inhabitants of Galloway, that the idea of acquiring wealth in a commercial line by fair and upright dealing, seemed to be wholly laid aside. Even the clergy at this period were adventurers in the free trade.’—Mackenzie’s *History of Galloway* (Kirkcudbright, 1841), Vol. II., Appendix, p. 55.

9. *Directions to the Printer*.—From these directions it is clear that the pasquil was originally intended for publication. Perhaps it was well for Blacklock’s reputation that he successfully resisted the temptation to hand it to the printers, remembering his own words—

‘I ne’er, for satire, torture common sense ;
Nor show my wit at God’s, nor man’s expence.’

FRANK MILLER.

Reviews of Books

THE GREAT REVOLT OF 1381. By CHARLES OMAN, M.A. Pp. viii, 219, 8vo. Oxford: Clarendon Press. 1906. 8s. 6d. nett.

THE labour of producing a scientific work upon so important a theme as the Peasants' Revolt of 1381 was left by Englishmen to a young French student: the labour of reading that work in its French form seems also too great to be expected of those who are not professed students, and the pleasant task of introducing a wide circle of readers to the newly discovered sources has been taken up by Professor Oman. He writes, as always, in a clear, fluent, and beguiling style, and abundantly acknowledges the fact that his information was prepared for him, almost in entirety, by the work of the late M. André Réville, and by the less far-reaching researches of Mr. Edgar Powell. The student will still require to have before him both Réville and Powell's work, for the sake of their details and for the texts printed in their appendices, but as a general summary of their results the new Oxford volume is sufficient. Professor Oman in his turn has appended a hitherto unprinted poll-tax return for a portion of an Essex hundred, and has translated the 'Anominale Chronicle,' a French source printed without editorial commentary by Mr. G. M. Trevelyan in the *English Historical Review*. The translation given by Mr. Oman is extremely helpful: a critical estimate of the value of the whole is however still lacking. The translation is in some places too loose, but the text undoubtedly presents many difficulties. Charing Cross for 'charnelle crouchée' seems an unlikely guess: 'covenant taille' is represented by 'regular covenant'; 'estute devers le este pre de S. Bartholomew' (stood towards the east near St. Bartholomew's) appears as 'turned into the eastern meadow in front of St. Bartholomew's.' The passage 'que nul seigneur de ore en avant averoyt seigneurie fors sivelement ester proportionne entre toutz gentz fors tant seulement le roy' is rendered 'that no lord should have lordship save civilly, and that there should be equality (?) among all people save only the king'; some emendation is necessary to get sense, and *si uelement* (equally) may perhaps serve. There is an unnecessary note on the familiar phrase 'opes demesne' (own use).

The text of the work contains an analysis of the causes of the outbreak, and a detailed narrative of the course of the insurrection, divided somewhat awkwardly into two parts which overlap and contain some repetitions. The precise nature of the intended tax is discussed, but the clause on the 'affeering,' according to their estate, of the labourers, artificers, servants, etc., is omitted. It should be pointed out that as

214 Oman : The Great Revolt of 1381

early as Jan. 2, 1381, the sheriff and escheator of Kent received an order to send in independent lists of all persons of taxable age, 'without communication with the collectors or controllers of the subsidy.' Thus at the very beginning it was seen to be necessary to check the returns. Mr. Oman is inclined to believe that the rebellion was due largely to the writ (brought to light by Mr. Powell) for the revision of the returns issued on March 16, 1381—a document which he prints in full. In working out the statistics of concealed population Mr. Oman has omitted to notice Mr. Powell's comment that the P.R.O. enrolled returns contain the revised statement, not the original statement, and he has used them as if they represented the original returns. Professor Oman does not seek to enlist the sympathies of his reader on the side of the rebels, but writes from the point of view of fourteenth century authority. The St. Albans' chronicler himself is indeed more willing than Mr. Oman to admit that the claim of the men of St. Albans to the franchises of a borough had some foundation in fact. The monks appreciated, as the latter-day historian hardly seems able to do, what precisely were the legal points at issue; and the chronicle enables us to correct the professor's statement repeatedly in favour of the burgesses. In this matter, as elsewhere, Professor Oman has occasionally inserted passages of commentary which do not harmonise with each other. Although it is suggested, as a possible explanation of Richard's proposal in Parliament that manumissions should be made, that he may have sincerely believed in the need for them, in another passage Professor Oman says that 'it is clear that the sentimental sympathy for the oppressed peasantry attributed to the young king . . . had no real existence.'

MARY BATESON.

A HISTORY OF ENGLISH PROSODY FROM THE TWELFTH CENTURY TO THE PRESENT DAY. Vol. I. From the Origins to Spenser. By George Saintsbury, M.A., LL.D., Professor of Rhetoric and English Literature in the University of Edinburgh. Pp. xvii, 428. Cr. 8vo. London: Macmillan & Co. Ltd. 1906. 10s. nett.

PROSODY is the most difficult of all the Sciences; in the modern tongues, at any rate, it is seldom that any two scholars agree as to principles, methods or results. Yet the study of metre is all alive. Many, it is true, are repelled by it, both simple people and great clerks; they see no good in it, and they think it irreligious to vivisection the tissues of poetry. It is not a popular science. It flourishes by its own strength, and those who follow it appear to be sustained, unwearying, by their own will and appetite for it. They do not seem to care whether any one listens to their teaching; they seldom listen long to one another. Books on metre are written to please the authors of them, and the authors are justified. Mr. Saintsbury's book is full of the pleasures of the chase, and no one in those fields has enjoyed them more or expressed them better. It is not a task-book, but a free-spirited exploration. Therefore, although Prosody is a hard subject, this book will attract readers, if they have any sense at all for the adventures of literary history. One thing

at least is amply proved in this book—namely, that the technical study of poetry has no chilling or deadening effect on the true worshipper.

The history of verse, as Mr. Saintsbury takes it, is one aspect of the history of poetry; that is to say, the minute examination of structure does not leave out of account the nature of the living thing; we are not kept all the time at the microscope. This is the great beauty of his book; it is a history of English poetry in one particular form or mode. There is something more than mere prosody, for example, in the sentences about *The Testament of Cresseid*; 'the astonishing variety of colour and tone which exists there though it has been too little recognised,' and 'not Chaucer himself, not Sackville, has brought out the echoing clangour and melancholy majesty of the metre better than is done in the great tragic passages of this piece.' The author perceives that the form of verse is not separable from the soul of poetry: poetry 'has neither kernel nor husk, but is all one,' to adapt the phrase of another critic.

Mr. Saintsbury has kept out, systematically and intentionally, the foreign,—Latin, French, Provençal or other,—counterparts of English stanzas. 'It is a great pity, but it can't be helped.' He has hardened his heart, in this volume, at any rate: is it really too late to hope for some supplement, some collection of examples, in a subsequent part of the book? Here are some of the grounds of this appeal. First, that it would give him no trouble; because it can be clearly proved from other published works of Mr. Saintsbury's that he has all the desirable things ready, if only he would bring them out. Secondly, that his story is maimed for the want of them. And this is how it is maimed: because those French and Latin verses were in the air when the English verses came into being, and the English verses cannot be understood without them. We, the petitioners, are not thinking of any derivation theory; we do not ask to know exactly *where the music comes from*. What we ask is to be allowed to hear the other people's music; because we know that the old poets in England heard it. We believe that all poets have the entry of a House of Rumour where disembodied sounds are going about, the wordless forms of stanzas and cadences; spectral iambs which enter into the poetical mind and turn into poems;—wild fleeting anapaests, that light on the poet in his dreams and tempt his words to dance with them. There is no way for the prosaic mind to enter this house, but something of its ways may be learned by comparing the verses of different lands. How good it is, for instance, in Mr. Grierson's book on the 17th Century to come on the old French *Avril* measure both in Low Dutch and in Italian? How pleasant to find the 'Old 124th' in the Psalm-book of Marot and Beza, and to know that the verse 'Now Israel may say and that truly' is the old French heroic line, with the French cesura, familiar in Blind Harry's *Wallace* long before. Or, to take another example, here is an earlier avatar of the *Holy Fair*—proving nothing, except that those tunes have travelled over the world. This is from the *Klage der Kunst* of Conrad of Würzburg:

Der brunne lûter als ein glas
Stuont wol mit grûenem ûemet,

216 Saintsbury : History of English Prosody

Daz velt dar umbe schone was
Gezieret und gestüemet;
Von einem plâne ich nie gelas
Der wære baz gerüemet,
Der meie het da wol sin gras
Geræset und geblüemet.

Is there any harm in this? or in thinking of this along with the *Holy Fair*? or with *Will Waterproof*? The best in this kind are but echoes.

W. P. KER.

VIKINGERNE. BILLEDER FRA VORE FORFÆDRES LIV.¹ AF ALEXANDER
BUGGE. København og Kristiania. Vol. I. 319 pp. 1904. Vol. II.
342 pp. 1906.

THE purpose of these volumes is to supply a portraiture of the Viking rovers who, issuing chiefly from Norway, were the terror and the scourge of the coasts of Europe, notably those of the British isles, France, and Flanders, during a period of a couple of centuries or more—in the eighth, ninth, and tenth of our era. The work does not profess to be a history, but a study of the origin, the character, and the achievements of these Vikings at home and abroad, the forces which operated in the development of their civilization, and the influences which they in return exerted upon the peoples with whom they came in contact. These aspects of Viking life have been illustrated by Professor Bugge on somewhat similar lines in his other work, *Vesterlandenes Indflydelse*, recently noticed in these pages (*S.H.R.* iii. 370), and no one living is better qualified than he is to deal with the subject. His laborious investigations, quickened by hereditary instinct, have enabled him to accumulate a mass of information on all the bearings of Viking life, and this he has set out with almost exhaustive, and certainly most instructive, fulness. The material is thus before us for a critical digest of the whole available facts, and this, it is to be hoped, we may yet look for from Professor Bugge as a further contribution to the literature of the subject. To British readers the work appeals with special interest not only as expanding our knowledge of a somewhat obscure portion of our history, but because, as a matter of fact, these Danes and Norsemen must be credited with an important part in the development of our own history and institutions. In the nature of the enquiry, where similar causes are found operating, and similar effects resulting at many different points and times, repetitions are unavoidable; but neither this nor any other point of minor criticism affects our judgment upon the work as a thoroughly reliable exposition of the character and exploits of these valiant Norsemen.

The first volume, citing Procopius and Jordanes, and other perhaps not too reliable authorities, describes first the early Germanic tribes, the Herulians in particular, from whom the Northern peoples sprung. The condition of women and children, life and culture generally in the North in the Viking age, the incursions and the conquests and settlements of the

¹ *The Vikings. Pictures from the Life of our Forefathers.*

Danes and Norwegians in England and Ireland, the Viking relics in the Isle of Man and elsewhere, are next dealt with ; and, lastly, the transition stage from the Viking time to the Middle Ages. It is impossible here to refer in detail to the multitude of facts, or to the bearings, secular or religious, of the incidents recorded in the course of this investigation, extending over several centuries. But, unquestionably, to the student a mine of important material is presented.

One curious racial phenomenon, pointed out by Professor Bugge, presents itself in early as well as in later times, namely, the impossibility of the Danes, the Swedes, and the Norwegians being united in one nationality. This seems to result from some rooted elements of diversity which cannot be successfully overcome, even though the three peoples have a common origin and kindred languages, traditions, and feelings ; and the recent settlement of Norway as a free and independent kingdom, released from the friction of an uncongenial alliance, is the latest demonstration that a united Scandinavia with or without the adjacent Danish kingdom must not be. For the first thousand years of their settlement in the North the language of the people of the three countries was practically the same. But, from the time when Viking conquests were followed up by permanent foreign settlements, all this was changed, and the breaking down and differentiating of the language in the three countries went further in one century than in four hundred years preceding.

The time of the 'Wanderings,' or first foreign enterprises of the Norsemen, is set down as from the middle of the third to the middle of the sixth century, and it was not until a couple of centuries later that the Viking movement attained its full force. The object at first was mainly plunder, but gradually, as the ninth century advanced, their victories ended in settlements which became permanent in England, Ireland, Orkney, Shetland, and the Hebrides, and on some of the Scottish coasts, not to speak of their more remote colonies in the Faroe Isles and Iceland. Though ever ready to adopt the language and manners of the peoples among whom they settled, and finally indeed merging themselves among those peoples, the author emphasises the fact that the Norsemen have yet left enduring traces of their own historic character wherever they gained a firm footing ; as in England, where Parliamentary institutions and trial by jury, if faintly adumbrated by the Saxon *Witenagemot* and other gatherings of the people, yet received their most effective impulses from the Constitutional instincts of the Norse settlers, a view in which students of British history are likely to acquiesce. The venerable self-governing polity of the Isle of Man, with its legislative assembly and the promulgation of its laws from the Tynwald hill, is represented not only as a prototype of our own Parliamentary system, but, according to Professor Bugge, may be accepted as the original after which the ancient Althing at Thingvalla in Iceland was modelled, and, somewhat surprising though the idea appears, the antiquity of the Manx institution may even warrant its claim to such priority of conception.

The character and the outward developments of the paganism introduced in the British isles by the Norsemen are fully described by the author, but

it was not possible that that system in its social or religious bearings could long maintain itself in opposition to the higher ideals of Christianity which were then permeating all western Europe. Accordingly, polygamy, human sacrifices, and the slave market at Bristol, in which the Norsemen were the most active procuring agents, in the course of time disappeared. But the blending of the old cult with the new nominal Christianity continued for a while as a curious mixture, the Founder of Christianity and the deities of the North being invoked alternatively, or preferably, as the force of circumstances, or the whim of the moment, suggested. King Olaf Trygvissón, who Christianized Orkney and Shetland at the point of the sword about the year 1000, is represented as living the life not of a Christian man, but of a heathen, while St. Olaf was the owner of concubines, and in his ethics generally varied little from the standard of the pre-Christian era. It is to this time of transition that the author is inclined to attribute the origination of much of the Norse mythology and literature in the form and spirit exemplified in the Edda lays and other early compositions, a view propounded by the late Gudbrand Vigfusson in his Introduction to the *Corpus Poeticum Boreale*, published in 1883, and by Dr. Sophus Bugge and others. Whatever amount of truth may be in this, there is assuredly in our view a genuinely Northern substratum of thought and feeling stamped with all the characteristic energy of the Norsemen and clearly indicative of their persistent mental qualities; and for the origin of such a literature we think we must look elsewhere than to settlements in Ireland or the Hebrides, whatever accretions may latterly have been derived from those quarters.

In connection with the author's recognition of influences from the West, it is interesting to observe the tribute he pays to Orkney and Shetland as having been outlying centres of art and culture for Norway, as Rhodes and Crete were for ancient Greece. This attribution would, however, seem to be in some degree justified by what we know of the character and exploits of the Earls of Orkney and their people in Orkney and Shetland as related in the *Orkneyinga Saga*, and by their rearing, in the twelfth and succeeding centuries, of the Cathedral of St. Magnus in Kirkwall, the most splendid temple in the whole domain of ancient Norway and her dependencies after the Cathedral of Trondhjem. In the words of a competent native scholar, the late Balfour of Trenaby, in his *Odal Rights and Feudal Wrongs*, 'the little Court of Orkney was the most elegant and refined in Europe, and adorned with the official services of many proud Scottish nobles'; while the inscribed and sculptured stones which have been found are silent but suggestive memorials of a Celtic and a Scandinavian art and civilization of no mean order which successively prevailed in the islands.

The description of the sculptured stones of the Isle of Man forms an important section of the work; these stones, like the civil polity of the island, being perhaps the most marked illustrations of Northern civilization anywhere to be found outside of the homelands of the Vikings. One stone figured in the book with sculpturings which are described as representing the dragon Fafnir, with Regin the smith forging the sword Gram in accordance with the legend, is stated to belong to our Iona, but it cannot be recognized as from that island or from elsewhere in Scotland. It may

be remarked, too, that Gaut, the rune carver, who claims on one of the Manx stones to have 'risted' all the inscriptions in the island, is supposed by Professor Bugge, from the form of the name, to have come from Gotland. But the name Gaut, or Gauti, was an early one among the Norse settlers in the north isles of Scotland, *e.g.* Gauti of Skeggbjarnarstadir mentioned in the *Orkneyinga Saga*, and it still occurs in Orkney and Shetland in a modernized form. It has also been observed in later times in the Scandinavian motherland, as in the case of Archbishop Gowte of Trondhjem (1532), of Heming Gadde, bishop of Lincopine in Sweden (1504), and others, and it is still to be occasionally encountered as 'Gade' in Norway and Denmark.

The second volume is to some extent a recapitulation and expansion of the first, with further detailed illustrations. An important chapter is devoted to the Danes and Norwegians from their first appearance in England, their subsequent conquests, and their petty independent states there and in Ireland. Scottish readers will be disappointed to find that there is but scanty reference to the Norsemen and their doings in Scotland and the Scottish isles; and we trust that ere long Professor Bugge, or some other authority in Norway or Denmark, will make this a special study, utilizing from the mother-country point of view the materials which have been accumulated by the labours of Scottish antiquaries, since the publication of Worsaae's book in 1851. This would prove a valuable supplement to Professor Bugge's exposition of Viking life and exploits elsewhere in Britain.

We can only regret, in closing this notice, that Professor Bugge's important work is written in a language which confines it to a limited circle of readers. But we are grateful that a phase of history in which this country is materially concerned has been studied by an investigator who has carefully collected his facts and has set forth lucidly very much which the student of northern history and institutions will welcome, and little which he will feel called upon to challenge. The absence of an Index detracts from the usefulness of the work for purposes of reference.

GILBERT GOUDIE.

A GENEALOGICAL HISTORY OF THE SAVAGE FAMILY IN ULSTER, BEING A REVISION AND ENLARGEMENT OF CERTAIN CHAPTERS OF 'THE SAVAGES OF THE ARDS.' Edited by G. F. S. A. With Illustrations. Demy 4to. Pp. xx, 321. London: Printed at the Chiswick Press. 1906. 21s. nett.

THIS handsome and elaborate volume, in which is recorded the history of the Irish branch of the ancient family of Savage, is something considerably more than a mere genealogical compilation. It is justly remarked in the Introduction that the memoirs of a family which has taken an active part in Ulster history for seven hundred years, besides being interesting to its members, have a wider interest as 'throwing some light on a period of Anglo-Irish history which has got to be thoroughly investigated, and in which lie the germs of political problems with which we have still to grapple.' If Irish history from the Anglo-Norman

conquest to, say, Tudor times is ever to be effectively amplified or classified, the process is more likely to be effected through a study of the story of the greater Irish septs on the one hand and of the great Anglo-Irish families on the other than by any other means. Of the twelfth century settlement of Ireland there is no better memorial than the history of the Savages of the Ards, a family which has been continuously connected for above seven centuries with that easternmost portion of Ireland—the peninsula enclosing Strangford Lough—which lies closest to Great Britain. For centuries this district, in virtue of its accessibility by sea from Dublin, was practically the only part of Ulster in which English rule was maintained; and in following the fortunes of one of the Norman lords of Lecale we may go near to tracing the record of Ulster under the Plantagenets. The present volume is at once an enlargement and an abridgment of the work on *The Savages of the Ards* which was published some years ago, its author having set himself to treat exclusively of the main branch of the family, and having utilised a large mass of records which were not available when the original work was compiled. Those who knew its accomplished author, the late Professor Savage-Armstrong, who so long filled the Chair of History and English Literature at the Queen's College, Cork, will join in the regret expressed in a brief note prefixed to the book that he did not live to see the end of his labours. Professor Savage-Armstrong died in July, after seeing the proofs of this book through the press. The author of *Ballads of Down* and *Stories of Wicklow* was a writer of no mean merit, and it is a misfortune to Irish historical and literary studies that he did not longer enjoy the leisure which followed his retirement from his engrossing professorial duties.

C. LITTON FALKINER.

LIFE AND LETTERS OF THE FIRST EARL OF DURHAM, 1792-1840.

By Stuart J. Reid. Vol. I., pp. xviii, 409; Vol. II., pp. x, 409.
London: Longmans, Green & Co. 36s. nett.

It may be a question whether the author of this biography has fully realised the requirements of his task; but one cannot but be grateful for the industry and enthusiasm which have enabled him to set so vividly before us a picturesque and pathetic figure—that of an aristocratic statesman, as sensitive and tender as he was masterful and overbearing, too liberal to be a Whig, detested as a Radical by his own class, suspected as an Imperialist by his own party, eager for power but never permitted to lead, and falling in mid career under the accumulated burden of ill-health, official censure, and crushing domestic sorrow.

John George Lambton entered Parliament, two years before the final overthrow of Napoleon, in 1813. On the conclusion of peace the Whigs were in no haste to revive the question of parliamentary reform; and Lambton considerably alarmed the Whig leader, his father-in-law, Earl Grey, when, not content with raising this question, he put forward certain extreme demands, such as triennial Parliaments and equal electoral districts, which caused him to be known amongst his tenantry and colliers in the north as 'Radical Jack.' The breach was

widened when he accepted a peerage from Canning, and was by no means closed when in 1830 Lambton, now Lord Durham, became a member of the Grey Ministry as Lord Privy Seal. He was one of the Committee of Four which drafted the Reform Bill; but Grey negatived his proposal of the ballot; and his zealous Radicalism may be inferred from the cartoon which depicts Grey, Durham and Brougham as the witches in *Macbeth*, boiling their cauldron on a fire of Durham coal. Opposed to coercion in Ireland, and wearied of his position as 'the dissenting Minister,' he retired (with an Earldom) in 1833; he was excluded from office when the Government was reconstituted next year under Melbourne; and he finally disgusted the Whigs and made a bitter enemy of Brougham by expounding to great public meetings his heterodox view of the Reform Bill as no more than a means to an end. He had, however, already won distinction in a field in which Radical orators do not usually excel. We learn from this book that it was Durham who proposed the joint intervention of Great Britain and France which resulted in the independence of Belgium; and in 1835, disappointed of the Foreign Office in Melbourne's second Ministry, he consented to go as ambassador to St. Petersburg. Here he set himself to combat the antipathy to the Czar which William IV. shared with the Radical friends of Poland; and he pointed out with remarkable prescience that the most probable direction of Russian advance was, not towards Constantinople, but towards India. In 1838, only a month or two after his return, he undertook the mission to rebellious Canada which, it has been said, 'made a country but marred a career.' Durham had no sympathy with the indifference to colonial expansion which then and for long afterwards prevailed at Downing Street; and in his ever-memorable Report, a triumph of prophetic insight, he insisted that local self-government would be a source of strength, not of weakness, 'to a mighty empire.' Unfortunately, he exceeded his powers in banishing some of the rebels without trial to Bermuda; and when Melbourne, yielding to the outcry of Brougham and the Tories, disallowed his ordinance, he not only resigned, but issued a proclamation to the Canadian people which enabled *The Times* to describe him as 'the Lord High Seditious.' On his return to England he succeeded during the last year of his life in forestalling a French occupation of New Zealand. Durham's affections were extraordinarily deep, and he had lost his eldest son and four daughters. Worn out and disappointed, he died in 1840 at the age of forty-eight.

Mr. Reid has ably vindicated the statesmanship of Durham; he has an admirable gift of narrative, and his volumes, though lengthy and detailed, are never dull. Nevertheless, the reader who knows something of the period will be at a loss to understand how the Durham of these pages, ardent Radical as he was, could have been so obnoxious to all his colleagues, except apparently Lord John Russell. Mr. Reid alludes in general terms to want of tact, imperious manners, and 'an unfortunate knack of stroking people the wrong way'; but the

222 First Earl of Durham's Life and Letters

incidents which illustrate these and worse faults are belittled or more frequently suppressed. Of Durham's outburst of wrath when the Premier, at Lord Althorp's table, showed himself unwilling to force the Reform Bill through the Lords by a creation of Peers, Mr. Reid says, 'It is difficult to believe that he gave Lord Grey any serious ground for complaint.' A very different and most circumstantial account of this affair is furnished by Charles Greville, whom Mr. Reid dismisses as 'that idle eavesdropper'; yet it was not Greville, but Lord Althorp himself, conspicuous, we are told, for chivalry and common sense, who described it as 'the most brutal attack on Lord Grey I ever heard in my life.' A biographer with any pretensions to impartiality would not have ignored Greville's frequent allusions to Durham as the bully of Grey's Cabinet. Here and there indeed in this work there is a singular reticence, not of words—which are rather too plentiful—but of facts. When so much stress is laid on the discreditable antecedents of Wakefield and Turton, whom Durham took with him to Canada, it is annoying not to be told what these were; and we do not know why the fact—if it be a fact—is not mentioned that Durham's pretensions to the Liberal leadership were so far advanced at the general election of 1834 that a committee was appointed to promote the return of candidates who favoured his claim. A great deal of general history is wrought into the narrative, but it is treated too exclusively from the Durham standpoint to have any critical value. By a slip of the pen (i. 124), Mr. Reid includes freeholders amongst the classes to which Durham proposed to extend the county franchise. 'Dalkeith Palace' on p. 387 of the same volume is apparently a mistake for 'Hamilton Palace.' There are many portraits, and the work is provided with an excellent index.

W. LAW MATHIESON.

HISTORY OF THE LANDS AND THEIR OWNERS IN GALLOWAY, WITH HISTORICAL SKETCHES OF THE DISTRICT. By P. H. M'Kerlie. Illustrated new edition. Vol. I., pp. xiii, 646; Vol. II., pp. vii, 544. Med. 8vo. Paisley: Alex. Gardner. 1906. 25s. nett.

It is not easy to do justice to the good points of M'Kerlie's *Lands and their Owners in Galloway* in respect of the variety of widely gathered material presented there. It is harder still to say what ought to be said regarding the style and arrangement of such a book when its author has been half a dozen years in his grave, and when his daughter is editing a re-issue of his work, first completely published in 1877. A historical cyclopaedia of Galloway, or more correctly of Wigtownshire only, the work contains in its confused, unmethodical, irrelevant, and garrulous but comprehensive way a great body of Galloway matter for which, despite prevalent inaccuracy, the author's diligence is to be gratefully commended. On the other hand, the obtrusive self-complacency of the man, his polemical tendency to digress for a jibe at Sir Andrew Agnew and Sir Herbert Maxwell, and his frequent ineptitudes of narrative and composition would compel unpleasant attention from the most

M'Kerlie : Lands and Owners in Galloway 223

benignant critic. There are endless and of course ineffective discussions of Gaelic and Norse place names. There is doughty battle against the territorial claims of Agnews, Kennedys, and MacDowalls, while the horn of Kerlie and M'Kerlie is exalted. Other glories may be diminished; not so that of Cruggleton, which—with the M'Kerlies—has an elaborate chapter to itself punctuated with illustrations of 'the absence of research shown in *The Hereditary Sheriffs*.' Such foibles apart, and with due allowance for the fact that the author's last revisions of his text do not take account of the many new publications issued between 1877 and 1900, M'Kerlie's book, however formless and uncritical, is and must long remain an indispensable quarry for territorial and genealogical information on western Galloway. A disputatious work of reference, eminently serviceable if read with suspicious caution, it should have been equipped with a better index and a key map.

GEO. NEILSON.

THE LAST OF THE ROYAL STUARTS: HENRY STUART, CARDINAL DUKE OF YORK. By Herbert M. Vaughan, B.A. (Oxon). Pp. xix, 309. Dy. 8vo. London: Methuen & Co., 1906. 10s. 6d. nett.

IT is not entirely Mr. Vaughan's fault that his book is rather dull, albeit careful, painstaking, and complete. The fact is that the three hundred odd pages of the book somewhat overload the good Cardinal, a kindly, sensible, well-meaning man, whose life is only interesting in so far as it touches occasionally the orbit of characters and careers more forceful than his own. There was nothing dramatic about him. Of his placid youth Mr. Vaughan has little to tell us beyond what Mr. Lang has written in his life of the Cardinal's more strenuous brother, though he prints for the first time an interesting letter by Dr. Samuel Crisp describing the young princes. On the other hand the book furnishes a fuller account of the Bishop of Frascati than has hitherto been accessible, at least in English. There is nothing in that chapter of the Cardinal's history to challenge Mr. Vaughan's candid admission that Henry IX. was kindly, generous, straightforward, pious, dull-witted, self-satisfied, pompous. In every quality he was his father's son, though Mr. Vaughan seems to hold them non-Stuartian. Such qualities, and a life almost devoid of incidents of public interest, render the biographer's task difficult. Mr. Vaughan has been conscious of the impossibility of making interesting a career which was consistently *piano* and *legato*. Hence, probably, a quite irrelevant dissertation on 'touching' for the King's Evil (pp. 201-206). The book is well illustrated and has a good index.

C. SANFORD TERRY.

A GREAT ARCHBISHOP OF DUBLIN, WILLIAM KING, D.D., 1650-1729: HIS AUTOBIOGRAPHY, FAMILY, AND SELECTIONS FROM HIS CORRESPONDENCE. Edited by Sir Charles Simeon King, Bt., with Portraits. Pp. xiv, 322-800. London: Longmans, Green & Co. 1906. 10s. 6d. nett.

IT may perhaps be doubted whether the description of Archbishop King, quoted by the editor of this work, as 'the most famous archbishop Dublin has ever possessed,' is entirely just. It is difficult to

assign pre-eminence in an episcopal succession which includes, in addition to King's, such names as those of Loftus, Whately, and Trench. But there can be no question that the archbishop was a really remarkable personage, whose career is interesting not less on account of the personality of the man than by reason of the momentous character of the events with which he was concerned. Sir Charles King is entitled to our thanks for a volume which adds considerably to the available sources of knowledge concerning King. But regret will be felt that instead of further materials for a biography an adequate life is not forthcoming. Archbishop King has scarcely been fortunate in his biographical fate. Few men of his time have left fuller or more valuable documentary memorials; yet though a *Life* has often been contemplated, it has never been written, save in so far as it has been written by himself, first in the form of a complete autobiography (which, according to Sir Charles King, was in existence a century ago, but has since been lost), and secondly in the fragment entitled '*Quaedam Vitae Meae Insigniora*,' which is printed in this volume. Harris's *Life*, in the edition of Ware's *Bishops*, is quite inadequate, and all other contributions to the subject are with one exception merely episodic and anecdotic. The exception is, of course, the account of King by the late Professor George Stokes in *Some Worthies of the Irish Church*. Dr. Stokes would have been an ideal biographer of the archbishop, and had he lived he would perhaps have returned to the subject. But his posthumously published lectures do not furnish, and were not intended to furnish, anything like a detailed biography. The present excellent, if somewhat fragmentary compilation, which, besides the autobiographic piece already referred to, combines some account of the archbishop's family, with a selection from his correspondence, and a transcript of his will, may perhaps serve to incite some competent pen to the performance of a task too long delayed. It is matter for regret that the *Diary* kept by King during his imprisonment in Dublin Castle in 1689, lately printed with an introduction and many learned notes by Professor Lawlor in the journal of the Royal Society of Antiquaries of Ireland, could not have been included in this collection of original documents bearing on the life of the archbishop.

C. LITTON FALKINER.

THE CANADIAN WAR OF 1812. By C. P. Lucas, C.B. Pp. viii, 269. 8vo. Oxford: The Clarendon Press. 1906. 12s. nett.

ABOUT the Canadian War of 1812 the average man on either side of the Atlantic has either no knowledge at all or else knowledge falsely so called. I have recently been assured from the United States of America that the war took its rise in a desire on the part of Great Britain to re-conquer the lost colonies. Most people on this side, if they know anything about the subject at all, have an impression that the claim of Great Britain to rule as mistress of the seas was vigorously and successfully disputed till the Shannon fought and took the Chesapeake in full view of a crowd of expectant Bostonians.

The war is not one of which Great Britain has any reason to be

proud, but its record contains a good deal of instruction, and quite recently ample justice has been done to the subject in Mr. H. W. Wilson's contribution to the seventh volume of the *Cambridge Modern History*, Dr. Brodrick's volume of the *Political History of England*, and the book now under review. The immediate causes of the war between Great Britain and the United States of America—the injury done to the commerce of the United States by the British Orders in Council issued in reply to Napoleon's Berlin Decree, the right of search, and the impressment of sailors on American ships exercised by British captains—are clearly set forth and illustrated by Mr. Lucas; but, as Dr. Brodrick points out, war might have been avoided had there not been in the United States a war party, who thought that Canada might be won for the American Union. Great Britain had been driven into the policy represented by the Orders in Council—Captain Mahan admits that it was essential to British safety—but a *via media* might have been found, especially as there was in the New England states a strong anti-war party quite alive to the dangers to which a war with a great sea power would expose their coasts. As a matter of fact the Liverpool Ministry withdrew the Orders in Council a few days after the United States had declared war.

Mr. Lucas deals mainly with the war as waged in Canada, and his narrative will reward careful reading, since it gives an excellent account of the somewhat confused and unsatisfactory, in the sense of indecisive, engagements that did duty for campaigns, and enables any one to see what the war did to make Canada a nation and to understand why it bulks so large in Canadian memories. The story of the contest between Great Britain and the United States is full of warning. It shows ominously the amount of mischief that even a weak navy can do to commerce. The American navy was not powerful, and gross neglect of the British navy had made it a very different instrument of war from what it had been at Trafalgar. Yet, as Mr. Wilson points out, American trade was destroyed, and 1400 ships of war and merchant vessels were taken by the British, while 16 units of the British navy and 1607 British merchantmen were taken by the enemy. The story of the sea fights shows the danger of allowing the British navy to fall below the level of the highest efficiency. Much is made of the disproportion between the fighting strength of the British and of the American war ships, but although this explains the defeats it does not excuse them; the disproportion should not have existed. The Duke of Wellington was very uneasy about the successes 'of these damned frigates,' but the successes would not have occurred if the British Admiralty had done its duty, if the navy on the American seas and lakes had been kept up to its traditional standard.

Mr. Lucas fully exposes the teaching of even British text-books, that the bloody repulse sustained by our troops in the attack on New Orleans was the penalty that had to be paid for the wanton burning of the public buildings of Washington by British troops in 1814. If charges of this kind are to be made, it is necessary to remember that in 1813

226 Lucas: The Canadian War of 1812

the Americans burned the Parliamentary buildings of York (Toronto), the capital of Upper Canada, with the library and records, and carried off the church plate and the town library books, and destroyed private property, while the American general, M'Clure, burned the settlement at Newark, 'some 400 women and children being turned out of doors to face the winter night.' It has been a pleasure to read this excellent book, although the author's use of the word 'either' is somewhat irritating.

A. M. WILLIAMS.

AN INDEX TO THE COLLECTED WORKS OF WILLIAM HAZLITT.

Edited by A. R. WALLER and ARNOLD GLOVER. Pp. xii. 237.

Demy 8vo. London: J. M. Dent & Co. 1906. 5s. net.

THE edition of the collected works of Hazlitt by Mr. A. R. Waller and the late Mr. Arnold Glover,—which we reviewed in April, 1904,—has now been completed by the appearance of a thirteenth volume, consisting entirely of an index to the other twelve. The genius of Hazlitt is at last commemorated in what a contemporary declared to be the only monument that he demanded,—a complete edition of his works. The care shown by the editors in their first volume has been maintained throughout, and the index, which is especially needful for a writer so voluminous, so allusive, and so fond of repetition as Hazlitt, is unusually thorough. Its 232 double-columned pages add incalculably to the value of the edition. Mr. Waller is to be congratulated on the completion of this labour, and the widow of Mr. Glover, who herself is chiefly responsible for the accuracy of the index, must have the satisfaction of having completed a monument to her husband's editorial zeal.

D. NICHOL SMITH.

A SHORT HISTORY OF THE SCOTTISH HIGHLANDS AND ISLES. By W. C.

MACKENZIE, F.S.A.Scot. Pp. 389. Cr. 8vo. With numerous illustrations. Paisley: Alex. Gardner. 1906. 5s. net.

THE Highlands of old lacked homogeneity, and a history of the Highlands must be more or less scrappy. One district receives more attention than is its due; another receives no attention at all. We have little but praise for Mr. Mackenzie's very readable volume. His treatment of latter-day history is especially good. His portraiture of the evictions and miseries which befel the Highlanders, when sheep and deer had usurped their places, is true. Formerly clansmen had been flattered and fed—no matter how—because they constituted the wealth and strength of the chiefs. Latterly they were ruthlessly sacrificed. Mr. Mackenzie in dealing with this period is lenient rather than otherwise. He is less satisfying in treating earlier periods. There is some confusion in his mind as to the identity of the Southern Picts. North of the Forth, there was but one Pictish kingdom, with its capital first at Inverness, afterwards at Abernethy. It was a vigorous monarchy. Its army, under the great son of Beeli, wrecked the Northumbrian power at Nechtansmere. Under the greater Oengus its arms not only crippled the Scots, but also overran the Maetian power of

Mackenzie : Scottish Highlands and Isles 227

Strathclyde. Later Galloway was conquered, its inhabitants subsequently being known as Southern Picts. Not till 839 did the Northmen attack Pictland, and four years later Macalpin became king of Albyn. The inference is clear that Pictland did not succumb to Kenneth as a result of the ravages of four years. Kenneth indeed became king of the Picts as grandson of Ferguasia, and the war which ensued was due to the rival claims of Wred and advocated merely by his family partisans. The Picts were the progenitors of the Highlanders. Such names as Oengus, Cineoch, Eogan, Uibhist speak for themselves. Their country was Albyn to them : it is still Alba to their descendants.

In a history of the Isles we should have expected some notice of the struggles of M'Arailt and M'Gofra against Sigurd and Thorfinn, for the outcome was the subversion of a dynasty. MacMaelnambo and the line of Sitric are similarly not referred to, though the grandfather of Goiridh Dubh and Ragnailt receives mention.

Two points in Highland history which seem worthy of more attention are that the men of Ross and Moray who had approved themselves the least amenable to M'Alpin's authority also proved most troublesome to the innovating Anglo-Scottish kings ; and that the sons of John of the Isles by his first marriage, gave place undemurringly to Donald the eldest son by his second marriage, heartily supporting him later at Harlaw. It is true that the 'bound' Macleods could hardly find their way to Skye, as represented : it was only a lucky chance that threw them in the way of their chief returning from far 'Hirt'. The Sgeir Bheirisaigh incident is glossed over—but these are minor details. On the whole a trustworthy record is presented and the whole is well written. The chapters on Montrose and on the social life of later times are exceptionally able.

KENNETH MACLEOD.

AUS SHAKESPEARES MEISTERWERKSTATT, STILGESCHICHTLICHE STUDIEN.
Von Gregor Sarrazin. Pp. vii, 226. 8vo. Berlin : Georg Reimer.
1906. 5 marks.

THIS volume contains the results of many years' labour on the style of Shakespeare from *Romeo* to *Hamlet*. It appears to the author that the innumerable studies of Shakespeare's dramatic sources and depiction of character have told us little of the man himself, even when they have not misled us, but that in the study of the style there is a certain clue to the poet's inner life. The fact that Shakespeare borrowed his plots cannot, however, deprive his manipulation of them of its personal interest ; and though there is something inherently unsatisfactory in every treatise on Shakespeare's characters, we may underestimate the knowledge to be gained from them of the change in Shakespeare's attitude. It is only too true that Shakespeare's bewildering opulence has occasioned all forms of folly and madness masquerading as criticism. But is the study of style not as likely to 'breed maggots' as any other form of Shakespearian research ? Indeed has it not done so already ?

If studies of dramatic sources and character-drawing are unsatisfactory because they look at only a portion of a big question, the same fault—

if fault it be—lies in the method which Mr. Sarrazin exemplifies in many learned pages. He too is looking at only one facet. And his microscopical habits, to which all praise must be given, of themselves would make it impossible for him to do more, even though he believes them to afford material for establishing 'the laws of psychic mechanics.' No method can hope to envisage the whole of Shakespeare. We may sympathise with Mr. Sarrazin's sense of the inadequacy of previous writers, but we fear that he is too sanguine of what his method is likely to achieve.

While we may not agree with him when he says that it is not generally recognised how far the poet wrote for and about his time, we are yet grateful to him for the evidence which he presents. His collection of parallel expressions and ideas has a distinct interest. But may we suggest that his learning has occasionally dimmed his vision? Is it necessary to consider whether the picture in the sixty-fourth sonnet of the hungry ocean that now gains on the shore and now loses was drawn from knowledge won in Venice, or Holland, or England? We are even asked to think if it was in this country or in a mountainous southern land that Shakespeare saw 'full many a glorious morning flatter the mountain-tops with sovereign eye.' It would appear that one of the chief things to be learned from *Henry V.* is that Shakespeare had a long-suppressed practical interest in bee-keeping and gardening. We sometimes feel that a mist of learning has shown things in unexpected proportions; yet we cannot but acknowledge the care and loyalty of Mr. Sarrazin's labours.

R. G. D.

THE GENEALOGIST, a Quarterly Magazine of Genealogical, Antiquarian, Topographical, and Heraldic Research. New series. Edited by H. W. FORSYTH HARWOOD, of the Middle Temple, Barrister-at-Law. Vol. xxii. Pp. viii, 320. London: George Bell & Sons. 1906. 2/6.

THIS excellent and well-known publication shows no signs of falling away from the high standard which it has maintained for many years. The contributors are genealogists of experience competent to handle the subjects they have undertaken. It would be invidious perhaps to pick out individual articles for special commendation, as each writer in our judgment has done praiseworthy work. But it is only fair to state that Mr. G. J. Turner's article on Richard Fitzroy, the bastard son of King John, will attract most attention from Scottish antiquaries by reason of the connexion of his descendants with the houses of Angus and Athol. The champion of the clan of Menzies has received some rough treatment from Mr. Poyntz Stewart, and though sympathy ought to go with the vanquished, in this instance it cannot be withheld from one who has set himself to expose deplorable presumption. A portrait of the late Dr. Marshall, *York Herald*, founder of the original series of this magazine, is appropriately given as the frontispiece.

JAMES WILSON.

MEMORIALS OF A WARWICKSHIRE FAMILY. By the Rev. Bridgeman G. F. C. W. Boughton-Leigh, M.A. With Prefatory Note by Sir Hugh Gilzean-Reid, LL.D., D.L. Pp. xvi, 208. Demy 8vo. London: Henry Frowde. 1906. 10s. net.

IN this book we have pleasant descriptions and notes on certain Warwickshire villages and their connection with the family of Boughton-Leigh, with which much local history has been interwoven. Interesting monumental inscriptions relating to the two families which united are given, and in some cases reproductions of their monuments and relics. The extracts relating to them from the Parish records which are here printed will be interesting as confirming what genealogists already know. The writer evidently loves the county with which his ancestors—the de Bovetons became Boughtons *temp.* Edward III.—have been so long associated, and is able to tell many anecdotes of Rugby, the great school in the neighbourhood. He glories much in the virtues of his clerical ancestors, like Sir Egerton Leigh, 'the preaching baronet,' and is grieved to an extraordinary extent at a certain occasion when his family lost a portion of its ecclesiastical influence.

A. F. S.

A HISTORICAL GEOGRAPHY OF THE BRITISH COLONIES. By C. P. Lucas, C.B. Vol. I. THE MEDITERRANEAN AND EASTERN COLONIES. Second Edition. Revised and brought up to date. By R. E. Stubbs, B.A. Pp. viii, 304. Crown 8vo. Oxford: The Clarendon Press. 1906. 5s.

MR. STUBBS, who, like Mr. Lucas, belongs to the Colonial Office staff, has done his work well in revising the first volume of this important book. Nothing can be more useful than the sketches given here, for instance, of Aden, North Borneo, and Weihaiwei, to select places about which quite satisfactory information is not easily accessible to the general reader. Every teacher of history and geography should have Mr. Lucas's book on his shelves.

The Oxford University Press is to be congratulated on its new edition of Motley's *Rise of the Dutch Republic*, in three volumes of the World's Classics, at the extremely small price of three shillings. Such an edition is a distinct boon to historical students. Other recent issues in this excellent series are: Professor Lewis Campbell's *Translation of Aeschylus*; Leigh Hunt's *Essays and Sketches*; Matthew Arnold's *Poems*, 1849-1864.

We welcome a new edition of Chambers's *Concise Gazetteer of the World*, Topographical, Statistical, Historical, and Pronouncing, in 768 closely packed pages (price 6s. nett). Mr. David Patrick, LL.D., is the editor, and has succeeded in making this Gazetteer not only useful but interesting.

In the *Annales de l'Est et du Nord* (Berger-Levrault & Cie., Paris—Nancy) for October an interesting note on the teaching of Latin in

the 16th century deals specially with the dramatic performances in vogue in French colleges before their prohibition by the Parlement. Latin plays were a tradition, and in Lille the town accounts record payments and presents in connection with them, for instance to the schoolmaster in 1544, 'pour un jeu en latin qu'il a faict jouer.' May there not be a hope of recovering some such entry about the *Baptistes* or the *Jephthes* of Buchanan?

The *Revue des Études Historiques* (July-October) has been publishing the correspondence of Girolamo Aleandro between 1510 and 1540 containing many allusions to the Reformation of which the future cardinal was an ardent opponent. Polydore Vergil, writing from London in 1520 about a work he designs on religious antiquities, mentions that he has begun his English history though he does not get on fast with it. Aleandro's friends are more concerned about Luther, and there are many flaming passages of indignation against the Lutheran sect as a creeping and pestilent weed (*anagrym*) which grows apace.

The *Archiv für das Studium der neueren Sprachen* (October) contains twelfth century English glosses, notes on Scandinavian influence in English, and an important criticism of Dr. Henry Bradley's *Making of English*. Specially interesting is another sheaf of Dr. Otto Ritter's finds on the *quellen* of Burns.

In *Notes and Queries for Somerset and Dorset* (September) we note a reference to and illustration of a Frithstool at Chewton Mendip Church, Somerset, said to be one of three sanctuary chairs extant in England, the other two being the better known examples at Hexham and Beverley.

The *American Historical Review*, which steadily maintains its place as a quarterly of the highest type, has in the October issue a paper by Mr. James F. Baldwin on the Privy Council of England under Richard II., in which are traced the evidences of the effort of Parliament at the beginning of the reign to control the King's Council—effort too intermittent and inconsistent to prevent the personal government of Richard which marked his closing years and led to his fall.

The *English Historical Review*, always rich in first hand record material, has in the October number a variety beyond its wont. The Burgesses of Domesday are debated at some length between Mr. Ballard and Miss Bateson—who, alas, debates no more. Orwell challenged as a mythical town, a mere synonym for Harwich, finds a defender in Mr. Hamilton Wylie, urging the presumptions which follow from the name that the *villa de Orewell* was a fact. A review by Prof. Maitland, commending Professor Tout's editing of a volume of *State Trials*, 1289-1293, for the Royal Historical Society, refers to the *Passio Judicum*, a scriptural parody on the judges of Edward I., which may be compared with other examples, e.g. the coeval *Passio Scotorum* and the later *Passio Francorum* (*S.H.R.* ii. 214). Many a goodly page by Maitland has gone to the making of the *English Historical Review*. His note of good will to his comrades distinguishes him to the last.

Queries

HERIOTS OF TRABROUN:

(1) Was John Heriot, first of Trabroun (1423), father of Simon Heriot of Trabroun?

(2) Was Andrew Heriot of Trabroun (died c. 1531) brother of Agnes Heriot, mother of George Buchanan?

(3) James Heriot of Trabroun (c. 1531) succeeded as nephew and heir of the above Andrew—who was his father?

(4) This James Heriot, who died 1580, married, first, Janet Cockburn of the Ormiston family, secondly, Helen Cockburn (G. W. Ballingall's *Selections from old Records regarding the Heriots of Trabroun*). James who succeeded was by the second marriage. Was Robert Heriot 'of Lymphoy, otherwise designed of Trabroun' (*Swintons of that Ilk*, p. 44), a son by the first marriage who died *v.p.*? This Robert married Helen Swinton, and had Agnes, wife of Sir James Foulis of Colinton, Helen, wife of Sir Thomas Craig of Riccartoun, and Jean, wife of John Lawrie, bailie of Edinburgh (see M'Vean's *Epitaphs*, p. 25, and *Foulis of Ravelston's Account Book*, p. xv.).

(5) James Heriot, canon of the Cathedral of Ross and official of St. Andrews within the Archdeaconry of Lothian who died before March 27, 1522; is identified by Mr. Ballingall with the uncle of George Buchanan. Is there any direct proof of this?

(6) Adam Heriot, of the family of Trabroun, born about 1514, died 1574, was Vicar of St. Andrews 1559-1574. Whose son was he?

(7) George Heriot, grandfather of the founder of Heriot's Hospital, is said to have been a son of Trabroun. Is there proof of this?

A. W. G. B.

EARLY STEAM ENGINES IN SCOTLAND. Is anything known as to the whereabouts of documents relating to the erection of an early steam engine at Edmonstone, Midlothian, in 1725, by Andrew Wauchope? Extracts are given at considerable length in Robert Bald's *General View of the Coal Trade in Scotland*, 8vo, 1812. The present head of the Wauchope family has no knowledge of the documents. The engine appears to have been erected under the patent of Thomas Savery. This however only covered England and Berwick-on-Tweed. An extension to cover Scotland, or a Scotch patent, must have been granted. Is there a record of any such grant?

H. W. DICKINSON.

Communications and Replies

A LETTER FROM HADDINGTON, 1674. Little does the writer of a commonplace letter think that he may be sketching for remote posterity an actual portrait of himself. Yet as the antiquary deciphers some crabbed writing of bygone days which ill-usage and dust have left torn and discoloured, the figure of the writer may at times emerge—a living personality. When Charles II. was on the throne there followed the profession of the law in Edinburgh a certain Mr. George Banerman, a man of some position, who reckoned among his clients the University or College, as it was then called, and who pursued his calling in chambers situated in front of the weigh-house,—a building which stood in the Lawnmarket at the head of the West Bow. In November, 1674, he betook himself to Haddington, whether on business or pleasure does not appear, but doubtless hoping to combine both, and having settled there at the house of Widow Seaton he writes to his clerk in Edinburgh. He knows the value of a good appearance, so that is his first thought. ‘Alexr. Deuchar you shall send me owt my powder box for it wes forgot, if ther be no powder in it get ane quarter of pund & put in it bot I beleive yr. is in it that will serve for a tym. You will lykwayes send me owt wax for I have non, with ane ordinarie comon seall & this with the first occasion.’ His business affairs, most important to him, matter least to us, so we may pass them by. Leaning over the table, penning his letter in the gloom of Widow Seaton’s parlour, hat on head, he reports a mischance that has occurred.

‘You will lykwayes cause buy me a good handsom Caudibeck¹ hatt for presently ane accident has befallen that which I have ther being ane great hole brunt out of the lipp of it at the candle, pray sie that it be good and weall wyled.² You will receive the measure of my head. You may sownd Doctor Leslie what he is a mynd to doe anent Colladge bussiness and you may offer yourself to wait upon anie thing they have to doe and anie thing soever wherein the Oldtown and Colladge may be concerned you may acquaint them.³ direct your letters to me at Haddington to be found at Widow Seaton her house. Heast out my hat & let me know the pryce—send me owt a piece of black ribbon for my hair.

Adieu. G. BANERMAN.’

¹ So called from being made at Caudebec in Normandy.

² Selected.

³ What part of Edinburgh was called the ‘Oldtown’ in those days?

'Give the enclosed to my sister herself out of your owen hand & let no bodie else doe it & give it to non bot herself. Send me word if my brother's boots be yet readie. The exact measure of my head is the length of threid betwixt the two outmost knots at the end yrof. . . . Let aloan the buying of the hatt till farder order for I have considered how to remead it at present. Send me out by the first carrier my clubb and if ther be anie balls to the fore send them lykwayes.' Having addressed his letter, 'Allexr. Deuchar att Edbr. to be found at Mr. George Banerman his chamber at the foresyd of the Wyhouse,' thinking of his 'gowff' on some breezy Lothian links, he vanishes from our view.

A. O. CURLE.

MAJOR COLIN CAMPBELL OF STRACHUR (*S.H.R.* iv. 106). He was probably son of Dugald Campbell of Ederline. Dugald Campbell of Ederline was served heir, Oct. 16, 1782, to his father Colin Campbell of Ederline, who died in June, 1780. He married Mary Campbell, niece of Colin Campbell, planter, South Carolina. Janet Campbell of Strachur, widow of C. Campbell of Ederline, was served heir, March 30, 1807, to her brother, General John Campbell of Strachur, who died August 28, 1806. Colin Campbell of Strachur was served heir, April 12, 1816, to his granduncle Colonel John Campbell, and Nov. 21, 1821, to his grandmother, Janet Campbell of Strachur, who died January 8, 1816.

A. W. G. B.

CAMPBELLS OF STRACHUR. Arthur Campbell had a confirmation of the lands of Strachur on the resignation of his father, Ewar Campbell, April 20, 1374 (*Reg. Mag. Sig.*).

Evan [Evar?] Campbell of 'Strog', 1514 (*Memorial History of the Campbells of Melfort*, p. 110), was probably father of the first wife of John Campbell of Murthly, 1525 (see *Landed Gentry*, 1906, p. 260), and of Ann Campbell, wife of Dugald Campbell of Craignish, who died about 1544-5 (*House of Argyle*, p. 105).

Iver (Urias, Ürie, Ewir, or Everus) Campbell was of Strachur before 1563, married Elizabeth Colquhoun, and was still alive 1598 (*Reg. Mag. Sig.*). He was father of Charles Campbell (*Ibid.*).

Charles Campbell of Strachur married, about 1563, Elizabeth Campbell, daughter of Jonet Graham, Lady Lany (*Reg. Mag. Sig.*), by her first husband, Dugald Campbell of the Ardkinglass family (see *Strathendrick*, p. 293 n.). He was father of Colin, Ewin, called 'brother of the Laird of Strachur,' Dec. 9, 1600 (*Reg. P. C. Scot.*, vol. vi. p. 183), Arthur and Dougall 'brothers of the Laird of Strachur,' Dec. 8, 1612 (*Ibid.*, vol. ix. p. 507).

Colin Campbell of Strachur married, in or before 1617, Katharine M'Naughtane (*Reg. Mag. Sig.*), and died before Oct. 7, 1642, when his son Colin was served heir (*Inq. Argyll*, 62).

Colin Campbell of Strachur married, 1643 (contract, dated Oct. 21), Anneta, eldest daughter of Archibald Campbell of Kilmun (*Reg. Mag. Sig.*), is mentioned 1663 (*Scots Acts*).

Archibald Campbell of Strachur is mentioned 1689, and 1693 (*Scots Acts*).

John Campbell of Strachur died before March 17, 1709 (*Com. Rec., Argyll*). Had besides Archibald, a daughter Mary, who married Captain John Campbell of the Kilmartin family (*Landed Gentry*).

Archibald Campbell of Strachur died before May 30, 1738 (*Com. Rec., Argyll*).

Colin Campbell of Strachur died in September, 1743 (*Services of Heirs*), was father of John, who succeeded, and Janet, of whom afterwards.

General John Campbell of Strachur was served heir to his father, July 27, 1744, and January 29, 1800. He died August 28, 1806.

Janet Campbell, afterwards of Strachur, married C. Campbell of Ederline, was served heir to her brother, John, March 30, 1807, and died January 8, 1816.

Dugald Campbell of Ederline was served heir to his father, Colin Campbell of Ederline (died June 1780), dated Oct. 16, 1782. He married Mary Campbell, and must have died before 1816. Was probably father of Colin who succeeded to Strachur.

Colin Campbell of Strachur was served heir to his grand uncle, General John Campbell, April 12, 1816, and to his grandmother, Janet Campbell of Strachur, Nov. 21, 1821. He died June 16, 1824.

John Campbell of Strachur was served heir to his father Colin, January 12, 1825.

A. W. G. B.

MR. NIALL CAMPBELL (*S.H.R.* iv. 106). According to Scott's *Fasti Ecclesiae Scoticanæ* (vol. iii. pt. i. p. 112, pt. ii. p. 899) he was son of Major John Campbell, brother of Campbell of Glenary. Archibald Campbell of Clenarie, 1702-1704, was probably son of the latter. Major John Campbell seems to have been a natural son of Archibald, ninth Earl of Argyll. Principal Campbell married Henrietta, daughter of Patrick Campbell of Kildaskland, and had issue (*Burke's Landed Gentry*, 1906, p. 263).

A. W. G. B.

SIR WILLIAM ROLLOCK: A CORRECTION. When the Jacobite Miss Nairne was accidentally wounded by a shot fired by a Highlander, after Prestonpans, she said that it was fortunate she was not a Whig. Her opinions made it impossible to say that she was fired at for her ideas. In the same way nobody will think me guilty of intentionally traducing a companion of Montrose. But I have accidentally injured the fair fame of Sir William Rollock (*History of Scotland*, vol. iii. p. 129, lines 12-14). Here it is written, 'Montrose . . . finding that Sibbald and Rollock . . . were treacherous and had deserted . . . : ' a note adds 'the evidence as to Rollock is hazy. Wishart, p. 77.' The truth is that I misunderstood Wishart in the passage cited. He was not asserting that Rollock with Sibbald deserted, but that, with Sibbald, Rollock was the most trusted early companion of Montrose. In my book (iii. p. 161) the execution of Rollock by the Covenanters is mentioned: no man was braver or more faithful.

A. LANG.

THE PENTLAND RISING. Mr. J. B. Dalzell, Allan Park, Larkhall, sends an emendation of a sentence in Miss Sidgwick's manuscript of Drummond's despatch (*S.H.R.* iii. 451). The sentence 'thursday the 22th the horse watched Killmarnock & the foot upon friday at Much adoe,' is probably 'thursday the 22th the horse reached Killmarnock & the foot upon friday w^t Much adoe.' If this reading is the correct one, Professor Terry's tentative identification of 'Much adoe' with Meikle Earnock (*S.H.R.* iv. 114) therefore falls, and the accuracy of his original route of Dalziel's force remains undisturbed. It should be pointed out, however, that a careful examination of the Carte MS. does not justify this emendation; Mr. Madan of the Bodleian Library suggests that the Carte MS. is a copy, and that if this emendation is correct the error may be laid to the door of Lord Arlington's original copyist.

GIVING CHANGE AT THE CHURCH PLATE (*S.H.R.* iv. 67-68).—The following is among papers of the Rev. Thomas Brisbane, minister of Dunlop:

Intimation is hereby made to this congregation that as there is a great deal of bad silver at present in circulation and several bad shillings have of late been given in to the Collection it is therefore requested that none will presume for the future to dispose of their base money in that way else if they do and it can be traced they will be called upon to make restitution and be treated as cheaters and robbers of the Poor and it is expected that the Elder who collects will pay particular notice to what silver he changes as it is in this way the fraud must be committed.

With certification that if any more imposition of this kind happen again the practice of changing at the Plate will be discontinued as dangerous and improper.

[Scott's *Fasti Eccles. Scot.* Parish of Dunlop 1780—Thomas Brisbane Presented by Archibald Earl of Eglintoun 16th October 1779. Ordained 25th April succeeding . . . Died 9th May 1837.]

ALEXANDER WOOD.

Notes and Comments

No common loss to history, and even Scots history, is sustained in the death of Miss Bateson on 30th November, 1906. Our *Mary* columns afford only a narrow opportunity, but even they *Bateson.* sufficiently attest her range of research and force, and her breadth of historic sympathy. With northern blood in her veins she had a keen interest in Scottish institutions, not a little sharpened by her work on the MS. of *Ordinances for the Scottish King's Household*, which she edited for the Scottish History Society. On Scottish burghal subjects she had pushed the lines of comparative study far in advance of any previous knowledge of the generic character and alliances of our burghal institutions. A practised and eager archivist she has at her credit a long array of editorial tasks, achieved in a manner reaching the highest technical standards of to-day. Her little book on Medieval England is almost her sole attempt at work on a popular basis. Those who know most about things of the middle ages are the first to appreciate the extraordinary amount of medieval information which that close packed work contains. It shewed notably her interest in the story of education, her perception of literature as a fine part of history, and her zealous concern for the place of woman in medieval life. Only yesterday and it seemed that her career was just reaching its greater outset, and that a decade hence she might have stood not merely a foremost figure, but first in the hierarchy of living British historians. To-day it is a wide and high circle that mourns her abruptly cut off from the promise of her prime, although her bright and general vitality, her historical erudition, and her tireless energy of interest and pursuit have secured no unworthy monument in her accomplished work. Professor Tout has in the *Manchester Guardian* (December 3rd), written a fine summary of her brilliant course as student, lecturer and author, not forgetting the personal quality—her frankness, high spirits, and womanly charm. Professor Maitland too has in the *Athenaeum* (December 10th), testified, as he alone can, to her achievement in the medieval field, especially on burghal life and law. Speaking of her 'Borough Customs,' he says, 'the name of the Englishman who both could and would have done the work does not occur to me.' He places it on the same shelf with Madox and Selden, neither of whom, he concludes, 'will resent the presence of Mary Bateson.'

THE preceding paragraph was not yet in type when there came the further unlooked for news that Professor Maitland, too, had been taken from our midst—his last public word, as it were, being the gracious eulogy of Miss Bateson which we have just quoted. His death, which occurred at Las Palmas on Dec. 22, 1906, is a loss of the first magnitude to English history, whether as regards research into the origins and growth of the laws of England, or as regards the evolution of legal institutions. He was only 56, but he had behind him the unique historical and legal reputation he had won by his work since 1884, and he had before him a great programme of record work and editorial study in legal history. His reputation was established on a European basis by his *Bracton's Note Book*. Following upon and in a measure resulting from this achievement in exposition of thirteenth century English law came the foundation of the Selden Society with its long array of tasks in the editing of Plea Rolls of royal and manorial courts, and Treatises such as the *Mirror of Justices*, and works of collation such as the comparison of Azo and Bracton. An accomplished archivist, Maitland, with his ever increasing store of knowledge of legal theory and usage during the middle ages, was an ideal editor for the Selden Society, and his engaging personal qualities ensured not only the cordial co-operation but the affectionate regard of a group of the finest medieval scholars in the world. Vinogradoff of Warsaw, Gierke and Liebermann of Berlin, Sir Frederick Pollock of Oxford, these were types of his friends and co-workers. His rare gift of sympathy with all cognate work enabled him to draw his illustrations from Scottish charters, Scottish burghs, and the Scottish statute book as cordially as, and only a degree less surely than, from the records of England. Students of early law everywhere knew his will to serve them; they had only to ask and he was a delighted and delightful correspondent. His genius for research, tireless diligence and brilliant style were turned to account for one great object over all. He began his professorship with the inaugural question, Why is the History of English Law not written? And from 1888 until his death he was busy writing it—writing it variously now by editing a plea roll or a year book, now by collating Glanvill or examining successive states of the Register of Brieves, now by a monograph on Domesday, on Township and Borough or on the reason why the England of the Renaissance had not, like Scotland, a 'Reception' of Roman Law. More formally, he, along with Sir Frederick Pollock, his lifelong friend, essayed and accomplished a large chapter of the subject—the *History of English Law before the time of Edward I.*, a work hailed by the critics as a classic at once. Had the fates willed it, succeeding volumes would probably have come to continue the narrative of law, through the great formative age of Edward I. down, it might have been, past Fortescue and Lyttleton to Fitzherbert and Coke. As general editor for the Selden Society, author of many of its volumes and a guiding light in them all, he had in the concrete manner best suited to the occasion—presenting the medieval texts, and discussing each with the added leverage the preceding volume gave—published a large but select body of material from which the history of law must one day be reared. For this genera-

Frederic
William
Maitland.

tion, if not for this century, the answer to Maitland's initial question must be that if the history of English law is not yet written, it is because Maitland himself did not live to complete it. Under his inspiration there was formed round the Selden Society a school of archivists and antiquaries which has taken the whole range of English law (with Scots Law on the circumference) for its province. Over that wide area the loss is incalculable, for Maitland was not only the founder of medieval legal study in England, he was its animating spirit.

PROFESSOR W. P. KER, in his *Epic and Romance*, did much towards the true critical placing of the Icelandic saga in the evolution of European literature. He resumed the subject more than once in his *Dark Ages*. His Romanes Lecture for 1906, *Sturla the Historian* (Oxford: Clarendon Press, pp. 24, 1s. net), returns to the theme to carry it further by particular reference to the saga-work of Sturla, son of Thord, an Icclander of the mid-thirteenth century who wrote the *Sturlunga Saga* and the *Hakonar Saga*. The first is an Icelandic family chronicle which Professor Ker classes as not only a finished example of the great achievement of the Norse literature—its masterly Icelandic prose—but also as a high historical performance. 'His work is the completion of Icelandic prose. It is hardly a metaphor to say that it is the mind of Iceland expressing itself at the end of the old Icelandic life.' The other saga is a biography of that Hacon whose invasion of Scotland in 1263 was his last exploit. Professor Ker's lecture shews his customary appreciation of a story well told in the old literature, equally with his power of recognizing its art and reproducing its charm.

CONTINUALLY the *Reliquary* exemplifies the value of illustrations in showing contrasts of types, or the evolution of any class of objects. The October number thus instructively deals with Staffordshire pre-Norman crosses, with current forms of horse-brasses, and with Carthaginian, Roman, and early Christian lamps. Mr. Romilly Allen, the editor, himself contributes a note on a missing fragment of a St. Andrews altar tomb now at York Museum. The fragment attracted Mr. Allen's attention specially because of the small scale on which the interlaced pre-Norman pattern is executed. A portion of the sculptured tomb remains at St. Andrews, and the pattern there was recognized as identical with that of the piece at York. In addition to their manifest resemblance as shown in two illustrations, evidence has now been noted in Dibdin's *Bibliographical Tour* (1838) that the York stone was sent from St. Andrews to York as a present to the bibliographer. Thus the identification of the York stone is complete, and Mr. Allen discusses in a sentence 'the crime of those who are responsible for having removed it from its original site.' His concluding suggestion merits quotation also. 'It would,' he says, 'perhaps be too much to expect the Yorkshire Philosophical Society to return a specimen they have had so long to

the St. Andrews Museum. It would be a graceful act to do so nevertheless.' We heartily second the proposal.

A LITTLE pamphlet, *Scottish History in our Schools*, edited by the Rev. David Macrae, has been issued by the Scottish Patriotic Association, urging on School Boards the necessity of care in the choice of text books from which history is taught in our schools. We are glad that the movement for a better recognition of Scotland in the commonwealth has already effected some part of its purpose by stimulating the production of school books designed to give a true rendering of the place of this country, past and present, as a constituent of the Empire. While the pamphlet, like most protests, is at points over-accentuated, its essential plea is not to be gainsaid. We trust it may not only tend to adjust the international 'orientation' of our school history books, but may also attain a higher end in raising the technical standards of workmanship in Scottish historical study.

It is not often that a topic of to-day is the topic of a tractate of the sixteenth century. But *The Defence of the Realme*, which Sir Henry Knyvett, Deputy Lieutenant of Wiltshire, wrote for the information and counselling of Queen Elizabeth in 1596, deals with a problem we have always with us. Reprinted with an introduction and notes by Mr. Charles Hughes (Clarendon Press, 1906, pp. xxxvi, 75, crown 8vo., 5s. nett), the treatise contains the views of a soldier who in 1560 saw service against the French at the siege of Leith, and in 1588 did duty in the preparations to repel the Armada. England in 1596 was apprehensive of a Spanish invasion, and Sir Henry, who had been experimenting and taking a sort of military census in his own shire, submitted to his Queen his 'project of a course to be taken for the defence of this Realme against all forraigne invasion.' 'A puissant Navye as well Royall as of Marchantes and others' was no reason in Sir Henry's eyes for dispensing with musters and drills of Her Majesty's subjects in every county. The youths under eighteen were to be trained in the use of the long bow. Men from eighteen to fifty were to form regiments, each having 2100 foot and 500 horse, of whom each band of 25 (whether horse or foot) was to be a 'square,' and each square to be subdivided into two 'societies' of 12. Knights and gentlemen with their household servants were to be counted on for supplying the horsemen. Duly drilled, this 'multitude of skylful horsemen' would, Sir Henry says,—here perhaps specially interested and informed as himself of old a cavalry officer—'make the earth to thunder, a terror to any enemy in the World.' Men over fifty were to be exempted from military service, but were to act as domestic police. Sir Henry was as enthusiastic about the possibilities of his scheme as any War Minister of these days could be. He assured Her Majesty that under it she might hold herself safe from the malice of the world. 'I dare undertake,' said he, 'that if Richard second at a Journey pretended into Scotland the eight yeare of his Raigne did joye in the appearance and

muster before him of three hundred thousand horsemen your Majestie shall have good cause to be pleased with the number of serviceable horse of all kyndes which by the said meanes will be raised furnished and trayned ever to be redie at the turning of a hand for every service either forraigne or domesticall.' He provides for mobilising of forces when the beacons are kindled, and estimates that an English army of 24,000 foot and 6000 horse could be maintained in any foreign kingdom. Artillery proper for every regiment was counted at 2 falconettes, 2 falcons, and 2 minions. The project includes a statement of the defensive tactics. A first principle is the policy of 'makeing Ireland safe and conserving a perfect league with the Kinge of Scottes his allies and associates.' An enemy would find it a hard matter to pass the narrow seas, but if he did manage to enter his march was to be retarded by entrenchments and fortifying of straits till a second army of defence came to back up the first, and so with the third and fourth, till the numbers sufficed for 'the assured conquest of the enymie wherein oure multitude of horsemen will no doubtte wonderfully prevaile.' A noticeable feature of these proposals is the departure from the medieval age-limits for military service. The old limit both in England and Scotland was from 16 to 60. Mr. Hughes in his highly informing preface comments on Sir Henry's seemingly rather belated preference for the long bow. The rapidity and frequency of discharge which archery still afforded as compared with the firearms of the period explain the fact that long afterwards—so late as 1643—Charles I. asked the University of Oxford for recruits to a regiment of 1200 bowmen. There is a temptation to quote

Non tali auxilio nec defensoribus istis:

but such arms were much more feasible in 1596 than in the Great Rebellion.

IN his portion of the Aberdeen Quatercentenary studies, Professor Sanford Terry takes as his text the saying of Sheriff Æneas Mackay, 'a love of historical studies has continued to mark the Aberdonian scholars, who have contributed more to Scottish history than the inhabitants of any other part of Scotland,' and supplies a most useful annotated bibliography of writers from John Barbour to the New Spalding Club. The list of names is a remarkable one. It includes Fordun, Elphinstone, and Boece; Burnet, Sir James Mackintosh, Cosmo Innes, Robertson, and David Masson. The work has been done with much care and sufficient appreciation, and constitutes one of the most useful sections in the volume of which it forms a part. Special studies of this nature are to be cordially welcomed, and we congratulate Professor Terry on the record which he can show for Aberdeen.

*Aberdeen
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The Dispensation for the Marriage of Mary Stuart with Darnley, and its Date

WHEN I published the dispensation for the marriage of Mary Queen of Scots with Darnley,¹ I found myself involved in considerable difficulties regarding the date. It was not (as I have explained) until my documents were just passed for press that I could make certain that my transcript was really accurate on that point, and even then I was unable to explain it, indeed it seemed to me open to serious suspicion. Since then, however, I have ascertained that this suspicious-looking date rather confirms than impairs the verisimilitude of the story as a whole. To explain this point, however, I must somewhat enlarge the scope of my inquiry, and go over once again some ground which will not be unfamiliar.

I. The chronology of the episode is briefly this. Mary and Darnley first met on February the 17th, 1565. Their marriage had indeed been talked of by gossips since the death of Mary's first husband; but Mary had certainly not hitherto been inclined to the match, and when they did meet there was nothing at all like love at first sight. The chances of their marrying are first treated as a practical question by Randolph, on the 15th of April. On the 15th of May, Darnley, who had been ill in bed, was able to leave his room, and was thereupon declared Earl of Ross. This act, so far as we know, was Mary's public declaration that they were engaged. Next week, May 21, she assured Queen Elizabeth through Sir Nicholas Throckmorton that she would not 'consummate the matter these three months, in which time she will

¹ *Papal Negotiations with Mary Queen of Scots*, *Scottish Hist. Soc.*, 1901, pp. 191-231. The full texts of all the documents I shall quote below will be found there, printed in their entirety.

use all means to procure your acceptance.' Let us note this date. In Mary's mind the marriage was to be about the 15th of August.

Besides Elizabeth's 'acceptance,' Mary would also have had to secure that of the Cardinal of Lorraine, of the Kings of Spain and France, and above all that of the Pope; for without his dispensation the marriage would have been null from a Catholic standpoint. The couple were first cousins, and the power to dispense with consanguinity of this degree is practically never delegated to others by the Popes. We know that the faculty was not among those granted to the predecessors of Archbishop Hamilton. It is moreover a well-recognized rule that dispensations for royal marriages should in every case be granted by the Pope himself.

None of Mary's friends had hitherto been in favour of a match with Darnley. On the contrary, they had all committed themselves to advocate the claims of others. Yet, with relatively little delay, when the slowness of intercommunication in those days is taken into account, she soon obtained the consent of all. Before two out of the three months had passed, which she had arranged to wait, messengers were arriving from Spain, from France, and from the Cardinal of Lorraine, accepting the proposals. The Cardinal had been in no hurry to do so, and with good reason, for he had sent two gentlemen, Roulet and Rochefort, to Scotland, to inquire independently into the propriety of the proposals. Their reports can hardly have reached him before June was nearing its end. Most reasonable though this delay was, it occasioned an unlooked-for loss of time in presenting the petition for the marriage dispensation. Mary had trusted to the Cardinal to ask for it at once, but in point of fact his messenger, Mgr. Musotti, did not reach Rome until the 20th of July. If Mary, ignorant of the slowness of papal procedure, fancied that the faculty would be granted *instante*, she was mistaken. The Pope had heard of Darnley's previous flabbiness in religion, and naturally desired to make further inquiries. The Nuncio at Paris was at once (July 23) asked for information, but of course a further wait of some duration was inevitable before his answer arrived.

II. Meantime, as far back as June the 28th, Mary had taken the resolution of sending an envoy of her own to Rome, and had selected for this purpose William Chisholm the younger, the coadjutor-bishop of Dunblane. She did not in the first instance intend him to sue for the dispensation, for she believed

Dispensation for Queen Mary's Marriage 243

that (accidents apart) it would have been granted before his arrival. Chisholm's chief business was to solicit a papal subsidy to help in the struggle with the reforming party, which Mary already foresaw. The threatened quarrel, let us add, had come to a head and been decided before any foreign aid could possibly have arrived, while the Pope had declined to make a grant even before he had heard of this proof of the reality of Mary's need. What concerns us, however, is that the Bishop left Scotland in the first week of July, and reached Rome on August the 14th, remarkably quick travelling for those days.

But before he could have completed one-half of his journey a papal letter arrived in Scotland for Mary, and people asserted that it was the dispensation itself, for which Mary was waiting. She at once had her banns proclaimed, and on July the 29th they were wed, though it is perfectly clear from the documents now before us that no dispensation had as yet been granted.

What then had happened? The best answer I can give to this question will suggest itself as we follow the correspondence between the Nuncio in Paris and his chief in Rome. The Cardinal of Lorraine's envoy, Musotti, it will be remembered, reached Rome on the 20th of July. Five days later the vice-secretary of state, the Cardinal of Como, wrote as follows to Cardinal Santacroce at Paris:

'The Cardinal of Lorraine has written to his Holiness for the dispensation for the Queen of Scotland and the Earl of Ross. An answer will soon be given, and I believe the resolution will be a favourable one, for they found great hopes on the religion of that young man, though they own that hitherto he has thought fit to dissemble it.

'Your Eminence will do me the favour to give me your opinion and that of the good Catholics of your Court.'

Cardinal Santacroce's answer did not go off till the 27th of August, and it is unfortunately not forthcoming. Still we can conjecture from the response that it was to this effect. He expressed some surprise at the course of the marriage negotiation, and asked whether the Papal letter, which he had had the honour of sending to Mary a month before, was not in fact the dispensation for their marriage. He, of course, had not opened the packet to look; but everyone thought that it was so, and Queen Mary had acted as though it were.¹

¹In my *Papal Negotiations* I have printed extracts from a series of contemporary news-letters, showing that there was a persistent rumour, current from the middle of July at least, that the dispensation was by then already granted and dispatched (*Negotiations*, pp. lxxxi, 191-200).

The Cardinal of Como answered on September the 25th:

'I may inform you that the brief of the Queen of Scotland, which I sent you, did not contain the dispensation, but was a reply to a complimentary letter of hers. The dispensation is being sent now by the Bishop of Dunblane, who came hither to ask for it.'

It seems therefore to follow that the brief, which the two Cardinals are speaking of, and which was used by the Queen as a dispensation, was the letter of May 1, 1565, published by me in my *Papal Negotiations with Queen Mary*, p. 188, and which, as the Cardinal truly says, is merely a complimentary exhortation to constancy. This letter reached Scotland just at the time when the arrival of a dispensation would have been most opportune. It was not necessary to publish the contents of the letter, for everybody—even the usually well informed Nuncio at Paris—already believed that it was the expected faculty. In short, *post hoc* (and may we not suggest also *propter hoc*), the marriage took place, and a new chapter of misfortunes commenced for the luckless Queen.¹

III. We must now direct our attention to the dispensation which was eventually granted. We have already heard that the Bishop of Dunblane came to solicit it on the 14th of August. We know very very little of what followed, though we luckily have a fairly full report of the Pope's speech in consistory upon the subject, held 1st September, 1565: 'It was

¹ Not only the contemporary news-writers, but also subsequent Scotch historians, have uniformly stated that Mary obtained a dispensation before her marriage. There is (so far as I know) only one subcontemporary reference to the want of a dispensation. In a Spanish paper against the right of King James to succeed after the death of Elizabeth, it is said, 'The Catholics consider him illegitimate, because there was no dispensation given for the marriage of his father and mother, who were closely related.' This paper having been drawn up in Rome, we may conclude that some recollection of the negotiation we are describing had survived there, but not an accurate one, for the dispensation, when granted, was quite ample enough to cover the birth of James (*Spanish Calendar*, 1587-1603, p. 727).

We may also perhaps see some connection between the delay of the dispensation and the suggestion which Lethington was said (but by Mary's advocates) to have made later on, December 1566, that a divorce might be obtained because (*inter alia*) 'they alledgit the dispensation was not publishit' (Goodall, *Examination* (ed. 1754), ii. 359). Mary's adversaries of course attributed the suggestion to her, *i.e.* that a divorce should be obtained, 'the dispensatioun being abstractit' (*Detection*, ed. Anderson, ii. 13; Buchanan, *Historia*, lib. xviii. cap. iv., Cambridge MSS., DD. 3, 66 fol. 2 b.). Both sides therefore suppose that there was a dispensation, but that it was kept secret.

Dispensation for Queen Mary's Marriage 245

to be feared,' he said, 'that if the request (of Mary and Darnley) was refused, they might continue to hold to their purpose and carry it out; and also that if they set at nought the authority and the laws of the Apostolic See in this matter, they might be bold to do the same in other things. Therefore, lest religion be endangered in that kingdom, he was sure that he ought to grant this dispensation.'

This seems to mean that the Pope had been warned, that unless he granted the dispensation at once, there was great danger that Mary would join the Protestants, among whom the marriage of first cousins was not forbidden. Whether the Pope was right in this, we shall never know; but it is at least clear that he had been told that, if he did not grant the dispensation promptly, the marriage would go on without him.

A fortnight later we find the first reference to the dispensation as to a thing already actually granted; and on the 25th of the same month a number of complimentary briefs were expedited to accompany the dispensation. That document itself, however, bears date viii kal. Junii, that is May the 25th.

IV. This is undoubtedly strange, and naturally gives rise to several questions. Can we be sure of the reading? Can we rely on the MS.? Can it possibly be explained? First, as to the reading. Of this I cannot doubt, for though I have not seen it myself, only having come upon the trace clue to it after I had left Rome, yet I can have no reasonable doubt, as it has now been read by three independent archivists, Fathers Stevenson and Gaillard, and Dr. Herzen, who all agree exactly as to the wording.

But can we rely on the text? Copyists, we know, are not infallible; even in this transcript the scribe has made some slips of the pen. It is not inconceivable that he should have written Iun. for Sept. But are the probabilities greater that he has made this slip than that the document is deliberately misdated? At first I thought they were, and the whole of my published comment is written in this hypothesis. Upon further inquiry, however, into the subject of ante-dating, I find that the idea and practice were not at all unknown to the Roman Chancery, and moreover this is the sort of case in which ante-dating might be expected. Under these circumstances the apparent reasons for doubting the accuracy of the document lose almost all their force, and we are constrained to accept the document as it stands.

Ante-dating is with us a thing so very little practised that we

cannot easily imagine cases in which it would be *en règle*. Still even with us commissions in the army and navy are sometimes ante-dated, and cheques are sometimes post-dated, and we understand that there are good reasons for so doing. We may indeed go further, and say that in the ante-dating of honours and the like, there need be nothing reprehensible or inopportune. In the case of ecclesiastical chanceries, moreover, which should issue indulgences, dispensations and pardons in a more paternal way than a secular court would do, the use of ante-dating may be employed even more frequently. An example of ante-dating in a papal document, fairly well known to the students of English History, occurs in the brief for the dispensation of Henry VIII. of England to marry Catharine of Arragon, the authenticity of which has frequently been discussed. Some of our best critics, as Mr. Paul Friedmann, while upholding the authenticity of the brief, maintain that it was certainly ante-dated, while Mr. Gairdner holds that this supposition is at least the more probable. I do not wish to build on this precedent, as Dr. Stephan Ehses, whom I think I may call the highest living authority on this particular episode, does not believe that the case for ante-dating is proved. On the main question before us, however, his opinion is so interesting and valuable, that I will quote his private letter to me on the subject:

‘It is quite certain that for weighty reasons—to give validity to proceedings, otherwise wanting in legal force—ante-dating (Rückdatirung) of Papal briefs has occurred, and no doubt does still occur. I will give you an example from my *Acta Concilii Tridentini*. The two legates, Cardinals De Monti and Cervino, entered Trent on the 13th of March, 1545, and gave the people an indulgence of seven years and seven quarantines on occasion of the festival—though they had not received from Pope Paul III. the authority to do so. They therefore wrote again and again to the Pope at Rome, begging for a supplemental grant of this indulgence, and that the brief might be issued with the date of their departure from Rome. To this the Pope eventually agreed, and on the 27th of April, 1545, the brief was dispatched, under the written date 10th February, 1545.’¹

The parity of this example is very instructive. We see the ante-dating, as in our case, extended precisely to a point which will

¹ *Concilium Tridentinum* [ed. S. Ehses, Görres Gesellschaft, 1904], Tom. 4 (Actorum, pars i), p. 391, num. 286, and note 3.

Dispensation for Queen Mary's Marriage 247

cover the time for transmission by post. For the selection of the day, May 25 was evidently determined by the desire to allow for about two months (the usual time for letters from Rome) before the celebration of the marriage on July the 29th. To return to Dr. Ehses's letter :

'I see, therefore, no reason for hesitating to suppose that the marriage dispensation for Mary and Darnley was assigned an earlier date, in order to exclude all doubts as to the legitimacy of the marriage and of the possible issue. If in the correspondence about the dispensation no allusion to ante-dating is given, this need not prevent our believing that it took place. Mary's representatives in Rome would doubtless have handled the point with great discretion, and have accomplished it without attracting notice.'

I have also consulted the Very Rev. Dr. W. A. Johnson, Bishop of Arindela, for many years Secretary to the Archbishops of Westminster. He informed me that he could see no inherent difficulty in the idea of this brief being ante-dated. Though he does not remember a single case of an ante-dated document having passed through his hands, yet the possibility of dispensations being ante-dated is still fully recognized. As to the objects of ante-dating by so small a period as has been done in the present case, it would evidently be to compliment the Queen, and to exclude unpleasant comments : it would not practically affect the legitimacy of the children that might be born of the union.

V. To sum up. There are precedents for ante-dating, and for ante-dating by a period similar to ours. The case of Queen Mary's dispensation was one in which ante-dating would have been specially in place. There is no doubt that the surviving copy of the dispensation is ante-dated. Therefore we should stand to our text. *Lectio difficilior, ergo probabilior.*

Thus much for criticism. An even more interesting subject of inquiry would be, how far this new fact in the history of the Queen should modify our estimate of her. That it cannot tell in her favour is all too clear. Yet it does not follow that the worst suspicions are now justified. If we knew more than we do about her *vie intime* at this period, we might find exculpatory circumstances. She certainly was not without reasons for hoping that the dispensation might have been granted and on its way to her before the marriage was celebrated. At all events she was sure that it would be granted soon. If they did not cohabit

248 Dispensation for Queen Mary's Marriage

until the dispensation arrived, her fault will, after all, not have been so very grave. The advantages that could be derived from immediate action would, to a politician, have seemed invaluable.

Yet, when we have allowed as much as we like on these scores, there will always remain the fault, unpardonable especially in a woman, of want of principle regarding the sacredness of marriage, a sacredness which should have been dearer to her than life. She was deliberately risking an invalid union, and according to the law of the Church she achieved one. It makes one augur ill for her constancy in the time of temptation, soon to come, when nothing short of heroic adherence to principle would be able to save her.

J. H. POLLEN, S.J.

The Union of 1707 : Its Story in Outline

COMMUNITY of race and language is the oldest and the most essential element which has gone to the making of a united Britain ; and the first link in a long and tortuous chain of causes was forged as far back as the early years of the eleventh century, when the kingdom of Scotland was diverted from a Celtic to a Teutonic type by the acquisition of the purely English territory between the Forth and the Tweed. At the death of David I. in 1153, the progress of English civilisation was rapidly assimilating the northern to the southern Lowlands ; but the new nation moulded under such auspices invited an assertion of overlordship on the part of the English Crown ; and the possibilities of conflict involved in this claim were realised when Edward I. insisted on determining a disputed succession, not as arbiter, but as suzerain, and when, in attempting to annex the realm of his rebellious vassal, he encountered a resistance which was made good against his successor at Bannockburn, and finally, after another period of disastrous failure against Edward III. Scotland, estranged from England by the intense nationality evoked in these and subsequent struggles, was eventually reconciled to her by the same means ; for France had constituted herself the patron of Scottish independence ; and France, in the middle of the sixteenth century, when the Dauphin had wedded the Scottish Queen, was believed to be plotting the subjection of her old ally. The Lords of the Congregation professed to be defending national institutions as well as their own Protestant faith. Queen Elizabeth sent them assistance 'only for preservation of them in their old freedoms and liberties and from conquest' ; Scotsmen and Englishmen went literally hand-in-hand to assault the French fortifications at Leith ; and Cecil, in announcing to his mistress the successful conclusion of the war, predicted that 'it would finally procure that conquest of Scotland which none of her progenitors, with all their battles, ever obtained, namely, the whole hearts and goodwills of the

nobility and people, which surely was better for England than the revenue of the crown.' International antipathies are not so easily allayed; but the two nations were never again to meet as such in a stricken field, and they continued to be allies till their crowns were united in the person of King James.

A common Protestantism, strengthened by dynastic interests, was the basis of this alliance; but it was a Protestantism which had assumed widely different shapes. In Scotland the Catholic hierarchy, rotten almost to its core, had fallen to pieces at the first blow, and a new Church had arisen, whose ministers were political prophets and whose General Assembly was a middle class Parliament more powerful than the aristocratic Estates. In England there had been reform, not revolution, and Protestant zeal found vent, not in Convocation, but in the House of Commons. To this incompatibility of the secular with the ecclesiastical temper was soon added a positive conflict, arising out of the rival pretensions to divine right of Anglican Episcopacy and Scottish Presbytery—a conflict which reached its climax in the middle of the seventeenth century, and was not terminated till the military despotism of Cromwell had been erected on the ruins of both. At the Restoration Episcopacy was established in Scotland on a basis somewhat broader than is commonly supposed; and the Government, by crushing those who openly resisted, and allowing the peaceable nonconformists to return for a time to their cures, had succeeded before the Revolution in reducing the Presbyterians to so low a level that they were thankful to participate with Catholics in the toleration which resulted from James VII. and II.'s arbitrary suspension of the penal laws. From this condition they were rescued, not by the good-will of King William, who would gladly have preserved the episcopate, but by the incurable Jacobitism of the Scottish prelates. Hence the Presbyterian Establishment, which, though an obstacle to union, was no longer an insuperable one, since the ecclesiastical controversy in both kingdoms had burned itself out, and secular influence had become dominant in Scottish as in English politics.

Whilst, however, the two nations had approximated in temper, the immediate effect of this change was to imperil their constitutional relations by infusing fresh vigour into the Scottish Estates. Since the union of the Crowns two national and independent legislatures had existed under a common head, but one of these was so constituted that the sovereign in ordinary

The Union of 1707: Its Story in Outline 251

times could do with it what he pleased. Before the Puritan revolution, and, to a great extent, thereafter, the whole business of legislation in Scotland had been engrossed by a committee known as the Lords of the Articles, which was chosen practically by the bishops, and in the last resort by the King. The Covenanters, in 1640, had followed up their deposition of the bishops by abolishing this committee—an invasion of his prerogative which Charles I. made a cause of war; and after the Revolution, when Episcopacy had again disappeared, Parliament was not likely to be satisfied with anything short of this reform, especially as it had now superseded the General Assembly as the true centre of national life. In 1689 the Estates insisted on their right to full freedom of debate and legislation, and William in the following year was forced to give way. No constitutional machinery was now available for harmonising a Scottish legislature with an executive which took its orders from the English Court; and the difficulty was met in a manner very similar to that which was adopted in Ireland after the British Government in 1782 had been deprived of the initiative in legislation through the repeal of Poynings' Law. William in 1690 assured his Commissioner that he would make good 'what employment or other gratifications you think fit to promise'; and, so long as a Scottish Parliament existed, the King's Ministers were expected to supply the loss of direct influence by maintaining a party in the interest of the Crown. The Duke of Argyll, some years later, prepared a schedule of places and pensions by means of which thirty members of Parliament might be detached from the Opposition. 'If money could be had,' wrote the Duke of Queensberry, who had spent £500 in bribery and was asking another £1000, 'I would not doubt of success in the King's business here.'

Success in such business was not easily attained, for the trading interests of England and Scotland had long been at variance, and, with the decline of religious zeal, their antagonism rapidly became acute. For more than half a century after the union of the Crowns the Scots had enjoyed what was practically a free-trade with both England and her colonies. Under the incorporating union enforced by Cromwell the liberty thus conceded in practice was legally recognised; but Scotland recovered her nationality at the Restoration, and was required to pay for it by obtaining no exemption from the Navigation Act of 1660 which confined the colonial trade to English ships

and enacted that the principal European products must be imported either in such ships or in ships of the country to which the goods belonged. The Scots vainly retaliated and made feverish endeavours to revive their decaying industries and trade. In 1668 the statesmen of both countries conferred to no purpose with a view to alleviating the restrictions imposed on Scottish commerce; and James VII. in 1686 attempted to obtain the repeal of the anti-Catholic laws by assuring the Parliament at Edinburgh that 'we have made the opening of a free-trade with England our particular care and are proceeding in it with all imaginable application.'

Barriers which did not yield to argument might possibly be circumvented, and an opportunity for this soon occurred. The privileges of the English East India Company were disputed at this period by a number of private traders known as interlopers. They had failed in their endeavour to obtain a charter from the English Parliament and were induced to believe that an enactment of the Scottish Estates would serve their purpose equally well. In 1695 'The Company of Scotland trading to Africa and the Indies' was incorporated by statute on terms which provided that one half of the stock should be held if possible by resident Scotsmen. In nine days the whole capital allotted to the interlopers was subscribed in London; but Lords and Commons concurred in denouncing this intrusion of an alien legislature; and all but five of the subscribers speedily withdrew. The Dutch East India Company succeeded in frustrating an attempt to procure subscriptions at Amsterdam, and the English Resident defeated a similar attempt at Hamburg by threatening the Senate with King William's displeasure.

Undeterred by these reverses, the Directors proceeded to make the most of their £400,000 of Scottish capital; but under the influence of William Paterson, a half-hearted promoter of the East India project, they subordinated the original design to that of founding a colony on the isthmus of Darien. Paterson believed that this neck of land dividing the Atlantic from the Pacific would 'enable the proprietors to give laws to both oceans and to become arbitrators of the commercial world'; but Darien belonged, nominally at least, to Spain, whose military and naval power Scotland could not hope to resist; the climate was notoriously bad; and the articles with which the Company proposed to prosecute its trade were not the most appropriate to the tropics—some Scottish and Hamburg linen, it is true,

but mostly tweeds and serges, coarse stockings, caps, and wigs. A more disastrous colonial enterprise than this of New Caledonia it is impossible to conceive. The colonists had little money and no credit; their goods were useless for barter; their leaders quarrelled; famine and pestilence carried them off by scores; and of three expeditions, the first and second had each evacuated the settlement before its successor arrived. On March 31, 1700, the colony capitulated to the Spaniards; hundreds of the survivors perished by disease or shipwreck on the passage to North America; and thus ended an undertaking which had cost 2,000 lives and nearly all the paid up capital, about £200,000. England by frustrating the East India project had involved the Scots in this disaster, and she proved equally hostile to a design which threatened at a most critical time—that of the Partition Treaties—to embroil her with Spain. The colonial governors were directed to boycott the Scottish settlement, and these orders were interpreted so literally at Jamaica that starving refugees were not allowed to barter goods for provisions, and Admiral Benbow refused to assist a Scottish captain whose ship was disabled and who had lost most of his officers and crew.

Scotsmen, without distinction of rank or politics, had thrown themselves heart and soul into Paterson's fantastic scheme, and its failure, which was at first ascribed wholly to English ill-will, excited a tempest of indignation, which we may imagine but can hardly realise. Parliament met in May 1700, but proved uncontrollable, and was almost immediately prorogued. 'There is no more speaking to people now,' wrote Lord Melville, 'than to a man in a fever'; and, a few weeks later, when the final abandonment of Darien had become known, he described the nation as growing 'still madder and madder.' Tales of mismanagement brought home by survivors had, however, some effect in cooling the public wrath; and the King's Commissioner, alarmed by his failure in May, made extraordinary exertions to secure a majority in the autumn session. Nothing approaching to the clamour and disorder of this meeting had ever been known in the Parliament House; but Queensberry, after losing at least one critical division, contrived to weather the storm; and a rupture was averted when he carried his proposal that a series of resolutions reflecting on the English Government should be embodied, not in an Act, to which William must have refused his assent, but in an address to the Crown.

The Estates were now breathing defiance against the English

Parliament, with nothing but a hard-pressed executive at Edinburgh to hold them in check, and such a conflict, arising out of an older commercial antagonism, could not but suggest the necessity of a legislative union. A conference with this object had been held as early as 1670; the project had been revived at the Revolution; and William in 1700, and again during his last illness in 1702, recommended to his English legislature the devising of "some happy expedient for making both kingdoms one." The task was attempted soon after the accession of Queen Anne, when the Tories in England, who were avowedly anti-Unionist, had succeeded to the predominance of the Whigs; and, under more favourable auspices, it might have been accomplished, for Paterson afterwards made the remarkable statement that at this period, and for twenty years before, "I did not know one in Scotland who was not for the Union at any rate." At this conference of 1702 it was the Scottish, and not the English, Commissioners who proposed incorporation, and agreement, after proceeding far enough to include the opening of the colonial trade, was broken off on the wholly reasonable demand of the Scots that their African and Indian Company should not be dissolved without compensation.

Queen Anne's partiality for the Tories proved still more mischievous in Scotland, where it betrayed that astute tactician, the Duke of Queensberry, into the one serious blunder of his political career. The Country Party, as the politicians were called who supported the Darien scheme, had hitherto consisted for the most part of stalwart Whigs and Presbyterians; and Queensberry, bowing to the new influence at Court, attempted to swamp his opponents by appealing to the Jacobites, whose allegiance, denied on the whole to King William, was readily promised to a daughter of King James. This policy was adopted with such success at the elections that in the new Parliament of 1703 the Country Party was reduced from about 90 to 15; but the Government majority, overwhelming as it seemed, was really an ill-jointed coalition of Jacobites—or, as they called themselves, Cavaliers—and official Whigs; and its character as such was exposed when the former section quarrelled with the latter, and, taking with it several Ministers, went over bodily to the Opposition. The balance of parties, long doubtful, was now completely upset; and the Act of Security was carried by no fewer than 59 votes—an Act which provided that if the sovereignty of Scotland, its legislative power, its freedom of

The Union of 1707: Its Story in Outline 255

navigation and trade, had not been secured at the Queen's death, the Scottish crown should not devolve upon the same person as the English, and that meanwhile the population should be armed and drilled. The royal assent was of course refused; but the Act—or, in English phraseology, the Bill—was certain to be re-introduced; and, in order to put an end to the deadlock without imperilling the regal union, a bargain was struck in 1704 with the original Country Party, in terms of which these men undertook to form a Ministry and to establish, if they could, the Hanoverian succession, whilst Anne accepted to some extent the stipulation contained in the Act of Security by consenting that after her death the executive in Scotland should be chosen with the advice of Parliament.

The Crown was now throwing itself on the Darien Whigs as in the previous year it had thrown itself on the Jacobites, and the result in both cases was the same. Queensberry was replaced as Commissioner by the Marquis of Tweeddale, whom the Countrymen acknowledged as their chief; and the accession of this party—a mere remnant, as we have seen—was much more than counterbalanced by the defection of Queensberry's personal friends. The new Government proved as impotent as the old; the Act of Security, in a somewhat less rigorous form, was again passed; and, as the Exchequer was empty, Anne was advised to give her assent.

The War of the Spanish Succession was raging throughout Europe, and Marlborough's long march from Holland to the defence of Vienna had culminated in the great victory of Blenheim only a few days before the Act of Security became law. Such was the interest excited by the campaign of this summer that London had paid even less attention than usual to Scottish affairs; and it is said that even members of Parliament were not aware, and could hardly be persuaded, that the Crown had assented to an Act providing that Scotland, unless its demands had previously been conceded, should become independent at the Queen's death. Indignant criticism found many voices in the House of Lords; and the Lord Treasurer, Godolphin, having defended his policy on the ground that, 'whatever ill-look it might have at present, it was not without remedy,' had no difficulty in accepting a measure for obviating its effects. In the spring of 1705 preparations were made to defend the English Border; the Queen was empowered to open negotiations for union; and, in order to extort the concurrence of the Scots,

it was enacted that after December 25 they should be treated as aliens and their principal products excluded from England.

Meanwhile, as the zealous supporters of a war to which their rivals were little inclined, the Whigs were recovering the ascendancy they had lost at the beginning of the reign. They had sought to hasten their rehabilitation by vying with the Tories in attacking the Act of Security; at the general election of this year they obtained a large majority in the Commons; and their footing in the Government was widened and secured when the Great Seal was given to Earl Cowper. This party had no liking for the Queen's Scottish advisers, whose Whiggism, having a strong Darien flavour, was not of the official brand, and who, therefore, as Lord Roxburgh expressed it, were not their 'right tools.' The English Whigs, in fact, made it a condition of their support to Godolphin that Queensberry and his friends should be restored to office—a transfer of power which was facilitated by the failure of the Tweeddale Administration to save Captain Green and two of his men who were executed at Edinburgh for the supposed massacre of a Scottish crew. The original Country Party were now estranged both from the statesmen who had supplanted them in office and from the Jacobites who had deserted them when they came to terms with the Court. They called themselves the New Party, but were usually known, in reference to their independence and isolation, as the *Squadron Volante*, or, in popular parlance, the Squadron.

The English and the Scottish Ministry were now at one, in so far at least as they were equally favourable to union, but, whilst the former wished Scotland in the first place to accept the Electress of Hanover as Anne's successor, the latter were quite alive to the fact that, if this concession were made, their country would forfeit an obvious advantage in the subsequent bargaining with England.

The Estates re-assembled at Edinburgh in June 1705, the royal Commissioner being the young Duke of Argyll. The Government were more relieved than disappointed when the Jacobites, seconded by not a few of their own followers, contrived to defeat them on the proposal to settle the succession; but, under the guidance of Queensberry, who had lingered for some time in London, they threw their whole weight into the project of union; and they succeeded beyond their most sanguine anticipations when, not only was a treaty authorised, but, on the motion of the Duke of Hamilton, who, if not avowedly one of

the Jacobites, was at all events their leader, it was carried that the Commissioners for Scotland should be nominated by the Queen. Hamilton hoped to secure his own nomination, which indeed Argyll had promised; but when the names of the thirty-one Commissioners were published in the following spring, it was found that only one member of the regular Opposition—Lockhart of Carnwath—had been included, and none of the Squadrone. Meanwhile, the Crown had been requested not to open negotiations till the law which branded the Scots as aliens had been repealed; and the English Parliament unanimously rescinded, not only this clause of the Act, but also the restrictions on trade.

Whig interests being dominant both at Edinburgh and London, and the agents for Scotland having been chosen almost exclusively from men of that type, the negotiations for union were not likely to fail; but several of Queensberry's friends, looking less to the making of a treaty than to its reception in Parliament, would have preferred a more representative Commission. The conference opened at Westminster on April 16, 1706 and on July 22 it was brought to a successful close. Each of the Parliaments had forbidden its Commissioners to treat for any alteration of the national Church. The two kingdoms were to be incorporated, with exception of their legal systems, under the name of Great Britain, with the Electress Sophia of Hanover and her Protestant Heirs as successors to the Crown, and one Parliament, in which Scotland was to be represented by sixteen peers and forty-five commons. The Scots obtained all trading privileges, were granted some temporary abatement of taxes, and, in consideration of their liability to the English national debt, were to receive a sum of £398,085, known as the Equivalent, which was to be spent in discharging arrears of Government pay and in refunding to the African and Indian Company, which was to be dissolved, its capital and interest. To the land-tax, which in England at 4s. in the pound produced nearly two millions, they were to contribute only £48,000, and £12,000 for every additional English shilling. Despite their enormous inferiority in wealth, they incurred no sacrifice of honour. There was to be a new Great Seal; the arms of Scotland were to be quartered with those of England; and the crosses of Saint Andrew and Saint George were to be conjoined on the national flag.

The Scottish Commissioners were well aware that the attitude

of their countrymen towards the question of union was no longer what it was in 1702, and, instead of proposing incorporation, as their predecessors had done in that year, they had attempted to evade the English demand. The Act of Security had given concrete embodiment to national aspirations, and the Queen's Tory sympathies had brought into Parliament a body of men whose attachment to the House of Stewart made them the strenuous advocates of independence, and who for years had been adroitly appealing to misguided patriots, bigoted Presbyterians, and discontented Whigs. The prospects of the treaty were thus extremely dark. The Jacobites could not fail to oppose it; the Church, mindful of its old quarrel with Anglican Episcopacy, would probably be hostile; and nothing but opposition was to be expected from the Squadrone. These men had zealously promoted the Act of Security; their efforts to establish the Hanoverian succession had been frustrated by the intrigues of Queensberry and his friends, who had now supplanted them in office; and they had been excluded from the Westminster conference. Happily, however, the real, though not the nominal, leader of the Squadrone was the Earl of Roxburgh, a high-spirited statesman of unimpeachable honesty and good sense; and the Scottish Ministers would have met Parliament in a much more hopeful mood, had they known of the decision to which Roxburgh had painfully worked his way. As early as November 28, 1705, he wrote to his confidant, Baillie of Jerviswood, that he 'was never in so great anxiety as now, his thoughts having been entirely taken up these eight and forty hours about Union, and a torment to him'; and he went on to express his doubts whether Jacobitism could be finally suppressed and the material development of Scotland secured without the sacrifice of 'a poor independent sovereignty,' which the artifices of Ministerial corruption had reduced to a mere 'name.' A week or two later, he wrote: 'The more I think of Union, the more I like it.' Baillie intimated a reluctant assent, and in the following spring he reported that such members of the party as he had conversed with were of the same opinion.

Queensberry was again the royal Commissioner when the Scottish Parliament assembled for the last time on October 3, 1706, and, under so expert a manager, the Government could count on utilising to the full their corps of officials, pensioners, and expectants—a corps which unfriendly critics estimated at about eighty. After hearing the articles of the treaty read and

The Union of 1707: Its Story in Outline 259

ordering them to be printed, the House adjourned for a week; and, on re-assembling, it devoted itself to discussing the articles in order without putting any of them to the vote. Public interest had thus ample time to make itself felt. The Church proclaimed a public fast; the populace of Edinburgh, violently anti-Unionist, broke into a formidable riot; and a series of pamphlets began to issue from the press, in which Scotsmen, most ancient, most invincible, most pious and orthodox of peoples, were implored to keep aloof from an often-conquered, a profligate, heretical and semi-popish nation, and, in particular, not to barter their independence 'for some hogsheads of sugar, indigo and stinking tobacco of the Plantation trade.' There were of course replies, more pungent than conciliatory, in which the hollowness of Scottish Sovereignty, 'precarious, imaginary and fantastical,' without ambassadors, fleets or armies, was forcibly exposed. A vote was at last demanded on the first article providing for the incorporation of the two Kingdoms under the name of Great Britain. The debate extended over three days, and on November 4 the article was carried, with the help of the Squadrone, by 115 to 83. To the last it had been feared that this group—the dark horse of the Union—for personal, if not for political, reasons would vote against the Government. 'God be thanked,' wrote Lord Marchmont, 'they have not done so, for which all who wish well to our Queen and to Britain owe them thanks, kindness and esteem, for they have carried themselves and concurred, as became persons of honour, understanding, and lovers of their country, without the least appearance of resentment toward those who are now employed.' The Marquis of Annandale, Lord Belhaven, and Fletcher of Saltoun were among the few non-Jacobite members who spoke and voted with the Opposition, and the second had been one of the Squadrone till, in Roxburgh's phrase, he took to 'roaring like a madman against the Union.'

The second and third articles, securing the Protestant succession and a common Parliament, were affirmed as emphatically as the first; but the Union, wrote Defoe to his English patron, was 'yet a dark prospect'; for, though the Government commanded a substantial majority, it was doubtful whether they or their supporters would have the courage to persevere. The House was daily in a condition which recalled the worst days of the Darien agitation and the Act of Security, when 'we were often in the form of a Polish diet, with our

swords in our hands, or at least our hands at our swords'; and the debates must have taxed the lungs of members almost as much as their brains. The English Government were informed from day to day of the proceedings at Edinburgh, and, whilst extolling the 'steady virtue' of their friends, they had no great hope of success. They were told of an endless stream of petitions in which Parliament was adjured to uphold the sovereignty and independence 'so valiantly maintained by our heroic ancestors'; of heated encounters on the floor of the House; of the Commissioner passing daily through the streets in the midst of a military escort which could not protect him from the insults, or even from the missiles, of the mob; of a riot at Glasgow; of the articles of Union burned at Dumfries; of incessant Jacobite intrigues which only the indecision of Hamilton, adroitly played upon by Queensberry, prevented from developing into open war; and their gloomiest anticipations seemed to be realised when one of the Scottish Ministers, representing that they were 'in great danger,' urged that Parliament should be adjourned, and when even the Earl of Stair, whose unremitting exertions on behalf of the Union were to cause his death, admitted that it would be impossible to withstand a popular revolt. Through this sea of perils Queensberry steered his frail bark with admirable coolness, firmness, dexterity and tact; but even these qualities, invaluable as they were, could not have accomplished the Union without the action, or rather the inaction, of the Church.

Not satisfied with its exclusion from the Treaty, the Church had demanded that the continuance of the Presbyterian Establishment should be made a positive condition. An ecclesiastical Act of Security was, therefore, passed; but the clergy were not content, and insisted on amendments, some of which were accepted and others refused. The Government had consented most reluctantly to bring the Scottish Church into the Union, knowing that in that case the Church of England could not be excluded; and, in order to avert the necessity of re-debating the treaty on its return from Westminster, they took what one of their supporters admitted to be the 'very unprecedented step' of ratifying beforehand whatever ecclesiastical safeguards the English Parliament might insert. This was naturally denounced as a blank cheque in favour of the Anglican hierarchy and ritual. Happily the discontent of 'this terrible people the Churchmen,' as Defoe called them, evaporated

The Union of 1707: Its Story in Outline 261

in protest. Had they condemned the treaty *in toto* and preached against it generally from the pulpit, as one or two of them did, the friends of the Union in Parliament would soon have been overpowered by its opponents in the street.

On January 28, 1707, the Queen announced to both Houses that the Treaty of Union, with some amendments and additions, had been ratified in Scotland. The amendments related chiefly to matters of trade; and the Scottish Ministers had warned Godolphin that they could not answer for the consequences, should these alterations be rejected or others introduced. The Whig majority accepted, and succeeded in giving effect to, this view. The English Act of Union was transmitted to Edinburgh in such a form that it required only to be read and recorded; and the Estates separated, never to meet again, on March 25.

WM. LAW MATHIESON.

The 'Scalacronica' of Sir Thomas Gray

The Reign of Edward III., as recorded in 1356 by Sir Thomas Gray in the 'Scalacronica,' and now translated by the Right Hon. Sir Herbert Maxwell, Bart., continued.

* * The narrative, interrupted by the loss of certain folios, is here resumed in the middle of a sentence. The matter referred to is the capture by stratagem of Charles II. the Bad, King of Navarre, by John II. the Good, King of France.

M.S. . . . of France by treachery, as he was seated at table, the
fo. 223 Dauphin of Vienne, eldest son of the King at that time, having invited him to dine. The Comte d'Harcourt and other lords of Normandy [were] beheaded on a charge of being party to his [Navarre's] misdoing. And note that at this time the eldest son of the King of France was Dauphin of Vienne, which Dauphiné Philip the father of this John of France had purchased for the Crown of France, wherefore this King John gave it to his son.¹

In the year of grace 1355, and in the thirtieth year of the reign of King Edward of England the Third after the Conquest, Edward, the eldest son of the said King of England and Prince of Wales, who throughout the year had remained in Gascony at his father's war, as has been described above, moved in force out of Bordeaux into France on the 6th day of July.² He held his way to La Rule, through Agonac and Perigueux and

¹ Humbert III., last sovereign lord of Dauphiné, being childless, bequeathed his province in 1343 to Charles of Valois, King of France, grandson of Philip VI., on condition that the eldest son of the King of France should always be known as Dauphin of Vienne.

² The first instance of the chronicler dating by the day of the month instead of by the ecclesiastical calendar. The 6th July is the feast of St. Columba.

The 'Scalacronica' of Sir Thomas Gray 263

Limoges and into Berri, where several fortresses were rendered to him. He came to Romorantin, a town in *Saloigne*, where the Seigneur de Croun and Monseigneur Bursigaud, an experienced knight, were sent to him by the King of France, who was not far off, to ascertain the strength and condition of the Prince's army. Which town the said Prince took by storm. The town having fallen, the Seigneur de Croun and Monseigneur Bursigaud shut themselves up in a strong tower which was there and held it; [but] surrendered it and the town, and sixty knights and esquires, to the Prince's mercy.

Thence he [the Black Prince] moved to the river Loire, intending to cross it in order to form a junction with the King his father, whom he believed would have arrived in the parts of France or Normandy in [pursuance of] his conquest of his heritage, France, or else that Duke Henry of Lancaster might have marched towards him (the said Duke having charge of Brittany, and having been sent by the King of England in that same summer) if he had found a passage by ford or bridge; though all were broken from Orleans to Tours, when he [the Prince] directed his march before Tours. In which march at this time were taken nearly two hundred men-at-arms of the French army, from some of whom the Prince obtained sure intelligence that King John of France was drawing near him with the royal army; so he crossed the Loire at Blois. To the Prince came the Cardinal Perigord craving for treaty, to whom answer was courteously made that he [the Prince] would be ready always to receive and offer negociation. The said Prince in his marches moved across the river Vienne, and received information through prisoners that the King of France would cross the said river near Poitiers; so that, after the said Prince^{MS.} had spent all night at the castle Arraud-le-Sumail, he marched^{fo. 223^b} in great haste with his three columns in order of battle across country, intending to intercept the King of France's passage of the said river at the bridge of Chauvigny; but long before he could reach the said place, he perceived that the King had crossed. However, a great mass of the French were in rear and on the flanks, with whom the Prince's people had to do, and defeated them; where there of the French were captured the Comtes d'Auxerre and de Joigny, and with them more than one hundred men-at-arms, knights and esquires, the rest being driven back to Chauvigny. This day's work was on Saturday, the 17th day of September, the tenth week of this expedition.

On the Sunday following, the Prince marched upon Poitiers; on the way thither his scouts came to inform him that the army of the King of France had arrived in array of columns within the distance of an English league; whereupon the Prince immediately dismounted and put his columns in array.

In this place the aforesaid Cardinal returned once more to the Prince, imploring him for God's sake to halt his troops until he [the Cardinal] had spoken to the said King of France for the saving of Christian blood, and [assuring him] that by the help of the Almighty he would cause him to have peace consistent with his honour. The Prince replied that he would listen most willingly to reason. The Cardinal departed, and soon returned to find that the Prince had marched on foot in order of battle nearer by a quarter of a league, so that there was scarcely more than half an English league between the two armies. The said Cardinal begged that he would appoint nine of his people to treat with nine others of theirs, midway between the two armies, about a reasonable way to peace; which was arranged and performed; but it took no effect. Now this was not done with the intention that appeared, but the Cardinal acted entirely for [the French] advantage, so as to test the purpose of the said Prince, and to prolong the affair to the detriment of the said Prince, [who should] run short of provisions and other munition, while their forces [the French] should be increased [by reinforcements] continually arriving. Negotiations were prolonged throughout the night; next morning at sunrise the Cardinal returned, ever anxious to put off the battle, pressing for a long truce, during which lasting peace might be arranged. The Prince continued to tell him that he would agree willingly so far as was in his power, but that he would not go beyond that. The Cardinal said that he would go back to the King of France and let him know at once how much he might expect. He [the King] promptly returned word to the Prince that the matter could not be settled in any other way, but that each one should do his best.

The Prince, who was ready in battle array, caused all his people to mount their horses. They [moved] towards the flanks of the columns of the King of France, so as to choose better ground for engaging. The French thought that they were in retreat, and made great haste, and especially their advanced guard under two marshals, who, as was said, were

MS.
fo. 224 at variance because of bitter words [which had passed] between

The 'Scalacronica' of Sir Thomas Gray 265

them. The Prince's advanced and rear guards engaged with the marshals and defeated them. The column of the Dauphin, eldest son of the King of France, engaged with the Prince's column, and was very soon repulsed. And also the column of the Duc d'Orleans, brother of the King of France, which joined the King's column after its repulse, and, having dismounted, advanced with it gallantly to attack the Prince's column. The aspect [of Orleans' attack] was so formidable that a large number of the Prince's people retired beyond a hedge into another field, joining the other columns which had repulsed their enemy. These [other columns], when they perceived the check [sustained by] of the Prince's column, its plight and the conflict [it had to sustain], hastened to his support, and formed upon his flank with such cheering as greatly reassured their friends, and caused much alarm to the enemy; so that, by the special grace of the Almighty, victory remained with the aforesaid Prince.

At this battle of Poitiers King John of France was taken prisoner, and his son Philip, and thirteen counts and an archbishop, and of barons and bannerets sixty-six. The number of men-at-arms taken was two thousand. And there were slain, in the battle and in the pursuit the Duc de Bourbon and the Duc d'Athènes, Constable of France at that time, and the Maréchal de Clermont, and a bishop, and several viscounts, barons and bannerets, and about three thousand men-at-arms. Now the number of men-at-arms with coat armour in the army of France was eight thousand, and in the Prince's army but nineteen hundred, and fifteen hundred archers.¹

William Lord of Douglas, desiring to make pilgrimage beyond the seas, left Scotland and arrived in France at the time when King John of France was marching in force against the said Prince in Gascony. He joined the said King, received knighthood at his hands, escaped from the battle and returned to his own country [leaving] several of his knights slain in the battle. This William became Earl of Douglas soon after

¹ The term *gentz darmys* means more than mere rank-and-file. Men-at-arms were of rank intermediate between esquires and common fighting men. They are usually called *homs darmys*, and I should have considered that the reference was to the rank-and-file, were it not that they are specifically described as bearing coat armour—*gentz darmis od cotis armours*. Froissart gives the total strength of the French army as 48,000.

the liberation of King David of Scotland.¹ This David de Brus at this time created William de Ramsay Earl of Fife, chiefly, as people said, by persuasion of his [Ramsay's] wife, whom he loved *paramours*. Which earldom the King declared was in his right to bestow owing to the forfeiture, as he said, of Duncan Earl of Fife in the time of Robert de Brus, his father, for the slaying of an esquire named Michael Beton, whom he had caused to be slain in anger at a hawking party, wherefore the said [King David] alleged that the said earl, in order to obtain from the king remission of the forfeiture, had by indenture devised the reversion of the earldom to the said king his [David's] father, in the event of his [Duncan's] dying without heir-male, which he did. But the said earl had a daughter by his wife, the King of England's daughter, the Countess of Gloucester.² This daughter was in England, and it was intended that she should be sold to Robert the Steward of Scotland,³ but she married for love William de Felton, a knight of Northumberland, who was her guardian at the time, and she laid claim to the earldom which had been renounced by that contract.

MS.
fo. 224^b

This battle of Poitiers having taken place in the manner [described] two days before the feast of St. Matthew in the year aforesaid,⁴ the Prince marched to Bordeaux with the said King of France a prisoner, and with the others, to place them in sure ward until the King his father should make [known] his pleasure concerning them. He [King Edward] indeed ought to thank God for his grace, seeing that he had as prisoners at the same time two crowned kings [namely], the King of France, most puissant of Christians, and King David of Scotland, who at that time had been detained for ten years a prisoner in England.

In the same season, within two months after the battle of Poitiers, the city of Basle was all thrown to the ground by an earthquake, and a great number of citizens were killed by

¹ William, son of Sir Archibald Douglas 'the Tineman.' He undertook this pilgrimage in expiation of his slaughter of the Knight of Liddesdale. Among the prisoners taken at Poitiers was Archibald 'the Grim,' Lord of Galloway, afterwards 3rd Earl of Douglas.

² Mary, daughter of Rafe de Monthermer, Earl of Gloucester and Hereford, grand-daughter, not daughter, of Edward I.

³ *I.e.* that Robert should pay for the privilege of marrying an heiress.

⁴ 19th Sept. 1356.

The 'Scalacronica' of Sir Thomas Gray 267

the fall [of houses], and several castles in the neighbourhood were thrown down.

In the same year, Duke Henry of Lancaster, who at the time was Guardian of Brittany for the aforesaid King Edward of England, besieged the city of Rennes from the feast of St. Michael until after that of St. John the Baptist in midsummer; which siege he raised in accordance with the truce struck between the said Prince of Wales, son of the said King of England, and the Council of France. The truce was to last for two years. But the Duke of Lancaster received a large sum of money from those in Brittany who were adherents of Charles de Blois for the expenses of said siege.

The said Prince of Wales brought the said King John of France to his father in England, which King John of France was for some time [kept] in London, and was then removed to Windsor.

At the feast of St. Michael following King David of Scotland was released for a ransom of 100,000 silver marks; his hostages were received at Berwick. The hostages were the Earl of Sutherland and the son of the said earl, who was the son of the sister of the said King David,¹ Thomas the Steward, who by the Scots was called Earl of Angus, Thomas de Moray Baron of Bothwell, with twenty others, sons of Scottish lords. MS.
fo. 225

About this time a knight born in Languedoc, having caused himself to be styled the Archpriest,² gathered to himself young soldiers of several nations. They opened war in Provence and took some castles and towns in the neighbourhood of Avignon, whereby the Court of St. Peter, which at that time was established there, was sorely disturbed—which rising was greatly owing to the bribes³ of Pope Innocent.

The Queen of Scotland, sister of the said King Edward of England, came in the same season to Windsor to confer with her brother the king, and to propose by negotiation a larger treaty; and by the side of her mother, Queen Isabella, who

¹ William, 2nd Earl of Sutherland, who died in 1370, married Margaret, daughter of Robert I., and from them descended Elizabeth, daughter and sole heir of the 17th Earl, who in 1785 married the second Marquess of Stafford, created Duke of Sutherland in 1833, great-grandfather of the present Duke.

² 'Sir Arnold de Cervole, more commonly called the Archpriest.' Froissart, Book i. cap. 176.

³ The Pope gave the Anti-pope 40,000 crowns to go away.

died at Hertford in the same season,¹ whom she had not seen for thirty years.

At which place of Windsor the said King Edward held his great festival of jousts and revels on St. George's day,² as was customary; where King John of France was in prison at the time, and where Henry Duke of Lancaster was wounded. While he was jousting with one knight, another one crossed and wounded him with his lance very dangerously in the side, from which he recovered. To which jousts came the Duke of Brabant and [the Duke] of Luxemburg,³ who was brother to the Emperour Charles of Bohemia, to ask assistance against the Count of Flanders, who had waged war against him for some time for the town of Malines and other disputes between them. They had married two sisters, daughters of John Duke of Brabant, who had no son. But the said Duke of Luxemburg married the elder, the Countess of Hainault, wife of John, who died in Friesland, which duke had the duchy of his elder brother the emperor, according to custom of the Empire.⁴

In the previous season to this came two cardinals, Perigord and Urgan, to England to treat for the release of King John of France and for peace between the kings. They remained a considerable time in London, and negotiated a way to peace which was accepted by the king's council in a form that he could recommend, on condition that it should be approved by the commons of his realm, by whose advice the challenge of his right to France had been undertaken and pressed. But the commons in full parliament in London disapproved of the terms of the said treaty, so that it came to pass that no conclusion was come to. Thus it was that the Pope annulled for himself and his successors all the contract which King John had yielded by indenture and attornment to the Holy See in the time of Innocent, and the Holy Father withdrew from a business in which at the time he had taken great pains. Which thing the English lawyers pronounced to be greatly to the disadvantage of the Crown, because at that very time the king's justices were personally excommunicated because of a process of judgment which they had given in the King's Bench against Thomas de Lisle, Bishop of Ely, who was of

¹ 22nd August, 1358.

² 23rd April.

³ *Lenburgh*. John Leyland interprets this as Lüneburg.

⁴ The Emperor Charles was Duke of Luxemburg before his election.

The 'Scalacronica' of Sir Thomas Gray 269

the Order of Jacobins, and who did not answer formally to a charge of felony on which he was indicted by his adversaries, the counsel of the Lady of Wake, wherefore the said justices gave judgment according to their laws, and the king seized the temporalities of the said bishop, who went to Avignon after being arrested and bailed by the archbishop, and made thereof a great process, so that the Pope laid claim to the temporality to the detriment, as the aforesaid lawyers declared, of the regality of the king. Which representation was sent to the Holy Father, and in consequence of this transaction and other difficulties the said cardinals departed from England, despairing of an agreement, notwithstanding that they had so nearly accomplished it that the two kings had embraced each other as a condition of a treaty of peace, which could not be kept by the French within the limited time set for its accomplishment.

MS.
fo. 225^b

In the same season, truce having been struck as aforesaid, numbers of Englishmen who lived by the war invaded Normandy, plundered castles, seized manors, and carried on such warlike operations in the country by help of those of the English commonalty, who flocked to them daily against the king's prohibition. It was astonishing how they went in bands, each on their own account, without an appointed chieftain, and wrought much oppression in the country. They levied tribute from nearly all Normandy and the borders of the neighbouring lands, securing for themselves good fortresses in Poitou, Anjou, and Maine, and into fair France [itself]¹ within six leagues of Paris. They were scattered in so many places over different parts of the country that no body could recount the combats and deeds of arms which befel them during this time; but they so acted that all Christian people were filled with astonishment. And yet they were but a gathering of commons, young fellows who hitherto had been of but small account, who became exceedingly rich² and skilful in this [kind of] war, wherefore the youth of many parts of England went to join them.

The villagers and labourers of the commonalty of France gathered in crowds after their King John was taken at Poitiers, despising the gentle folks and doing violence to

¹ *Deuers douce France*: printed *toute France* in *Maitland Club Edition*.

² *Durement deuindrent pussauntz dauoir*. *Durement* seems to be merely an intensive, as we might say, 'they became awfully rich.'

those whom they could reach, throwing down their houses and declaring that gentle folks were of no use except to oppress the commonalty and poor people by their extortions. They slew in some places the wives and children of gentlemen, wherefore the gentlemen gathered together and defeated them and put them to flight, and put down this rising.

In the same season the commonalty of Paris, having chosen themselves a leader, and named him Provost of the Merchants, rose suddenly and went to the palace of the king, where the king's son, who was called Duke of Normandy and Dauphin of Vienne, was in council. They broke open the doors of his chamber, killed in his presence the Maréchal de Clermont, brother of him who died at Poitiers, and beheaded sundry
 MS.
 fo. 226 others there, accusing them of having wasted by living in great towns the treasure of France taken from them [the commonalty] without any intention of making war upon the enemy, notwithstanding that the said maréchal in that very season had [inflicted] a defeat upon the English in Normandy, where Godfrey de Harcourt was killed,¹ who in former times had adhered to the English.

The said Provost of the Merchants² clapped a cap of his colours³ on the head of the king's son and brought him before the commons, where he [the Dauphin] entered into covenant to conduct himself according to their wishes; which promise he did not keep; [but] escaped as soon as he could, and raised force against them. Wherefore the said commonalty kept in custody the King of Navarre and any English who happened to remain in Normandy.

This King of Navarre was imprisoned by the King of France, as aforesaid, and was rescued by the Seigneur de Piquigny and his other friends, who took by night the place where the said king was imprisoned and brought him into Normandy.⁴

The said king, with a number of English, joined forces with the aforesaid commonalty of Paris [and] was within the city, whence the English sallied and seized a bridge of boats which the Dauphin had caused to be made anew across the Seine a couple of leagues above Paris. [Their object was] to

¹ The battle of Coutantin, see Froissart, Book i. cap. 171.

² Etienne Marcel, to wit.

³ Marcel had caused all his followers to wear caps of one design; one writer says *mi partie bleu*, another *partis de pers et de rouge, le pers à droite*.

⁴ See Froissart, Book i. cap. 179.

The 'Scalacronica' of Sir Thomas Gray 271

intercept the supplies. Here the Maréchal was waylaid and captured with a fourth part of his knights and brought to Paris by the said English, who were well received there and entertained, until they raised violent riots by their extortions in the city. Wherefore the commons rose against them, drove them out of the city, and followed in force those who escaped to the open country. The English, who had seized and fortified Poissy and other fortresses in the neighbourhood, had sallied forth towards Saint Cloud; hearing the noise [of the fight] and meeting the fugitives, they took a course towards the people who had come out of Paris, charged them and put them to flight, driving them back mercilessly into their city, many of them being killed and drowned in the Seine.

The King of Navarre escaped from Paris, [and] because of this disturbance the said commons on that very night rejoined the Dauphin, the king's son, who was near at hand in force. They beheaded without delay their Provost of the Merchants, whom they had raised as their leader, and with him several others among his supporters; wherefore the said King of Navarre and the aforesaid English who had settled in Normandy came before Paris in force, summoning the Dauphin to fight, but he would not come out. In marching thence they took the town of Creil by assault.

The King of Navarre had laid a plan with the people of Amiens, who at nightfall had seized two or three gates of the town and had left them open, intending that at the sound of a trumpet the said king, having approached near to the town, should enter. But, as it happened by fortune of war, on that same night the Count of Saint-Pol had entered the town at evening with four hundred men-at-arms. He heard the affray [made by] those who were in the plot and were expecting the immediate entry of the said king. But either he [the king] was not ready or he had not heard the signal; so they raised a riot and scattered for plunder, while the said Count and his people went to the gates, found them open, closed them, attacked the conspirators and overcame them.¹

The said king, disappointed in his plan, destroyed the suburb and marched into Normandy. The English seized and garrisoned several fortresses, of which one lay between Beauvaisin and Picardy and bore the name of Mauconseil;

¹ See Froissart, Book i. cap. cxc. for a fuller account of this affair.

which place the Bishop of Noyon¹ and the Lord of Dawnay besieged. The Lord of Piquigny with four hundred men-at-arms of the said English went to relieve the said place, captured the said bishop and four barons and fifty knights with him, and defeated the others.²

Many a pretty feat of arms befel the English in this season in divers parts of the realm of France, which are not recorded here for reasons aforesaid. Since the beginning of the war these English had established themselves on their own account in many places throughout the realm of France, and, being young fellows gathered from different parts of England [and therefore] unknown to each other,³ many of them beginning as archers and then becoming some knights, some captains, their expeditions could not all be recorded at the time they took place, because of the diversity of them. And forasmuch as it was forgotten to write down in making this book, which was not yet written, many notable doings in the order they happened, it is right that the rest of them should [now] be described.

First [then, as to] the campaign of Gisors in Gascony, when Hugh of Geneva was commander in the war for the same aforesaid King of England, Edward the Third, after the Conquest, in the year of Grace 1333, at the beginning of the war of his claim upon France, when the seneschals of sundry districts for the King of France had laid siege to the Abbey of Gisors, which the Anglo-Gascons had fortified. To the relief of which the said Hugh, with some other Anglo-Gascon barons and about four hundred men-at-arms and eight hundred soldiers and archers, came before the French, who numbered more than a thousand men-at-arms, arrayed in the field. The river Ille was between them, the English being drawn up at the ford of the said river. The English who were besieged in the said fortress made a sortie and skirmished so briskly in attacking the said enemy, that, without consent or wish of officers of the said English,⁴ nearly all their soldiers⁵ crossed the said river shoulder high without being observed, and dashed in with the others with

¹ *Nogoun.*

² See Froissart, Book i. cap. 189.

³ *Qi gentz estoient de coillet, jeunes, mesconuz* [printed *mes counz* in Maitland Club ed.] *de diuers countres Dengleterre.*

⁴ Namely, the officers of Hugh of Geneva's relieving force.

⁵ *I.e.* private soldiers.

The 'Scalacronica' of Sir Thomas Gray 273

wonderfully bold spirit and enterprise. The French, thinking that they were too much among the hedges, moved off and fell back to take up a more open position, whereupon the English, perceiving this, undertook to cross the said river. The said soldiers of the English, seeing their lords coming and the French retreating, shouted with one voice and daring—'At them! At them! they are defeated!' whereupon the said Frenchmen made off in confusion as fast as [their] horses could gallop.

And then, a good while after this, some twelve years, more grand exploits happened in Gascony after the departure of the Duke of Lancaster, who was the King's Lieutenant in those parts, as was said before,¹ and before the coming of the King's son, the Prince of Wales, into the said country. Such was the affair of *Lymeloinge* at the relief of Lusignan, when the English knight Thomas Coke was seneschal after the departure of the said Duke; which Thomas, with the Anglo-Gascon barons, numbered five hundred lances. In marching [to Lusignan] there came upon them suddenly fifteen hundred French lances, seneschals of the country, in three troops. The advanced guard of the French avoided the lance points at the first encounter, moving round the ranks of the English, who had dismounted, [but] coming so close that every Englishman who chose to strike slew a horse with his lance, the Frenchmen being thrown out of their saddles to the ground.²

¹ The interpolation of a full stop here in the Maitland Club edition makes this passage unintelligible.

² The sense is very obscure. *Lauauntgard as Franceis eschuerount au point dez launces le about assembler glasserount a reys des Engles qi descenduz estoient a pee, costautz si pres qe chescun Engloys, etc.*

Thomas Maitland

THE time of Thomas Maitland, youngest son of Sir Richard Maitland of Lethington, has been eclipsed by that of his two elder brothers, William, Mary's Secretary, and John, Chancellor of Scotland under James VI. Yet the brief glimpses afforded by contemporary authorities of the chequered and adventurous career of Thomas Maitland, a youth, as Archbishop Spotswood¹ says, 'of great hopes, learned and courteous,' taken together with his essays in literature² that are still extant, sufficiently warrant an expectation that, if he had not died in early manhood, he might have proved himself the most brilliant of a gifted family. His name, too, is indissolubly linked with that of George Buchanan, for the political treatise, *De Jure Regni apud Scotos*, took the form of a dialogue between the old scholar and the young one, both of whom had studied letters in Paris, and both of whom had returned to take leading parts in the politics of their native land. In every discussion of the *De Jure*, mention is made of Thomas Maitland. It is the more surprising that no sketch of his career has ever been written except the few meagre sentences appended to the life of his father in the *Dictionary of National Biography*. It is the object of this article to endeavour to piece together the scattered refer-

¹ *History*, ii. 122.

² These include, besides the Pasquinade referred to in the text *infra*, an MS. extending to 41 pages quarto—written apparently in 1570-1, in the College Library at Edinburgh: *Thomas Metelani ad Serenissimum Principem Elizabetham Anglorum Reginam Epistula*, and a number of poems published among the *Delitiae Poetarum, Scoticorum*, ii. 143-179, which comprise (I.) *Elegiae*, seven in number; (II.) *Sylvae*, viz.: (1) *Jacobi VI. Sceptorum Regis Inauguratio*; (2) *Jacobo Stuarto, Scotiae Præregi, patriæ sub Amaryllidis nomine, de reditu ex Angliâ, gratulatio*; (3) *Domus Ledistonia*; (4) *Ad Gillelmum fratrem, de bello in Turcas suscipiendâ præfixa*; (III.) *Epigrammata*, among which may be specially mentioned *In Paraphrasin Psalmorum G. Buchanani* (p. 178). M'Crie, *Life of Melville*, i. 123, says of these poems: 'If they do not display a vigorous imagination, his poems at least evince great command of the Latin language, and are written with ease and spirit.'

ences to this ill-fated youngest son of the house of Maitland, and to those other members of his family whose life-stories throw light on his career. Little need be said in this connection of Sir Richard Maitland, who, from prudence or from natural temperament, immersed himself in the study of law and literature, and abstained deliberately from the stormy politics of the period; nor of his second son John, whose time of activity as a statesman did not commence till after the death of Thomas. Of the four daughters of the house of Lethington, only the two eldest connect themselves in any way with the public life of their brother Thomas. All four of them, however, made good marriages. Helen became the wife of John Cockburn of Clerkington; Margaret, of James Heriot of Trabroun; Mary, of Alexander Lauder of Hatton; and Elizabeth, of William Douglas of Whittinghame.¹ William Maitland of Lethington, with whose disappointed ambitions Thomas was destined to be so intimately connected, was by some fifteen or twenty years his senior. Mr. Skelton gives the date of William's birth as between 1525 and 1530,² and that of John as 1545.³ There is a presumption, however, from evidence to be immediately produced, that John's birth should be placed somewhat earlier, say in 1543, while that of Thomas should be dated in 1545. Thomas matriculated in St. Mary's College, St. Andrews (*in novo Collegio Mariano*) in 1559, along with ten other freshmen.⁴ Andrew Melville, one of these, was then fourteen years of age, which was a usual time for entering a Scottish University, and it seems unlikely that Thomas Maitland would enter younger, especially as he left St. Andrews a full year earlier than Melville did, and preceded him by that period to Paris.⁵

No record can be traced of his curriculum in St. Andrews. 'The Graduation Roll,' Mr. Maitland Anderson, librarian of

¹ See Crawford, *Peerage*, 252 (who names the youngest lady 'Isobel'), and Douglas, *Peerage*, ii. 66 (who erroneously applies the name 'Isabel' to the wife of Trabroun).

² Skelton, *Maitland*, i. p. 1.

³ *Ibid.* i. p. 32.

⁴ The list given in M'Crie's *Melville*, i. 418, has been kindly checked by Mr. Maitland Anderson, and found to be correct.

⁵ The *Maitland MSS.* (Pepys. Collection, Magdalene College, Cambridge, p. 256) state that Thomas Maitland died in Italy in 1572, 'and lived of yeiris 22.' This would give 1550 as the year of his birth, and make him matriculate at St. Andrews at the ripe age of 9! If the 22 might be read as 27, this would agree with the dates adopted in the text, and would better accord with the incidents of the last few years of his life.

St. Andrews University, kindly informs me, 'is very defective at that period, and Maitland's name is not in it, nor is it in the Quaestor's fee-book as having paid the usual graduation dues. But it, too, looks defective, so that there is no definite information to be obtained on the question of his having taken the B.A. degree.'

Whether or not he persevered with the usual four years' course at St. Andrews, there is evidence that he set out for Paris in October, 1563; for Queen Mary, writing from Stirling on 2nd September, 1563, asked from Elizabeth a safe-conduct for Bartholomew Villemoir, Thomas Maitland, and fifteen others, some of whom were apparently their servants, to go in company through Elizabeth's dominions, and to return at pleasure within a year.¹ He was followed to Paris in the autumn of 1564 by Andrew Melville, then nineteen years of age.²

At Paris young Maitland soon established his reputation as a scholar of great promise; and he was equally distinguished by his zeal for the reformed faith. George Buchanan is the authority for the first of these statements; James, the accomplished nephew of Andrew Melville, for the second. The author of the *De Jure Regni* records how he had encouraged young Maitland to 'perseverance in that career of glory which he had so happily begun.' James Melville³ tells how 'Thomas Matteland, a young gentleman of guid literature and knowledge in the treuth of religion,' was instrumental in bringing Thomas Smeaton, who had been 'put from the Auld Collage of S. Androos' (presumably for his Roman sympathies) 'to ken and be inclynde to the best way.'⁴ There is no evidence of the exact date of Thomas Maitland's return to Scotland, nor as to his whereabouts on 7th February, 1567, when King Henry and Queen Mary granted Coldingham Priory to his brother John, under burden of a life annuity of 500 marks (Scots money) to Thomas.⁵

¹ *Cal. Scot. Pap.* ii. p. 24, and *Cal. For. Pap.* Elizabeth ix. p. 536.

² See M'Crie's *Melville*, i. 13.

³ *Diary, Wod. Soc.* p. 73.

⁴ See also Calderwood, *History*, iv. 406. There are, however, some improbabilities inherent in this story. As Thomas Maitland returned to Scotland in 1567 at latest, he cannot have been more than 22 years of age, while Smeaton, if born in 1530, must have been nearly twice his age. Again, in 1572, we hear of Smeaton being still (or again) a member of the Society of Jesus, and journeying to Rome in company of young Maitland, who was at that time deep in intrigues with the Duke of Alva and other leading upholders of the Papal power in Europe.

⁵ See *Registrum Magni Sigilli*, No. 1765. See also *Acts Scots. Parl.* iii. 277.

After the decisive battle of St. Denis in 1567 many Scots students returned from France 'because of the troubled times.' The Catholic League had inflicted a crushing defeat upon the Huguenots under Condé and Coligny; and it was no recommendation to the favour of the victors to be a fellow-countryman of Robert Stewart, who had killed the Constable Montmorency in the very moment of his triumph. Shortly before the battle, we find the Duke of Chatelherault writing to Elizabeth for a passport for several Scots students on 11th October, 1567.¹

The number may possibly have included Thomas Maitland. It is more likely that he returned to Scotland at a somewhat earlier date, as he addressed a poem to the boy king on the occasion of his coronation, which would have had no point if composed long after the event commemorated. In any event, we soon find him (if we may believe the *De Jure*) discussing with Buchanan the two memorable events which made 1567 so tragical a year for Scotland—discussing them apparently only a short time after they had occurred. The entire Dialogue witnesses to the existence of a spirit of the utmost friendship and cordiality between the two debaters; and this goes far to prove that the *De Jure* was originally composed during the period in which Buchanan and the Maitlands continued to act in concert against Queen Mary.

In 1569, however, Lethington had veered round to Mary's side, and his young brother Thomas for the next few years was one of his most trusted instruments in the series of intrigues that centred round that unhappy Queen. Lethington's first attempt was to form an alliance, political and matrimonial, between Queen Mary and the Duke of Norfolk. The adherents of the Regent Moray determined to commit Mr. Secretary Maitland and have him condemned on a convenient, if belated, charge. Accordingly, on 2nd September, 1569, Thomas Crawford of Jordanhill (a henchman of the Earl of Lennox) suddenly appeared before the Privy Council at Stirling, where Lethington had gone unsuspecting of any guile, and there accused him, before the Regent and other lords of the Council, of complicity in Darnley's murder. This was not the real, or at least the only, reason of his arrest, which was rather, as Sir James Melville² informs us, 'for being of counsel with the Duke of Norfolk.'

¹ *Cal. Scot. Pap.* ii. 397.

² *Memoirs* (Mait. Club), p. 216.

Placed in custody of Alexander Hume of Manderstone, destined to prove a bitter enemy of his family, Lethington was taken to Edinburgh and lodged as a prisoner in the house of David Forster. Suddenly at 10 o'clock at night, Kirkcaldy of Grange, Warden of Edinburgh Castle, appeared with a warrant purporting to bear the Regent's signature, ordering Maitland's transference to the Castle. This warrant had been forged by some one, presumably by the friendly Grange, who thus rescued Lethington from the clutches of his foes.¹ Both before and after these stirring events Thomas Maitland was in close attendance on his brother, for he signed as witness to his brother's signature at Blyth on 13th June, 1569,² and again at Edinburgh Castle on 5th and 8th November of that year.³

The Regent Moray was assassinated by Hamilton of Bothwellhaugh on 23rd January, 1570, and shortly afterwards, whether by accident or design, a political lampoon accusing him by implication of having aimed at the throne of Scotland was put into circulation. 'Immediately after the murder thair was a buik set fourth in form of a letter' (so we are told by Richard Bannatyne, the devoted secretary of John Knox), purporting to be the report of a conference at which the Regent Moray received the advice of six of his prominent supporters: Lord Lindsay, John Knox, Sir John Wishart of Pittarrow, James Halyburton of Pitcur, James Wood of Tilliedavie, and James Macgill, Clerk Register. Two manuscript copies of this pasquinade are still extant, one of them preserved by Richard Bannatyne in his *Memorials*, and the other among the Cottonian papers in the British Museum. The variations may be read in the *Bannatyne Miscellany*.⁴ The Cottonian version is entitled 'The copey of ane bill of Adverteisment send be ane freind out of court to ane Kynisman of the Erle of Argillis, the X. of December, 1569, disclosand the consall of sax personis.' The date, which is omitted by design or accident in Bannatyne's copy (the one usually founded on), is important, since, unless it is the result of deliberate misrepresentation, it proves that the squib was sent to Argyll's kinsman seven or eight weeks prior to

¹ See *Cal. Scot. Pap.* ii. 394, and *ibid.* iv. 619.

² *Registrum Magni Sigilli*, No. 1933.

³ *Ibid.* No. 1927.

⁴ i. pp. 37-50. Cf. also Bannatyne's *Memorials*, pp. 7-13, with Calderwood, *History*, ii. 515-25.

the murder. Its author, therefore, does not necessarily merit a share of the odium incurred by those who put the lampoon in circulation immediately after the Regent's assassination. 'At that time it chanced,' so the anonymous author of this amusing squib declares, 'that I was sleipand into ane bed within the cabinate, sa weell hid that na man could perceave me; and efter I was walkit be the brute they maid at their entrie, I mycht easilie heir every word that thai spake.'¹ There follows a humorous travesty of the peculiarities of the six speakers, each of whom, bluntly or unctuously as suits his reputation, advises the Regent to aim at being King.²

The authorship of this entertaining *jeu d'esprit*, remarkable as perhaps the first example of its kind, not only in Scotland but in Christendom, was attributed by his contemporaries to Thomas Maitland. 'The wryter or wryteris (for it apeiris thair hes bene moe than ane) laboures wonderfullie to counterfoute the countenance, the knowledge and the affectiounes of sic as ar broght in to give counsall to the Regent. Bot the wryteris, Hamiltounes, Maitlands, or vtheris of thair factione, they ar impudent liaris, or sones of the deivill.' . . . 'Who was the devyser and inventare of this most fals, sclandarous and deivilish lie against the Regent, it was not at that tyme publicklye knawin. Yet it was suspected to be some of the brether of the house of Lethingtoun, which was not far by, for afterwardis, it was plainlie affirmed that it was inventit be Mr. Thomas Maitland, the younger brother of that house, who after depairtit this life, gangand to Rome.'³

This early specimen of Scottish humour, whether composed as a purely academic exercise in satire or intended to throw ridicule on Moray's friends, has sometimes been regarded as a serious attempt to traduce the memory of the Regent. 'The evident design of circulating it at this time,' says Spottiswoode⁴ 'was to lessen the odium of the murder and the veneration of the people for the memory of Murray.' Calderwood's learned editor was equally shocked by what he considered 'an atrocious attempt to blacken the memory of the murdered regent.'⁵ These condemnations are but faint echoes of denunciations uttered at the time by the friends of Knox and Moray.

¹ See Bannatyne, *Memoriales*, p. 6.

² *Ibid.* pp. 6-13.

³ Bannatyne, *Memoriales*, p. 13.

⁴ *History*, ii. 121.

⁵ Calderwood, *History*, ii. 515 n.

Mr. Andrew Lang¹ is astonished at Knox's vehemence. 'With a gravity that would have delighted Charles Lamb, Knox denounced the skit from the pulpit as a fabrication of the Father of Lies.' Yet, apart from the execrably bad taste of publishing such a caricature at such a time, there was some excuse for bitterness of feeling. The squib passed from hand to hand, and found some at least who believed its substantial truth.²

John Knox's Secretary gives a graphic description of his master's behaviour when a copy was at length brought under his notice by the wife of Sir John Cockburn of Ormiston. 'David Forester, called the generall, gave the copie heirof to Alice Sandilands, ladie Ormistoun, a litill efter the cuming abroad thereof, or with the first of thame, which he affirmed to be trew. But the gude and vertuous lady (quha wald beleive na sic thing) brocht the copie. Shoe gave it to Mr. Knox, which quhen he sawe, and after shoe had requyred the treuth thairof at him, he said, "Ye sall knaw my ansuer afterwardis"! And so the nixt day, when he preached, he schew the effect thairof in pulpet, and declairit that the devile, the father of lewis, wes the cheif inventer of that letter, quha evir was the penner thairof.'³

Archbishop Spottiswoode⁴ gives a somewhat different narrative, citing as his authority Maitland's own sister Margaret, who had been present at the scene described. After mentioning the death of Moray on Saturday, 23rd January, a little before midnight, Spottiswoode relates how, on hearing the news, Thomas Maitland, 'knowing what esteem John Knox made of the regent, and loving none of the two, caused a writing to be laid in the pulpit where John Knox was that day to preach, to this sense and almost in the same words: "Take up the man whom you accounted another god, and consider the end whereto his ambition hath brought him." John Knox . . . after he had read the same, laid it by, nothing as it seemed commoved therewith; yet in the end of

¹ *John Knox*, p. 264.

² See Bannatyne, *Memoriales*, p. 13, and Calderwood, *History*, ii. 121.

³ Bannatyne, *Mem.* p. 13. Lang, *Hist.* ii. 224, speaks of 'the black laird of Ormiston, one of Darnley's murderers,'—'a man stained with every crime. He took Northumberland, and robbed Lady Northumberland of all her own and husband's jewels.' See also *Diurnal*, 154 (Dec. 1569).

⁴ *History*, ii. 121.

the sermon, falling to regret the loss the church and commonwealth had received by the death of the regent' denounced the culprit who had thrown the paper—here the Archbishop repeats the identifiical words supposed to have been uttered by Knox—"insulting upon that which is all good men's sorrow. This wicked man, whosoever he be, shall not go unpunished, and shall die where none shall be to lament him,"—a phrase which Calderwood,¹ with evident gusto, but without revealing his authority, elaborated into 'in a strange land where he sould not have a freind neere him to hold up his head.'

'The gentleman was himself present at sermon,' so Spottiswoode² continues, 'and being come to his lodging, asked his sister, who was also there, if she did not think John Knox was raving, to speak so of the man he knew not. But she weeping said "that she was sorry that he had not followed her counsel, for she had dissuaded him from that doing. None of this man's denunciations," said she, "are wont to prove idle, but have their own effect"'—an anecdote which, whether true or false, witnesses to a contemporary belief in Knox's power of successful prophecy or of maledictory and prevailing prayer. 'This I thought,' so Spottiswoode concludes, 'not unworthy of record, being informed thereof by the gentleman's sister, to whom these speeches were uttered, and who was privy to the whole affair.'³

It will be observed that, while the faithful Bannatyne makes no allusion whatever to the alleged savage prophecy of his beloved master, Spottiswoode connects it not with the squib, but with the insulting message thrown into the pulpit. In view of the conflicting evidence, John Knox is perhaps entitled to the benefit of the doubt, although his biographer, Dr. M'Crie, resents the attempt made by George Mackenzie⁴ to

¹ *History*, ii. 525.

² ii. 121.

³ This sister, 'so great an admirer of Mr. Knox,' if we may believe the doubtful authority of Mackenzie (*Eminent Scottish Writers*, iii. 196) was Margaret, wife of James Heriot, younger of Trabroun, 'probably the cousin of Buchanan.' (See Irving, *Memoirs*, p. 250 n.) This youth, the son of that other James Heriot who fought at Langside for Mary, and was there taken prisoner (*Cal. Scot. Pap.* ii. 405-6), was apparently an advocate by profession (Pitcairn's *Trials*, James VI. pp. 3, 23, 24), and was arrested at Kinghorn on Tuesday, 15th September, 1571 (presumably for complicity in the intrigues of the Maitlands), when about to sail 'in William Sibbat's ship' for France (Bannatyne, *Memoriales*, p. 188).

⁴ *Eminent Scottish Writers*, iii. 120.

dissociate Knox's denunciation in 1570 from Maitland's death in 1572.¹ Calderwood² has fused into one continuous narrative the two anecdotes (assuming that one of them was not merely a garbled version of the other) told by Bannatyne and Spottiswoode respectively, and would almost seem to gloat over the tragical fulfilment of the prophecy.

In the year 1570, however, young Maitland was still full of life, and proved a capable instrument ready to his brother's hand, for the conduct of delicate negotiations on behalf of Mary. We hear of him in May as the bearer of despatches from the Earl of Suffolk to Lethington. Of the misfortune that then overtook him we have two accounts: in the *Diurnal of Occurrents*, and in a letter sent, a year later, by Lethington to Queen Elizabeth. English soldiers were expected to co-operate with the 'king's men.' Alexander Hume of Manderstone (to whom Lethington had given the slip the year before) and John Cunningham of Drumquhassill (who had been commissioned by Morton to succeed Kirkcaldy as Warden of Edinburgh Castle)³ were sent to Berwick to welcome Elizabeth's troops. Cunningham's credentials, dated 1st May and signed by Morton, Glencairn, Mar, and others, testified that he was 'instructit with our myndis in certane heidis of greitt weicht, that may fall out to be of greit consequence to baith the realmes.'⁴ On their way back, they 'tuik and apprehendit Mr. Thomas Maitland, broder to my lord secretare and the young ladie of Clarkingtoun, quha wes passand to Berwick with ane answer to the erle of Suffikis of ane letter send be the said erle to the said secretare, and put the saidis personis in captivitie in William Lasonis house in the heid of Leith Wynd besyd Edinburgh.'⁵ Of the 'personis' thus arrested while on a dangerous mission, it seems strange that the lady of Clerkington should have been one; and 'young ladie' in the *Diurnal of Occurrents* may possibly be a mistake for 'young laird,' a surmise which is confirmed by Lethington's letter of 30th May, 1571,⁶ complaining that his brother Thomas, accompanied by his brother-in-law and six or seven unarmed servants had been arrested. This brother-in-law was probably John Cockburn, the young laird of Clerkington,

¹ M'Crie, *Knox*, ii. 176, n.

² See Sir James Melville's *Memoirs*, p. 217.

³ *Diurnal*, p. 173.

⁴ *History*, ii. 525.

⁵ *Cal. Scot. Pap.* iii. 142.

⁶ *Cal. Scot. Pap.* iii. 589.

husband of Helen Maitland.¹ The *Diurnal*² proceeds bluntly to narrate how, upon the 6th May, Thomas Maitland was 'transportit furth of the said William Lawsons hous to Leith, quhair he wes put in ane bote and transportit to the castell of Striveling.'

Later in the same month, loss and indignity again befell the house of Lethington. Rowland Foster, Captain of Wark, was over the border in search of English rebels, and descended on the family estate of Blyth with three hundred horsemen, making a rich spoil of the cattle and furnishings that belonged partly to the old and partly to the young lairds of Lethington. This happened on the 16th May, 1570.³ These invaders acted on the invitation of Morton, who was urging the English troops to advance on Dumbarton Castle, held by Lord Fleming for the Queen. The spirit in which Sir Richard Maitland met this reverse of fortune showed mettle and self-control. His lament, half humorous and entirely manly, may still be read in his fine poem entitled *The Blind Baronis Comfort*, commencing:

'Blind man be blyth, althocht that thow be wrangit,
Thocht Blythe be herreit, tak no melancholie.'

The younger Lethington, while writing Sussex to help redress his wrongs, boasted freely that by French aid he would cause Elizabeth 'sytt on her tayle and whyne,'⁴ an image displeasing to the courtiers of the maiden Queen. Sussex denounced this ungallant threat⁵ as 'a vile speech for such a varlet,' and suppressed it when writing to Elizabeth. Lethington had uttered what was more than an empty boast, since Elizabeth on 22nd May,⁶ after an interview with the French ambassador, instructed Sussex to abandon the proposed attack upon Dumbarton, and outlined a plan whereby, 'without touch of her honour' (that is, without sitting on her tail and whining), she might suffer her forces to retire.

Maitland, from Blair Athol, on 14th June, 1570,⁷ thanked Sussex for his unavailing diligence in attempting recovery of the stolen property, and stated that his brother Thomas was, for certain, still a captive on the 10th instant. This high-spirited

¹ Reference to the arrest occurs also in *Cal. Scot. Pap.* iv. 619. ² p. 174.

³ See Sir Richard Maitland's *Poems*, Maitland Club, p. 171.

⁴ *Cal. For. Pap.* ix. 258.

⁵ 17th May, 1570.—*Cal. Scot. Pap.* iii. 180.

⁶ *Ibid.* pp. 183-4.

⁷ *Ibid.* iii. 221.

youth, whom we last saw committed to Stirling Castle on 6th May, was treated as a prisoner of war, and only set at liberty in exchange for a captive king's man, which his brother considered unfair.¹

Lethington had urgent reasons for desiring his young brother's immediate release, and consented, with reluctance, to exchange for him Sir Patrick Houston of that Ilk in Renfrewshire, a kinsman and 'doer' of the Earl of Lennox, and a personal attendant upon Darnley during the memorable years that immediately preceded the tragedy at Kirk-of-Field. Sir Patrick, who had been taken prisoner sometime prior to 16th April, 1570, was in June of that year lodged in Dumbarton Castle as Lord Fleming's prisoner.² The exchange was only effected after a long and delicate negotiation, as the scruples of four people had first to be overcome—of Lethington himself, who maintained that Thomas, having been unfairly captured, ought to be unconditionally released;³ of Lord Hunsdon, in command of the English troops, who had his own candidate for the exchange with young Maitland;⁴ of Lord Fleming, who waited until urged by Chatelherault and Argyle in a joint letter written from Dunoon before he would release the laird of Houston;⁵ and finally of the Earl of Lennox, then at Stirling, still hesitating to accept the Regency 'until the Queen's Majesty's mind be known,'⁶ who would not allow the enlargement of a member of a family he hated, until Sussex brought pressure to bear on him through Morton and others.⁷ All difficulties were at length overcome, and Thomas Randolph wrote to Sussex on 23rd June⁸ that Thomas Maitland is delivered, but adds that Lord H[unsdon's] brother will not be pleased because Thomas had been exchanged for 'the Laird of Howston.' Liberated thus from Stirling in the third week of June, young

¹ *Cal. Scot. Pap.* iii. 589.

² *Cal. Scot. Pap.* iii. 118. Lethington averred that Thomas and his brother-in-law, John Cockburn, were *both* exchanged for a gentleman whom Lord Fleming had for a long time detained within Dumbarton. *Ibid.* iii. 589. He may have exaggerated the length of Houston's imprisonment.

³ See *Cal. Scot. Pap.* iii. 221.

⁴ See Sussex to Lethington of 21st June (*Ibid.* iii. 221), and Randolph to Sussex of 23rd June (*Ibid.* iii. 222).

⁵ *Ibid.* iii. 229.

⁶ *Cal. Scot. Pap.* iii. 222 (Randolph to Sussex on 23rd June).

⁷ *Ibid.* iii. 221.

⁸ *Ibid.* iii. 222.

Maitland must have straightway set out for Aberdeen (where an important enterprise was preparing on behalf of Mary), presumably conferring with his brother, the Secretary, by the way. Lethington was reported to be at Dunkeld on 19th June with Captain Robert Melville and forty seasoned soldiers,¹ while from Blair Athole, on 17th July, he informed his brother John that his wife had been that morning at Dunkeld safely delivered of a son.² The 'bruit' was that the Secretary was 'boun' shortly towards Aberdeen.³ This rumour was not accurate. Lethington did not go North, but his brother and Robert Melville did.⁴ Thomas was to enlist Huntly's sympathies in the enterprise that was on foot. 'My brother, Mr. Thomas, will show further of this "propos" to your lordship.'⁵

The preparations at Aberdeen were for an expedition to Flanders under the leadership of the gallant old Lord Seton to beg soldiers and Spanish gold from the ruthless Duke of Alva, to be used to strengthen the garrisons and furniture of Edinburgh and Dumbarton Castles, held by Grange and Fleming for Queen Mary. On 31st July, Randolph had heard of this, and informed Sussex of Seton's object and destination, alleging that Alva had requested to hold conference with some noblemen standing at their Queen's obedience.⁶ Spanish troops, so the rumour went, were to land 'in Angus towards Montrose.'⁷

The hapless Countess of Northumberland, a fugitive from the vengeance of Elizabeth for the participation of her husband in the Catholic rising of the northern counties, was to accompany the expedition, thus effecting her own escape and adding to Lord Seton's entreaties her own lamentations for her Earl, shut up in Queen Mary's former prison at Loch Leven. The opportunity of escape thus furnished to the Countess was made, by Lennox and Morton, an excuse for violent proceedings against Lord Seton, the Maitlands, and their friends.

After securing what troops and gold he could in Flanders, Lord Seton's intention was to pass to the Court of France in hope of further aid from Catherine de Medicis. His right-hand in all these important missions, was to be, so at least Lethington informed Mary,⁸ 'my brother, Thomas Maitland

¹ *Cal. Scot. Pap.* iii. 219.

² *Ibid.* iii. 266.

³ *Ibid.* iii. 219.

⁴ *Ibid.* iv. 620-1.

⁵ *Ibid.* iii. 280, 24th July, 1570.

⁶ *Ibid.* iii. 285.

⁷ *Ibid.* iii. 334.

⁸ *Ibid.* iii. 303, 9th August, 1570.

. . . "quha for his age [25 years, at most] has ane sprete good enugh," and has as good will to serve your majesty as any subject of this realm.' To Sussex and Elizabeth, Lethington put a very different complexion on his brother's conduct, and also on the objects of the expedition. In a letter of 13th October, 1570, after complaining of Lennox's aggressions, he explained how¹ 'Lady Northumberland was in Flanders before I heard she had any intention to go out of Scotland, and herself took purpose suddenly to depart' . . . 'and she requested Lord Seton to grant her passage.' As to Lord Seton's passing over, he went to *prevent* foreign troops being sent!—a hardy falsehood even for Lethington. 'As to my brother, he only passed in company with Lord Seton for pleasure, being his cousin, having the better will to be in another country, for that his youth cannot well digest the open injuries done to him by those who presently take upon them to rob all here at home, whom without offence they kept a long time prisoner, and have dispossessed him of 500 marks pension . . . which although small is all he had to live on in Scotland.'² Some four years later, Robert Melville (who had been at Aberdeen in July, 1570), questioned as to young Maitland's reasons for joining the expedition, deponed (so far as the defective record may be trusted) that he knew of no reasons 'saving that he was . . . sickly, and to see the country.'³

The expedition, round which centred so many hopes and fears, sailed from Aberdeen on 23rd August, 1570. So Sussex notified Cecil on 3rd September,⁴ in a ship of Leith.⁵ Next day, Henry Cobham reported to the same keen observer that the whole party had arrived safely at Bruges.⁶ No record has been discovered of the part young Maitland played in the subsequent negotiations with the Duke of Alva, or how far he shared in the romantic adventures of Lord Seton, that fiery and unflinching advocate of Queen Mary's desperate cause. On or before 19th November, 1570, with characteristic bluff directness, Seton called for payment of the ten thousand crowns that had been promised to the Queen, his mistress, '*pour la fourniture des chastaulx de Lisleburg et Dombarton*.'⁷

¹ *Cal. Scot. Pap.* iii. p. 393.

² *Ibid.* iii. 393.

³ *Ibid.* iv. 620-1.

⁴ *Cal. For. Pap.* ix. 330.

⁵ *Cal. Scot. Pap.* iii. 324.

⁶ *Ibid.* See also *Diurnal of Occurrents*, p. 185, and for details of the negotiations, *Cal. Scot. Pap.* iii. 456.

⁷ Fenelon, iii. 373.

By the 18th December, the pieces had been paid to him, and he is reported as taking leave of Alva,¹ disappointed that he had received no troops, and only so small a sum of money.² He was off, with unflagging zeal, to the Court of France, there to press Mary's claims on Catherine de Medicis with an impetuous heat, that must have shocked the smooth-tongued courtiers of France.

Of the 10,000 crowns, he entrusted 7000 on the day of his departure (18th December), to Thomas Maitland '*qui est party, le mesme jour, pour s'aller embarquer a Fleysinghes [Flushing]*.'³ Out of the balance, Seton retained one thousand coins to meet the expenses of his embassy, while two thousand were sent to England by means of the Spanish ambassador, who delivered them to the Bishop of Ross to be used as he tells us, in defraying the expenses incurred by himself and the other Commissioners 'sent from the nobilitie of Scotland for the Queen our Sovereigne's parte, and their companie.'⁴ Mary, on 10th December, instructed Seton, if in Flanders to take the orders of Alva, but if in Scotland, those of Lethington and Grange, according to whose advice 'you will employ for my service the 10,000 crowns.'⁵ On the same day, she wrote to Lethington and Grange: 'I wrote to you in my last letter how the Duke of Alva had granted 10,000 crowns to Seton, for to serve the most urgent of your necessity, but know not if ye have received the same, or more as was looked for.'⁶

Did Thomas Maitland, eluding the vigilance of Mary's enemies in England, Scotland, and elsewhere, succeed in bringing the much-needed relief in money and materials of war to his brother and the Laird of Grange, closely beleaguered in Edinburgh Castle? A diligent search has failed to furnish evidence either way. There can be no doubt, however, that Thomas remained an ardent partizan of Mary; for a fortnight before he sailed from Flushing, he wrote to the Queen repudiating the political opinions attributed to him by Buchanan

¹ Fenelon, iii. 429-30; despatch dated 13th January, 1571.

² See Bishop of Ross's account, *Haynes*, ii. 48.

³ Fenelon, iii. 429-30. Cf. Bishop of Ross's account in *Haynes*, ii. 48, who, however, mentioned only 3000 pieces as the sum entrusted to Maitland.

⁴ Anderson's *Collections*, ii. 108. The other Commissioners were Lord Livingstone and the Bishop of Galloway. Their instructions, dated 26th December, 1570, are printed in *Labanoff*, iii. 138.

⁵ Labanoff, iii. 132.

⁶ *Ibid.* iii. 135.

in the *De Jure Regni*,¹ while on 12th May, 1571, the Bishop of Ross records the receipt of letters from him to be forwarded to Mary.² In the early summer of 1571, two successive expeditions arrived from France to the relief of Edinburgh Castle, the first on 8th May, led by Grange's brother, James; the second towards the end of June, under command of John Chisholm. Is it possible that either of these had been equipped in whole or in part by means of the Spanish gold with which Thomas Maitland had sailed from Flushing in December? The financing of the earlier expedition is otherwise accounted for. Queen Mary was ready to part with such of her jewels as had not fallen to her enemies, and James Kirkcaldy had been sent to France to realise them for what they would bring. In April, 1571, Mary wrote from Sheffield to the Archbishop of Glasgow at Paris to hasten his despatch;³ and on 8th May, Kirkcaldy arrived at Leith 'in ane pink' from France.⁴ The cargo was a valuable one for the garrison at Edinburgh, where stores were running low. It included, if the author of the *History of James Sext* does not exaggerate, 10,000 crowns of gold, some morions (or open helmets) corselets, (or armour for breast and back combined), arquebusses, and wine, which were safely conveyed from Leith to the castle by the horsemen and soldiers of the town.⁵ The cargo also included powder and shot for the big guns of the fortress, the arrival of which was well *a propos*, as Mary herself informed the Archbishop of Glasgow,⁶ occurring when powder was sorely needed, shortly before the famous Parliament held in the Canongate under the guns of the Castle, for the sole purpose of passing sentence of forfeiture upon the three Maitland brothers, along with Grange and a few of their friends.

To understand the situation, it is necessary to turn back for a brief space. In the fall of 1570, an abstinence or truce had been arranged between King's men and Queen's men, mainly through the mediation of Sussex and the English; to last from 12th September to 12th November.⁷ In violation of this treaty, the Regent Lennox sent officers to 'the old House'

¹ See Innes, *Critical Essay*, ii. p. 359.

² *Cal. Scot. Pap.* iii. 530.

³ Labanoff, iii. 266.

⁴ *Diurnal*, p. 212, which adds erroneously, 'with money from the king of France.'

⁵ *Hist. James Sext.* p. 75.

⁶ Labanoff, iii. 285.

⁷ *Diurnal*, p. 193.

of Lethington—where Sir Richard Maitland, now old and blind, was dwelling peacefully among the books he could no longer read—to demand surrender of the house and all that it contained within six hours, under the pains of treason.¹ Warm protests from Sussex against this gross breach of faith were unavailing, Lennox in a formal memorandum urging the ridiculous plea that the assistance given to the Countess of Northumberland by Seton and Thomas Maitland, *before* the abstinence had been signed, excluded the whole Maitland tribe from its benefits.² On 20th October, accordingly, David Hume took possession of Lethington, threshed the corn, and carried off whatever he could find, Sussex still protesting.³

Meanwhile, a show of complying with the requirements of law was being made with much parade by these breakers of the truce. On 17th September, 1570, the three brothers Maitland had been denounced at the 'Mercat Croce' of Edinburgh as traitors to that Sovereign Infant James; and they were put formally to the horn.⁴ On 16th December, they were all three summoned to appear in the Tolbooth on the 29th of January following, to answer to a charge of treason.⁵ On 16th May, 1571, the final stage was reached; the Maitlands were solemnly declared 'forefaulted'⁶ by a small knot of the leading soldiers on the king's side, assembled in what is known to history as Morton's Parliament, or the Canongate Parliament, or even as the Creeping Parliament,⁷ from the undignified demeanour required of those attending it, who had to dodge the bullets hurled among them from the Castle guns.⁸

The object of Lennox and Morton in holding this caricature of the Scots Estates under the guns of the castle was to

¹ See Sir Richard Maitland's *Poems*, pref. p. li. n, and *Cal. Scot. Pap.* iii. 392-3.

² See Bannatyne, *Memoriales*, p. 354.

³ *Diurnal*, 192-3.

⁴ *Ibid.* p. 189.

⁵ *Ibid.* p. 192.

⁶ *Ibid.* p. 214.

⁷ *Hist. James Sext.* p. 76.

⁸ Of the estates thus forfeited, Lethington was bestowed on Lord Lindsay; the priory of Coldingham (which had been burdened with Thomas's annuity of 500 marks) went to Hume of Manderstone, who had on several occasions been the instrument of the Maitlands' oppression; while the office of Privy Seal, held since 1562 by Sir Richard and his son John in succession, was entrusted to George Buchanan. The grant of Coldingham to Manderstone was confirmed on 8th February, 1574 (*Reg. Mag. Sig.* No. 2178, and *Acts Scots. Parl.* iii. 277).

complete the travesty of legal process considered necessary before the property of their enemies might be distributed, with a show of decency, among their partizans. The forfeiture was required by law to be proclaimed at the Market Cross, but to assemble there was to court death. There was luckily another cross, known as St. John's Cross, in the Canongate, at a more respectful distance from the castle. Lennox must have thought that any cross was better than none, for here he determined that the Parliament should assemble.¹ To prevent surprise, Morton placed a strong guard under Crawford of Jordanhill between him and the Netherbowport, having previously erected a battery on the southern slope of the Calton Hill and fortified a building belonging to one of his adherents as a harbour of refuge.² This was the dwelling-house of John Lawson, at the head of Leith Wynd, tall and strongly built, and, strangely enough, the very place where Thomas Maitland had been for a night confined in May of the previous year.³ It was here, apparently, as well as at St. John's Cross, that the Creeping Parliament held session, and it was against this house that the chief efforts of the castle garrison were directed. Earl Huntly had Mons Meg dragged bodily from the castle, the effort costing 'two or three poore men their lyves.' 'Four-and-twenty of her enormous stone bullets,' we are told (each three hundred-weight), 'were on this occasion discharged against the mansion of a certain obnoxious kingsman, John Lawson.'⁴

This unique assembly, its business effected to the satisfaction of the Regent and to the accompaniment of the incessant booming of ordnance, was adjourned without any unnecessary delay, to meet again at Stirling in the month of August. It is easy to imagine the feelings of William and John Maitland as they looked out from the battlements towards the Canongate; but where, all this time, was their younger brother Thomas? What had he done with the 7000 coins procured from the Duke of Alva?

Here, unfortunately, the chain breaks. There is sufficient

¹ *Hist. James Sext.* p. 76.

² *Ibid.* p. 76.

³ The *Diurnal*, 173, however, it should be noted, described the house at the head of Leith Wynd as belonging to William Lawson (not John).

⁴ Grant, *Memoirs of Kirkcaldy*, 247. See also *Diurnal*, 215, and Bannatyne, *Memoriales*, *passim*. Mary, writing to Fenelon, described the Parliament as meeting 'dans une grange.' Labanoff, iii. 285.

circumstantial evidence, however, to make it not improbable that the Spanish crown pieces were invested in France in the equipment of Chisholm's expedition, which reached Leith in June, 1570. It was from Dieppe that Chisholm sailed,¹ and the French ambassador Verac accompanied him. These facts, if taken alone, might suggest that Mary's cause was beholden to the generosity of France. At that time, however, Catherine and her son had no desire to waste their gold on Mary; while they were anxiously conciliating Elizabeth, mocked with the hope that she would marry the Duc d'Alençon. On 31st May, 1571, Catherine, after she had kept Lord Seton waiting for months, at last admitted him to an audience, but absolutely refused to help him either with men or money.² Clearly, then, the cost of the expedition was not defrayed by her. Is there any evidence that the money came from Flanders? Lord Drury, writing to Burghley from Edinburgh on 30th June,³ declared that 'sums of money *out of Flanders* are looked for by them of the castle, and for the coming of Verac with some men.' Finally we learn from Richard Bannatyne⁴ that one of the two boats of Chisholm's expedition was known as 'John Cockburn's ship,' containing 'three kists of kalliveris' or arquebusses. Though Cockburn is not an uncommon name in Scotland, it is not impossible that this was the young laird of Clerkington, who had shared at least one of his brother-in-law's missions already, had been imprisoned and released along with him, and may have accompanied him from their joint prison in Stirling to Aberdeen and Flanders, and have thereafter been dispatched to Scotland in command of one of the two ships, while Thomas pushed on to Rome, there to plead once more on behalf of Mary. The ships arrived at Leith towards the end of June.⁵ A sequence of three letters from Queen Mary to Fenelon, the French ambassador to Elizabeth, furnishes some details.⁶

Bishop Leslie has recorded in his *Diary* how Lennox, on sighting one of the vessels in the Roads of Leith, ordered boats to be manned and to proceed to the attack. This was on 2nd July.⁷ Lord Lindsay meanwhile was told off to search 'on the

¹ Bishop Leslie in *Bannatyne Misc.* iii. 123.

² *Cal. Scot. Pap.* iii. 592.

³ *Ibid.* iii. 617.

⁴ *Memoriales*, p. 173.

⁵ *Ibid.*

⁶ Labanoff, iii. 301-2, 313, and 317.

⁷ Mary to Fenelon, 18th July; Labanoff, iii. 313.

land side' for Chisholm, who had taken fright and placed the money with the friendly Abbot of Icolmkill. Verac was seized and carried to Leith 'without either respect or reverence,' though he bore an ambassador's credentials. All his papers were taken from him, including a note of the amount of gold conveyed. Chisholm, threatened with torture, revealed its hiding place. In addition to this windfall, Lennox discovered in the ship 200 arquebusses, 200 corselets, 200 morions, 500 'great bullats,' and 'sum salt peper to mak gun poulder of.' This rich booty, 'the graith gotten in the ship,' was sent for safety to Stirling, but was captured on the way thither by Spens of Wormiston, who sank what he could not carry away for the use of the Queen's cause.¹

Such was the fate of the bullion and munitions of war found in Chisholm's vessel. The companion barque described by Bannatyne as 'John Cockburn's ship,' did not so easily fall a prey to the Regent's men. Mary, in a postscript to Fenelon of 2nd July, 1571, tells how 'since writing this letter' she had learned that one of the two ships had entered Leith harbour and been taken, but the other, perceiving the enemy, retired to the other side of the water. 'I fear,' she adds, 'that the rest is also lost.'²

Queen Mary's despatches enlighten us no further; but the amiable Bishop of Ross, still in durance in the Tower, recorded in his *Diary*, not only each of the recurring fits of his ague,³ fourteen in all, but also how on 13th July he had heard of the expedition ending in complete disaster,⁴ an exaggerated rumour, as the event proved; for Leslie notes on 3rd August how a certain captain—Case by name—had brought tidings from Berwick that part of the money had found its way into Edinburgh Castle.⁵ Is it possible that this bullion, successfully smuggled through the besieging lines, was identical with the coins that had left Flushing six months earlier under escort of Thomas Maitland, and that these were now safely delivered to the beleaguered Grange and Lethington by the young laird of Clerkington, Thomas's brother-in-law and companion? No

¹ *Hist. James Sext*, p. 83.

² Labanoff, iii. 301-2.

³ *Bannatyne Miscellany*, iii. 124, e.g. 26th May, 1571. Fit 14 of my ague 'and thereupon I wan a nycht cap fra Doctour Caldwell, who said I sould have no mair after the 12th.' It is satisfactory to gather that this 14th was the last.

⁴ *Ibid.* iii. 130.

⁵ *Ibid.* iii. 135.

authoritative answer is forthcoming; and the enquiry, therefore, ends in an unverified hypothesis.

Of young Maitland himself we catch only one further glimpse, and that a sad one. Spottiswoode¹ relates how, 'in the year 1571,' Thomas Maitland, travelling through France into Italy, invited Thomas Smeaton, then a Jesuit, to journey in his company to Rome. No details are forthcoming of the incidents of the journey, save a bald reference to 'the gentleman contracting sickness by the way and dying,' and to the subsequent return of Smeaton alone to Genoa. The two travellers, it would thus appear, had penetrated into Italy before Thomas Maitland took ill and died, possibly in some monastery or hospice between Genoa and Rome, and probably early in the year 1572.²

Thomas Smeaton, a man of gentle and affectionate nature, is reputed to have composed an epitaph on the friend whom he had known in the old bright student days at Paris, and who (still in the first flush of early manhood) had come to Italy out of affection to his elder brother and loyalty to his Queen, only to find for himself a grave far from home and kinsmen.³ His fate was sad enough; but it is some satisfaction to know of the disappointment of part at least of the unchristian hopes of those who had desired some signal vengeance to overwhelm, with swift and impressive retribution, the rash perpetrator of a brilliant satire upon so serious a person as John Knox. Thomas Maitland did *not* die alone in a foreign land 'with no freind neere him to hold up his head,' for he had beside him to the close a sympathetic and devoted comrade in the kindly and accomplished Thomas Smeaton.

WM. S. McKECHNIE.

¹ *History*, ii. 320.

² The two friends, so Spottiswoode says, had set out in 1571, while the *Maitland MSS.* already cited, give the year of death as 1572 (a likely enough date, although the immediately following 'lived of yeiris 22' is probably a mistake). See *supra*, p. 275 n.

³ Thomas Dempster, who is not an unimpeachable authority, gives a note of Smeaton's compositions (*Hist. Eccl. Scot.* p. 586), among them *Epitaphium Metellani lib. i. cui ille in Italia comes haeserat.*

The Balfours of Pilrig¹

THE Balfours of Pilrig have not perhaps produced any men who will live in the history of their country as having been great statesmen, soldiers or divines, but they are an exceedingly good example of one of those many sober, honest, God-fearing and strenuous families of the upper middle class, esteemed by their contemporaries, and beloved by their relatives, who have done so much in building up the character of the country, and making Scotland what it has been and is to-day. Originally they were probably cadets of the Balfours of Monquhanny, a race which has produced many distinguished branches. The first member of the family from which undoubted descent can be traced was Alexander Balfour, occupying the position of *cellararius* in the king's household towards the end of the fifteenth century ; he was a Fifeshire laird, possessing the lands of Inchrye, near Lindores. Later the family migrated to Powis, in Stirlingshire, and it was there that a younger son, James, was born about 1540, who was destined to be a shining light in his day. He married a sister of James Melville the diarist, ultimately became minister of St. Giles' Kirk in Edinburgh, and was one of that courageous clerical deputation who interviewed King James at Whitehall in 1606 in support of the Presbyterian cause. His second son, Andrew, was minister of Kirknewton, but died comparatively young, leaving, however, a numerous progeny, of which James, eldest, became an advocate, and ultimately one of the principal clerks of Session. He married a granddaughter of that Sir John Smith of Grotehall and Cramond, whose daughter was cured of the plague by a Barbary pirate, who then got her hand in marriage and turned out not to be a Barbary pirate at all but an honest Scot. His effigy as a Moor, however,

¹ *The Balfours of Pilrig* : a History for the Family, by Barbara Balfour-Melville of Pilrig. Pp. xxii, 287. Cr. 4vo. Edinburgh : William Brown. 1907. 25s. nett.

stands on the house in the Canongate in which he was married to this day.

The advocate's eldest son became a man of substance and enterprise. Few persons know that the modern recreation ground of Powderhall occupies the site of a manufactory of gunpowder, of which Balfour had along with others a monopoly. His greatest venture was not a successful one : he was one of the leading supporters of the Darien Company, and when that ill-fated scheme collapsed it must have hit the prosperous Leith merchant pretty hard. Indeed it probably killed him, as he died at fifty-five, leaving six surviving children. But matters improved : his son, another James, carried on the business in Leith and shared in the subsidy granted by the Government to the shareholders in the Darien Company. He it was who purchased Pilrig, then a fine country estate lying on the ground sloping down to the Broughton Burn. From at least the latter part of the fifteenth century till 1623 the land had been in possession of the family of Monypenny : it had then been bought by Gilbert Kirkwood, who built the present mansion-house, and after passing through the hands of one or two more proprietors was purchased by James Balfour in 1718 from the then Lord Rosebery.

Not the least interesting feature of this volume is the proof which it gives from old inventories and account books that the condition of a laird's house at that period was by no means so squalid and mean as the late Mr. Henry Grey Graham in his book on *Scotland in the Eighteenth Century* would have us believe. The Balfours if they lived simply lived in both elegance and comfort. Following the purchaser of Pilrig came a fourth James, who was an advocate and Professor of Moral Philosophy in the University of Edinburgh, a chair to which he was appointed in preference to an opponent of greater fame if of less orthodox opinions in the shape of David Hume. An interesting correspondence between the two is given in which we may admire the courtesy and consideration displayed on both sides. The Professor lived till 1795 and was succeeded by his son John, a merchant like his grandfather. He died in 1814, and the male line of the eldest branch of the family came to an end in the person of the late Mr. John Balfour-Melville, who died in 1893.

Such is the bare record of the successive heads of the family. But the book is full of interesting anecdotes, and as their families were large the collateral branches spread and flourished exceedingly. Many notable Scottish families appear on the pages : the

Hamiltons of Airdrie, the Elphinstones of Logie, the Elliots of Minto, the Whytes of Bennoch, the Gibsons of Durie, the Craigs of Riccarton, the Mackintoshes of Corrybrough, and many more, were all closely connected with the Balfours. There is no more delightful part of the volume than the letters written by one of the girls of the last mentioned family describing the doings of Edinburgh society at the commencement of the nineteenth century. The suppers at Lord Hermand's, when that convivial senator did not appear till past ten 'in high spirits': Jane, Duchess of Gordon, the leading spirit in the Assembly Rooms: the latter very hot and crowded with many of the people whose portraits we can now see in the matter-of-fact but graphic delineations of Kay: Charles Philippe, Comte d'Artois, entering the ball-room in the middle of a country dance, which was stopped till he had crossed the floor: all the distinguished people of the day who constituted the then exclusive and aristocratic Edinburgh society appear to us driving in heavy coaches or being carried in sedan chairs through dimly lighted streets to the door of the Assembly Rooms, where a jovial and enthusiastic crowd 'huzza'd at a great rate' as the ladies step out of their carriages.

Further back in point of time we have a picture of the state of the City of Edinburgh in the 'forty-five': Pilrig relatives hurrying down Leith Walk to the shelter of the old mother house to be out of the way of the shot from the Castle guns as they flew screaming over a terrified town. The house was supposed to be specially safe as she was more or less under the protection of the guns of the sloop of war *Fox*, which lay off Leith, but it seems doubtful if this belief was well founded. Another scare of war came to Pilrig at a later date, and we have all the arrangements which were made in 1803 for the mustering of forces and of transport in the district for which the Laird of Pilrig was responsible.

Enough has been said to show that though this volume bears only to be a history 'for the family,' it will interest many persons outside their circle. It is a very handsome book; its binding, printing and illustrations are all beautiful and leave nothing to be desired. The letterpress too is worthy of all praise: Miss Balfour-Melville has evidently made the writing of it a labour of love, and has woven through it all a pleasant thread of story which makes the various individuals mentioned stand out as real characters and not merely as so many articulations of a skeleton pedigree. She has a charming literary style, and her book is not

a mere family record, it is a valuable contribution to the social side of Scottish history. It only remains to congratulate the writer on the completion of a task which has been executed with discrimination and tact. There are several excellent genealogical tables which help to guide the reader through the mazes of the pedigree.

J. BALFOUR PAUL.

Separation of Church and State in France in 1795

IN the year 1795, France, 'the object-lesson of Europe,' made her first experiment in the separation of Church and State. She is now, after more than a hundred years, making her second, and the story of the first experiment is not without significance in the crisis of to-day.

On the 21st of December last, M. Clemenceau, speaking in the Chamber of Deputies on the separation law, used these words: 'We are grappling with difficulties such as no Government has encountered since 1870.' In other words, the Premier acknowledged that the religious question was the most vital that has yet faced the Third Republic. It was the same more than a hundred years ago. The religious question was the most vital that National Assemblies, Convention, Directory, or Consulate had to face. It divided France against herself, it created royalists, it baffled Governments, and, finally, it forced Napoleon to a compromise. 'The patriots,' says M. Aulard, writing of the beginning of the struggle, 'began the Revolution with the sympathy of a large part of the clergy; they hoped to complete it by the establishment of a truly national, truly Gallican church. But it was this very attempt which brought about a rupture between the Church and the Revolution, and created the conditions from which sprang the civil war, the war with Europe, the violences, the misfortunes, and the partial failure of the Revolution.' 'As regards religion,' wrote General Clarke to Bonaparte at the end, 'our revolution has failed.'

Now the separation of Church and State in 1795 was only one in a series of experiments, and was forced upon France by their failure.

Under the old *régime* the Church was the first estate of the realm. Subject to Crown restraint, she was yet allowed to administer her vast wealth with but little interference, and her

Separation of Church and State in France 299

bishops received institution from the Pope. To her was entrusted the care of popular education—her certificates of baptism were necessary to prove all civil rights, her clergy were immensely powerful, her religion entirely dominant in France.

Such domination was inconsistent with the theories of Liberty and Equality promulgated by the Declaration of the Rights of Man; and in little more than a year from the beginning of the Revolution, the Church had fallen from her high estate. Stripped of her property, which was declared national, she was reduced to an ecclesiastical establishment in the pay of the State, whose functionaries, in common with all others, were chosen by popular election, whose bishops received institution without reference to the Pope, and whose prelates and benefited clergy were bound by oaths to maintain 'with all their power' this new order of things, known in history as the Civil Constitution of the Clergy.

By the laws which effected these changes, the first, or Constituent Assembly of France, created a schism in the Church, which was henceforth divided into the Orthodox clergy who refused the oath and the Constitutional who accepted it. From that moment the political element crept in.

The Orthodox priests who would not swear to support 'with all their power' an order of things which the Pope condemned were deprived of their cures, but not driven out of France; the king was known to be in sympathy with them, and they themselves almost to a man associated in their words and thoughts 'the altar and the crown.' They were accused, and often with reason, of stirring up rebellion. As the struggle between the Assembly and the Crown grew fiercer, more and more severe laws were passed against the orthodox clergy, until at last, before the Monarchy fell, a non-juring priest was in the eyes of the law almost the same thing as a traitor to his country. The Constitutional clergy, on the other hand, were bound to the Revolution by their oath and were in sympathy with Republicanism; but it was the Orthodox clergy who, braving persecution and hiding in France, were a power among the people. Thus devout Catholicism came to find itself pitted against what was commonly called patriotism.

With the fall of the Monarchy and the adoption of a Republic, a new stage was entered upon. A new oath,—adherence to Liberty and Equality,—was exacted from all priests, and he who refused it openly declared himself an enemy of

the Republic. At the same time the Republic was in imminent peril. Austria and Prussia were fighting against her; and when on January 21, 1793, France guillotined her well-meaning, self-sacrificing, but impotent Sovereign, half the powers of Europe were banded against her. At the same time a rising for 'altar and crown' broke out in the Vendée, and one of the most powerful parties in the Assembly, that of the Girondists, was accused of attempting to weaken the Government by breaking France into federal states. Enthusiasm for the Republic, 'one and indivisible,' became a first requisite in every citizen; to foster this enthusiasm, a first duty for the Government if all that the Revolution had effected was to be saved.

Hitherto the Constitutional clergy had been exempt from persecution, but in the spring of 1793 they too fell under suspicion; and from this time religion itself—that is, the worship and practices of the Church, whether orthodox or constitutional—was considered a danger to the Republic. To destroy divine worship, and with it all spirit of adherence to the throne, became the avowed aim of the ultra-Revolutionaries; to weaken it, that of the more moderate Republicans. 'Down with the religion of priests; yes, citizens, down with the religion of priests! It is the religion of priests that has given us kings, it is the religion of priests that has supported their crimes!' writes one contemporary. 'From the earliest times,' writes another, 'there has been a compact between the throne and the altar. Priests have declared to kings "we will cause you to reign, but do you in your turn render us powerful—let us be independent, free, and privileged, exacting tribute from a foolish people, to whom we in turn will assert that you are the images of God upon earth, that your authority comes from Him, and must neither be examined into nor contested."'

It was to prevent this that the Civil Constitution of the clergy had been decreed, that bishops were forbidden canonical institution, that the clergy were forced to take an oath approving a state of things which to most Catholics meant apostasy. The attempt had failed; the Constitutional Church had only weakened the Republic, and a fresh experiment had to be tried.

From the first dawn of the Revolution, the idea of Reason had been strong in the minds of the men who wished for reform. What does Reason say? men asked, in the spring of 1789, when discussing the basis of election to the promised

Separation of Church and State in France 301

States-general, and a few months later the National Assembly drew up a declaration in which it asserted that 'the ignorance, forgetfulness, or contempt of the Rights of Man'—founded on Reason—'are the sole causes of the unhappiness of peoples and of the corruption of Governments.' Reason had become the test of political actions, and the Rights of Man the foundation on which a new political fabric was to be built. Reason, then, was the weapon to which the revolutionary leaders resorted in their attack upon the Church.

In this attack upon religion two different influences were at work, that of the Convention, and that of the Paris Commune, always more advanced than the Convention, and at this time, under the influence of Chaumette and Hébert, violent Jacobins, without fear of God or man, or respect for common decency.

First, then, for the Convention. Its efforts were directed against the Constitutional clergy, who alone were recognised by the Government; and its aim was not ostensibly to abolish religion, but to remove from it all those ceremonies and associations to which religious sentiment clings, and on which, spite of all reason, it so largely depends. To this end the Convention attacked the celibacy of the clergy, the religious instruction of the young, and, strange as it may seem, the ordinary or Gregorian calendar.

An unmarried priest, it was urged, had no stake in the country, whereas a married one gave a hostage to the State. Accordingly, special laws were framed for the protection of those priests who married. The bishop or priest who opposed the marriage of a fellow-clergyman was punishable by transportation; married priests were exempt from the law which allowed any six citizens to bring their parish clergyman before the law courts on a charge of 'incivisme,' a charge which exposed him to death by the guillotine; and priests who married, and were therefore expelled from their parishes by horrified parishioners, were specially provided for by the State. These laws had the due effect. The Constitutional clergy were not the most devout of Catholics, and the marriage of priests became a scandal to the faithful, a ridicule to the scoffer, and a matter of congratulation to the Convention.

About the same time the Convention, through its Committee of Public Instruction, substituted for the lives of the saints then read in schools, accounts of the heroic and virtuous deeds of the Republican arms.

Much more important than either of these was the decree of October 1793, which instituted the new Calendar, dating not from the birth of our Lord, but from the beginning of the Republic. Autumn was its first season; September 22nd its New Year's Day. Its months were called after the phenomena of the season—after rain, cold, wind, and heat; after vintage, reaping, and sowing. Its weeks became decades, three in each month. Its days were no longer Lundi, Mardi, and the rest; but Primidi, Duodi, and so on until the new Sunday or Decadi. But this was not all. In the new almanacks saints' days were replaced by the names of minerals, vegetables, or even agricultural instruments. 'For an almanack of two *sous*,' writes an enthusiast, 'a man becomes a physician, a botanist, and a mineralogist,' and, what was more to the point, he was *not* encouraged to become a saint. 'What has been and what is the most dangerous enemy of the Republic?' writes a contemporary, and answers, 'Fanaticism. What counter-poison has fanaticism most to dread? The Calendar.'

It was especially in its substitution of the Decadi for the Christian Sunday that the Committee of Public Instruction trusted to the new Calendar as an antidote to fanaticism, and to make the antidote more powerful it introduced civic festivals in honour of civic and patriotic virtues. 'On the morning of the last day of the decade,' runs an instruction for its observance, 'the bell, if one still exists, will announce the day of rest. Good citizens will assemble in presence of the constituted authorities round the altar of the country, or, failing that, round the tree of liberty, to sing patriotic hymns, hear the proclamation of the laws, a short account of the political situation of the day, and of the doings of the Convention,' and that was all. Religion and religious institutions the Convention quietly ignored.

So far Reason was used only as an instrument to minimise or nullify the influence of the Church; but in November 1793, the Commune of Paris raised Reason into a Divinity, and set up her worship as a rival to that of the Christian Church. To make the rival as formidable as possible they induced Gobel, Constitutional Bishop of Paris, and his somewhat weak-kneed clergy, to abjure their vocation and so leave the Cathedral of Notre Dame, the great metropolitan church of Paris, free for its use. A circular was sent out by the Mayor of Paris informing the citizens of the change, and

Separation of Church and State in France 303

announcing that on the next Decadi, November 10th, by the old, Brumaire 20 by the new Calendar, a festival of Liberty and Reason would be held in the cathedral hitherto dedicated to the worship of God.

'Almost nowhere,' says M. Aulard, 'does the worship of Reason deny a Divine Being. What it does is to identify the Divine Being with the abstract Reason, or,' and this is more common, 'with human reason as itself divine.' Human reason, however, had in the mind of the Republicans but one true expression, that of a Republic, and religion but one function, that of maintaining the Republic 'one and indivisible.' Reason became a tutelary Deity peculiar to France, and its worship a weapon with which to destroy Christianity, the enemy of the Republic. What is somewhat vaguely spoken of as the worship of Reason was in fact an attempt at a kind of Theocracy.

'Thou shalt serve the Republic, one and indivisible, and her only.

Against Federalists thou shalt wage eternal war.

As a good soldier thou shalt perform thy duty diligently.

Thou shalt honour thy father and mother, and likewise old age.

Thou shalt be tolerant of all forms of worship, as the Law decrees.

Thou shalt cultivate the fine arts, which are the ornament of the State.

Thou shalt go to the meetings of thy Section, when legally summoned.

Thou shalt not fail to shut thy shop each Decadi.

Thou shalt obey the Constitution, as thou hast sworn to do.

Thou shalt perish at thy post, if thou canst not live free.'

'I believe in a Supreme Being, who has created men free and equal, who has made them to love and not to hate one another; who desires to be honoured by the virtues of man, and not by his fanaticism, and in whose eyes the fairest worship is that of reason and of truth.

I believe that from the unity and indivisibility of the Republic, comes the welfare of the people; that a boundless attachment to the Constitution which the people have accepted can alone secure their happiness, and that man, if he wishes to preserve his rights, must never forget his duties.

I believe in the approaching downfall of all tyrants and all rebels, in the regeneration of morals, in the spread of all the virtues, and in the everlasting triumph of Liberty.'

'Chaste Daughter of Heaven, O Liberty, thou hast descended for us upon earth. May thy name be hallowed.

Thy kingdom is come, and that also of the Law. May its will be done.

Provide for the wants of thy children. Give us our daily bread. Forget the wrongs which peoples yet enslaved commit against thee, and remember only the homage thou receivest from a people rendered free.

Divinity of my Country, take away from us all that may lead us into error. Remove from us the temptation to do wrong, and deliver us from our enemies.'

Such are the Commandments, the Creed, and the Lord's Prayer, as interpreted by the worship of the country.

The worship of Reason, as such, was short-lived, nor did the worship of the Supreme Being, inaugurated by Robespierre in June 1794, last much longer. But the attempt to secularise France was persisted in. Church-bells were silenced, monasteries turned into prisons, churches into store-houses, stables, or Temples of Reason. Children were baptised by presidents of popular societies, marriages were solemnised in temples of Vesta, funerals were unblest by any sign of religious faith. Men covered their infants' cradles with the Declaration of the Rights of Man; they called their little ones after neither saint nor relative, but after Roman republicans, and French patriots. Figures of the saints were replaced by busts of Roman or Jacobin heroes; and, lest the hope of future bliss should render the citizens forgetful of present and Republican duties, Fouché, sent as pro-consul to the district of Nevers, had ordained that the dead should be conveyed to the place of burial covered with a pall on which was painted the image of Sleep, that a statue of Sleep should be erected in every cemetery under his jurisdiction, and that over its gateway should be engraved the words, 'Death is Eternal Sleep.'

Nothing was held sacred. The Christian Trinity was replaced by a Trinity of Jacobin martyrs, with Marat, Chaliér, and Lepeletier, for its three persons. 'Women, children, old men, and thousands of useful tillers of the soil, were thrown into prison for having secretly listened to a mass or confessed their sins to the ear of a priest. The domestic hearth was nowhere held sacred; images venerated by a mistaken yet innocent faith were destroyed, and ridiculous ceremonies were invented to replace religious services, only loved the more, the more strictly they were prohibited.' So wrote Boissy d'Anglas, himself no believer in revealed religion, but an upright and moderate Republican.

The attempt to secularise France proved as ineffectual a remedy as the attempt to set up a State Church without allegiance to the Pope; and with the fall of Robespierre and the relaxing of the iron spell in which the Terror had held France, religion at once re-asserted herself.

The Orthodox priests who had remained in their country and had survived the guillotine, ventured forth from their hiding-places and resumed public worship: here and there

Separation of Church and State in France 305

they even dared to take possession of the churches. Priests who had fled returned. Constitutional priests, many of whom had abjured, denied their apostasy, saying that they had renounced their orders not willingly, but by compulsion. At the same time letters from the pro-consuls of the Republic sent into the Departments to put down disturbances, petitions from district after district for that liberty of worship declared to be one of the rights of man, the fear of a second Vendée, all combined to impress upon the Convention the fact that the Catholic religion could no longer be safely ignored.

Obliged to take some step, yet resolved not to support religion, the Convention decided to free itself of all responsibility and leave religion to take care of herself. It had long ceased to fulfil its obligations towards the Constitutional Church; it now determined to deny that it had obligations. 'Seeing that religion exists,' said Boissy d'Anglas, in the report by which he introduced his *projet* on the separation of Church and State, 'seeing that the charm of custom and the power of early impressions have preserved it, and that persecution, instead of destroying, has revived religion, the question is how to make it as harmless as may be.' . . . 'Let those who believe in auguries,' he concludes, 'pay for them . . . treat assemblies for the purpose of divine worship as you treat private societies, grant them no facilities, deny them all publicity,' but let them exist. In other words, sever all connection with the State, permit liberty to any form of worship, but submit all to State surveillance. 'The exercise of all forms of worship shall be undisturbed; the Republic ceases to contribute to the support of any form of worship; she furnishes no locality for the exercise of worship nor for the lodging of its ministers; ceremonies belonging to any kind of worship are forbidden outside the building chosen for its exercise; the law does not recognise as such any minister of religion; every assembly of citizens met for the purpose of worship is subject to the surveillance of the police; no minister of religion may appear in public with the dress, ornaments, or costumes peculiar to religious ceremonies; no symbol peculiar to any form of worship may be placed on a public place; no inscription may indicate the building in which worship is held; no proclamation or public convocation may invite the citizens to worship; the *communes* may neither buy nor hire a building for religious worship; no tax may be imposed, no fund sunk to defray the expenses of worship;

whoever shall disturb the religious ceremonies of any worship whatsoever, or injure the objects pertaining thereto, shall be punished.'

In such words, on the 21st of February, 1795, France made her first essay in the separation of Church and State. It came not as a blow, but as a concession. It imposed no new conditions, but only re-stated existing conditions, and, subject to these conditions, it conferred on France the promise of religious liberty.

It was, however, only a promise. For a short time there was relief to the down-trodden Catholics; but the persecuting laws were not repealed, and fresh political crises under the Directory revived the old persecution. The separation of Church and State failed as the Civil Constitution of the Clergy, as the secularisation of France had failed, and it failed from three definite causes. It is these which makes the experiment of the first Republic significant to-day.

Speaking on December 21 of last year at the Institute of France, M. Ribot, a Liberal and former Premier of the Republic, said that the present separation of Church and State 'had been effected in circumstances galling to the Holy See, and, consequently, not less dangerous to the State than to the Catholic Church.' In an able article on the 'Reasons of the Concordat,' contributed by M. Vandal to the *Revue des Deux Mondes* of February 1st of this year, the writer quotes a hitherto unpublished speech of Napoleon in reference to his proposed Concordat: 'Il me faut le Pape maintenant pour réparer cette destruction impolitique que Robespierre lui-même jugeait telle quand le grand instigateur de la mesure, Chaumette, fut trainé à l'échafaud. Jamais le Pape ne pourra me rendre un plus grand service; sans effusion de sang, sans secousse *lui seul peut réorganiser les catholiques de France sous l'obéissance républicaine.*'

Non-recognition of the Holy See, the endeavour to secure the entire allegiance of the clergy to the State, was the first reason why, in the eighteenth century, the Revolution failed to solve the religious problem; and it is a danger acknowledged now by many who, like M. Ribot, are Republicans and anti-clerical.

Hardly less important were the restrictions laid on the outward observance of religion:—the silencing of the church-bells, the removal of crucifixes, the insistence by the State of the

Separation of Church and State in France 307

observance of the Decadi instead of the Christian Sunday. M. Vandal, in the article already quoted, attributes the necessity of the Concordat in great part to this suppression of religious ceremonies, 'only loved the more, the more strictly they were prohibited.' 'At the end of the Directory,' he says, 'the mass of the rural population in the majority of the Departments of France was turning towards royalism, because the Republic, in their eyes, stood for religious persecution,' and he quotes the reports of the Commissioners from the Departments. 'Those who long for a return of the old *régime*,' wrote the Commissioner of the Loiret, 'do so, not that they may have a king, but that they may have their priests, their church-bells, and their processions. . . . Give the people back their crucifixes, their chimes, their Sundays, and, above all, those who live on such mummeries, and everyone will cry, "Vive la République."'

The restrictions imposed by the Third Republic on the outward observance of religion are much less stringent than those of her elder sister; but they are the same in kind. No religious symbol may be placed in or on any public building, or any public ground, save on buildings set apart for religious worship, in cemeteries, on memorial stones, or in museums and exhibitions. Religious processions, and the exercise of any religious ceremony outside a church, are forbidden, unless by permission of the civil authorities, and the ringing of church-bells is under the same control. Such things would be no hardship in England, but they are in France, and to trample on religious sentiment may be as dangerous to a Government as to create religious scruples.

Lastly, in the eighteenth century, there was, as there is to-day, the practical difficulty of the support of religious worship. The people of France have shown abundant devotion to their clergy, but they have never been accustomed to support them; and for this reason also the first experiment in a free church failed.

The separation of Church and State, brought about in 1795, lasted for less than six years, and was replaced by the Concordat of Napoleon.

The conditions of to-day are very different from those of 1795; yet who dare prophesy concerning the duration or the result of the new experiment? Who can say whether the Republic is not repeating the error of the Revolution; whether

308 Separation of Church and State in France

in her attitude towards religion—above all, in her disregard of religious sentiment and religious prejudice—she is not with one hand raising a disaffection which, with the other, she is seeking to quell?

SOPHIA H. MACLEHOSE.

Saving the Regalia in 1652

THE information printed below (of which the original was recently discovered amongst the Marischall Papers) contains some interesting details of the saving of the Regalia from Cromwell's forces in 1652. It must be remembered that, on the Restoration, an unfortunate dispute arose between the Keiths and the Ogilvies of Barras, in which each family claimed the chief honour of preserving the Regalia. This dispute was not ended until 1702, after legal proceedings had been taken. Some of the evidence for both sides has been published by the Bannatyne Club¹ and the Scottish History Society,² but the paper given below, which seems to set forth the principal contentions of the Keith side, has not been published by either of these. As it turned out, Lord Kintore gained the day; but to an impartial reader it would appear that on the whole the merits of preserving the Regalia were very evenly divided.

P. KEITH MURRAY.

19 Charlotte Square, Edinburgh.

INFORMATION FOR THE EARL OF KINTORE

AGAINST

SIR WILLIAM OGILVIE OF BARRAS, AND DAVID OGILVIE HIS SON

THE *Regalia* of the Kingdom of *Scotland* were entrusted to the then Earl *Marischall* during the time of the late Troubles, and were by the care of the late Earl, the Countess his mother, and especially by the Prudence and Firmness of *John* now Earl of *Kintore*, then Mr. *John Keith* the Earl's Brother, preserved from falling into the hands of the *English*, and after the Restoration of King *Charles* the second, discovered and restored to the Government, with an ingenuous and honest Account how they had been preserved, not omitting what concern *Ogilvie* of *Barass*, (who was the Earl's Lieutenant of the Castle of *Dunnotar*, by a Commission from the Earl himself) had in the matter.

But Sir *George Ogilvie* of *Barass*, conceiving that it might be a great Advancement for his Family, if he were understood to be the sole Preserver of the Honours, and that in a matter so mysterious and secret, it would be easie to assert boldly: Did therefore ungratfully and foolishly set up for the honour of having done that Service to His Majesty and the Nation, without any Assistance of the Familie of

¹ *Regalia Papers*, 1829.

² *Warriston's Diary and Other Papers*, vol. xxvi. 1896.

Marischal. But the thing being then recent and all the People alive who knew the Circumstances, which served to give light to the Truth, *Barass* let fall his Pretensions, and the true Account of the Preservation of the Crown, Scepter and Sword, has not been brought in question by any body for 40 years.

But in *Anno 1701* there was a pamphlet printed and dispersed intituled, *A true account of the Preservation of the Regalia of the Kingdom of Scotland*. *Viz.*: the Crown Sword and Scepter, from falling into the hand of the *English* Usurpers by Sir *William Ogilvie* of *Barass*, Knight and Baronet, with the Blazon of that Family, and wherein he pretends to arrogat the chief merite of preserving the Regalia to Sir *George Ogilvie* of *Barass* his Father and to his mother, detracting at the same time from the Family of *Marischal*, and particularly alledging that the Countess Dowager of *Marischal* Grand mother to this Earl had suppress the Truth, and imposed upon K. *Ch. 2d.* and that the Earl of *Kintore* was Abroad, and Knew nothing of the matter.

The Earl has therefore raised a Complaint before the Lords of Privy Council, against *Barasses* elder and younger, for this false defamatory Libel.

And to the effect, that the Lords of Privy Council may be fully informed concerning the preservation of the *Regalia*, and that the Earl may be vindicat, and *Barasses* Falshoods discovered, the Earl begs liberty to make a true and ingenuous Narration.

King *Charles* the 2^d, being obliged to leave *Scotland* upon the prevailing of the *English*, gave a Commission to the Earls *Craford*, *Marischal* and others to manadge the Government, and the Earl of *Marischal* having obtained an Establishment for a Garrison in the Castle of *Dunnotar*: He did name *George Ogilvie* thereafter, Sir *George Ogilvie* of *Barass* to be his Lieutenant, as not doubting but he would be trustie to him, seing the said *George Ogilvie's* Father, had been the Earl's Porter, and the said *George* himself had been bred up about his Familie, and had received by the Earl's favour the first advance towards his better fortune.

The Earl of *Marischall* having gote the *Regalia* did depositat them in a secret place of the Castle of *Dunnotar*, of which he kept the Key himself: but the Earl *Marischall* being surprised and taken by the *English* at *Eliot* sent the Keys of the place where the Honours were kept, to the Countess dowager his Mother, a person of great Vertue, Prudence and Loyalty, who came herself to *Dunnotar* and delivered the Honours to *George Ogilvie*, with special Order to take care of them, in case he should be forced to surrender the Castle.

About this time the Committee of Estates, seing the *English* like to carry all before them appointed the Honours to be delivered to the Earl of *Balcarass*, which the said *George Ogilvie* was ready to have complied with, but was diswaded by the present Earl of *Kintore* who at that time, although very young, did project a far more effectual way to preserve the said Honours, and indeed if the Honours at that time had been sent thorow the Countrey, which was full of the Enemies

Troops, or even had been delivered to the Committee of Estates which was shortly afterwards dissipate, they would have undoubtedly fallen into the hands of the Enemy.

The *English* approaching to *Dunnotar* & there being no appearance of relief, the said *George Ogilvie* gave the Honours to Mr. *James Granger* Minister at *Kinneff* who carried them out of the Castle, and the said Mr. *James* sent his wife to receive them, who by her Maid did carrie them away, being packt up in a Burden of flax, and thereby they were brought safe to the Minister's house, albeit they met with a Party of the Enemy upon the Road, and were by the Minister hid in holes digged under the Pavement of the Church, and as the Trust was intirely from the Countess of Marischal in absence of the Earl who was then Prisoner, So Mr. *James Granger* gave a Declaration to the Countess, written with his own hand, bearing Date, the 31 of *March* 1652, acknowledging the custody, and describing the very places of the Church where the Honours were hid: And concluding in these words, 'that if it should please God to call me by Death before they be called for, your Ladyship will find them in that place.'

But the better to cover this and to amuse the *English*, the Earl of *Kintor*, then Mr. *John Keith* retired secretly and went to *Paris* where King *Charles* was, and then it was given out, that he had carried the Regalia beyond Seas to the King; and when the Castle of *Dunnottar* was taken by the *English* and *Ogilvie* detained prisoner, until he should give an account of the Regalia: *Ogilvie* alledged for himself, that Mr. *John Keith* had carried them beyond Seas, and to support this storie, a Letter was procured from Mr. *John* owning that he had done so, upon which *Ogilvie* was liberat.

King *Charles* the 2d. being well informed and sensible of the Fidelity of the Countess of *Marishal* and her Children, wrote a Letter from *Collen* to the Countess, *January* 1655. which is written with his own hand, and yet extant, wherein he does in very oblidging terms acknowledge her good services which he forbears to name for his sake and hers; and which no doubt amongst others, had regard to the preservation of the Regalia, although at that time it was not fit to express it, for fear of intercepting it as the Letter insinuates.

King *Charles* 2d. having sent the Earl of *Midletoun* to command in *Scotland* the Earl of *Kintor* resolved to venture his Life for his Majesty, and came along with him, and when that Attempt proved unsuccessful, and that those who had been in Arms for the King at that time were forced to capitulat. The Earl of *Kintor* foreseeing that he would be brought in danger for the Regalia, took from the Earl of *Midletoun* a Receipt for the Regalia, as if they had been delivered by the Earl of *Kintor* to the Earl of *Midletoun* at *Paris*, although it was truly dated at *Keppoch*.

The thing happened as the Earl of *Kintor* had forseen; for he was taken up and Examined strictly by Collonel *Colbe*, Governour of *Dundee*, who by General *Monks* Order did capitulat with the Marquiss of *Montross* and him, but having produced the Receipt, and answered firmly and

consistently, he was dismissed, and by these means the Regalia were no farther heard of, nor sought after till the Restoration.

After the Restoration, the Countess of *Marishal* gave a plain account of the whole matter ingenuously, owning *Barass* his part as a Servant under the Earl of *Marishal*, and which was no more then, that *Barass* had once the keeping of the Honours, and delivered them to *Grainger* and that he did not discover *Grainger* when he was examined by the *English*; Nor did the Countess forget Mr. *Grainger's* fidelity in the matter, which did not at all diminish her own and the Earl of *Kintor's* Merit, who were the principal actors and manadgers, and who projected the manner of preserving the Honours by lodging them in *Graingers* hands, and took his Declaration concerning them; and by a very wise and prudent device, led the Enemy off from the pursuit of the Honours; albeit that device did both expose the Earl of *Kintor* in his Person and Fortune; and his Majesty King *Charles 2d.* was so far convinced of the Earls good service, that he was pleased at that time to create him Knight *Marishal*, upon the narrative of the service done in preserving the Crown, &c.

But *George Ogilvie* of *Barrass* had laid the design, to have the sole merite of preserving the Honours ascribed to himself; and for that end endeavoured to perswade Mr. *Grainger* that his fidelity in that matter was not represented to the King; but that the Countess of *Marishal* and her Son, were taking the glory of the Action intirely to themselves, and the only way to prevent it was, to deliver the Honours to *Ogilvie*, that he might have them to show and *Ogilvie* was to make a Representation for himself and Mr. *Grainger* to the King, Mr. *James Grainger* being half perswaded by *Ogilvies* mis-representations, and yet not fully trusting him, granted him only a part of what he asked, having delivered the Scepter to the said *George Ogilvie* of *Barrass*, retaining the rest, but however he took *Barrass* his Receipt for the whole, which Receipt was qualified by a back-note given by the Minister to *Barrass*, whereby he acknowledges that albeit he had *Ogilvies* Receipt for the Honours, yet *Ogilvie* had gotten no more but the Scepter, and oblidges himself to make the rest furthcoming at demand; which back-note *Barrass* has published in his Pamphlet.

Barrass having by these means in appearance the Honours at command, and having his Son at *London* to sollicite his business; under the favourable protection and countenance of the Lord *Ogilvie*, did boldly give it out, that he and his Lady were the principal Keepers and Preservers of the Honours, and procured an order to himself to deliver them to the Earl *Marishal*, hoping that if the Honours were so delivered as he might have a Receipt, it would confirm the story that he was the principal Keeper and preserver of the Honours: And this Order being transmitted by the Son to *George* the Father, *George Ogilvie* sent to Mr. *Grainger*, to go alongst with him to deliver up the Honours to the Earl *Marishal*, which he absolutely refused, having been abused by him before, and so went out of his House with the Crown and Sword to be delivered to the Earl *Marishal*, which *George Ogilvie*

perceiving, met the Minister on the Road, with the Scepter, and both came to *Dunnottar* at the same time, and accordingly delivered the Honours to the Earl *Marishal* in presence of the Viscount of *Arburthnot* and several others; But *George* having been Lieutenant of *Dunnottar*, and having had once the custodie of the Honours from the Earl and Countess of *Marishal*, did propose to the Earl *Marishal* that he might have a Receipt, under the specious pretext as being necessarie for his exoneration, and having gotten this Receipt from the Earl, he immediately transmits it to his Son at *London* who improves it as a proof that his Father had been the principal keeper and preserver of the Honours; and he procured a Patent to be Knight Barronet, with a Charter changing the holding of his Lands, &c.

But all these being but false representations, imposing upon his Majesty, and detracting from the good Service done by the Earl of *Kintor* were quickly discovered, and *Grainger* who had been abused amongst the rest, gave an account in a Letter to my Lady *Marishal*, yet extant, of *Barrass* his conduct with him, and the Countess of *Marishal*, and the Earl of *Kintor* having also complained, and redargued *Barrass* his false accounts by the Writs abovementioned, *Barrass* let his pretensions fall; the rather not only because he was redargued from the Writs but that the Earl of *Middletoun*, the English officers who had examined anent the Honours in the time of the Usurpation, and the Viscount of *Arburthnot*, and the other persons who were present, when Mr. *Grainger* als well as *Barrass* were all alive, and ready to have confounded *Barrass* his false and arrogant pretence. But now Sir *William Ogilvie* his son presuming that the obscurity by the length of time, and death of many worthie persons who knew the circumstances of the matter, may favour his Claim, has revived what his Father first fraudulently contrived and fraudulently dropt, and endeavours by the forecited Pamphlet, to insult the memory of the deceased Countess Douager of *Marishal*, and detract from the Merite and Services of her Son the Earl of *Kintor*, contrary to the Truth itself, and contrary to the evidences abovementioned But the Earl has the happiness to have the matter decided by his Majesty, in his Letters patent to him as Knight *Marishal* and by a Letter under King *Charles 2d* his hand to the Countess of *Marishal*, and another from the Earl of *Middletoun*, wherein *Barrass* is treated as a little fellow, and by a Patent creating his Lordship Earl upon the narrative of that very Service, long after *Barrass* his arrogant pretensions, with a prescription of 40 Years.

The Earls merite in this matter being vindicate by the Narrative abovementioned, *Barrass* Pamphlet with his pretensions upon that account, to have been sole keeper and preserver of the Honours, falls in consequence.

But because the Pamphlet does not only advance matters false, but represents them in a way injurious to the Earl of *Kintor*; and in a further vindication handed about in writing by the same *Barrass*, he insists farther upon the same Falshoods and Injuries. The Earl has

raised the foresaid Lybel before the Lords of Privy Council, and shall make the following Observes upon the Pamphlet.

And *First*, by the Pamphlet it is evident that *Barass* his concern about the Honours was only as a Servant, intrusted by the Earl *Marishal* in als far as his Commission to be Lieutennant of *Dunnottar* was only from the Earl himself.

2. The Story as it is told by *Barass*, of his Mothers conveying the Honours out of the Castle without his Fathers knowledge and that this was by his Fathers own Contrivance, is little better than a jest.

3. Not to enter upon the question, whether *Barass* maintained the Castle of *Dunnottar* as long as it might have been kept out, or if the Capitulation without extremitie whereby he delivered up not only the Castle, but the Furniture and other Goods belonging to the Earl *Marischal* and others, to a very considerable value, was honourable; it seems strange and dis-ingenuous that *Barass* should have capitulat upon the terms of delivering up the Crown, which yet he knew was not in his power.

4. The narrative pages 7 and 8, alledges that the Lady *Barass*, being examined concerning the Honours, pretended that the Earl of *Kintore* had carried them abroad to the King: and yet page 11th the same Pamphlet alledges, that the Earl during the Transactions was abroad at his Travels, and knew nothing of the matter.

5. In the 10th page he asserts, that *Captain George and his Lady*, were the principall Keepers and Preservers of the Honours whatsoever others pretend, and the only Sufferers therefore: and in the 11 page he adds, that the Countess of *Marischal* wrote to his Majesty, that her son *John Keith now Earl of Kintore* had preserved the Honours, being that he the said *Captain George* had unwarily imparted to her where they were hid, and that upon the said mis-representation, her Son was first created Knight *Marischal*, and thereafter *Earl of Kintore* with a Pension for his pretended preservation of the Honours: Albeit by the Ministers Receipt it's clear and evident, that upon lodging the Honours in the Kirk of *Kinneff*, he gave the Receipt and Declaration to the Countess of *Marischal* bearing the particular places where they were hid: So that *Captain George* nor his Wife never imparted the same to the Countess; and not only thereby asserts what is false in that matter, but adventures even to bely his Majesties Patents.

6. By a Paper handed about in write, he asserts 'that he and his Lady were the only Sufferers for, and Preservers of the Honours'; and in the 3d page thereof 'asserts that *Sir George* his Ladys making 'the use of the now *Earl of Kintore's* name, was a very lawful 'Stratagem in her, and that which no generous Man Abroad would 'have declined to own: But would not have reaped the fruits of *Sir 'George* and his Ladys Labours, nor taken the whole reward due for 'their Sufferings.' And in the last page thereof adds, that by his Narrative Truth doth appear in its naked Collour, without fear or favour of any; which is not only an aggravation of his former bold Assertions and Falshoods, but upon the matter a defiance to any who

would contradict them. And besides if (as *Barrass* grants) the Earl of *Kintore* owned the carrying away of the Honours, then it follows, that what he advances in his Pamphlet, page 11. is false, viz. that the Earl was abroad, and knew nothing of the matter.

7. This Paper of his seems to be inconsistent with it self, for he ascribes the sole Preservation of the Honours to his own Conduct; and yet in the 3d page of his written Paper says 'That his Lady 'did not discover to him where the Honours were, till she was on 'Death-bed, and then did import to him, how and where the Honours 'were hid and reposed, and took his hand upon Oath, not to betray 'the Trust she had committed to him.' By which it is evident that the Minister made only the Countess *Marischal* known to the Place where the Honours were hid, which is documented by his Receipt and Declaration to the Countess: And *Barrass* has nothing but his own bare Assertion to support his Ladys Knowledge and Discovery made by her to him on Death-bed.

8. Sir *George* seems to acknowledge by his own Papers, that the King himself was convinced that it was arrogance in Sir *George Ogilvie* to ascribe to himself the sole Preservation of the Honours; For in the sixth page of his own paper, he says, That when the Lord *Ogilvie* did sollicite *Stafoord* to represent the eminent Services due by the said Sir *George* and his Lady in preserving the Honours of *Scotland*, That the King's Answer was. *By my Lord Ogilvies good leave it most not be so, for my Lady Marischal wrote to me, that she and her Son John preserved the Honours.*

And lastly, the Receipt granted by the Earl *Marischall*, does not prove for *Barrass*, that he had the keeping of the Honours but on the contrary, the back Note granted by Mr. *Granger* the Minister to *Barrass*, joyned with the Earl's Receipt, evince the contrivance on *Barrass* part; for to what end did *Barass* give a Receipt of the whole Honours, when he received only the Scepter, if that Simulation was not intended to be a false evidence that *Barras* had the keeping of the whole? Or if ever *Barrass* had got the rest of the Honours from Mr. *Granger*, is it to be thought that *Granger* would not have retired his Back-not in a matter of such consequence? But seing *Barass* had laid so many Plots to have the appearance of being the Keeper of the Honours, when he was not; it follows plainly, that the Earl *Marischal's* Receipt was only intended by the Earl *Marischal*, as an Exoneration to *Barass* of the Trust he had of the Honours when he was Lieutenant of *Dunnotar*, but *Barass* out of a fraudulent Design, took care to have the Receipt so worded, as might best suite his purpose.

By all which its clear and evident 1. That what was done by *George Ogilvie* in relation to the Honours, was by Commission and Trust from the Earl of *Marischall*. 2. That the Countess delivered the Honours to him out of her own hand, with particular Orders about their Preservation. 3. That the Earl of *Kintore* kepted the Honours from being given up to Lord *Balcarras*, when he demanded

them by Order of the Estates. 4. That the Honours were carried out of the Castle & kept by the Minister of *Kinneff* by the Countess' direction during the Usurpation. 5. That the Earl of *Kintore* by his Letter from *Paris*, took upon himself all the danger, by owning that he had carried the Honours Abroad, that upon that account he was upon the Matter banished, and upon his return apprehended, and after his Escape hunted from place to place, that he gallantly hazard his Life under *Midletoun*, that he wisely contrived the getting that Generals Receipt, which intirely quieted the *English*, that he underwent many Hardships before Capitulating, that he behaved with so much Conduct and Exactness, that he intirely secured the Honours from all further pursuit; And Lastly, that *Barras* these forty years bygone, was so far convinced of all this, that it was never attempted till of late by this *Barras* or his Son, to call the same in question.

In respect whereof, and that *Barras* printed Paper is a most injurious Defamation and atrocious Slander contrary to Truth, to his Majesty King *Charles* the 2^{ds}. acknowledgements, and to the Faith of repeated Patents, it's hoped your Lordships will not only Ordain him to retract the same, as a manifest Villany, but also will Ordain the foresaid ignominious Pamphlet to be burned by the hand of the Hangman, and all other Reparation made to the Earl of *Kintore* of his Honour, Fame and good Name, that can be proper against such injurious and reproachful Undertaking, and will punish *Barras* in his Person and Goods, as your Lordships shall think fit.

THE KINGS LETTER TO THE COUNTESS MARISHEL.

Collen January 4th 1655.

I have so much to thank you for, that for your sake I mention no particular; but am Confident I shall live to see you, when we shall be merry, and comfort one another with the Memory of what We have done and suffered, I choise rather to let you have these two or three Lines from me then to suffer you to imagine that I know not how much I owe you; And if this acknowledgment miscarry, it can do you no harm, and you will some other way know that I am very heartily *Your most affectionat Friend*

CHARLES R.

At this point in the original document the following papers are printed:

1. Mr. Granger's Receipt to Lady Marischall describing the places in which he had hidden the Honours 31 March 1652.
2. Letter from the King to Lady Marischall 4 September 1660.
3. Declaration by Mr. Granger concerning the Honours 19 Oct. 1660.
4. Letter from Mr. Granger to Lady Marischall 12 November 1660.
5. Letter from Lord Middleton to Lady Marischall 15 November 1660.

Of these papers Number 1 is already published in the *Proceedings of the Society of Antiquaries of Scotland* for the year 1890, and the others in the *Publications of the Scottish History Society*, volume xxvi. It is therefore unnecessary to repeat them here, with the exception of Number 4, in which many blank spaces occur in the former publication.

LETTER FROM THE MINISTER OF KINNEFF TO THE COUNTESS
MARISCHAL.

Kinneff 12 Novr. 1660.

Madam,

I could not of duty ommit to write to your Ladieship at this time, for *Barrass* is now offering at high things, namely to improve against your Ladyship, has written to his Majesty anent the Honours, I do not write by Information, but he told me it out of his own mouth; I shall not now insist on Particulars, but for preventing any inconveniency I will write in general, for he thought to have drawn me on to concur in the Plot, for he feared without me he would not get anythings gone about rightly; But I have given up all dealing with him in that kind. His Son is at *London* and has written to him that my Lord *Ogilvie* has gone with him to his Majesty, and has declared that his Father did preserve the Honours, and offered that notwithstanding all your Ladyship had written to his Majesty, that they were yet in his Fathers hands, and has good hopes as he has written to his Father of great things: and if the Honours be not yet delivered that neither any Lord nor Lady in the Kingdom, should have them till he advertised him again; even albeit they had a commission from his Majesty, but since that was not now to be helped, he told me what course he should take for it, namely that he would shew a Ticket of Receipt subscribed by the Earl *Marshall* that he had received the Honours from him; I enquired where had he that and when he had gotten it, seing I delivered them, and he refused to give me Ticket of Receipt, O said he I got it the Night before by my Lord *Arbuthnets* moyen: Truly I thought it very strange, now I did refuse to concur with him till I heard all; and then I told him I would not be deceived any more with him, and your Ladieship remembers I did ever fear he would easily wind himself in my Lord *Marishals* favour. Your Ladyship may make the best use hereof your Ladyship can, for *Barrass* is very busie to post away his Letters to his Son, for he told me he was presently going to *Newgrange* to dispatch his letters in haste, I continue *Madam*

Your Ladyships humble Servant in the best service.

Sic subscribitur MR. J. GRANGER.

P.S.—*Madam*, It is easie to improve him, both that it was I that delivered the Honours and at your Ladieships Direction, and likeways that his Discharge was written the day before they were delivered, I hope to see your Ladieship next week God-willing.

Reviews of Books

LECTURES ON MODERN HISTORY. By the late Rt. Hon. John Emerich, First Baron Acton, Regius Professor of Modern History to the University of Cambridge. Edited, with an Introduction, by John Neville Figgis, M.A., Rector of Marnhull, and Reginald Vere Laurence, M.A., Fellow and Lecturer of Trinity College, Cambridge. Pp. xix, 362. 8vo. London: Macmillan & Co., Ltd. 1906. 10s. nett.

THIS volume includes the Lectures on Modern History from the middle of the 15th century down to the American Revolution, which were read at Cambridge during 1899-1900 and 1900-1901. The editors have added the Inaugural Lecture delivered by Lord Acton on his appointment as Regius Professor of Modern History at Cambridge in 1895. They have also added two appendices—one the letter addressed to the contributors to the *Cambridge Modern History*, and the other the mass of notes which illustrate the reading on which the Inaugural Lecture was based.

It is needless to say that no one but Lord Acton could have written such a book as this. The period covered is four and a half centuries, and yet every part is described with a fulness of detailed knowledge that seldom belongs to writers who have chosen a much more limited task. The unity of modern history is never forgotten, and yet every chapter is as full of details as a monograph. Each lecture describes, not an epoch, but a movement of history. Three men and three only are commanding enough to insist on a chapter to themselves. They are somewhat strange companions—Luther, Louis XIV., and Frederick the Great. Twice two men are bracketed together to fill one lecture—Henry VIII. and Calvin; Henry IV. and Richelieu. Philip II., Mary Stuart, and Elizabeth are placed together at the head of another. For the most part, however, the lectures deal with impulses which moved all Europe at once, or with periods in a country's history where the throb of general history made itself most visibly felt.

The lectures begin with one on the modern state, which is really a succinct description of the political condition of Europe at the close of the 15th century. Then follow lectures on the discovery of the New and the recovery of the Old World. The later of the two, which deals with the Renaissance, is specially good and suggestive. It is distinguished by a combination of breadth of treatment and an accuracy in details which do not often go together. Then follow lectures on various aspects of the Reformation movement, the rise and decay of absolute government, and the

Acton : Lectures on Modern History 319

creation by the development of the 'principle of federalism' of a community more powerful, more prosperous, more intelligent, and more free than any other which the world has seen—the American Commonwealth.

It is known that Lord Acton had a passion for impartiality, and this volume proves that he strove nobly, and in a very successful way, to be impartial. He would have succeeded even better than he has done had he remembered that while the intellect may be unimpassioned it is very apt to take sides. He was an omnivorous reader, and that is the reason perhaps why he invariably judges men by what they have said rather than by what they did; yet actions speak more clearly for character than the words that come from the mouth or the pen. John Knox said many truculent things, quite enough to justify the author's remark that he wished to exterminate Romanists; yet a contemporary Roman Catholic Scottish bishop bore witness that while his power was at its height 'few Catholics were exiled on score of religion, fewer imprisoned, and none put to death.' It is also well to remember in reading his descriptions of the great actors in the scenes he describes, that Lord Acton makes it a merit to 'ascertain their low-water mark, that praise and admiration may not be carried too far.'

Lord Acton's reputation for accurate knowledge is deservedly so great that it is the more necessary to say that some serious mistakes occasionally occur. They are probably due to the fact that the lectures did not receive his last corrections, and that his editors did not feel at liberty to alter the text.

It is strange to find the author saying that Catherine de' Medici became nominally Regent on the death of her husband Henry II., as her son Francis II. had not reached his majority (p. 157). It is true that Francis was not sixteen years old when his father died, that he was sickly in body and not very strong mentally, but he was old enough to govern according to French law. No Regent was needed in France until his death, when his brother Charles, a boy of ten, became king. On his accession the *Parlement* of Paris, as was customary, sent a deputation to congratulate the new king, and to learn from himself whom he had appointed to transact business for him and in his name. He informed them that 'his two uncles (by marriage) the Cardinal Lorraine and the Duc de Guise, had the entire charge of everything, and commanded them to obey them as himself.' Mary Stuart had succeeded in keeping her mother-in-law, Catherine de' Medici, in the obscurity she had lived in during the life of her husband Henry II. It was the beginning of that enmity between the two ladies which had for its consequence, that Mary Stuart got no help from France when she sorely needed it to aid her against the leaders of the Scottish Reformation.

Lord Acton rightly tells us that though the leaders of the Romanist party in France may have long contemplated a massacre of Protestants, the Massacre of St. Bartholomew was quite unpremeditated, and was devised and executed within twenty-four hours. But he says that the slaughter at Vassy was a deliberate act meant by the Duc de Guise to arrest the policy of toleration begun by Catherine de' Medici. This does not agree with contemporary evidence. The actual facts are that

the Duc de Guise left Joinville for Paris on March 1st, 1562. With him were his brother, the Cardinal of Guise, his children and his wife, who was looking forward to her confinement. They resolved to rest and hear mass at Vassy. A stone's throw from the church was a barn in which Protestants were worshipping in defiance of the edict which prohibited Protestant worship within a walled town. Guise sent one of his following to order them to end their service. The Huguenots refused. The followers of Guise attempted to compel them. A riot began; stones were thrown; several of the followers of Guise, and the Duke himself were struck; then the massacre began. It was anything but purposely planned. A man does not ride forth with his children and his wife to execute a premeditated massacre. The slaughter was nevertheless the beginning of the religious wars in France.

Another instance of carelessness may be taken from the chapter on Luther. Lord Acton says that Luther 'valued the royal prerogative so highly that he made it include polygamy. He advised Henry VIII. that the right way out of his perplexity was to marry a second wife without repudiating the first' (p. 105). This is quite erroneous. Such counsel was given to Henry, not by Luther, but by Pope Clement VII., and that more than once (*Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII.*, iv. iii. pp. 2987, 3023, 3189), and the Pontiff strengthened his advice by referring to precedents (*Spanish Papers*, ii. 379). No references to authorities are given in the Lectures; but Lord Acton's assertion is evidently based either on Luther's well-known private opinion that he himself would rather admit of bigamy than divorce, although he recognised that divorce is permitted in certain definite cases under the law of the New Testament, or more probably on the last sentence in a letter written by the German Reformer to Dr. Barnes (Sept. 5th, 1531). Barnes had written a long letter to Luther telling him that Henry was anxious for divorce, or rather for a declaration that his marriage with Catharine of Aragon had been invalid, because the state of the kingdom required that he should have a son to be his successor in order to save a disputed succession. Luther replied at length, and insisted that no repudiation of Catharine and liberty to take another wife was *certain* to secure the male heir the king so earnestly desired. He closed with the sentence: 'Antequam talem repudiam probarem potius Regi permitterem alteram Reginam quoque ducere et exemplo patrum et Regum duas simul uxores seu reginas habere.' This taken by itself appears to bear out what Lord Acton has said; but the context renders such an interpretation impossible. Henry VIII., on to the death of the ill-used Catharine, made many an attempt to win over the German Protestant theologians to express an opinion in his favour. His desire inspired the directions he gave to the half-political, half-theological embassy he dispatched to Smalcald and to Wittenberg (*Letters and Papers*, etc., ix. p. 69), in his dexterous attempts to win the confidence of Melancthon (*Ibid.* ix. pp. 70, 72, 74, 75, 166, 208, 311), and in many another way. But it was all in vain. Even in Padua the Lutheran residents did their best to prevent the University giving an opinion favourable to Henry (*Ibid.* iv. iii. 99, 2921, 2923).

Perhaps the strangest mistake in the volume occurs on p. 101 in the description of Melanchthon's theological position. Lord Acton declares that 'there was no question at issue (between Lutherans and Romanists) which was not afterwards abandoned or modified in a Catholic sense by the moderating hand of Melanchthon.' There is no doubt that Melanchthon was always conciliatory, that he would fain have prevented a final division in the Church, and that he was willing to give up many things provided the essential principles were retained. Lord Acton refers to his conduct at the Conference at Ratisbon. No better illustration could be given. At Ratisbon there was a sincere and whole-hearted attempt to reconcile the differences between Protestants and Romanists. It was made under the best auspices. The Emperor (Charles V.) had come to regard the Protestants much more favourably, and to believe that they held all the *fundamental* doctrines of the Christian faith. He was eager for a scheme of accommodation. The papal Legate was the Cardinal Contarini, one of the most learned, liberal, and conciliatory of the Italian prelates who yearned for a real reconciliation between the contending parties, and who had himself avowed a doctrine of justification not unlike that of Luther. The *Acta* of the Conference are full, and additional information from private letters enables us to know very thoroughly what passed. We can see how far 'Melanchthon's moderating hand' abandoned the articles of Protestant theology. The Romanists agreed to the marriage of the clergy and the cup to the laity: the Protestants agreed that the Pope might be called the Primate of the Church provided he was not allowed to interfere in the affairs of national Churches, and that the hierarchy might be retained, provided the right of oversight were shared by a learned layman appointed by the secular authority. Definitions of the doctrine of sin were agreed to, one of which was stated in terms which had been condemned in the papal Bull against Luther and another in a manner at variance with the decision of the future Council of Trent. Justification was defined in terms which satisfied the Protestants. The Church was defined without any reference to the Pope as its necessary and permanent head. The Romanists conceded many things about the sacraments; but no agreement could be come to on Transubstantiation; and the sacrificial character of the mass was not reached. Many things could be conceded on either side; but Protestants would never give up, and the Romanists would never concede the thought of a spiritual priesthood of all believers. That was the Conference to which Lord Acton appeals when he ventures the curious assertion that had not Luther got it into his head that the Pope was Anti-Christ, the Reformation need not have taken separate shape!

One more instance, showing a strange unacquaintance with the conditions which prevailed in Italy, may be referred to. Lord Acton says that it was Cardinal Caraffa, afterwards Pope Paul IV., 'who brought forward the extraordinary man (Ignatius Loyola) in whom the spirit of the Catholic reaction is incorporated.' That is perhaps what might have been expected. Loyola and Caraffa had many things in common. But history is full of the unexpected. It was Contarini, the leader of the liberal party in Italy who admired Loyola in Venice, who introduced him and his companions

322 Acton : Lectures on Modern History

to the Pope, and who did his best to smooth the difficulties which lay in his path.

The above are only instances of ways in which Lord Acton's book teaches us that it is almost impossible to relate the history of a long period without falling into some mistakes.

THOMAS M. LINDSAY.

A HISTORY OF THE INQUISITION OF SPAIN. By Henry Charles Lea, LL.D. Vol. I. pp. xii, 620; Vol. II. pp. xi, 608. New York: The Macmillan Coy. London: Macmillan & Co. Ltd. 1906. 10s. 6d. nett per vol.

AMONG the few living Americans whose works have become authorities on European history, and whose names worthily prolong the line of distinction from Washington Irving, Prescott, and Motley, one to whom honours of high grade are due is Dr. Henry Charles Lea. His books represent the utilisation of a vast mass of material, much of it in Spanish manuscripts. They cover an extraordinary field of enquiry, tracing the birth and growth of many religious institutions of Catholicism and their development under the diverse influences of medieval orthodoxy, renaissance questioning, and Reformation revolt. It is a tireless hand which has thus built up so great a fabric of Church history. The subjects Dr. Lea has successively dealt with include *Superstition and Force*, 1866 (fourth ed. 1892); *Sacerdotal Celibacy*, 3 vols., 1867; *Studies in Church History*, 1870 (second ed. 1883); *History of the Inquisition of the Middle Ages*, 3 vols., 1888; *Chapters from the Religious History of Spain*, 1890; *Auricular Confession and Indulgences*, 3 vols., 1896; *The Moriscos of Spain, their Conversion and Expulsion*, 1901.

Already a man of forty when he began, the octogenarian still pursues his themes, not only with a vigour marvellous for his years, but with a ripeness of knowledge and judgment that enables him out of the immense store of record matter which he has accumulated from the archives of Spain to present in richly documented and orderly array the annals of persecution. What were the causes of the Inquisition of Spain, what its jurisdictions, organisation and finance, what the sum of the achievement of its Edicts of Faith, what its effects on the national life? These are great questions which merit, above all, dispassionate study, for denunciation does little to explain. Dr. Lea has schooled himself into calm: indeed his plea for the necessity of justice to some reputations by an appeal to contemporary, not modern, standards of virtue, could hardly have more crucial matter to work upon than the Inquisition, which Buckle described as 'the most barbarous institution which the wit of man has ever devised.' Dr. Lea's method is not to sit unnecessarily in judgment; he collects, arranges, and presents the facts, too often terrible; doubtless in the fourth, and final, volume there will be a masterly summing up, but in the first two he applies himself with exemplary patience to the annalist's task, although the critic cannot be always suppressed. We remember Buckle's statement that the Inquisition expressed a condition of the Spanish intellect, and was

Lea : A History of the Inquisition of Spain 323

supported by public opinion. Dr. Lea shows that while it was supported in its anti-heretical function it excited otherwise a deep popular hostility. Not devised, as some have maintained, as a political engine for the conversion of Spain from a medieval feudalism to an absolute monarchy, it owed its introduction in 1480 to the fanatical, if in his own lifetime not immediately successful, agitation of Alonzo de Espina, whose strange work, the *Fortalitium Fidei* , was first issued about 1460. He was a ruthless apostle of the arming of all Christian souls primarily for three great conflicts, *bellum haereticorum* , *bellum Judeorum* , and *bellum Sarracenorum* , leaving little room in his black letter tome for a fourth warfare, the *bellum demonum* . His demand, to bring in the Inquisition, carried the day in the zealot reign of Ferdinand and Isabella, and the first edict of faith, the 'auto de fé' of 1481, began the burnings. The tribunal, directed chiefly against the Jews and Moriscos, had a base half papal, half royal; to the fact that it combined sanctions secular as well as sacred was due the enormous power it soon acquired; its political and ecclesiastical relations soon revealed it as a disturbing factor in the body politic, and its financial privileges, as well as the abuse of its jurisdictions, earned for it from the beginning a detestation which only the ardour of Spanish Catholicism—a patriotism almost as much as a creed—sufficed to counteract.

One great reason why the Inquisition maintained such a hold over Spain was its complete incorporation of the double authority of Church and Crown. Its jurisdictions and privileges encroached on public liberties, civil as well as religious; it had benefit of clergy and right of sanctuary; it fought for its own hand against both Pope and King; it established its authority after long struggle over the regular clergy and even the bishops; it did a vast business in the sale of offices, and its own organisation alone employed an extraordinary number of persons; but the headship of all this secret and terrible machine lay in the hands of the Crown from beginning to end of the chapter. Its remarkable regulation of *limpieza* , that no one could be an official in its service who was not an Old Christian, *i.e.* descended from Christian ancestry, harmonised with the national hatred of Jew and Morisco. Its financial mainstay for centuries was its power of confiscation, which, having been an invariable penalty of heresy under the Canon law naturally fell to this favoured organisation. A conviction for heresy involved the confiscation of the property of the heretic. How this dangerous power reacted on the tribunal scarcely needs explanation: its exercise was iniquitous to a cruel degree, but as time went on its worse features were relaxed. This confiscation was used even against the dead, a feature of ecclesiastical law which Scotland borrowed for its procedure against a traitor although deceased. Dr. Lea's first volume is a great repertory of fact on the origin and establishment in Spain of the tribunal whose very name became a word of terror in Europe, and on its relations with the Crown, the Church, and the people. His second volume follows the course of its widening jurisdictions, the solemn denunciations of its Edicts of Faith, and the long-drawn-out duel of the

324 Lea : A History of the Inquisition of Spain

'Suprema' of the Inquisition with the Papal Curia over the competency of appeal to Rome. From this, after describing the constitution of the body and its financial methods, Dr. Lea turns to the practice of the inquisitorial process, with its features of secret denunciation, solitary imprisonment, peculiar laws of evidence, and the use of innumerable judicial expedients, including torture, to bring the victim to repentance even on his way to the stake. These two massive volumes show the mechanism, other two to follow will record the work the tremendous engine did, and round off the great task of the venerable and illustrious historian with a summation of the studies of his life.

GEO. NEILSON.

FREDERICK YORK POWELL. *A Life and a Selection from His Letters and Occasional Writings.* By Oliver Elton. 2 vols. Demy 8vo. Vol. I, pp. xvi, 461. Vol. II., xvi, 464. Oxford: The Clarendon Press. 1906. 21s. nett.

THE first thing which is due to be said, is that the Clarendon Press have done themselves honour, and done honour to the memory of their great colleague, by the material qualities of a book which would have delighted that fastidious fancier of good craftsmanship whose life's record it enshrines. The second, is to congratulate Mr. Elton upon the skill and good-feeling of his treatment. Rigidly modest and self-concealing, so that a stranger would hardly guess that Mr. Elton's name was constantly on York Powell's lips, the portrayer nevertheless conciliates the reader's interest to himself as well as to his portrait. It is a masterpiece in a difficult kind of biography, written in a fine dry close-grained style, in which the little facets sparkle naturally every now and then, but never solicit the flash for display. A generous sympathy in expounding those sides in Powell's character or phases in his life (his life is his thoughts and feelings—there are no events) which command his approval, and no egoistical 'explaining my position' towards tastes which his biographer finds eccentric, or developments of opinion which to many seemed like disloyalties: alike in both gestures, the affectionate salutation and the respectful reserve, Mr. Elton is exemplary. It argues a winning humility in the author who can make so much of his work an *eranos*, lifelike in its very genial motley, of diverse homages, appreciations and regrets. This is not a 'one man show': the editor is both actor and impresario.

But, in the third place, it must be confessed that it is a terrible book to review. Frankly prescind from vol. ii., which contains the collected writings (and, by the way, a splendid index), and striking to the life, how is a reviewer to treat his material? Powell as University reformer, as inspirer of the Modern History School at Oxford—not the annual 200 examinees, whom he sadly cited to me, when I last spoke with him, as an example how 'Englishmen will do anything rather than think,' and whose still swelling numbers caused him no pride or satisfaction—but of the few who read and reason and utter

nothing shoddy: these would be one theme for a paper. Powell the man of letters would furnish another; the exquisite maker of verses, and of a prose which puts you in mind perhaps more of Fromentin than of anybody else, by its technical tact and unaffected individuality. Or you might follow Powell the Socialist to ground in Powell the Imperialist and Tariff Reformer: or take up the clue of this avowed Pagan's relations towards Christianity. A hazardous ground, and yet alive with interest. Twelve years ago he said 'It's all playing a game, but Catholicism is at least worth playing at'; and in his last years he grew hotter and hotter against Catholicism and Calvinism, while he more and more easily tolerated the Elizabethan settlement which he held to be obsolescent and harmless. Canon Liddon in a Tacitean phrase called him 'the best Christian in Oxford if he had only known it'; and he was full of suppressed Christianity. In this matter, his sharp, sometimes outrageous, but nearly always humorously expressed outbursts of irritation in talk or letter, make a rather disconcerting contrast with his deliberate writing *e.g.* in his paper on S. Ignatius of Loyola. He once said he thought S. Francis of Assisi and Napoleon the two greatest men in history; but I remember him saying, 'I hate saints!' and then bursting into a roar of laughter. It was probably the experience of many other young men who knew him, loved him, and admired him, that they sought, not malignantly, but in self-protection, to find some flaws in his philosophy (he would never own to a philosophy) which might save them from being not merely impressed but swamped under so enormous a bulk of knowledge animated by so enormous a geniality. At first the point of view appeared so commandingly high and central. But one soon perceived that he was only human in having the bias of an epoch and the caprices of a partisan. His censures indeed were reserved for those they could not damage, for the successful . . . the successful impostors, he would say. He disliked the *arriviste*, but he was too charitable to harm him till he was *arrivé*. His prejudices were often conceived in generosity, and his malice flew high like the malice of the Greek gods. It might surprise one to hear him praise Mallarmé for genuine and allow no merit at all to Rostand; but Mallarmé was not popular, and was Powell's private friend; his feelings against Rostand had other than aesthetic grounds, for the Dreyfus case deflected the needle in many of his later judgments. He jeered at Brunetière. To read his deliberate verdict on Newman is to think of Marsyas criticising Apollo.

His admiration for Carlyle seemed like a survival of a schoolboy's idolatry, strange in one who so clearly foresaw the rapid abatement of stature in the Victorian demigods. His view of Tennyson was Fitzgerald's view; his weakness for eccentricity in poetry sometimes coincided with the common prejudice in favour of one's own 'discoveries,' especially discoveries made in one's golden age: to a man born in 1850 Meredith might well seem not only great but far the greatest poet of the century.

But one might write for ever in this vein; for almost every page of Mr. Elton's arouses visions of the top-hatted, pea-jacketed, book-laden figure

coasting round Tom Quad, or as he sat in his chair, huge, twinkling, sonorous and eager; and I have not found a single page where my recollection quarrels with the presentment of the man in his biography. Strangers will thank the biographer for a most readable book on a most interesting subject, and (they will surely recognize) a most illuminating guide to a great underground force in the intellectual history of the later nineteenth century—a force incalculably far from spent in the present generation; but any friend or colleague of Powell's will thank Mr. Elton for what many felt and wished to see recorded 'but none so well expressed.' The book has evoked so many incidents, phrases, and characteristics that I will not beg leave to conclude with an anecdote which I treasure as most typical of 'the Yorker.' I was sitting in his rooms one night when an undergraduate entered. No introduction. Presently Powell and the stranger began to talk on minute details of — history. I listened, much edified, for an hour. When the visitor went away I asked Powell, Who was that? And he answered, 'I can't remember his name, but he often comes. An awfully keen little chap—knows a lot about the history of —!'

J. S. PHILLIMORE.

HISTORY OF SCOTTISH SEALS FROM THE ELEVENTH TO THE SEVENTEENTH CENTURY, with upwards of two hundred illustrations derived from the finest and most interesting examples extant. By Walter de Gray Birch, LL.D., F.S.A., late of the British Museum. Vol. I. The Royal Seals of Scotland. Pp. 201. 4to. Stirling: Eneas Mackay, and London: T. Fisher Unwin. 1905. 12s. 6d. nett. Edition de luxe, 21s. nett.

AMONG Dr. Birch's learned works on the various subjects which have employed his pen, the most important, to our mind, is the great Catalogue of the British Museum Collection of Seals. In the fourth volume of that Catalogue, he deals with the Seals of Scotland; thus he approaches his History of Scottish Seals, now before us, with the advantages of a wide general study, as well as a special acquaintance of long standing with those particular seals themselves.

So large a proportion of the letterpress of the volume with which he opens his disquisition is devoted to the consideration of the Great Seals of the Kingdom, and so little to the Privy Seals and Signets, and the Seals of Queens Consort and of the Great Officers of the Realm, that the volume might almost have been entitled—The Great Seals with some notes on the other Royal Seals. But as it is, it is a gratifying addition to our literature on its subject.

The fifty-three illustrations, all, with the exception of the interesting but irrelevant exception of the seal of Maud of Scotland, being Great Seals, are a most important and valuable feature of the book. They afford us for the first time an accessible series of photographic reproductions of approximately the whole of these seals on the actual scale of the originals: and though, in a few cases, it is difficult to discern in them some of the details attributed to them in the letter-

press, they are in all other instances probably as good as their originals for the purposes of identification. We take it that they are reproduced from the British Museum collection of casts; but it is a matter of regret that they are in so many instances described without any mention of the credentials of their originals or where these originals are to be found. Some years ago Messrs. Mansell of London produced a set of photographs of that collection, which are generally clearer; but they have the artistic advantage, which at the same time is a scientific disadvantage, of being reductions from the originals in scale.

One of the few Great Seals of which no illustration is given is the seal used in and about A.D. 1301-2 by Sir John de Soulis, or Saulys, as guardian of the Kingdom after John Baliol's departure from Scotland. Writers have differed in their opinion of the King meant to be represented on the seal, John of Scotland, or Edward of England. But there can be little doubt that the effigy is meant for King John, as de Soulis's charters ran in his name.

The seal purporting to be a Great Seal of David II., which is found attached to one of the notorious John Harding's forgeries, is duly noticed. The seal is not at all like those which precede and succeed it. But it is almost a pity that in spite of the author's condemnation of it, and of its inferior workmanship, he has not given a representation of it. He presents us, however, with another doubtful seal—a so-called Great Seal of Robert III. (so in the letter-press, but Robert II. in the illustration). Like the David seal forgery, it is quite out of keeping with the seals nearest it in time, and it hails from the Chapter House of Westminster, where the most, at least, of the Harding charter frauds find their resting place. Its obverse, however, in which the King is seated in his majesty, very strongly resembles the earlier forged seal of David. The earlier forgery, it has been suggested, may have been founded on a seal of some Royal Burgh, and may be compared with that of Haddington, to be seen in Laing's *Seals*, which it certainly is like. But it is much more nearly resembled by the seal of Robert. The question seems to be, whether it is a copy of the Robert seal, or whether they are both copies of some common original. And in this context it is to be remembered that there is a presumably genuine seal of Robert III. appended to a charter, belonging to the Earl of Rothes, given in Anderson's *Diplomata*, which, in the designs of both its sides, is practically the Robert III. Seal found in the Chapter House.

Of the four Great Seals successively used by Queen Mary, Dr. Birch includes three, the first, second, and last as Scottish. The third, which bears the effigies of Francis and Mary seated together, he excludes, as Mary's seal as Queen of France, and not belonging to the Scots series. The seal, however, is found in Anderson appended to a renunciation of the rights of the Crown affecting the lands of Kirkbutho.

Apart from the instances just mentioned, the series as illustrated by Dr. Birch is practically complete. Beginning with the seal of Duncan II. and ending with the seals of Charles I., he pronounces

the whole to belong to a school of art of a national character, though influenced, no doubt, at different times by the arts of England, France, and Italy. Scotland, he finds, is no exception to the rule that the history of a nation is reflected on its seals and its coins. He sees in them, in their turns, the archaic period of simplicity and severity of manners, then the gradual awakening of the sense of beauty which he has found in so many wonderful examples of architecture throughout the kingdom; 'the culminating era of so-called Gothic styles found a ready response in the seal to the challenge which the ecclesiastical or monastic edifice offered to it; then came the rejection of the Gothic, and preference of Italian and Renaissance designs, which in turn were adopted by the national art workers; and finally the post-Palladian—which practically crushed all native creative talent in order to make room for incongruous piecemeal imitations, called at haphazard from the ruin of multifarious styles—invasion the domain of the seal designers, and strangled, we fear, for ever the native Caledonian feeling and taste which might, under more favourable conditions, have found a congenial medium on the seals of the country. We shall observe the same influences affecting in turn the seals of churches and monasteries, cities and towns, nobles and arms-bearing families, and in this way it is shown to be true that the glory of Scotland is inscribed on the seals of her rulers and her children.'

The patient discussion of each seal in its turn, which precedes this generalization, so appreciative in its terms, deals in its course with many curious items of interest. One of these is the appearance of the slipped trefoil or shamrock in the background of Great Seals of this country as early as the seal of Alexander III. Dr. Birch suggests varying meanings for this symbol on its several reappearances. Among them is this, that the flower may have been the national emblem, 'brought from Ireland,' before the adoption of the thistle, which appears on later seals. But may it not have been that the trefoil was in use in Scotland before its adoption in Ireland?

Again, it is well known that, like the eastern *basha* of literature, heraldic lions may be distinguished by their tails. Though none probably are so well furnished in that respect as the 'three-tail *basha*,' still some lions actually have two. The Scottish lion has always preserved this much of his early simplicity as to restrict himself to one tail; but, nevertheless, even that tail has, or, through some ages, had its distinctive character, in that, if it curved at all at the point, it curved inward towards the animal's head, not outward like the letter S. Dr. Birch's views on this point, coinciding as they do with the practice of the most pattern animal on the cover of the *Scottish Historical Review*, are worthy of note by all heraldic draughtsmen, painters, and embroiderers, and the like. In describing the unique seal of the Guardians who governed the Scottish realm between the death of the Maid of Norway and the coronation of John Baliol, he calls attention to the 'well-designed lion rampant, the principal charge, with,' he continues, 'the tail incurved or bent inwards towards the neck of the animal,—a detail which belongs rightly to the

Scottish lion, and is found constantly recurrent from the day of the making of this seal until the present time, with exceptions arising from ignorance, carelessness, or indifference, on the part of those who have taken upon themselves the task of reproducing the arms.'

Such a judgment is, perhaps, all the more to be noted by Scotsmen on account of the fact that its author is not himself a Scot. It is perhaps on the same account that, to adorn the attractive cover in which the publisher has placed the volume, there has been selected the great seal of John Baliol. The lion on the shield on the sinister side of the figure of the King is, however, clearly not the national lion, for his tail points the other way.

J. H. STEVENSON.

THE TRON KIRK OF EDINBURGH, OR CHRIST'S KIRK AT THE TRON ;
A History. By the Rev. D. Butler, M.A., Minister of the Tron
Parish. Pp. 382. 4to. Edinburgh : Oliphant, Anderson & Ferrier.
1906. 21s. nett.

'ONE of the blackest spots on earth.' Such is the character given to the Tron parish by one of its clergy not so many years ago. It is no doubt better now than it was when these words were penned, thanks to the self-denying labours of several excellent ministers, of whom Mr. Butler is the latest and not the least worthy. But it is strange to think that in the days of the grandfathers of many men still living it was the habitation of the bluest in blood and best in intellect of the Edinburgh of the eighteenth century.

Mr. Butler starts his book well: in a very interesting first chapter he goes over the streets and wynds which are included in the Tron, or as it was formerly called the South East parish. Much of it—indeed nearly a quarter—is now swept away by the hands of the sanitary reformer, to the loss of many historical associations and much picturesque architecture; but there is a good deal left, though of course considerably changed from the old days. The parish itself was an offshoot from St. Giles, being one of the few original city parishes formed in 1598, and having one of the portions—and that the principal one—into which St. Giles was divided assigned to it as a place of worship. When Episcopacy was temporarily in the ascendant, from 1633 to 1638, St. Giles was once more restored to something of its original appearance, and the partition walls disappeared for a time. It became necessary to build a new church for the South East parish, and after long delay the foundation stone of the Tron Kirk was laid on the 4th of March, 1637, but it was not completed till nearly ten years afterwards. It was apparently saved from the desecration, by Cromwell's soldiers in 1653, from which the other churches in the town suffered. As the Town Council was, till the appointment of the Ecclesiastical Commissioners, responsible for the upkeep of the church, there is much about it to be found in the minutes of that body.

The author has with praiseworthy diligence ransacked the minute books and has apparently given every entry relating to it *verbatim*. This is

useful and important from a strictly historical point of view, even if the consideration of estimates, architects' reports, and the price of slates and timber do not make particularly interesting reading. The narrative portions of the volume are done so well as to make one regret that Mr. Butler did not weave those minutes into more connected form. But apart from them there is a great deal of information both about persons and places in the book, and it will well repay study by the student of the ecclesiastical and social life of Edinburgh in the eighteenth century. There is a most interesting copy of the accounts of the collector of seat rents from 1650 to 1653, and many biographical notes are added which throw light on the identity and careers of the persons mentioned. It might indeed have been better if these notes had been shorter and there had been more of them. Many persons have been left without remark who might have been run to earth with a little more search. But it is pleasant to be able to identify even such as have been given. The names of Lord Hay of Yester, General Leslie, The Foulis family of Ravelston, the Countess of Hartfell, and many others testify to the aristocratic nature of the congregation of the Tron in those days. And again there is a delightful chapter on the prominent members of the Tron Kirk from 1744 to 1822. To go over them is to read a list of those who made Edinburgh famous, and its society sought after within the period mentioned.

With so much biographical information contained in the notes to this book, it is not surprising that there should be a few slips, some of which may be pointed out with a view to their correction in a future edition. On page 36, Janet, the widow of George Lord Seton, was the daughter, not of the Earl of Hepburn (a title which never existed), but of Sir Patrick Hepburn, first Earl of Bothwell: the Cathcarts were not ancestors of the Dukes of Queensberry as stated on page 55; and the first Lord Elibank, the judge, was not the son but the grandson of John Murray of Blackbarony. On page 65 the laird of Ogle has been misprinted for the laird of Edzel in the account of the 'tulzie' in the streets of Edinburgh between him and Wishart of Pitarrow in 1605. On p. 154 the 'relict of my Lord Ellibank' could hardly have been the widow of Sir Gideon Murray of Elibank. She was Margaret Pentland who had entered into a union with him under promise of marriage so far back as 1587, and was probably not alive in 1650: it was more likely Katherine Weir, the fifth wife of Sir Patrick Murray of Elibank, the first Peer of that title, who married her in 1636. He died in 1649, and she survived till 1655. The John Erskine of Carnock mentioned on p. 227, was not the grandson of Henry Erskine, third Lord Cardross, but his nephew—his father, Sir John Erskine, being not the third son of the third Lord, but the fifth son of the second Lord. On p. 231 the territorial designation of the father of the second Lord Belhaven should be of Presmennan, not of Barncluith.

Such slips however do not materially detract from the value of a very interesting book. The author has done a valuable piece of work, and much curious information may be gathered from its pages as to the

Butler : The Tron Kirk of Edinburgh 331

ecclesiastical state of Edinburgh in the period dealt with. It is, for instance, interesting to note that in 1757 a local journal says, 'In one of our churches in this city they have now begun to sing every Sunday without reading a line.' The custom of 'lining the Psalms' no doubt died out as a general practice long ago, but it was kept up in some churches on Communion Sundays till quite a recent date: even the present generation may have heard it; certainly the writer of this article has. A quaint illustration of the social restrictions of the period is given in an extract from a Committee of the Town Council, which states that 'in order to prevent giving offence and encouraging the taking of the back seats in the galleries, it will be proper that the Council resolve that no seats shall be set to liverymen and gentlemen's servants, except those that are furthest back and nearest the walls'! This is rather curious, for it was undoubtedly as common for servants to sit, if not in the same pew as their master and his family, at least immediately behind them.

Not the least interesting item in the history of the Tron Kirk was the institution of 'Makcall's Morning Lectureship.' David Makcall, an Edinburgh merchant, 'mortified' in 1639, 3500 merks scots, the interest of which was to be paid to a preacher who was to preach in the church every Sunday morning at six o'clock 'conforme to the trewe religioun establischt . . . without any alteratioun, additioun or diminishing therfra in any sort but onlie to be doone as it is now usit without adding of any unnecessar ceremonie thereto.' The interest on this sum seems to have amounted to 1800 (not 18,000 as stated on p. 236) merks yearly, and preachers were appointed in terms of the bequest down to 1866. The revenue is now apparently paid over to the Ecclesiastical Commissioners, and we are afraid that no person has any longer a chance of hearing the Word expounded 'conforme to the trewe religioun' in the Tron Kirk at 6 A.M. on a Sunday morning!

Attention may be directed to the thirty-four admirable illustrations which adorn this handsome volume. Some of them are after well-known pictures, but others, such as the view of the High Street, with the Commissioner's procession, probably about 1780, are rare and curious.

J. BALFOUR PAUL.

A SKETCH OF SCOTTISH INDUSTRIAL AND SOCIAL HISTORY IN THE 18TH AND 19TH CENTURIES. By Amelia Hutchison Stirling, M.A. Pp. ix, 225. Demy 8vo. London: Blackie & Son, Ltd. 1906. 6s. nett.

MISS STIRLING is to be heartily congratulated on making a first step towards supplying a complete history of Scottish commerce. This volume covers the development during the last two centuries with an introduction giving a summary of previous events. The exposition is very clear, the book is well written and is illustrated by eight portraits. Owing to the compact nature of the narrative and the lucidity of style the book is admirably adapted for use in schools—indeed the search for

simplicity is perhaps carried too far, as for instance possibly in the division of the work into paragraphs with large type headings, and certainly when it is carefully explained why the Rebellions of 'Fifteen' and 'Forty-five' were so named.

As a 'sketch' the work is valuable, but such value is subject to limitations beyond the control of the author. It may well be doubted whether a really satisfactory epitome can be written unless it has been preceded by a fuller history which can be condensed. Obviously a really satisfactory short history of a subject, not previously dealt with, would involve as much labour in research as the complete work, and if this labour were undertaken it would naturally result in the greater, not the lesser, publication. Where a short history is written without this extensive preparation errors on matters of principle and of detail are almost unavoidable. The writer must depend for the former largely on the results of the general historian, who is seldom a safe guide as to the real meaning of economic phenomena. Several instances may be noted where the general historian has adopted the judgment of some prejudiced contemporary writer on certain industrial events and where he has been followed by Miss Stirling. For instance, there is something narrow in the prominence given to the idea of the 'commercial jealousy' of England towards Scotland, as if Scotland were entirely blameless. As a matter of fact, Scotland, in her effort to found new industries, totally excluded many English commodities, and there was necessarily friction and retaliation. At the same time it is to be recognised that such commercial bickerings were the rule and not the exception during the 17th century between countries producing somewhat similar goods for export.

A few points of detail may be noted. There were several cloth manufactories *before* 1693. The statement as to trade with English colonies requires modification. Scotsmen were excluded from *direct* trade with these places; it seems probable they were little worse off than Englishmen outside London and Bristol. At the date of the flotation of the Darien Company there were not *two* English India companies: the second was not founded till 1698. It is not true that before the Union 'almost the only manufactures were those of linen and *coarse* cloth.' As a matter of fact there were over a dozen *fine* cloth factories. Before the Union Glasgow had several 'sugaries.' I believe that these were rather rum distilleries than 'sugar refineries.' There are several documents at the Register House and Acts of Parliament which point to this conclusion. The reference to the use of water-power in connection with cotton-spinning in 1769 conveys the idea that the use of such power was a new departure, but water-wheels were used in a Scottish cloth factory in 1681, and early in the reign of Elizabeth the Society of Mineral and Battery Works drew wire by water-power. These points of detail are not mentioned as impairing the general utility of the book.

W. R. SCOTT.

Paul : A History of Modern England 333

A HISTORY OF MODERN ENGLAND. By Herbert Paul. In five volumes. Vol. V. pp. vi, 408. 8vo. London : Macmillan & Co., Ltd. 1906. 8s. 6d. nett.

THE fifth volume completes Mr. Herbert Paul's history of the fifty years beginning with the accession of the last Whig Government under Lord John Russell, upon Sir Robert Peel's resignation in 1846, and ending with the 'dire and disastrous rout' of the Liberal Party at the General Election of 1895.

Of this volume, rather more than a fourth part is occupied by a general index to all five. Some three hundred pages remain, and in these we have the story of the ten years from 1885 till 1895, with the author's critical commentary on events and the actors in them. Short as the volume is, it is the most interesting in the work. The actors are our contemporaries, the events are described by an eyewitness and, in some degree, a participator.

The story is skilfully and sometimes dramatically told. The hand of a strong and experienced writer is manifest throughout. The words and phrases are apt and vivid, the narrative is terse, the criticism pointed and decisive. Doubt is invisible. Frankness and courage are conspicuous.

Mr. Paul is an avowed partisan. He scoffs at impartiality in a historian, but he writes fairly. In his portraits of men his method suggests a process of levelling down, and he is impartial in detraction. He displays his fairness less as a generous foe than as a 'candid' friend. And thus, like *Vanity Fair*, his story is without a hero. The chief theme of this volume being Home Rule, Mr. Gladstone is, of course, the protagonist of the tale. He is here an old man, of unparalleled energy and dauntless heart, but of diminished vitality and elasticity, sometimes astonishing the country with his vigour, and remaining in Parliament chiefly, and in the end wholly, to try to settle Irish affairs. His great qualities are set forth, and his flaws are not forgotten. Sophistical paradox, inaccuracies, fallacies, criticism without substance, the taking up of nostrums which do not represent his deliberate opinion,—these are some of the dues to impartiality which balance Mr. Paul's tribute to the aged statesman's high character, fortitude and genius.

Lord Salisbury is arraigned with equal freedom. He is credited with all the virtues of private life and many great services to the state. But he is charged with having two standards, and the balance seems to lean against him. The 'master of flouts and jeers,' is described as rash and headlong on the platform, but prudent to timidity in Downing Street. His trumpet-note of defiance to Russia was the prelude to a private arrangement which gave her everything she really wanted. He could not hold his tongue or cease from blazing indiscretions. He made odious charges against an opponent whose life was as stainless as his own, and when they turned out to rest on forgeries made no apology. He behaved meanly to most faithful colleagues. He slighted Lord Carnarvon. He slighted Sir John Gorst, 'with important consequences.' He slighted Lord Idlesleigh who was suffering from heart disease, and the shock

brought about his sudden death. He forgot in office what he had loudly asserted in opposition—when votes were to be gained by it. And in office too he varied his principles from the same motive. He declared in the House of Lords that to touch judicial rent in Ireland would be ‘laying your axe at the root of the fabric of civilised society.’ But presently he found that if he did not allow these rents to be revised Ulster would be lost to the Unionist cause, and he consented. Out of office he angled for the Irish votes by making the nearest approach to a moral defence for boycotting, and by speaking of Home Rule with respect if not with concurrence. He did that in public, but he did more in private. On the eve of the General Election of 1885 he secretly offered Mr. Parnell an Irish Parliament in Dublin with power of protecting native industries. When Parnell told this to the House of Commons in the debate on the first Home Rule Bill, Sir Michael Hicks-Beach denied it. He did so in all innocence, for the offer had not been made known to the Cabinet. Lord Salisbury held his peace. But ten days after, at the next sitting of the House of Lords, Lord Carnarvon rose and admitted that it was true. He, as Viceroy, had made the offer with Lord Salisbury’s concurrence. Lord Salisbury preserved ‘a rather ignoble silence,’ but when he constructed his Cabinet a month later Lord Carnarvon was left out.

Mr. Parnell, the frigid and disdainful chief, who neither sought the company of his followers nor shared their religion, is a prominent figure in the book. Mr. Paul relates with dramatic effect the story of the Piggott letters, published by the *Times*, and purporting to show that Parnell connived at the Phoenix Park murders. He describes the tremendous sensation; Parnell’s public denial; Lord Salisbury’s assumption of his guilt notwithstanding, and instant attack on Gladstone as his associate; the curious way in which it was shown that the letters were forgeries, and the amazing exposure of the *Times*. Parnell received an ovation in the House of Commons. But his credit was shortlived. The stars in their courses fought against Home Rule. The trial in the Divorce Court in 1890 ruined the Irish Leader with his own countrymen as well as with the British public. The Catholic Church found a weapon placed in its grasp with which to strike down the heretic, and the political authority which Parnell had for a time compelled them to forego passed again into the hands of the Irish priests.

Lord Salisbury’s simple plan for the solution of the Irish problem had broken down. Mr. Gladstone gave ten years of his life to his, and soon after its rejection Liberalism was more nearly dead in Great Britain than it had been since 1874. Liberal projects of reform had melted away. In Mr. Paul’s words, ‘The threatened campaign against the Lords was a laughing-stock. The Welsh Bishops were triumphant. The Church of Scotland trampled on her enemies. The Church of England seemed to have none. “The trade” with their tied houses laughed at the Local Veto Bill.’

Mr. Paul finds room for an account of the reform of local government, which he calls a social revolution; of Lord Salisbury’s Foreign Policy;

Paul : A History of Modern England 335

of the introduction of Free Education into English and Welsh Schools, which he says was first brought within the range of practical politics by Mr. Chamberlain; and of Sir William Harcourt's changes in the succession duties, which have been such a boon to succeeding Chancellors of the Exchequer. There is a chapter on 'The New Unionism,' that is, Trade Unionism, and another entitled 'The Triumph of Ritualism'—in the 'use of lighted candles unnecessary for illumination,' and other momentous matters.

This volume, like its predecessors, is embellished with Mr. Paul's epigrams, always sparkling, though not invariably relevant. He says of Mr. W. H. Smith, Leader of the House of Commons in 1886, 'Mr. Smith's speeches were intelligible to careful listeners who understood the subject.' He describes the French Ambassador in 1892 as 'M. Waddington, who had been at Rugby and Cambridge, but was nevertheless a scholar of European reputation.' (Mr. Paul is understood to be an Eton and Oxford man.) His illustrations are generally very happy, and he is fond of drawing them from scripture.

Mr. Paul's final chapter is a brief and interesting judgment on the tendency and signification of the events recorded in his history. He concludes with a moral. It is that these events 'have tested the English character, and it has rung true.' He dilates on this fortunate conclusion in words which one seems to have heard before. It will be a comfort to readers born north of the Tweed to be assured in the last sentence of the book that England is synonymous with the British Empire.

ANDREW MARSHALL.

THE ROMAN FORTS ON THE BAR HILL, DUMBARTONSHIRE. By George Macdonald, LL.D., and Alexander Park, F.S.A.Scot. With a note on the architectural details by Thomas Ross, F.S.A.Scot. Pp. xii, 150. Fcap. 4to. Glasgow: MacLehose. 1906. 5s. nett.

A FRONTIER Outpost of the Roman Empire in the second century—these words might have been an alternative title to this well illustrated, well written, and learned volume, in which a wealth of archaeological material is collected in such a manner as to bring alongside of each fact and 'find' the brief but clear information afforded by the rapidly advancing knowledge of modern research. Bar Hill, a height of 495 feet near midway of the course of the Antonine Vallum, illustrates the maxim of Roman warfare, that position may often serve better than valour. What may be termed the romantic side of archaeology is seen in the wonderful process of analytic spadework and reconstructive criticism—the element of imagination always necessary for historical interpretations—whereby in and under the fort built by the soldiers of Lollius Urbicus circa 140-142 A.D. there are traced the ditched outlines of the original fort of Agricola, circa 81 A.D. These are achievements rendered possible only by the public spirit of Mr. Alexander Whitelaw of Gartshore, proprietor of the site, the laborious care of the excavators under the direction of his factor Mr. Park, and the skilful presentment

336 The Roman Forts on the Bar Hill

of the results in the work of Mr. Macdonald and Mr. Park together. It is hard to say who are most entitled to congratulation—Mr. Whitelaw and Mr. Park for the trophies they have recovered, or Mr. Macdonald,

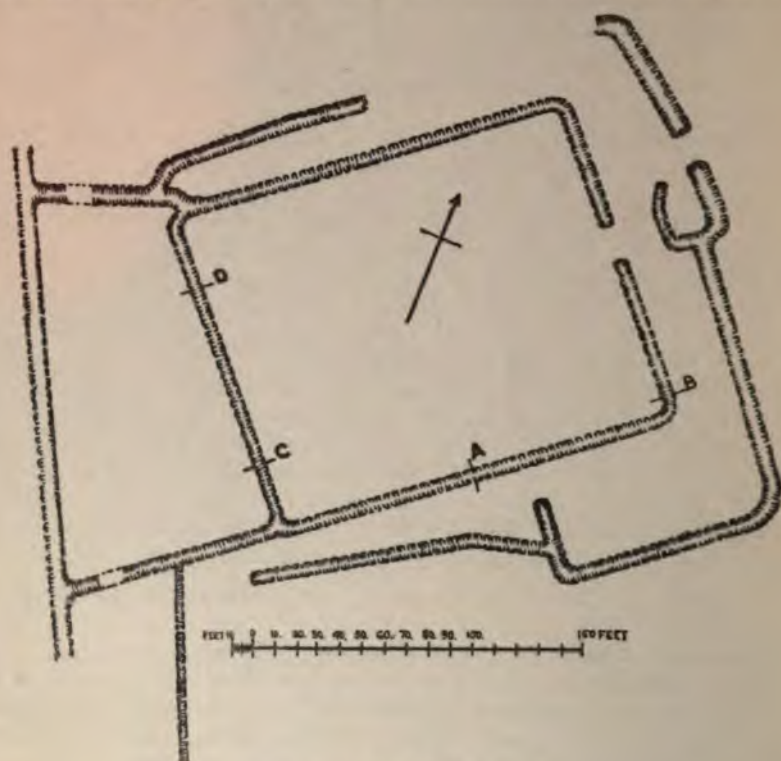


FIG. 2. The Early Fort.

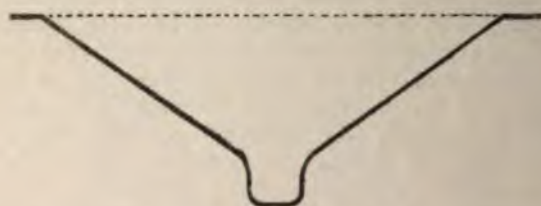


FIG. 9. Section showing shape of Ditches.

and with him Mr. Haverfield, for the archaeological and classical erudition so conspicuous in the expositions.

Roman garrison life in Britain steadily grows better known; recent explorations have revealed much both of military method and of the



FIG. 46. CARVED CAPITAL AT BAR HILL.



FIG. 26. PLATE OF BLACK WARE, COPPER POT, AND FRAGMENTS OF COARSE WARE FROM BAR HILL.

1

The Roman Forts on the Bar Hill 337

affairs of the household; and one might now out of the relics of Bar Hill alone supplement considerably the lore of Vegetius concerning camps and forts, the duties of officers in charge, and the stores and equipment of the force. Agricola, we know from Tacitus, built across the isthmus a chain of forts. Bar Hill, on evidence which though circumstantial makes certainly a beautiful piece of historical inference, may be taken as one of them. The ditches of this early fort are shown in the accompanying cut (Fig. 2). When the Vallum of Antonine was raised sixty years after Agricola's campaign of conquest, the fort was reconstructed and enlarged, the new site completely including but overlapping the original. The ditches of Agricola's fort were therefore filled up. The rampart of the new station, constituting its principal defence was, like the Vallum, a wall of sod on a base of stone. The ditches were uniform, with the scarp and counterscarp sloping inwards almost to the point of a V, but becoming perpendicular at about 18 inches from the narrow flat bottom, as shown in section (Fig. 9). On the supposition that the Antonine fort was for the accommodation of a recognised military unit, our authors conclude that 'common sense would suggest that its normal garrison was a single cohort 480 strong.'

The Praetorium, more correctly Principia, stood in the centre facing north. The building was of stone. Other buildings, indicated by the remains of wooden uprights, were of timber. The garrison consisted of Baetasii, who were Belgic auxiliaries, and Hamii, who were Syrian bowmen. Little could these men have dreamed that after seventeen centuries their relics would brighten the page of history, and that their very ash-pits would be a mine of domestic information. The mock epitaph which Teufelsdröckh framed, 'Si monumentum quaeris, finetum adspice,' was evidently the prophecy of an unconscious archaeologist. For the refuse pits of Bar Hill have contributed not less notably than its well to the long array of articles found during these excavations. Pottery of all kinds, red, black, and 'Samian' ware, mortaria, dolia, amphorae, pelves, pieces of glass, bits of barrels, combs, bradawls, coins, discs for some quoit-like game, ballista balls, nails, hoops, tools, buckles, bridle-bits, daggers, arrowheads, bronze ornaments, cups, a mason's plumb-ball, articles of bone and horn, infinite store of worn footgear—the list is almost an inventory of military household plenishing.

Many of the things are illustrated in the volume, such as the plate, copper pot, and coarse ware shown in Fig. 26. The major honours, however, belong to the well, as the receptacle not only of the fine altar by the Baetasii (Fig. 28), but also of the extraordinarily interesting architectural fragments—pillars, capitals, and bases, with mouldings often more suggestive, as Mr. Ross hints, of the eleventh century than of classic art. Some, he says, 'are exactly of the same type as those developed in Western Europe some centuries later.' This remark is very exactly applicable, for instance, to the carved capital (Fig. 46), in which upright leaves are cut in the concave bell between the circular neck moulding and the square abacus. It might well have provoked a discussion, by one so able to discuss it as Mr. Ross, on the indication

338 The Roman Forts on the Bar Hill

such a fragment affords of the development of Gothic architecture. How this collection of large and weighty sculptured stone—the *debris* of a colonnade—came to be in the well is a problem of great attractiveness, on which Mr. Macdonald is a shrewd and cautious guide.

The book is a model of exposition. While the excavations owed much of their fruitfulness to the intelligent zeal of Mr. John M^cIntosh, forester on Gartshore, the register of the results as constantly reflects the scrupulous accuracy of Mr. Park's observation as it does the classical learning of Mr. Macdonald. Their conjunction has been indeed fortunate, for the result is a volume not only of prime archaeological importance but of high general interest.

The place of Bar Hill in the Roman military system is shown with a directness and lucidity that intensify the hope of future studies as well as future excavations. The first fort of Agricola was succeeded by the Antonine station, which as a part of the Vallum marked the definite inclusion of Southern Scotland within the sphere of organised frontier defence. The strength of the Roman army lay in headquarters at York. Bar Hill, far north of that base, was held as an outpost until the district between the Walls was abandoned, probably in the reign of Commodus (180-192 A.D.).

GEO. NEILSON.

MARY QUEEN OF SCOTS, WITH PICTURES IN COLOUR. By James Orrock, R.I., and Sir James Linton, R.I. The story by Walter Wood. Edited by W. Shaw Sparrow. Pp. 133. Cr. 4to. With many illustrations. London: Hodder & Stoughton. 1906. 15s. nett.

THIS sumptuous volume forms part of a series called on the fly-leaf 'Popular Books on Art.' In such works the literary part has often to be a subsidiary element in the whole scheme. Here it takes the form of a short biography of Mary. As there is no room to discuss difficult points, the writer narrates his story in his own way, which is at times hard on the hapless Queen. The sketch is very readable, and skilfully conceals the fact that its main purpose is to guide the reader through the illustrations. The artistic part is composed of twenty-six pictures beautifully printed in colours, nearly half of which are portraits, or represent historical scenes. Old-fashioned students of history will be startled when they read at the very beginning of the Preface that 'the oldest supposed portraits of Mary do not bear out the historical testimony as to her loveliness; indeed, they are stiff and formal works with as much seduction about them, perhaps, as the income-tax possesses.' Whether this is true or not, many will prefer to let their own imagination reconstruct the past from the old portraits rather than accept these new imaginings, which, however clever they may be, have also one characteristic of the income-tax, their modernity. There should be no difference of opinion as to the other fourteen illustrations, which are described as 'outside sketches,' or landscapes. They will be appreciated,

Gordon : Peacham's Compleat Gentleman 339

some even admired, by all; they form a very attractive series of the principal stations in the long *Via Dolorosa* which starts from Linlithgow Palace to terminate in the cathedral of Peterborough.

F. J. AMOURS.

PEACHAM'S COMPLEAT GENTLEMAN, 1634, with an Introduction by G. S. Gordon. Pp. xxiii, 261. Small 4to. With two facsimile title-pages. Oxford: The Clarendon Press. 1906. 5s. nett.

THIS book is worthy of being reprinted in the tasteful form in which it has been issued from the Clarendon Press.

Henry Peacham, Master of Arts, sometime of Trinity College in Cambridge, as he styles himself on the title-page, was a remarkable man. His versatility is evidenced by a mere list of subjects upon which he published treatises. From drawing and painting to Latin verse, from *The Worth of a peny, or a caution to keep money* to the *Art of Blazoury*, he is ever ready to instruct and often amuse, and his moderation and sanity are conspicuous all through. *The Compleat Gentleman, Fashioning him absolute in the most necessary and commendable Qualities concerning Minde or Bodie that may be required in a Noble Gentleman*, was first published in 1622, a second impression, considerably enlarged, in 1626, and in 1627 the last chapter, *Concerning Fishing*, was added. In 1634 a new edition appeared, and the last, until the present edition, was issued in 1661. The book was evidently popular, and deservedly so. Its twenty chapters cover a large variety of subjects, as 'The dutie of Parents in their Children's Education,' 'Of stile in speaking, writing and reading History,' 'Of Poetry,' 'Of Musicke,' 'Of Drawing and Painting in Oyle,' 'Of Exercise of Body,' 'Of Travaile,' 'Of Warre,' 'Of Fishing.' On all these and many other topics Peacham discourses in a quaint and often admirable way. Our author refers in the chapter on Poetry to George Buchanan, 'who, albeit in his person, behaviour and fashion, hee was rough-hewen, slovenly and rude, seldome caring for a better outside than a Ruggedowne girt close about him, yet his inside and concept in Poesie was most rich, and his sweetnesse and facilitie in a verse unimitably excellent, as appeareth by that Master-peece his *Psalmes*.' The passage is too long for quotation in full, but it will be found that discrimination in praising Buchanan is a feature of Peacham's notice.

Many of our author's counsels would not come amiss, if taken to heart by both gentle and simple to-day, as this: 'Before you travaile into a strange Countrey, I wish you to be wel acquainted with your owne.' In fact, this old-world schoolmaster's book is brimful of sayings of permanent value, and he is almost never dull. His fault is want of method, if fault it be in a work such as this.

It has been carefully edited, with a sufficient introductory sketch of the author's life and works. An index would have been of great service to the reader who wishes to pull out the numerous plums scattered through the book.

JOHN EDWARDS.

THE HAMMERMEN OF EDINBURGH AND THEIR ALTAR IN ST. GILES' CHURCH, being extracts from the Records of the Incorporation of Hammermen of Edinburgh, 1494 to 1558. With Introductory Notes by John Smith. Pp. xciii, 201. Demy 8vo, with 3 illustrations. Edinburgh: William J. Hay. 1906. 10s. 6d. nett.

THE craft guild of the Hammermen, comprising as it did the eight divisions of metal workers, viz., blacksmiths, goldsmiths, pewterers, lorimers, saddlers, cutlers, bucklemakers and armourers, was one of the most potent of those exclusive corporations which caused so much trouble in the Scottish burghs throughout the fifteenth and sixteenth centuries.

Originally conceived for the furtherance of religion, each guild paid special reverence to its own particular saint, that of the Hammermen being St. Eligius or Eloi, originally a French goldsmith, afterwards bishop of Noyon in A.D. 640. To him an altar was dedicated in St. Giles' and endowed by a certain John Dalrymple towards the end of the fifteenth century. From the records the author locates the position of this altar in the North transept of that church, and gives his reasons for considering the site hitherto accepted in the area known as St. Eloi's Chapel as erroneous. He discourses also at length on the furnishing of the altar, the mass book, and the service, and tells something of the religious plays and processions which added colour to the strenuous life of the mediaeval citizen. The craft procured its first grant of Incorporation in 1483, though it was doubtless in existence for a long period anterior to that date. In considering the long struggle between the craftsmen and merchants for recognition and right of representation in the town councils, the sympathies of the author are very markedly with the craftsmen, and he rather disregards the fact that the regulations of the crafts were not framed entirely for the benefit of the community. Though the introductory chapters afford evidence of a painstaking endeavour to interpret the record picturesquely, the editing shows a regrettable lack of care. The transcription is frequently at fault. A glossary would have been a useful addition, while the practice of giving in brackets in the text the obvious meanings of occasional words is not to be commended.

ALEX. O. CURLE.

THE HERALDRY OF THE DOUGLASES, WITH NOTES ON ALL THE MALES OF THE FAMILY, DESCRIPTIONS OF THE ARMS, PLATES AND PEDIGREES. By G. Harvey Johnston, author of "Heraldry Made Easy," etc. Pp. xii, 84. With eight illustrations. Cr. 4to. Edinburgh: W. & A. K. Johnston. 1907. 10s. 6d. nett.

MR. JOHNSTON has marked out a useful line for himself in his series of armorial ordinaries in which he groups the arms of our leading Scottish families, devoting a volume to each surname of which he treats; and not the least valuable feature of his method is the plates of arms emblazoned in their proper colours, with which he illustrates his successive subjects.

Johnston: The Heraldry of the Douglasses 341

The Heraldry of the Douglasses compares well with the previous volumes—*The Heraldry of the Johnstons*, and *The Heraldry of the Stewarts*, none the less that the compiler has abandoned in it his attempt to describe heraldic bearings without the use of heraldic terms.

Mr. Johnston naturally does not set out to produce a work entirely from original sources; he has in some cases, however, made considerable search in the Records when pedigrees were not to be found ready to his hand. His book is the result of much diligent labour, and to say that one may discover some slips in it, is to say only what may be said of most books. It is also superfluous to observe that, as there are different schools of heraldry as a decorative art, the execution of the shields in the plates may not please everybody; but, as an assistant in the study of the history and science of heraldry, Mr. Johnston's work will, like its predecessors already mentioned, have its share of popularity. The statement in the title, that the book contains notes on 'all the males' of the family, cannot, of course, be meant as accurate literally.

J. H. STEVENSON.

A HISTORY OF THE FAMILY OF CAIRNES OR CAIRNS, AND ITS CONNECTIONS.

By H. C. Lawtor, Pp. xiii, 292. Cr. 4to. London: Elliot Stock. 1906. 21s.

THIS somewhat lengthy volume shows, in spite of a few misprints, much careful genealogical work, dealing with a family which has not already boasted a Family History, and which had as its cradle in early times Cairns Castle, in the parish of Mid-Calder, Midlothian. In 1349 the lands of Cairns were held by William de Carnys, and in 1363 he and his son received the Baronies of East and West Whitburn by a charter, which is reproduced in this work. The original lands passed by an heiress to the Crichtons, Earls of Caithness, in the fifteenth century, and they quartered on their coat the arms of 'Carnys of that Ilk' in recognition. A Cadet, John de Cairnis, or Cairns, however, born about 1385, became heir to his uncle, an ecclesiastic and Provost of Lincluden, and founded a line in Galloway. From this are traced the families of Cairns of Orchardton, Cults, Kipp, Barnbachill, and others, whose pedigrees are given with pious care. From the family of Cults issued Alexander Cairnes, who, in 1610, secured a grant of land in Ulster, and was progenitor of the families of Cairnes, who have intermarried with many distinguished families in Ireland, such as the Lords Blaney and Rossmore, the Bellinghams, and the Moores of Moore Hall. One member of the family played an important part at the siege of Derry also. Among the less known descents we find that of Earl Cairns, which is traced back to William Cairns in 1716, who also crossed over to Ireland. The book is valuable as a contribution to the literature of the Scottish plantation of Ulster, and it is elaborately illustrated with portraits of members of the Cairns family and their connections (among whom we find Burns's friend, Willie Nicol), which will be found interesting by their descendants.

A. FRANCIS STEUART.

ORKNEY AND SHETLAND OLD-LORE. No. 1, January. London:
Printed for the Viking Club. 1907.

THE series of which this volume is the first issued is a praiseworthy side effort by the Viking Club, London, whose labours in the elucidation of the history and antiquities of the North, especially of Orkney and Shetland, are well known. The series promises to be an Omnium-gatherum of all things rich and rare bearing upon the islands in the olden time, and of this the first instalment now before us is a very creditable example. Apart from the miscellaneous matter which is of much local interest, the commencement of a *DIPLOMATARIUM ORCADENSE ET HÆTTLANDENSE*, consisting of reprints, with translations, of state papers and other documents relating to the islands from early times, is a feature of lasting importance which no one interested in the history of the islands can afford to ignore.

GILBERT GOUDIE.

A JACOBITE STRONGHOLD OF THE CHURCH. By Mary E. Ingram. Cr. 8vo. Pp. xi, 124. Edinburgh: R. Grant & Son. 1907. 3s. 6d. nett.

IN this little history of the Episcopal Church of Old St. Paul's, Edinburgh, Miss Ingram shows us very well how closely Jacobitism and Episcopacy were allied in Scotland. On the disestablishment of the Episcopal Church in 1683, Bishop Rose, of Edinburgh, when he was forced to relinquish St. Giles', is believed to have ministered in a house in 'Corrivers' Close,' which afterwards became known as St. Paul's Chapel and which was the centre of Jacobite thought. Oppressed after the '15 as they were, the Episcopalians remained steadfast to their Church, and in 1741 this meeting house, which had never lacked congregations in spite of persecution, was formally purchased from the trustees of a staunch supporter, Thomas Kinkaid 'of blessed memory,' and after that its history becomes more certain. Its early ministers included Bishop Cant, who died 'dosed with age' in 1730; and Bishop Gillan; and in 1735, Mr. William Harper, 'a discreet young gentleman,' was inducted. He, like Bishop Rose, married into the Jacobite family of Threipland of Fingask, and was so staunch in the same political faith that the Chevalier nominated him for a Bishopric. The Jacobites flocked to his chapel. Thomas Ruddiman, Lady Margaret Montgomery (who assisted Prince Charlie's escape in Skye), the Murrays of Broughton, to name but a few, are mentioned in his registers, and on Sept. 21, 1745, he was able to give thanks for the 'Compleat victory obtained this morning at Gladsmuir by the Prince's army,' on the information of Mr. Charles Smith of Boulogne. The opinions of his flock are shown in the baptisms of children by the name of Charles, 'after the Prince of Wales, then at Holyrood House.' The author has collected much information from the 'Lyon in Mourning' and other sources about Mr. Harper's congregation, who were mostly 'out' in the '45 or had near relatives with Prince Charles. She is able to give the prayers they used for their friends under sentence of death, and many other details of interest about their political and social vicissitudes. Though St. Paul's suffered severely from the Penal Laws

A Jacobite Stronghold of the Church 343

after 1745, the congregation did not disperse. Mr. Harper (whose portrait, engraved by Sir Robert Strange, after De Nune, is given as frontispiece) died in 1765, and his cousin was his successor. In 1786 the remnant were able to extend their premises. In 1789, on the news of Prince Charlie's death, the clergyman, Dr. Webster, was permitted to read prayers for the reigning dynasty, and, in 1792, the Penal Statutes against the Episcopal Church were repealed. The history of the church is continued down to the present day, a handsome church having been erected in 1905 to commemorate the older building, which had so many Royalist associations. We must congratulate the writer on the amount of interesting information she has got together about the history of this 'Jacobite chapel.'

HISTORY OF THE BURGH OF DUMFRIES, WITH NOTES OF NITHSDALE, ANNANDALE, AND THE WESTERN BORDER. By William M'Dowall. Third edition, with Additional Notes. Pp. xii, 878. Demy 8vo. Dumfries: Thomas Hunter & Co., *Standard Office*. 1906. 7s. 6d.

M'DOWALL's history, on its first appearance in 1867, was welcomed as an unusually capable burgh chronicle, and a second edition was called for in 1873. Dumfries, county town of a border shire, with stirring and varied annals, and with memories not only of Bruces and Balliols, but of Maxwells and the Covenant, Prince Charlie and Robert Burns, merited just such a chronicler of miscellaneous tastes—historic, picturesque, and poetic—as it found in M'Dowall. In his flowing narrative the military and burghal elements, the national and local, historic and literary, were blended with a skill and grace denied to less experienced pens. Full of enthusiasms, without jealousies, generous in owning assistance, cordial in welcoming co-workers and even critics in his field, M'Dowall (born, Maxwelltown, 1815; died, Dumfries, 1888), editor for forty years of the *Dumfries Standard*, earned no mean reputation in the role of historian. His history made its mark at once as a burghal and county chronicle, and holds its own after forty years, keeping still its high relative place of honour among such works. Probably no better record of a county town has been written. The task of re-editing could not have fallen into better hands than those of Mr. Thomas Watson, inheritor also of M'Dowall's editorial chair in Dumfries. The text is faithfully reproduced, including the large body of footnotes with references to authorities and illustrative extracts. These are now amplified by Mr. Watson, who has made good use of the more recent studies of local antiquaries. It is not only an admirable volume of south-country history, but a worthy memorial, such as the author would himself have most desired, of a diligent and genial Nithsdale historian, poet, and man of letters.

DROMANA: THE MEMOIRS OF AN IRISH FAMILY. By Thérèse Muir Mackenzie. Pp. xv, 213. 8vo. Dublin: Sealy, Bryers & Walker, 1906. 5s. nett.

THIS winningly written chapter of national and family history traces the Geraldine fortunes from fabulous Trojan origins down through the

344 Dromana: Memoirs of an Irish Family

authentic annals of Irish conquest and the long memories of tribal strife. Many landscapes and portraits brighten pages which in their light and readable way carry no small load of fact and legend about the old fortress of Dromana, its owners, and their fortunes from the Fitzgeralds to the Villiers line. Especially curious are the stories about the 'Old Countess' of Desmond, whose preternatural longevity, discussed by Raleigh, Bacon, and Fynes Moryson, appears not unnaturally to have expanded still more after she was dead. There are fine faces in the gallery of portraits, but none such as that of the old countess, which has intensity and force enough almost to explain the myth of her 140 years, and of her fantastic folklore death 'by a fall from a cherry tree then.'

THE SAFETY OF THE HONOURS. By Allan M'Aulay. Pp. x, 351. 8vo. Edinburgh: Blackwood. 1906. 1s. 6d.

READERS of Mr. Keith Murray's documentary article in this number on *Saving the Regalia in 1652* will turn with interest to a work which in a setting of fiction tells the story partly from the narrative of William Meston, a tutor in the Earl Marischall's household early in the eighteenth century. The facts, well combined with patriotism and emotion, have supplied to Mr. M'Aulay the matter for a good local novel, a romance of Dunnottar.

MEMOIRS OF THE VERNEY FAMILY DURING THE SEVENTEENTH CENTURY, compiled from the papers and illustrated by the portraits at Claydon House. By Frances Parthenope Verney and Margaret M. Verney. Vol. I. pp. xxvi, 582; Vol. II. pp. x, 574. Cr. 8vo. London: Longmans, Green & Co. 1907. 7s. nett.

THIS is a reissue in popular form in the Silver Library Series of the second edition (1904), abridged and corrected by the present Lady Verney. It brings within the reach of the many a work which sheds, as is well known, much light of a personal and intimate character upon the period of English history in the 17th century before and during the Civil War. Since 1845, when the late Mr. Bruce began editing for the Camden Society a selection of Letters and Papers of the Verney Family, the value of these has been recognised. The compression into two volumes from the four of the original edition (1892-9) is a distinct advantage.

THE LAND OF PARDONS. By Anatole le Braz. Translated by Frances M. Gostling, with illustrations in colour by T. C. Gotch. Pp. xxx, 290. Dy. 8vo. London: Methuen. 1906. 7s. 6d. nett.

To estimate justly the significance of the religious ceremonies described in this masterpiece of literature—that has been well translated in the present edition, and supplemented by good illustrations—it is necessary to be in thorough touch with the Bretons of what is well named La Bretagne Bretonnante, who retain, unaffected by the scepticism of their French neighbours, the child-like faith of their ancestors in an ever-present power higher than themselves, whose influence permeates their whole existence.

There is, perhaps, no living man better fitted to interpret the people of the ancient province, which has for centuries retained its own individuality, than M. Le Braz, who is himself a Breton of the Bretons, has lived amongst them all his life, and has the secret shared by few of winning the confidence of the peasants, whose reserve it is impossible for an outsider to break through. There is scarcely a corner of his native land that M. Le Braz has not visited, scarcely a pardon he has not attended. With unerring instinct he fathoms the sources of their hopes and fears, feeling with and for them, and moreover, combining with his deep insight into Breton human nature of to-day, so intimate a knowledge of the past, that he is able to unravel the tangled web of superstition, to which his fellow-countrymen cling with a devotion as pathetic as it is indestructible.

In his Introduction he goes to the root of the meaning to the Breton peasant of the Pardon of his Parish, and his accounts of the five typical ceremonies to which he gives the poetic names of the Pardons of the Poor, of the Singers, the Fire, the Mountain and the Sea, are full of vivid word pictures of scenes actually witnessed. Specially fine is the description of the Pardon of Fire that takes place at St. Jean du Doigt at the summer solstice, to which, though it is essentially a feast of light, many blind repair in the hope of receiving their sight.

THE two-hundredth anniversary of the merging of Scottish independence in the wider nation that came into being on 1st May, 1707, has not excited on either side of the Border the enthusiasm that so momentous an event demanded. (*The Early History of the Scottish Union Question*. By G. W. T. Omond. Pp. 194. 8vo. Edinburgh: Oliphant, Anderson & Ferrier. 1906. 2s. 6d.) Mr. Omond, however, has done well to seize the occasion to issue a second or Bi-Centenary edition of his unpretentious little sketch of the earlier attempts to unite England and Scotland into one whole. The general reader who desires to obtain reliable information within a brief compass will here find himself under safe guidance.

Mr. Omond, while founding his readable narrative on the original authorities, has kept a keen outlook for points of human interest, without neglecting the more weighty matters of the law. The book is one of sustained interest, well-proportioned and eminently readable. If the narrative suddenly stops short, precisely at the point when the plot becomes most interesting, and before the appointment of the commissioners who at last succeeded in arranging terms of Union, Mr. Omond would probably seek to justify himself by referring his readers for a continuation to his earlier work on *Fletcher of Saltoun*, which forms one of "The Famous Scots Series."

MR. PROTHERO'S *Select Statutes and other Constitutional Documents illustrative of the Reigns of Elizabeth and James I.* (Oxford: Clarendon Press, 10s. 6d.) has established itself as one of the most indispensable of the source books which every teacher and student of history must

keep beside him ready for consultation. A third edition, therefore, stands in no need of an introduction, and calls for little comment, as the additions made to it consist merely of four new documents added to the Appendix (forming pp. 261-472), while only one small correction has been found necessary. It is an additional advantage in a book that has become a recognized text-book that the numbering of the pages should be preserved absolutely identical with that of earlier editions. That this has been done is apparent from a glance at the Table of Contents, which is, word for word, a repetition of that which appeared in 1894, even to the reference on p. xv, to 'Letters from Archbishop Whitgift,' where Archbishop Bancroft is meant, a strange mistake to have lived into the third edition of a book in which scholarly accuracy forms a leading feature. The Introduction is as valuable as are the extracts. In the luminous section on the Star Chamber, Mr. Prothero makes no mention or use of the admirable volume edited for the Selden Society by Mr. Leadam, published since the last edition of the *Select Statutes*.

We have to acknowledge another instalment of the World's Classics from the Oxford University Press, including: Sir Walter Scott's *Lives of the Novelists* (342 pages, 1s. net). Oliver Wendell Holmes' *Poet at the Breakfast Table* (307 pages, 1s. net); *Professor at the Breakfast Table* (273 pages, 1s. net). *Sheridan's Plays* (494 pages, 1s. net). *Thackeray's Pendennis*, 2 vols. (472, 496 pages, 2s. net).

Mr. Frowde is to be congratulated upon the excellent value which he gives in these reproductions of the Classics.

Mr. William Stewart has sent us a reprint of *The Rae Press at Kirkbride and Dumfries*, a paper contributed by him to the sixth volume of the publications of the Edinburgh Bibliographical Society. Son of a Dumfries clockmaker, a student of Glasgow University, ordained parish minister of Kirkbride, Dumfriesshire, in 1703, Rae marked himself off from all his fellow clergymen by starting a printing press. It was a hobby that brought him graver troubles than satire in doggerel against his blending of callings sacred and profane:

'The Printing Trade he does now try,
The Minister Trade he should lay by;
Is this agreeable to his Station?
No: he should not have that Occupation.
What Way will his poor Sheep be fed
When he is at the Printing Trade?'

Was it a worse charge that was made against him in 1715—that of 'his printing the obscene ballad of "Maggie Lauder"'? He personally proved an alibi, but his press did the deed. Rae well deserves Mr. Stewart's careful gathering of facts about him and the trial-bibliography of the products of his press. History gratefully remembers him in particular for *The History of the late Rebellion*, published by him in 1718, a volume of unusual value as a local chronicle of the '15.

A little pamphlet, by Mr. D. Murray Rose, on King Duncan II., discusses the problem of Murray origins in the course of an attempt to prove that Duncan was Earl of Moray—the 'Duncano Comite' of the discredited Dunfermline charter of Malcolm III.—before his accession to the throne in 1094. Other personalities debated are 'Alexander nepos regis Alexandri' in the Scone charter, William fitz-Duncan, and Freskin whose Flemish origin is denied. Mr. Rose thus offers a variety of genealogical heterodoxies.

Papers in the *Journal of the British Archaeological Association* (Dec.) include a very valuable statement of evidences on the subject of 'Earthworks of the Moated Mound Type' from the pen of Mr. T. Davies Pryce. The position of Mr. Pryce may best be stated in the words of his own concluding sentence: 'Paradoxical as the statement may seem, I venture to predict that the fuller our knowledge of this subject becomes, the more complete will be the proof of Norman parentage, and the clearer will be the evidence of an earlier origin.' Discussing the Scottish motes, he acknowledges that there have been definitely established the claims of the Normans to the construction and occupation of some of the earthworks, but urges that there has been a failure to show that they were of exclusively Norman origin. Another article in that *Journal* for December last is by Mr. R. O. Heslop on 'The Roman Wall Pilgrimage of June, 1906.' A pleasant narrative of that archaeological excursion, it brings forward most of the issues current about the Wall and the Vallum, such as the doubtful camp at Portgate, the 'orientation' of the praetorium in certain of the stations, the object of the turrets (suggested to have been for watch and signal purposes), the inferences of Mr. Haverfield and rival theorists, especially Mr. J. P. Gibson, on the turf fragment at Appletree, and the long-drawn-out general question, Who built the Wall? One wonders how many of them will be solved before the next pilgrimage. These excursions, which so instructively focus opinion and probe evidence and argument by a sea to sea journey along the line of the Wall, are held once every ten years. Hadrian or Severus—when shall we have made up our minds whose Wall it was? And the Vallum—is its mystery only to be unravelled, as Dr. Hodgkin declares, at the same time as the problem of evil?

The Somersetshire Archaeological and Natural History Society issues, in its fifty-second volume, its *Proceedings during the year 1906*, a solid octavo of 200 pages. English societies of this kind always show in their transactions, as compared with those of Scottish societies, a marked preponderance of ecclesiastical material—the natural consequence of the larger mass of ancient churches and relics in the south. Somerset is no exception, and its antiquaries have much to say of their abbeys and sacred edifices. The Norman Conquest of the shire is surveyed, with special references to its castles. Continuing previous reports, an account is given of excavations during 1905-1906 of the lake village at Glastonbury. There are plans, sections, and photographs of the excavations. Finds illustrated

include objects of bone, iron, lead, flint, and baked clay; antlers, some with saw-marks, some perforated, one probably a cheek-piece of a bridle bit; spindle wheels of stone and pottery; bronze fibulae and link-shaped objects; mortised beams of oak; and an annulet of shale.

The Rutland Magazine and County Historical Record goes stoutly forward as a register of the story of the shire. The October number showed some fine monuments of the Digby family: Jaqueta (1496), Everard (1540), and Kenelm (1590). Horse-shoe folklore is attractively dealt with by the editor, Mr. G. Phillips, whose camera is as skilful as his pen. The Kelso horse-shoe 'fixed in one of the streets,' is discussed as probably an anti-witchcraft charm. Some curious horse-shoe customs are still kept up, for example at Oakham, the Rutlandshire capital: 'Every baron of the realm the first time he comes through the town shall give a horse-shoe to nail upon the castle gate, which if he refuses the Bayliff of that manour has power to stop his coach and take one off his horse's foot.' So the custom is stated in Gibson's edition of Camden's *Britannia*. 'Albert Edward, Prince of Wales, April, 1895,' the inscription of one of the shoes at Oakham Castle, shows modern royalty imitating the example of Queen Elizabeth in paying this curious archaeological toll to the castle of the Norman Walkelin de Ferrariis.

The Reliquary for January has a bunch of illustrations showing jugglers, urns, ornaments, beads, and other spoil from a bronze age barrow, a bull ring, a tithe barn, fibulae, knitting-sticks, etc., besides a full-plate of the stone-circle at Croft Moraig, about two miles from Kenmore, on the high road to Aberfeldy. Mr. Arthur Watson's article on jugglers collects much odd matter on juggling with balls, and is drawn from both classical and medieval sources.

No contemporary journal lives better up to its motto of love for 'everything that's old' than does *The Antiquary*, now starting its forty-third volume. Contents of the January number include Eton College Songs, inscribed Roman fibulae, hill forts, low side windows, brasses, and inscriptions, and a historical will—that of William Herbert, Earl of Pembroke, taken prisoner and beheaded by the Lancastrians in 1469.

Scottish Notes and Queries (Oct.) serviceably reprints some poems of John Leyden, not edited in the collected works. The *Song of Wallace* is among the number—a conventional performance, but animated by patriotic spirit, and an occasional touch of Leyden's fire. The first verse may be quoted:

Farewell each dun heath and each green Scottish plain,
Which Wallace shall never revisit again;
Where the flower of my heroes lie mouldering below—
But their graves have been steeped with the blood of their foe.

Mr. P. J. Anderson, Librarian, Aberdeen University, contributes (Dec.) a transcript of a tract printed in 1707, containing verses on the Wells of Aberdeen, by John Alexander, a physician. The lines were suggested by Cardan's visit to Aberdeen and commendation of its eight wells. Here are the praises of two:

Of the Well in the Broad-gate.

On Neighbouring Well Cardan did praise bestow
Hither convey'd, may't ever healthfull flow.

Of the Well at the Colledge.

From Helicon a Muse doth here retyre
With its pure Streams, which Citizens inspyre.

Probably the waters had all the virtues Cardan assigned, but the Wells failed to inspire Alexander's Muse, which can never have dwelt on the slopes of Helicon.

Scotia, a new shilling quarterly, the journal of the St. Andrew Society, enters the lists to rectify misconceptions about the position of Scotland in British History. Mr. MacRitchie contributes a curious disclaimer. While '*qua* editor' he agrees to his committee's determination to use, editorially, only 'Scottish' and 'Scots,' he reserves to himself his right, if he chooses, to give effect to his individual preference for 'Scotch.' While we ourselves confess to preferring 'Scots' and 'Scottish,' we see no wisdom in imposing it on contributors, and thereby canonising a decision on a mere matter of taste as if it were an article of patriotic faith. But *Scotia's* extreme standpoints are not ours.

The Berks, Bucks, and Oxon Archaeological Journal (Jan.) has local epitaphs, memoirs, and descriptions. Extracts from Sonning church register show penance done in 1608 by parents for withholding a base child from baptism—'the wilful detayninge of this childe from holie baptisme, for which mye offence and contempt of Christe's holie mysteries I am right hartly sorry.'

What the United States achieve archaeologically is remarkably shown in a supplement to volume X. (1906) of the *American Journal of Archaeology*. The supplement is a series of annual reports of various archaeological institutes, schools, and committees working not at home only, but also in Athens, Rome, and Palestine. Subjects of research are naturally very varied, embracing classical studies, epigraphy, palaeography, art, and exploration. The mechanism for special investigations afforded by so many active antiquarian organisations is an excellent indication of the catholicity of the transatlantic spirit.

The American Historical Review (Jan.) opens with a rather elusive proposition that religion is still the key to history, describes and quotes reports of seventeenth and eighteenth century parliamentary debates at Westminster from the records of the French Foreign Office, and prints documents that prove at last, beyond fear of cavil, that Columbus was

born in 1451. An article of high interest is a critique signed 'A British Officer,' on the literature of the war in South Africa.

The Iowa Journal of History and Politics (Jan.) contains a violent protest against the Journal of Robert Lucas (noticed *supra*, *S.H.R.* iv. 105), treating it as a treacherous and untrue narrative designed to subvert General William Hull. The protest, however, is fuller of indignation than of the justification for it.

The last number of the *Revue Historique* (Jan.-Feb.) contains an article of exceptional British interest, being a well-documented account of the descent on Ireland, made under the command of Napper Tandy in the *Anacreon* in 1798, his arrest and extradition in 1799, his sentence of death in Ireland in 1801 but final release in 1802 by virtue of the Treaty of Amiens, and his death in 1803 at Bordeaux. He was accorded a military and popular funeral, and Citizen Partarrieu composed an apology for his life, doubtless finding it both easy and glorious to justify liberty and the wearing of the green. But the police authorities of the city forbade its publication, and mortified the indignant author, who was an important legal authority of the district, 'premier juge au tribunal criminel,' in the Gironde, the province of which Bordeaux is capital.

The *Revue d'Histoire Ecclésiastique* (Louvain) contains from time to time chapters of dissertation and criticism which touch on insular history. Its elaborate bibliographical appendix is a most comprehensive and useful compilation. Continued attention has recently been given by M. Willaert, S.J., to the politico-religious negotiations between England and the Netherland Catholics between 1598 and 1625, involving many notices of movements in Scotland. A notable critique in the July issue was that of M. Bellet on Canon Chevalier's *Notre Dame de Lorette*. The book reviewed is a historical study of the 'Santa Casa' of Loreto in the March of Ancona, Italy, alleged to have been the dwelling of the Virgin at Nazareth, miraculously translated by angels through the air to Loreto in the year 1291. Naturally, in consequence, it was not only the object of many pilgrimages, but the occasion of a cult of which the Musselburgh chapel founded *circa* 1533 was a well-known if also much criticised example. The learned French canon and his critic are agreed that the Loreto story was wholly false. The conclusion drawn from all the documents is to establish five points: (1) that before 1291 the house at Nazareth had been destroyed, (2) that at Nazareth itself nothing was heard of the alleged translation of the house until the sixteenth century, (3) that before 1291 there was at Loreto a church of St. Mary, (4) that close scrutiny of documents proves that there was no word of the translation at Loreto before 1472, and (5) that the first bull recognising it was in 1507. A curiosity in the story is the fact that it was Erasmus who first composed a mass with 'prose' or rimed chant in honour of the Virgin of Loreto. The legend had first appeared in 1472, but

towards 1525-1531 Jerome Angelita gave the story in all its pomp and circumstance, a story—say the iconoclastic canon and his critic—‘où quantité de faits de noms et de dates dérivent de sa propre imagination.’ The critic closes with a warm tribute to Canon Chevalier as the Mabillon of the legend of Loreto, acknowledging his exceptional competence as a scholar, archivist and bibliographer, and concluding that he has consecrated to the subject a veritable monument of loyal and penetrating historical examination. The tale of Loreto, he says, ‘est, historiquement parlant, dénuée de toute véracité. Le livre de M. Ulysses Chevalier le démontre péremptoirement.’ The fasting hermit, who founded the Musselburgh Loreto, was held in somewhat dubious repute; the parent establishment now suffers a weighty attack: it will be curious to see what ‘Our Lady of Loretto’ has to say in answer to the Frenchman’s peremptory thesis, which affords interesting comparison with the scarifying comments upon Loreto passed by that very disrespectful pilgrim William Lithgow, who visited the place in 1609, as he records in his *Rare Adventures*, i. 27-32. Another leading Roman Catholic publication, the very learned *Analecta Bollandiana* (Brussels, tome xxv. fasc. iv.) has a full review, coming to the conclusion not only that Canon Chevalier is right, but that his study is a fine performance in the criticism of hagiological legend, both as regards method and matter. The writer says that so far the learned Catholic reviews are in this of one accord. ‘They regard Chevalier’s book as a definitive work, the solid bases of which cannot be shaken by any discovery of documents as yet unknown.’ A curious point is touched by Monsieur Ph. Lauer (*Revue Historique*, Jan., p. 108), as to the phrase *per manus Angelorum*, in discussing the suggestion that it springs from a misinterpreted reference to the *Ἀγγελοι*, a branch of the Imperial family driven out of Epirus by the Venetians, perhaps to become the benefactors of Loreto.

An important problem—that of the origin of certain phases of the story of St. Francis—falls under treatment in the January number of the Louvain organ (*Revue d'Histoire Ecclésiastique*). Monsieur A. Fierens commences a study of ‘la question Franciscaine’ by opening a discussion of a Belgian manuscript crucially important towards settling a vexed point. How came it that Thomas of Celano’s anecdotes of the Saint are so often found in identical terms in the *Vitae Patrum* that authorities have concluded that he took the stories thence to attribute to St. Francis doings which were not his own? M. Fierens, zealous for the saint of Assisi, hints that although the long series of parallel passages makes a relationship incontestable, it is possible to explain it as the result of the current use of the *Vitae* and the adoption of its phraseology as a literary model by Thomas of Celano. He maintains that there is no need to doubt the good faith of that biographer, notwithstanding the repetitions. It will be interesting to follow the future course of this discussion, involving as it does the problem of authenticity of many more lives of saints than that of St. Francis. Our Scottish legends frequently exhibit analogous recurrences.

In the *Annales de l'Est et du Nord* (Paris et Nancy) for January, there is described the siege of Nancy in 1633 by Louis XIII. A contemporary siege plan is reproduced showing the profiles of redoubts and lines of circumvallation. One curious episode was the vow of the besieged to transmit as an offering to the Santa Casa of Loreto in Italy 'their town in silver worth a hundred crowns,' by way of imploring the protection of the Virgin. The vow was fulfilled: the completed model in silver, the work of three successive artists, reached its destined Italian shrine five and twenty years after Nancy had surrendered. A memoir on the economic position of French Flanders in 1699 is in course of being edited in this very readable periodical. Mere mention is made of traffic by sea with England, Scotland, and Ireland. Herring stands first in the imports from these ports, Dunkirk being the landing-place.

Among periodicals received is the *Bulletin de l'Union des anciens Étudiants de l'Ecole Commerciale et Consulaire de l'Université Catholique de Louvain*, a quarterly magazine (pp. 52) in which attention is paid to matters, mainly of foreign countries, in finance and commerce.

Professor Brandl's students in their doctorate theses do much useful work in the way of philological analysis and dissection of early literature. Dr. Willy Hörnung's dissertation thus deals thoroughly with one of the MSS. of the *Cursor Mundi*, and Dr. Otto Sprotte similarly presents a heaped measure of minute collations and comparisons of the diction, spelling and grammar of John Knox. The last—*Zum Sprachgebrauch bei John Knox*—will be invaluable in the determination of the pretty problem of the English quality of Knox's writing of Scots. May Germany send us many such evidences of laborious study of our vernacular literature.

British subjects in the January number of the *Archiv für das Studium der neueren Sprachen und Literaturen* include Scandinavian influence on English, some O.E. insect names, the *Narratiunculae anglie conscriptae* and the M.E. *A B C of Arystotle*. There are besides many reviews of works on English themes, among them one of W. D. Brie's *Geschichte und Quellen* volume on the medieval prose chronicle, *The Brute of England*.

Il Rinascimento (Milano, Via Bigli 15), in its inaugural number (Jan.), as a 'critical review of ideas and facts,' contains, translated, a chapter of the Master of Baliol's *Evolution of Religion*—the chapter regarding a definition of Religion.

Queries

THE FAMILY OF COCKBURN OF BERWICK AND AYTON. According to Burke's *Peerage and Baronetage*, 1865 ed., p. 241, William, second son of Sir Alexander Cockburn, fourth Baronet of Langton, resided at Ayton. He is stated to have married Frances, daughter of James Cockburn of Jamaica, and to have had a son James, who succeeded as sixth Baronet, on the death of his kinsman, Sir Alexander, at Fontenoy in 1745. There was a branch of the Cockburn family long resident at Ayton. John Cockburn (a widower) of that place, married at Berwick, 29th November, 1761, Eleanor Weatherly. In March, 1803, Mark Cockburn of Ayton Law died, aged 23, and in September, 1807, the wife of John Cockburn of Ayton Law died at Whiterigg, aged 67; she was followed two years later by Mrs. Elizabeth Cockburn, wife of Mr. Cockburn, 'late tenant of Ayton mains.'

Two branches of the family were resident in Berwick-upon-Tweed during the eighteenth century. One deriving from Alexander Cockburn, who, in his will, dated 14th November, 1772, proved at Durham in 1774, names his brother, Thomas Cockburn, of the City of Edinburgh, gentleman; his sister-in-law, Isabella Bryden; and his children, David, Elizabeth, wife of James Williamson, Helen, Isabell, and Margaret. The son David married at Ayton, 4th September, 1788, Eleanor, widow of — Brown, and had issue.

The second family derives from Adam Cockburn, born somewhere about 1705, who married first, 9th December, 1731, Barbara, daughter of John Steel, burgess of Berwick, by whom he had issue seven daughters and two sons, John and Alexander, the latter of whom died an infant. He remarried Elizabeth, daughter of John Johnson, merchant, and widow of Andrew Renwick, of Berwick; and died in 1772. His son John succeeded to his father's business as a carpenter, and, like him, married twice. On his death the administration of his estate was granted at Durham, October, 1786, to his widow Rebecca, who survived him until 1805. He left by his first wife a number of children.

I will be glad of any assistance in elucidating the connection between these families, or in tracing out their present representatives.

East Boldon, Durham.

H. R. LEIGHTON.

JARDINE, RANNIE, BAYLEY, DUNDAS. In his Autobiography (Edinburgh: Blackwood, 1860), Dr. Alex. Carlyle ('Jupiter

Carlyle') mentions the sudden death, in June 1766, of Dr. John Jardine, minister of the Tron Church. He says that he and 'a party of us had been engaged to dine with Mr. Henry Dundas (p. 468) the same evening, but that it was put off,' as 'Dr. Jardine was a near relation of his lady,' meaning Mrs. Henry Dundas.

In what way were they related? Mrs. Dundas was Elizabeth, daughter of Captain David Rannie of Melville Castle and Elizabeth Bayley his wife. Captain David Rannie seems to have been son of one John Rannie and Janet Stark; and of Elizabeth Bayley I only know that she had a brother Edward Bayley.

Were the Bayleys and Jardines related? or what was the connection?

H. A. COCKBURN.

92 Eaton Terrace, London, S.W.

CAMPBELLS OF STRACHUR (*S.H.R.* iv. 232). Is there any evidence that the first wife of John Campbell of Murthly (1525-1567) was the daughter of a Campbell of Strachur (Burke's *Landed Gentry*, 1906, p. 260; cited by A. W. G. B.)?

Marjorie Menzies was his wife, 28th October, 1550, and 22nd May, 1552. She died before 31st July, 1562. Margaret, daughter of William Drummond of Balloch, was his wife when he died in July, 1567.

J. H. M. C.

HOWITSON. What is the derivation of the name Howitson? We are border people from Dumfriesshire. The name is spelt by us Howitson, Howatson and formerly Hoatson.

GEORGE HOWITSON.

4 Ranelagh Place, Liverpool.

Communications and Replies

THE DEATH OF KEPPOCH. Recent investigations have discovered the true details of the death of Keppoch at Culloden, and prove that the fact was for a considerable time disbelieved in parts of the Highlands. The documents, containing evidence on oath, are to appear in the fourth volume of my *History of Scotland*. Meanwhile, Miss Josephine MacDonell of Keppoch kindly furnishes the Gaelic words, and a literal translation, of the Lament composed by the bard of the clan. Though little detail is given, the story in *Young Juba* (1748) that Keppoch survived for some days, and was buried in his own country, is disproved.

A. LANG.

LAMENT FOR MACRONALD,¹

Who fell the day of Culloden,

BY ALEXANDER CAMERON, HIS OWN BARD.

[*Literal Translation.*]

1. A fortnight before May day
Misfortune fell on us sorely,
Being marshalled in rank
In the face of an enemy on a height,
We left the chief of the Braes
On the field of battle without breath of life,
And none of his friends
To staunch the blood from his wound.
2. Pitiful news to the Kingdom,
How thy country is in distress,
Worthy son of Coll of the pikes [or battle-axes],
Who won his rights against the southerners,
Thou falcon with the fearless gaze,
Keen, commanding, full of pity,
Possessing fortitude and endurance,
Gifted thou wert beyond the others.

¹ The Patronymic of the Chief of Keppoch.

3. Thou wert the meteor among clouds,
Thou wert the eagle on the crag,
Thou wert a lion 'neath the banner,
And shone as a fiercely blazing beacon.
As the tree that bears the wine fruit,
That storms decay not its growth
With the sap of its kindness [or hospitality]
Coming from all parts of its trunk.
4. For the blood-red royal lion
Thou hast stood unflinching for his rights,
Heroic leader in the host,
Bold intrepid warrior.
When thy banner was unfurled,
Decked with heather purple and clustering,
As it fluttered in the conflict
MacGlaisridh¹ would be close on its track.
5. And in the train of thy red banner
Would be warriors eager in the forward march,
Coming from the slopes of Glen Spean
And the two passes of Glen Roy.
When marshalled on the plain
These swift, high-spirited men,
Few could be victors in face of them,
As they rush forward to the fray.
6. I have seen thy clansmen
In each struggle that has been,
And they seemed not like striplings
These Glensmen so leal.
Though dragoons were before them
In close double ranks,
Their long line would be scattered
Once thou shouted the advance.
7. Grievous to me the scattering
That befell the army of the North ;
Not the least cause of my sorrow
In the losses we sustained,
That MacRonald of Keppoch
Who was no weakling in his harness of steel,
Most intrepid leader of men,—
Cause of the blow [or the shock] to me—is in the grave.

¹ A sept of Campbells who were hereditary pipers to Keppoch.

CUMHA MAC-IE-RAONUILL,

A thuit latha Chuilfhodair,

LE ALASDAIR CHAMSHROIN, A BHÒRDA FHEIN.

1. Ceithir-là-deug roimh latha Bealtuinn,
Bhuail an t-earchall sinn goirt :
'Bhi 'gartarruing an 'rang'
Ri aighaidh naimhdean air cnoc.
Dh'fhàg sinn ceannard a' Bhràigh
Anns an àraich gun phlog !
Gun aon duine dheth chàirdean
A bhi càramh a lot.
2. 'S bochd an naigheachd 's an rìoghachd
Ma thà do thlr-sa 'n a càs,
Dheadh Mhic Cholla nam picean,
'Bhuidhinn cìs 'amaneasg Ghall.
Sheobhag fìorghlan 'n a d'shealtainn,
Guineach, smachdail, làn bàigh ;
'G an robh misneach 'us cruadal—
B foma buaidh' bh'ort thar chàch.
3. Bu tu an dréagan 's an niallan
Bu tu am fìreun 's a chàrn
Bu tu an leòghann fo'n bhrataich
Bu tu an fhàloisge gharg ;
Craobh thu dh'abhull an fhìona
Nach meath sìantan à fàs
Gheibhteadh snodhach 'san Fhaoilleach
Air gach taobh de na chrann.
4. An leòghann fuileachdach rìoghail,
'Sheas gu dian anns a chòir
Ceannard mìleant an fheachd thu
Cuiridh macanta borb
'Nuair a thogtadh do bhratach
Le fraoch gaganach, gorm
'Nàm dh'i gluasad gu carraid,
Bhiodh Mac a Ghlasraidh 'n à lorg.
5. 'N lorg do bhrataiche deirg
Bhiodh suinn nach mairbh s'an dol suas
Thig o thaobh Ghlinne-Spiathain
'So dhà bhealach Ghlinne Ruaidh.
'Nuair a thàirngt 'air an fhaich iad,
Na fìr aigeannach luath
'Smairg a thàrladh 'nan aodann
'Nam aomadh do'n ruaig.

6. Chunnaić mise do chinneadh
 Anns gach iomart a bh'ann
 'S cha bu choltach ri giullan
 Na fir ghlinneah gun mbeang
 Ged bhiodh an 'dragoon' ann
 'S an rang dubailte thall
 Chit'e sgapadh 's a charnaig
 'Nuair dh'eigheadh tú'n 'advance.'
7. Gur h-oil leam an sgapadh
 Chaidh 'air feachd an 'Taoibh Tuath ;
 Cha lugh 'mo chúis airteil
 De na creachan tha 'uainn
 Mac'ie Raonuill ón Cheapaich
 'Nach robh tais am beairt chruaidh—
 Ceannard sluaigh 'bu mhór misneach
 Falh mo chlisgidh, 's an uaigh !

LAST OF THE ROYAL STUARTS (*S.H.R.* iv. 223). The Rev. W. H. Hutton, St. John's College, Oxford, writes: May I be allowed to point out that the letter of Mr. Samuel Crisp which gives an interesting description of Charles Edward and his brother as boys, was not printed for the first time by Mr. Vaughan, but (as he gracefully acknowledges in his book) by me in the *Cornhill Magazine*, and reprinted in my *Burford Papers*.

Notes and Comments

WE are glad to print the following petition of the Scottish Record Society to the Royal Commission on Historical Manuscripts, which has been signed by Sir James Balfour Paul, Lyon King of Arms, as Chairman:

*Historical
Manuscript
Commission.*

"That your Petitioners, a Society whose members include most of those persons in Scotland interested in the publication of the ancient Records of the Country, have heard with much concern that instructions have been issued by His Majesty's Commissioners to their reporters on Historical MSS. in Scotland that in future, as a general rule, no Charters or other ancient documents of a kindred nature are to be reported on or calendared in their Reports.

"That your Petitioners are of opinion, in view of the fragmentary nature of all records in Scotland previous to the seventeenth century, that much very valuable information which can only be obtained from the private Charter chests of our landed families will thus not be made available to the student of general and family history, and that one of the principal purposes for which the Commission was appointed, namely to supplement the national records which have been lost, will not be attained.

"That the space occupied by such calendars (as may be seen from previous reports) would not materially increase the length of any report. Their value, as regards genealogy, topography, local and general history, the origin and formation of place names, the nature of land tenures and persons holding offices in church and state, is inestimable."

It is a matter for much regret that it should have been necessary for the Scottish Record Society to make such a petition.

In a former number (*S.H.R.* i. 224) we called attention to the Earl of Rosebery's remarks at an annual meeting of the Scottish History Society, where he urged strongly the importance of keeping in view the human aspect of Scottish historical literature, and advocated that the Society should pay special attention to family papers, diaries, account books, and such like, which might serve to throw light on the domestic history of the people. This advice the Scottish History Society has doubtless borne in mind, but we little expected that the expression of such views was to be followed by an order from the Earl of Rosebery and his colleagues on the Royal Commission for Historical Manuscripts, which seems to be at variance with the

historical objects of the Commission. Charters sometimes make dry reading, and there is much to be said for the publication of other Manuscript materials throwing light on the various phases of the life of our ancestors. But it seems really absurd that the Commission should issue instructions which will have the effect of depriving scholars of the material which has been found most useful in the past, and which is made readily available in the English reports.

We trust soon to hear either that the instructions have been misinterpreted or that they have been withdrawn.

SCOTTISH interest in the *English Historical Review* for January centres in Mr. W. Moir Bryce's account of Queen Mary's voyage to France in 1548, drawn up, in part, from the hitherto unused actual journal of the voyage preserved among the Balcarres papers in the Advocates' Library. The French galley, under the command of the Sieur de Brézé, took the girl queen on board on 29th July, but the winds were strong and contrary, and on 6th August the vessel was still in the Firth of Clyde, off Lamlash. When fairly out to sea the ship continued to encounter rough weather. Off Land's End the rudder was broken by seas so wild that De Brézé says he never saw waves so large in all his life. Meanwhile the little queen, according to De Brézé, bore herself with splendid spirit, making fun of those who were more sea sick than herself, and standing the tempest-tossing well. On 15th August 'after a stormy passage of eighteen days on the sea,' the galley arrived at St. Pol de Léon in Brittany, and soon they were saying of Mary that 'our little Scottish queen has but to smile to turn all the French heads.' Mr. Bryce closes his paper with an effective touch when he says: 'The shadow of the woman was forecast in the behaviour of the child during the storm in the story of De Brézé. Her high spirit and courage never failed her, and the attractive personality which so charmed the courtiers of Henry II. still maintains its glamour, after centuries of intervening years, over the people of western Europe.'

A SECOND Scottish note of importance in the same issue of our contemporary is the text of a hitherto unpublished political paper by Daniel Defoe, probably drawn up in the summer of 1704, to inform and advise Robert Harley, then just appointed Secretary of State. The document, as Mr. G. F. Warner in editing it observes, 'lays special stress upon the necessity for a regular system of collecting intelligence from all quarters in order that the government might be kept informed of the state of feeling in the country, and steps might be taken to counteract adverse influences: and his own employment for the purpose, for which his restless energy and quick wit admirably qualified him, was no doubt a direct consequence of his advice.' Defoe's own words relative to Scotland, however, are well worth quoting: 'A settl'd intelligence in Scotland,

a thing strangely neglected there, is without doubt the principall occasion of the present misunderstandings between the two kingdomes: in the last reign it caus'd the King to have many ill things put upon him and worse are very likely to follow.' Presumably these ill things included matter of Glencoe as well as of Darien. Defoe's advice bore fruit, for his political journey into Scotland in 1705 on a Government mission, and his diplomatic employment there during the Union proceedings, are inevitably to be interpreted as the consequences of the counsel he gave. 'Intelligence,' he wrote in the document under discussion, 'is the soul of all publick bussiness.' He was himself a born 'intelligencer.'

MR. JOHN EDWARDS, in his paper contributed to the Royal Philosophical Society of Glasgow last year, *The Religious Orders in Scotland under our early Kings*, evidently begins to sum up conclusions drawn from a steady course of special studies in ecclesiastical history. For ten years he has been at work keeping himself always to his single line of constructive research among the annals of Scotland, and producing at sundry times and in divers places detailed monographs now enough to require a little bibliography. His course was definitely started with his paper in 1897 on *Torphichen and the Hospitallers*. In 1900 he surveyed the career of the Templars in a short essay on *Maryculter on Deeside* where that Order had a foundation from the Bisset family in the thirteenth century. The suppression of the Templars he discussed in the *Scottish Antiquary* (xvii. 83) in 1902. In 1904 he issued a fuller tractate than any of these, *The Gilbertines in Scotland*, in which, applying himself to the regular monastic institutions of Scotland, he dealt in particular with the somewhat abortive settlement of the Order of Sempringham by Walter Fitz-Alan, the third Steward of Scotland at Dalmulin on the Water of Ayr, in or about 1221. Gilbertine monasteries were double, constructed to house separately nuns and canons, a conjunction which, despite the statutory safeguard between—*muro interposito*,—provoked the sarcasms of Walter Map about the power of Venus to pierce the walls of Minerva, and which later gave occasion to a well-known satirical song against 'le Ordre de Bel-Eyse.' The Ayrshire branch of the Order did not flourish, and about 1238, whether because the climate of these uplands did not suit the English brother- and sister-hood, or because of political reasons, they took their departure, leaving in Scotland, by a firmer tenure, the Greyfriars and Dominicans who had arrived not long before. To the former of these two, the Franciscans, Mr. Edwards next turned for a biographical theme of difficulty, the life and time of *Duns Scotus*, the Franciscan pillar of philosophy. Thence he passed to a more general study of that Order, which appeared in our own columns (*S.H.R.* iii. 179), on *The Greyfriars in Glasgow*. These particulars shew the road by which Mr. Edwards has reached his standpoint for reviewing the effect on Scottish life of all the Orders of monks and knights and friars, Cistercians, Premonstratensians, Benedictines, Templars, Hospitallers, and

Friars both grey and black. His large task only opens with this paper, for in the period it covers these bodies are passing through their golden age, serving sound purpose not only as apostolic forces of religion and civilisation, but also as providing centres of learning and trade. Their day of decadence was not yet, except perhaps in the case of the Templars, whose fall was not far off when the survey ends. In 1300 there seemed few omens of the crash that was to come in the sixteenth century, though the eye of posterity can always see many causes in action which were hidden from contemporary sight.

DR. WILLIAM J. D. CROKE sends us a reprint from the *Atti del Congresso Internazionale delle Scienze Storiche*, a paper on the Hospital of the English at Rome—*The National English Institutions of Rome during the fourteenth century: A Guild and its popular initiative* (Roma Tipografia della R. Accademia dei Lincei, 1906). The subject is the hospital of the Holy Trinity and St. Thomas, usually alleged to be identical in site with the Schola Saxonum referred to by early historians as existing in King Alfred's day. Such evidence as exists, however, does not favour this belief, and now Dr. Croke brings forward what seems to be conclusive proof that the site was in 1361 purchased by John Shepherd, an Englishman, who was a rosary seller (*paternostarius*) in Rome, and that for 40 golden florins he made it over, in 1362, to the Community and Corporation (*nomine Communitatis et Universitatis*) of the English in the City and coming thereto. In all the deeds now first transcribed by Dr. Croke there is mention neither of St. Thomas a Beket, nor of the Trinity, nor of any church on the ground. The interest of the documents lies in their evidence of a regular English guild which, like native organisations in Rome at this period, was in all probability a creation of the fourteenth century, to which such national hospitals and guilds characteristically belong. These British gleanings encourage us to hope that Dr. Croke may at times in his researches come upon Scottish items of medieval history.

Few elements of medieval religious life are more pitiful than the crusades and pilgrimages of children. M. Etienne Dupont has been studying the peculiar cult of St. Michael the Archangel which, particularly in the fifteenth century, sent so many children from Germany and Belgium to Mont Saint-Michel. His essay, *Les Pèlerinages d'Enfants Allemands au Mont Saint-Michel (XV^{me} Siècle) Le Récit de Baudry Archevêque de Dol* (Paris, Lechevalier, 1907, pp. 44), tells how children of 8 to 12 years of age travelled as pilgrims in troops sometimes so numerous that the countryside they passed through could scarce feed them; how they marched behind pictorial banners of St. Michael, singing songs of Christ and the saint; how they went very often in spite of their parents, and how some good people of the fifteenth century wondered (as well they might) whether this was the work of God or a wile of the devil. M. Dupont's dis-

cussion of the legend of the Dragon of Ireland, as told by Baudry, is of the more interest because of its early date—between 1107 and 1130, probably towards 1114. Visiting Mont St. Michel he saw among the relics in the monastery there a tiny buckler and sword, more like children's toys than objects of Christian veneration, and the prior explained to him that when, in the distant land beyond England, the people were dismayed by the ravages of a vast and venomous serpent, they sought counsel of the Pope, and after three days' fast mustered courage to attack the huge reptile in force. They saw him afar off, apparently asleep, lying like a mountain, and they hurled themselves upon him, only to find to their surprise that he was already dead, while beside his carcase lay the tiny shield and blade. A vision soon solved the mystery of the slayer of this Irish dragon. It was St. Michael who bade the Pope give orders to the Irish to have those trophies of victory carried to the mount which is called by Michael's name: which was done, and Baudry concluded his narrative by saying that he told the tale as he received it in order to preserve it from perishing through the jealousy of time, and that he wished eternal happiness to every one who should read it and should not laugh thereat. That believers were not few may be inferred not only from the repetitions of the story of the Dragon and the settlement of Irish monks at Mont St. Michel under Abbot Maynard, but perhaps also from these saddening pilgrimages of St. Michael's children, *les enfants de saint Michel*, as the victims were called.

MR. A. H. MILLAR has called our attention to the description (in a recently issued part of the Edinburgh Bibliographical Society's Transactions), of a book now in the University Library, *A Book-relic of the Black Friars*, Cambridge, which contains certain inscriptions. One of the earliest showed that the book, which was printed at Louvain in 1474, had been presented to the Blackfriars Monastery in Dundee by Henry Barry, Rector of Collace. Another note declares that the book was purchased '21 April 147—.' The last figure has been partly torn away, but apparently the date had been 1475, which shows that the book must have been acquired by Henry Barry a few months after it was printed.

The volume consists of three separate works—the *Liber Alexandri Magni Regis Macedonie*, the *Gesta Romanorum*, and the *Consolatio Peccatorum*, to which is prefixed a letter from Gervinus Cruse, dated 7th August, 1474, addressed to Veldener of Louvain, the printer of the volume.

The most interesting of the later entries, however, is that which declares 'This Buik perteinis to ane noble man, Sir Walter Ogilvy of Dunlugus, Kny^t,' followed by the addition 'and now to his Sone, George Ogilvy.' At the bottom of the last page the statement is more emphatic:—'Iste liber pertinet ad dominum galterum ogilvy de dunlugus, Milite. Cum gaudio absque dolore, he yat stelis yis Buyk fra Me, god gif he be hangit one ane tre, Amen for me, amen for

the, amen for all good company. *Teste manu propria.* Sir Walter Ogilvy of Dunlugus succeeded his father in 1621, and his son, Sir George, was created a Baronet in 1627, took a leading part in the wars under Montrose, and died in 1603.

SCOTTISH TEXT SOCIETY publications recently include volume iv. of *Wyntoun's Chronicle* and volume ii. of *Henryson's Poems*. Mr. Amours has now brought his weighty task of presenting a double text with all the variants down to the death of King Malcolm IV. in 1165. The work is of course a fundamental chronicle, and it is good for history, for philosophy, and for literature that it is under such sure and thorough editorship. Mr. Amours, we notice, is evidently preparing himself for the ultimate editorial duty of introduction and annotation by such preliminary studies as that on 'St. Serf's priory in Lochleven,' which he not long ago contributed to the *Glasgow Philosophical Society's Transactions*, vol. xxxvii. Wyntoun was prior of St. Serf's, and there his invaluable chronicle was penned. A fact about the library is there established—that when the Culdee possessions were, in 1144, made over to the canons regular, one of the books, titled obscurely 'Origine' in the inventory, was probably the *Origo Mundi* of Honorius of Autun, who died about 1140. Mr. Amours points out that as the greater part of book i. of *Wyntoun's Chronicle* is literally translated from the last-named work, it may be inferred that the codex he used was this very inheritance from the Culdee establishment. Professor Gregory Smith, late general editor of the Society, begins the issue of his text of Henryson after he has, owing to his Belfast appointment, resigned his general editorship. He also presents a double text, with prefatory note, on the black-letter and manuscript originals, and with facsimiles. All the early versions of the Fables are in the present part. The editor of Henryson has a happy task: no other of the 'makars' had either his felicity of sketching from nature or his peculiar quality of gentle humour.

SIR HERBERT MAXWELL, President of the Society of Antiquaries of Scotland, has issued an appeal for funds for the completion of the exploration of the Roman Station at Newstead (see *S.H.R.* iii. 126, 471). We hope that this appeal will be liberally responded to, not only on account of the extraordinary success which has already been achieved in the earlier diggings, but because of the good fortune of the Society in having them carried on under the personal supervision of Mr. James Curle, F.S.A., of Priorwood, Melrose, to whose care and expert knowledge the success already attained is in large part due. As we go to press we hear that some bronze shoulderpieces, shoes, dishes, mountings of a belt, and other objects have been recently found in the pits which have been dug on the south side of the railway. We hope in our next number to have Notes from Mr. Curle of the recent diggings, and illustrations of some of the most interesting relics found.

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Mary Stuart and the House of Huntly

THE overthrow of the house of Huntly by Mary Stuart, has been treated in a greater or less degree by Scottish historical writers as a problem which almost defies solution.

At first sight, undoubtedly, the destruction of the surviving bulwark of Scottish Roman Catholicism by a Scottish Roman Catholic Queen seems a wholly incomprehensible proceeding. It is incompatible with the religious sincerity of either the Queen or Huntly, and the secret of the explanation lies in the discovery of the treachery or lukewarmness of either one or other.

If the ordinarily accepted version of Mary as an ardent Romanist who was returning to Scotland, in the words of Mr. Froude, 'with a purpose resolutely formed to trample down the Reformation,' be allowed to pass muster, the mystery is one which becomes involved in Cimmerian darkness; but if, upon the other hand, the Queen is regarded merely in the light of a Laodicean bent only upon seating herself in the throne of Elizabeth, there is little that is really complex left in the episode.

As to Huntly himself, his reputation was undeniably that of a double-dealer, but there exists no evidence to show that his policy was one whit more disingenuous in its character than that pursued by any of the other party leaders of the period. All writers, however, whether biased by Marian or Reformation sympathies, have agreed in demanding from the unfortunate head of the house of Gordon a standard of rectitude which has been exacted from none of his contemporaries. Historically considered, it is no exaggeration to say that Huntly

has been a target for the partisans of two contending factions. Calumniated upon one side by the Marian apologists, who have seen in him only a blot upon the memory of the object of their devotion, he has fared equally ill at the hands of the glorifiers of the Reformation, to whom he has presented himself merely in the light of the upholder of the doctrines of the 'Scarlet Woman' and the enemy of Murray.

Of such credit as attaches to fidelity to his religion, it is, after one or two deductions are made, impossible to deprive Huntly. He was the right hand of Cardinal Beaton throughout the earlier stages of the Reformation struggle, and although after his capture at Pinkie, when confronted with the prospect of an indefinite confinement in an English prison, he made, like all his brother nobles, secret terms with Henry VIII., yet only a few months after he reverted to his natural allegiance and voted for the marriage of the Princess Mary with the Dauphin of France.

It is entirely in connection with his relations to Mary of Lorraine that the charges of lack of good faith against the 'Cock of the North' have been preferred, but when investigated these are found to rest upon no substantial basis. It was almost entirely through the instrumentality of Huntly that the Dowager succeeded in ousting Chatelherault from his office of Regent and seating herself in the position thus vacated, and the reward meted out to him consisted in fines, imprisonment, and deprivation of his governorship of the Orkneys. In the Chancellorship, which had been conferred upon him in 1546, he was likewise practically superseded by de Rubay, a French parasite of his late confederate, and thus rendered as far as possible a cipher in Scottish politics. As to the ground alleged for the infliction of all these formidable penalties, which was the miscarriage of the expedition against Clanranald, it can be regarded in no other light than that of a pretext of the flimsiest character. The real motives were jealousy of the northern kinglet and distrust of his attitude upon the question of the importation of the French soldiery.

The pivot upon which the policy of Mary of Lorraine ever turned was the conversion of Scotland into an oversea province of France, and the part that religion played in it was one of a very subsidiary character. Why it should have constituted the duty of Huntly to further in any way such unpatriotic designs, is a question that his numerous assailants can best

answer. The path which he had to tread throughout the whole period of the Regency was one of a peculiarly thorny description. After the bitter hostility that had been manifested towards him by Mary of Lorraine, it was evident that safety lay only in the direction of an understanding with England and the Lords of the Congregation. If he played the part to a certain extent of the trimmer, it was merely to avoid the fate of being ground between the upper and the nether millstone. So far as his frustration of the design of the Regent to invade England is concerned, he unquestionably deserved well at the hands of his country.

On the breaking out of the conflict between Mary of Lorraine and the Protestants, Huntly at first set aside his grievances and acted as the ally of the former. In 1559 he interposed between the rival factions as peace-maker, and finally on behalf of the Regent signed the agreement which brought about the evacuation of Edinburgh. Upon her subsequent infringement of the terms of that treaty, however, he joined Chatelherault, in accordance with the obligations of his bond, and went over to the Lords of the Congregation. It was in no way surprising that he should have dreaded a further exploitation of himself, and felt little inclined to undergo the humiliation of once more figuring before the world in the character of a 'sucked orange.'

As to the professions of Presbyterianism made by Huntly, they seem to have been without serious intention, and certainly never imposed upon either friend or foe. The very outrageousness of the behaviour in which he indulged upon the few occasions that he did attend the services at St. Giles, serves at least to acquit him of any charge of deception. At no time were the suspicions of his co-religionists excited, or the distrust of the Reformers allayed.

In his own house the chief of the house of Gordon never so much as affected to comply with any change of religion. The most conclusive testimony, however, of the nature of the aspirations which he at heart never ceased to cherish, was the discovery, after the completion of his downfall, at Strathbogie Castle of the utensils of Aberdeen Cathedral carefully preserved with a view to what his denouncers would have described as the restoration of the 'old idolatry.'

The misapprehension which finally brought about the subversion of Huntly, seems undoubtedly to have been his belief

in the genuineness of Mary's Catholicism. In this, though doomed to be bitterly deceived, he was just as much at sea as were the leaders of the Calvinists. Of the fact that Mary had landed upon the shores of Scotland indifferent to all issues but that of the English succession, both factions were equally ignorant. None of the rebuffs heaped upon Huntly had the effect of dislodging this prepossession from his mind. The frigid reception accorded to Leslie at St. Dizier, when, acting practically as the 'Cock o' the North's' emissary, he endeavoured to persuade the young Queen to land at Aberdeen and fling herself into the arms of the Catholics, might alone have served the purpose of a danger-signal, but no omen could arouse him to a sense of his peril. Huntly was, however, indulging in no idle bravado when he said that he could 'set-up the mass in three shires,' and Mary would have been wiser in her generation had she, with all its risks, accepted his invitation.

It is more than probable that the fate of the chief of the house of Gordon was sealed with the failure of Leslie's mission. Upon the Queen's return she placed herself entirely in the hands of Lethington and Lord James Stuart. Huntly, though still nominally Chancellor, was once more relegated entirely to the background. By his opposition to the meeting of the two Queens, he provoked further resentment, and England having drifted into war with France, something was needed to inspire confidence in the bosom of Elizabeth. Orthodoxy counted for little in Mary's eyes when weighed in the balances against the English succession, and a scapegoat was incontinently found in Huntly.

His third son, Sir John Gordon, had involved himself in a discreditable marriage with the widow of Ogilvie of Findlater, and the result was a brawl in the Edinburgh streets, when Lord Ogilvie was wounded. Gordon was imprisoned, but succeeded in escaping, and fled to his father. Here was a weapon conveniently placed in the hands of the Queen, and she promptly availed herself of it. A progress to visit her northern subjects was immediately planned. Lord James Stuart, who eagerly coveted the earldom of Moray, which Huntly held informally under the crown, was at his sister's side ready to inflame any prejudices which may have already existed in her mind and urge an adoption of the most violent courses.

None the less, there can exist no doubt that the whole expedition was primarily the work of Mary, and that outside

instigation had little to do with it. She entered upon the undertaking with the utmost zest, and from first to last pursued Huntly with the ferocity of a tigress. In the words of the English ambassador, Randolph, who accompanied this royal progress and is the determining authority upon it, 'she is utterly determined to bring him to utter confusion.'

Upon arriving at Aberdeen, the Queen refused to visit her own Chancellor, though his castle of Strathbogie was but three miles distant. This incident alone must have enabled Huntly to see what was in store for him. Mary then made a westward circuit through her dominions, and on the governor of Inverness Castle hesitating in regard to the delivery of the keys, hanged him on the day following. Though a servant of Huntly's, he had received no orders from his master, and as the garrison consisted only of twelve men, the severity of the sentence could again be taken as another indication of the blowing of the wind.

Upon returning to Aberdeen, Lord James Stuart (or Mar, as he had then become) was invested with the earldom of Moray. From Huntly, Mary demanded the surrender of a cannon, and upon his Countess beseeching her for grace in the name of their common religion, laughed at her entreaties. Upon the keys of two castles being sent to her by a Gordon messenger, the Queen merely said that 'she had provided other means to open these doors.'

That Huntly long ere this should have been entirely at his wits' end is not surprising. He was absolutely between the 'devil and the deep sea.' There was no safety for him either in surrender or resistance. Finally, goaded to desperation, he took up arms, and at Corrichie Burn ended the chapter of his calamities by falling off his horse, apparently in a fit of apoplexy, 'stark dead, without word that ever he spoke.'

The wholly unnecessary presence of the Queen at the execution of Sir John Gordon, which followed upon the day after, was a barbarous proceeding, and one over which her admirers must be only too willing to draw a veil. It seems to have been prompted by no other motive than a desire to gloat over his sufferings, and the contention of her apologists that she was merely obeying the commands of Moray rests upon no evidence. When her brother strove to the uttermost to hinder the Darnley marriage, he was speedily shewn

by Mary that she only complied with his behests when it suited her own convenience. The charge that Sir John Gordon was intended as a bridegroom for the Queen is in itself preposterous, and cannot be seriously entertained. He was a younger son, already married and of no reputation, and that such a personage should have been deemed a fitting consort for a princess at whose feet well-nigh half the crowned heads of Europe were sighing, is to accuse his father of a fatuity of mind for which there is no warrant.

It has been conjectured that a secret understanding existed between Huntly and the Guises, and Mary herself in a letter to the Cardinal of Lorraine displays a consciousness that the matter was one which demanded an apology. 'Make my excuses,' she therein says, 'if I have failed in any part of my duty towards religion.' The epistle to the Duke of Guise upon the whole affair—which could hardly have failed to prove illuminating—was, Mr. Andrew Lang tells us, unfortunately burned in a fire at the premises of the binder to the British Museum.

The obscuring of the issues involved in the Huntly episode has been created almost entirely by the implacable animosity cherished towards Mary by Knox and Buchanan. Nothing that she could do was right in their eyes. The destruction of one who, in the language of the former, was a 'proud mocker,' a 'maintainer of idolatry,' and a 'hinderer of good works' might, from their standpoint at least, have been accounted unto her for righteousness, but so far from this being the case they have set themselves to manufacture imaginary evidence of an agreement between Huntly and the Queen which is absolutely belied by the historical chapter of events. To have allowed Mary any credit for the suppression of Popery would have been an admission of grace absolutely repugnant to them. The whole of Knox's statements as to the Queen 'having glowmed' at the news of Corrichie and so forth are in direct antagonism to those of Randolph, and may safely be dismissed as perfectly untrustworthy.

The real puzzle that demands elucidation in the relations of Mary to the house of Gordon, lies however less in her destruction of it in 1562 than in her restoration of it in 1565. Historians have with singular unanimity scrupulously refrained from dealing with this aspect of the question. Assuming, in accordance with the rigour of the proceedings taken against

them, that the Gordons were a species of viper's brood worthy only of being cut off in Old Testament fashion, the difficulty which then arises is to discover a justification of the grounds upon which they were let loose upon a regenerated Scotland only three years after their downfall.

So far as Huntly's eldest son was concerned, there is nothing to show that he possessed any claim whatsoever upon the royal clemency. At the time of the Corrichie affair, he seems to have been in the house of his father-in-law, Chatelherault, engaged on a futile mission to procure the aid of the Hamiltons for his distressed family. Prior to the arrival of the body of his father before the bar at Edinburgh in order to have an act of forfeiture and attainder passed upon it, the younger Huntly had been dragged to the capital and there condemned to death. Subsequently, without any reason assigned, he was removed to Dunbar Castle, and allowed to languish there—no attempt at the fulfilment of his sentence having been made.

It has been said of Mary that she kept Bothwell as a catapult with which to attack her enemies, and the remark applies to Huntly with equal felicity. For aught she cared the chief of the Gordons might have been allowed to rot undisturbed in his dungeon, had not contingencies arisen which rendered his help a political necessity. The son of the man whom she had just branded as a traitor, was only held up as a reserve card that could be safely played when occasion demanded, and with the rebellion of Moray the need for his introduction upon the scene arose.

During the Roundabout Raid, Huntly was entrusted with the command of the rearguard of the royal army and lost no opportunity of furthering the interests of his mistress in the intrigues that followed.

Escaping along with Bothwell from Holyrood on the night of the Rizzio murder, he joined him in raising the royal standard and discomfiting the framers of that sinister conspiracy. It was due only to Huntly's remoteness from the scene of action, and to no fault of his own, that he was not to the fore at Carberry Hill and Langside. In both instances he was hurrying down with all the forces at his command as rapidly as the difficulties of transportation admitted.

After the flight of Mary to England, Huntly summoned a convention which met at Largs, and would, with the assistance

of the Hamiltons and the Bordours, have crushed Moray before he had time to assemble a Parliament, had not an order arrived from the Queen commanding the disbandment of the royal troops; the ever-present mirage of the English succession thus luring its victim to a final and irretrievable blunder. Huntly continued to act as Lieutenant-Governor of Scotland under the captive Queen's mandate until 1572, when, recognizing the hopelessness of the cause committed to him, he made terms with Morton. His younger brother Adam, whose life too had been spared after Corrichie, even then reluctantly suspended his military operations, and vowed that it was still possible to reduce the country to obedience.

The devotion of the Gordons to the woman who, in the most cold-blooded of fashions, had shed their father's blood, is indeed truly amazing. Hardly ever did they fail to heap coals of fire upon her head. The fidelity of the sons is the most effective of answers to the charges of disloyalty brought against the father. So far as the question of heredity is concerned, the younger Huntly walked closely in the paternal footsteps. It cannot be denied that a certain shiftiness always characterized the dealings of the house of Gordon, but none the less they were invariably true in the end to their reactionary instincts.

At no period in the subsequent developments of Scottish history did the house of Huntly fail the Stuart cause. The grandson of Mary's lieutenant-general laid down his head on the block for Charles I. in 1646; another descendant kept the Jacobite flag flying over Edinburgh Castle in 1689 until the arrival of the news of Killiecrankie; in 1715 the son of the friend of Claverhouse fought for the old Pretender at Sheriffmuir; and in the '45 Lord Lewie Gordon—of Jacobite lyrical fame—assisted the young Chevalier with the connivance of his brother.

Had Mary Stuart at the date of her first appearance upon Scottish shores landed at Aberdeen and flung in her lot with Huntly, she would doubtless have found him as staunch to his allegiance as all of his descendants proved to theirs, but despite her undying fascination she was true neither to the cause of religion nor of country, and a disposition to trust enemies rather than friends was the most deeply-rooted weakness in her character.

It has been alleged that Mary's behaviour to the various Scottish political leaders was regulated by secret instructions from

Mary Stuart and House of Huntly 373

her mother, and that in this fashion she had been warned against Huntly, but on her death-bed the Regent asked that the chief of the Gordons should be included in a deputation to be sent to her. Her request, however, was not complied with. It is significant also that Bothwell, who above all others was entitled to a favourable reception at the hands of the daughter of Mary of Lorraine, was at first accorded one of the very coldest.

If the testimony of the chroniclers of his own family can be trusted, Huntly was a man of many accomplishments, and much given to frequenting the court of France. Had he been contented to renounce his Catholicism, despoil the church, and act consistently with the Lords of the Congregation, his supremacy in the north would in all probability have been allowed to remain unquestioned. To quote the words of Lady Huntly, 'would he have forsaken God and his religion as those that are now about the Queen, my husband would never have been put at as he now is.'

'How playnely, sincerely and uprightly he has been accustomed to deal,' are the words concerning Huntly, not of a Popish partisan, but of Maitland, one of his worst and most dangerous political adversaries.

THOMAS DUNCAN.

Scandinavian Ballads on Caithness Soldiers

IN an earlier number of this review¹ Mr. A. Francis Steuart gave an interesting account of the exploits of certain Scottish officers in Sweden, and the eighteenth century ballads, with which this paper deals, relate to two soldiers, who took service under those most famous Swedish monarchs, Gustavus Adolphus and Charles XII. The stirring poem of the Norwegian, Storm, is concerned with the massacre of Captain George Sinclair and his force at Kringelen by the Norse dalesmen in 1612, and may be described as a paean of triumph over the discomfiture of the Scots; whilst the lament for Major Malcolm Sinclair, which the Swedish poet, Odel, published soon after the envoy's brutal assassination by order of the Russian Court at Naumburg in Silesia in 1739, is laudatory of its subject, and was obviously written for the express purpose of calling down vengeance on the murderers. These ballads are not merely of historical interest; they belong to the patriotic poetry of their respective countries. Norwegian children still recite Storm's verses, and Malcolm Sinclair is still regarded by the Swedes as one of their national heroes.

The most authentic account of the Scottish expedition to Norway in the seventeenth century is given by Mr. Thomas Michell, C.B., who was most careful to sift fiction from fact, and examined a number of historical documents on record in London, Edinburgh, Stockholm and Copenhagen.² The Calmar

¹ *S.H.R.* vol. i. page 191, January 1904.

² Published in London and Christiania, 1886. The author was H.M. Consul-General for Norway, and the volume was the outcome of a lecture delivered at the University of Christiania before H.M. the King of Sweden and Norway.

Scandinavian Ballads on Caithness Soldiers 375

War between Denmark and Sweden lasted from the spring of 1611 to the winter of 1613. Norway was then annexed to the Crown of Denmark, which was ruled by Christian IV., and Gustavus Adolphus, who at the age of seventeen succeeded his father, Charles IX. of Sweden, just after the beginning of the war, was active in obtaining foreign levies from the Netherlands, England and Scotland. Two expeditions marched through Norway. This route was essential, as the Danes had the command of the Skager Rack, and held two important fortresses in Gothland, Elfsborg and Gullberg. The first contingent under the Swedish colonel, Johan Munkhaven or Mönnichhofen, who sailed from Amsterdam with about 1200 troops, reached its destination in safety; but the second detachment, which was led by Lieutenant-Colonel Alexander Ramsay, and not by Captain George Sinclair,¹ as tradition has it, met with disaster.

Colonel Andrew Ramsay, brother of the defeated leader at Kringelen, was active in levying the Scottish forces, although the commission of Gustavus dated November 1611, urging the despatch of the mercenaries, as promised to his father, is addressed to Sir James Spens, James's envoy in Sweden. In Denmark the English king was suspected of knowledge of these proceedings, but he does not seem to have been aware of what Ramsay was doing until the end of July 1612, when he ordered the Scottish Privy Council to make inquiry. They excused themselves on the ground that the levies had been made secretly, but James was not satisfied, and informed his envoy at Copenhagen that he had let them know how much he disliked their 'dullness,' and assured him of his goodwill to his brother-in-law, Christian.² Various proclamations were issued against the transporting of soldiers to Sweden, and a charge was preferred against certain officers of going about the country in a 'swaggering manner' and pressing his majesty's subjects on board ship.³ Andrew Ramsay was summoned before

¹This is apparent from the despatch of Sir Robert Anstruther, Ambassador at Copenhagen to James VI., dated 26th October, 1612. Sinclair was a nephew of George, fifth Earl of Caithness. See *Caithness Family History*, by John Henderson, W.S., 1884, p. 6.

²King to Sir Robert Anstruther, 16th Sept., 1612.

³Extracts from the Register of the Privy Council of Scotland, 1612, Gen. Reg. Ho. Edin.

the Council, but failed to appear. He was declared rebel, and put to the horn.

But these measures did not prevent a small body of the Scottish levies from reaching Norway. Between the 19th and 20th August, 1612, two ships arrived at Romsdalen with 300 troops under Lieutenant-Colonel Alexander Ramsay, Captain George Hay and Captain George Sinclair. The junior officers set sail from Caithness, whilst Ramsay embarked at Dundee. From Romsdal they advanced with two guides over the Dovre Field into the valley of Gudbrandsdal, the Bønder or peasant proprietors retreating before them. The Norwegians, who were 405 men strong and were concealed in the wooded heights under two civilians, Lauritz Hage and Peder Rankleff, attacked and annihilated the Scots at Kringelen on 26th August, as they were marching along a narrow bridle path on the other side of which ran the river Laugen. The prisoners, numbering 134, were confined in a small barn and, with the exception of 18 including Ramsay, Captain Bruce, James Moneypenny and James Scott, were all shot or cut down the day after the fight. The enemy lost only six men, and ten or twelve wounded. The State Archives at Copenhagen contain two official reports, dated respectively the 17th September and the 3rd October, from the Norwegian Stadtholder, Envold Kruse to the Danish Chancellor, giving particulars of the destruction of the Scots.

What was the cause of this disastrous rout? The fact that the Scots were taken unawares does not excuse them for not having taken proper precautions in a hostile country. But after an examination of the ground, and having made the most minute mathematical calculations, Mr. Michell's theory is that the traditional hurling down of rocks or 'tømmervaelte' from the precipitous sides of the mountain will not alone account for it. It is likely that only the Caithness men were armed and that a considerable number of the Scottish force consisted of pressed men, who, having been hurried out of the country, had not been properly equipped. Their defeat, therefore, became an easy matter for the Bønder, having regard to the awkward position in which they found themselves and their ignorance of the locality. Alexander Ramsay and his three companions were sent to Denmark, and afterwards to Scotland, to be dealt with by James. They escaped punishment, but Colonel Andrew Ramsay was banished the realm.

Scandinavian Ballads on Caithness Soldiers 377

Around this episode has grown a mass of tradition. The subject has been treated poetically,¹ as drama,² in fiction³ and in art.⁴ There is a legend that Sinclair encountered an island woman in Romsdal fiord, who foretold disaster, and this prophetess of evil is transformed into a mermaid in Storm's ballad. The poet thus describes his voyage and landing in Norway:

He sailed a day, he sailéd three,
With all his mercenary band;
The fourth he Norway's shore did sec.
On Romsdal's coast he leapt to land,
And with him fourteen hundred men:
On mischief all that band was bent;
They spared nor young nor aged then,
But slew and burnt as on they went.
The child they killed at mother's breast,
Nor cared how sweet so'er its smile;
Of widows' tears they made a jest,
Sorrow's loud cry arose the while.

In this passage the numbers of the Scots are greatly exaggerated, and the accusations against them, which are repeated in other Norwegian Sagas, have no foundation in fact. Like the Covenanting chronicler, Wodrow, who also wrote many years after the event, Storm was tempted to embellish his narrative with much picturesque fiction. Envold Kruse, in his report of 3rd October, 1612, to the Danish government already referred to, expressly states: 'We have also since ascertained that those Scots, who were defeated and captured on their march through this country have absolutely neither burned, murdered nor destroyed anything on their march through this country either in Romsdalen or in Gudbrandsdalen.' And so precise is he on this point that he says the Bønder denied having found a silver chest

¹ *The Sinclair Ballad*, by E. Storm, 1782, and *Poems from John o' Groats, The Soldier's Bride*, by J. T. Calder, Wick, 1855.

² *The Scottish War or The Bonde Wedding in Gudbrandsdalen*, a play, by K. L. Rahbek, Copenhagen, 1810; and *Sinclair's Death*, a tragedy, by H. Wergeland, Christiania, 1826.

³ *The Scottish Expedition or The Battle of Kringen*, a two volume novel, by J. St. Wang, Christiania, 1836.

⁴ *The Landing in Romsdalen*, by Gude & Tiedemann, and other paintings by Norwegian artists. The writer recollects, when he visited the Industrial Exhibition at Bergen in 1898, seeing a large canvas on the walls, which represented the massacre, deplorable as a work of art, yet interesting as evidence that the event is still celebrated.

which one Sören Setnaes, a Dane, alleged the Scottish mercenaries had taken from him.

There is a story that a treacherous guide, who pretended to be a friendly Swede, led them into the trap, and that a peasant girl, Guri, stood on the mountain top and signalled to the concealed Bønder the approach of the enemy by blowing on a cow-horn. The Scots are said to have stopped for a moment to listen to the weird strains and to have replied by playing a march. Sinclair was apparently known to the Norwegians by reputation, for he was supposed to possess a charmed life, and was killed by Berdon Segelstad with a silver button which he tore from his shirt. The inscription over his grave asserts that the enemy, who numbered 900, were 'crushed like earthen pots by a smaller number of 300 Bønder,' but these figures, as has been shown, are inaccurate. Calder, on the authority of Laing, recalls the tradition that Sinclair's wife accompanied him on the expedition, and that after the death of her husband she, mistaking his intention, shot dead a young Norwegian who had come to her assistance.¹ The entry in the parish register of Vaage made in 1731 states that Mrs. Sinclair survived, but another account has it that she was shot down and drowned in the Laugen. Storm is also in error in saying that none of the enemy returned home. The spirited conclusion of his ballad is a just tribute to the presence of mind and ingenuity of his countrymen, but to regard this 'little war' as a second Thermopylae is to lose sense of proportion:

Mid Norway's mountains still there stands
A column raised upon the spot:
Let Norway's foes from other lands
Behold it, and despise it not.
No Norseman sees it rise on high
But marks it with a flashing eye.

The author of the *Domestic Annals of Scotland* (1859) speaks somewhat contemptuously of this 'vaunting ballad,'² and of the celebration of this event by the Norwegians in his day as a

¹ *History of Caithness*, 1861, p. 126.

² Edvard Storm (1742-1794) was born at Vaage in Gudbrandsdal and died at Copenhagen. He published his poem in the *Dansk Museum*, a Norwegian periodical, in 1782. This translation is taken from *Over the Dovre Fjeld*, by J. S. Shepherd, 1873. Other versions will be found in Calder's *History of Caithness* and Grant's *Scottish Soldiers of Fortune*. The ballad has been translated into German, and set to music in Norway.

Scandinavian Ballads on Caithness Soldiers 379

glorious achievement, and it cannot be said that it is creditable to the Bønder. And yet it is only fair to add in extenuation of their cruelty that earlier in the year certain Norwegian captives had been mercilessly shot down by the Swedes under Colonel Kruus at the taking of Nylödelse.

But if the importance of this episode has been exaggerated in Norwegian history, the assassination of Major Malcolm Sinclair by the Russians in 1739 was a political crime of supreme moment, which aroused sympathetic interest in Scotland, and the effect of which was felt by the Swedes after his death. In 1709, when in his eighteenth year, he was captured at the disastrous Battle of Pultawa, where Peter the Great defeated Charles XII., and he languished in Siberia for thirteen years. The circumstances attending Sinclair's murder are narrated in Scandinavian and other histories, and it seems to be agreed that it was the primary cause of the war which broke out between Sweden and Russia in August 1741. The best summary of the political situation is contained in Carlyle's *Friedrich II.*: 'The Swedes declare War. Will recover their lost portions of Finland etc., etc. They had long been meditating it; they had Turk negotiations going on, diligent emissaries to the Turk (a certain Major Sinclair for one whom the Russians waylaid and assassinated to get sight of his Papers) during the late Turk-Russian War; but could conclude nothing while that was in activity, concluded only after that was done, striking the iron when grown cold. A chief point in their Manifesto was the assassination of this Sinclair; scandal and atrocity of which there is no doubt the Russians were guilty.' And he adds with characteristic precision that the murder was 'done by four Russian subalterns 2 miles from Naumburg in Silesia, 17 June, 1739, about 7 P.M.'

At this date Frederick I. was King of Sweden, and the Empress Anne sat on the Russian throne. She was a vulgar woman, who delighted in the society of low favourites, and it was one of them, a Courlander named Biren, said to have been the son of a groom, who planned Sinclair's murder.¹ Bestucheff, according to Baron Mannstein, was then the Russian minister at Stockholm, and he gave notice to his court that a Swedish envoy had been sent to Constantinople to conclude a treaty with Turkey. The Russians at once dispatched several officers

¹ *Russia*, by W. R. Morfill, M.A., 1890, p. 191.

into Poland, who employed certain Jews and others to watch for Sinclair on his return. The latter proposed to pass through Lemberg in Galicia, but he was warned by the friendly Governor of Chockzine in Bessarabia that the Russians were on the lookout for him near this place. He changed his route and entered Silesia with an escort, which had been furnished to him by the Crown-General of Poland. Here he imagined himself safe, and he stopped for a few days at Breslau. But his enemies, having learned by means of spies the route which he had taken, pursued and overtook him near Naumburg, which lies due west of Breslau on the Queiss, a tributary of the Oder. After the assassination the miscreants removed the clothes and papers from the body. It is stated in the *Biographie Universelle* (Paris, 1825, vol. xlii. p. 413) that the news of this atrocious deed was brought to Sweden by a Frenchman, named Couturier, who apparently was Sinclair's only companion and miraculously escaped a similar fate.

In the Swedish capital the rage of the populace knew no bounds.¹ They wrecked the house of the Russian ambassador, crying out that they were 'inspired by the soul of Sinclair.' The Russian Court made a pretence of banishing Lieutenant Kuthler and five of his accomplices to Siberia in order to disarm suspicion, but they were soon recalled and reinstated.

Under the heading of Public Affairs there is an interesting item in the *Scots Magazine* for January 1740 :

'After the death of Major Sinclair affairs at Stockholm seemed to be greatly perplexed. The reader may not be displeased in this place with the inscription which his Swedish Majesty has caused to be written upon the tomb of the unfortunate Sinclair in the Church of St. Nicholas in Stralsund :

Here lies Major MALCOMB SINCLAIR a good and faithful subject of the kingdom of Sweden born in 1691 son of the most worthy Major-General Sinclair and Madam de Hamilton. The events of his life were very singular and remarkable. He was prisoner of war in Siberia from the year 1709 to 1722. Being charged with a commission to execute some affairs of state he was on the 17th June 1739 in an execrable manner assassinated near Naumbourg in Silesia. Reader, drop some tears

¹The War of Jenkins' Ear in this same year, 1739, is another instance illustrating the willingness of the people in those days to take upon themselves the task of avenging any outrage inflicted on a fellow citizen. This English captain is said to have been tortured and to have had his ears cut off by the Spaniards in the colonies. Owing to the popular clamour, Walpole was compelled against his will to declare war against Spain. *History of Modern Europe*, by Richard Lodge, M.A., 1893, p. 337.

Scandinavian Ballads on Caithness Soldiers 381

upon this tomb and consider with thyself how incomprehensible
are the destinies of poor mortals.

The house of M. Bestuchef, the Russian Minister at Stockholm, has lately been violently assaulted by a mob, who committed several outrages.¹

This incident is commemorated in a poem of ninety stanzas by Anders Odel entitled *Sinclair's Visa*, which was published in the year of his death. The last edition was printed at Westerock in 1877; the introduction states that Odel (1718-1773) was at one time Director of the Chamber of Industry and a writer on politics as well as a poet. The ballad contains many fine descriptive passages, and it soon became known all over the country and electrified the minds of the people. Its poetical value can only be fully appreciated by those acquainted with the language, but its importance as a political pamphlet may be readily understood in a translation.¹ From this point of view it is difficult to exaggerate its historical significance. The author, throughout, is apparently striving to inflame his readers with hatred of Russia, and in one passage he expresses his joy that it is not too late for Heaven to revenge.

The story is related by the shepherd Celadon, who is conducted by an old grey-haired man to the Elysian Fields and overhears a conversation between the departed hero and the Swedish kings.² Entering a mountain, the travellers behold a wonderful prospect, valleys strewn with lilies, crystal streams flowing from the hills, cypress groves and uplands on which the cedars grow. The sky is clear as sapphire and the music of silver-tongued birds fills the air with melody. There lies before them a beautiful garden, 'a masterpiece of Flora,' which contains a weeping fountain, and the old man explains that it has been there since Charles XII. died. Celadon wishes to remain in this pleasant place, but his companion hurries him on, until they come to a castle, where in a dimly-lighted hall

¹ I am much indebted to Dr. C. Anders Ryman for his kindness in procuring a copy of this remarkable folk-song from the Royal Library in Stockholm and translating it for me. It is now out of print.

² In the seventeenth century a certain Professor Olaus Rudbeck, of Upsal University, asserted that the ancient Greeks had derived their ideas of the Gardens of the Hesperides, the Fortunate Isles and the Elysian Fields from Sweden, which was once an appendage of Germany. This is of course mere conjecture, and the historian Gibbon, who refers to Rudbeck's treatise, is naturally sceptical, but Odel as a patriotic Swede doubtless took advantage of this popular notion and selected his theme accordingly. See *The Decline and Fall of the Roman Empire*, edit. 1897, vol. i. p. 217.

the twelve Karls of Sweden are seated round a silver table. The characteristics of each monarch are described in detail, but those of the last and most famous of the line need alone concern us. 'He was a suave, tall, and well-made hero; one could see that he never knew what fear was; his eyes were as keen as a young eagle's, his hard fists were knitted like bear's paws, and his hair was short from the crown; his arms and legs were full of muscle, and his shoulders and loins were strong as marble. He was clad in a Swedish coat of blue cloth braided with elk-skin and he wore long gloves. Round his waist he had a broad belt and attached thereto a dreadful sword, which many had seen him wield to good effect.' Charles is pacing the hall when he hears a noise without, and he stands still and listens, wondering what stranger can be coming to the silent Chamber of Death. The ghostly guard of honour sharply presents arms, and Malcolm enters.

The apparition of Sinclair as, covered with blood, he stands before the Swedish king, recalls that of Banquo when he confronted Macbeth 'with twenty trenched gashes on its head.' The mysterious visitor salutes in Swedish fashion, and Charles XII. says to him: 'We do not know you. Who may you be?' Sinclair briefly states his name and rank and how he has just been murdered. But when he mentions his errand to the Sultan, who, it will be remembered, had befriended Charles at Bender after his escape from Pultawa, his interrogator gets strangely agitated and calls upon the other kings to pay particular attention. The major is summoned to the table, has to give a detailed account of his own assassination,¹ and is cross-examined by Charles as to the intentions of the Kaiser regarding Sweden, the progress of the Russo-Turkish war and the relations existing between Queen Ulrika, Charles's sister, and her husband Frederick I., to whom she had weakly handed over the reins of government. Then certain plenipotentiaries of the nether world appear, and are received in audience by Charles, and Celadon can see that the new-comer to Hades is the subject of respectful sympathy.

After their departure his Swedish Majesty takes Sinclair by the hand, and, engaged in earnest conversation, they traverse

¹ According to Odel, Sinclair was set upon by six dragoons, who, on his refusal to answer their questions and deliver up his papers, dragged him from his carriage and shot him through the head. Kuthler is mentioned as one of the assassins.

Scandinavian Ballads on Caithness Soldiers 383

the lawn outside the castle. When they return, Charles XI. says: 'What ails thee, my son? thou seemest much excited.' To which the other replies, 'Oh, it is nothing, my father, I am just about to return to earth, where I intend to marshal my troops and deliver a blow that will stagger Europe. Come, Sinclair, come with me, we will splinter steel like rotten wood, and bend the stubborn necks!' Sinclair, nothing loth, is ready to accompany his leader, when Charles XI. seizes hold of his son's coat, reminds him that he belongs to the ranks of the dead, and persuades him to remain. Then follows a panegyric by the hero of Narva on his soldiers, 'his brave blue men,' with reference to the magnificent record of Swedish conquest in the past. Finally, all traces of his wounds and sufferings having disappeared, Sinclair becomes a 'new man,' and is conducted to a splendid chamber set with pearls, where he meets other fallen warriors, who greet him with joy and embrace him affectionately. The old man then leads Celadon back to his sheep, which are feeding on the same spot where he had left them, and the shepherd, after watching his companion out of sight, sits down and sheds tears for Sinclair. The last word is addressed to all patriotic Swedes, who are bidden to reflect on such a cruel crime, to remember the authors of it and to avenge the blood of Malcolm Sinclair, who, when he might have purchased safety by the betrayal of his country's secrets, preferred to keep silence.

In 1877 a correspondent of the Swedish newspaper *Kalmar*, writing from Öland, pointed out that the Sinclair ballad was at that date still sung by the peasantry of the island. In every village of Öland there was an official called the 'Byordningsman,' whose duty was to keep a copy of the song with the parish records in a strong box. The choice of a new custodian was attended with certain ceremonies, when the villagers were called together and held a feast. After the choice was made, and everyone had taken his seat at the feast, the precious document was produced and handed round. Every peasant had to sing one stanza in a loud voice to the correct tune. If he could not sing at all, he had to hire someone to take his place; and if he tried to avoid this outlay and made a bad attempt, he was immediately stopped and had to pay a fine, which went to the village fund towards the next year's festivity. In this way the whole song, consisting of ninety stanzas, was sung to the end.

GEORGE A. SINCLAIR.

Burnet on the Scottish Troubles¹

SCOTTISH history, almost proverbially, is the Slough of Despond of the scientific historian. Frequently the past he would resurrect has left but faint and confused echoes of its passage; and it is well if the interest of difficulty can buoy his hope to the end. But documents in plenty may be no cause for gratitude. Strife and intrigue are their subject-matter. Faith in the powers of research and historic truth finds but cold comfort in their distortions and caricatures.

One of these characteristic records of a characteristic age in Scottish history is *The Memoirs of James and William,² Dukes of Hamilton*, by Gilbert Burnet. Published in 1677, it professes, among other things, to give 'an Account . . . of the Rise and Progress of the Civil Wars of Scotland.'³ Of the seven books which constitute the volume, the first and the last are outwith my survey: the former is chiefly concerned with the German campaign of James, Marquis Hamilton; the latter is a somewhat cursory account of the years between his death and that of his brother at Worcester. The remainder (of which I treat) is, in the first place, the story of James, first Duke Hamilton, as a figure in Scottish history: in the fullest interpretation, it is the history of the Bishops' Wars and of Scotland's share in the English Civil War.

The starting-point for criticism is determined by comparison of the title-page with the dedication to Charles II. and with the licence to print that succeed it. The title-page is dated 1677, the dedication 21st October, and the licence 3rd November, 1673.⁴ The explanation of this discrepancy involves the history

¹ Rearrangement of a paper read before Glas. Univ. Hist. Soc., Jan. 1906.

² The life of William, second Duke Hamilton, is related only in so far as it affects his brother.

³ *v.* title-page (ed. 1677).

⁴ I use throughout the first edition, 1677. The Clar. Press reprint, 1852, inserts the original pagination in the margin.

of the composition and publication of the *Memoirs*, and reveals interesting and important facts for an estimate of its value.

In 1673 Burnet was Divinity professor in Glasgow University. Scotland for some five years had been administered by the Lauderdale of the *Memoirs*, whose high-handed control had excited much discontent over monopolies, over other civil injustices, and (as usual) over religion. It was in the summer of this year that Burnet went up to Court to arrange the publication of his *Memoirs*. He was against the Lauderdale administration; and he went up with the resolution 'to deal very plainly with the duke'¹ in the interests of his country; but his advice effected nothing, though great offers were made to induce him to change his party. Through Lauderdale, probably with a view to this desirable conversion, Burnet was introduced at Court; and the duke proposed to Charles the licensing the *Memoirs*. Delays followed 'because the King and many of the ministers were desirous to read them in Manuscript.'² But Coventry signed the necessary licence on 3rd November.

Meanwhile Burnet had gained in favour with the King. Through Lord Ancram he had become familiar with the Duke of York; and his intimacy with the Duke excited the jealousy of the Lauderdale, who set up to be the only medium to court favour. A parliament had been determined on in Scotland, and Burnet's inability to go north with Lauderdale proved an additional incentive to this jealousy. Burnet, however, promised to leave as soon as he had obtained the desired licence; and he 'unhappily got to Edinburgh the night before the parliament met.'³ There he learnt from Hamilton and others the evil reports Lauderdale had spread regarding his intimacy with the prince, and was informed also of the attack intended next day in parliament on the royal minister. Next day (12th November) parliament opened its fourth session. Lauderdale's request of a grant for the Dutch war was met by a motion from Hamilton, that the grievances of the country be discussed first. Parliament had to be prorogued; but the action was proof rather of Lauderdale's weakness than of his power in Scotland. His persistent action in the interests of the royal prerogative preserved him in the King's favour; but he had to explain his virtual failure,

¹ O.T. (ed. Airy), ii. 25.

² Life (in O.T. ed., 1724-34), ii. 683.

³ O.T. ii. 38.

and he laid the blame on Burnet. He remembered how Burnet had warned him beforehand of what had now happened; he recalled Burnet's credit at Court, the haste of his journey north, his arrival so exactly the night before parliament should meet; and from the sum of these coincidences he deduced, in his disappointment and displeasure, that Burnet had been 'sent upon design, as the agent of the party, and that the licensing [his] book was only a blind.'¹ The result was that by December, 1673, Burnet was out of favour with both Charles and the Duke of York.² By the summer of 1674 the prince was again somewhat friendly, but Charles and Lauderdale remained hostile—the latter so much so that Burnet chose to resign his chair rather than return to Scotland. He refused to give up Hamilton or to reveal secrets towards a reconciliation; and he grew into such disfavour with the King that finally he was banished the Court. So the quarrel persisted, till Burnet is summoned by the English Commons to give evidence against Lauderdale—on 23rd April, 1675. Even after the publication of the *Memoirs* Lauderdale remained unappeased; on one occasion we find him urging Sir John Cotton to refuse Burnet the use of his library for research.

This piece of Burnet's personal history offers the most likely, if not the correct, explanation of the discrepancy between the dates of the first title-page and of the licence. In his dedication Burnet had referred to the loyalty of the then Duke of Hamilton. Within less than a month the Duke was leader of an opposition to the royal minister in parliament, and Burnet was ranged with him, under suspicion. The licence was granted on November 3rd. The outcome of November 12th was Burnet's loss of royal favour. Moreover, this would affect the publication even more than usual. Charles' licence was an essential preliminary, but the King had generously promised that the book 'should be printed at his charge.'³

These matters concern only the publication; the details of the composition are equally important. Burnet declared of the *Memoirs* that he 'got through that work in a few months.'⁴ But this, if true, can apply only to the period of throwing his results into book-form. The preface, as it exists in MS.,⁵ is very different from that prefixed to the first edition. It contains

¹ O.T. ii. 39. ² *Lauderdale Papers* (Cam. Soc.), iii. 10. ³ O.T. ii. 37.

⁴ O.T. i. 532-3.

⁵ Brit. Mus. Add. MS. 33-259.

a statement of the method Burnet pursued; and we learn that he requested, and was promised, the use of the Hamilton papers, after which he was 'some considerable time'¹ hunting up all the calumnies that had been heaped on the Duke, that he might the better scrutinise his sources when they arrived. 'But,' he continues, 'judging it unfit for me to force myself upon so great a trust as was the use of all his papers, I still waited when any of their graces [the then Duke and Duchess] should have put new life in that motion, which seemed almost dead. I confess their silence made me apprehend that a nearer knowledge of me had discovered my too apparent deserts so clearly to them, that they had repented their first forwardness of entertaining my proposition, and this constrained me to a longer reserve.'² At last, however, he ventured to remind the Hamiltons of their promise. 'Their graces,' it seems, had also hesitated, unwilling to force upon Burnet so large a task as they knew the *Memoirs* must prove. The number and disorder of the papers was great. 'Yet at length patience and diligence overcame the tediousness of the task';³ and Burnet found he had materials for a larger work than he had contemplated. Clearly the preparation of his subject occupied some time, however rapidly the results may have been put together. Duke Hamilton, it may be noticed, complained to Turner of 'Mr. Burnet's precipitant haste,' giving rise to many errors in his book. He even made some attempt to check Burnet, with the result that for a time correspondence between them ceased.⁴

'At first,' it seems, '[Burnet] wrote this work Historically, and only drew the most material heads and passages out of the Papers that lay before [him].' But Sir Robert Murray persuaded him to rewrite it, inserting 'most of the Papers at their full length.'⁵ It was this second MS. that Burnet carried with him to Court in the summer of 1673; and it is this MS., part of which is preserved to-day.

Arrived at Court, as already stated, the MS. was read by King Charles II. and by 'many of his ministers'—among whom, no doubt, was Lauderdale.⁶ The MS. bears the marks of its passage through their hands. At places additions are indicated

¹ MS. 7. ² MS. 7-8. ³ MS. 8.

⁴ *v.* Turner's *Memoirs* (Bann. Club), App. ii. 254.

⁵ *Memoirs*, p. [ix.]. For Murray's opinion of the *Memoirs*, see O.T. i. 41.

⁶ Cf. O.T. i. 533.

or inserted in the margin; at other places whole passages have been deleted. The corrections are all in Burnet's autograph.

Conspicuous among deletions are references to Lauderdale. In one case the omission is justified, the passage containing error of fact.¹ But in the others explanation is harder to seek. Thus, when in 1641 Loudon was advanced to the Chancellorship, we are informed that many resented the appointment, in particular Lauderdale, who retired in consequence.² It is difficult to see why such a reference should be dropped, unless we ascribe it to the influence of Lauderdale himself. More important deletions I shall refer to later—deletions so vital as to deserve the stronger title of suppressions.

Of additions in the MS., some are notes to insert letters or documents at length; others are more significant, since they can be ascribed only to the circulation of the MS. at Court. Burnet supplemented his documents by the information of 'Persons of great Honour and Worth.'³ Invariably the references to such are additions in the original MS. Clearly this information was the revision of Burnet's book by Charles and his ministers, for it is noteworthy that—with very few, if any important, exceptions—his informants are prominent members of the Court, or of the royalist persuasion. Such facts prepare us for the confession in the *History of my own Times*: 'I saw a great deal more among the papers of the Dukes of Hamilton than was properly a part of their Memoirs, or fit to be told at that time: for when a licence was to be obtained, and a work was to be published fit for that family to own, things foreign to their ministry, or hurtful to any other families, were not to be intermixed with the account I then gave of the late wars.'⁴

Other corrections there are in the MS. But most of these were made to cleanse the work from angry words, carelessly inserted⁵—words which frequently indicate Burnet's regard for the Covenant. Thus it is not the 'cajolery' of Charles, but 'fair treatment,' that wins Montrose.⁶ 'To have overawed the two Houses' replaces 'to have taught his British subjects their duty in a Kingly way.'⁷ The 'violent and enraged Passion' of the Covenanters was once their 'wilful, desperate fury.'⁸ 'The

¹ MS. 495-6. ² MS. 305. ³ *Memoirs*, p. [ix.]. ⁴ O.T. i.-xxxii.

⁵ Cf. *Memoirs*, p. [ix.].

⁶ MS. 219; cf. *Memoirs*, p. 148.

⁷ MS. 316; cf. *Memoirs*, p. 193.

⁸ MS. 494; cf. *Memoirs*, p. 311.

ministers [in 1640] were likewise very busy' is corrected from 'were also the Evangelists of blood.'¹ The direct references to Sanderson, and the bitter revilings throughout against such 'Scribbling Historians' and against the authors of the 'many scandalous Pamphlets,'² are also insertions in the original draft, where names were avoided, and dissent expressed in saner and gentler speech. But such changes are less important than the additions and subtractions already mentioned and referred to; and they are of interest only as indicating the spirit of prejudice which Burnet brought to his task. With such corrections, and with a wholly rewritten preface, the MS. was sent to press.—I shall now indicate the more important suppressions in the folio of 1677, to which end I shall use the original draft as far as it goes, supplementing from other sources.

Hamilton's first commission as royal agent in Scotland is dated 20th May, 1638,³ by which time the troubles there were somewhat advanced. Burnet therefore gives 'a requisite Introduction' to the history of Hamilton's commissionership; this introduction, moreover, was not made out of the Hamilton papers.⁴ But there are certain omissions, like the Resumption of the Tithes, the 1633 Parliament, and the Balmerino Trial,⁵ though all these call for some consideration from the historian of the Scottish Troubles. Moreover, Hamilton was with Charles at his coronation in Scotland; and Balmerino's Trial has been laid to his displeasure.⁶ Regarding the Tithes, Burnet pleads it was not among his papers, nor had 'any Relation to the Concerns of these two Brothers.'⁷ This disregards his former statement as to sources; and it is not quite certain that the Hamiltons have no connection with this affair. The first two letters,⁸ printed by Burnet, refer to some 'business' between the King and Hamilton, and we are not made clear as to what is the reference. The *History of my own Times* mentions, in this connection, the private purchase, by Charles, of Aberbroth abbey,

¹ MS. 243; cf. *Memoirs*, p. 162.

² v. *Memoirs*, pp. [iv.] and [vii.].

³ *H.M.C. Rep.* xi. App. 6, p. 47.

⁴ *Memoirs*, p. 28.

⁵ v. *Memoirs*, p. [vii.].

⁶ *S.P. Dom.* Apr. ? 1640. Printed in App. to *Ham. Papers* (Cam. Soc.). For Burnet's knowledge of the Trial's importance, cf. O.T. i. 38.

⁷ *Memoirs*, p. [vii.].

⁸ From Charles to Hamilton, dated respectively '4 March, 1627,' and 'first day of the Year, 1628,' v. *Memoirs*, p. 3.

that Hamilton might seem to yield his church-lands to the crown, as an example to the nation.¹ The date of this transaction raises a suspicion that it might be the 'business' of the *Memoirs*; if so, Hamilton enters Scottish politics earlier than Burnet would have us believe. Suppressions is perhaps too strong a term for these omissions, but the whole trend of the book inclines one to think they are, at least, designed omissions.

It tends to confirm this attitude that Burnet lays the entire blame of the Scottish Troubles upon the bishops; the royal commands behind their tyranny are passed over. In an early interview between Hamilton and Charles on one side and Laud with the Scottish bishops on the other, Ross related 'that this three years the English service book was used in his cathedral. How that came and by what warrant, I understood not,' says Hamilton; 'but his Majesty acknowledge[d] it was done by his order.' This omission may seem slight; but it hides the early and personal interference of Charles himself.

At this same interview Charles announced Hamilton's appointment, adding that the latter accepted much against his will. The addition was made, says Hamilton, 'upon my representation of what was the report of the Court,'² referring probably to murmurs that he procured the employment from the King. Burnet omits the motive, for he has already declared the choice unanimously recognised as the fittest possible.³ The unanimity is far from certain.

Hamilton reached Berwick on 3rd June, 1638, and advised Charles to prepare for war as rapidly as possible. On the 9th he entered Edinburgh, and began his game of negotiating to gain time. His first aim was 'to get some Lawyers to declare the Covenant to be against Law';⁴ but this proved impossible; for Hope, the King's Advocate, was a Covenanter; Sir Thomas Nicolson began to find a conscience for his legal decisions; and Sir Lewis Stewart would offer none but secret assistance. Burnet's account of their opposition is from Hamilton's letter of November 2, 1638;⁵ but his remarks are placed to suggest that Hamilton found them hostile on his arrival. To this end, perhaps, he omits an incident which, if fully known, might explain the opposition of these lawyers, and the fact that it

¹ *v.* O.T. i. 29.

² *Ham. Papers*, p. 2; cf. *Memoirs*, p. 43.

³ *Memoirs*, p. 38.

⁴ *Memoirs*, p. 53.

⁵ *Ham. Papers*, p. 51.

arose really some five months after Hamilton entered Scotland. Traquair, writing the Marquis, says he has sent the 'answers and resolutions [of Hope, Stewart, and Nicolson] to his Majesty's interrogatories.'¹ What were these 'interrogatories,' and what the 'answers' of which the *Memoirs* are so silent? Very probably they would reveal negotiations with Charles, which prompted some reasonable doubt of his sincerity. In the face of Burnet's suppressions elsewhere, I find it difficult in such a case to regard the omission as probably unimportant.

Hamilton made his third journey into Scotland, armed with the King's Covenant. On 21st September, 1638, as a foretaste, he told the Covenanters the royal answer stipulated 'that a free Assembly and Parliament should be immediately indicted';² but they seemed disappointed. The disappointment is explained by Charles' qualification—judiciously dropped by Burnet—'if they [the Covenanters] were not the hinderers of it.'³ Such qualifications in the King's letters were no novelty in Scotland. The Covenanters knew that the phrase, omitted by Burnet, was in reality the negation of every grant depending on it. After a similar fashion Burnet misrepresents another interview of the following day.⁴ And the unanimity, on one point, of the immediately succeeding Council is left to suggest its unanimity on all points under discussion, when, as a matter of fact, it was far from being as royalist as desired.⁵ Suppression of such mere phrases may seem slight and tedious to complain of, but they involve a misrepresentation of the parties concerned; and by such means it is that Burnet so often contrives to colour his facts to his preconceptions, to write history within his prejudices.

Burnet's account of the first Bishops' War affords two important points for criticism. Hamilton, in the Forth, still exerted himself to gain time; and one of his conferences was witnessed by Sir Henry De Vic, whose account is printed by Burnet.⁶ It shows that Hamilton cut the Covenanters short, and acted throughout on his uniform principle of giving answers which should not commit Charles to anything. Hamilton's own letters contain an even less favourable version. 'There is now,' he writes Charles, 'no more doubt to be made but that you will be so fast in your leaguer that it will not be in their power

¹ *Hard. State Papers*, ii. 103.

² *Memoirs*, p. 79.

³ *Ham. Papers*, p. 27.

⁴ *Memoirs*, p. 80; cf. *Ham. Papers*, p. 30.

⁵ *Memoirs*, p. 81; cf. *Ham. Papers*, p. 30.

⁶ *Memoirs*, pp. 133-5.

to do the least affront to your army, so as [= that] my further treaty in these parts where I am is to no end, since that is effected which was laboured for, your Majesty being in security.¹ To omit these touches is to hide the real characters of the two men, whose insincerity all through had brought things to the present pass.

The second point concerns one of the King's letters. Burnet has confessed to the suppression of passages revealing weakness, craft, or anger in the King;² this letter is an excellent example of his method. It is defiant, acknowledging to Hamilton that the Scots at present have the advantage; but Charles doubts not 'to force them to obedience (in time),³ by various courses; 'the which rather than not do,' he concludes, 'I shall first sell myself to my shirt.'⁴ Burnet omits this unkingly phrase; he also omits the date, and places the letter in a chronological sequence almost a month too late.⁵ The MS. not only inserts the omitted phrase; it places the letter earlier, and dates it correctly, 10th May, 1639,⁶ by which it becomes clear that Charles, even more than Hamilton, was determined against peace. Comparison with the MS., in this instance, proves beyond doubt the dishonesty with which Burnet used his documents.

After the Pacification of Berwick, the commissionership devolved upon Traquair. Hamilton was reserved to discover the Covenanters' intentions from the lords invited to discuss an arrangement with Charles at Berwick. To this end, on 17th July, the King gave him a written warrant, should he ever be accused, 'to use what means he pleased, and speak to them what he thought fit.'⁷ The MS. inserts the warrant at length; comparison shows that Burnet's subsequent summary tends to soften its tone. 'You will be necessitated to speak that language,' it reads, 'which, if you were called to an account for by us, you might suffer for it.'⁸ The warrant is nothing short of a permit to play the traitor. Burnet indeed, till he discovered it, had difficulty in reconciling Hamilton's speeches at the time with strict loyalty;⁹ but to enter his excuse in full would have revealed Charles in a most unfavourable light. A better

¹ *Ham. Papers*, p. 87.

² O.T. i. 531-2.

³ MS. 176; cf. *H.M.C. Rep.* xi. App. 6, p. 103.

⁴ *Memoirs*, p. 136; cf. *Ham. Papers*, p. 81.

⁵ *Memoirs*, p. 148.

⁶ MS. 219. The warrant is printed in *Hard. State Papers*, ii. 141-2.

⁷ *Memoirs*, p. 148.

instance of that monarch's crafty methods would be far to seek.

In Scotland, meanwhile, Traquair proved a poor substitute for Hamilton; and on 30th August he exasperated Charles by signing the Covenant in Assembly. When Parliament met a month later he was forced to change front; he prorogued it till 14th November. The Scots recognised his right, but despatched a protest to London. Dunfermline and Loudon made a second journey before Charles would notice their mission—in a way, moreover, they could little relish. Traquair had obtained possession of a letter directed by the Scots to the French King; and, on the plea of being implicated in this correspondence, Loudon was promptly clapped in the Tower. Burnet's account of his imprisonment is vague and hesitant;¹ but tradition has preserved a completer version he related to some English peers when the *Memoirs* were published. Charles, it seems, in a fit of temper issued a warrant to behead Loudon next morning. Sir William Balfour of the Tower and Hamilton followed the King to his bedroom to advise against it; and only after Hamilton represented the probable effect in London did Charles destroy his warrant. Burnet, relating this incident, excused its omission as not fit to be told.² Tradition perhaps tells too much. Loudon, near his release, 'was very fearful'; and Hamilton advised using this fear to persuade him to the royalist side.³ I am inclined to think the story slurred over by Burnet was concocted by Hamilton to this end.⁴ Loudon was liberated on 27th June, 1640, after signing an agreement to serve Charles among the Covenanters.⁵

So far Hamilton had retained the royal favour without a break, and in spite of rumours and complaints. Whether or not he regretted the Berwick warrant, Charles' suspicions begin now to destroy their mutual understanding. The suppressions

¹ *Memoirs*, p. 161.

² v. Birch, *Enquiry concerning Charles I. and Glamorgan in 1644-5* (ed. 1747), App. pp. 14-6. Birch had the story from an MS. note by White Kennet (in his copy of the *Memoirs*), who had it from a Mr. Frazier present when Burnet told it. Frazier mentioned the affair to Hamilton, who lent the papers, and who remembered reading it there himself.

³ *Memoirs*, p. 170.

⁴ The original papers are missing. But cf. Scot's *Staggering State* (ed. Rogers), p. 51. Also *D'Israeli on Charles I.* (ed. 1830), iv. 357-64.

⁵ *Memoirs*, p. 171.

indicated are designed as much to screen the King as to cover Hamilton. Hereafter the purpose is rather to hide the fact that Hamilton, save at a pinch, was never again so fully trusted.

In August, 1641, Charles arrived in Scotland to preside over his next parliament. It was a promise in the Treaty of Ripon; but storms brewing in England were a help to the fulfilment. He came too late, for the Covenanters were now organised under Argyll; Incendiaries and Banders had been securely dealt with; the demands presented were greater than ever, and were extorted from Charles one by one. Meanwhile Hamilton's 'pains' with Argyll sent whispers of his disloyalty about Court. Burnet quotes an Act of Parliament pronouncing Ker's 'scandalous words' against the Marquis 'rash and groundless'; and exalts it for a proof that the Argyll intrigues were conducted with the royal consent. But the relevancy of this proof is not obvious; the Act apparently indicates older attacks. Burnet himself confesses that 'all this while the Marquis was insensibly losing ground with the King'; and when Lanark requested an explanation of the royal change of favour, he was answered that the King believed him personally an honest man, but that 'his Brother had been very active in his own Preservation.'¹ The fact is Hamilton, as he put it later, 'feared an absolute Compliance with the Parliament,'² in which case he might be asked to re-enact the part of Strafford, and both he and his brother were concerned to save themselves.

On the back of this coolness, in October, occurred the Incident. The exact significance of this plot must remain a mystery till it can be discovered who originated the reports. The MS., unlike the print, gives a long detailed account, which suggests that Burnet had materials before him for faithfully solving the problem. It is therefore regrettable that he purposely withholds just the information we want. 'I am far from asserting,' he says, 'there was any such treachery designed, and therefore I do not name the persons who were charged with it.'³ Argyll's ambition, Hamilton's eagerness to be on the winning side, their known intrigues at the time, and the prominence of Hamilton's creature, William Murray of the Bedchamber, in the development of the plot, incline me to fill the blanks with agents of

¹ *Memoirs*, pp. 185-6.

² *Memoirs*, p. 188.

³ MS. 303. The Incident occupies MS. 290-303.

Argyll and Hamilton themselves. 'An absolute Compliance' meant defeat to Argyll, to Hamilton danger. Murray, after the lords had withdrawn, corresponded, advising when and how the King might be regained.¹ He also, apparently, first attributed suggestion of the plot to Montrose.² Was it because Hamilton's letter of 12th October 'was misrepresented, as if he had charged the King with the design'?³ I doubt very much whether the three lords 'had ground to apprehend a hazard.'⁴ The plot bitterly disappointed Charles of his hopes; and he was certainly indignant at everything that led up to it. 'The King declared publicly in Parliament,' says a pamphlet, 'that however now [Hamilton] seemed to comply with them, he was the only man that incensed him against that Kingdom';⁵ and this report receives some colour from Lanark's own account of the fiasco.⁶ But on his departure Charles received Hamilton again into favour, and permitted him to continue his dealings with Argyll. They might help his new policy, arising out of news of the Irish rebellion. This policy had barely succeeded when war broke out in England.

Already before the war agents of the Parliament had made capital in Scotland of the suspected insincerity of the late grants. Hamilton, having recovered from an illness, had therefore gone north 'without any positive Instructions,' merely with recommendations to the King's service in general.⁷ He reached Edinburgh early in July, 1642. In December Lanark reinforced him, bearing renewed assurances from the King. Both failed to create a royalist party of any influence; and on September 25, 1643, the rebels joined issue in the Solemn League and Covenant. Hamilton's aim now was to delay the sending of help; but he warned the King that even this would be impossible after that winter. A plot was designed to muster under pretence of solemnizing Lady Roxburgh's funeral. Hamilton attended with 200 horse, but the whole muster was no more than 1000, and mutual jealousies were against success had there been more.

¹ MS. 296-7.

² *H.M.C. Rep.* iv. pp. 163-70.

³ MS. 292, where also the letter is given.

⁴ MS. 303.

⁵ *Manifold Practices*, p. 17.

⁶ *Hard. State Papers*, ii. 302. 'His Majesty let fall some expressions to my disadvantage.' MS. 302 reads 'advantage,' in accordance with preceding narrative (MS. 293). But the context is against Burnet.

⁷ *Memoirs*, p. 194.

Severe measures were enacted against the King's friends. The Hamiltons were particularly threatened; and in the end of November both withdrew to Court.¹

Charles' confidence in Hamilton was unshaken, apparently as late as 28th September.² But when he reached Oxford the Duke was made close prisoner and Lanark confined to the town. There is reason to believe their enemies had some hand in this change of favour,³ for Charles evidently proceeded on the belief of the Court. But that belief was not groundless. Hamilton apparently opposed the Roxburgh plot at first,⁴ and misrepresented the attitude of the Scottish nobility to procure permission to attend parliament.⁵ His inaction, and Lanark's applying the King's signet to the proclamation which mustered Leslie's army,⁶ though unmentioned in the *Memoirs*, may explain the later confession that they fell in heartily with the Scots, to win them to Charles, once their army was in England.⁷ Hamilton's conduct, if only for its weakness, deserved imprisonment; and Lanark did well to escape with all speed to Scotland, where he straightway signed the Covenant,⁸ and became the 'prime person of power' against Montrose.

Hamilton was imprisoned in Pendennis, and later in the Mount; he was liberated when the latter surrendered to Parliament in April, 1646, and rode post to London.⁹ In July he was at Newcastle, where, 'when he first kissed the King's Hand, His Majesty and he blushed at once.'¹⁰ He urged Charles to yield to the Propositions; and in August crossed into Scotland to attempt again the formation of a royalist party. Lanark also returned, and soon regained the royal favour.

This mutual forgiving and forgetting was more superficial than Burnet paints it. On May 4, 1645, Charles wrote his Queen: 'Of late I have been much pressed to make Southampton Master

¹ *Memoirs*, pp. 247 and 250.

² *v.* Charles' letter, *Memoirs*, p. 247.

³ *Memoirs*, p. 250; cf. also Baillie, *Letters and Journals*, ii. 1245, and Clarendon (ed. Macray), iii. 286, 317 *et seq.*

⁴ Clarendon, iii. 285.

⁵ Clarendon, iii. 286, 284.

⁶ Clarendon, iii. 285. Lanark pleaded he had no other course, if he was to retain his freedom to help the King (286).

⁷ O.T. i. 60.

⁸ MS. 425; cf. also Guthry's *Memoirs* (ed. 1747), p. 151.

⁹ Clarendon, iii. 286, and iv. 142-51, which also gives some incidents of the imprisonment.

¹⁰ *Memoirs*, p. 279.

of my Horse not more for good will to him as out of fear that Hamilton might return into a capacity of recosening me.' Burnet tries to explain away the harshness of 'recosening'; but a sense of failure, perhaps, prompted him to omit the letter.¹ Similar passages occur in the royal correspondence throughout 1646. The opposition, Charles complains on 14th September, threatens him in the negotiations; 'albeit, duke Hamilton brags that he hath hindered much, and particularly that their boastings were not made authentic by writing; but for this (nor the truth of any of his actions) I will not answer, nor any that I can speak with, but those who are absolutely his creatures.'² Sir Robert Murray, whose letters were the main source for this year, was less in the royal confidence than Burnet imagined.³ But he mentions that Hamilton noted Charles' 'unhandsome reservedness';⁴ and the correspondence relates how the Duke pressed the King hard to sign the Covenant, which fact alone would generate ill-feeling and distrust.⁵ Nor was Charles' suspicion unjustified. In London, after his liberation, Hamilton followed his brother's example, and signed the Covenant himself; he signed it again in Scotland, after leaving the King at Newcastle.⁶ Ruining fortunes never inspired Hamilton's loyalty. Whatever reception Charles extended the brothers, he retained his suspicions; and the Covenanters, at least, had good reasons for regarding neither as an enemy.

After the 'sale' of the King, in which Burnet 'spared the Memories and Families of the unhappy Actors,'⁷ there remains only Carisbrooke Treaty and the Engagement Campaign. The Treaty is dismissed shortly,⁸ though Burnet professes 'a just and full Representation of His Majesties Imprisonment.'⁹ Whether we have a précis here, as with the Incident, must remain doubtful; for the MS. is preserved incomplete.¹⁰ Lauder-

¹ MS. 426. ² *Charles in 1646* (Cam. Soc.), p. 65.

³ *Memoirs*, p. 277; cf. *Charles in 1646*, p. 72, and *Ham. Papers*, p. 112.

⁴ *Ham. Papers*, p. 109.

⁵ 'This damn'd covenant is the child of rebellion, and breathes nothing but treason, so that if Episcopacy were to be introduced by the Covenant, I would not do it' (Chas. to Hen.).—*Charles in 1646*, p. 86.

⁶ *Gen. Ass. Com. Records* (pub. Sc. Hist. Soc.), pp. 23-4. Hamilton signed in Scotland Aug. 12-3. Burnet mentions neither instance, but it may have been from want of evidence.

⁷ *Memoirs*, p. 312.

⁸ *Memoirs*, p. 334.

⁹ *Memoirs*, p. 335.

¹⁰ The last words are, 'coming to Richmond for' (*Memoirs*, p. 318).

dale, one of the three signatories, played a part not very creditable;¹ and his revision of Burnet may have removed details, if he is not the prime cause of the curtailment of the MS. The Engagement Campaign is a favourable specimen of Burnet's employment of hearsay. Turner apparently contributed what he afterwards embodied in his *Memoirs*; but Lieutenant-General Drummond and Dachmont supplied details, which were accepted as corrections of Turner.² Much of this personal information may be quite correct; but the most important pieces were contributed by Lauderdale; a few, only less important, by Charles II. Both had a main finger in encouraging Burnet's abuse of actual documents; when they volunteer to supplement those documents or to explain away difficulties, their information cannot be accepted unconfirmed.

But suppression was unavoidable with Burnet's object in view. To eulogise Charles, and to couple Hamilton as far as possible in the same eulogy—these aims controlled the composition of these *Memoirs*.³ The picture of Charles here painted should be compared with the estimate in the *History of my own Times*.⁴ Neither Charles nor Hamilton is a fit subject for eulogy. Burnet, in the MS. preface, has deleted the following confession: 'Neither shall I tell how soon it [the *Memoirs*] was finished, nor with what caution it was considered, what things concerning those times were fit to be published, or what were to be suppressed.'⁵ It cannot have been because he altered the texture of his book, the chief value of which must always lie in the documents there printed. Otherwhere it is a one-sided and frequently distorted source for the events it describes.

ROBERT DEWAR.

¹ He agreed to cede the Northern Counties to Scotland, *v.* O.T. i. 59.

² Cf. Turner's *Memoirs*, and Burnet's letters (18th and 22nd Aug. 1673), App. ii. 249 and 251.

³ *Memoirs*, pp. 379, and [iv.].

⁴ O.T. i. 532.

⁵ MS. 9.

The Scottish College in Paris

TO the lover of old Paris and its history there is not a more interesting quarter than that of the Panthéon, with its numerous churches and colleges. If after passing Saint Etienne du Mont we descend the rue Clovis, we shall find ourselves in the rue du Cardinal Lemoine, and facing a large four-storied building bearing the inscription 'Institution Chevallier,' with a small tablet over the doorway on which is engraved 'Collège des Ecossois.'

It was in 1313 that David, bishop of Murray, first conceived the project of sending four poor scholars from his diocese to study at the Paris universities in order to prepare them for missionary work at home. It must have needed much courage to face the dangers and perils of a long journey by land and sea. For in those days the voyage from Scotland to France was a lengthy and expensive one.

On 28th February, 1325, David bought, with funds from his privy purse, a farm or manor called 'La Fermette' or Fermeté, together with divers portions of arable land situated in the village of Grisy, near Brie-Comte-Robert, then in the province of Brie, and now forming part of the department of Seine-et-Marne. The revenues derived from this farm were to be devoted to the support and education of four scholars of Scottish nationality at the University of Paris. The college of Cardinal Lemoine not only consented to lodge these scholars, but also contributed largely towards the purchase of the 'Fermette.' In August, 1326, the acquisition was amortized by letters patent bearing the seal of Charles-le-Bel.

For several years the Collège du Cardinal Lemoine continued to shelter the four scholars, one of whom was student of divinity and the three others students of arts. In order to compensate the directors for the expenses thereby incurred, the domaine of Grisy was ceded to the College. This arrangement, however, was not to be of long duration.

In 1333 David's successor, John, bishop of Murray, declared that the treasurer, in relinquishing all rights to the domaine of Grisy, had acted unwisely and without the sanction of his superiors. The directors of the Collège du Cardinal Lemoine, justly indignant at such ingratitude, retorted that the revenue from the farm was utterly inadequate to support four scholars, the said revenue only amounting to fifty livres per annum.

On 8th July, 1333, the college agreed to restore the farm to the treasurer, and dismissed the scholars, who now found themselves without a roof-tree.

John, bishop of Murray, having reimbursed the college for the sums lent to his predecessor, the farm of La Fermeté became the property of Scotland.

Until the latter half of the sixteenth century, the bishops of Murray, in their position as administrators of the fund, had the right to elect the bursars; but in 1573, at the death of Patrick Hepburn, last incumbent of the bishopric in Scotland, the bishops of Paris assumed this right, and henceforth elected the scholars.

For nearly three centuries the bursars, now deprived of the kindly shelter afforded to them by the Collège du Cardinal Lemoine, lodged hither and thither as best suited their modest means. In vain the 'boursiers de Grisy,' as they termed themselves, petitioned the authorities at home to grant them some fixed official residence in the French capital. But the Catholic Church in Scotland, already entering on a period of trouble and disaster, was in no state to attend to their humble complaints.

In 1566 the principal, Thomas Winterhop, wrote to Queen Marie Stuart begging her to augment their allowance, that more scholars might, profiting by a sojourn in Paris, benefit the Catholic faith at home. The Queen promised to do all that lay in her power to help the neglected bursars, and faithfully did she keep her promise. Throughout her own bitter trials and unjustifiable imprisonment she did not forget the poor scholars in her beloved France. Not only did she pension annually a certain number of youths, but in her will she left of her humble fortune what she could for their benefit.

Another enthusiastic advocate for the Scottish students was James Beatoun, or Bethune, archbishop of Glasgow and ambassador at the court of France. In 1569, together with Thomas Winterhop, he founded a college for Scottish students in Paris, and bequeathed in his will various monies, and a

house situated in the rue des Amandiers, close to the Collège des Grassins.

‘Collapsam hanc foundationem longa successionis serie, distractis plerisque redditibus, Thomas Wynterhop, presbyter, postea collegii primarius et totius Universitatis procurator, auctoritate felicis memoriæ Mariæ Galliarum tunc et Scotiæ reginæ, obtentis litteris patentibus Francisci II. Galliarum etiam et Scotiæ regis anno Domini M.D.LIX, in integrum restituendum curavit.

‘Soli episcopi moravienses pro tempore erant hujus foundationis provisores nati. Verum defuncto anno Domini M.D.LXXIII, Patricio Hepburn, postremo catholicæ communionis episcopo moraviensi, tota alumnorum hujus foundationis aliorumque Scotorum Parisiis studentium cura devota est in reverendissimum Jacobum de Bethune, archiepiscopum Glasguensem in Scotia, tunc Parisiis legatum beatæ memoriæ Mariæ, reginæ Scotiæ, quæ dum ab Elisabetha angla in captivitate detinebatur, zelo catholicæ fidei et hortatu ejusdem archiepiscopi legati sui mota, auctum alumnorum numerum, quamdiu superfuit, pensione annua donavit.’¹

Thanks to the liberality of this worthy archbishop the number of scholars was much increased, and the college, once more established, seems to have entered an era of prosperity. James Bethune, realizing the difficulties which beset the young aspirants to priesthood in Scotland, obtained from Pope Gregory III. a brief, dated September 26, 1580, whereby the bishops of Paris and Meaux were entitled to confer priesthood on any of the Scotch scholars in Paris. So great was the modesty of the good archbishop that he would not allow his name to appear in the deed of purchase of the house in the rue des Amandiers.

By a deed dated March 6th, 1602, the sieur Loret declared that this contract ‘was for, and in the names of, poor scholars born in the country and kingdom of Scotland, that they might study at the Université de Paris, and likewise that he personally renounced all rights to the aforesaid house, the price of the same having been paid into his hands by a pious individual, who had prayed him to lend his own name for the purchase of the above-mentioned house.’²

In a codicil dated April 24th, 1603, one day before his death, James Bethune bequeathed ‘to the poor scholars of Scottish

¹ Bibliothèque Mazarine, Ms. 3322, p. 4.

² Archives Nationales, M. 250.

nationality, studying at the University of Paris, all his estate not already disposed of by his previous will, and principally a house situated in the rue des Amandiers, Paris, adjudged to the sieur Loret, procurator . . . and purchased by him with the monies of the said gentleman, who is designated in the deed of purchase as a "pious individual." The day after signing this codicil, the excellent archbishop died, and was buried in the Lady Chapel of the church of Saint Jean de Latran, Paris, where a handsome monument was erected to his memory.

The house in the rue des Amandiers belonged to the Scottish College until 1846, when it was sold.

James Bethune desired that the new college should be under the supervision of the Carthusian monks of Vauvert, Paris; they had full powers to nominate the superiors and bursars, and they managed all the money transactions. Though the Murray and Bethune scholars lived under the same roof, the two funds for their maintenance were kept quite distinct until 1639, when they were united by the order of Jean de Gondi, archbishop of Paris, which order was confirmed by Louis XIII. in the following December, and verified in Parliament, September 1st, 1640.¹

For some time complaints had been made that the bishop of Paris was in the habit of giving sums from the bishop of Murray's fund to priests who had long left the college; the prior demanded that the fund, as originally intended, should be devoted to the scholars, and to them alone. In 1662 the principal, Robert Barclay, finding the building somewhat small for present requirements, decided to buy some plots of land situated on the Contrescarpe du Fossé Saint-Victor, bounded on one side by the establishment of the Pères de la Doctrine Chrétienne, and on the other by the English Nuns' Convent. Building operations were at once commenced.

Three years later the present Collège des Ecossais was practically completed, although the north wing,² together with the chapel dedicated to Saint Andrew, was not built until 1672, probably for want of funds. An old plan drawn by Bernard Jaillot dating from the end of the eighteenth century shows us a

¹ Archives Nationales, X^{la} 8654. Folio 139.

² M. Lefeuvre in his work, *Les Anciennes Maisons de Paris*, declares that the building is much anterior to this date, and that it was formerly the hôtel de Verberie; and to prove this assertion he cites the splendid old oak balustrade, still existent, which adorns the staircase up to the top storey.

large quadrangular, four-storied building, in the middle of which was an inner court with flower-beds and a poultry-yard. From the windows at the back of the building there must have been a pleasant view of distant trees.

One entered the college through an arched portico leading to a fine staircase; on the first floor, to the left, was the chapel, which was vaulted, rectangular in shape, and occupied the whole front of the north wing; it had four bays, three in the nave and one in the chancel. A little room behind the chancel served as sacristy. A passage to the right led to two class-rooms, close to which were the library and the refectory. The second floor was inhabited by the principal, the prior, and the other college officials. The scholars lodged on the third floor. In the basement was the kitchen, with the usual offices. Another plan, made by M. Hochereau in the beginning of the last century, gives us an excellent idea of the building in its present condition.

In order to gain admittance, the scholars had to prove that they were of Scottish nationality, Catholics, born of Scottish parents legitimately united in marriage, under the age of sixteen years, and sufficiently educated to take their places in the third or fourth classes. Only aspirants to holy orders were admitted. The number of scholars was limited, according to the state of the funds. The future priests were chosen by a delegate specially sent from Paris to Scotland for this purpose, and on his approval the scholar addressed to the prior a request for admittance. The expense of the voyage to France was sometimes paid by the college; the return journey was always so. The scholars, once safely housed in the college, led a very austere life; they never left its shelter except to attend the different classes at the Collège de Navarre, or to go to mass at the neighbouring abbey of Sainte Geneviève. After the completion of the chapel, even this diversion was forbidden.

The scholars studied and took their meals together, but each was allowed a little room to himself. Theology and belles-lettres were the only studies countenanced. The college lodged, fed, and supported the scholars free of charge. At the age of eighteen, if they had finished their studies in a satisfactory manner, they had to declare their intention of taking holy orders. In case of refusal, they were instantly despatched back to Scotland. Even if ordained deacon, the scholar was liable to be sent home if he shewed no special vocation. On occasion a very promising pupil would be allowed an extra year's study.

When James II. came to France he interested himself in the college, and persuaded Louis XIV., in 1688, to grant a new patent. The French monarch, ever desirous of supporting the Catholic faith, did so, and expressed a wish that the college might be under the guidance of the Carthusian monks, that the scholars might enjoy all the privileges accorded to the other scholars at the University of Paris, and that the prior, principals, and their successors might be natives of Scotland, and subjects of the king.

This patent was registered by the Parliament, July 12th, 1688; it completely freed the college of all its debts, and gave it the official position which it had hitherto lacked.

In this same year the college authorities purchased another house with its adjoining land that they might sub-let it, and thus increase their funds.

On this piece of land two houses (formerly Nos. 58 and 60 of the rue du Cardinal Lemoine) were built; these, by sub-letting, considerably added to the college funds. Mention may here be made of the rue d'Ecosse, still existing, which derived its name from the Scottish scholars, who found it convenient to lodge there owing to its close proximity to their college.

In 1701 James II. died, and his faithful friend and servitor, James, Duke of Perth, erected a monument to his memory in the chapel; of this monument we shall speak later. The unfortunate king, a frequent visitor to the college, bequeathed his memoirs to its keeping; unfortunately, they disappeared during the French Revolution.

In 1700 that we first notice the name of Innes, which, during the eighteenth century, was to play so prominent a part in the history of the college. Three members of this family held the post of rector: Lewis Innes, confessor to James II. (died 1738), his brother Thomas (died 1744), and Alexander Innes, who fought so nobly for the interests of the college during the troublous time of the Revolution.

On several occasions the college was gratified by favours received from the head of the Catholic Church; we have already mentioned how Gregory III. had entitled the Bishops of Paris and Meaux to confer priesthood on the scholars. A century later, Urban VIII. likewise authorised the college to present candidates for ordination without dimissorials. The period from 1688 to 1718 seems to have been the most successful in the history of the Scottish college.

In 1707 a new statute was made by Dom Charles François Maurin, prior of the Chartreux monks of Paris, and Lewis Innes, principal of the college; it confirmed the Carthusian priors as the perpetual superiors of the college. It was they who superintended the scholars and the entire establishment. They nominated the principals and priors, the inspectors of the studies and the bursars. Once a year they had to furnish an account of the state of the college funds. The principal had to be of Scottish nationality, a former pupil of the college, and to possess the *diplôme du maître ès arts*.

The principal's powers were practically unlimited; he superintended the scholars' studies, and, month by month, verified the treasurer's accounts. Though possessed of so much authority, he was nevertheless obliged to devote all his time to the pupils' interests, and could not absent himself for more than three months at a time without special permission. If this absence was prolonged beyond six months, he was deprived of his salary and post. The purveyor was nominated for three years, at the end of which time he could be re-elected; it was he who managed all the monetary affairs, superintended the purchase of provisions, clothing, and furniture, managed the servants, and attended to the letting of the houses belonging to the college. He could not spend more than 200 livres at a time without special permission, and was on no account allowed to sign any papers or conclude any business without first obtaining the prior and treasurer's approval. The two offices of treasurer and purveyor were kept entirely distinct; however, in the absence of the treasurer, the purveyor might on occasion take his place.

The principal, purveyor, and inspector of studies lodged in the college itself. As will be seen, their salaries were modest: the principal receiving 250 livres per annum, the purveyor 200 livres, with 50 livres for petty expenses, and the inspector of studies 200 livres. Of the different scholars the 'étudiants-clercs' received 8 livres yearly, and the 'étudiants-prêtres' 12 livres; a subsidy of 200 livres was granted to any student who left the college to become a missionary.

The inspector of studies was appointed to keep order among the scholars; he superintended their studies, and shared the post of librarian with the principal.

It is much to be regretted that so little is known about the library. The first mention we find of it is in a document

preserved at the Archives Nationales, dated 1660, when it appears to have possessed 30 printed volumes and about 225 manuscripts, among which were the documents concerning the foundation of the college, the *Heures d'Anne de Bretagne* (a very rare work), and the cartulary of the church of Glasgow.

The Bibliothèque Mazarine possesses a manuscript in folio,¹ entitled 'Statuta collegii Scotorum Parisiensis,' which contains the rules of the library. M. Alfred Franklin, in his excellent work, *Les Anciennes Bibliothèques de Paris*, declares that he has never met with a more complete or better chosen set of rules. The inspector of studies had to see that all the volumes were properly arranged and inscribed in two catalogues, one of which was in his keeping and the other in the principal's keeping. The librarian was responsible for any damage done to the books. Every year, as well as at the expiration of his term of office, he was obliged to produce all the volumes inscribed in the catalogue.

We here reproduce chapter ix. of the said rules :

De Bibliotheca Collegii.

I. Præfectus studiorum pro tempore ordinarius erit bibliothecæ custos.

II. Omnes libri in bibliotheca collegij nomine inscribantur, et in quibus deest, suppleatur ; et, quam meliori fieri potest ordine, loculis conserventur.

III. Inventarii librorum duo servantur exemplaria, unum penes primarium, alterum penes custodem, cui, quando claves traduntur, significatur ipsum, in annua lustratione et cum officio decedet, juxta illud inventarium singulorum librorum rationem redditurum.

IV. Nullus liber a quocunque e bibliotheca extrahatur vel commodetur, nisi post descriptum in regesto (quod in eum usum in bibliotheca servabitur) manu mutuantis vel custodis, libri titulum, et nomen ipsius cui mutuo datur, cum nota diei et mensis, et ordinali bibliothecæ numero.

V. Cavebit diligenter custos ne libri extraneis aut omnino foras extra collegium commodentur. Majori adhuc cautela aget, si de libris rarioribus, majoris pretii, aut qui pluribus constant voluminibus, primario aut proprimario visum fuerit aliquos commodare alicui de cujus fide constat.

¹ Bibliothèque Mazarine, Manuscrits, 2413.

VI. Inventarium sive catalogus librorum, et regestum librorum mutuo datorum, diligenter a primario in lustrationibus inspiciuntur, ne quid desit, et libros de novo datos vel emptos inventario curabit ascribendos, cum nomine donatorum, si qui sint.

VII. Libri hæretici et prohibiti in hac diœcesi seorsim in tabulario sub clave conserventur.

VIII. Unicuique socio collegii, in sacris duntaxat ordinibus constituto, aditus et clavis bibliothecæ conceditur, post emissum infra scriptum promissum de observandis his statutis. Non tamen ei licebit quemvis librum, etiam in proprios usus, e bibliotheca extrahere, nisi de licentia custodis, et descripto prius in regesto mutuatorum libri titulo; alteri autem cuicunque libros e bibliotheca mutuo dare penitus ei licebit.

IX. Præfectus etiam bibliothecæ cum admittitur, hanc infra scriptam promissionem, perlectis his statutis, coram primario et procuratore faciet; eademque exigetur ab unoquoque cui aliquæ bibliothecæ clavis conceditur.

‘Ego infrascriptus, spondeo et promitto quod, omni qua potero cura et diligentia, cavebo ne libri bibliothecæ hujus quovis modo abstrahantur, deperdantur, permutentur, deformentur, sive per me vel per alios; et quod, si quid horum acciderit mea vel aliena culpa, superioribus fideliter indicabo; quodque omnia et singula suprascripta statuta circa bibliothecæ custodiam exacte observabo, et ab aliis, in quantum potero, observari curabo. In cujus rei fidem præsentibus manu propria subscripsi in dicto collegio, die . . . mensis . . . anni . . . N. N.’

X. Servetur etiam a præfecto index librorum omnium classicorum; habeatque libellum in quo quoscunque eorum in alumnorum usum dederit describet.

It is strange to think that, with all these precautions for the preservation of their books, the college authorities never stamped or marked them in any way.

A little more than a century later, during the French Revolution, Messieurs Dupasquier and Naigeon, in an official report made to the Comité d’Instruction Publique, said: ‘In the ci-devant Collège des Ecossais we found a quantity of books piled one on the top of the other, and about thirty engravings in the sacristy behind the choir.’

Up to the second quarter of the eighteenth century the college formed many worthy missionaries; but we learn from

a report made by Monseigneur Lercari to the Prefect of the Propaganda, that religious dissensions, caused by the success of Jansenism among the students, induced many to abandon the priestly calling and to enter the army. Indeed, from 1737 to 1764 no priests were ordained from the college.

A decree having been made, September 7th, 1762, by which all the smaller university colleges were united into one large one, that of Louis-le-Grand, the Scottish scholars loudly protested, declaring that they, as foreigners and bursars, not ordinary scholars, could not be touched by such a decree. So well did they plead their cause that they succeeded in keeping their independence.

In the beginning of the French Revolution it seemed for a while as if the college would escape molestation. A law passed by the Assemblée Nationale, November 7th, 1790, ordained that all religious institutions and educational establishments founded in France by foreigners should continue to enjoy all former rights and liberties. The following year Dr. Geddes, vicar apostolic, came to Paris to look after the college interests. He found it, indeed, in a pitiable condition, one student, one priest, and the principal, the abbé Gordon, being the sole inhabitants of what was once a flourishing institution. Dr. Walsh, of the Lombard College, received Dr. Geddes, and together they endeavoured to put new life into the old college. But the decree of August 18th, 1792, and the law of August 30th, ordering the closing of all secular establishments and the sale and sequestration of all property owned in France by foreign communities, completely destroyed all hopes of success.

The College Committee did not allow their college to be confiscated without protesting, affirming that their establishment was only the foreign branch of a home community. The Convention recognized their rights, and decreed, February 14th, 1793, that the law of August 30th, 1792, did not touch their college, and that they might continue to occupy it until further notice.

The decree of March 8th ordering the sale of all property belonging to the French colleges and religious institutions, excepted those establishments still provisionally governed by their former administrators abroad. Two months later a decree was passed, May 9th and 11th, 1793, followed by the laws of the 19th Vendémiaire and 13th Pluviôse, second year of the Republic (October 10th, 1793, and July 1st, 1794),

ordering the confiscation of all property owned in France by subjects whose rulers were at war with the Republic. These measures, of course, meant annihilation to the Scottish College. During some months (1793-94) the college had been used as a prison, and Saint-Just, on the 9th Thermidor, was imprisoned here for several hours until his friends came to liberate him.

On the 15th Nivôse, an II. de la République (January 4th, 1794), the Commune ordered the confiscation of all the valuables owned by the Scottish College; on the 18th of this same month the commissioners of the Section of the Sans-Culottes executed this order and affixed their seals to all the doors of the building. Soon after the college archives and library were removed to the Bureau du Domaine National. Again the committee protested, and the Commune, by the law of the 14th Nivôse, an III. (3rd January, 1795), ordered the college to be reinstated.

The Bureau du Domaine National du Département de la Seine also decided, on the 13th Brumaire, an IV. (November 4th, 1795), to restore the college, with all its property, to its rightful owners.

The prime factor in this restoration was Alexander Innes, nominated purveyor, August 17th, 1794, by the prior of the Chartreux. On the 5th Vendémiaire, an V. (September 26th, 1796) he saw his untiring efforts crowned with success, and received back from the Bureau du Domaine National all the deeds and titles, which once more reinstated the college.

During the next eighteen months the college enjoyed a peaceful existence. The Directoire, however, on the 6th Prairial, an VI. (May 25th, 1798), wishing to enforce the law made 13th Pluviôse, an II., ordered the sale as national property of all establishments belonging to foreigners living in France. A law having been made the previous year (July 13th, 1797) whereby the Collège des Ecossais had been, as a charitable institution, exempt from confiscation, the Directoire formed another law, 13th Messidor, an VI. (July 11th, 1798), deciding that all scholarships were to be united together at the Prytanée Nationale. The Consuls on May 24th, 1800 (4th Prairial, an VIII.), confirmed this decision, and ordered that a certain number of places should be reserved in the Prytanée for the Scottish scholars. This aroused new protestations, and the Directoire on the 19th Fructidor, an IX. (September 6th, 1801),

annulled this decree, and decided that the colleges were to be allowed to enjoy their former rights, their funds to be managed gratuitously by a Bureau according to the rules made by their benefactors, no monies to be paid without the approval of the Secretary of State. The 24th Vendémiaire, an ix. (October 16th, 1802), the Irish and Scottish colleges situated in other towns in France were united to those in Paris. The scholars, meanwhile, were boarded at the Prytanée Nationale. The funds of the English college were likewise joined to those of the Irish and Scottish colleges, to be managed by the above-mentioned Bureau. The 24th Floréal, an xiii. (May 14th, 1805), with the consent of Dr. Cameron, the scholars of the Scottish college went to dwell in the Collège des Irlandais, rue des Irlandais.

On November 15th, 1808, it was decided (with Napoleon's approval) that the management of the college funds was to be given over to the principal and committee of the Université Impériale. On September 23rd, 1813, it was decreed that the funds of the three colleges were to be managed separately, as complaints had been made and none of the parties were satisfied.¹ In 1814 Dr. Walsh, the administrator, was able to publish a satisfactory report of the college affairs. He says: 'I took charge of the Scottish section in a state of ruin, with a proven debt of 23,349 francs, and I left it with an income of 11,000 francs and its buildings repaired.'

Dr. M'Pherson, who came to Paris about the year 1815, found the funds in a very prosperous condition, thanks to Dr. Walsh's able management. The college buildings, being no longer inhabited by the Scottish scholars, were sub-let to the committee of another educational establishment. In 1816, with the approval of Louis XVIII., Dr. Farquharson was appointed superior of the Scottish section; this Dr. Farquharson had formerly been superior of the Scottish College founded at Douai in 1559 by Mary Queen of Scots. Dr. Farquharson died in 1817, and was succeeded by the abbé Desjardins, a French priest. December 27th, 1818, saw once more the funds of the three colleges reunited; a paid trustee, as well as a treasurer and secretary, were engaged, and their salaries paid out of the common fund. In 1818, although the college's revenue had increased to the sum of 14,000 francs, the Scottish committee

¹ The abbé Gordon, notwithstanding his great age (being at that time 75), begged to be allowed to resume his duties as rector.

again protested, alleging that their portion of the funds was too small to permit of any salaries being paid. Their cause, eloquently pleaded by Dr. Paterson, received a favourable hearing, and on March 3rd, 1824, their funds were separated from those of the English and Irish Colleges, on condition that the said funds should be administered by a Catholic priest of Scottish nationality appointed by the Secretary of State; the Scottish administrator might also delegate his authority to a French priest appointed by the same Secretary of State. The aspirants to holy orders, whose nomination was to be subject to the Secretary's approval, were to complete their studies at different French seminaries.

The Collège des Ecosais was sold in 1846 to M. Chevallier, who turned it into a private school. M. Régis Grousset is now the director, and under his management the 'Institution Chevallier,' as it is still called, has become a very prosperous establishment, frequented chiefly by candidates for the baccalauréat ès lettres.

In 1874 the abbé Jouannin, prior of the Séminaire de Saint-Sulpice, Paris, was appointed to manage the funds of the Scottish College, now only extant in name. The pupils were placed, according to age, either at the seminary of Issy (near Versailles), or at the seminary of Saint-Sulpice. It is interesting to note that the old farm, 'La Fermette,' at Grisy, still belongs to the Scottish College fund, and that owing to the rise of value in land, its revenue has considerably increased.

In 1906 the law 'des Congrégations' came into force, by which all religious institutions were bound to furnish information concerning the source of their revenues, and to submit to an annual visit from the municipal authorities. The Séminaire de Saint-Sulpice, having refused (with numerous other religious establishments) to submit to this law, its scholars were dispersed; and the Scottish students, to the number of 16, went to study at the theological schools of Issy and the newly-established institution at No. 19 rue Notre Dame des Champs, Paris.

The old building of the 'Collège des Ecosais' has not altered much since the middle of the eighteenth century. Over the entrance is affixed a small black marble tablet forming the crown of the archivolt, and bearing in gilt letters the inscription: 'College des Ecossois.' The arched doorway, decorated with a wood carving representing Saint-Andrew's Cross and initials, leads one into the hall, upon entering which one is struck by

the magnificent black oak staircase reaching to the top storey. Some of the glass doors are decorated with Saint-Andrew's Cross, and the handsome bronze door-handles, also bearing the cross and initials, are well worth attention. By the courtesy of the director of the institution, strangers are permitted to visit the chapel, which, though much altered, must always be interesting to lovers of Scottish history. Nearly one half of the chapel has been partitioned off to serve as a museum of physics and entomology, leaving but one bay and the choir to serve as chapel. Over the altar is a large picture representing the martyrdom of Saint-Andrew.

A full-length portrait of James III. is to be seen in the principal's study; it represents the Pretender in armour.

In the museum the fine oak furniture carved with thistles and the cross and initials of Saint Andrew should be examined.

On one of the northern pillars in the chapel is a black marble slab, arched at the top, surmounted by the armorial bearings¹ of David and Bethune, with the following inscription:

D. O. M. Anno Dom. mcccxxv. Regnante in Gallia Carolo Pulchro et Roberto de Bruce Regnante in Scotia, antiquo fœdere conjunctis David de Moravia, Episcopus Moraviensis in Scotia hoc Collegium fundavit: A^o Dⁿⁱ mdciii. Iacobus de Bethun Archiepiscopus Glasguensis in Scotia, novam Fundationem instituit, Præposito in perpetuum administrationi Ven. P. Domno Priore-Cartusie Parisiensis, A^o Dⁿⁱ mdcxxxix., conjunctio utriusque Fundationis in unum et idem Collegium ab Archiepiscopo Parisiensi facta, auctoritate Regis et Supremi Senatus Parisiensis sancita est. Vtriusque fundatoris Memoriz Primarius, Procurator et Alumni Hujus Collegij P. P. Requiescant in pace.

This tablet measures 31½ inches by 17½.

Unfortunately, many of the tablets and tombs have disappeared; however, the *Collectanea topographica et genealogica* (volume vii. page 34) gives a plan representing the different positions occupied by the monumental tablets, and with the help of this plan it is easy to imagine the chapel as it was in its original state.

One of the college statutes contained a clause that a yearly mass was to be said for the repose of the souls of David, bishop of Murray, and James Bethune: 'Singulis annis, omnes magistri

¹The archbishop of Glasgow's escutcheon, with the motto: 'Ferendum vincas,' bears a chevron with three estoiles: James Bethune's shield is quartered argent with fesse gules, together with three muscles argent, and chevron or sable, with an otter's head argent; beneath the shield is a dolphin bearing a round fruit in its mouth. The escutcheons are further ornamented with the archbishop's hat, mitre, cross, and crosier.

et alumni hujus collegii interesse tenentur togati sacro celebrando die nono januarii in capella collegii pro primo fundatore, Davide de Moravia, episcopo moraviensi, et apud Sanctum Joannem Lateranensem, die vigesima quarta aprilis, sacro celebrando collegii expensis pro secundo fundatore Jacobo de Bethun, archiepiscopo Glasguensi, et utroque die lautius prandium eis conceditur.¹

In the centre of the second bay of the nave was a flat stone tomb, bearing the following epitaph engraved on a large oval slab, the top ornamented with palms encircling the initials R.B., and supported by a cenotaph decorated with mouldings, under which was a winged skull crowned with laurel leaves placed between two flaming urns :

Hic jacet fœlicis memoriæ sacerdos, Robertus Barclaius, ex nobili familia apud Scotos, hujus quondam collegii gymnasiarcha dignissimus et de patria sua optime meritus. Illi ingenium perspicax, judicium accuratum, mores casti, fides eo ferventior quo rarior inter suos, totaque vita ad amussim Evangelii castigatissima. Collegium olim prope Grassinaum situm huc, in locum magis commodum transtulit, domunque et ædem sacram extruendas curavit, disciplinam pene collapsam restituit, tandemque, collegio hærede instituto, obiit vii idus februarii, anno Domini M.D.CLXXXII, ætatis suæ circiter LXX, regiminis XXX. Requiescat in pace.

To the right of this tomb was buried the heart of Lewis Innes, under a rectangular slab of white marble, which bore the following inscription in a heart-shaped frame ornamented with a skull crowned with laurel and cross-bones :

Hic situm est cor domini Ludovici Innese, presbyteri, Reginæ matri Magnæ Britanniæ, dein Jacobo III. Regi eleemosynarii, hujus collegii primarii et benefactoris insignis Obit die 11 februarii Anno Domini M.D.CCXXXVIII. Ætatis LXXXVII. Requiescat in pace.

In the part of the chapel now used as a museum we find all that still remains of the monument erected to the memory of James II. by his faithful and devoted servitor, James Drummond, Duke of Perth. A print of this monument, as designed by Louis Garnier, exists in the Collection Clairambault. Before the re-arrangement of the chapel, it was on the right hand side of the nave in the third bay, exactly facing the chapel door. This monument, even now by far the most important in the building, was composed of a large grey marble pedestal, supporting a black marble sarcophagus, on the top of which was a small obelisk standing on another pedestal on which was a little vase ;

¹ Bibliothèque Mazarine, Ms. 3322, p. 14.

this pedestal was half hidden by fringed and tasselled curtains, all in white marble. In the centre of the pedestal supporting the obelisk was an urn in gilt bronze, decorated with a royal crown; in this urn James II.'s brain, according to his desire, was enclosed after his death in 1701; cupids were seated on either side of the pedestal. To the top of the obelisk was fixed a medallion, surrounded by palms, bearing the king's portrait under another royal crown. A sword and sceptre were placed between two bronze lions' heads above the sarcophagus. Two large armorial cartouches were affixed, one in the centre of the sarcophagus and the other on the basement of the mausoleum. Unfortunately, all these ornaments (which were in gilt bronze), together with the urn containing the brain of James II., disappeared during the French Revolution.

Some few years ago, M. Grousset, while making some excavations previous to opening a passage between two of the college buildings, found the leaden casket which had once contained the prince's brain. Though filled with cement and painted to imitate the marble, the holes left by the nails where the ornaments were torn off the stone are distinctly visible.

All that remains of the once handsome mausoleum is the white marble obelisk and the long black marble tablet, on which the following inscription is still legible :

D. O. M. *Memoriæ augustissimi principio Jacobi II^{di}, Magnæ Britanniæ etc. Regis. Ille partis terra ac mari triumphis clarus, sed constanti in Deum fide clarior, huic regna, opes et omnia vitæ florentis commoda postposuit. Per summum scelus a sua sede pulsus, absalonis impietatem, Achitophelis perfidiam et acerba Semei convitia invicta lenitate et patientia, ipsis etiam inimicis amicus, superavit. Rebus humanis major, adversis superior et cœlestis gloriæ studio inflammatus, quod regno caruerit sibi visus beator, miseram hanc vitam felici, regnum terrestre cœlesti commutavit. Hæc domus quam pius princeps labantem sustinuit et patrie fovit, cui etiam ingenii sui monimenta, omnia scilicet sua manuscripta custodienda commisit, eam corporis ipsius partem qua maxime animus viget, religiose servandam suscepit. Vixit annis LXVIII, regnavit XVI, obiit XVII kalendas octobris, anno salutis humanæ M.D.CC.I. Jacobus dux de Perth, præfectus institutioni Jacobi III, Magnæ Britanniæ etc. Regis, hujus domus benefactor, mœrens posuit. F. P. L. Garnier, 1703.*

The entrails of Marie-Beatrix d'Este, second wife of James II., were buried beneath a rectangular slab of white marble at the foot of her husband's monument. The inscription ran :

D. O. M. *Sub hoc marmore condita sunt viscera Mariæ Beatricis Reginæ Magnæ Britanniæ, uxoris Jacobi II, matris Jacobi III, Regis. Rarissimi exempli princeps fuit, fide et pietate in Deum, in conjugem, liberos eximia, caritate in*

suos, liberalitate in pauperes, singulari. In supremo regni fastigio christianam humilitatem, regno pulsa dignitatem majestatemque retinuit; in utraque fortuna semper eadem, nec aulæ deliciis emollita nec triginta annorum exilio, calamitatibus, omnium prope carorum amissione fracta quievit in Domino vii maii, anno M.D.CCXVIII Ætatis anno LX^o.

Under a lozenge-shaped white marble slab, close to the above, were placed the entrails of Louise-Marie Stuart, second daughter of James II. and Marie-Beatrix d'Este. It bore the following inscription:

D. O. M. Hic sita sunt viscera puellæ regię, Ludovicę Marię, quę Jacobo II, Majoris Britannię Regi, et Marię Reginę divinitus data fuerat, ut et parentibus optimis perpetui exilii molestiam levaret et fratri dignissimo regii sanguinis decus, quod calumniantium improbitate detrahebatur adsereret. Omnibus naturę et gratię donis cumulata, morum suavitate probata terris, sanctitate matura cęlo, rapta est ne malitia mutaret intellectum ejus, eo maxime tempore quo spe fortunę melioris oblata, gravius salutis æternę discrimen videbatur aditura xiv kalendas maii MDCXII, ætatis anno XIX.

The heart of Mary Gordon, duchess of Perth, was interred at the foot of James II.'s monument under a rectangular tablet of white marble bearing the following inscription surrounded by a heart-shaped frame:

Hic situm est cor Marię de Gordon de Huntly, ducissę de Perth primarię apud Reginam Magnę Britannię matronę. obiit xiiii martii, anno Domini M.DCCXXVI.

At the end of the nave, to the right, a large slab of white marble bordered with black, was sunk into the pavement; this slab was curved at the top and bore the Drummond arms (shield or, with three fesses gules) and an inscription commemorating James, Duke of Perth, died 1716.

To the left of the above tomb was another exactly similar, to the memory of James, Duke of Perth, died 1720.

Facing the inscription to James Bethune and David, bishop of Murray, and fixed to the other pillar, was an epitaph engraved in gilt letters on a black marble tablet curved at the top.

At the end of the nave, in the centre of the aisle, was a lozenge-shaped slab bearing a cross and the following epitaph:

✠ Hic jacet dominus Andreas Hay ex nobili apud Scotos familia, vir probitate et pietate insignis, ob fidem in Deum et erga principem exul, plenus dierum et bonorum operum, de hac domo bene meritus, obiit die xxiii novembris, anno Domini MDCCH. Requiescat in pace. Amen.

In the centre of the wall at the end of the chapel was fixed

a small rectangular black marble tablet in a frame of Languedoc marble adorned with volutes and mouldings, and supporting an arched fronton between two urns painted to imitate bronze; this tablet was erected to the memory of the famous beauty, Frances Jennings, duchess of Tyrconnell.

D. O. M. *Æternæ memoriæ illustrissimæ et nobilissimæ dominæ Franciscæ Jennings ducissæ de Tyrconnell, Reginæ Magnæ Britanniæ matronæ honorariæ hujus collegii benefactricis quæ missam quotidianam in hoc sacrario fundavit perpetuo celebrandam pro anima sua et animabus domini Georgii Hamilton de Abercorne, equitis aurati, conjugis sui primi, et domini Richardi Talbot, ducis de Tyrconnell, proregis Hybernæ, secundi sui conjugis. Obiit die xvii martii, anno Domini m.d.cccxxi. Requiescat in pace.*

Close to the former monument, slightly to the right hand side, was a small black marble slab bearing a cross at the top and at the bottom a laurel-crowned skull lying on flaming torches and cross-bones, commemorating 1675.

We close the list with one which, though it does not directly concern the Scottish College, still bears on its role of honour a name often mentioned in the earlier part of our article. The tablet, erected to the memory of eight brave ex-scholars of the Institution Chevallier who fell in the Franco-German war, begins with the name :

Ed: Paul de Bethune, Fernand Bourgeois, Marie-Aimé Delargillière, Marie-Emile Courcier, Paul Desmolins, Leon Gugenheim, Paul Lebœuf, Charles Rouillard. "*Quos neque lugeri neque plangi fas est admiratione potius et similitudine decoremus.*" 1871.

VIOLETTE M. MONTAGU.

The 'Scalacronica' of Sir Thomas Gray

The Reign of Edward III., as recorded in 1356 by Sir Thomas Gray in the 'Scalacronica,' and now translated by the Right Hon. Sir Herbert Maxwell, Bart., continued.

The second troop of the French charged the English on horseback. Many of the English who were overthrown rose up and rallied on foot, having killed many of the Frenchmen's horses as they passed; and these Frenchmen, thrown from their horses, ran with the others, their comrades of the advanced guard who had been thrown already, to the Englishmen's horses, nearly all of which they took and mounted. The English posted themselves on their knees behind a low wall of Antain. The rearguard of the French halted in front of them and remained there all day on horseback, and moved off at night. The English, having nothing more to do, marched afoot, lance in hand, four leagues through the country to an English fortress.

MS.
fo. 227^b

Outside this castle of Lusignan many a pretty feat of arms had happened to the Lord of Montferrand while he was captain thereof after it had been taken by assault by the English,¹ which castle was afterwards betrayed out of their hands by a castellan.

And then there were other times, as in the expedition on St. George's day for the relief of Saint-Jean-d'Angeli, where John de Cheverstoun, an English knight and seneschal of Gascony, with the barons of the country and nine hundred men-at-arms, fought with the French, who, being twelve hundred men-at-arms, left the siege to come against them. They dismounted and engaged hotly, the mellay lasting a considerable time. The French were defeated with great loss,

¹ It was taken by the Duke of Lancaster in 1346.

the Maréchals de Niel and de Oudenham, French commanders, were taken there, and many others slain and taken. This Maréchal de Niel was soon afterwards killed in battle by the English in the war of Brittany, at Moron, near the wood of Onglis, where several barons of Brittany were slain, one of the most wonderful affairs that happened in the war of Brittany, always excepting the affair of Lankaderet, where Thomas de Dagworth, an English knight, admirably defeated the barons of Brittany. Many affairs took place in that war, whereof all cannot be recorded.

But after truce had been concluded in Gascony by the Prince of Wales, son of the said King of England, the aforesaid English of the commonalty continued the war, as has been partly described above, in many parts of the realm of France.

Now as all the events are not recorded in order as they occurred, there remain to be mentioned the people who had gathered into companies in consequence of this truce, doing so in the quarrel of the King of Navarre, who was already delivered from prison in the castle of Crêvecœur, and for the reason above mentioned was at war with the French. This king, as is mentioned more fully above, laid waste several districts in France, chiefly by means of the said English, whereby the said English recovered many fortresses in many parts of France, levying ransom on the country by parishes and having many a combat, with loss at one time and with gain at another. Near Nevers, the Englishman MS.
fo. 22 John Waldbouf having his half-hundred of English men-at-arms, fought from the castle of Corvol-Orgeilleuse with the Arch-priest¹ who was captain of the district of Nevers and had two hundred men-at-arms, and defeated them, taking prisoner the said Arch-priest and many others.

This Arch-priest was allowed to go free on parole, as true prisoner to Waldbouf; but never after would he come in endeavouring to make quite another agreement with the said Waldbouf, offering to enlist under the English king and hand over to the said Waldbouf a fine fortress which he had. But he [the Arch-priest] would never afterwards meet him [Waldbouf] without hostages during these negotiations.

The said Waldbouf rode after other enemies, and fought a duel with a Frenchman from the castle of Nôtre-Dame-de-

¹ See page 267, *supra*.

The 'Scalacronica' of Sir Thomas Gray 419

Coucy on the challenge of the French. They engaged with sword and dagger, and the said Waldbouf beat the Frenchman and took him prisoner. Waldbouf had such assurance in the deceitful parole of the said Arch-priest that he trusted himself to his good faith, and accepted his humble invitation to dine with him in a castle of his,¹ which castle he was held bound to surrender under the conditions agreed on. Waldbouf was betrayed and kept prisoner there for some time and then was murdered in prison, on the pretext that he had meant to seize the said castle by concert with the other English prisoners, [namely,] the hostages who had been given for the said Arch-priest and who were kept prisoners in the same manner.

In the same season the English before Troyes were defeated through their own bad management by Count Wadmound, who sallied from the city before which the English were in ambush, having sent their scouts to the barriers of the said city, placing them unskilfully, so that the enemy, unperceived by them, sent some light horse into the middle of the ambush, which was in a village, where they [the English] were dispersed in the houses, so that they could not rally, but it was each one for himself. Some were taken; [but] the knight John de Dalton and others withdrew in good order; most of which English, with other garrisons, gathered together out of Brittany and Normandy and the other fortresses which they had through the country, and took by night the city of Auxerre, where they found very good booty, and remained there a considerable time. The citizens, with the consent of the lords of the country, made terms with them [under which] they [the citizens] were to pay them a large sum of money to evacuate the said city without setting it on fire; to which they [the English] having agreed, threw to the ground a MS.
fo. 228^b great deal of the city wall, and went off to their fortresses in the neighbourhood, which seemed more convenient to them than the city, because they could not well live together, as each one claimed to be master. Wherefore they took assurance for the money.

And so soon as they had departed in this manner, the country people and townsfolk hired German soldiers and foreigners for the same money as they had caused to be collected and levied from the commonalty for the use of the

¹ *A prendre oue ly la soup*—misrendered *souper* in *Maitland Club* edition.

English under the said agreement. Thus very soon they brought in a great force of soldiers and caused the said city to be fortified anew more strongly than before, [all] with the same money, without paying anything to the English.

Another time, a hundred English lances [marching] to the relief of the castle of Brienne, which was in English hands, defeated in Burgundy a great force of soldiers of the country—five hundred men-at-arms—attacking them on foot several times in a heavy field of corn, the French being mounted.

John de Fotheringhay, with other English captains, [coming] out of the town of Creil, attacked a fortress and an abbey which the French had fortified between the said Creil and Compiègne, carried the palisade and the fosses with the base court, [when] those within treated for their lives with those without. The captain of the garrison came out and surrendered to the pennon of one of the English commanders, whereat one and another of the English took offence, wrangling for a share in his ransom, so that in the strife he was murdered among them. He to whom he [the captain] had surrendered went off straightway in a rage, telling them that it served them right.¹ Those within the fortress, seeing that they were bound to die, with one consent descended a vaulted stair with such din, shouting and clattering of shields and staves, with other noises, yelling the different war-cries of the chief men of the country, that the English who had remained fell into such a sudden panic, believing that they had been betrayed, partly because of the departure of the said captain who had gone off in a rage in the manner [described], partly by the bold front and spirit of the enemy, that they fell back in disorder, each man falling over the others in the deep water of the ditches, where five or six English knights and several others were drowned. Others who could get on horseback fled, and thus the people of the fortress were saved, being for the most part, only brigands² and common folk of the band of Jacques Bonhomme.

¹ *Le bien leur encouenait.*

² *Brigauntz*—literally, a soldier armed with a light cuirass, but the term received a secondary signification during this rising. 'Originellement on nommoit brigands les soldats qui portoient cette armure; et comme ceux que la ville de Paris soudoya en 1356, pendant la captivité du roi Jean, commirent une infinité de vols, on désigna ainsi depuis les voleurs et coquins. C'est ainsi qu'en latin *latro*, qui signifioit soldat, désigna par la suite un voleur, parce que les soldats en faisoient le métier.'—[Roquefort, *sub voce* 'brigandine.']

The 'Scalacronica' of Sir Thomas Gray 421

From Epernay, the fortress which the Englishman James de Pipe had won, English knights and esquires, under command of John Griffith, made a raid near Cher,¹ where Bek of the French serfs² advanced with eighty men-at-arms and forty archers to attack seven men-at-arms and twelve archers of the English, who were separated from their column. The said English defeated the said French, and captured Bek and twenty French knights and esquires by the aid of some of their comrades who had been separated from them and who came up at the moment when the enemy was defeated. The said Bek was captured several times during this war.

In the same season of the year of grace 1359 the English had stormed and won the town of Saint-Valery, and lost it when besieged by the Comte de Saint-Pol, by the Lord of Fiennes, who was Constable of France at that time, and by the lords of that district.³ Monseigneur Philip de Navarre, brother of the said King of Navarre, and a liegeman of the King of England, came from Normandy and other parts with six hundred English lances [drawn] from the English garrisons to relieve the said Saint-Valery, but found it had fallen.⁴ They rode into the district of Vermand, where, near Saint-Quentin, the Comte de Saint-Pol with those of the lords [who had been] at the said siege and were not yet dispersed, and with fifteen hundred lances and three thousand armed commons, came near before the said English—scarcely further off than the range of an arblast—and lay before them all day without fighting. In the evening the said English billeted themselves in a village near at hand, and marched off towards noon⁵ on the next day, in the direction of Soissons, burning the country without any interference from the said French.

In the same season a company of English stormed the town of Vailly in the vale of Soissons, whence they took the town of Pontarchy. Riding from this place to relieve the castle of Sissonne, where their German comrades were beleaguered, they encountered of a sudden a hundred Breton men-at-arms, and

¹ *Pres de Cherres*, perhaps Chercy near Sens.

² *Vileins*.

³ The sense of this passage is destroyed in the *Maitland Club Ed.* by a comma here instead of a full stop.

⁴ See Froissart, Book i. cap. cxciv. for a fuller account. Froissart says the siege lasted from August till the following Lent.

⁵ *A haut hour*.

both sides dismounted. The Bretons were defeated, many of the English were wounded, some of which English remained on horseback without doing anything to support their comrades until the affair had been settled.

The said English abandoned their intention of relieving [Sissonne], wherefore the place was surrendered.

MS.
fo. 229^b

There were many occasions during this war when the French came in presence of the English and the two parties separated without fighting. On one occasion in Auvergne, near Nôtre-Dame-de-Puy, the French were 20,000 fighting men, of whom 4000 were knights and esquires, Thomas de la Marche being their commander. They came before 900 English lances under Hugh de Calverley, [but] they separated without fighting.¹ Next day they followed them and again approached so near that they threw stones [at each other]; [but] once more they moved off without any engagement except a skirmish.

Soon after this, because the councils of the said Kings of England and Navarre could not come to an agreement, the said King of Navarre made peace with the Duke of Normandy (who was called Dauphin of Vienne, son of King John of France, and in the absence of his father was called Regent of the country), and chiefly for the deliverance of Queen Blanche, sister of the said King of Navarre, who was beleaguered in Melun. She had been wife of King Philip of France, his uncle. Also in order to recover his fortresses which were kept from him and to obtain greater ease as a change. All this had been accorded to him in treaty on a former occasion before Paris, sworn to on God's body and broken by the said Regent, as the said King [of Navarre] declared. In accordance with which agreement, Poissy-sur-Seine, which had been captured² and was held by the English, and many other fortresses in several parts of the realm of France were evacuated and given up by the English. Nevertheless the said King of Navarre had hardly done any injury to the English throughout the following season.

On account of the same convention, the knight Thomas

¹The punctuation of the *Maitland Club Ed.* greatly confuses the sense of this passage.

²*Qenforce estoit.* The verb *enforcer* carried two technical meanings in warfare, 'to capture by force' and 'to fortify.' It is not always easy to distinguish in which sense it is used. In the following paragraph it is applied to the church of Barfleur, and seems to mean 'to fortify.'

The 'Scalacronica' of Sir Thomas Gray 423

de Holland, who was in Normandy for the King of England, caused a fine fortress at the church of Barfleur to be strengthened, and remained therein to control Cotentin. This Thomas afterwards died in the country, the King's Lieutenant in the conquered districts, being Earl of Kent through inheritance by his wife.

This King of Navarre a short time before had helped to put down a great rising and conspiracy of the base commons, who had risen under Jacques Bonhomme whom they had made their leader to fight the gentry, which they did, as has before been more fully described.

In the same season Rainald de Gulioun, a French knight and Governor of Paris, was defeated and captured near Estampes by the English under Gilbert de Rodom, who was killed in that affair. The English were not more than fifty-three lances and eighty archers; the French were 700 men-at-arms and 400 brigands and armoured archers. This Rainald de Gulioun, before he had paid his full ransom, declared that he was discharged, so that his keeper, a false Englishman, went off with him; wherefore the said Rainald was challenged to a duel. This same Rainald had been taken prisoner formerly near Poitiers, where he was commander at the time, by a Gascon soldier, who, with thirty comrades defeated 200 French men-at-arms at the taking of the said Richard. [This happened] in the season a little before the battle at the said place. MS. fo. 230

In the same year after the Incarnation, 1359, the aforesaid King Edward of England, the third after the Conquest, led an expedition out of England with all the great men of his realm, his envoys having returned from the Pope, and arrived at Sandwich on his way to the war in France on the [feast of] the Nativity of our Lady. He was grievously delayed for want of ships, wherefore he could neither land [his forces] all at once nor at the place he intended. So he divided the crossing, sending the Duke of Lancaster with his retinue to Calais, to bring out of that town the Marquis de Metz with all his Germans who had gone there to support the said King [Edward]. This he did, and took the field with them, riding beyond the river Somme and attacking the town of Bray-sur-Somme,¹ where they crossed the ditches, shoulder deep in the water, to the foot of the walls.² Having suffered severely [in the attempt], they failed to take the said town,

¹ Miswritten Dray in original.

² Cf. Froissart, Book i. cap. ccv.

losing some of their knights in the assault, and returned towards Calais to get intelligence of the coming of the said king.

The Earl of March,¹ who had crossed the sea six days before the said king, made a raid beyond Boulogne, burnt Étapes, and so returned.

The King arrived at Calais on Monday next, before All Saints, where he remained eight days. He divided his army into three [columns]; one he kept with himself, another column he gave to his eldest son the Prince of Wales; the third column he intended for the Duke of Lancaster. He marched from Calais on the Monday before Martinmas, when the said Duke of Lancaster met him on the Sunday, having spent five weeks afield in much want of bread and wine.²

The three columns marched by different routes. The said king kept the way by Saint Omer, near Arras, past Sambrail, through *Terrages*, *Loignes* and Champagne, to before Reims. The Prince, son of the said King, held the route by Montreuil, from *Hedyn* through Pontives and Picardy, across the river Somme, by Neuil and *Haan* into Vermandois, near which a knight, Baldwin Dawkin, master of the arblastars of France, was captured at that time, with other French knights of the Prince's,³ attempting a night attack on the quarters of the Earl of Stafford, who defended himself gallantly.

MS.
fo. 230^b

About this time the Anglo-Gascon Vicomte de Benoge, who was entitled Captain of Busche,⁴ came out of his district [passing] from one English garrison to another, crossed the river Seine under safe-conduct from the King of Navarre, and came to Creil which was then held by the English, from which town he took the Castle of Clermont in Beauvaisis. An English knight, John de Fotheringay, held this town of Creil in keeping for the King of Navarre, on sworn condition to deliver it on notice from the said king. He often⁵ received summons [to deliver it], but refused to do so failing a large

¹ The English Roger Mortimer, not the Scottish Dunbar.

² Cf. Froissart, Book i. caps. ccv. and ccvii.

³ *I.e.* the Dauphin's.

⁴ *Qi dit estoit capitain de Busche*, but the famous Sir Jehan de Grailli, fifth knight of the Garter, was commonly known as Captal de Buch, from the Latin *capitalis*. This Captal was so loyal to his English sovereign that he chose to die a prisoner in Paris in 1397, rather than win his freedom by deserting his allegiance.

⁵ *Souent*, printed *souen* in *Maitland Club Ed*

The 'Scalacronica' of Sir Thomas Gray 425

sum of money which he declared that the said king owed him, which money he received from the French in discharge of the said debt and handed over the said town to them.

The said John de Fotheringay strengthened at this time another fine fortress at Pont-Saint-Maxence, on the river Oise, where he remained.

The Prince [of Wales] held his aforesaid way by Saint-Quentin and by *Retieris*,¹ where the enemy himself fired the town to obstruct his crossing. [But] the prince's people forced a passage at Château-Porcien, whence he marched through Champagne to join his father's column before Reims.

The Duke of Lancaster followed a route between the king and his son, and the three columns formed a junction before Reims, lying all around the city in hamlets for a month at Christmastide.² From the column of the said prince the town of Cormicy was taken by escalade and the castle won, the keep being mined and thrown down by the people of the said prince.³ On the challenge of the French in Reims, Bartholomew de Burghersh, an officer of the Duke of Lancaster's army, fought there *à outrance* by formal arrangement, where one Frenchman was killed and two others wounded by lance-point.

From the king's column, the Duke of Lancaster and the Earls of Richmond and March captured two fortified market towns, *Otre*⁴ and *Semay*,⁵ on the river Aisne and the border of Lorraine.

Lords and knights of the king's column made a raid from Reims nearly to Paris. They ambushed themselves and sent their scouts up to the gates of the city. They made such an uproar in the suburbs that those within the city had not the courage to come forth.

The bands of English were scattered in sundry places, those who had remained on their own account before the coming of the king being in different bands. One band was called the Great Company, which had remained in the field throughout the year in Burgundy, in Brie, in Champagne and in *Dairres*,

¹ ? Martiers.

² The omission of a full stop here in *Maitland Club Ed.* makes this passage unintelligible.

³ See an interesting account of this in Froissart, l. i. c. ccix.

⁴ ? Attigny.

⁵ ? Signy-l'Abbaye.

MS.
fo. 231

and wherever they could best find provender. This Great Company had taken the city of Chalons in Champagne by night escalade; but the people of the said city rallied in the middle of their town on the bridge of the river Marne, which runs through the city, and kept them by force out of the best quarter of the city; wherefore they [the Great Company], finding it impossible to remain, were compelled to evacuate [the place]. This company disbanded soon after the coming of the king, and sought refuge for themselves.

There were other bands of English, one of which took by escalade the town of Attigny in Champagne at the time the said king came before Reims.

The said King of England afterwards broke up from before Reims, and marched towards Chalons, where he made a treaty with the people of Bar-sur-Aube, but they broke it, so he dispossessed them of their lands.¹

An English knight, James de Audeley, took the fortress of *Chancu* in the vale of Saxsoun from the Bretons under Hugh Trebidige. The said James came from his castle of Ferte in Brie to the army of the said prince near Chalons in company with Captal de Buch, who came from Clermont.

The said king having caused the bridge over the river Marne to be repaired, and over other very great rivers also, marched to the neighbourhood of Troyes, whence the Marquis de Metz and the Count of *Nidow*, and other German lords who had come with the king, went off to their own country partly because of scarcity of victual and [partly] from respect for the approach of Lent. Due allowance was made to them for their expenses.

The king crossed the river Seine near Méry-sur-Seine, and held his way by Sens and Pontigny into Burgundy. His son the prince followed him, and the Duke of Lancaster also; but for want of forage for the horses his said son left the route of his father, and quartered himself at Ligny-le-Châtel, near Auxerre, where the said prince's army suffered more from the enemy than in any other part of this expedition hitherto. Several of his knights and esquires were killed at night in their quarters, and his foraging parties taken in the fields, although the country was more deserted before them than in all the other districts,² so that they scarcely saw a soldier outside the fortresses.

¹ *Alloigna leur païs, i.e. éloigna.*

² *Toutez autres parties: autres omitted in Maitland Club Ed.*

The 'Scalacronica' of Sir Thomas Gray 427

Five English esquires belonging to the army of the said prince, without [defensive] armour except their basnets and shields, having only one coat of mail and three archers, were in a corn mill near *Regentz*, a fortress held by the English not far from Auxerre. Fifty men-at-arms, the troop and pennon of the Lord of Hanget, came to attack them; but the five defeated the fifty, taking eleven prisoners; wherefore even the French of the other garrisons called this in mockery the exploit of fifty against five.

The said king remained at *Golion*¹ near Montreal in Burgundy, to negotiate a treaty with the duchy of Burgundy; and here Roger de Mortimer, Earl of March and marshal of the army and most in the confidence of the king, died² on the 24th day of February.³

Three years' truce was taken with Burgundy, on payment to the said King of England at three terms [the sum of] 200,000 florins *moutons*, the florin [being reckoned] at 4s. fo. 231^b MS. sterling.

The town of Flavigny in Burgundy, strong and well-fortified, which had been taken by the Englishman Arlestoun, was retaken from the hands of Nichol de Dagworth, being surprised at the time the negotiations for a truce had just begun.

Near this town of Flavigny, the said Dagworth in the previous season had an affair with his thirteen English against sixty-six French lances. The English had occupied a narrow street at the end of a village, having drawn carts across the road before and behind them. They sallied from their shelter at their pleasure, wounding, killing and capturing some of the French. Norman Leslie, who had come from Scotland to help the French, was taken; the others were put to flight.

At the same time William de Aldborough, captain of Honfleur in Normandy, was taken by the French in a sortie, and his people were defeated. An English knight, Thomas Fog, who was in a fortress of his in the neighbourhood, hearing of this affair, threw himself into the said Honfleur, found it displenished of provender, and rode forth with other English garrisons in the neighbourhood, foraging in the country for supplies to the said town. They came suddenly upon 250 French men-at-arms and 200 archers

¹ ? Beaulieu.

² *Se lessa morir.*

³ A.D. 1360.

and arblasters, who were ambushed on the English line of march, Monsire Louis d'Harcourt and Baudric de la Huse being in command of the French. The English, numbering forty men-at-arms and one hundred archers, had the protection of a hedge. Both sides dismounted and engaged smartly. The French were defeated, their two leaders being captured, and with them several knights and esquires, and several were killed in the mellay. Louis d'Harcourt soon afterwards was released by the same English who took him, and they became Frenchmen with him.

At *Fregeuil*, an English fortress on the march of Beauce, a French knight who bore the name of the Chevalier Blaunche, challenged the constable of the said place to a personal encounter of two Englishmen against two Frenchmen. The encounter was arranged at a place agreed on. The Chevalier and his esquire were defeated by the two English, who were arrayed in scarlet, and were taken prisoners into the aforesaid English fortress.

About this time the English knight John de Nevill, with thirteen lances, defeated near Estampes fifty French men-at-arms, of whom several were taken prisoners. Beyond the Cher, in Berry, the Gascons and English of the garrison of Aubigny met with a defeat, several of them remaining prisoners of the French.

At this time French, Norman and Picardese knights, with others of the commonalty, 3000 fighting men, made an expedition into England at the expense of the great towns of France, with a show of remaining there so as to cause the said King of England to withdraw from France, in order to relieve his own country. These Frenchmen arrived MS.
fo. 232 at Winchelsea on Sunday in mid Lent of the aforesaid year, remained in the said town a day and a night, set fire to it on leaving, and, in going off in their ships, they lost two ships which had taken the ground, and about 300 men [killed] by the commonalty who attacked them.

Near Paris Robert Le Scot, a knight on the English side, was taken and his people were defeated by the French, and his strengths were taken just when he had fortified them.

As the Prince of Wales, son of the said King of England, was marching through Gastinois,¹ five knights of the country

¹ In Anjou.

The 'Scalacronica' of Sir Thomas Gray 429

with 60 men-at-arms and one hundred others, people of the commonalty, had fortified anew a country house in front of *Journelis*,¹ a fortress which the English held. The said prince suddenly surrounded these knights, bivouacking in the woods, and directed siege engines and assaults; wherefore the said knights, Monsire Jaques de Greville and Hagenay de Bouille, with the others, surrendered unconditionally to the said prince.

The said King of England, coming from Burgundy, lost two or three German knights from his army. They were killed in their quarters at night by Ivo de Vipont, a French knight, and his company.

And as the said king was marching through Beauce, near *Turry*, that castle chanced to be set accidentally on fire by those within it; wherefore most of them rushed out and threw themselves on the mercy of the said king. The castellan held the keep for two days and then surrendered to the said king, who caused the walls of the said castle to be razed.

In the same season thirty lances of the English garrison of Nogent-en-Brie defeated on the river Marne one hundred men-at-arms of the French garrison of *Terry*, and captured sixty of them.

¹ Printed Fournelis in *Maitland Club Ed.*

[The conclusion of this translation of 'Scalacronica' will appear in the October number of the 'Scottish Historical Review.']

ED. S.H.R.

Some Early Scottish Book-bindings and Collectors

THE earlier history of book-binding in Scotland is at present very obscure. The materials are not plentiful, and such as do exist have never been adequately examined. In a nation so given over to feud and warfare, internal and external, private libraries must have been uncommon, and the only old libraries that now remain are almost all connected with the Church or the Universities.

The libraries at Aberdeen and St. Andrews contain, as I know from experience, numbers of old bindings, for these two foundations were, fortunately for our purpose, not well enough endowed to indulge in a taste for rebinding, and a systematic search through their shelves would probably be fruitful in results. At Edinburgh the hand of the restorer is very much in evidence and a glance at the Drummond collection in the University Library with its rows upon rows of monstrous modern calf, makes one sigh to think of what may have been, but is now lost for ever. But there is no doubt that scattered over Scotland a very large number of books in their original bindings must remain, quite sufficient to afford material for a comprehensive survey of the subject, but its very fringe has hardly yet been touched. Books on book-binding ignore Scotland, and most Scottish bibliographers have ignored book-binding. But its importance is beginning to be recognised, and two papers on two early specimens, shortly to be referred to, have appeared lately in the *Proceedings of the Edinburgh Bibliographical Society*, fortunately with facsimiles.

What the Scottish bindings up to about the middle of the fifteenth century were like we have at present few means of knowing, they were probably either extremely highly ornamental and valuable if the book was treated as a relic, or very rough

and plain if the book was merely for the library. If only the original bindings were remaining on the *Book of Deer* or Queen Margaret's Gospel book! This latter book was itself preserved by a miracle, but the age of miracles is past, and the binding is gone.

If James I. had not died so inopportunately and thus prevented Aeneas Sylvius from going book hunting in Iona in search of the lost books of Livy, he might have returned with some volumes from that lost library, for he was not above using his high position to obtain presents of books. It is, however, useless to regret what is lost, rather make the most of what remains.

The most remarkable specimen of Scottish fifteenth century binding in existence, was described by Mr. Stevenson in the *Scottish Antiquary* (vol. xvi. pp. 133-9), and also in the *Proceedings of the Edinburgh Bibliographical Society*. It is on a manuscript work on chivalry, translated, in 1456, from the French, by Sir Gilbert Hay at Roslyn and now in the library at Abbotsford. The binding is of brown calf, elaborately ornamented with designs built up from no less than thirty-three separate dies. The main design is a large parallelogram formed by lines, the portion inside the frame thus formed being filled with ornament. The centre panel is made up with small stamps representing the apostles, many used more than once. But the great importance of the binding, apart from its ornamental excellence, is the inscription made up by three dies, 'Patricius lowes me ligavit.' The use of these stamps shows that he was a professional binder, and a Patrick de Lowis was a burgess and had a house in Edinburgh between 1447 and 1466.

Another Scottish binding is on a volume containing some early printed books in the University Library, Cambridge. It is of stout black leather and the sides are divided by crossed lines into diamond-shaped compartments in each of which a conventional flower is stamped. The book belonged in 1475 to a certain Henry Barry, rector of Collace, and was by him given to the monastery at Dundee. This monastery which was founded in the fifteenth century was destroyed by the English in 1548. Later on it belonged to Sir Walter Ogilvy of Dunlugus and contains other Scottish names. It was described in the *Proceedings of the Edinburgh Bibliographical Society* by the Cambridge University librarian. On a copy of

part of the works of Aristotle, printed at Paris by W. Hopyl in 1501, in the University Library, St. Andrews, is a contemporary stamped binding almost certainly Scottish. The sides and back of the book are ornamented with small rough tools, while in the centre of each side is a small panel, about $3\frac{1}{2}$ by $2\frac{3}{4}$ inches, depicting the Crucifixion, with two women standing at the foot of the cross. The work is much simpler in style than is usual in such panels and the lines of the drapery are well designed and deeply cut. There is not, unfortunately, any binder's name or mark, but the similarity of the colour and texture of the leather, and of the shapes and designs of the small tools to what we find in other Scottish bindings, as well as the language and writing of the manuscript used to line the boards, all point to this being a genuine example of a native panel-stamped binding.

An interesting series of bindings, some perhaps of Scottish work, are preserved in the library of the Athenaeum Club, Liverpool. They are on a number of large legal folios, some containing two or even three volumes bound together. Their history is interesting, for they formed part of the loot carried off from Edinburgh after the capture of the city by the English in 1543. In most of the volumes is the following inscription: 'M^d y^t Edynborow was wone ye viiith daye off maye in año xxxvj. H. viii. et año dñi M^occcc^oxl^{iij}^o and y^t y^{is} Boke de decretales maximi was gottȳ and brough awaye from Edynborro forsaide by me Willm Norres of ye speike knyght ye xj daye of maye in año sup'dit & now is ye Boke of me ye fouresaid sir Willm geuē and left by me for a nayreloume to remayne at speike in wittenes of ye same I have wretȳ ye same w^t my none honde & subsc'bed my name. p me Willm Norres milit.'

What induced the worthy knight to loot immense volumes of *Panormitanus on the Decretals* and *Bartolus on the Digests* is a matter for wonder.

A number of the volumes belonged originally to Patrick Paniter, Abbot of Cambuskenneth. They bear the inscription, 'Liber magistri patricii paniter secretarii regii, oratoris lepidissimi,' which he could hardly have written himself. The volumes are generally reputed to have been taken from Holyrood, but as a Bible belonging to Alexander Mylne, Abbot of Cambuskenneth, to be noticed later, was part of the plunder, it would rather seem as though they were taken

from some house connected with Cambuskenneth, probably the Abbot's official residence in Edinburgh. The volumes remained in the Library of Speke Hall, near Liverpool, until the estate came into the hands of Topham Beauclerk, Johnson's friend, who sold the contents of the Hall about 1777. They were bought by a Liverpool solicitor, Henry Brown, and at his sale in 1825 by the Athenaeum. Though the volumes have suffered severely from former neglect, the greater portion of the original bindings remain. More recently they have suffered in another way, by being patched and repaired, and, as is usual in such cases, have been given new linings and fly-leaves, and every trace of original lining or inscriptions destroyed.

The following is a list of the books, which are all large folio :

- Bartolus super, pp. 1, 2. Codicis. B. de Tortis. Venice, 1499.
 Bartolus super, pp. 1, 2. Digest. Vet. B. de Tortis. Venice, 1499.
 Bartolus super, pp. 1, 2. Infortiati. B. de Tortis. Venice, 1499-1500.
 Sandeus in Decretales. J. Sacon for J. Maillet. Lyons, 1500.
 Justinianus. Digestum. J. Sibert. Lyons, 1500.
 Bartolus super Digest Novo. [Venice, 1500.]
 Panormitanus sup. libb. Decretalium. 4 vols. N. de Benedictis. Lyons, 1500-01.
 Justiniani Codex. Gering & Rembolt. Paris, 1505.
 Gratiani Decretum. F. Fradin. Lyons, 1533.
 Gregorii Decretum. F. Fradin. Lyons, 1533.
 { Libri sex decretalium. }
 { Clementine. } F. Fradin. Lyons, 1535.
 { Extravagantes Joannis. }

All these volumes are bound in dark calf ornamented with small dies, and I should consider all, with the exception of the four volumes of Bartolus, to have been bound abroad. These four volumes have no distinctive foreign dies or marks about them, but with the little knowledge we at present possess about Scottish bindings, they cannot be definitely pronounced Scottish. The tools used seem more clumsy and coarser than are found on foreign work, but have no individuality. The only large die which might be useful as giving a clue is one about an inch in height, diamond-shaped, containing the figure of a bird with outstretched wings (?eagle) and the name on a ribbon below Johannes. This occurs on the undated Bartolus, the only binding of which it can be said with certainty that it was not produced abroad.

There must have been plenty of binders in Edinburgh at this time. William Bonkill received in 1501 the sum of £6. 13s. 4d. for binding twenty-five volumes for the royal library. David Traill is also several times mentioned in the Lord High Treasurer's accounts as binding books for the king. At that time all stationers appear to have been book-binders as well, and it is clear from several of the documents relating to the introduction and practice of the art of printing in Scotland that they were at that time numerous.

In Scotland the custom of putting marks of ownership on bindings began at a very early date. The earliest example which I have yet seen is on a book in my own collection, a copy of the *Institutes* of Justinian printed at Venice by John Hertzog in 1494. The binding, which is contemporary, is of brown calf, apparently of English or Scottish work, and at the top of the obverse cover is the impression of a stamp with the name in Gothic letter 'Auchinleck.' The background to the lettering has originally been decorated with water gilding, now almost disappeared. The stamp is certainly almost as old as the binding, and I am inclined to consider it as the ownership mark of the old family of Auchinleck of Auchinleck, who were the owners of the property before it came into the hands of the Boswells in 1504.

The earliest dated Scottish binding which I have seen was originally in the library of Alexander Mylne, Abbot of Cambuskenneth. He was the son of John Mylne, master-mason to the crown of Scotland, and was educated at St. Andrews, where he graduated in 1494. In 1517 he was appointed Abbot of Cambuskenneth and also master-mason to James V. In 1532 the king instituted the Court of Session as the central and supreme civil court for Scotland, and it was arranged that the president should be an ecclesiastic. Mylne presided over this court until his death in 1548, and was succeeded on February 24, 1549, by Robert Reid, bishop of Orkney. Mylne was a man of very great ability who did much to encourage learning, especially in theology, and he was the author of a history of the bishops of Dunkeld.

The book from his library is a copy of the Latin Bible printed by Stephanus at Paris in 1532. It is bound in dark calf, but has been rebaked. The binding is very plain, a centre panel formed by a narrow roll, with a small gilt ornament at each corner. Down the centre of the two sides

runs the inscription: R. P. ALLEX. ABB. CAMBUSKENNET
VICECANCELLARI. REG. SCOTO, and at the head on each side is
the date M.D.XXXIII.

This book like the others mentioned above formed part of
the loot carried off from Edinburgh by Sir William Norris
of Speke. It was found about 1853 in an old cottage at
Childwall, near Liverpool, on property belonging to the
Marquess of Salisbury. By him it was generously gifted
to the library of the Athenaeum Club, Liverpool, where
the rest of the Edinburgh volumes are preserved.

The earliest armorial binding I have yet seen is one
produced for William Stewart, bishop of Aberdeen, who died
in 1545. It is on a copy of *Cicero* printed by Hervagius at
Basle in 1534, in my own collection, and is of brown calf
with a broad blind tooled border round the side. The centre
panel, formed by plain lines, is decorated at each corner
with a large fleur-de-lys in gold, and in the centre is the
bishop's armorial stamp, also in gold. This stamp, which is
circular, measures three and a half inches in diameter and
contains the bishop's arms in the centre, a fesse checky, over
all a bandlet engrailed, surmounted by a mitre and the
initials W.S. Round the whole is a very gracefully twisted
ribbon with the motto 'Exultabo in Iesu meo.' There is
nothing distinctive about the binding, which may well be
Scottish work, but the stamp shows the influence of French
taste. The relations at that time between France and Scotland
were very intimate, and large numbers of Frenchmen worked
in the eastern counties, so that the stamp may have been cut
in Aberdeen or obtained by the bishop during one of his
visits to France.

The example set by Bishop Stewart was soon followed, and
in 1550 we come to the first dated armorial stamp, one of
an interesting series. It is that of Henry Sinclair, dean of
Glasgow and bishop of Ross, born in 1508. He was the
second son of Sir Oliver Sinclair of Roslin. In 1550 he
became dean of Glasgow and in August of the same year
went to France, where he remained for some time. He was
consecrated bishop of Ross in 1560, returned to France in
1564, and died there the year following.

The stamp, which is oval in shape, contains his arms,
a cross engrailed with the motto below

ANEXOY KAI ANEXOY.

Round the whole runs the inscription, 'Henricus Sinclar Decanus Glasguensis. 1550.'

In 1552 we find two more stamps, those of William Gordon, Bishop of Aberdeen, and James Beaton, Archbishop of Glasgow. The former was the fourth son of Alexander Gordon, third Earl of Huntley, and was educated at Aberdeen and Paris. On taking orders he was made Chancellor of Moray, and in 1546 was consecrated bishop of Aberdeen in succession to William Stewart. In the autumn of 1552 he was in Paris on public business. He died in 1577. His stamp, which is oval, contains a shield with his arms: (1) three boars' heads, (2) three lions' heads, (3) three crescents, (4) three cinquefoils. Above the shield is a mitre, and below, on a waving ribbon, the motto 'Sustine.'

Round all is the legend:

'GVILLIELMVS GORDONE EPIΣKOPHVS ABERDONENSIS 1552.'

James Beaton, Archbishop of Glasgow, was the second son of John Bethune of Balfour, and was born in 1517. He was consecrated archbishop in 1552. He was educated in France, and paid it frequent visits. In 1570 he retired to France, taking with him the muniments and treasures of his diocese. He died in 1603 and left all his fortune and manuscripts to the Scots College at Paris. These valuable documents were removed to St. Omer at the outbreak of the Revolution, and have since been lost sight of. His book-stamp contains his arms, 1st and 4th a fesse between two lozenges or mascles (for Bethune), 2nd and 3rd a chevron (for Balfour?).

Below is the motto, Ferendum ut vincas, and round all the inscription:

'JACOBVS A BETOVN ARCHIEPISCOPVS GLASGVENSIS 1552.'

Next in order comes Andrew Durie, bishop of Galloway. He was a son of John Durie of Durie in Fife, and was made abbot of Melrose in 1526. In 1541 he was recommended for the See of Galloway, and in 1550 accompanied the Queen Regent to France. He died in Edinburgh in 1558 from a shock occasioned by a riot when the Protestants broke up the procession in honour of St. Giles. His oval stamp contains his arms, a chevron between three crescents on a shield surmounted by a mitre; below on a ribbon is the motto 'Adveniat,' and round all the inscription:

'ANDREAS DVRII EPISCOPVS CANDIDECASE 1554.'

The last dated stamp in this series is that of Robert Reid, bishop of Orkney. He was a son of John Reid of Aikenhead, and was educated at St. Andrews. In 1528 he was made abbot of Kinloss, and in 1541 bishop of Orkney. In 1549 he succeeded Alexander Mylne as president of the Court of Session. In 1558 he was sent to the court of France, but died at Dieppe in September of that year. He built in 1538 the library of the abbey of Kinloss, and bequeathed eight thousand marks for the founding of a college in Edinburgh.

His stamp consists of a shield surmounted by a mitre, bearing his arms, a stag's head, couped. Below is the motto 'Moderate,' and round all the inscription:

'ROBERTVS REID EPVS ORCHADEN ET ABBAS A KYNLOS 1558.'

This stamp is reproduced in Stuart's *Records of the Monastery of Kinloss*.

One other stamp, of the same style and period as the last five, is without date. It is that of Archibald Craufurd, canon of Glasgow. In the centre is a shield with the arms, a fesse ermine, in base a fleur-de-lys, below on a ribbon the motto ΕΚΩΝ ΚΑΚΟΠΙΑΘΩ, and round all the inscription:

'ARCHIBALDVΣ CRAVFVRD CANONICVS GLASGVE.'

These six stamps are all very similar in style and appearance, and might almost be considered the work of one hand. It will be noticed that the dates of these stamps generally coincide with the period of a visit of their owners to France, and it may be that these dies were engraved for them in Paris. They do not, however, resemble in any way any Continental examples, nor do we find dated stamps used so early abroad. Their oval shape and small size gives them a great resemblance to the ordinary Episcopal seals, from which it is quite likely that they were copied. All these six examples I found on books in the St. Andrews University Library, but it seems that the use of these stamps was popular, and a search through other libraries may probably bring other examples to light.

Adam Bothwell, bishop of Orkney, had a book-stamp, which may be in this style, though slightly later. I have not yet been able to come across an example.

The bindings produced for Mary Queen of Scots are of the very greatest rarity, and as might be expected are mostly of French workmanship. One, belonging to Lord Rosebery,

on a copy of Paradin's *Chronique de Savoye*, is of plain calf with a panel made by a blind-tooled roll. Her arms are in the centre, and the crowned M occurs on the sides and back. The *Ptolemy* of 1490, mentioned in the inventory of 1569, is now in the British Museum. This beautiful book is in olive morocco, richly decorated, with the combined monogram of Francis II. and Mary. A special monograph on this binding with a facsimile was issued by the Bibliographical Society in 1901. An undoubted Scottish specimen of her binding is preserved in the British Museum. It is on a copy of the 'Black Acts,' printed at Edinburgh by Robert Lekprevik in 1566, and is of dark brown calf. Each side has a deep, richly gilt border enclosing the arms of the Queen. These have been at one time coloured, the arms in red, the unicorn supporters in white, but the paint has been mostly rubbed away. Below the shield hangs the order of St. Andrew, and above all, on a ribbon, the motto 'In defens.' At the sides, on small ribbons, are the words 'Maria Regina.' The design is an exact copy of the woodcut on the title page, which was first used by Thomas Davidson in his edition of the *New Actis* of 1540.

Another collector whose bindings show evidence of great taste was Mary's brother, James Stewart, but, as with Mary's, the majority were probably executed in France. The sides have generally the Lion of Scotland stamped in the centre of the sides, surrounded by a wreath of most delicate design. The name Jacobus Steward is also stamped on the sides, with the letters below C.P.S. (custos privati sigilli), accompanied by the motto SALVS PER XPM, or in some cases IN SPE CONTRA SPEM, with the initials I.S.

James VI. was a liberal patron of bookbinders, and in July, 1581, appointed John Gibson as Royal bookbinder with a yearly salary of £20 Scots. A bill for binding books for the king sent in by Gibson in October, 1580, affords some clue to style and prices. Octavos, 'gilt,' presumably bound in calf, cost ten shillings, and the cheapest as well as most frequently used binding was parchment, which cost for an octavo three shillings. Vellum was a favourite binding, a fashion probably introduced from Holland. The few specimens that remain from the library of William Ramsay show that he was a lover of fine bindings. He was the principal of St. Salvator's College in St. Andrews from 1566 to 1570,

and some of his books are on the shelves of the University Library. In some ways the work done for him is very similar to that done for the famous collector Marc Lauwrin of Watervliet, near Bruges. Both admired delicate Renaissance designs, very graceful but perfectly simple, and used very sparingly. Both too placed their names on the covers, Ramsay in the form of Gulielmus Ramasaeus or Guliel. Ramusius. One of his bindings has an ornament worked out in black enamel or paint, the design on another is tooled in silver. A little die with the head of Dido is also found. Why Dido should have been so popular with bookbinders is not easy to explain, but she is found on bindings by Berthelet, on some made for Sir Thomas Wotton, on the beautiful vellum copy of Boece's *Chronicles* bound for James V., now in the library of Mr. J. Pierpont Morgan, and on other miscellaneous bindings. This binding of James V. is a remarkably rich and highly ornamented piece of work which a recent writer rather daringly describes as 'purely Scottish,' though he qualifies the assertion by adding 'although the tools for doing it must have been procured in France, or from Italy through France.' It is worth noting that another copy of the *Chronicles*, on vellum, now in the library of Ham House, has also the King's name stamped upon the binding.

Two Nicolsons, apparently father and son, appear to have been great collectors. James, the earlier, was a notary who flourished in the second half of the sixteenth century. A copy of Beza's *Tractationes Theologicae*, Geneva, 1573, in my collection, belonged to him. It is in the original Scottish binding, blind-tooled, with a broad handsome roll. On the fly-leaf are the inscriptions: 'Empt 15 sh.'; 'Ex libris Jacobi Nicolaidis'; 'Principium sapientiæ timor domini'; and lower down, in the same hand, but later, 'Non est mortale quod opto,' a motto found also stamped on the bindings of the great collector Paul Petau.

On the title-page is the autograph of Thomas Nicolson, and his motto, 'Pacem Jehovah negat impiis.' At the foot of the page is his printed book-plate with the inscription, surrounded by a border of type ornament:

MR THOMAS NICOLSON

COM. 1610. ABD.

This is apparently the earliest genuine dated Scottish book-plate, and if produced in Aberdeen, as seems probable, is the earliest dated specimen of printing in that town. Another book in my collection, And. Tiraquellus, *De legibus connubialibus*, Lyons, 1560, has also on the title-page his name, motto, and book-plate. The binding is of brown calf, with a little gilt ornament, and in the centre of each cover, Nicolson's book-stamp in gold. In the centre, between the initials M.T.N., is a shield with his arms, presumably a lion's head between three birds' heads (falcons). Below the shield are the words 'Com. Abd.,' and round all the motto 'Pacem Jehovah negat impiis.' Of this stamp he had two varieties, a small one about an inch and a half high, and a second about double the size.

This Thomas Nicolson was 'commissarius' of Aberdeen up to at least 1615, and is probably identical with the professor of Civil Law at Aberdeen of the same name in 1619. In 1622 he purchased the estate of Cockburnspath, near Edinburgh, which was inherited by his son James in 1625.

When his library was dispersed is not known. The first of the books mentioned above contains the autographs 'Strathmore' and 'Lady Grisall Lyon,' and the book-plate of the Right Hon^{ble}. John Earl of Strathmore, while the initials I.L. are stamped in gold on the covers. The second book has on the back of the title-page the book-plate of 'The Hon^{ble} S^r Andrew Hume. 1707.'

A very neat small stamp occurring on bindings of the early seventeenth century is that of T. Henrison. It is oval in shape, a coat of arms in the centre; three piles issuant from the dexter, on the sinister side a cinquefoil; a chief divided per fesse, and in the lower half thereof a crescent between two ermine spots.

The initials T.H. are at each side and a helmet above. Round all runs the motto 'Quid retribuam Domino. Henrison.' This I take to be the device of Thomas Henrison, son of the famous Scottish judge Edward Henrison, and his wife Helen Swinton. He became a Lord of Session in June, 1622, as Lord Chesters, and was knighted. In 1633 he was a commissioner for revising the laws and collecting local customs. In 1637 he resigned his appointments, and died 3rd February, 1638. Henrison appears to have been a benefactor to the library of the University of St. Andrews, where a number of

his books are preserved, though some are scattered. This custom of stamping arms on plain bindings became very widespread during the seventeenth century, and no doubt a careful search would bring many to light. Sir Robert Kerr, afterwards Lord Ancrum, a man of considerable literary taste and ability, and a friend of Drummond of Hawthornden and John Donne, was in the habit of having his bindings so ornamented.

Sir William Bruce of Kinross, architect to Charles II. and restorer of Holyrood, was second son of Robert Bruce of Blairhall, and was born early in the seventeenth century. He appears to have been a book-collector, as his arms are found on a number of bindings. Many of the coats-of-arms, crests or badges found on bindings of this period are exceedingly difficult to identify absolutely, or to allocate to particular members of a family. It is a matter for regret that no one has yet been found to do for the United Kingdom what M. Guigard has done for France by the publication of his invaluable work, the *Armorial du Bibliophile*. In it he gives a reproduction of every known French armorial stamp, with a short notice of the more important collectors and a note on their libraries. The want of such a guide has long been felt in England, and though several people have been at work collecting material for a considerable number of years, nothing has hitherto resulted. The number, variety and historical interest of native bindings of this class, would come as a great surprise to all collectors who have not studied the subject very intimately, or visited many of the older libraries.

It is probable that when more attention has been paid to the bindings of the books in the older Scottish libraries, and the subject more carefully studied, we may be able with some accuracy to fix on distinctive marks, in workmanship and in decoration, which will enable us to separate Scottish work from all other. There was not, as in England after 1534, any law prohibiting the importation of bound books, so that the native binder would have much less work at any rate in the earlier period. A glance, however, through the notes on printers and stationers appended to Mr. Aldis' 'List of books printed in Scotland before 1700,' shows that binders were numerous; even Perth had its own bookbinder, William Lauder, as early as 1591. When so much was produced, a certain amount must still be preserved, and all this needs to

be examined. In the case of old collections, whether public or private, it often happens that accounts of payments for binding have been preserved, and by their means the work of individual binders can be determined. In this manner Mr. Gibson was able to identify the work of all the binders employed by the Bodleian from its foundation, and allocate their work at a glance.

The last years of the seventeenth century saw an entire change come over Scottish binding, and when the Act of Union was passed there was firmly established in Scotland one of the most distinctive schools of binding that has ever existed. Crude perhaps in design and often careless in detail, the general effect is very rich. The leather used was excellent both in texture and colour, and the gilding well applied. There was perhaps too much gilding, but this was a natural reaction from earlier severity, and the result is effective. This work, however, is beyond the scope of the present article.

E. GORDON DUFF.

The Roman Fort at Newstead

Traces of Successive Occupations

IN the majority of Roman forts which have been excavated there are signs of change and alteration, foundations of abandoned buildings, traces of older occupations. To unravel the meaning of these changes, to penetrate the story of advance and retreat which they suggest is a fascinating problem. At an early stage of the work at Newstead it was noted that at least two occupations had to be dealt with. The foundations of the long buildings in the south-west angle of the fort lying on disturbed soil gave the first indication; the discovery of the early ditch lying beneath the clay rampart of the later occupation confirmed it. It was only, however, when the central buildings came to be dealt with that alterations were noted which pointed to three, and possibly four, reconstructions of the fort, each of which suggested a distinct period of occupation.

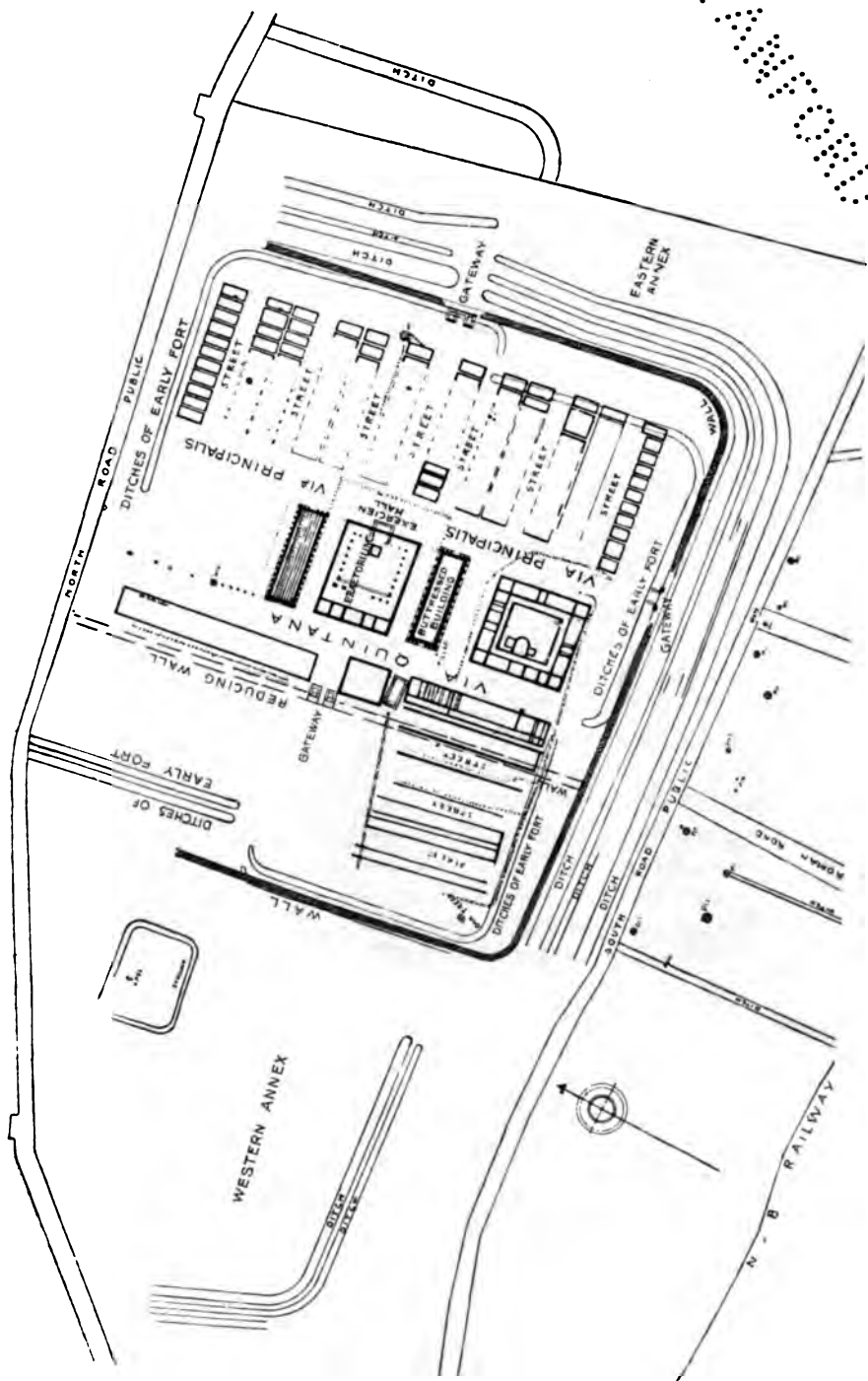
The Newstead fort was of the usual rectangular form, greater in length than in breadth. It was cut into two unequal portions by the *Via Principalis*, the main street running north and south, which in the latest period of the occupation so divided the area that roughly one-third of the whole extent lay to the east and two-thirds to the west. The general scheme of the ground-plan appears to have been to allot two-thirds of the area to barracks or workshops, and one-third to stores and administrative buildings. The latter occupied the middle section of the fort, and in the centre stood the building commonly known as the *Praetorium*, entering from the *Via Principalis* and facing the east. This building was of the normal type. It consisted of an outer courtyard with an ambulatory on three sides, and an inner courtyard, entering from which, and placed against the west or back wall of the building, were five

chambers. On this building there were alterations which undoubtedly belonged to a later date, suggesting two periods of occupation. There had been thrown over the *Via Principalis* in front, a long building or hall, a feature common in the German *Limes* forts, and known in these as an 'Exerzierhalle.' That this was of later date was shown by the shallowness of its foundations, which lay at a higher level than those of the main building. There had also been constructed a treasure vault in the central of the five chambers. Such vaults have been noted as later additions at *Cilurnum*, at *Aesica*, and at *Butzbach* in Germany. It was plainly a late addition here. It was inserted into the floor in irregular fashion. Its foundations were lower than those of the chamber, and in laying them the cobble foundations of the main walls had been laid bare.

In its clay floor were remains of older material, a roofing tile, the upper stone of a quern, and the handle of an amphora with the stamp *SER-B*. Further, the wall dividing the outer from the inner court lay on disturbed soil, and the position of the pillars of the outer court on the south side showed signs of alteration. It seemed quite plain that we had here two distinct occupations, in both of which the building had been entered from the same main street on the east.

To neither of these occupations could the early system of ditches belong. Not only did the ramparts of later occupations lie above them, but the barrack buildings at the east were built over them. The entrances of the earliest fort are distinguished from the later gates by a curious adaptation of the *clavicula*, specimens of which may be seen in the plans of some of Caesar's forts in Gaul, and in the recently excavated fort at *Kneblinghausen* in Germany. The south gate of this earliest fort lay almost at the end of the later *Via Quintana*, the street, which running parallel to the *Via Principalis*, crossed the fort immediately to the west of the *Praetorium*. We were thus in possession of distinct evidence of three occupations, but so far no evidence was forthcoming to show why, in strengthening the fortifications, the line of the early entrance to the south had been abandoned, and the line of the *Via Principalis* moved further to the east.

The first definite evidence of four occupations was obtained in the excavation of the gates on the south side. At the end of the *Via Principalis* it was found that the ditches had



PLAN OF THE ROMAN MILITARY STATION AT NEWSTEAD.
By Mr. Thomas Ross, Architect.



been filled in with river stones to allow the road to pass over them. In the large inner ditch nine feet of black silt lay below the cobbles. It was clear from this that at an earlier period the ditch at this point must have been open, and that it must either have been crossed by a drawbridge, or there existed elsewhere another entrance in substitution for which the road had been formed by filling up the ditch. As two occupations had evidently used the *Via Principalis*, and consequently crossed the ditches at this point, this earlier entrance, if it existed, must have marked an occupation intervening between the earliest with its clavicular gateways, and the two later occupations, an occupation in which the great strengthening of the defences had taken place, and in which the road doubtless passed out on solid ground. Careful search revealed no trace of a drawbridge, but an examination of the ground at the south end of the *Via Quintana* brought to light the heavy bottoming of a road crossing the early ditch and passing beneath the rampart, but which disappeared above the later ditches. Here then was the position of the earlier gateway we were in search of. It was indeed natural that it should be so, as the main road from the south in the earliest occupation had entered almost at this point. The disappearance of the road over the later ditches proved that with the formation of the gate at the end of the *Via Principalis* this gate had been closed and the ditches carried through the roadway. The position of the earlier gate was further confirmed by the examination of the double ditches surrounding the annex to the south. Here the road from the *Via Quintana* passed out on solid ground, the ditches stopping on either side, while the road from the *Via Principalis* was carried over ditches which had been filled up with river stones. It was thus apparent that after the abandonment of the earliest fort there came a second occupation in which the *Via Principalis* ran on the line of the later *Quintana*.

The general plan of a Roman fort was laid out on certain well-recognized lines. In every rectangular fort of the type of Newstead there were at least four gates, one on each side. The position of these gates governed the position of the buildings in the interior. The *Praetorium* was placed as near as possible to the centre. It stood midway between two of the gates, facing one of them. The road traversing the fort between the two remaining gates passed in front of it. An exception to

this rule occurs in the fort at South Shields, but there is no reason to suppose that there, the position of the *Prætorium* is due to an enlargement of the fort in which the gates had been altered and the building left in its old position.

Now, if we apply this rule to the second occupation at Newstead, the line of road traversing the fort from north to south makes it practically certain that the central building, in order to occupy its usual position, must have faced the west, following no doubt in this the position of the same building in the earliest occupation. The strong buttressed building lying immediately to the south of the *Prætorium* faced the west. It was a well-built structure, showing no signs of reconstruction. The level of the roads at either end seems to have risen against it, indicating that it belonged to an early period. It did not, however, belong to the earliest occupation of all, as the walls of a large building were found just beneath it. These walls corresponded in alignment and method of construction with early walls lying at the east end of the *Prætorium*, and which had been cut through in laying its foundations. It is probable that these early walls belonged to the first occupation of the fort, the central buildings of which faced the west; that the south buttressed building belonged to the second occupation, and with the *Prætorium* had faced the west in that occupation, but that in the third and fourth occupations the latter had been reversed, probably without any alteration of the foundations of its main wall. In connection with this change the position of the small square building in the outer courtyard of the *Prætorium* is of importance. It did not appear to belong to the last occupation, and it is not impossible that it formed the *Sacellum* during the second occupation.

Nothing as yet had emerged to give a reason for the change of the ground plan indicated above. A fortunate discovery, however, threw light upon the question. In endeavouring to clear up some details of the barrack buildings on the west side of the fort excavated in 1905, the foundations of a heavy wall, six feet in thickness, were met with, running north and south, parallel to and about seventy feet from the west side of the *Via Quintana*. The foundation was of river stone bedded in clay two feet deep, on which at one part lay a course of heavy blocks of hammer-dressed sandstone. A well-built drain running to the west was found passing out beneath

it. Tracing the wall to the line of the main road issuing to the west, the foundations of two guard chambers were discovered. Of these nothing but the cobble foundations remained, but they must have been of great strength, especially in front, where they projected beyond the line of the wall. The road passing out between them was nine feet in width. No ditch was found in front of the wall. The purpose for which it had been erected was evidently to cut off a portion of the area of the fort. This area is the lowest and wettest portion, and the black, peaty matter which lies over it would suggest that at one time it was flooded. In extent it measures about one-third of the whole area, and its abandonment would appear to indicate a definite period of occupation. With the reduction in the size of the fort the existing lines of road were not in accordance with the recognised plan. The street, which was the earlier *Via Principalis*, no longer formed the central artery of communication, and a *Praetorium* facing the west, with its entrance close to the new western gate, was no longer in its proper central position. The position of the north and south gates must therefore have been altered to the east, and with them the line of the *Via Principalis*; and we may safely infer that with this change of gates the *Praetorium* underwent alteration and was turned round.

As already noted the alterations of the *Praetorium* had convinced us that the building had during two occupations faced the east. The discovery of the wall reducing the size of the fort gave further confirmation to this opinion, as not only were its gate towers buried beneath the gravel road of the last occupation, but buildings and drains evidently of later construction lay in the area which had been formerly abandoned.

The method of foundation employed in the later occupations lent itself to reconstruction on the old lines. A trench was carried down to the subsoil, and in it large river stones were laid in puddled clay. This formed a base indestructible by fire or weather, and, provided the outline and size of the building remained the same, it might be used for several rebuildings. Unfortunately, at Newstead the demolition has been so complete that doorways, with a single exception, were entirely obliterated, and with them many details which would have rendered it more easy to follow the various reconstructions. The north buttressed building appeared to be an example of this rebuilding on an old foundation. Below lay the heavy

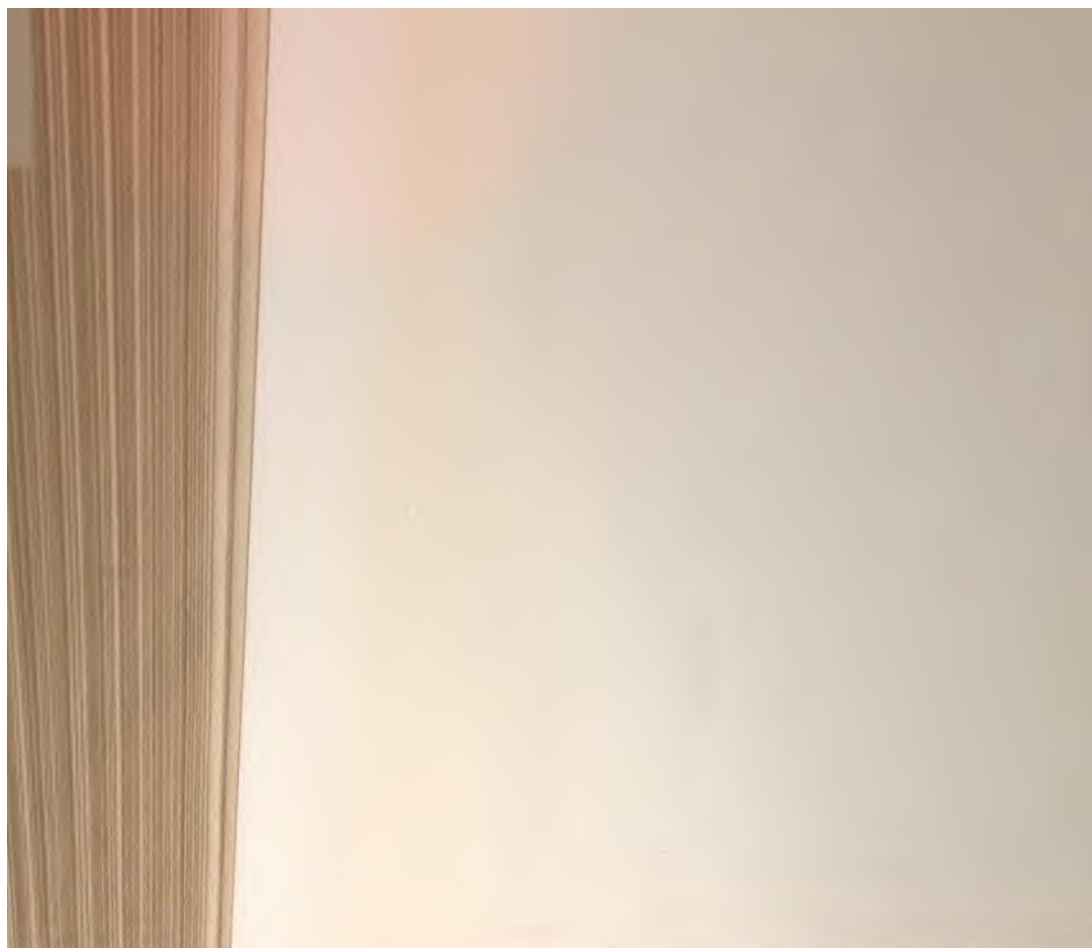
blocks of river stone embedded in clay, above them inferior masonry, in which lay a broken Andernach quern stone, bricks, and other old material. It was interesting to compare this with the remains of the south buttressed building, in which, although the foundations were the same, the superstructure was of well-built hammer-dressed sandstone. No doubt the size of these storehouse buildings was proportionate to the extent of the fort. It is probable that both were erected in the second occupation, but that with the restriction of area of the third occupation the northern building was dismantled, to be again rebuilt when the size of the fort was once more increased. The retention of the south building is easy to understand, it would lie nearer to cultivated ground, for we may assume on the fertile slopes to the south patches of corn in the clearings, and to the highway that linked the garrison to civilization and to Rome.

The several phases of occupation at Newstead would thus appear to have been—*First*, a fort with an earthen rampart, probably strengthened by a palisade defended by a single ditch, except along the west front, where the ditches were doubled. *Second*, an occupation characterised by a slight increase of area and greatly increased strength, fortified by a rampart and triple ditches. Whether a wall formed part of the defence in this occupation is uncertain. *Third*, an occupation marked by a restriction of the size of the fort and the construction of the wall parallel to the Via Quintana. And *Fourth*, a return to the area of the second occupation, in which the fort was surrounded by a rampart faced with a wall seven feet six inches thick, and triple ditches.

To the west of the fort lies a fortified annex, which has been partly investigated. It would be unwise to draw definite conclusions from the amount of work that has so far been done upon it. There are, however, indications that it may confirm the results obtained in the main area. Its ditches appear to have no connection with the ditches of the first occupation of the fort, but its single block of buildings would appear to show evidence of different periods of occupation. In the first of these the building was of great size, about 300 feet in length. At a subsequent period the annex was very materially reduced in extent, a ditch cutting the building in two, and a structure appears to have been raised over the portion nearest the fort, thus corresponding with the restriction of the third occupation.



IRON HELMET WITH IRON FACE MASK



It is to be regretted that little has been found which enables us to fix with any certainty the limits of the various periods of occupation of the fort. With the exception of the dedication to Jupiter by a centurion of the XXth Legion on the altar found in the Praetorium, the inscriptions are but tantalizing fragments which tell us nothing. Two points in its history may, however, even now be given with some certainty. The fort was occupied in the first century, and in all probability formed a stage in the advance of Agricola into the north. The latest occupation did not extend beyond the limits of the second century. For proof of these conclusions we must rely upon the finds of coins and pottery. The ditches of the earliest fort belonged only to one period. At the close of that period they were for the most part sealed up by the later ramparts placed above them. It followed then that the relics which they contained could not belong to any period later than the commencement of the second occupation. Portions of this ditch have been cleared out and more remains to be done. The objects recovered from it are not very numerous, but they are sufficiently suggestive. They consist of a bronze stylus, a fibula, the handle of a bronze jug, five coins, some glass and pottery, and a human skull. Of the coins, one dates from Vespasian, one belongs to either Vespasian or Titus, and two to Domitian; the latest in date of these was struck in the year 86 A.D. A coin of Titus was found in the clay filling above the ditch.

The pottery represented fragments of some twenty-five to thirty vessels, for the most part of Samian ware, thin and hard baked, of a dark red colour, with a bright glaze. The only decorated bowl approaching completeness was one of the type known to archaeologists as number 30 in the classification of Dragendorff. Below the usual egg and dart moulding run a series of panels in the form of arches. The designs which fill these are alternately an eagle standing over a hare, with lines of arrow points below it, and a draped female figure walking to the left. Her chin is supported by her right hand, while her left supports her elbow. In front of her rises a conventional tree. The figure is identified by Déchelette in his *Vases céramiques ornés de la Gaule Romaine* as a figure of Penelope. It has been found at Cabeza del Griego, Spain, on a bowl made at La Graufesenque, and I have noted it on fragments from Montans in the museum of Toulouse. The eagle also

appears to be a design from La Graufesenque. Most of the remaining decorated fragments can be identified as emanating from the same pottery, and among the undecorated pottery, both of Samian and coarser wares, there are types which are to be met with in the early fort of Hofheim near Wiesbaden, the abandonment of which has been fixed about the year A.D. 60. I have not found any pottery which appears to belong to Lezoux, and it therefore seems probable that the undecorated Samian came from La Graufesenque. These facts would point to the abandonment of the ditch before the end of the first century. It is interesting to note as bearing upon the line of Agricola's route to the north that the collection of Samian ware obtained in the excavation of Birrens contains no early pieces. On the other hand, the early types were common at Camelon with later pottery. Both early and late occur at Ardoch, while the few fragments found at Inchtuthill, both of Samian and coarser ware, appear to belong without exception to the period of the first occupation of Newstead.

That the latest occupation cannot have been prolonged much beyond the end of the second century may be inferred from the series of coins found. These number about one hundred and fifty, and have been picked up, not in hoards, be it noted, but scattered up and down over the fort. The earliest coin is a denarius of Rome of the year 132 B.C. Next comes a coin of the Vibian family of 43 B.C., followed by a number of the legionary denarii of Mark Antony. The Imperial series begins with a single coin of Augustus, while from Nero to Marcus Aurelius the succession is almost complete, the earlier coins preponderating. The latest coin found is a denarius of Crispina, the wife of Commodus, 180-192 A.D.

JAMES CURLE.



BRONZE EWER, 11" IN HEIGHT



FOUR PIONEERS' AXES



Reviews of Books

A SHORT ACCOUNT OF THE AFFAIRS OF SCOTLAND IN THE YEARS 1744, 1745, 1746. By David, Lord Elcho. Printed from the Original Manuscript at Gosford, with a Memoir and Annotations by the Hon. Evan Charteris. Pp. x, 477. Demy 8vo. Edinburgh: David Douglas. 1907. 15s. nett.

AMONG the contributions that have been made to Jacobite literature in recent years, Lord Elcho's narrative is certainly the most interesting, and perhaps the most important. To some extent its contents are familiar; for Sir Walter Scott was privileged to use it for the narrative of the '45 in his *Tales of a Grandfather*, and to annotate his text with quotations from it. It has been reserved for Mr. Charteris to reveal the full interest of his kinsman's narrative. He has edited it with great care and judgment, and has appended a memoir of Lord Elcho, which is so full, so interesting, and so deftly composed, that its publication as a separate monograph would have been amply justified. It presents an interesting picture of the roving life on the Continent to which many of the unfortunate adherents of Prince Charles were condemned.

Elcho's first meeting with the Prince was at Paris in February, 1744. Charles had just arrived from Rome, in obedience to an invitation from Louis XV. to accompany the French expedition resolved upon tardily in the previous autumn. Charles was lodging in Lord Sempil's house. 'I found the Prince,' says Elcho, 'all alone in his chamber, drinking tea. He opened the door for me, and shut it himself, and seemed very uneasy.' Charles detailed his plans, and handed to Elcho a commission as Colonel of Dragoons in an army yet unrecruited. The battering of the French transports at Dunkirk, and the abandonment of the expedition (March, 1744), cheated Elcho of military adventure. He returned to Scotland, spent a convivial evening with the astute Andrew Fletcher, and disarmed suspicion by representing himself as an unwilling spectator of the recent preparations at Dunkirk, impatiently seeking a passage from a country which was meditating war against his own. As the guest of his brother-in-law, Sir James Steuart of Goodtrees, Elcho continued to be in touch with Jacobite intrigues, which Charles's presence in France had stimulated to fresh activity. In July, 1744, Elcho accompanied Murray of Broughton to the Continent, and took part in the military movements in the Low Countries, while Murray proceeded to Paris to interview Charles. In October, 1744, Murray and Elcho returned to Scotland with communications from Charles to his supporters, and founded the 'Buck Club' at Edinburgh to bring the party together. Whether Murray encouraged

and on knowledge of Charles's landing, the
nobles of the French court, as "understand-
ing men," though a majority of them
in Charles's favour, thought that to raise the
French troops and money from France would
be impossible. Charles gives a formidable
list of the men who were opposed to him. Charles, in
reply, was a master, and showed the chief
the most of his ring. He himself was, at
this dangerous time, a hazardous adventure.
Charles was never in doubt, and his coming was
a surprise to him yet, what about from it.

His first step, young Genghis—"Poodle!"
He was a man of his kind, represented every
man of the kind, a man of his kind, a man of his kind.
In June, 1795, Sir Hector Macleod
arrived with letters from Charles, announcing
his arrival. "It is possible all the noble and fortress
will be in his power!" "Every body," was
said at the time, and were determined what
all in their power to prevail upon him to go to
of Jean Charles extracted on board the "Da-
vid" in Port Louis, a little below Bontouff.
The "David" on July 25 he arrived at Bri-
mont, which is not supported elsewhere, the
net by a messenger from Macleod of St. as
advising him to abandon a "bad project," and the
"all the going back again to France, except Sir T.
the Prince himself seemed for it, but Sir Thomas

He joined Charles on September 16, the
day into Edinburgh. He was a wealthy and the
besides a thousand pounds of his own, he had a
guinea from his brother, and offered them to Ch-

'lay always in the Camp [at Duddingston] and never Strip'd. He used to come into town early and Assemble his Council; after that he dined with his principal officers in publick. After dinner he road out with his Guards and review'd his Army, Came back and sup'd in town, and after Supper went and Sleep'd in the Camp.' When in residence at Holyrood, Charles lived 'with Great Splendour and Magnificence,' dined in public before a crowd of spectators, and usually 'their was musick at Supper, and a ball afterwards.'

Of Prestonpans Elcho gives a clear and spirited account. He mentions the random and irresponsible shooting by the Highlanders on their march thither of all the ill-omened pigs and hares they encountered, of which they killed several 'to the great risk of Everybody that was near.' The somewhat complicated movement by which Lord George Murray converted his left of the previous day into his right as he descended to meet Cope, is explained by Elcho as 'done in order to Give the Macdonalds who were on the left the right.' The battle, says Elcho, confirming other accounts, 'did not last full a quarter of an hour.' 'The Prince,' he remarks, 'from this Battle entertained a mighty notion of the Highlanders, and ever after imagin'd they would beat four times their number of regular troops.' He formed an equally profound conviction 'That the regular troops would not fight against him, and that all England was in there hearts Convinced of his just right, and in consequence for him; so he thought that he had nothing to do but to appear and Succeed.' With such boundless optimism, based upon inexperience, Charles prepared to enter England.

Other prejudices weighed with Charles to render him impatient of the cautions which Lord George Murray and Elcho addressed to him against rash adventure. He had been brought up to regard 'the Hanover Family as Cruel Tyrants hated by every body, and only kept possession of the crown because they had enslaved the people; and that if he or any of his Family were ever to appear in Britain, that they would flock to him and Look upon him as their deliverer and help him to chase away the Usurpers family.' Hence 'it was no wonder,' Elcho comments, 'his Council sometimes differ'd from him in opinion.' In regard to the march into England, Charles was immovable: 'I find, gentlemen, you are for staying in Scotland and defending your Country, and I am resolved to Go to England,' he persisted after several debates. Elcho supports Lord George Murray in representing that the Cumberland-Lancashire route was a compromise between these extremes. The army that adventured it, according to Elcho's exact figures, numbered 4000 foot, 500 horse, and 13 cannon, the heaviest of the cannon being four-pounders.

Charles's reception at Manchester, the first encouragement he had received in England, confirmed him in the certainty of his success. 'His Conversation that Night at Table,' says Elcho, 'was, in what manner he should enter London, on horseback or a foot, and in what dress.' But Elcho confirms Maxwell of Kirkconnell's supposition that as early as at Manchester Lord George was anxious to retreat. 'The Principal officers of the Army,' Elcho writes, 'mett at Manchester, and

were of Opinion that now they had marched far and as they had received not the least Encouragement of distinction, the French not landed, and only [the] vagabonds, they had done their part; and to put a King upon the throne of England without was time to represent to the Prince to go back talking a great deal about it, it was determin'd that so neither the French nor the English might have had not marched far Enough into England to getment to Land and the other to join.' Five days on the morning following the army's arrival at [the] 'all the Commanders of Battalions and Squads Prince. Lord George told him that 'it was the present that the Scots had now done all that could. They had gone far enough to encourage the hearten the English Jacobites to action. But the force in England, and the English Jacobites not had not even held communication with them. In face of such apathy was madness. Suppose the Cumberland's army and the reserves on Finchley of the Affair would intirely depend upon the [the] for or against it, and that if the mob had been cause since his March into England, that to be in London would have fall'n upon some method. Know'n it, but if the Mob was against the Affair make a great figure in London.' Lord George's objects of the expedition: (1) to encourage the French (2) to join the French if they landed. The first French had already landed in Scotland. 'Certain 4500 Scots had never thought of putting a King on the Throne by themselves.' Elcho's account here is what is obviously the précis of Lord George's speech; it expands Lord George's own brief account. Restalrig's account (printed in Horne's *History*) is an own emphatic denial of the accuracy of that account to the arguments of Murray and others 'with fell into a passion, and gave most of the Gentlemen Abusive Language.' After twelve hours conversation sent for them, and told them he consented to the same time he told them that for the future Councils, for he would neither ask nor take the Accountable to nobody for his Actions, but to himself on the day after the retreat from Stirling, in February to his resolution.

The remainder of Elcho's narrative is not less less notice. Regarding the proposed stand at La Scotland, Elcho states that it was the proposal of [the] and that it was made among other reasons to test

Stoutness or Contradiction that made the Prince and his Irish favourites for Stopping in Every town.' Elcho states that Charles consented, and allowed Lord George 'to reconnoitre a field of Battle.' It is not clear from Elcho's narrative why the idea of giving battle to Cumberland at Lancaster was abandoned. The garrisoning of Carlisle, a senseless sacrifice of devoted men, naturally has Elcho's condemnation. It was 'done against the opinion almost of Everybody,' he remarks. Lord George Murray and Maxwell of Kirkconnell concur. Of the circumstances under which the retreat from Stirling was conducted Elcho is equally condemnatory. His narrative of Culloden and its preliminaries is full and vivid. Regarding Charles's unfortunate neglect to appoint a *rendezvous* in case of defeat, Elcho comments: 'The Prince was so far from thinking of retreating that he would have taken it much Amis if any body had doubted so far of a Victory as to have ask'd him where the army should rendezvous in Case of a defeat, and for the only reason of their [the enemy's] not daring to face their righteous [*sic*] Prince.'

There is no indication of the date when Elcho's narrative was composed. His relations with Charles in later years lay it under suspicion of bias. On the other hand, Charles's character as it unfolded itself in the dull days of inaction in Italy and elsewhere, offers no evidence that Elcho's picture of him in 1745-46 is other than shrewd and sound. Commenting on the Rising, Elcho remarks: 'What displeased the people of fashion was that he did not Seem to have the least Sense of what they had done for him, but on the contrary would often Say that they had done nothing but their duty as his fathers Subjects were bound to do.' After Culloden Charles 'neither Spoke to any of the Scots officers present, or inquired after any of the Absent, (nor at any of the preceding battles he never had inquired after any of the Wounded Officers). He . . . was so prepossess'd against the Scots, that he was Affraid they would give him up to make their peace with the Government . . . and he always believed it, Untill the fidelity of the Highlanders, Show'd him during the long time he was hid in their Country, Convinced him and every body else of the Contrary.' The letter of farewell to his followers, printed in Browne's *History of the Highlands* (vol. iii. 263), is well known. Elcho asserts that it was forged by Murray of Broughton and Sir Thomas Sheridan to appease the murmurs of faithful followers who had been unrewarded even with thanks for faithful and hazardous service. One would fain disbelieve Elcho; but there is nothing in Charles's later career to point the story as improbable.

C. SANFORD TERRY.

OFFICIAL GUIDE TO THE ABBEY-CHURCH, PALACE AND ENVIRONS OF HOLYROODHOUSE, with a Historical Sketch by the Right Hon. Sir Herbert Maxwell, Bart., F.R.S., LL.D., President of the Society of Antiquaries of Scotland. Compiled by direction of H.M. Office of Works. Pp. viii, 183. Post 8vo. Edinburgh: W. Blackwood & Sons. 1906. 6d. nett.

A GUIDE-BOOK by a writer of eminence is by no means unknown. Nevertheless it is a large step in advance when H.M. Office of Works

produces an Official Guide to a Scottish Royal direction, by the President of the Society of Hitherto we have been familiar with the almost grapher Royal, King's Limner, and Poet Laureate Antiquary. In no better hands might the Scottish Royal Palace have been placed than in Maxwell; and what may well be repeated in Royal Residences in the country has most fitly Abbey and Palace of Holyrood. The *Guide* gives graphic and other views and illustrations of the reasonably be expected in such a book; and ad accredited plans—of the ground floor and first floor of which distinguishes between the sixteenth and seventeenth foundations, and both of which show the additional plans include also the Abbey Church, the only previously shown in plan in a guide (in 1819).

It is neither easy nor necessary to be novel in of rooms which have been tolerably described already in other respects, the author has produced a guide far superior to its predecessors. If it abridges Anderson's account of the Royal Apartments, purpose on the more historic rooms which are ordinary. Regarding these, it may be noted in Picture Gallery it gives a very full discussion of not so very long ago recovered for Scotland, and contemporary portraits of King James III. and son, presumably James IV., dating no later than almost identified as the work of the painter Van der Meer. Also dealing with Queen Mary's particular apartment, a paragraph on the recess in her Audience Chamber, a tradition of slight credentials, and a likelihood is at present in danger of being 'restored' as a 'Oratory.'

The visitor, however, and the Scottish visitor in the Holyrood of to-day must be gratified at the every turn, that the Palace, at least, is at last in the hands of an official who both fully comprehends its interest, and takes adequate measures for its preservation.

At the present moment the account of the Abbey Church is specially interesting, but naturally and with no schemes of restoration or destruction by either means.

Of the Historical Sketch, which fills the latter book, it might perhaps be enough to say that it is an interesting and engaging pen of Sir Herbert Maxwell. But in general it is excellent as a narrative of events, and not to observe the adverse attitude which this official attitude towards the reforming party with which Scotland

identified. Is the Office sure that its history is true? Let us take one or two examples.

On the first night of Queen Mary's residence in Holyrood after her arrival by sea from France, a company from Edinburgh serenaded her under her windows. Knox is the Scots authority for the performance; he calls them 'a company of the most honest' [*i.e.* honourable] . . . with musicians, etc., and records that the Queen said she was pleased and 'willed the same to be continued some nights after.' The French Abbé Brantôme, however, was within the Palace, one of the Queen's suite, and just off the sea! He gives the only other account of the serenade. He says that the performers were 'rascals of the town,' who came to reprove (or insult?) the Queen (*lui donner l'aubade*) with their wretched instruments, and who actually went so far as to sing psalms. The singing and tuning was of the worst, and, in consequence, what repose! So the *Guide* throws the Scots account over, 'for we know from Brantôme how intolerable was the discord.' It does not seem at all certain that we should accept anything implicitly that the violently anti-Scottish Brantôme wrote in the circumstances. Founding on him, however, the *Guide* exhibits the Scottish welcome as ridiculous, although John Knox, it asserts, 'thought it very fine' (p. 117).

Again (p. 124), we are told that when Knox had begun his thunders against the proposed marriage of the Queen with the King of Spain, Mary sent for him and 'begged him with tears, if he must reprove her, to do so in private, as prescribed in the Book of Discipline.' No reply by the Reformer to this thrust is recorded: the suggestion is left that he was convicted of a gross inconsistency between his practice and precept. A moment's examination of course reveals (begging Mr. Lang's pardon) that the supposed citation from the book would not have applied to the case. But where is the authority for the Queen having ever attempted it? I think that there is none.

Again, when Mary on this same occasion found that she could not shake the Reformer's resolution to consider her marriage a thing of public concern, and himself a public man, she, the *Guide* continues, 'bade him "to pass furth of the Cabinet." He spent an hour in the anteroom,' it goes on, 'scolding the light-hearted ladies of the court because of their thoughtless lives and gay attire.' But the *Guide* gives only half the Queen's order. The other half was that Knox was to wait in that anteroom for her further commands. His not being in the anteroom of his own choice for the purpose of making a speech takes away the whole suggestion that he spoke all the time he was there; the suggestion is also inconsistent with the only account of the episode which exists—his own. And there is no authority for the statement that in whatever he said he 'scolded,' but something to the contrary.

To the ordinary tourist the interest of Holyrood which ranks next after its connection with the life of Queen Mary, is the fact that some of our kings are or were buried there. Imagine then his feelings, and conclusions, when he is told by this *Official Guide* that in 'the religious riots of 1688 the people burst open the Royal vault, "tearing open

original vault, had had it re-embalmed. (Fountainhall's *Historical Observes*, pp. 89-90: Bannatyne Club.)

2. Next to the first coffin lay a second, 'a gret coffin of lead,' containing another 'body,' 'the muscles of the thigh seemed to be entire; the body not so long as King James the Fifth.' Does this mean that the smaller body was in the more important coffin, or merely that the coffin was a misfit? Regarding it Sibbald says, 'I suspect the long coffin next the King may be the Earle of Murray Regent, the King's natural son.' Sibbald was, of course, wrong in this 'suspicion.' In the margin, however, he adds, 'or else the Lord Darnley.' Fountainhall calls the body Darnley's, but adds, 'others call this bodie Seigneur David Rizio's, the Italian musitian's.' Its identity, therefore, is entirely a matter of conjecture. Sibbald records distinctly that, 'There appeared no inscription on this coffin.' In addition to this, it need only be observed, in view of the statements of later visitors, that the body in this coffin was not the longest in the vault.

3. Next the south wall of the vault lay a shorter coffin to which, according to the printed version of Sibbald, 'seemeth to belong this inscription made out of long plates of lead in Saxon character. . . .' Here follows an inscription in memory of Queen Magdalen. This passage is no longer in the MS., which contains merely the statement that 'next the south wall, in a smaller arch lay a shorter coffin with the teeth in the skull,' to which words Sibbald at a later time has added, 'the Queen Magdalen's.' Fountainhall agrees. But the coffin was lidless, and had no inscription attached to it.

4. At the foot of the others lay a coffin with the only body of whose identification there is any overwhelmingly strong presumption. The coffin bore an inscription 'making it,' says Sibbald, 'to be the body of Dame Jean Stewart Countesse of Argyle, with the year of her death, I suppose 1585, or so. . . .' This coffin also was open, for Sibbald saw that the skull was sawn in two.

5 and 6. Two coffins, neither of which equalled a Scots ell in length, contained the bodies of children. Sibbald says no more. Fountainhall uses the words, 'the other two are some of their children,' whatever that may mean.

These, then, were the contents of the vault in 1683.¹ The rioters of 1688 came and went, and the next visitor to the vault, so far as I am aware, who described what he found in it, was John Loveday, in whose *Diary of a Tour in 1732* (Roxburghe Club, 1890, p. 148) we learn that 'the reforming mob broke into this vault, and used the dead as the principles of Mob Reformation taught 'em to do.' Whether he refers to the mob of 1688 or not he does not say, and he makes no attempt to justify his statement. But his account of the contents of the vault which had survived it, and which he saw in August, 1732, does not bear out the tale of the official *Guide*, which says that the bones were thrown about

¹ Arnot, the historian, is therefore wrong in saying, p. 254, that the vault contained in addition the bodies of other monarchs of the royal line of Scotland.

in 1688. On the contrary, he mentions 'the b his flesh on still,' Queen Magdalen he only remains, which he identifies as Darnley's, a him,' he says, 'he is much about 7 foot high.' Loveday adds, 'are those of a son of James V. bastard daughter.' This last is, of course, the J mentioned by Sibbald and Fountainhall. Loved one of the two children enumerated by these goes into details regarding other bodies, namely his record proves that they were still intact in doubtful that he measured the longest body in the

Even Arnot, who talks about the 'fury of the asserts only that they 'broke into the vault,' w history may not have been shut, and 'broke op the lids, but left the rest.' As we know, accusation is false, because the coffins were open pause to consider the question of the theft of instance of the same accuser, who also mistaken lids. The value of Arnot's statement that the r rests upon another basis, namely, his own test that the bodies were still existing in his own time

Now we come to the episode of 1768, the fa roof, the ensuing incursion of the 'mob,' and t thrown about. The testimony of Arnot contra records that in 1776, seven or eight years after had 'seen the body of James V. and some othe (p. 255).

As for the contradictory testimony of Cap to be found? Grose has not hitherto been l Scotland before 1788, twenty years after the come, he transcribed Arnot's account of the c book which he came to write (*Antiquities of t word about having been present with the rabb is that in the year in which he writes, 1788, longer shewn, though the thigh bones of Lon remaining and exhibited by the ciceroni of ordinary size by way of comparison.' These less sacred specimens 'of ordinary size,' were But the bone stories of the Scottish mobs of to be groundless.*

There was, indeed, a real desecration of they all were, which took place in no storm of Arnot shows only too plainly that it took place two visits which he paid to the vault, the one tioned, and the other shortly before 1779, the his book. During that interval the leaden co neglected remains, of which certainly most, and of as *bodies* in 1776, and some were by eve

Royal, began to be dispersed piecemeal. Whether the first offender was some sordid pilfering plumber, such as still strips lead off the roofs of untenanted houses, or was a venal custodian of the relics themselves, the rest of the offence was that of the essentially modern person, the curiosity hunter, the collector of historical relics. And the blame of the neglect which made these depredations possible lies against the memory of the Crown officials of the time of our own great-grandfathers.

J. H. STEVENSON.

THE REGISTER OF THE PRIVY COUNCIL OF SCOTLAND. Edited and abridged by P. Hume Brown, M.A., LL.D. Second Series. Vol. VII., A.D. 1638-1643. Pp. lxvii, 808. Roy. 8vo. Edinburgh: H.M. General Register House. 1906. 15s. nett.

In the volume preceding this (reviewed *ante* iv. p. 86) there was much evidence of the obstinate defiance with which Charles I. met the obvious opinion of his Scottish people regarding Laud's Service book and the like. The present volume shews the consequences of Charles's policy in the Glasgow Assembly of 1638, the Bishops' Wars of 1639 and 1641, the Irish Rebellion which broke out in 1641, and generally the beginnings of the civil war which was to cost the king his head. Professor Hume Brown, in his careful introduction, traces the course of events as mirrored in the records of the Privy Council. Now for the first time published in their entirety, these records shew that it was from no lack of warning from his Scottish advisers that Charles made his fate inevitable. Yet the book is infinitely more interesting in its domestic than in its political record. The editor shrewdly remarks that in spite of the conflict in Church and State, there is little indication of any serious interruption to the routine of the national life. There was feudal and tribal violence, but it was not anarchy. Scotland was leaving behind it the practices of the sixteenth century, although there was still too much record of 'bangsterie and oppressioun' (p. 309), of men lying 'at await in the hieway boddin with sword stalfe and gwnne' (p. 311), and of border 'thifts stouthreaffes and other nefarious facts' committed by reivers with picturesque nicknames such as 'Jock Elliot called Jock a gods name,' 'Johne Croser called the Fryday theefer,' or 'Thomas Johnston called the Cleg' (pp. 352-3). Alongside of such uncivilized proceedings as ended in 'bauch and blae straiques' (p. 342), there are fiscal expedients such as monopolies in tobacco pipes (p. 325) and improvements in poststages between Portpatrick and Carlisle (p. 327).

Everywhere one sees that quaintness of phrase did not expire with the sixteenth century. When Colin Campbell, meeting Robert Inglis in Glasgow, called Robert a rascal and 'douped' him on the breast, he added further insult to injury by bidding him quit the street 'or he sould get his harnes doung out' (p. 447). This, however, was mildness itself compared with the 'barbarous and evil' convocation of rebellious Macdonalds marching 'neir the ports of Innernes with blowin pypes, bowes, gunnes and other offensive wapons' (p. 576),—an entertaining, if

ambiguous classification of the bagpipe among is grievous to see so much depredation, turbulence by armed bands. Many curious episodes between retainers of Lord Banff and the Earl's servant wilfully shot the earl's falcon near Cull complained to Lord Banff he was told, 'Goe hawke to be Yuill meat to your lord and ladie he is not crownner now of the shyre' (p. 414).

Demonology and witchcraft come into view of the Assembly in 1643 declared it to be 'a time when the country is dispossessed is in a rage by tearing nations with one another. One extremely interesting witchcraft trial appears in 1643. Craigie was charged with sorcery and divining Robson's sickness. The problem was 'whether the sickness was a spirit or a water spirit that troubles him.' The solution was obtained by putting three stones in the fire, the stones were taken to the doorstep, and finally dropping them into a vessel of water. The wife said to the man's wife, as the solution, was—'which troubleth Robbie your husband.' Her solution was that the wife should accompany her 'a Wosebuster and the loche of Wosebuster before the court on her own confession, Katherine was condemned to death. Her sentence remitted to the delpster. A 'troubleth' a charm by casting water amongst bear-see 'a grasse' as a love charm are other folk-lore cases which were tried in the church of St. Margaret. Specimens of abusive language occur (p. 540), and to (p. 626) as 'called Robertsooun utherwayes the

The adoption in Scotland of 1st January as the New Year is still contrasted with the older practice then still in use in letters from the court in England in January, for the bear, added after the year, the words '*stilo Scotie*' commencement for the civil, ecclesiastical, and legal year come into statutory force until 1753.) Impressions of notaries for forgery (pp. 38, 55) shew a substantial penance. Very stirring is the tale from 1643 of one night a notary there and his son assaulted the advocate who had acted for the burgh. Notary 'vaunted thereof saying "Thir twa hands Kirkaldeis advocat for his pains a dosoun of the fist] and if they wer not weill layed on de the burgh. This was most reprehensible. 'Quhilk,' said the notary in his petition to the Council, 'is a proud and dangerous consequence to all advocats if the notary is not punished.' References to the removal of market from the tribulations of certain indwellers in Ayr and the mercilesse Turkes, to the cudgel play and the contented parishioners at the kirk of Stoneyki

serving men in a 'societie and brotherhood' addicted to drinking and excess, all combine to illustrate the vigour of the time and the raciness of records. Professor Hume Brown's ample index and lucid introduction are a very satisfactory equipment for a volume which reveals aspects of Scottish life so vivid and so various that they may well surprise readers expectant chiefly of political and ecclesiastical preoccupations.

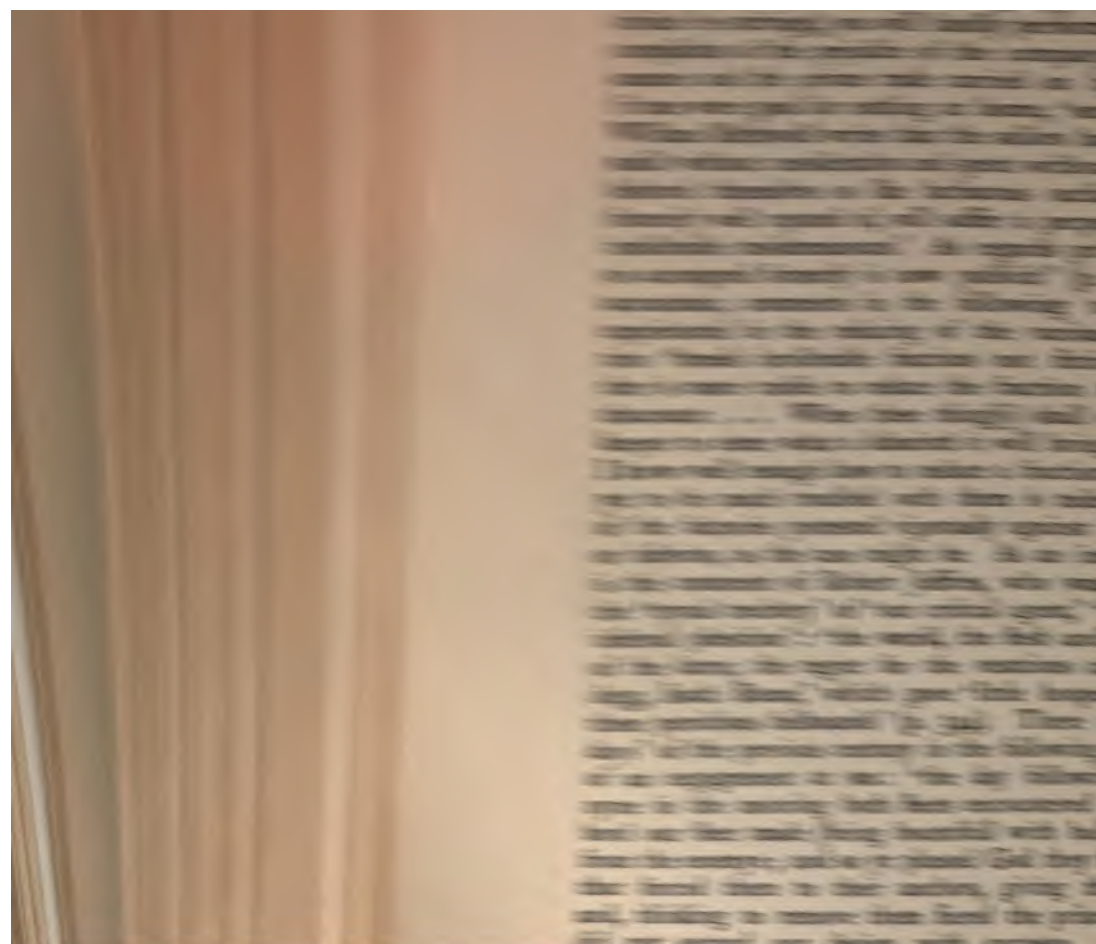
GEO. NEILSON.

THE ENGLISH FACTORIES IN INDIA, 1618-1621. A Calendar of Documents in the India Office, British Museum and Public Record Office. By William Foster. Pp. xlvii, 379. Med. 8vo. Oxford: Clarendon Press. 1906. 12s. 6d. net.

THIS volume continues the tale of one aspect of English commerce with India which has already been made accessible up to 1617 in *Letters received by the East India Company from its Servants in the East*. It is to be hoped that no prospective reader will be deterred by the use of the word 'Calendar' in the sub-title. Necessarily a certain amount of compression has been unavoidable in dealing with a mass of documents, many of which are of great length, but the method adopted secures the inclusion, word for word, of all the portions of the letters that are likely to be of general interest. Thus the printed book will serve the purpose of all students, except perhaps a few who may investigate some highly specialised lines of inquiry. As might be expected, Mr. Foster has again proved himself a very able editor. Both wide knowledge and an insight into the conditions of life in India at the period have been required for the production of the scholarly introduction and the foot-notes. While the latter are most unassuming, the majority of them, which identify the names of persons or things, disguised under the haphazard orthography of the factors, must have involved great research, and in several cases the lengthy solution of an intricate puzzle is reduced to half a line of print, or even to a few words.

The records, so carefully edited, are fully worthy of the care spent upon them. They cover the interesting period marked on the one side by the decline of Portuguese ascendancy in the East, and on the other by the rise of that of the Dutch. The struggles of the servants of the company against European rivals, as well as with the natives, are told at first hand by the actors in the drama, often in picturesque and forcible language. Moreover, this volume includes many accounts of sea-fights, and is thus a valuable commentary on *Purchas*, not only as containing additional details, but also in tracing the antecedent and subsequent events.

Obviously it would be impossible to do justice to a book of this kind by quotation, and the following are to be taken as only a few specimens of the human nature of some of the writers of these letters. For instance, it is recorded (p. 15, cf. p. 23) that the Dutch had established a factory, and 'they come in upon the same ground that wee began, and by which wee subsist, feare.' As a consequence of this policy it is not surprising that Sir Thomas Roe gives instructions 'to *compel* the inhabitants to trade . . .



Wright : The Campaign of Plataea 465

campaign of 479 B.C. He applies a critical microscope to the ancient monuments and to the literary tradition from Herodotus to Photius and the Scholiasts, and carefully weighs the views of modern students. Among the conclusions at which he arrives the following are perhaps the most striking. Accepting Eduard Meyer's theory of a revision of the text of Herodotus in Periclean time, he holds it probable that the narrative did not receive its final form till after the capture of the Spartans at Pylos, thinking that the strictures on Spartan courage in Herodotus could not have found acceptance earlier. He maintains that to this revision, which does not necessarily involve bad faith on the part of Herodotus, are due all the passages in which Greek states hostile to Athens during the Peloponnesian War are belittled, and that the striking passage (ix. 64) in which Pausanias is complimented really represents the tradition as current in the age of Cimon. All the evidence, apart from the 'Periclean' passages and the tradition based upon them, tends to show that the success of the campaign was due to the skill and foresight of Pausanias and the admirable conduct of his troops. In general the book is a vindication of Pausanias, the Spartans, and the Greek allies.

By a curious slip, in discussing the shifting of the wings before the battle, Dr. Wright urges that the Spartans had as much experience of Persian fighting as the Athenians, since they had recently faced the Persians at Thermopylae. It would be pertinent to ask how many of the Spartans at Plataea could have had this advantage. But Dr. Wright does not generally push his conclusions further than his premisses warrant, and to most of them we can assent with little hesitation. He displays acuteness and sound judgment in addition to his learning, and his work is one which no student of Greek military history can afford to ignore.

GILBERT A. DAVIES.

GARIBALDI'S DEFENCE OF THE ROMAN REPUBLIC. By George Macaulay Trevelyan. Pp. xv, 377. Demy 8vo. With maps and other illustrations. London : Longmans, Green & Co. 1907. 6s. 6d. net.

It is the habit of the foreigner touring in Italy to spend the hot hours of the afternoon in the *pinacoteca* of the provincial town at which he has halted. The *custode* is sleeping in his chair, and the traveller is left to wander through the empty sun-lit rooms, tracing along the walls the rise and decline of Italian art. Before retracing his steps at the end of the labyrinth of saloons he will probably find, in some small side room, a collection of relics of the *Risorgimento*—tattered tunics, tarnished sabres, and torn orders and despatches, whose ink is slowly fading in the sunlight. He is probably satisfied with a cursory glance round the cases, for his knowledge of Italian history does not carry him beyond the Renaissance, and the enthusiasms of the mid-nineteenth century, in the light of the last fifty years, appear vain and ill-founded to one tinged with the imperialism of our day.

in other men. The centre of the struggle
Vienna, and the contribution of Italy was the
No one of the Italian patriots has suffered
deeper realising of events which the lapse of
Garibaldi. He is, of course, enshrined in the
as the national hero *par excellence*—every Ita-
nations, where one finds the Corso or Piazza
the shade the Via Cavour, and the side street
as the political student he stands for nothing
about it: 'Italy! Liberty!' the critic replies,
sentiment. But what did you mean by liber-
of your day? Cavour represented the House
Republicanism, and you fought for both. You
—a first-rate leader of irregular troops, not a
brilliant achievements were either in vain,
positive results, merely hastened the inevitable
also hindered the well-devised schemes of Cavour
of the friendly powers whose policy was direct
solution of the Italian question than a simple
like you could grasp. You certainly did a great
patriotism in the south, but Mazzini was before
acknowledged; and the Crimean war did more
nation in its own eyes, and in the eyes of Eu-
face of arms. You must not be deceived by the
being paid to you in stone and bronze in the
figure which appeals to all the nation. No man
Mazzini is the divinity of the Republicans,
political demonstration which the government
eyes. The greatness of Cavour is not of the
to the crowd. You remained throughout your life
and impulsive, that in you Italy pays homage to
boys who died for her.

It is doubtful whether Mr. Trevelyan would
correct one on the part of readers of his brilliant

examination of contemporary documents and oral tradition, but the book cannot be accepted as a balanced account of the events described, even from the point of view of a military historian. Mr. Trevelyan, for example, passes a severe judgment on General Oudinot's alleged bad faith at the time of the termination of the truce at the beginning of June, but he does not give his readers both sides of the case. He does not mention the strained relations and the repeated ruptures between the leader of the French forces and De Lesseps; and his account of the mission of the latter, and of the negotiations with Mazzini, is inadequate. Whatever censure Oudinot may merit should probably be transferred to the French Government, which kept him in the dark as to the meaning of De Lesseps' mission, perplexed him with conflicting instructions, encouraged him in his opposition to the negotiations with Mazzini, and finally directed him back to his original orders, which authorised him to treat the defenders of Rome as the unwelcome guests of a friendly populace, and as opponents outside the ordinary laws of warfare. It must further be remembered, before passing a judgment on Oudinot, that he always underestimated the defensive powers of the Republic from the time of his first failure before the walls of Rome up to the commencement of the final struggle. His instructions were to avoid fighting, if possible, and he probably expected that by seizing, on the morning of June 3rd, a commanding position which overlooked the Republican lines he would have gained his end without bloodshed. Mr. Trevelyan's judgment on this important matter is too sweeping, and would probably be modified by an unbiassed re-examination of French sources and of additional material furnished in the authoritative work of MM. Bourgeois and Clermont, '*Rome et Napoleon III.*,' published in March of this year, in which are printed for the first time a number of important papers from the *Archives de la guerre et des affaires étrangères*, not to be found in De Lesseps' *Ma Mission à Rome*.

This example must suffice to indicate the limitations of Mr. Trevelyan's work. Such limitations may have been self-imposed by the author, but they none the less detract greatly from its value. The negotiations between the Triumvirate and De Lesseps are inextricably bound up with the military side of the defence of Rome and the long cessations of hostilities which punctuated the siege, and even the engagements themselves, were so dependent on diplomatic considerations, that the actual fighting cannot be presented in abstracted form without a confusion of values and perspective. When Mr. Trevelyan deals incidentally with the wider issues involved in the course of events which he describes he presents again such a limited view, and his judgments are so biassed, that one is tempted to the conclusion that he has yielded himself to his strong dramatic sense, and writes history incarnate in the person of a comrade of Garibaldi. One cannot, for instance, accept his wholesale condemnation of the French expedition to Rome. The ephemeral Republic of Mazzini was doomed from the beginning, and the only question was which power was to restore the temporal sovereignty of the Pope. The French proposed to do so on conditions, the maintenance of which they would have been pledged

468 Garibaldi's Defence of the Roman Republic

in honour to secure, had the Republic accepted their intervention and withdrawn from a hopeless struggle. The alternative to the French intervention, based on the claim which France made to be a power representing both national liberties and Roman Catholicism, was intervention by Spain, Austria, and Naples, which would have meant restoration of the Pope without guarantees of any kind. The French Government was, of course, in an impossible position; if it abandoned the Pope it lost the support of the majority of its electors; if it abandoned the liberties of the people of Rome, it lost prestige abroad as the champion of oppressed peoples, and the suffrages of the liberals at home. In these circumstances, French intervention was inevitable, and it was in the highest interests of Italy that it should have been accepted on the best terms which the Republic could obtain. Had Mazzini and his fellow Republicans withdrawn, the French troops would have followed them within two years, and Rome would have become the capital of Italy years before that event actually took place. It was in the logic of events that Rome should crown the work of Italian unity, and Mr. Trevelyan's plea that the bloodshed of 1849 sanctified it for that end in the eyes of the nation must give way to the fact that the struggle of Mazzini and Garibaldi delayed the completion of the work.

While the historical value of Mr. Trevelyan's volume is affected by his bias, which reduces it to the category of *memoires pour servir*, its very limitations heighten its romantic appeal. For the defence of Rome and the retreat over the Apennines were, after all, a fourteenth century feat of arms performed out of due time. English readers have to thank the author for this eloquent and picturesque volume, which will take its place among the books without which no intelligent traveller can visit Rome.

DAVID BAIRD SMITH.

DIE METZER CHRONIK DES JAIQUE DEX (JACQUES D'ESCH) ÜBER DIE KAISER UND KÖNIGE AUS DEM LUXEMBURGER HAUSE. Herausgegeben von Dr. Georg Wolfram. Pp. xcv, 534. 4to. Metz: Verlag von G. Scriba, 1906.

ALTHOUGH edited in German, the text of this fine chronicle of the House of Luxembourg from the Emperor Henry VII. (1308-13) till near the close of the reign of the Emperor Sigismund in 1437 is in old French throughout, in a dialect of the district of Metz. A composite work, its contents when analysed indicate that the compiler, setting himself to the task of chronicling the fortunes of the emperors from the beginning of the fourteenth century, found ready to his hand, and therefore proceeded to incorporate, complete, in his work, first the *Voeux de l'Épervier*, a metrical record of Henry VII.'s expedition to Rome in 1311-13; second, the *Guerre de Metz*, a long poem (297 stanzas of seven lines each) minutely describing the war of 1324-5, which King John of Bohemia made on the townsmen of Metz; and third, a number of short pieces in Latin and French on the latter subject. These

Die Metzger Chronik des Jaïque Dex 469

incorporated parts of the chronicle are contemporary with the events described, and are of primary historical account. The compiler's own prose narrative, which begins with an abstract of the reign of Henry VII., becomes of great and independent consequence from 1346 onwards, its account of the battle of Crecy containing an interesting variant of the story of the death of the blind King John of Bohemia. From about 1399 the chronicle assumes more directly a contemporary tone and records many current facts, especially of war and the court of Luxembourg, making frequent allusions in the third person to things done and said by Jaïque Dex, otherwise Jacques d'Esch. The intimacy of these allusions and the interest taken by the writer of the chronicle in the family to which Jaïque Dex belonged, have led to what seems a well warranted conclusion, that this knight, a representative of a prominent Metz family, was himself the author. He was born in 1371, rode in 1399-1400 in the Prussian crusade (of which he gives a circumstantial account), was sent ambassador to the Emperor Sigismund in 1433, and was still active in a military capacity at Metz when the chronicle in 1434 is near its close. He evidently occupied a foremost place in personal standing as well as administration in the Metz region, so that his chronicle, though sometimes loose about dates, fully justifies the editor's estimate of its great significance for general history, and its supreme importance in the annals of Metz.

An experienced soldier and diplomatist, the author, though without the graces of Froissart or the descriptive touch of Jehan le Bel, was a close observer and a shrewd critic. *Querrez enz cronicques dez Dex*, a note by a sixteenth-century scribe of a Metz MS., is the one direct but conclusive external testimony to Dex as author. For military facts, of course, the story of such a writer has a practical value far beyond that of the normal clerical annalist. Jaïque Dex ranks with Jehan le Bel and Sir Thomas Gray as a capable and interesting narrator of public movements, and especially of the incidents of warfare in which he himself had his direct part or indirect connection. Jaïque Dex probably was not personally engaged in the campaign of Sigismund which ended in the terrible disaster to the Christian arms at Nicopolis on 28th September, 1396, the day on which the Highland clans fought their historic duel on the Inch of Perth. Wyntoun, at the close of his account of that bloody duel, says:

‘ In the selff houre of that day,
In Ungary as I herd say,
Off Saracenys and off Cristyn men
Done wes the grete bataille then,
Quhare mony Nobillis off Fraunce
Tuk in the feld thare last chance,
Quhare mony first ware tane and slane,
And syne til dede put wyth gret payne.’

Wyntoun's Metz contemporary knew all about this great battle, though he chose only to name a few of the slain and captive ‘Messins,’ and others

'de nos marches,' who were in the army. He describes the savage massacre which that prisoners, and he returns with obvious satisfaction. On pages of digression the fate, a few years later of Tamerlane. As historian of the reign of Sigismund, this chronicler found many things of the Council of Constance and the burning of Prague—'ii notables clerics qui s'appelloient Hoi predicacions firent eslever le pueple contre lez n ostre le leur et butiner et deschassier tuis ceulx leur obeissance.' The army ordinances of 1431 against the Hussites are incorporated, as also is the coronation of the emperor by the pope in capital of Luxembourg, and a fortified frontier to affairs were of much more than provincial consequence of the Luxembourg dynasty. Metz was a free i and shield of the empire against the marches of thus, as it were from its watch-tower, the ou not so much provincial as imperial. In this fac of interest and value.

It is an admirable chronicle, emancipated fr portent and miracle, and with unusual touche the Emperor Sigismund's emotion when he sp of Metz in 1433—'he had the tear in his occur, such as the statement that the Hussite the altar. The reason assigned being philologica to find its foundations shaky. 'Car le nom oie en nostre langue et pour lui honorer l Curious examples of feudal defiance appear: vis alluded to; bills of fare of 1377 are piquant, the king of France to a 'gross' dinner after tl the return dinner given by King Charles 'estoit

The *Voeuz de l'Epervier* has a double interest de geste of high veracity it deals poetically wit of Henry VII., and in precise conformity records in prose describes the death of Thiebaul in 1312, and that of the emperor himself literature it has a unique connection with the bet written, it is believed, in 1313 in consequence author, Jacques de Longuion, by this very Th Jacques de Longuion himself:

'Qui au commant Tybaut, qui de l
Rimoia ceste ystoire qui est bele a
Tybaus fu mors à Romme avec l
Qui empereres est si ot a non He

Besides the use of the machinery of vows on th analogous to the use made of the peacock in

Die Metzer Chronik des Jaique Dex 47¹

is a direct allusion to the story of that poem in the words ascribed to the gallant Bishop of Liège:

'Joys ja pairler que Porrus si tuait
Ung parvoncel ansi que a lorrier trouvait
Li chevaliers de giete chescun diaulz envoiait.'

The 'vows of the sparrowhawk,' however, made by the court at Milan were for performance of feats which were in some few of the cases facts of history. They were vows to do things of a minute and intimate kind, which actually did occur in the course of Henry VII.'s Italian campaign, some of them at the siege of Brescia. So in this poem, written probably between 1314 and 1320, there was applied to the historical expedition of Henry VII. a mechanism of vows which in our British literature was to be poetically applied to a mythical journey Romeward of King Arthur. The vows in the alliterative *Morte Arthur* thus had a quasi-historical precedent in the very curious story of the vows of the sparrowhawk told of the year 1311.

The *Guerre de Metz* (which was first published by E. de Bouteiller in 1875) is a purely historical poem, written 'pour escheveir mirancolie,' to tell the story of the so-called 'war of the four kings who set siege to the good city of Metz.' Commenced in a fine spirit of patriotism which made the author declare that Metz surpassed all other cities even as the rose excels all other flowers, it told circumstantially how the Messins successfully withstood the forces of King John of Bohemia and his three allies in 1324-1325. The French editor in 1875 recalled with many a pang the past glory of Metz. 'Ne trouvant qu'un tombeau je le couvre de fleurs,' said Leon Gautier in a sadly felicitous quotation of contemporary verse. Dr. Wolfram, who utilizes much of the glossarial annotation of the original edition, wisely leaves it to his readers to draw their own reflections on the historic fortunes of Metz.

Medieval Metz occupied front rank among the republican cities of the empire. Dr. Wolfram has great credit by his presentment of a chronicle in which the imperial features are as recognizable as in the city itself. It is an acquisition to the history of Europe, and its author, identified by Dr. Wolfram, becomes a new and vigorous personality among the chroniclers of the closing middle age.

GEO. NEILSON.

WOMAN: HER POSITION AND INFLUENCE IN ANCIENT GREECE AND ROME, AND AMONG THE EARLY CHRISTIANS. By James Donaldson, M.A., LL.D. Pp. 278. Crown 8vo. London: Longmans, Green & Co. 1907. 5s. nett.

PRINCIPAL DONALDSON has been well advised in collecting and republishing his papers on this subject, that appeared twenty or thirty years ago in the *Contemporary Review*, and he here supplements these by further discussion. Special note deserves to be taken of the elaborate bibliography of the subject which is here presented, extending to over

a dozen closely printed pages. Worthy of a place, perhaps, in the important collection of authorities, is the first volume of Mr. H. recently-published *Life of Justinian*, where the position of woman in ancient times is discussed at considerable length in connexion with the union formed between the Emperor and Theodora. As it lies before the volume presents a connected and fairly complete account of the subject, while those who are more particularly interested in it have abundant means suggested of prosecuting a more exhaustive study. Prof. Bader, in his history of Republican Rome things were not in quite so bad a state, in actual fact as that suggested by the Roman Catholic writer, Mille. Bader, who lauded the virtue of the Romans because no divorces took place at before the middle of the third century A.C. "The Roman husband," she says, "did not divorce their wives, they killed them." No law allowed them to do so; but, as Mill reminds us, "the laws of these countries are far worse than the people who execute them, and of them are only able to remain laws by being seldom or never brought into effect. If married life were all that it might be expected, looking to the laws alone, society would be a hell upon earth." is fully as true of Roman society as of the British society to which applied it, and it seems a clear case in which the literature of a country is a better index than its laws to national happiness and morality. as Dr. Donaldson points out, "examining history, I think we must come to the conclusion that the Roman ideas of marriage had not a bad effect on the happiness or morals of the women." In connexion with the subject of re-marriage, mention is made of a Moderator of the General Assembly of the Church of Scotland who had seven wives. This was the Rev. David Williamson, who died 6th August, 1706. "After score he married the seventh wife." It is possible to underestimate as well as to overestimate the influence of Christianity in the emancipation of women. Its influence doubtless will be regarded as very considerable by those who, with Prof. Bury, allow, as one of the five contributory causes—far more satisfactory than those of Gibbon—to the spread of Christianity, "the attraction which it possessed for women, who themselves placed upon a spiritual equality with men."

JOHN HUTCHESON

THE IRISH PARLIAMENT, 1775. From an Official and Contemporary Manuscript. Edited by William Hunt, M.A., D.Litt., President of the Royal Historical Society. Pp. xxxiv, 91. Demy 8vo. London: Longmans, Green & Co. 1907. 3s. 6d. nett.

FOR reasons which need not be given at length here, the manuscript presented by Dr. Hunt does not add as much as might be expected to our knowledge of the minutiae of Irish Parliamentary history. Within its limits the introduction is useful and instructive, but the value of the text would have been greatly enhanced by annotation, and this is not supplied. Many of the names included in the list offer matter for interesting comment; and a comparison

Hunt: The Irish Parliament, 1775 473

John Blaquiére's list with 'Falkland's' *Review of the Irish House of Commons* (1789), and with M'Dougall's *Sketches of Irish Political Characters* (1799), would have supplied an editor so skilful as Dr. Hunt with much suggestive material. The volumes mentioned differ from the list printed by Dr. Hunt in having been prepared for the public eye, whereas Sir John Blaquiére's was strictly confidential and meant only for official eyes. But they too are in the nature of scandalous chronicles; and, despite their later date, contain notices of not a few of the members whose record was a matter of so much importance to Lord Harcourt's Irish administration.

C. LITTON FALKNER.

SKETCH OF SAINT BERNARD'S. Compiled by John Turnbull Smith, LL.D. Pp. 152. 4to. Edinburgh: Banks & Company. 1907.

How a district in the northern parts of Edinburgh came to be known as 'St. Bernard's' has never been satisfactorily explained. That there is a 'St. Bernard's cave' near the southern end of the district, in the rocky side of the ravine of the water of Leith, Dr. Turnbull Smith here reminds us. And that a little further north, on the river bank, there is a 'St. Bernard's well,' a sulphur spring still performing the office of a modest Spa, is well known. The cave, now irrevocably built up by the retaining wall under the back-greens of the north side of Randolph Crescent, and the well, now sheltered and petted within Grecian pillars, both figure in a somewhat doubtful tradition rehearsed by Dr. Smith—that the great Abbot of Clairvaux resided for a time in the cave and first recognised the quality of the water.

The major portion of the *Sketch*, with which Dr. Smith presents us, is concerned strictly with the district, church, and parish now called after the saint. For the earlier history of the district the author announces that he is indebted mainly to Mr. Cumberland Hill's *Historic Memorials and Reminiscences of Stockbridge, Dean, and Water of Leith*, but for later things, from 1822 till the time of writing, he depends on the parochial church records, miscellaneous authorities, and his own memories.

Although modestly set forth, and primarily addressed to the people of a single parish church, this latter portion of the book contains matters of interest to the general student of social and religious questions, as well as some material for the enquirer into biography and genealogy. To the libraries of its immediate audience the book will be a most gratifying addition. It is pleasantly written, handsomely printed, and embellished with reproductions of some interesting prints and portraits, among other illustrations.

J. H. STEVENSON.

THE BOOK OF ALMANACS. Compiled by Augustus de Morgan. Third edition. Revised by E. J. Worman, M.A. Pp. xxiv, 90. Oblong 8vo. Cambridge: Macmillan & Bowes. 1907. 5s. net.

WHOEVER has frequent occasion to verify historical dates may well cherish lasting gratitude to the memory of the mathematician, Augustus de

and the Morgan: The Birth of Almanacs

There were also to get in tracing these tables showing to almost the very year—old style or new—from any epoch up to the present. To get such results of chronology it is often necessary to consult several different tables, and to work out a date: by De Morgan's tables of all the possible dates, and careful calculation of the year, with the day or epoch, the task of determining the day of the week on which a date occurred, and related to the simple processes. It was then upon the year required the number of the day of the week. This service is a very great one, is well and fully completed. Much more complicated and much harder to work on the calendar is finding out merely the calendar new and old moon of any year, but also the real new and full moon. After trying De Morgan's tables, with its thirteen points to be particularly remembered, we then came to the conclusion that it is much easier, as well as much more satisfactory, to consult, when determining, for instance, the day of the week on which a date occurred, as on the night of Otterburn. The tables are, consequently, showing first the ancient Roman day of the month, then the modern month, then the day of the week, and last the day of the month. This little manual is a valuable aid in historical research.

Gen. NELSON.

[illegible]

The book, only printed and bound in a copy of a sixteenth-century binding, is a valuable account of the games of England and of the national traditions with which its name is most associated. In spite of some errors, the author is not able to furnish for very much certain information regarding his hero, save that he was probably born at Lydda about 300 A.D., was a soldier under Diocletian until the persecution of the Christians, fought with the Emperor at Nicomedia, and was finally martyred at Nicomedia 303 A.D., and also that he is generally confused (the *Golden Legend* instance as the writer indignantly quotes) with the other St. George, the Greek Bishop of Alexandria. His connection with Britain is first begun under the British-born Constantine the Great, who founded a church at his house at Lydda, which was rebuilt with great magnificence by the crusading King Richard I. We are treated at some length to accounts of the Saint's traces in the early liturgies (drawn chiefly from Dr. Woodhouse), and in the chronicles, and the second part of the book is written round his influence on the Arthurian 'Round Table' (which the author treats as historical), and the Order of the Garter which this inspired. We get much information about places of dedication, jewels, legends, and artistic representations with which St. George was connected and of Christianized Knights of his Order, so that this portion may interest certain readers; but in spite of all this, we know little more now of the Saint than did the Early Church, when, about 494 A.D., St. George

was included amongst those 'whose names are justly revered among men, but whose acts are known only to God.'

A. F. S.

A TREATISE ON THE LAW CONCERNING NAMES AND CHANGES OF NAME.

By Arthur Charles Fox-Davies and P. W. P. Carlyon Britton.
Pp. 118. 8vo. London: Elliot Stock. 1906. 3s. 6d.

A REVISED reprint of several articles which appeared some years ago in the *Genealogical Magazine*, this treatise throws its emphasis upon the urgent requirement, if not absolute necessity, of royal license for change of name. Preceding the full discussion of the group of questions converging upon this point is a bright sketch of the history of personal names. The authors have noted the special usage of Scotland regarding territorial names, such as the reservation of 'of' to proprietors, and the calling of lairds by their lands. They have not heard of the latter practice being extended (as it used to be more frequently a half century ago than now) to tenants of particular farms, sometimes to the confusion of incomers politely addressing their neighbour as Mr. Horseclose or Mr. Greenfield, unaware that these were labels of the holding, not of the holder. There is much brisk narrative of instances in the little book; there are some good and some feeble anecdotes; but the chief reason of its existence (abundantly justified as it is by its variety of facts and attractive discussion of principles) lies in its plea that despite some popular opinion, and some judicial *obiter dicta* to the contrary, the names of registry and baptism remain the only legal label a person can at law maintain, without royal license or act of parliament. The thesis, sharply and weightily argued, is 'that the assumption of a name of mere motion is an improper assumption.'

Les derniers fidèles de Marie Stuart, 8vo, 47 pp.; *La Maison des Dames d'honneur de Marie Stuart*, 8vo, 31 pp.; by Fernand Donnet, secrétaire de l'Académie royale d'Archéologie de Belgique: Antwerp, 1902. These two pamphlets are founded on researches made by M. Donnet in the Communal Archives of Antwerp. From legal documents preserved there he gives us in the first interesting details concerning those of Queen Mary's faithful servants who settled in Antwerp after her execution—Gilbert Curle, her secretary, his wife Barbara and his sister Elisabeth, and Henry Clifford, also once secretary to the Queen. In the second he furnishes us with a detailed history of the house in which Barbara Curle or Mowbray spent the last year of her life, establishing the identity of the house, a point left uncertain in the first paper. To the general reader the most interesting fact brought out by M. Donnet's labours is the faith, or at least the strong hope in a restoration of the Catholic religion in Scotland, as witnessed by the wills of Queen Mary's servants. To students the details regarding Henry Clifford, Gilbert and Barbara Curle, their sons and other refugees settled in Antwerp are of much interest, each fact being vouched for by documentary evidence.

'Underneath this sable hearse
Lies the subject of all Verse

and which, since Peter Whalley placed it in the works of Ben Jonson, has generally been attributed to Sidney, however, holds that Ben Jonson, though of Mary Sidney's kinsfolk, 'never appears to have been in intimacy with the countess herself'; that in the fourth edition of William Camden's *Remains* it is without his name, and that it was much more likely to be by William Browne, the poet-friend of Lady Pembroke, 'who wrote the *Pastorals*,' it is by J. W. Cunliffe unhesitatingly ascribed, and it is found in a MS. of 1650. Mr. Sidney deals with the readings of the poem in various ways, and gives us a short account of Lady Pembroke on Elizabethan literature he thinks was greater than any other poetess recognised.

Orkney and Shetland Old-lore Series, No. 2, contains on 'An Orcadian Battle of a Hundred Years Ago,' 'The Authorship of Orkneyinga Saga,' 'A Legend of Shetland from Fljótsdæla Saga,' by the 'Records' portion commences 'Orkney and Shetland' by Henry Paton, M.A.

The April number of the *English Historical Review* contains 'Motes and Norman Castles in Ireland,' by J. H. M. which supplies several new, dated, examples of motes in Ireland, and thus materially buttresses the theory of the Norman origin of the mote generically in Ireland. The biographical sketch of Professor Maitland is not only a varied brilliancy of the lost master of medieval history, but at the same time a luminous criticism of his distinguished thought. In a damaging criticism of Professor I. H. Stein's *Kriegskunst*, Professor Tout lays due stress on the

font, tympanum and doorway, and a viking ship in iron-work on Stillingfleet church-door. Many readers will follow with pleasure Mr. Cooper's 'Story of the Tobacco Pipe,' with its numerous cuts of early types of pipe used in what James VI. and I. called a 'savage custome' and 'stinking suffumigation.'

The American Historical Review for April reports, with careful summaries of contributions, the meeting of the American Historical Association held at Providence during Christmas week, 1906. That congress shows American workers active and efficient on almost every side of history, medieval and modern, political and economic. A part of the story of the settlement of the American continent is discussed in Mr. E. P. Cheyney's examination of the English conditions of the settlement of Virginia. Not the least interesting point is the analogy in method between the colonisation of Virginia and that of Ireland under Elizabeth and James. Institutional matters of equal curiosity and philosophical importance are brought out in Mr. Van Tyne's study of the concept of Sovereignty in the American Revolution. This is an instructive presentment and criticism of the opinions regarding the State entertained by contemporary politicians, and embodies the conclusions derived from an effort to trace historically the ideas which men had during the Revolution as to the nature of Congress and the State Governments, and the powers of each. The jealousy of the constituent states in regard to the functions of Congress is well set forth, and Mr. Van Tyne infers that until almost the moment of the actual Confederation there was no common will demanding the creation of a national state. These views on the making of the American Constitution are of the broadest interest as an exposition of eighteenth century political psychology.

The *Revue d'Histoire Ecclésiastique* for April contains, in an examination of the life story of St. Francis, an analysis of the contents of a considerable section of the inedited Brussels MS. *Vita Beati Francisci*. Great importance is attached to this text as a mid-link among the sources of the Franciscan legend, and as removing some doubts and anomalies.

In the *Revue des Études Historiques* (Jan.-Feb.) a continuation of Girolamo Aleandro's familiar letters appears, including one of date 1522 from Calais, where he was unable to put to sea because of the French fleet in the channel. He denounces with his usual vigour the 'rustic and crass' heresy of the Lutherans.

The course of the history of prosecutions for witchcraft and sorcery in sixteenth century France is remarkably illustrated in an article in the *Revue Historique* by Monsieur Ch. Pfister on the career of Nicolas Remy and his dealings with sorcerers and their trials in Lorraine. The first part (March-April) traces this stern judge's biography and the development of his policy under which between the years 1591 and 1612 little short of 3000 sorcerers were put to death. Remy, author as well as persecutor, recorded his grim experiences in his *Démonolatrie*, published in 1592.

of various exposition. The devil in Lorraine ; amongst other names that of Maître Persin, from affected by him frequently in his appearances. So were the days of the witches' sabbaths, the demons occupied elsewhere on other nights. Remy was it is necessary to search out excuses for his judgments perhaps be best found in the extraordinary confessions which so many women so persistently made. hard to achieve in the teeth of the victims' own

The *Archiv für das Studium der neueren Sprachen* and annotations of three interesting letters of C. from Germany, and descriptive of his tour there

Queries

OLD ACRES AND A RESURRECTION. I saw in a daily paper recently, among a list of names, what to me was an interesting novelty in nomenclature.

Speaking from recollection, the name was either 'Admiral Brown de Colston,' or 'Admiral Broun de Colstoun.' I hoped to find it again in the 'Navy List,' or in some book of reference, but I have searched in vain.

Have some of the descendants of the old Haddingtonshire stock adopted the territorial designation? If so, how does the gallant officer in question expect to be addressed by his intimates?

Also, will the fashion spread? It opens up an entrancing field for genealogical speculation.

Without going outside the bounds of East Lothian, shall we in the future find Douglasses assuming the affix of 'de Whittingham,' Hamiltons calling themselves 'de Innerwick,' and Lauders styled 'de Bass'?

G. S. C. SWINTON.

Since writing the above I have been referred to Stodart's *Browns of Fordell*, and find that the designation was assumed as long ago as 1878. But this makes me the more anxious to know whether there have been any other similar assumptions? Where the pedigree is proved there is something to be said in favour of so simple a way of showing an old descent; but, when the lands have gone, does it not imply that the assumer is the heir male?

G. S. C. S.

DEDICATION OF PENCAITLAND CHURCH. Mrs. J. Stewart Smith in *The Grange of St. Giles* (p. 314) says: 'This ancient parish church at Pencaitland dates back to 1213, and undoubtedly the oldest part of it bears the moss-grown appearance of its remote age. It is a perfect treasure-house of mossy stone relics, with the quaintest carvings and epitaphs. The church itself stands upon rising ground, embosomed in a grove of tall trees, with the river Tyne flowing at the foot of the garden.' Mrs. Smith mentions that the jougs are still to be seen at the kirk. Who was the patron-saint of the building?

The Lee,
18 Colinton Road, Edinburgh.

J. M. MACKINLAY.

TURNBULL OF STRICKCATHROW

have gleaned the following notes concerning the
glad of further information.

*Add. MS. 20701 Brit. Museum (being a co
Register of Lyon's office-of-arms, 1672-17*

1672-7. John Turnbull of Strickcathrow, &
family of Badyrule (Bedrule).

1672-7. — Turnbull of Smiddiehill, a ye
cathrow.

1696. James Turnbull, only lawful son to Mr. at Laurence *als* Conveth Church, which brother-german of the deceast John Turnbull family was lineally descended of the family of

Inquisitions (Retours) Scot. Abbrev.

No. 5244, General.

12 Aug., 1669. John Turnbull of Strick
Peter Turnbull of Strickcathrow.

No. 549, Co. Forfar, and No. 8007, General.

30 July, 1698. John Turnbull, heir of h
of Strickcathrow.

Burke's Landed Gentry.

1. James Guthrie of Guthrie, *m.* 1704, Turnbull of Strickcathrow, and had issue.
2. Alexander Erskine, Merchant in Montrose, *m.* 10 January, 1710, Turnbull, and had issue.
3. Francis Erskine of Kirkbuddo, *m.* a dau. of Turnbull, and had issue—a son, Francis, born 1717.
4. William Farquharson of Kinnersey, *m.* a dau. of Turnbull of Strickcathrow, and had issue—Erskine of Kirkbuddo, and had issue.

32 Crosthwaite Park, East, Kingstown, Dut

JEAN DE SCHELANDRE. Did this I Scotland, and if so, where can I find information was published in Paris in 1611, and is dedicated Britain, shows a fair knowledge of the history at some of which, however, was evidently derived instances he quotes his sources. On the title 'Seigneur de Soumazennes en Verdunois.'

Two years before the above date he had poetical work, also at Paris, under the title of 'Tableaux de Penitence, par Daniel d'Ancheres' which was also dedicated to King James. The of 'Jean de Schelandre.'

Both books are in the British Museum Lib

Communications and Replies

A SCOTTISH TRIAL-BY-COMBAT CHARTER OF 1167.

While searching at the British Museum some years ago, I met with the copy of a charter or deed of King William the Lion, dated in 1167, touching the trial by combat, which appeared to me so interesting that I transcribed it. As I had not previously seen explicit declaration on such a high matter of international law, I made inquiries whether the writing was known to archivists. From what I ascertained I am induced to send it to you. The copy was presented, among other manuscripts, to the Trustees about forty years ago by Sir Walter Calverley Trevelyan of Wallington, and can now be consulted under the official description of Additional MS. 27409, f. 192.

The purport of the deed, in a word, seems to be this. King William makes it known that the dispute between Henry de Lambart and Alexander de Olifard, knight, had been composed to the satisfaction of both parties by his mediation. The duel allowed by the Marshal of England was referred by Henry II. to the King of Scotland for his adjudication, one of the combatants being a Scottish subject. In King William's presence, armed for the onset, they withdrew the offensive accusations, each to the other, and eternal friendship was pledged. It seems, on the face of it, to have been a very natural and sensible proceeding, but students of early institutional law will find beneath its apparent simplicity some elements of difficulty.

‘W(illelmus), rex Scotie, universis in Christo ecclesie fidelibus, salutem. Sciant omnes ad quos litre iste pervenerint, quod anno ab incarnatione domini M.C.lxvij^o, in presentia mea et venerabilium virorum clericorum et laicorum apud Stryvelyn, talis facta est compositio inter Henricum de Lambart legatum ab Anglia et Alexandrum de Olifard militem, quos ad judicium finaliter per me fiend[um] Henricus, rex Anglie, totaliter referebat in causa duellii ipsis concessi per Mariscallum Anglie, propter quasdam accusationes per unum adversus alterum habitas, et fidei interpositione utrinque firmata, scilicet, quod coram me veniet uterque eorum armatus paratus ad congressum, et me suadente totam calumpniam, quam quisque habebat adversus alterum, confestim deponet et remittet ex corde, et dignitas utriusque salva erit, et jungent dextras et super Evangelia jurabunt se in eternum futuros veros amicos, salvo officio quod seorsim gerunt adversus Regem suum. Et omnia hec facta sunt in presentia mea. Hiis testibus, Ingelram Episcopo Glascuensi, Nicholao Cancellario, Richardo Capellano, David de Olifard, Willelmo Dolepen,

Thoma de Maundeville, Willelmo Latimer, Petro de Colevill, Barnardo filio Brian, Rogero Camerario, Wydone Marescallo, Alexandro de Nevill, et multis aliis Scotis et Anglis.'

The first consideration is whether the document be trustworthy. The internal evidence, so far as I have tested it, seems incontrovertible, but the history of the copy is not so unsuspicious as one might desire. So far as I can gather, Sir Walter Trevelyan procured it from a pedigree of the family of Lambert, attested by Camden, Segar, and other heralds, in possession of Sir Charles Lambert Monck, Bart., of Belsay (*Archæologia Aeliana*, ii. 101). In the copy at the Museum there is a statement, no doubt taken from the entry on the pedigree, that to the deed was attached part of a seal in white wax, showing a figure, sword in hand, on horseback, and a few letters of the legend. Deeds transcribed on pedigrees, though attested by heralds, do not, within my experience, afford evidence of the first rank.

Passing over the singular delegation *ab Anglia* to the King of Scotland, the value of the document, as it appears to me, lies in its reference to the style of the 'Marshal of England,' and his connexion, at this early date, with trial by combat. Both are vexed questions into which I may not enter here. But I may note that it seems clear there was only one office of Marshal in England, and that its scope was co-terminous with the kingdom. The Marshal of the Household was, therefore, the Marshal of England. In the next place, was this incident a duel of law, and, if not, what was it? Whatever it was, the Marshal of England had jurisdiction. At all events, it must be acknowledged that the document supplies us with a very early, if not the earliest example of the use of the style of 'Marshal of England,' and very clear proof that the Marshal had jurisdiction over trial by personal combat, which savours of the chivalric duel of a later date.

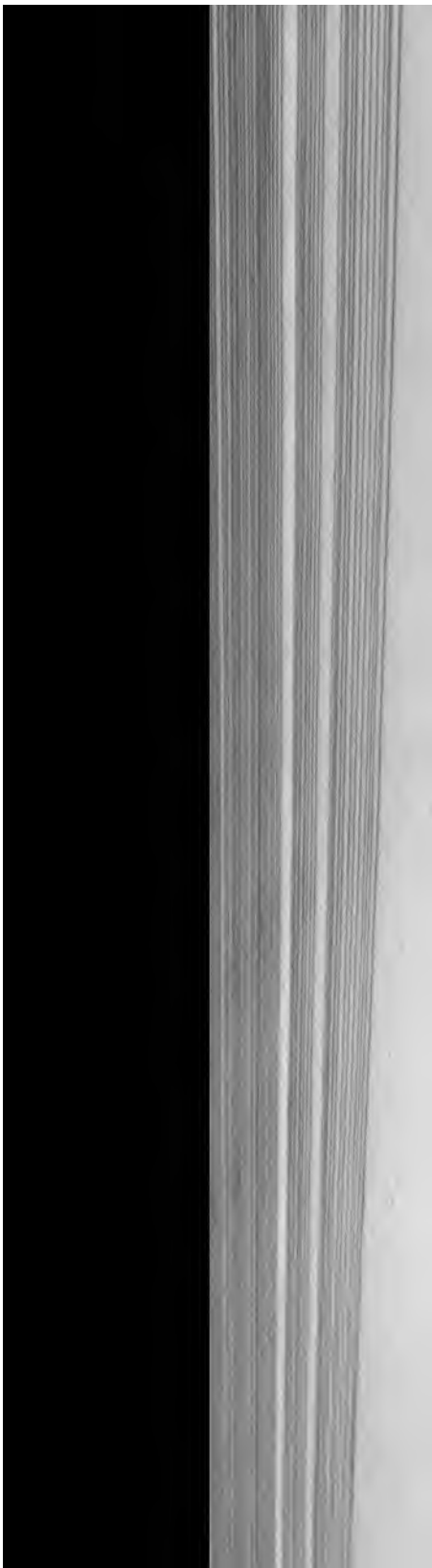
JAMES WILSON.

Dalston Vicarage, Cumberland.

EXCHEQUER TALLIES. In the Exchequer of the Kings of England from the earliest times, tallies—'a primitive form of chirograph or indented writing' as Mr. Hubert Hall describes the system—were in use, and the use of them not only survived the Unions of 1603 and 1707, but actually lingered until the death of the last of the Chamberlains of the Exchequer in 1826. Madox's account of the institution in his *History of the Exchequer*, is well known, and so is that of Mr. Hall in his *Antiquities and Curiosities of the Exchequer*, but the following short description is taken from a paper on 'Exchequer Annuity Tallies' by Mr. Philip Norman in the *Archæological Journal*, vol. lix.:

'The Exchequer tallies were made of box, willow or other hard wood. The early ones varied from less than $3\frac{1}{2}$ to 8 or 9 inches in length, but increased as time went on, till finally in some instances they extended almost, if not quite to 5 feet. In section they were roughly square, and tapered slightly towards the





up end. On the obverse side the principal numeral of the sum which the tally represented was cut in a bold notch by the *tallator* or cutter of the tallies. On the reverse side the subsidiary numerals of the sum were cut in notches, an interval being left between each denomination: the notches representing the greatest value being at the thicker end of the stick. According to some early instructions, £1000 was to be represented by a notch of the width of a man's palm on the obverse. £100, when the highest figure, was cut alone on that side of the width of a man's thumb. £20 was to be as broad as the little finger, and £1 as deep as would contain a barley corn. Shillings and pence were cut on the reverse side when with pounds, otherwise they were placed on either side. Half value was represented by an incomplete or half notch. When the necessary notches had been cut, and the amount written on the two opposite sides, the tally was split by the deputy-chamberlain, the two pieces being called the tally and counter-tally, or the tally and foil. It may here be remarked that the splitting of the tally was done in the following way. Near one end it was cut half through. A knife was then inserted at the other end, and the tally was split down to the cross cut. The two parts of the tally were therefore unequal in length. It was the shorter portion that was held in the Exchequer.'

One great recommendation of the tally was its simplicity. The high-born or well-to-do yet often illiterate Sheriff of the Crown who came before the Baron of Exchequer with his proffer during Easter term had, as Mr. Hall explains the procedure, only to pay in his treasure (the revenues he had collected in the King's name in his Shire), and take an acknowledgment in the shape of a small piece of wood, inscribed in a figure writing intelligible at a glance to the meanest comprehension. When he returned at Michaelmas to conclude his annual account, this indestructible voucher was readily forthcoming from his wallet, to be compared, or rather matched, with its official counterpart. Mr. Hall points out the great advantage in durability of the wooden tally over the paper or parchment account, and considers this fully demonstrated by the perfect condition of such tallies as have survived, on which, as he says, every mark made by the knife stands out as clean and true as it did on the day when it was cut by the Chamberlain's Sergeant centuries ago.

The handwriting, too, remains, in many cases, surprisingly distinct, for the wood employed offered a surface little differing from vellum either in tint or in its capacity to take ink or gall unblurred, and preserve the inscription for an indefinite period. In the specimens forming the group in the accompanying illustration, all expressly dated (except one) in the 20th, 21st, and 22nd years of Edward I., the writing is still as fresh and clear as when the tallies were originally delivered to the persons concerned, chiefly sheriffs of southern shires. They appear to be made from hazel rods, the bark in several instances still adhering. The placing of the notches as well as some other details, may be taken to show that Mr. Norman's statement of the rules of practice does not include the variations of usage.

The shortest of these tallies (that to Robert de Bray) is just over 6 inches in length: the longest (that to Nicholas de Turville for the

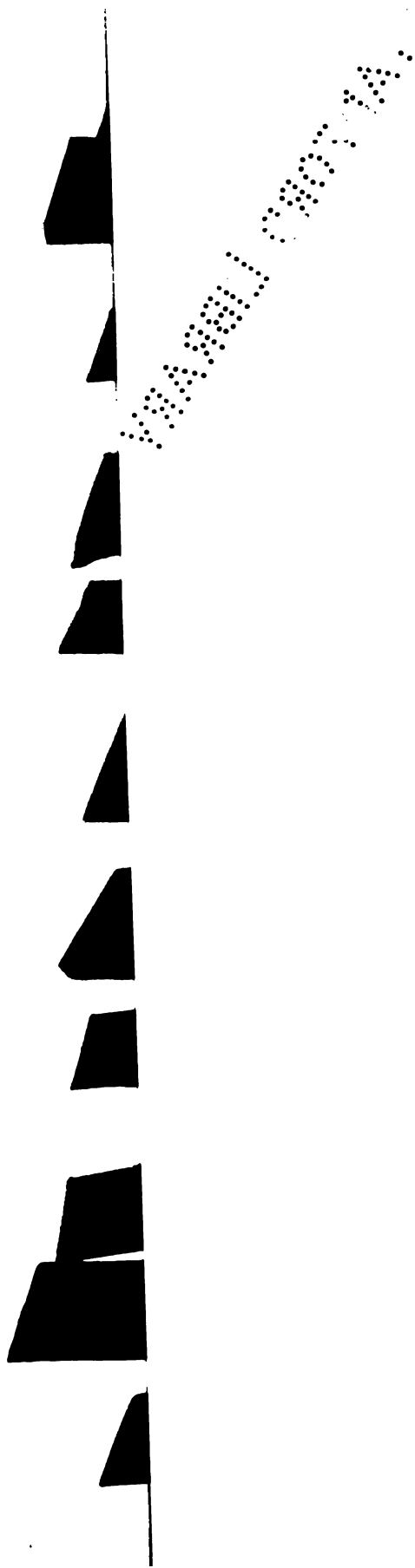
farm of the county) is exactly 7 inches: the others are each about $6\frac{1}{4}$ inches. The nicks or notches appear to be capable of complete interpretation. The thumb notch for £100 appears on Nos. 6, 7, and 10. The little-finger-breadth notch (measured from lip to lip) for £20, appears on Nos. 1, 2, 6, 8, 9, 10, and 11. Half notches, denoting £10, appear on Nos. 1 and 8, and a half notch, presumably for 10s. on No. 8 also appears. The notch for £1, the shallow cut for 1s. and the thin line for 1d., appear throughout.

Assuming that these are correct interpretations, the amount of each tally is distinct, as indicated in the bracketed computation attached to each item of the undernoted transcript:

- (1) De Ricardo filio Johannis de firma de Ayllesbyry. Buk.
A° R. E. xx° Pasch. [Notched for £20 + £10 = £30.]
- (2) De Hominibus de Bedeford de firma sua. Bed.
A° R. E. xx° Pasch. [Notched for £20.]
- (3) *Allocate vicecomiti.* De Ricardo Baud de Huntingdon de fine. Hunt.
A° R. E. xx° Pasch. [Notched for £2.]
- (4) De Priorissa de Stodleye de fine pro imbladaturis et diversis assartis. Buk.
A° R. E. xxj° Pash. [Notched for 9s. + 4d. = 9s. 4d.]
- (5) De Roberto le Venour vicecomite de exitibus ville de Castre. Linc.
A° R. E. xxj° Mich. [Notched for 10s.]
- (6) De Roberto le Venour Custode Civitatis Lincolnie de exitibus eiusdem Civitatis. Linc.
A° R. E. xxj° Mich. [Notched for £100 + £20 = £120.]
- (7) De Radulpho de Montioye vicecomite de debitis pluribus. Lancast.
A° R. E. xxj° Mich.
[Notched for £100 + 13s. + 4d. = £100 13s. 4d.]
- (8) De Willelmo Tureville nuper vicecomite de remanente compoti sui. Bed. Buk.
A° R. E. xxj° Mich. [Notched for £20 + £10 + £4 + 10s. + 5s. = £34 15s.]
- (9) De Nicholao de Turville vicecomite de remanente compoti sui. Bed. Buk.
A° R. E. xxij° Pasch. [Notched for £60 + £4 + 1s. + 10d. = £64 1s. 10d.]
- (10) De Nicholao de Turville vicecomite de firma Comitatus. Bed. Buk.
A° R. E. xxij° Pasch. [Notched for £100 + £40 + £6 + 9s. + 8d. = £146 9s. 8d.]
- (11) De Radulpho de Montioye vicecomite de debitis pluribus de Itinere H. de Cressingham. Lanc.
A° R. E. xxij° Pasch. [Notched for £80 + £2 + 9s. + 2d. = £82 9s. 2d.]
- (12) De Roberto de Bray pro transgressione [Notched for 6s. + 8d. = 6s. 8d.]

The date of the last tally is not expressed on its face, and the handwriting is quite different from that of the others, which all bear dates between 1291 and 1294, viz.: 20th, 21st, and 22nd years of Edward I.

The fine of Richard Baud was apparently for alienating land to pious uses. This appears from the licence for John, parson of the church of St. Benedict, Huntingdon, to retain in frank almain a plot of land





100 feet by 80 feet, adjoining his church, heretofore granted to him to inhabit by Richard Baud deceased. 20 June, 1293. *Patent Roll*, 21 Edw. i. m. 9.

The name is sometimes given as 'le Baud,' which in the form Lebaud was borne by a soldier of fortune with a chequered career in Scotland in the time of Robert I.

Robert le Venour was appointed sheriff of Lincolnshire on 14 April, 1293.

William de Turevile was appointed sheriff of Beds. and Bucks. on 16 January, 1291, and Nicholas de Tureville on 16 July, 1293.

Although these tallies are not concerned with Scottish matters, there is a name on one of them well known in our annals. Hugh de Cressingham, before his appointment as Treasurer of Scotland in 1296, under the usurpation of Edward I., was one of the King's Justices, so that the reference of the tally is to one of his circuit journeys in that capacity. He held pleas at Lancaster on the octave of the Holy Trinity 1292, at Appleby on the octave of Michaelmas 1292, and at Carlisle on the morrow of All Souls 1292, and at Newcastle on Tyne on the morrow of St. Hilary 1292-3 (*Placita de Quo Warranto* (Record Commission) pp. 369, 786, 112, 585). This appears to be the *Iter* of the tally. Cressingham's share in the battle of Stirling Bridge, and his death there, are commonplaces of history. Hated by the Scots, he evidently was not popular among his own countrymen either. *Homo pomposus et elatus* is Walter of Hemingburgh's characterisation of him. Ralph de Montjoy, whose name appears on the same tally, and who began to account as sheriff of Lancaster at Michaelmas 1291, is found in the records on active service in raising troops in Lancashire for the Scottish campaign against Wallace in 1298.

THE NORSE ATTEMPT ON ERIN.¹ Green Erin was rich in grass; she was rich in woods and fells; she had everything needful for man and beast; but four-footed animals were scarce in Erin, and man was rarer still.

In Suámabheal Bheag lived a Chailleach Ghlas, and she had one son. On Suámabheal Mhor lived a Chailleach Bhlaosg, and she had neither kith nor kin. And there was deadly enmity between the two hags, and the great witch of Suámabheal Mhor took counsel how to compass the destruction of her sister of Suámabheal Bheag; for the sister herself, in virtue of her 'draoidheachd,' was immune from her attempts.

There was a loch in a glen, a wide loch and a long loch, and it was from this loch that the witch-son was wont to get his food. Every evening his mother, in pursuit of her unholy avocation, left him,

¹ The Editor of the *S.H.R.* is indebted to Mr. Kenneth MacLeod for having translated 'The Norse attempt on Erin' from Gaelic tales which he had heard repeated in Stornoway by Angus MacLeod, who died in 1906, and by Catherine Young, also of Stornoway, now aged 89.

harshly commanding him to have her dinner the following day. 'One day of the days' she and no dinner ready. Not loving was her how it was. He had gone to the loch as loch—it had disappeared.

'Ah, ah, my sister, I smell your work he loch, but before Samhuinn thou shalt restore turning roughly on her son she growled for mor nan toun¹ at hand? Away,' and she prepare for me to eat.'

Now the son of this terrible witch was strong and strong that it was his habit to catch his hands, and he could never sink in the water when he walked into the ocean he found great fear he rushed back to his parent. She him the power to tread the green ocean with

For many a day after this the 'witch-son' the dweller in Suamabheal Mhor 'pondered Samhuinn² was at hand. And Samhuinn was discomfited. Accordingly, by her 'draoidheachd' pass that no living creature was to be found the length of Erin of the shore; and dire dwellers on Suamabheal Bheag. But not potent witch ordained that a boat should needs of her son—a boat so sensible to the to go through the waters at the speed of the sky. And once again were the labours of her

But 'a day of the days' when the witch the scene of his toils, he found himself in a mist, and he knew not whither to direct 'draoidheachd' with which his mother had to dissolve the mists that surrounded him whirlwind arose which soon settled into a fire from one quarter of the heavens. Bewildered of the roaring green waters about him, he saw a boat, which careered like 'heaven-fire' before morning the wind went down, and in the distance He made for this land, and ultimately leapt to know what to do now.' But at length he long found himself overtaking many people making for the same place. He knew he was he didn't know. At length he came among hills, where he found a great gathering of those men going forward and running they seemed to run slow. Again he saw some previously selected by what seemed to be chance

¹ Cuan mor nan toun = Great ocean of the way

² Draoidheachd = Druidism, witchcraft. 8

the rock was small when the distance to which it was hurled was considered. His great size had ere now brought upon him the attention of his neighbours, and now his grunt of dissatisfaction drew upon him their wrath. His language was unintelligible to them, but he signified that he wished to become an active participator in the contests. He heaved up the rock and crashed it to treble the distance that it had been thrown before. Amazement seized upon the spectators, amazement and admiration. Suddenly, the 'putter' previously victorious seized a great log, and by a mighty effort tossed it to a great distance, and then turned to the stranger. 'Do that if you can,' seemed to be his speech. But the witch-son, scorning such a missile, looked about him, and seeing a robust tree rising stately above the plain, went forward, and, gripping it with both hands, tore it up by the roots, and with scarcely a pause, heaved it beyond the throw of mortal man. Awe seized upon the beholders. What land bred such men, to whom their own stalwart sons were as boys?

The fate of the witch-son is unknown. Whether he ever returned to Suamabheal, or whether jealous enmity compassed his death remains uncertain. But a great cry went through the land of Lochlann that they should discover the unknown land. And two swift birlinns were sent forth, which returned after many days to tell of a land they had come upon, 'a land richer than Eachland.' And a great fleet was sent forth to view that land, and take possession of it. They came to the 'green island of the grass,' and when the Norse leader saw it, he conceived the daring project of 'taking it with him to Lochlann.' At once he sent a swift ship north to tell of his plan, and to ask that all the ships of Norway should be sent to him—and also a 'ball gaoisid,' made of the mane of the sea-horse.

In due course arrived a great fleet, which darkened the seas; and the 'ball gaoisid' arrived also. A great hole was bored through the rocks of the most prominent headland, and through that hole was passed the rope of sea-horse hair. Tradition fails to specify how the 'ball gaoisid' was thereupon passed on board each ship; but by it each ship was linked to each, and all to the island. All being ready, the great fleet set sail, and slowly, very slowly at first, moved northwards—the great mass of land plunging heavily after them, like a monster 'maois' of seaweed slowly piloted home. Suddenly something was felt to give, but nothing could be done but sail on.

But 'one day of the days,' as the great fleet proceeded northwards, the wind 'became alive,' and soon freshened into a stiff gale. Things were not looking well, when suddenly a loud crack was heard above the roar of the winds—the rope had parted.

What became of the fleet remains untold; but it is true that the Long Island, which had been broken off from Ireland, stuck in mid-ocean, where it remains to this day, the shock having broken it up into numerous islands and islets. And to passers-by is still pointed out the hole which had been bored by the daring Norsemen, the hole known as the 'Eye of the Butt of Lewis.'

Note

At the 'Exposition de Portraits peints et d'
which was open from April
Scottish Nationale in Paris, there were
Portraits especial interest to students of
in Paris. (both in the MSS. Department)
Duchess of Brittany, the daughter of King
pictures of her, which were, therefore, an
authentic Stuart portraits extant. The first
'Hours,' was written about 1441 on the
François I., Duke of Brittany, and is signed
pages. The other (53) 'Somme le Roy,' by
'Ysabeau, aînée fille du roy d'Escoce, duch
Montfort et de Richemont, fist faire ce livre—
et le fist escrire a sa dévotion, de la main de Je
cens-soisante-quatre,' thus establishing her
of James I. The book is embellished with
portrait of the Duchess, along with those
wife of François II., Duke of Brittany, a
Rohan, and the identification of each is re-
bear. Among the large collection of crayon
were some interesting Scottish portraits also.
sented John Stuart, Duke of Albany, Regent
style of Jean Clouet, 'coiffé d'une toque,' and
233 was the well-known François II., King of
and 234 and 235 the equally well-known
Scots, one as a young girl, and the other
A crayon head of Anne of Denmark, queen
on exhibition, and a head inscribed 'Mme
ever, scarcely be an accurate representation
Fleming, the mistress of King Henri II. of
subject as being still young, though dressed

Index

	PAGE		PAGE
Aberdeen, King's College, 108 ;		Bachull Mor, - - - -	106
Mutton Brae, 111 ; the		Bagpipes, - - - -	461-2
Quater-Centenary, 240 ; Wells		Balfours of Pilrig, - - -	294
of Aberdeen, - - - -	349	Ballads, Border, their authenticity	
Aberdeen scholars, a bibliography		tested, 87 ; Scandinavian ballads	
of, - - - -	240	on Scotsmen, - - - -	374
Acton's <i>Lectures on Modern His-</i>		Balliol, Edward, his enterprises	
<i>tory</i> , - - - -	318	in Scotland, - - - -	35-39
Agricola : fort probably made by		Baptismal Register at Dundee	
him at Bar Hill, - - - -	337	(1722-26), - - - -	73
Albany, Regent, his supposed		Bar Hill, Roman forts at, 335 ;	
portrait, - - - -	488	plan of early fort, 336 ; finds	
Alloa witches, Trials of, - - -	40	at, illustrated, - - - -	337
<i>American Historical Review</i> ,		Bateson, Mary, 213 ; obituary, -	236
105, 230, 349, 477		Beaton, Archbishop of Glasgow	
<i>American Journal of Archaeology</i> , -	349	(1552), - - - -	436
Amours, F. J., 339 ; on St. Serf's		Bell, Mrs. Nancy, - - - -	101
priory, - - - -	364	<i>Berks, Bucks, and Oxon Archaeo-</i>	
<i>Analecta Bollandiana</i> , - - - -	105	<i>logical Journal</i> , - - - -	104, 349
Anderson, P. J., on the Wells of		Birch's <i>History of Scottish Seals</i> , -	326
Aberdeen, - - - -	349	Bishops' Wars, - - - -	56, 461
Anderson's <i>Sidelights on the Home-</i>		Blacklock, Dr., Topical Poem	
<i>Rule Movement</i> , - - - -	97	(<i>Pistapolis</i>), by, - - - -	205
<i>Annales de l'Est et du Nord</i> ,		Book-bindings and Collectors, -	430
105, 229, 325		Borders, 29, 190, 191, 193 ; the	
Annan battle (1333), - - - -	38	Border ballads, - - - -	87
Anne of Denmark, Queen of		Boughton-Leigh's <i>Memorials of a</i>	
James VI., her portrait, - - -	488	<i>Warwickshire Family</i> , - - -	229
<i>Antiquary</i> , - - - -	104, 348, 476	Braz's (Anatole le) <i>The Land of</i>	
Archery in 16th and 17th		<i>Pardons</i> , - - - -	344
centuries, - - - -	240	Brodrick's <i>Political History of England</i> , 89	
Architectural features of stones at		Brown, Professor Hume, 121 ;	
Bar Hill, - - - -	337	on <i>The Register of the Privy</i>	
<i>Archiv für das Studium der neueren</i>		<i>Council of Scotland</i> , - - -	86, 461
<i>Sprachen</i> , - - - -	104, 230, 352, 478	Brown of Colstoun, - - - -	479
Armour—tilting, illustrations,		Bruce, Sir William, of Kinross,	
112, 113 ; Roman helmet, etc.,	448	his books, - - - -	441
Arnold's <i>Studies of Roman Imperialism</i> , 83		Bryce, W. Moir, on Queen	
Articles, Lords of the, - - - -	54, 60	Mary's voyage to France, -	360

	PAGE	
Buchanan, A. W. G.,	231, 233, 234	Cushion
Buchanan, Geo., 85, 339; his		
<i>De Jure Regni</i> , - - -	95, 274	Dalzell,
Bugge's <i>Vikingerne</i> , - - -	216	Darnley
<i>Bulletin de l'Universite Catholique</i>		Mary
<i>de Louvain</i> , - - - -	352	cusses
Bundle of Jacobite Letters, -	11	Davey's
Burnet on the Scottish Troubles,	384	Davies,
Burnet, Bishop Gilbert, his career		De Fo
and historical work examined,-	384	admi
Butler's <i>The Tron Kirk of Edin-</i>		Devil,
<i>burgh</i> , - - - - -	329	Dewar,
		Dex Jai
<i>Cambridge Modern History</i> . Vol.		Dimier,
IX. <i>Napoleon</i> , - - -	96	Mary
Campbell of Strachur, 106, 233,	354	Dispens
Campbell, Rev. J. Gregorson, of		Mary
Tiree, legend from his col-		its da
lection, - - - - -	1	Donald
Carlyle, York Powell's admira-		and h
tion of, - - - - -	325	Donnet
Carmichael, John, of Meadowflat,	178	<i>fiddle</i>
<i>Catalogue of Portraits of English</i>		<i>Dam</i>
<i>Historical Personages, 1714-1837</i> , 92		<i>Stuar</i>
<i>Celtic Review</i> , - - - -	104	Douglas
Chambers's <i>Gazetteer of the World</i> , 229		Duff, E
Change-giving at church plate, -	235	Duff's
Chapel Royal, Falkland, - - -	106	'Sora
Charms, - - - - -	46, 462	Duncan
Charters, Reporting upon, by		Dundee
Historical MSS. Commission,		(172
359; Remonstrance by Scottish		Dundee
Record Society, - - - -	359	sente
Cochlaeus (Cochlee Jean), - -	85	Dunnot
Cockburn of Berwick and Ayton,	353	Dunrob
Coleridge, S. T., - - - -	478	Dupont
Communications and Replies,		Dupplin
109, 232, 355, 481		Durhan
Covenant, Events leading to, 86;		
movements regarding, - -	390-7	Early S
Craufurd, Arch., canon of Glas-		Colle
gow, - - - - -	437	Edward
Crawford Castle and its Captain,		29, :
178; documents quoted, -	181-4	200,
Croke, Dr. W. J. D., - - -	362	Davi
Cuchulain, - - - - -	166, 172	Edward
Cuningar at Alloa, witch meetings		Edward
there, - - - - -	43, 48	Orde
Curle, A. O., - - - - -	178, 233, 340	Elcho,
Curle, James, - - - - -	364, 443	<i>Scotla</i>
Current literature, 104, 228, 342, 476		1746

	PAGE		PAGE
Elliot's <i>The Trustworthiness of</i>		Hospitallers of Torphichen, -	154
<i>Border Ballads</i> , - - -	87	Huntly, House of, and Queen	
Elton's <i>Frederick York Powell</i> , -	324	Mary, - - -	365
Engagement, The, - - -	398	Hunt's <i>The Irish Parliament</i> , -	472
English gilds in Rome, - - -	362	Hutchison, John, - - -	472
<i>English Historical Review</i> , 104, 230, 476			
Equivalent, The, - - -	131	Incident, The, - - -	394
		Industrial history of Scotland, -	332
Falkiner, C. Litton, 99, 220, 224, 473		Ingram's <i>A Jacobite Stronghold of</i>	
Fergusson, Rev. R. Menzies, -	40	<i>the Church</i> , - - -	342
Fife earldom, story of its forfeiture, 266		Iona, The Red Island near, -	6
Fletcher of Saltoun quoted, 128 ;		<i>Iowa Journal of History and Politics</i> ,	
work on, - - -	345	105, 350	
Flodden battle, - - -	89	Ireland, Legend and modern	
Foster's <i>English Factories in India</i> ,		poetry in, - - -	164, 485
1618-1621, - - -	463	Ireland, Legendary story of the	
Fox-Davies and Carlyon Britton's		King of, - - -	1
<i>Law concerning Names</i> , - - -	475	Italy and Garibaldi, - - -	465
Gasquet's <i>Henry VIII. and the</i>		Jacobite letters, - - -	11
<i>English Monasteries</i> , - - -	102	Jacobite rising, 11, 159 ; charters	
Genealogy of Dr. Samuel Johnson, 101		regarding, 159 ; literature	
<i>Genealogist</i> , The, - - -	228	on, - - -	451
Gibbon, Edward, his portrait, -	92	James I.'s daughter Ysabeau,	
Glasgow, Bishops Lauder and		Portrait of (1441), - - -	488
Wardlaw of, - - -	147, 150	James II. (VII.), his Queen's	
Golf in 1674, - - -	233	monument, - - -	414
Gordon's <i>Saint George</i> , - - -	474	James V., his marriages, 85 ; his	
Gordon, Wm., Bishop of Aber-		books, 439 ; his grave, - - -	458
deen (1552), - - -	436	James VI., his books, 438 ; on	
Gordons of Huntly, - - -	365, 415	tobacco, 477 ; portrait of his	
Goudie, Gilbert, - - -	219, 342	Queen, - - -	488
Graham, Mrs. E. Maxtone, -11-23		Jewels, Queen Mary's, - - -	135
Gray, Sir Thomas (see <i>Scalacronica</i>), 203		Johnston's <i>The Heraldry of the</i>	
		<i>Douglases</i> , - - -	340
Halidonhill battle, - - -	186	Jones, Professor Henry, - - -	84
<i>Hammermen of Edinburgh and their</i>		<i>Journal of British Archaeological</i>	
<i>Altar in St. Giles' Church</i> , -	340	<i>Association</i> , - - -	347
Hawick Archaeological Society, -	120		
Hay, Andrew (ob. 1702), his		Keppoch, Death of, 354 ; text	
monument, - - -	415	and translation of <i>Lament for</i> , -	355
Hay, Sir Gilbert (1456), - - -	431	Ker, Professor W. P., - - -	216, 238
Hazlitt, William, <i>An Index to the</i>		King, Sir Charles Simeon, <i>A Great</i>	
<i>Collected Works of</i> , - - -	226	<i>Archbishop of Dublin</i> , William	
Henderson, T. F., - - -	93	<i>King, D.D.</i> , - - -	223
Heriot of Trabroun, - - -	231	Kirk Session jurisdiction, - - -	63
Holyrood, its history, 456 ; the		Kirkcudbright, Satire by Black-	
royal vaults there, - - -	458	lock on, - - -	205
Hörnung's <i>Dissertation on the MSS.</i>		Knox, John, his dialect, - - -	352
<i>of the Cursor Mundi</i> , - - -	352	Knyvett's <i>Defence of the Realm</i>	
Horseshoe lore, - - -	348	(1596), - - -	239

	PAGE	
Lake dwelling, - - -	120	Man,
Lang, Andrew, on Border ballads,		Maris
87 ; on Queen Mary's portraits,		
135 ; on Sir William Rollock,		Marsh
234 ; on death of Keppoch, -	355	Mary
Lawlor's <i>Family of Cairnes</i> , -	341	135
Lea's <i>History of the Inquisition of</i>		mar
<i>Spain</i> , - - - -	322	her
Legend, Celtic, - - - 1, 164,	485	360
Leland, John, his <i>Collectanea</i>		of
quoted, - - - -	197-204	437
Leslie, Norman, - - - -	427	Mary
Letter from Haddington in 1674,	233	Hu
Leyden, John, unpublished poem,		Mathi
<i>Song of Wallace</i> , - - - -	348	Maxw
<i>Liber Alexandri</i> , belonging to		Maxw
Blackfriars of Dundee, - -	363	Hob
Lindores, Abbey of, - - - -	146	Metz
Lindsay, Principal Thomas M., -	322	Miller
Loreto, the legend of its Santa		Modern
Casa exposed, - - - -	350	Mons
Lucas's <i>Canadian War of 1812</i> , -	224	Monts
Lucas's <i>Historical Geography of the</i>		Monts
<i>British Colonies</i> , - - - -	229	Moray
		Moray
M'Aulay's <i>Safety of the Honours</i> , -	344	his
MacDonald, <i>see</i> Keppoch, - -	355	Morga
Macdonald's <i>Roman Forts on the</i>		of A
<i>Bar Hill</i> , - - - -	335	Morise
M'Dowall's <i>History of the Burgh</i>		Motes
<i>of Dumfries</i> , - - - -	343	Motle
MacGill, W., - - - -	108	Murra
M'Kechnie, Wm. S., - - - 96,	274	Murra
Mackenzie's <i>Scottish Highlands and</i>		Mylne
<i>Isles</i> , - - - -	226	ken
Mackenzie, Thérèse Muir, <i>Dromana</i> ,	343	
M'Kerlie's <i>Lands and their Owners</i>		
<i>in Galloway</i> , - - - -	222	Nairne
MacKinnon's <i>A History of Modern</i>		her
<i>Liberty</i> , - - - -	94	Nairne
MacLehose, Sophia H., - - -	298	pris
Macleod, Kenneth, - - - -	227	his
Magdalen, Queen, her grave, 459,	460	rele
Maitland, Professor, obituary, 237,	476	Nairne
Maitland, Thomas (1545-72),		hist
274 ; his literary work, 274,		Neilso
277, 279 ; the views assigned		
him in Buchanan's <i>De Jure</i> ,		Newst
276, 277 ; his repudiation of		443
them, 287 ; his career, 274-		Nicola
293 ; his death and epitaph, -	293	Abe

	PAGE		PAGE
Norie, Bishop, his baptismal register at Dundee, - -	73	Philiphaugh battle, - - -	88
Norse attempt on Erin, a Gaelic tale, - - - -	485	Phillimore, Professor J. S., -	326
Norsemen, their life and literature, - - - -	216, 238, 342	Phinn family, - - - -	110
<i>Northern Notes and Queries</i> , -	104	Pickle the Spy, - - - -	452
Notes and Comments, 119, 236, 359, 488		Pilgrimages of children, - -	362
<i>Notes and Queries for Somerset and Dorset</i> , - - - -	104, 230	Pinnington, Edward, - - -	63
Ogilvie of Barras, and Regalia, -	309	Place names, - - - -	111
Ogilvie of Dunlugus, Book belonging to, - - - -	363, 431	Pollen, Rev. J. H., - - - -	241
Oman's <i>The Great Revolt of 1381</i> , -	213	Portraits, Scottish, exhibited in Paris, - - - -	488
Omond's <i>Scottish Union Question</i> , -	345	Pottery, Roman, at Newstead, -	449
Orkney, its Norse civilisation, -	218	Prestonpans battle, - - - -	453
<i>Orkney and Shetland Old-Lore</i> , 342, 476		Protestantism and the Union, 121, 260	
<i>Ormulum</i> , its authorship, - - -	119	Prothero's <i>Select Statutes of Elizabeth and James I.</i> , - - -	345
Orrock, James, and Sir James Linton: their <i>Mary Queen of Scots</i> , 338		Queries, - - - -	106, 231, 353, 479
Papacy, its relations with Scotland during great schism, - - -	144	Rae Press at Kirkbride and Dumfries, - - - -	346
Parish life, Scots, - - - -	63	Ragman Roll, - - - -	31
Parliament, Scottish, 1560-1707, 49; its feudal character, 49; Lords of the Articles, 54, 60; voting in, 55; under Charles I., Cromwell, and Charles II., 56, 126, 251; the Revolution, 60; the Union, 62, 121, 251; subsequent dissatisfaction with Union, - - - -	133	Reade's <i>The Reades of Blackwood Hill</i> , - - - -	101
<i>Passio Scotorum</i> , - - - -	230	Reason, Worship of, - - - -	303
Paul's, Herbert, <i>A History of Modern England</i> , - - - -	333	Reay, Lord, and '45, - - - -	159
Paul's, Sir J. Balfour, <i>Accounts of the Lord High Treasurer of Scotland</i> , - - - -	84	Regalia, Scottish, - - - -	116, 309, 344
Paul, Sir J. Balfour, - - - -	294, 331	Reid, Robt., Abbot of Kinloss, -	437
Peacham, Henry, his <i>Compleat Gentleman</i> , 1634, 339; his reference to G. Buchanan, -	339	Reid's <i>Life and Letters of the first Earl of Durham (1792-1840)</i> , -	220
Peasants' revolt, - - - -	212	Religious Orders in Scotland, -	361
Pease's <i>Of Mistress Eve</i> , - - -	103	<i>Reliquary, The</i> , - - - -	348, 476
Pencaitland Church, Jongs at, -	479	Reviews of Books, 83, 213, 318, 451	
Penitential submission, - - -	87	<i>Revue des Etudes Historiques</i> , 230, 477	
Pentland rising, - - - -	114, 235	<i>Revue d'Histoire Ecclésiastique</i> , 105, 350, 477	
Perth occupied by Edward III., -	37	<i>Revue Historique</i> , - - - -	105, 350, 477
		Richardson's <i>Cranmer</i> , - - -	104
		<i>Rinnovamento, Il</i> , - - - -	352
		Robert the Bruce, King, his death, -	35
		Rollock, Sir Wm., a correction, -	234
		Roman Fort at Newstead, - - -	443
		Roman Wall and Vallum in North England, - - - -	347
		Rose, D. Murray, on King Duncan II., - - - -	347
		Rosebery, Earl, and Scottish charters, - - - -	359
		Rullion Green, - - - -	114
		<i>Rutland Magazine</i> , - - - -	348
		Sabbath-breaking offences, - -	64

	PAGE	
St. Andrews, Archbishop Trail of,		Somers
146; Bishop Wardlaw, 157;		190
altar tomb at, - - -	238	Sprott
St. Eloi, patron of hammermen, -	340	Joh
Saintsbury's <i>History of English</i>		Steam
<i>Prosody</i> , - - - -	214	Steuar
Sanctuary seats, - - -	230	
Sarrazin's <i>Aus Shakespeares Meister-</i>		Stever
<i>werkstatt</i> , - - - -	227	
<i>Savage Family, The, in Ulster</i> , -	219	Stewa
Saving the Regalia in 1652, 309, 344		Stewa
<i>Scalacronica</i> , Translation of,		dee
24, 185, 262, 417		(15
Scandinavian ballads on Caithness		Stewa
soldiers, - - - -	374	Bri
Schism (1378-1429), Scotland		Stirlin
and Papacy during, 144; its		and
educational effects, 147; Scot-		Stone
tish embassy regarding, - -	152	Ke
Scot, Robert Le, - - -	428	Storm
Scots History in schools, - -	239	Suthe
'Scots,' 'Scottish,' and 'Scotch,'	349	Swift,
<i>Scotia</i> , - - - -	349	Symso
Scott, W. R., - - -	332, 464	Stir
Scottish College in Paris, 399; its		
foundation, 399; development,		Tain,
400; history, 400-416; con-		Tallie
stitution, 405; rules as to		trat
library, 406; inscribed monu-		Terry
ments, - - - -	412-416	455
<i>Scottish Notes and Queries</i> , -	105, 348	crit
Scottish Text Society publications, 364		Texts
Sea History, - - -	193, 195, 463-4	lett
Seals, Scottish, 326; Great Seals		Rej
of Scotland, - - -	327, 328	mu
Separation of Church and State		161
in France in 1795, - - -	298	Blaw
Sidgwick, Miss M., - - -	114	Ha
Sidney's <i>The Subject of All Verse</i> , 476		Me
Sinclair, Captain George, 374;		305
ballad on his slaughter in Nor-		357
way, - - - -	377, 378	(qu
Sinclair, Hon. George A., - -	374	Tiltin
Sinclair, Major Malcolm, 375;		etc.
poem on his slaughter in		Torpl
Silesia, - - - -	381	Trewe
<i>Sinclair's Visa</i> , poem by Odel, -	381	the
Smith, David Baird, - - -	468	Trial
Smith, Prof. Gregory, - - -	364	aut
Smith, Professor D. Nichol, -	226	Turnl
Smith's <i>Sketch of Saint Bernard's</i> -	473	

	PAGE		PAGE
nion, The, of the Parliaments,		Weardale, the Scots campaign in	
62, 121; Protestant factor in,		1327 there, - - - -	29
122, 260; subsequent dis-		Wells' <i>The Oxford Degree</i>	
satisfaction with, 133; balance		<i>Ceremony</i> , - - - -	103
of gain, 133; the story in		Williams, A. M., - - - -	226
outline, 249; influence of		Wilson, Rev. James, 103, 228;	
Darien scheme, 252; early		on Trial by Combat charter, -	481
history of the question, -	345	Witchcraft, - - - 40, 462, 477	
		Wolfram's <i>Die Metzger Chronik des</i>	
Vaughan's <i>The Last of the Royal</i>		<i>Jaique Dex</i> , - - - -	468
<i>Stuarts</i> , - - - -	223	Wood, Alex., - - - -	235
Verney's <i>Memoirs of the Verney</i>		<i>World's Classics, The</i> , - - -	346
<i>Family during the Seventeenth</i>		Wright's <i>Campaign of Plataea</i> , -	464
<i>Century</i> , - - - -	344		
Watson, Thomas, editor of		Year, Computation of, - - 462, 474	
M'Dowall's <i>Dumfries</i> , - - -	343	Yeats and Irish legend, - - -	164



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