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The Spanish Story of the Armada¹

I HAVE twice been led to discourse on Spain in this, my native town; and once it was my own choice: the Philosophical Society left it to me to find a text anywhere in the wide world, and I chose *Don Quixote*.—It may have been the success of that lecture that brought about an invitation from the School of Art to come and address the students there on Spain and the Renaissance. I did not find in myself any particular qualification for the task, but it was an adventure, and I look back on it with pleasure, and with perpetual gratitude to the small and very honourable company who helped me through, with their cheerful countenance, on one of the ugliest winter afternoons I can remember in Renfrew Street.

Now again I am challenged to come out and speak about Spain, and I find it no easier than it was the last time, and harder to get the right ground to start from. I have not been altogether idle lately, and there are many things I have learned, and more that I hope to find out, in the inexhaustible literature of Spain. But, though it is nearly fifty years since I first read a play of Lope (it was *El Acero de Madrid* in a volume borrowed from the College Library), I have not yet read enough even to make a traveller's story out of it—I mean such a story as one brings back from a summer holiday in new countries and landscapes. Reading Lope de Vega is very like such a holiday, but it is

¹ A paper read to the Spanish Society of Scotland in Glasgow, December 17, 1919.

difficult to say what it all amounts to, when the music has to stop—the melody of the *quintillas* and *redondillas*, that never fails, whatever the story or the scene may be : how is one to describe it ?

I thought again of the poem of the *Cid*—*El Cantar de Myo Cid*—and in that there was something more easily comprehensible, easier to describe, than the manifold changing pageant of Lope de Vega and his companions in the great age of the Castilian drama. One might compare the poem of the *Cid* with the *Song of Roland* ; there is enough in that for one sermon, and the themes are such that, without going very deep, it is possible to arrive at a sane and sensible opinion regarding these two wonderful old heroic poems. But, for one reason or another, I refused to take up the old epic of Castile.

There was another part of Spanish history, namely the Armada, which seemed to me to bring out, through all the deadly conflict of England and Spain, an agreement or likeness in taste and temper between England and Spain, while I remembered the passage in the Memoirs of the Rev. James Melvill, which gives Scotland a share in the story, and introduces, on the coast of Fife, personages whose lives and adventures are illustrated in the Spanish State Papers on the Armada, in the Spanish story of the Armada published in 1884 by Captain Cesáreo Fernandez Duro. The Spanish story of the Armada—Froude had told it in his own way, but there were many things which Froude had passed over in his selection of points of interest ; Froude did not quote James Melvill, and did not show how Fernandez Duro's documents supplemented the Scottish narrative.

James Melvill, minister of Anstruther-Wester in 1586, also of Kilrenny, Abercromby, and Pittenweem, had gone to Glasgow in 1574 with his uncle Andrew, the Principal, and there taught as Regent.

'1576, the second yeir of my regenting, I teatchit the elements of Arithmetick and Geometrie out Psellus for schortnes : the Offices of Cicero ; Aristotles Logic, in Greik, and Ethic (and was the first regent that ever did that in Scotland) also Platoes Phaedon and Axiochus ; and that profession of the Mathematiks, Logic and Morall Philosophie, I keipit (as everie ane of the regents keipit thair awin, the schollars ay ascending and passing throw) sa lang as I regented ther, even till I was, with Mr. Andro, transported to St. Andros.'

Mr. James Melvill tells a story of College life in Glasgow in those days, one of the vivid, true things that keep the body

of the bygone time. This digression may be allowed. One summer evening, as he was coming home from his fencing lesson in the Castle (a gentleman detained for manslaughter was his instructor), Mr. James Melvill was attacked by a student, Alexander Boyd, whom he had corrected for absenting himself from the Kirk and playing the loon on the Sabbath day. Along with the loon was an older friend of his, Alexander Cunningham, armed with sword and whingar. Mr. James closed with Cunningham :

‘I gripped his sword arm under my left oxter, and with my right hand caught his quhingar, haiffing na kynd of wapean upon myselff, and bids him stand.’

There was a mighty noise about this ; all the Boyds came to town to bully the College. But the Principal was firm, and the loon broke down, and the dispute ended in laughter. The loon, Mark Alexander Boyd, was afterwards a scholar and poet of repute ; you will find him in the Oxford Book of English Verse, and in Mr. Bowyer Nichols’s *English Sonnets*.

And here is James Melvill’s story of the Spanish Armada.

MDLXXXVIII. ‘That wintar the King was occupied in commenting of the Apocalypse, and in setting out of sermontes thairupon against the Papists and Spainyartes. And yit, by a piece of grait owersight, the Papists practeised never mair bisselie in this land, and maid graitter preparation for receaving of the Spainyartes, nor that yeir. For a lang tyme the newes of a Spanishe navie and armie haid bein blaisit abrode ; and about the Lambes tyde of the 1588, this Yland haid fund a feirful effect thairof, to the utter subversion bathe of Kirk and Polecie, giff God haid nought wounderfullie watched ower the sam, and mightilie fauchten and defeat that armie be his souldiours, the elements, quhilk he maid all four maist fercelie to afflict tham till almost utter consumption. Terrible was the feir, persing war the pretchings. earnest, zealus, and fervent war the prayers, sounding war the siches and sobbes, and abounding was the teares at that Fast and General Assemblie keipit at Edinbruche, when the newes war credibly tauld, sumtymes of thair landing at Dunbar, sumtymes at St. Androis, and in Tay, and now and then at Aberdein and Cromartie first.¹ And in very deid, as we knew certeanlie soone efter, the Lord of Armies, wha ryddes upon the winges of the winds, the Keipar of his awin Israell, was in the mean tyme convoying that monstruus navie about our costes, and directing thair hulkes and galiates to the ylands,

¹ *Sic*, meaning Cromarty Firth.

rokkes, and sandes, whareupon he haid destinat thair wrak and destruction. For within twa or three monethe thairefter, earlie in the morning, be brak of day, ane of our bailyies cam to my bedsyde, saying (but nocht with fray), 'I haiff to tell yow newes, Sir. Ther is arryvit within our herbrie this morning a schipefull of Spaiyardes, bot nocht to giff mercie bot to ask!' And sa schawes me that the Commanders haid landit, and he haid commandit tham to thair schipe againe till the Magistrates of the town haid advysit, and the Spaiyardes had humblie obeyit: therfor desyrit me to ryse and heir thair petition with tham. Upe I got with diligence, and assembling the honest men of the town, cam to the Tolbuthe; and efter consultation taken to heir tham and what answer to mak, ther presentes us a verie reverend man of big stature, and grave and stout countenance, grey-heared and verie humble lyk, wha, after mikle and verie law courtesie, bowing down with his face neir the ground, and twitching my scho with his hand, began his harang in the Spanise toung, wharof I understud the substance; and being about to answer in Latine he, haiffing onlie a young man with him to be his interpreter, began and tauld ower againe to us in guid Einglis. The sum was, that King Philipe his maister haid riget out a navie and armie to land in Eingland, for just causes to be advengit of manie intolerable wrangs quhilk he had receavit of that nation; but God for thair sinnes haid bein against thame and be storme of wather haid dryven the navie by the cost of Eingland, and him with a certean of capteanes, being the Generall of twentie hulks, upon an yll of Scotland, called the Fear Yll, wher they maid schipewrak, and whar sa monie as haid eschapit the merciles sies and rokes, haid mair nor sax or sevin ouks suffered grait hunger and cauld, till conducing that bark out of Orkney, they war com hither as to thair special frinds and confederats to kiss the King's Majestie's hands of Scotland (and thairwith bekkit even to the yeard), and to find releiff and comfort thairby to him self, these gentilmen Capteanes, and the poore souldarts, whase condition was for the present most miserable and pitifull.

'I answerit this mikle, in soum: That whowbeit nather our frindschipe quhilk could nocht be grait, seing thair King and they war frinds to the graitest enemie of Chryst, the Pope of Rome, and our King and we defyed him, nor yit thair cause against our nibours and speciall frinds of Eingland could procure anie benefit at our hands for thair releiff and confort; nevertheless, they sould knaw be experiance that we war men, and sa

moved be human compassione and Christiannes of better religion nor they, quhilk sould kythe, in the fruicts and effect, plan contrar to thars. For wheras our peiple resorting amangs tham in peacable and lawfull effeares of merchandise, war violentlie takin and cast in prisone, thair guids and gear confiscat, and thair bodies committed to the crewall flaming fyre for the cause of Relligion, they sould find na thing amangs us bot Christian pitie and warks of mercie and almes, leaving to God to work in thair hearts concerning Relligion as it pleased him. This being trewlie reported again to him be his trunshman, with grait reverence he gaiff thanks, and said he could nocht make answer for thair Kirk and the lawes and ordour thairof, only for him selff, that ther war divers Scotsmen wha knew him, and to whome he haid schouin courtesie and favour at Calles (*i.e.* Cadiz), and as he supposit, some of this sam town of Anstruther. Sa schew him that the Bailies granted him licence with the Capteanes to go to thair ludging for thair refreshment, bot to nane of thair men to land, till the ower-lord of the town war advertised, and understand the King's Majestie's mynd anent thame. Thus with grait courtesie he departed. That night, the Lard being advertised, cam, and on the morn, accompanied with a guid number of the gentilmen of the countrey round about, gaiff the said Generall and the Capteanes presence, and after the sam speitches, in effect, as befor, receavit tham in his hous, and interteined tham humeanly, and sufferit the souldiours to com a-land, and ly all togidder, to the number of threttin score, for the maist part young berdles men, sillie, trauchled, and houngered, to the quhilk a day or twa, keall, pottage, and fische was giffen; for my advyse was conforme to the Prophet Elizeus his to the King of Israel, in Samaria, 'Giff tham bread and water,' etc. The names of the commanders war Jan Gomes de Medina, Generall of twentie houlkes; Capitan Patricio, Capitan de Legoretto,¹ Capitan de Luffera, Capitan Mauritio, and Seingour Serrano.

'But verelie all the whyll my hart melted within me for desyre of thankfulnes to God, when I rememberit the prydfull and crewall naturall of they peiple, and whow they wald haiff usit us in ceas they haid landit with thair forces amangs us; and saw the wounderfull wark of God's mercie and justice in making us sie tham, the cheiff commanders of tham to mak sic dewgard and curtesie to pure simen, and thair souldarts sa abjectlie to beg almes at our dures and in our streites.

¹ Estéban de Lagorreta, in the *Capitana de las Urcas*, Fernandez Duro, ii. 39.

‘In the mean tyme, they knew nocht of the wrak of the rest, but supposed that the rest of the armie was saiffie returned, till a day I gat in St. Androis in print the wrak of the Galliates in particular, with the names of the principall men, and whow they war usit in Yrland and our Hilands, in Walles, and uther partes of Eingland; the quhilk when I recordit to Jan Gomes, be particular and speciall names, O then he cryed out for greiff, bursted and grat. This Jan Gomes schew grait kyndnes to a schipe of our town, quhilk he fund arrested at Calles at his ham-coming, red to court for hir, and maid grait rus of Scotland to his King, tuk the honest men to his hous, and inquiryt for the Lard of Anstruther, for the Minister, and his host, and send hame manie commendationes. Bot we thanked God with our hartes, that we haid sein tham amangs us in that forme.

[*Autobiography and Diary of Mr. James Melvill*, ed. Robert Pitcairn, Wodrow Society, 1842, pp. 260-264.]

Now among the papers published by Fernandez Duro is a narrative of the whole expedition, anonymous, which is plainly the story of Juan Gomez de Medina.¹ The Spanish historians have not read James Melvill; the English historians, Froude and Sir John Laughton, leave him unmentioned, and thus Juan Gomez de Medina, also, has received less than his due. Here is a small contribution of my own to the history of the Armada, produced by ‘combining his information.’ The earlier part of the story, in the narrative of Juan Gomez, I will not repeat, as it is not my purpose to go over again the main history of the great sea battle. But there are points worth noting: as when he speaks of the English fleet coming out of Plymouth on the morning of the 1st of August:

‘*venía en ella el Capitan general: dicen se llamaba Invierno.*’

This is Spanish for Sir William Wynter.

And he has a note on the loss of the great man of war, *Nuestra Señora del Rosario* (1,150 tons), and the surrender of Don Pedro de Valdes. To us, at this distance of time, the meeting of Don Pedro de Valdes, a shipwrecked sailor, with Sir Francis Drake, and the dignified and considerate treatment of the prisoner, makes a picture of honourable war in the spirit of Velasquez his surrender of Breda, where the victor Spinola and the surrendered Justus van Nassau have part in the same world of true honour. Juan Gomez at the time recognises this, and salutes the enemy:

¹ *Op. cit.* ii. pp. 279-293.

The Spanish Story of the Armada 171

'The ship was taken by the enemy that night, so we heard, and was more mercifully treated by them than by us ; D. Pedro was sent to London to the Queen, and the rest of the prisoners distributed all through the Island, it was reported.'

The same generous spirit shines through here as was to be shown by Juan Gomez, not long after he put the finishing words to his paper, writing with too much time to spare in the Fair Isle.

The abandonment of D. Pedro de Valdes was felt as a disgrace all through the Spanish fleet, and the shame is deepened through contrast with the generosity of the English. The abandonment of Pedro de Valdes and the explosion of the *San Salvador* were the beginning of ruin ; bad omens :

'Estas dos desgracias fueron el anuncio de nuestra perdicion. Sucedió esto dentro de dos horas, que fué harto pesar á toda la Armada por el mal agüero.'

What was obvious to everyone in the great action is not left unnoted by Juan Gomez ; the great skill and daring of the English navy ; their superiority in sailing, and their consistent policy never to close, and always to keep the weather gauge—*teniendo siempre gran cuidado de tenernos ganado el barlovento.*

I take two entries in the Journal :

'9th August. Nothing fresh ; the two fleets continuing to sail in sight of one another, the enemy keeping to windward.'

'10th ,, We sailed on, with no certain knowledge of our destination, and always the enemy fleet in sight, keeping us to leeward.'

On the 13th, the writer tells of the Duke's order to throw horses and mules overboard ; there was no water on board to spare for them.

'On the 14th, we saw many horses and mules swimming past : they kept on throwing them overboard, and it was pitiful to see, because they all made for the ships, looking for help. This was the first day that we had no sight of the enemy fleet.'

On the 17th, there was a gale and thick weather.

On the 18th, they lost sight of the Spanish fleet and the Duke's ship. Only three ships were in sight, the *Veneciana* and two hulks (*urcas*), besides the *urca* (*Capitana*) in which the writer was.

On the 31st of August, one of the hulks gave in, and called for help ; the pumps had got choked with ballast ; the men were

taken off, but the weather was too bad to allow of any stores being taken.

From the 18th of August to the 2nd of September, they were tacking to weather Clare Island, 'but it pleased God not to allow us.'

On the 2nd, they lost sight of the other two vessels, and went on beating up for the Cape: the wind was all the time against them.

On the 17th, in a storm, their hulk sprang a leak, and they had to run before the wind for Norway, 18th to 20th September.

Then the wind turned fair, lat. $57^{\circ} 30'$ N., in sight of Scottish islands, and they took their old course again, with hope to see 'our dear Spain,' more particularly as it was new moon.

21st to 23rd September: the leak getting worse, and the wind and sea too strong. Then, in a lull, they were able to stop the leak with hides and planks, so that one pump was enough to keep them fairly dry.

On the 24th, head wind: they turned for Scotland.

26th, got among islands, and had great trouble at night, in rough weather, finding islands ahead of them—'trouble which will be understood sufficiently by those who have seen the like.'

At last, late on the 27th, at sunset, they made the Fair Isle:

'We found 17 households (*vecinos*) living there in huts; wild people (*gente salvaje*); their food is mostly fish, without bread, except it be a little of barley, baked in cakes: their fires are fed with such fuel as they have in the island, which they simply take out of the earth; they call it *turba*. They have cattle of a sort, enough for them; they seldom eat meat: cows, sheep, swine: the cows are the most profitable (milk and butter): they use the sheep's wool for their clothes. They are not a clean people; neither Christians, nor yet utter heretics. They say they do not like the preachers who come to them yearly from another island near (*lo que les vienen à pedricar cada año*); but they say that they cannot do anything: it is a pity.

'We landed 300 men in the island, with no provision. From the 28th of September, Michaelmas Eve, to the 14th of November, 50 have died, the most part of hunger—*que es la mayor lástima del mundo*. We determined to send messengers to the neighbouring island, to ask for boats to convey us to Scotland, where we might find a passage, or other help. But from the 28th of September to the Eve of St. Simon and St. Jude, the 27th of October, there was no possible chance: the weather was too bad. On that day, the weather was fair (*un tiempo afable*), and they

were able to go. They have not yet returned, for the violence of the sea (*por la braveza de la mar*).

There the story breaks off, November 14th. James Melvill tells the rest. Many stories of the Spanish fleet have a less happy ending.

The interest of all this is what our own poet, John Barbour, explained at the beginning of his *Bruce*—it is all a good story, and it is true. The advantage of true stories is that they compel you to make them yourself: you do not get the good of it unless you do a little work. Here one part of the story is in the Minister's Diary, another part in Spanish archives and the published work of the Spanish naval historian. You bring the two together, and suddenly you find that you are looking at the real life of the past, you are admitted to see the working of Fate or Chance or Providence through the weary wash of the Northern seas—bringing about, at some expense, the meeting of those two very estimable gentlemen, James Melvill and Juan Gomez, and something of generous life and good feeling to put on the other side of the account, against the merciless treatment of the shipwrecked Spanish on other coasts, by Sir Richard Bingham, Governor of Connaught, and Sir William Fitzwilliam, the Deputy in Ireland.¹

Of all the stories of the Armada, there is none to beat Captain Francisco de Cuéllar's adventure in Ireland, as narrated by himself in a letter to an unnamed correspondent. Cuéllar's letter is freely used by Froude, but Froude leaves out many things, and much of the spirit is lost. The truth is that 'none but itself can be its parallel'; it cannot be paraphrased or diluted, and the much praised literary art of the English historian does no more than make neat English sentences through which the irrepressible high spirits of the man himself are not revealed as they are in the original. It is one of the true documents that rather put the reader out of conceit with the humour of novels and plays. His trials were about as much as any one could stand; shipwrecked and half drowned on some shore in Sligo Bay; barely escaping the knives of the wild Irish wreckers and the strictly legal executioners of Fitzwilliam and Bingham; stripped and plundered. Froude gives one specimen of his wit, speaking of the pretty Irish girl, who told him she was a Christian—'and so she was,' says Cuéllar, 'as good a Christian as Mahomet.' Froude does not tell the occasion; the Irish girl had taken Cuéllar's string of relics

¹ Note A, Appendix.

that he always wore round his neck, and put it round her own, with the religious motive which is thus estimated by the Spanish captain. By the way, Cuéllar, before his shipwreck, had nearly been hanged by the Duke of Medina Sidonia out of pedantry; Cuéllar's ship had gone ahead in the North Sea, and was thought by the Duke to be deserting. Another gentleman was hanged for deserting, on no better grounds; Cuéllar was got off with difficulty. His good luck is as frequent as his trials, though, in the usual fashion of good luck, it mostly seems only to take a little off the accumulated score of affliction and misery. Still, he got through the wretched country, helped by priests in disguise, away from the ruined monastery where bodies of Spaniards were hanging from the gratings. He was guided to O'Rourke's country, and found assistance there. One is rather disappointed to find him not very much impressed, though not ungrateful. He had reason to join in the song:

‘O'Rourke's noble fare
Will ne'er be forgot,
By those who were there,
Or by those who were not.’

I will not repeat his adventures, but it is worth noting, and it is not noted by Froude, that he writes down in Spanish the name which the Irish used for the English; the name is ‘Sasanas,’ and it does not need a commentary.

Cuéllar at last got over to Scotland; there was no help to be found in the King: *El Rey de Escocia no es nada*; he has no authority, nor the manners of a king. But the Spanish captain found his way to the Low Countries, fresh dangers springing up, even at the very end of his travels.

Then he sits down, and writes his story; and the curious thing is that he knows, and sets down in words, the same contradiction between reality and the description of reality that we feel to-day when we go through these old memoirs, and think that once the writers of them were toiling for their lives in the salt water, though their story now is scarcely more than a dream. Cuéllar, at the time, writes to his correspondent, ‘All this will serve to amuse you after dinner, like a passage in the books of chivalry.’

‘y porque V.m. se ocupe un poco despues de comer como por via de entretenimiento en leer esta carta, que casi parecerá sacada de algun libro de caballerías, la escribo tan larga para que V.m. vea en los lances y trabajos que me he visto.’

That is the humour of it. *Y los sueños sueño son.*

The Spanish records of the Armada let you in to all sorts of real life, adventures like those of the books of chivalry, or, as we should say, like a novel, but with the inexplicable force and meaning that belongs to reality, that shows the thing 'richt as it was'—to come back to Barbour's phrase again. I have a Spanish picture here¹ of a little old Scotch tramp, held up by the Spaniards off the Cornish coast after the first unlucky sailing of the Spanish fleet. The Scillys were the rendezvous, and when the fleet was dispersed by the storm, some captains made their way there, and spent some time scouting about the Land's End. There, two small vessels were taken, Saturday, 2nd July, n.s., one of them going to France with coal. It had two friars on board, fugitives from the north of Ireland, where the English had burnt two chief monasteries, one Bernardine, the other Franciscan, and the friars as well. This Scotch ship was twenty-two days out from a port named 'Durat.' What is this? Dunbarton? All spellings are possible in these documents, and it may have been Dunbarton. It may have been Gourcock.

What shall we say to the skipper's story that, when he left, the common talk was that a nobleman named 'Bilonmat' from Spain had been in Scotland enlisting men (*que hacía gente*) and that the King of Scotland had imprisoned him? Was the skipper providing his Spanish entertainers with such news as he thought would please them, and did he throw in 'Ben Lomond' as a well sounding name in default of a better? Anyhow, there is the little Scotch coal gabbert, sailing in company with an Irish boat of a similar build, the two of them caught off the Long Ships by Spanish men-of-war on the 2nd July, n.s., 1588, in wild weather, blowing hard from the north-east and the sea running high. Juan Gomez with his hulks, as it happened, was not far off (*op. cit.* ii. p. 164).

The moral is that the rivalry of England and Spain includes a great and real likeness between the two nations. They belong to the Ocean stream, and the Spanish yarns are of the same sort as the English reports of voyages in Hakluyt. The people of the Peninsula made a more direct attempt to turn their voyages into poetry; England has nothing to compare with the great Portuguese epic of the voyage of Vasco da Gama, the Spanish epic of Chile. But I do not believe that any foreign nation is better qualified than the people of this island to appreciate *Os Lusíadas* of Camoens or *La Araucana* of Juan de Ercilla. W. P. KER.

¹ Fernandez Duro, ii. p. 161.

NOTE A.

SIR RICHARD BINGHAM, GOVERNOR OF CONNAUGHT, TO THE QUEEN,
December 3rd, 1588.

Laughton, *Defeat of the Armada* (Navy Records Society), ii. p. 299.

. . . I have adventured, in the consideration of my duty and bounty of your Highness's favour toward me, your poor and faithful soldier, to present your Highness now with these humble and few lines, as a thanksgiving to Almighty God for these his daily preservations of your sacred person, and the continual deliverance of us, your Majesty's subjects, from the cruel and bloody hands of your Highness's enemies, and that lastly from the danger of the Spanish forces, defeated first by your Majesty's navy in the narrow Seas, and sithence overthrown through the wonderful handiwork of Almighty God, by great and horrible shipwrecks upon the coasts of this realm, and most upon the parts and creeks of this province of Connaught, where it hath pleased your Majesty to appoint my service under your Highness's Lord Deputy. Their loss upon this province, first and last, and in several places, was 12 ships, which all we know of, and some two or three more supposed to be sunk to seaboard of the out isles; the men of which ships did all perish in the sea, save the number of 1,100 or upward, which we put to the sword; amongst whom there were divers gentlemen of quality and service, as captains, masters of ships, lieutenants, ensign-bearers, other inferior officers, and young gentlemen, to the number of some 50, whose names I have for the most part set down in a list,¹ and have sent the same unto your Majesty; which being spared from the sword till order might be had from the Lord Deputy how to proceed against them, I had special direction sent me to see them executed, as the rest were, only reserving alive one, Don Luis de Cordova, and a young gentleman, his nephew, till your Highness's pleasure be known.

NOTE B.

I offer an emendation in the text, in a very interesting paper printed by Fernandez Duro, ii. p. 163: report of the *Alférez* Esquivel who sailed in a pinnace, June 27 n.s., from La Coruña to look for the scattered ships. He came in for the wild weather off the Land's End a few days later; running south before the wind on July 2 they were pooped:

. . . nos dió un golpe de mar que nos sobrepujó por encima de la popa de medio en medio, de manera que quedamos á ras con la mar, anegados y del todo perdida la pinaza que con la mucha diligencia que se puso á agotar el agua con barriles que desfondamos y baldes, y la hecha con [*sic*] que se hizo de todo lo que habia dentro, fué nuestro Señor servido de que hiciese cabeza la pinaza . . .

For 'la hecha con,' which is no sense, read 'la hechaçon.' The word, printed 'echazon,' comes a line or two later in the narrative, and is clearly required in this place: 'We were pooped by a heavy sea, swamped and the pinnace done for, but that doing all we could to bale with barrels, knocking the tops out, and buckets, and with jettison (*echazon*) of all the stuff on board, by the favour of God we brought the pinnace up and got way on her.' The whole story is worth reading.

¹[Juan Gil, *alférez* (ensign, 'Ancient') was one of them, who picked up the Falmouth boatmen, July 20th, scouting in a *zabra*, Fernandez Duro, ii. p. 229.]

Clerical Life in Scotland in the Sixteenth Century

A WRITER in a recent number of the *Scottish Historical Review* has wisely remarked that, even making allowance for the loss of our national records in 1660 and other internal circumstances which led to the destruction of many valuable documents, 'it is evident, when we compare such scraps as have survived with the wealth of documents in England and France, that as a race we were bad at writing down.' Admitting that our records of the transfer of lands are fairly good from the sixteenth century, there is still a real lack of information about the ordinary life of the people in medieval times. Our literary and historical clubs have now published most, if not all, of the more intimate diaries and letters relating to that period which can be found, and even these do not amount to very much. But there are some documents to which one would not naturally go for information of the kind, which nevertheless, on closer examination, prove quite a wealthy mine. Such, for instance, are the Protocol Books of the notaries in various parts of the country, of which a hundred and fifty-nine are preserved in H.M. Register House, though many of them have been so carelessly kept that there is very little of any sort in them. Five of these books have been printed in abstract by the Scottish Record Society—a body which is far too little known even to students of history, and which has for the last twenty-two years done a great deal in the way of making many valuable sources of information accessible.

Notaries in Roman times were originally shorthand writers, generally slaves or freedmen. The Emperor Constantine ultimately constituted them into a kind of imperial chancery, and they transacted much important public business. Our present-day notaries are, however, the direct descendants of a body of men organised by the Pope in the early days of Christianity for the primary purpose of preserving the records of

the Church, though afterwards for many other purposes entirely secular. They were papal officers, but in Scotland after the Reformation the appointment of notaries was vested in the Crown, and by an Act of 1563 they had not only to get a Royal Warrant to practise, but also to be examined and admitted by the Lords of Session. A notary on his admission was given a book in which he had to note all the deeds executed by him and to exhibit his subscription or signature. Some of these latter were fine specimens of handwriting with elaborate ornamentation. A notary was the depository of all kinds of curious information. Persons in a community, whenever in doubt, flew to a notary, and these recorded not only what they wanted done at once, but what they thought might be done under certain future and problematical contingencies. A large part of a notary's business consisted of transfers of lands; but in addition to this there is a great deal of incidental information about the manners and customs of their clients, how they lived, loved, quarrelled, worshipped or died, and in this way some insight is given to the social and religious life of our ancestors.

The Scottish Record Society has published five of these Protocol Books, which cover a period extending from 1512 to 1578. They have the advantage of relating to various parts of the country: the earliest of them is that of Gavin Ros (1512-1532), who resided in Ayr, but also had business connections in Lanarkshire; Alexander Gow (1540-1558) was vicar pensioner of Abernethy, where he probably lived, but he had an office in Strathmiglo also; 'Sir' William Corbet (1539-1555) was a Border man, and his deeds deal almost entirely with matters pertaining to the counties of Roxburgh and Berwick; Gilbert Grote (1552-1573) was a native of Caithness, but practised in Edinburgh and had a widely extended *clientèle*; Thomas Johnsoun (1528-1578) was a chantry priest in Linlithgow, combining with his office of notary the administration of the altars of St. Salvator and St. John the Evangelist in the parish church, and the cure of the Chapel of St. Ninian at Blackness. He was also clerk to the Head Court of the Burgh of Linlithgow.

Apart from transactions relating to the transfer of lands, perhaps the majority of the deeds recorded in these books have to do directly or indirectly with the Church. The admission of chantry priests to their altars is a frequent occurrence; their symbolical investiture was by the delivery to them of the keys, chalice, book, and altar furniture, and sometimes they undertook

to do things quite outside the usual liturgical service. Thus on Archibald Fawup being admitted as chaplain of the chapel of the B.V.M. in Linlithgow Church, he undertook to build a canopy or baldachino over the altar at a cost of £3 Scots. In the case of the introduction of a higher dignitary to his office things were more ceremoniously done than at the admission of a mere chantry priest. At 10 o'clock in the forenoon of Sunday, the 25th of July, 1534, there appeared at the high altar of Linlithgow Church, Dom. Walter Heriot, clerk of the diocese of St. Andrews, to be inducted as vicar. 'He held in his hands a Papal Bull, sealed with the lead seals, and also with the red seals enclosed in wood of the Apostolic See, and also of the ordinary of the diocese of St. Andrews.' He was also instituted by a presentation from James Beaton, Archbishop of St. Andrews, in all the rights, fruits, rents, oblations and casual offerings, and also in the house and garden belonging to the vicarage. The instrument of investiture is formally witnessed by some dozen chaplains and by Thomas Petticrieff (Pettigrew), Lyon King of Arms.

These chaplains and chantry priests were on the whole not very high-class specimens of the clergy, though Johnsoun, who is responsible for the Linlithgow Protocol Book, seems to have been a man of some education, as, besides being a notary and holding the three ecclesiastical appointments mentioned above, he was also, as before stated, clerk to the Head Court of the Burgh. With all emoluments, however, he can only have been 'passing rich on forty pounds a year'; an exiguous enough income when calculated in Scottish currency. But as a general rule the chantry priests were an uncouth, unlearned and troublesome lot. In Linlithgow the town council, being patrons of almost all the altars in the church, were able to keep some control over them. This did not prevent them from quarrelling amongst themselves. One Saturday morning in May, 1532, Dominus Henry Louk, chaplain and curate of Linlithgow Church, appeared as usual at the time of High Mass 'dressed in his ecclesiastical vestments.' He had, a fortnight before, pronounced a sentence of excommunication on a certain John Crumme, and seeing the culprit in church, where of course he had no right to be, he asked John Pollart, another of the chaplains, whether he had absolved him. Pollart said he had, but upon being called on to produce the document of absolution refused to do so, doubtless with malicious intent, and, the notary states, 'to prevent the curate from proceeding with the service.'

Unfortunately we have no further information about the case, but it is evident that Dom. Pollart was out for mischief. Chaplains were no doubt subject to the discipline of their ecclesiastical superiors, but it probably required some very considerable lapse of decorum before they were interfered with ; so long as he kept reasonably sober and inoffensive and confined himself to the society of the one lady who kept house for him, and who to all intents and purposes was the wife of a somewhat unwilling celibate, neither public opinion nor ecclesiastical authorities would interfere with an easy-going chantry priest. But some sort of discipline was certainly put in force : there was quite a lively quarrel in 1513 between Mr. Arthur Hamilton, provost of the Collegiate Church of Hamilton, and Mr. Robert Hamilton, the commissary of the district. The provost ordered the commissary to deliver to him all chaplains residing in the college whose names were in the commissary books as requiring correction. The provost alleged that he was responsible for their correction, but this the commissary stoutly denied, saying that they were under his jurisdiction and had been under that of his predecessors 'by approved custom.' There were protests and appeals, and ultimately the commissary appointed a hearing to take place in the aisle of St. Michael in the church of Glasgow. The last we hear of this case is of the provost, through his procurator, demanding letters of appeal from the commissary ; but, unfortunately, the deeds relating to this dispute are very illegible and not much can be gathered from them. Perhaps not very much was done, as the provost died within a year.

These chaplains or altar-priests must have been very difficult to deal with. They were generally illiterate, and many of them could only with difficulty stumble through the words of the mass : they were poorly paid, as even the endowments of the best altars cannot have amounted to a large sum. We know that in the thirteenth century the established salary for a chaplain was only a hundred shillings a year, with perhaps the gift of some old clothes from the rector. Of course the emoluments were larger in the sixteenth century, though it is doubtful if their purchasing power was much greater. The daily life of the majority of them, as Dr. Patrick points out in his *Statutes of the Scottish Church*, left much to be desired, and the too belated efforts of the Church authorities to reform the lives of the lower (and indeed the higher also) clergy did not have much effect. But some efforts were seriously made : thus we read that on the

4th of June, 1555, Sir Hugh Curry, Rector of Esse and Dean of Christianity (or in other words Rural Dean) of Linlithgow, appeared in the parish church there, called the roll of all the curates in the deanery, noted the absentees, and proceeded to read 'in a loud clear voice' the Provincial and Synodal Statutes for the year, with the new additions for the synods of St. Andrews and Edinburgh. He then ordered certain of the statutes which more particularly concerned the curates to be copied by them, and not only so, but commanded them to produce the copies at the next chapter to be held at Linlithgow on the third Holy Day after the Feast of the Exaltation of the Holy Cross. This would give them from the beginning of June till October to make the copies. The statutes were presumably those issued by the Provincial Council at Edinburgh in 1549 and 1551 and by the Provincial Council at Linlithgow in August of the former year. Of the fifty-six statutes promulgated by the Edinburgh Council at least a dozen dealt with the life, duties and discipline of the inferior clergy, so that each of those concerned would have a quantity of matter to transcribe not of any great extent in itself, but which would tax their unskilled hands considerably.

While the actual permanent endowments of the altars served by the chantry priests were on a very modest scale they had always the chance of getting money from the faithful for masses to be said for their souls for a limited time: thus a poor fellow John Cumming, a burghess of Edinburgh, 'himself now lying in grave peril,' obliged himself to pay to Henry Louk, curate of Linlithgow, the sum of £5 Scots for a year for the souls of his wife and children who had just died of the pestilence in Linlithgow in 1530. And again in the following year we find Allan John, the heir-apparent of Allan Lychtman, burghess of Linlithgow, giving his consent to Allan's expressed intention to mortify a portion of his heritage to the church for prayers for the safety of his soul. It may be observed that this deed was executed at six o'clock on a Sunday morning in November, 1531, at Allan's house, which looks as if Allan felt himself drawing very near death. It is difficult to see why the heir's consent was necessary to such a pious act, unless some previous deed had given him some sort of control over Allan's property.

One of the most curious ecclesiastical disputes which is commemorated in these books is that between James Brown, school-master of Linlithgow, and Henry Louk, the curate of the

parish. It is notarially recorded on 9th January, 1538-9, that Brown had made the following statement to Henry Forrest, a bailie of the burgh, and that it had done much harm and scandal to the said curate in the minds of his parishioners: the statement, to be fully appreciated, must be given in the vernacular:— ‘Sayand that Schir Hendrie Louk, curate of Linlithgow, held his barnis that he kennit in his scoule at sic subjection, aw and bandone and siclik himself, that he and the said barnis behufit to enter in the kirk to goddis service at the latter peills on festuale dais baith mess and evensang and settis down in the said kirk on cauld stanis, quhen tha migcht have dune gret proffit and steed to thaimselfes to have levit in the schull, tynand thair tyme.’ Now this is excellent Scots and tersely put. We can see the indignant curate stung to the quick at such remarks, which were probably quite true, rushing to the notary to have them put on record so long as they were fresh in mind, probably with the view of future proceedings. And we can quite understand the schoolmaster’s point of view. On cold winter days he and his pupils that he taught at school were obliged by this exacting curate, who was evidently a terror, and who kept both master and scholars in subjection, awe and ‘bandone’ or under command, to attend church both at morning and evening service, not, be it noted, on Sundays merely, but on saints’ days during the week. They had to enter church ‘at the latter peals,’ that is to say as the bells were just ‘ringing in,’ and when there had to sit through the long service, not in comfortably furnished pews, as would be the case now, but ‘on cauld stanis’ in a church which was not heated. We sympathise with the sensible remarks of Mr. Brown, that under the circumstances the children were simply ‘tynand thair tyme,’ and that they would have been much more profitably and usefully employed in learning their lessons in school.

The clergy, high and low, no doubt wielded great power in those days. Excommunication was a weapon which in the last resort few could resist. We have mentioned above the quarrel between this same ‘Schir Henry’ Louk and John Pollart, one of the chaplains, as to the excommunication of a man. It will be remembered that the quarrel arose on the question whether or not there was a man under the sentence of excommunication present at the service which was going to be celebrated. No one, of course, under such a serious censure could be a partaker of any of the sacraments of the Church. But it was sometimes

evaded surreptitiously. In January, 1544-5, Robert Stark, a parishioner at Lenzie, appeared before Malcolm, Lord Fleming (Lenzie being one of his five baronies), and being examined and questioned, admitted that he had confessed to one priest and taken the sacrament at the hands of another within the Laigh Kirk of Glasgow, notwithstanding that he was under excommunication in his own parish church of Lenzie. It will be noticed that it was in a civil and not an ecclesiastical court that this wrongdoer was arraigned, and the phrase 'examined and questioned' suggests that he may have been not only examined, but that his confession was extorted from him by torture. What his ultimate fate was we are not told, but if it involved a capital sentence, that could only be pronounced by a civil court, and that is perhaps why he was tried before Lord Fleming.

Excommunication was indeed a serious matter as well from the social as the spiritual side. Not only were excommunicated persons deprived of the rites of the Church, but they were ostracised from ordinary society and they could not bear witness in any civil court. One of the most extraordinary cases recorded in these protocols is one in which William Smyth confessed before the Chancellor of the Metropolitan Church of Glasgow and the Dean of Kyle and Cunningham, saying he was willing to obey the commands of Holy Mother Church in all things, though he had been excommunicated by James Beaton, Archbishop of Glasgow, 'only because he had in his house and family a male servant . . . who would serve him in honourable services.' This, of course, on the face of it was an impossible cause for so heavy a church censure, but William must have had something on his conscience which told him he was not free from fault as he offered to submit to the correction of the chancellor and dean 'or other prudent persons.' This occurred in August, 1516.

On the other hand, the Church had to be prudent on its side, and not launch its thunders without due consideration. A single private individual might be easily brought into subjection, but it was different when a body of decent citizens were involved. Some dispute had arisen in the town of Ayr between the curate of the parish and certain inhabitants, the result being that the latter were incontinently excommunicated by the former. But they did not take this sentence lying down; on the contrary, James Tate, one of the aldermen, and afterwards provost, entered a spirited protest that three burgesses and sundry other neighbours and indwellers in the burgh had been unjustly and

unlawfully excommunicated by Sir Henry Hunter, the curate of the burgh, as he is called, and that they had not been lawfully cited before the dean. He also made the rather contradictory assertion that the dean had postponed their conviction until the eighth day after the synod of Glasgow, thus admitting that the matter had in some form been before that functionary. Another instrument was recorded at the same time by the alderman requiring the curate to produce the letters of excommunication, but this he refused to do, which scored one for the parishioners. Then the curate gets another deed put on record, in which he called on the three burgesses to remove themselves from divine service in the parish Church of Ayr, because they were excommunicated by the dean. All these deeds were executed on Sunday, the 14th April, 1521, probably just before service, and because the three burgesses in question refused to move, the curate 'protested for remedy of law.' What the final result was the Protocol Book does not reveal, but as we find the burgesses in question witnessing deeds and doing other legal acts not long after, no great harm can have come to them. No person could perform any legal function when under the censure of the Church; so we find Katherine Davidson in Ayr appealing from the decision of certain arbiters in a case she had against John M'Cormak on the ground that two of them were bound by a sentence of excommunication at the time of their pronouncing their decree, 'and for that cause were not fit to minister justice by any title public or private.'

There was an interesting deed executed on 3rd February, 1517-18, which shows the remuneration a chaplain expected to get when serving a charge for another parson. Geo. Edward Campbell, a chaplain, had evidently been serving for some time in the church of the Blessed Mary of Grace of Kyle, in the parish of Monkton, of which Mr. John Cunynghame was preceptor. The latter agreed to induct Campbell to the office and administration of the altar and of divine service in the church at Whitsunday, 1520, and till then to pay him ten merks yearly: after that date Campbell was to get yearly a brown horse or five merks in money, whichever he preferred, and eight merks of money, four being payable at Easter, and four at Michaelmas. In addition to this he was to have the usual chaplain's chamber where he was then living, with certain lands adjoining. It is not clear whether he was to get the casualties due to the church and the offerings, or whether the preceptor reserved these for himself.

As time went on and the character of the Roman clergy sank

lower and lower we find instances of benefices being gifted to their relatives or sold outright to third parties in the most irregular way. In 1544 Henry Louk, chaplain of the Altar of the Blessed Virgin in Linlithgow Church, handed over to his niece, Marion Crawford, in view of her approaching marriage to John Thomson, an annual rent of eighteen shillings yearly payable to him as chaplain, 'to enable the said John Thomson to maintain the said Marion at bed and board, as other burgesses of the said burgh.' The gift of course was only to hold good during Louk's life, but the donee, the editors remark, did not live long to enjoy it. After the Reformation the emoluments of such benefits were often diverted from their original purpose and applied for purely secular ends. The Hamiltons of Kincavell had founded the altar of St. Anne in Linlithgow Church, and though the advowson had been forfeited to the king in 1542 on account of the 'heresy' of the patron, the family seems to have got it into their hands again later, for in 1576 James Hamilton, a younger son of the family, got a grant from his father of the benefice 'for his support in the schools.' Similarly, Henry Livingston, son of Alexander Livingston of Castlecary, had a grant from his father, the patron of the benefice of the chapel of the Blessed Virgin in Linlithgow, for the same purpose, 'that he may become a learned man, wise and honest.'

Occasionally the emoluments of a benefice were handed over on condition that the donor was suitably supported during his life. Thus the revenues of the altar of Our Lady in Torphichen Church and those of the altar of St. Eloi in Linlithgow were disposed by the chaplain, John Pollart, to James Pollart of Corstoun. The details are curious: the chaplain was to have 'his honest sustentatioun in meat and drink as ane honest man aucht to have and an honest chalmer' at Corstoun, together with bedding, fire and candle, the washing of all his linen and bedding, and a payment of twenty merks a year in money.

It is rather singular to find in these Protocol Books so little reference made to the children of priests, for, from what we know of the habits of the clergy, there must have been many, all of course, in the eye of the Church, illegitimate. But in one instance we hear of letters of dispensation being issued by Andrew Forman, Archbishop of St. Andrews in 1516, a certain Adam Gordon, a scholar, 'being the offspring of a priest and a single woman,' enabling him to take holy orders, receive a benefice, and undertake the cure of souls.

A priest did not necessarily have 'a cure of souls'; he might hold a much lower place in the ecclesiastical hierarchy. The position of parish clerk was open to him, though it was not infrequently filled by a layman, but as it was necessary for him to be at least able to read, the majority of such posts would be held by persons in minor orders. Bishop Dowden has some interesting remarks on this office in his book *The Medieval Church in Scotland*. He identifies it with the office of *Aquaebajulus*, an official who went on Sundays and festival days to the houses of the parishioners and sprinkled the people with holy water, receiving in turn 'alms' which came later to be 'dues.' He also assisted the celebrant at mass; he was invested in his office by the delivery to him of a water stoup (*amphora*) filled with holy water, and a phial and sprinkler. We may think in these days that the election of a minister by the votes of the male and female members of the congregation is a very modern innovation, but we may be surprised to learn that it was in this very way that a parish clerk was elected to his post. Several instances of such elections occur in the Protocol Books. In October, 1513, the parishioners of Coylton 'with one voice' chose Matthew Crawford to be parish clerk. The voting seems to have extended over four or five days from Sunday the 23rd October till at least the following Wednesday; upwards of seventy persons voted, of whom at least eight were women. The post seems to have been a sort of appanage of the Crawford families, as the last holder also bore that name, and in a deed recorded immediately before the one narrating the election George Crawford of Waterhead undertook that if Matthew Crawford succeeded in getting the appointment a certain John . . . should 'have all the conveniences and uses which he had in the time of the late James Crawford,' and that he should do good and faithful service to Matthew in the clerkship as he had done to James. This rather indicates that while drawing the emoluments of the clerkship the holders performed its duties by deputy.

But such elections were not always carried through so quietly and without opposition. In November, 1524, Adam Reid was elected parish clerk of Mauchline by the votes of 127 of the males and ten of the female parishioners. On Sunday, 6th November, Reid was duly inducted to his office by delivery to him of the usual stoup and phial, and before this ceremony Hugh Campbell of Loudoun, the sheriff of Ayr, required the parishioners present to intimate if the election did not please

them, but they all remained silent. While, however, the parishioners assented, opposition came from another source. We are told how one David Lundie 'endued with a linen habit' appeared and declared himself willing to serve in the office, having been instituted thereto by the convent of Melrose, the patrons, Mauchline being a vicarage of that abbey. He also protested against the admission of Reid, and said he was hindered 'by the strong hands' from ministering in the office. Sir John Liddal, a monk of the abbey, of the Cistercian order, also appeared and asserted that the sheriff was grievously injuring the rights, liberty, convenience and profit of the monastery by soliciting the votes of the parishioners for Adam Reid, 'his servant,' and declared that the office both now and formerly belonged to the abbot and convent of Melrose by full right. On the other hand, the sheriff stoutly denied (so far as can be made out from a somewhat defective document) that he had done or ever wished to do anything against the liberties of the monastery. There must, indeed, have been quite an exciting scene in Mauchline Church that Sunday morning. Apparently, for the time being at least, Reid succeeded in retaining his appointment, but he did not hold it long, as on 11th April, 1529, *John Lundie* was inducted, through his procurator Sir William Ard, chaplain to the parish clerkship of Mauchline, the appointment being made by letters of provision written on parchment under the common seal of the abbot and convent of Melrose. There does not seem to have been any opposition by the parishioners, who were not on this occasion called on to give their votes. Whether this John Lundie who was now presented was the same as that David Lundie who was formerly the candidate favoured by the abbey it is impossible to say.

It is doubtful whether the clerks in the above-mentioned cases were in ecclesiastical orders, but in that of the election of a clerk to the parish of Dalrymple we are on surer ground. Sir Thomas Mure, chaplain, through his procurator, John Mure, in Wodland, resigned his office of clerk in the hands of John Campbell, one of his parishioners. The election of the new clerk was made by votes, but the notary has not filled in the names of the parishioners voting, though he has left a page and a half blank for the purpose. They unanimously chose Sir Alexander Jameson to fill the vacant post, and after this John Campbell, in name and by command of the other parishioners and in their presence, 'or of the greater and wiser portion' of them, formally

inducted Sir Alexander to the clerkship. All this was done at the time of high mass in the parish church on the 27th September, 1528.

In the case of the election of a parish clerk to Cumnock when Sir Thomas Crawford (evidently a priest) was chosen, only some five women voted out of a large number of parishioners. He was inducted not only by the delivery to him of the amphora of holy water and the phial, but also of the church keys. And it is curious to note that, so far as can be gathered from an imperfect deed, his first act was to read an admonition to the people to see that the various emoluments pertaining to the office were forthcoming at the usual times.

Sometimes, however, the parishioners did not get it all their own way, and the patrons carried matters with a high hand as regards the presentation of the parish clerk to their churches. In May, 1522, Sir John M'Tere, a chaplain, executed a revocation of his pretended resignation of the parish clerkship of St. Kevoca (St. Quivox), in the diocese of Glasgow, on the ground that it had only been made by him from fear and dread of death, as he had declared on oath in the hands of Robert, abbot of Paisley, who asserted himself to be the patron of the said clerkship, and who had apparently nominated Ninian Wallace. Whether M'Tere succeeded in keeping his post is not certain; both he and Wallace are named in several subsequent deeds, but in none of them is either designated parish clerk.

An election to the parish clerkship of Auchinleck in 1527 reveals a very curious state of affairs. Upwards of seventy parishioners, including a fair proportion of women, elected John Lakprivick, a minor, to the office. He was the son of the former parish clerk, also a John Lakprivick, and we are frankly told that the office was vacant on account of the inability of the last-mentioned John to perform the duties on account of the crime of homicide committed by him. Here occurs one of the most distressing lacunae in these volumes; just at this exciting point the deed becomes defective, and we are left to imagine the particulars of the crime. Apparently there must have been much local sympathy for the perpetrator, as the number of voters testifies. They elected then this boy, who was duly invested with the usual symbols, rather more definitely described than in other cases, namely, a wooden stoup containing holy water, a sprinkler, a pewter phial, and the keys of the church. As the presentee was of too tender an age to perform the duties of his office personally,

he nominated a certain Patrick Campbell to be his 'suffraigan,' 'to minister in the office until John himself should be found fit and of sufficient age and discretion to minister.' Truly an amazing election.

The cases given above are all from the Protocol Book of Gavin Ross, and refer to the county of Ayr. But in other parts of the country such elections were carried out much in the same way. Succession from father to son was not infrequent. At Earlston, for instance, Alexander Home of Carolside, had been parish clerk, and on the fourth Sunday of Mid Lent, 31st March, 1549, the parishioners convened in the church and elected his son James to the office, into which he was thereupon inducted by Sir James Ker, the curate of the church. And in the parish of Merton we find Andrew Haliburton, the laird of the place, passing to the dwelling-places of the parishioners and craving their votes for his younger son Andrew, for the office of parish clerk. And lay persons of even higher rank were elected to such a post, probably owing to the influence of powerful friends. We are told how, at eleven o'clock in the forenoon of 1st November, 1548, Archibald Earl of Angus, lord of the barony and regality of Abernethy, and his tenants, parishioners of Abernethy, and other parishioners of the same, compeared in the parish church, and 'with one consent and assent and without disagreement' chose a qualified man, David, son of David Murray, Knight, of Arnegosk, to be their parish clerk. He was inducted in the usual way, but further procedure in his case at least seemed to be necessary, as the electors prayed William, Bishop of Dunblane, to admit him to his office, and to grant him his ordinary confirmation. It is perhaps reasonable to doubt whether Mr. Murray would have had the same unanimous call had the Earl of Angus not been personally present at the election.

Such are a few of the incidents relating to ecclesiastical life which have been gleaned from the pages of the Protocol Books mentioned. They are of interest as throwing light on the clerical life of the period dealt with. In a future paper I hope to give some illustrations from the same sources of the manners and customs of the people themselves, and of the conditions under which they lived.

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Le Testament du Gentil Cossoys

THE following unpublished verses are contained in MS. Français 24315 of the Bibliothèque Nationale, Paris, described as *Recueil de Poésies Composées par Jean Troitier, Molinet, Pierre Fabri, Cretin, Castel, Jehan Braconnier de Bordeaux, Guillaume Tasserie, et Autres Auteurs Anonymes*.¹ This MS. belonged to the *Collection La Vallière*, of which it was number 2926. It is on sixteenth century paper, and is written in *Ancienne Bâtarde* script. It contains one hundred and sixty folios (285 × 200 mm.), and is bound in calf with the arms of d'Urfé.² *Le Testament du Gentil Cossoys* is found on ff. 92^v-95. It is written in a dialect which has some resemblance to that spoken in Picardy and Artois, but its main characteristic is the use of a jargon suggestive of the bastard French which must have been used by many Scottish soldiers of fortune. Eustache Deschamps had written of the 'nouvel langaige' which was heard daily by the miserable peasants of France as band after band of men-at-arms passed through their fields with their strange speech and stranger oaths—

'Je ne sçay qui aura le nom
D'aler par les champs desormais
Un temps vi qu'Englés et gascon
Parloient tuit, et clers et lais :
'*San Capdet*' et '*Saint George m'aist* !'
Adonc estoient en usaige,
Et redoubtez par leurs meffais :
Toudis vient un novel langaige.'³

Rabelais' reference in *Pantagruel* (ii. 9) to Panurge's display of

¹I am indebted to a reference in one of the notes in M. Pierre Champion's *François Villon* (ii. 178, n. 3), for my introduction to these verses, and to M. Louis Jacob, Paris, for a description of the MS. and some useful suggestions.

²Pierre d'Urfé was *grand écuyer* of France under Louis XI. and Charles VIII., cf. *Memoires de Philippe de Commynes, passim*.

³Champion, *Les Sociétés dangereuses du XV. siècle* in Sainéan, *Sources de l'Argot Ancien* (Paris, 1912), i. 365.

Scots is well known,¹ probably better known than the daring adoption of the kilt by the three 'dames de Paris' of the *Fabliau*.² The impression which the Scottish soldiers of fortune of the fifteenth century made in France was not altogether favourable, and Villon hinted that the best covering or protection for a Scotsman's throat was a halter.³ In the *Argot* of the period the terms *Ecossais* and *Pillard* had the same meaning.⁴ One of the criminal vagabonds whose name appears more than once in the *Procès des Coquillards* of 1455 is Jehan d'Escosse.⁵ It is possible that this worthy was the 'Jehan mon amy, qui les fueilles desnoue' of one of Villon's *Ballades Jargonesques*. In any event the pathos of the following verses must be discounted by the recollection of their satirical intention.

The verses date themselves 15th February, 1509, and the date is appropriate if it be recalled that in that year the first measures were taken by Louis XII. to replace the bands of mercenaries to which many Scotsmen had belonged by a regular military establishment on a national basis.⁶ If I am correct in treating the verses as historical and satirical, their date supports my view. It is possible, of course, that they may have been written long after 1509, but this seems to me improbable. The verses have all the marks of that period. The other verses which the MS. contains all belong to the fifteenth and early sixteenth centuries and include the *Ballade contre les Ennemis de La France*, which M. Longnon

¹ W. P. Ker; *Panurge's English* in *An English Miscellany* (Oxford, 1901).

² Montaiglon, *Fabliaux*, iii. 150.

³ Champion, *François Villon* (Paris, 1913), ii. 154. For contemporary descriptions of the uniform of the Scots Guard v. Michel, i. 275.

⁴ *Ibid.*, ii. 178, cf.—

'J'ay la conscience aussi large
Qui les housseaulx d'un Escossoys'

and—

'Ils sont larsons comme Ecossoys
Qui vont pillotant les villages,'

quoted by Champion in Sainéan, *op. cit.* ii. 355, cf. Michel, *Les Écossais en France*, i. 124.

⁵ Sainéan, 94, 402, 416.

⁶ The date may be read to mean 1499, and, if this earlier date be adopted, the verses may refer to John Cunningham, Captain of the Scots Guard, who died at Vercelli in 1495 of wounds received at the siege of Novara. Michel, *op. cit.* i. 232.

has attributed to François Villon.¹ Most of the verses have reference to actual events or persons.

The debt which the author owes to the school of ballad-writers to which he belonged, and to Villon, who gave the form a new significance, is evident, and may be observed even in details such as the references to 'ung petit saint georch' and 'pocras' which recall ll. 1219 and 1477 of *Le Testament* of the Master. The 'Testament' as a literary form can be traced to the decadence of the Latin world. It was very popular, and our national literature contains several interesting specimens.² If the *Testament du Gentil Cossoys* belongs, as has been suggested, to the Artois-Picardy region, it has an interesting relation to the form of popular verse known as the *Congé*, which was originated by Jean Bodel and developed by the bourgeois of Arras.³

DAVID BAIRD SMITH.

LE TESTAMENT DU GENTIL COSSOYS

I

Puisque mon gaich et tout mon pontement
 Laty rompre voy bin que ma col cas
 Moy l'aury fait ung belle testament
 Tantost moy mesm Dieu plaist que moy trespas
 Vin sa, couri, pry vous petit compas
 Ma l'ordonnas car l'esty grand malad
 Preny papier, crivy cela moy pas
 Ma cueur ja pens mory tant l'esty fad.

II

Item premier à Diou et Nostre Dam
 Sainct Michel l'Anch et Sainct Trignen de Cos
 Moy recommand tout entier mon povre am
 Et seroit y encor vingt foys plus gros
 Quand mort prent moy, faity ung bon grand fos
 El chimetier resabz de la glis
 Et la me couch tout du long de ma dos,
 Bin à mon ais comme sera de guis.

¹ Oeuvres (Paris, 1914), 82. The title in the MS. is *Ballade contre les medisans de France*.

² Routh, *Progress of Social Literature in Tudor Times*, Cam. Hist. Eng. Lit., iii. 83, and Peignot, *Choix de Testamens* (Dijon, 1829), ii. 239, et sqq.

³ Paris, *Littérature Française* (Paris, 1905), p. 203.

III

(fol. 93.) Mon secuteur vostre vous me bon prest
 Chanty de mes tout la jour hardement,
 Quand quelque chos de bon couraich me prest
 Moy tout vous rend la jour dil jugement.
 Mon grand courrach, sallad et billement,
 Pour vostra corps garde bin de larrons
 Quarante ens plus vault ung foyz vraiment
 Moy donne vous avecque mon perons.

IV

Mon brigandin, gratebras et sallad,
 Dag, javrelin, albard et gorgery,
 Donne à ma paich sert moy sain et malad
 Bin congny ly que laty grand marry
 Quand ma courtault de son morb l'a gary
 Moy monte luy comme ung petit Saint Georch,
 Mais il a ty ung grand curagery
 Mange farsin par tout jusquez son gorch.

V

Moy les aussi une bell heritaich
 A mon parens, barbis, beuf, vach et veaulx
 Fait comme il veult entre luy ung partaich
 Tout pellemel preny porc et bouveaux
 L'erbe de prez pour menge la chevaulx,
 Gransch, massons, couvri tous de festus,
 Tappissery, vais d'argent et joiaulx,
 Moy donne tout, laty bin revestus.

VI

Item j'ordon j'auri six torch de chir,
 Deux gros chandel acusson de mon arm,
 C'est par amour le bon roy nostre sir
 Que j'amery grandement par mon arm
 Ung cu de gueul tout semé de gros larm
 Et une cueur navré de fleich ou dard
 Pour monstrere que j'aty bon gen d'arm
 Dessus mon fos planty une tandard.

VII

(fol. 93^{vo}.) Moy ne veult moy sonnery me tempest
 La choch il est in bones ung trop grant tail
 Mais je jorry sonner yn grand trompet
 L'est advis moy que j'entry en batail.
 Ma compaignon qui n'aury plus chinquail
 Qui l'et cassé de tout saich moy veul
 Ploury bin fort ou de tot ou de tail
 Ma paich et luy faity trestous la deul.

VIII

Tout bon Cossoys je cuid se trouvery
 Myner ma corps avec son sepultur ;
 Bel ocqueton carchy d'orfavery
 Vien deux et deux com l'aty bon droictur ;
 Qui aury fam ni soif pren son pastur
 Maiz que pour moy dit ung beau *profundis* :
 Se my parly à Diou par avantur
 Moy pry qui vien trestout en paradis.

IX

Couury dity une belle raison
 Tout continent que moy vient à l'esglis
 Mess et vagil, psaultier et crie l'oyson
 Chanty bien ault dung bon voix sans faintis
 Le chantre a dit de music gros assis
 Ung mess à not tantost sy ly plaira
 Moy donne à eulx ung bouteil fort exquis
 Tout plain pocras pour chante *labara*.

X

Item moy veult qu'on fait ung beau donné,
 Vin plain de pot a cule de potaich
 A court ouvert mason bin bandonné
 Veult bin chacun tout vivre davantaich.
 (fol. 94.) Mon rob, pourpoint, chaus, ouseaulx et bagaich,
 Mon troussemen, arc, pantoufl, brodaquins,
 Tot la livre par la main de ma paich
 A l'ôpital pour vestir la coquins.

XI

Ainsi moy pas mon testamen sans mocq,
 Et ne vouly qu'il a point de rabat ;
 Tout testement d'aültreffoys je révocq,
 Tendez-vous bin, que person n'a debat.
 Cryvry, brouly, tout signy de mon pat
 Presens ma paich qui ne l'est pas bin ais
 Quinz en fevrier quand y couri pour dat
 Mil quatre cens quatre vingt· xvj· et traiz.

XII

Mon terrement laty bin ordonné
 N'atendre plus vivre el mon, jour ny heur
 Puisse fortun tient moy pour bandonné
 Va Jehan de Cos, c'est bin fort que toy meur
 Ne parly plus, ne faity plus d'honneur
 Vous est cassé et de gaich et de dam
 Ja prens vault mieulx pour pontement meilleur
 Te rens à Diou da bin, da corps et d'am.

XIII

Adieu le prins gorrieux et mon mignon,
 Adieu mon dam, adiou mon marmouzel,
 Adieu l'archie, capetaïn, compaignon,
 Adieu le paich, adieu fil et pucel,
 Adieu bon gens, adieu celuy et cel
 Qui nourrit moy quand laty en la guerr,
 Adiou trestout le bon vil et castel,
 Adieu fourrieux, mon logeon ést en terr.

XIV

(fol. 94^{vo}.) Adiou par tout noble royaulm de Frans
 Adiou comman le povre païs de Cos
 Moy vient tantost prendre ma corps par trans
 Et si n'aury horion, plaie ne bos,
 Et non pourtant ne fault porter l'endos
 Dont moy pry vous que une belle paraf
 Tout vis vif l'autre costé mon fos
 Contry ung mur crivoy moy cest pitaph :

XV

L'Épitaph

Le fleich de mort qui tout hom desnatur,
 Dont sa vivant une foys fait hommaich
 Et fault qu'il rend tribut à dam natur
 En despouillant tout sa dun et plumaich,
 Couchy davant tout plat, dont c'est damaich,
 Ung gentilhom Cossoys soubz ceste lam
 Dont ung chandel encontre quelque ymaich :
 Pry Dieu trestous pren mercy de son am.

XVI

Belle, plaisant, mignonne pourtraictur
 Ault il estoit, gorriere de corsaich
 Vous dit que c'est droit ymaich en painctur
 C'est grand ydeur comme fut il bin saich
 Pour garder tousjours quelque passaich
 Fort ardemement ou ne laity pas am
 Sur tot Cossoys ly saury bin l'usaich.
 Pry Dieu trestout pren mercy de son am.

XVII

(fol. 95.) Oncq son vivant fit tort à creatur
 Dessoubz la champs pour vivre davantaich
 Tant seulement s'il trovry davantur
 Poul ou chappon que l'aury pris son paich
 Gard corps la rayson temps non pas grand aach
 Laty devot à Dieu le Nostre Dam

Sept piedz de terr l'a choisy pour partaich
Pry Dieu trestout pren mercy de son am.

XVIII

Prins, Jehan de Cos demory pour hostaich
Vaquez la vers que tout son corps entam
A ffin qu'il ait à sa proppre heritaich
Pry Dieu trestout pren mercy de son am.

TRANSLATION

Now that my pay and health are all broken, I see full well that my neck is broken : I would make a fair testament ; now God wills that I depart : Come, run, my little comrade, I pray you make it for me, for I am very sick : take paper, write, that is beyond me : I think my heart is dying, so weak it is.

First to God and Our Lady, St. Michael the Angel and St. Ninian of Scotland, I wholly recommend my poor soul, and should I be even twenty times bigger than I am, when death takes me dig a good large trench in the graveyard underneath the church, and there I shall lay me on my back, quite at my ease, as I would wish to be.

My executor, would you, my good priest, sing masses boldly all day long : if you will show me good will in this matter, I will repay you all at the Day of Judgement : my large cuirasse my helm and harness to shield your body from robbers forty years and more, I must give you them with my spurs.

My brigandine, arm pieces, casque, dagger, dirk, halbert, and gorget I give to my page who serves me sound or sick : I know that he is very sorry : when he has healed my horse from his sickness I mount him like a little St. George, but a great distemper has seized him ; glanders eats him even to his throat.

I leave also a fair heritage to my relations : sheep, oxen, cows and calves. Let them divide them as they will, take pellmell pigs and bullocks, meadow grass for horses' pasture, granges, houses thatched with straw, furnishings, silver vessels and jewels. All I give them ; are they not well provided ?

Further, I provide that I shall have six waxen candles, two large candlesticks, and an escutcheon of my armes. 'Tis for love of the good King, our Lord, whom I love greatly, by my soul ! Gules gutté azure and a heart pierced with arrow or with dart, to show that I have been a good man-at-arms : over my grave set up a standard.

I'll have no tolling bells, for they disturb me, laying too great a tax upon my purse : sound rather a loud trumpet : it will seem to me that I am entering into battle. My comrade, who will have no more regaling,

having lost everything, I would have him weep aloud—let my page and he do all the mourning.

Every good Scotsman will be there, I think, to bear my body to the grave: fair acton laden with gold embroidery, come two by two in the proper manner: he who is hungry or athirst let him be supplied, but let him say for me a good *De profundis*: and if to God perchance I speak, I shall pray him that they all arrive in Paradise.

Go, offer a fitting prayer whenever to the church I come, mass, evangel, psalmody and *Kyrie Eleison*; sing loud and heartily: The singers have sung a well sung mass whene'er it pleases them: I give to them a delicious bottle well filled with hipocras to sing a *Libera*.

Further, I wish that a good meal be made, bottles of wine and basins of soup, with open heart and open house. I hope that each will have a merry time. My wardrobe, tunics, hose, shoes, and baggage, my clothes, bow, my slippers—all these I bequeath by the hand of my page to the almshouse to clothe the poor.

Thus I make my will in all seriousness and I desire that no one reduce it: I revoke all previous wills; take care that no one raises any question; written complete and signed with my fist, present my page, who is not at his ease, dated the fifteenth of February fourteen hundred eighty sixteen and thirteen (three?)

My succession is well ordered: I may not look in this world for another day or hour: since fortune holds me for lost, go, John of Scotland; 'tis fitting that you die: say no more; no further tributes make; your wages and your lady both are gone: learn now that 'tis better for your good estate that you should yield to God your gear, your body and your soul.

My glorious prince, Adieu, my very dear: Adieu, my lady, Adieu, my little clown: Adieu, Archers, Captain, Comrades: Adieu, Page; Adieu, lads and lasses; Adieu, good folk and he and she who nourished me when I was at the wars: Adieu, all goodly Cities and Castles; Quarter-Masters, Adieu, my quarters are in the ground.

Adieu, above all, noble realm of France, Adieu, I commend to you the poor land of Scotland: it is fitting that I leave my body when I pass and thus have neither sickness, wound or stroke, taking no burden with me: Therefore I pray you that a fair writing, plain to be seen, beyond my grave, upon a wall (be placed); write this, my epitaph.

The Epitaph

The arrow of death which kills every man, to which in life he only once does homage, and must pay tribute to Dame Nature in stripping all his gear and bravery, has laid low—'tis a sorry case!—a Scot of gentle birth, whose likeness here by candlelight is seen: pray all to God, that He take pity on his soul.

Fair, pleasant, charming likeness ! he was tall and slim ; I tell you that it shows him to the very life ! You'd scarce believe how faithfully he kept the way and not a soul could pass ; above all Scots he knew how it was done ; pray all to God that He take pity on his soul.

In life he did no creature harm that walks the fields, save, to live, cockerel or fowl which his page had taken. Of the King's bodyguard, and young in years he was ; faithful, he was to God and to Our Lady. His heritage is seven feet of earth—pray all to God that He take pity on his soul.

Prince, John of Scotland, remains a hostage : see that the worms all his body spoil : That he may have his own inheritance, pray all to God that He take pity on his soul.¹

DAVID BAIRD SMITH.

¹ The foregoing translation can only be treated as an approximate rendering of the very corrupt text of the original.

Constitutional Growth of Carlisle Cathedral

THE whirligig of time brought about curious changes in Carlisle at the opening of the twelfth century. William Rufus had come north in 1092, drove out Dolfin, the local ruler, and annexed the city and surrounding country to the English kingdom. The work of colonization according to Norman ideas was begun by the Red King and carried on by his brother Henry I. Very early in Henry's reign, perhaps in 1102, a colony of canons was settled in Carlisle, the capital of the new district, with the ultimate intention, no doubt, of founding an episcopal see to be the spiritual centre of the annexed province. It was a college of canons, of what description we know not, that was first planted in Carlisle, from which it would appear that an episcopal chapter was contemplated at no distant date. The trend of ecclesiastical opinion in England had set in against monastic chapters, and there was little likelihood that the work of reconstruction at Carlisle should be impeded by recourse to a discredited institution.¹ At all events, it was a body of canons, not monks, that was established in the city. In 1133 the see of Carlisle was founded, and the first bishop turned the collegiate church into his cathedral chapter, either by expelling the existing canons or more probably by obliging them to accept the rule of the canons regular of St. Augustine. The see of Carlisle was the last bishopric founded in England before the Reformation, and it was the only see with an Augustinian chapter. In many respects the early vicissitudes of the cathedral are of the greatest interest in the history of ecclesiastical institutions, but like all great structures the foundations lie beneath the surface.

¹ Palgrave, *Rot. Cur. Regis*, i. pref. xxij-xxviiij. Stokes notes that secular canons had become hopelessly corrupt, and monastic chapters were introduced by St. Dunstan and other pious men desirous to see religious work done in a religious spirit. Two centuries elapsed, and then the bishops grew tired of monastic chapters. By the close of the twelfth century many of the bishops in England were engaged in a deadly struggle, striving to banish the monks from their chapters (*Ireland and the Anglo-Norman Church*, pp. 270-71).

There was a church in Carlisle on the present site before it was made collegiate in the beginning of the twelfth century. Some fragments of early crosses, discovered in the Norman wall of the cathedral and in the precinct during the restoration of 1855-7, are evidence enough of a pre-conquest institution.¹ Of the character of the church or of the period to which it belonged little or nothing is known. Hints of ecclesiastical movement early in the twelfth century are distinct, though they reach us at a later date. Henry I. instituted a body of canons and settled them in the church of St. Mary, Carlisle, the site of which he had previously appropriated by his charter.² While this institution lasted, that is till the introduction of Augustinian canons on the foundation of the bishopric in 1133, it would appear that the canons were living in association without organisation. References to the new body are abundant, but there is no intimation of head, rank or dignity among them. As the canons of Carlisle they are always spoken of. No doubt the seed was sown according to Norman custom at this date, and it was left to germinate and grow as ecclesiastical needs demanded. It would appear that the institution was, so to speak, democratic, and did not take its name, like a priory, from its head, but from the general body. There were canons of Carlisle, but no priory of Carlisle, till the middle of the century.

The instance at Carlisle, moreover, is not singular. When Henry I. in 1109 confirmed Queen Maud's establishment of canons regular in Christchurch, London, he called it a *canonicatum*,³ not a *prioratum*, as if the effective title of prior had not yet appeared. Some ten years later or more the same designation was applied to a similar institution founded in the church of St. Mary, Southwark, about 1115-1125, though the prior, as well as the canons, is distinctly alluded to in the charter of foundation.⁴ At this early period of Norman foundations headship was only in potential existence; the body was of more importance; the head was only *primus inter pares*, a status in the ecclesiastical body which the prior of a college of canons regular never lost. It was long before an Augustinian prior took or received the title of *prelatus*, which involved superiority over his fellow-canons. But as the institution was capable of growth the *canonicatus*

¹ These cross fragments are illustrated in Calverley, *Early Crosses in dio. of Carlisle* (ed. Collingwood), p. 95.

² Assize Roll (Cumberland), no. 132, m. 32; *Scotichronicon* (ed. Goodall), i. 289.

³ *Ancient Charters* (Pipe Roll Soc. vol. x.), p. 3; Dugdale, *Mon.* vj. 155, note 4.

⁴ *Cal. of Chart.* v. 34.

became the *prioratus*, and first the prior and then the prelate¹ appeared in association with the canons.

It would seem that when Henry I. had settled his collegiate body in Carlisle he had the intention of taking a slice from the vast archdeaconry of Richmond,² and of making the new province an episcopal see with the bishop's seat in that city. Political necessity, however, intervened, and the new district, which had been added to the English kingdom in 1092, was committed to the custody of a great vassal who ruled 'the land of Carlisle' for twenty years. During the vice-gerency the ecclesiastical foundation in the city languished, but on the king's resumption of government about 1121 we have notices of its revival. Between this date and 1130 the canons of Carlisle were busy with their buildings,³ and endowments were accumulating of the gift of the king and his subjects. During this decade six churches in Northumberland and as many in Cumberland were bestowed upon them, in addition to manors and parcels of land.⁴ It is not always recognised that much of the endowments of the Church of Carlisle was given to the canons before the foundation of the see. But as yet there is no indication of internal organisation and no mention of a ruling superior.

The chroniclers⁵ agree that the bishopric was founded by the king in 1133, and that Adelulf, his confessor, who was prior of

¹ Before Adelulf, prior of Nostell, was consecrated bishop of Carlisle, he witnessed a deed at Nostell as 'Adwaldo prelato,' but in other deeds he is described as 'A. prioris de sancto Osualdo' (Cotton MS., Vespasian, E. xix. ff. 32, 112, Register of Nostell). In the customs and observances of the Augustinian priory of Barnwell, Cambridgeshire, the chief officer of the house, usually called prior or abbot, is termed prelate (*prelatus*). This word, says J. W. Clark, the editor, does not imply episcopal dignity, but merely the canon who has been preferred 'the father of the monastery,' or who 'has mounted to the highest point of honour' (*Observances of Barnwell*, pp. xxxiv, 37, 43). In the same customs he is also called *presbyter*.

² For a fuller account, with the authorities, see my narrative in the *Vict. Hist. of Cumberland*, ii. 7-12, 131.

³ *Pipe Roll of Henry I.*, ed. Hunter, p. 141.

⁴ The deeds of gift will be found by *inspeximus* on the various charter and patent rolls. There is in the Registry of Carlisle a fine original charter of 6 Edward III., which repeats most of them. It is a veritable chartulary of the Church of Carlisle.

⁵ *Annales Monastici*, ii. 223; M. Paris, *Hist. Angl.*, i. 245-6; *Chron. Majora*, ii. 158; Barth. de Cotton, *Hist. Angl.*, pp. 62, 417. Some ancient and many modern writers have jumbled up two distinct events, viz. the foundation of the house of canons in 1102 and the introduction of the canons regular in 1133. See *V.C.H. Cumb.*, i. 7-8.

Nostell, an Augustinian house in Yorkshire, was nominated by him as the first bishop. It was Bishop Adelulf who organised the church of Carlisle by the introduction of Augustinian canons and by making them his cathedral chapter. It was a wise policy for a first bishop in a new province to constitute a chapter which he could control and in which he was the predominant partner. The bishop and canons composed the cathedral body as a single corporation and had a common maintenance. There is no indubitable reference to a prior of Carlisle till late in the episcopate of the first bishop.¹ Till almost the end of his life, Adelulf retained the priorate of Nostell with the bishopric of Carlisle, but when he made provision for his retirement from the Yorkshire house it is significant that about the same time the name of a prior of Carlisle appears in the local records. A tradition, which reaches back to the fourteenth century, is insistent that Adelulf was prior of Carlisle at the time of his consecration in 1133 as he was certainly prior of Nostell. The probability of a double priorate is scarcely trustworthy. But, whether the tradition be true or not, the bishop resided in the cathedral, and was head of the establishment of Augustinian canons of Carlisle. The name of anyone using the title of prior of Carlisle does not appear till 1150, a few years before the old prelate's death, when he was resigning the priorate of Nostell. His body was buried in Carlisle in a new cloister he had built there.²

Reminiscences of Bishop Adelulf's position among the canons have survived to this day. The bishop's throne in the cathedral symbolises his episcopal jurisdiction in the diocese; his stall on the south side of the choir betokens his jurisdiction in the cathedral church, and his capitular seat in the chapter house indicates his right to sit in capitular deliberations. The bishop is the supreme ruler in church, chapter and diocese. During Bishop Adelulf's life there

¹ So far as we have found the first contemporary reference to Prior Walter is in the foundation charter of the monastery of Holmcultram (Chartulary, MS. f. 221), which was founded, according to the *Chronicle of Melrose* (Bann. Club), p. 74, in 1150. Dr. Prescott has printed a good copy of this deed (*Reg. of Wetherhal*, p. 421-2). The same prior witnessed the foundation charter of the Augustinian priory of Lanercost ascribed to 1169 (*ibid.* pp. 419-21).

² For a more extended account see the writer's *Rose Castle* (Thurnam & Sons, Carlisle), pp. 2-5. In royal charters between 1120 and 1133 Adelulf is always designated as prior of Nostell, but never as prior of Carlisle. After 1133 he witnesses charters as bishop of Carlisle. See the chronological arrangement of the charters of Henry I. by Dr. William Farrer in *English Hist. Review*, xxxiv. 523, 527, 538, 571.

was no need of a prior, and no name of a prior appears until the eve of his retirement. During his effective episcopate the organisation of the diocese was complete. The archdeacon of Carlisle, whose jurisdiction was conterminous with that of the bishop, was a member of the cathedral chapter,¹ and the diocese was apportioned into decanal areas. No vestige of any other ecclesiastical office has been found during the first episcopate.

After the death of Bishop Adelulf in 1157 there was a vacancy of nearly half-a-century in the succession, when the diocese was administered by the archdeacon of Carlisle with the local title of diocesan,² a neighbouring bishop, Christian of Whithern,³ having been occasionally requisitioned for pontifical functions. An ineffectual attempt to fill the see was made in 1186 by Henry II. while he was in Carlisle. On the petition of the canons regular of the metropolitan church of St. Mary of Carlisle, relates the chronicler, the king yielded to them a free election to choose a bishop for themselves. With the common consent of the brethren and with the help of God, Paulinus of Leeds, master of the hospital of St. Leonard, York, was elected to the see of Carlisle. The election pleased the king and everybody in the bishopric. There was general rejoicing in the city and whole diocese, for the see had been vacant and destitute of episcopal supervision since the death of Bishop Adelulf in 1157. Paulinus of Leeds, however, was unwilling to accept the bishopric, though the king urged him to it by the offer of a considerable pension.⁴

¹ *Whitby Chartulary* (Surtees Soc.), i. 38. Bishop Adelulf issued a charter to 'Elyæ archidiacono et capitulo S. Mariæ et omnibus parochianis suis,' by which a church in Westmorland was confirmed to the monks of Whitby. There was evidently no prior at this date, and it is clear that the archdeacon had a stall in the cathedral and came next in order and dignity to the bishop.

² In 1190 Clement III. in a bull to the monks of Holmcultram alludes to the archdeacon as 'Roberto, archidiacono, tunc temporis dyocesano, vacante episcopatu' (Reg. of Holmcultram, MS. f. 240). In a charter by the same archdeacon he speaks of an act made 'apud Karliolum in presentia mea et clericorum meorum et canonicorum sancte Marie Karlioli et aliorum multorum litteratorum et laicorum' (*ibid.* f. 36).

³ In 1159 the bishop of Candida Casa received xiijs. viijd. from the sheriff of Cumberland, and the same amount in 1160 (*Pipe Rolls of Cumb.* ed. Hinde, p. 3). Christian died at Holmcultram in 1186 (*Chron. de Mailros*, Bann. Club, p. 95), at which time the diocese was in a derelict state.

⁴ Benedictus Abbas (*Gesta Regis*, i. 349) says that free election was conceded to the canons by the king on their petition (*ad petitionem canonicorum*), but Hoveden (*Chronica*, ii. 309) says that the king caused (*fecit*) Paulinus de Ledes to be elected to the bishopric, which he refused, though the king offered to endow that see with rents to the value of thirty marks.

Urgency there undoubtedly was; the diocese was in a desperate plight in 1186; it had neither bishop nor archdeacon. The king held bishopric and archdeaconry in his own hand till the appointment of an archdeacon in 1190.¹ But there was no bishop of Carlisle till King John induced Bernard, the fugitive archbishop of Ragusa, to accept the long-vacant throne.

While the see was vacant (1157-1204) two ecclesiastical officers came into prominence, the archdeacon and prior of Carlisle, the former as chief administrator of the diocese and the latter as head of the diocesan chapter. There is no doubt about the constitutional position of Archdeacon Elyas as a member of the capitular body during Bishop Adelulf's life. But the position of Archdeacon Robert and his immediate successors is not so certain. It was inevitable that the constitutional growth of the prior in the convent during the long vacancy of the see should cause friction if the archdeacon remained a member of that body. When the financial affairs² of Archdeacon Robert became hopeless in 1186, and he was obliged to retire crippled with debt, the issues of the archdeaconry and bishopric, so far as they were independent of the prior and canons, escheated to the Crown. In the render of the sheriff for two years in 1188 it is seen that the greater part of the outlay was spent on the cathedral. Whether the archdeacon was reckoned a member of the priory at this date, it is indubitable that the priory church was the heart of the diocese. From this period onwards there is no suggestion that succeeding archdeacons were canons of Carlisle, though each of them had a stall in the cathedral to which they were inducted by the bishop's mandate.³ Constitutional connexion with the cathedral is indispensable for an archdeacon in order that he may be clothed with jurisdiction. No other officer of the cathedral or diocese, except

¹ See my fuller account in *Vict. Hist. of Cumb.* ii. 19-21.

² *Pipe Rolls of Cumb.* pp. 49-50; *V.C.H. Cumb.* ii. 20-21.

³ The collated archdeacon was installed in 1621 as 'archidiaconum dicte ecclesie et diocesis Carliolensis in stallo quodam scituato in choro dicte ecclesie pro talibus de antiquo vsitato' (D. and C. Minute Book, MS. v. 806). The archdeacon was, therefore, archdeacon of the cathedral as well as of the diocese; compare the mandate to induct and install in the cathedral in 1302 (*Reg. of J. de Halton*, i. 177, Cant. and York Soc.). The archdeacon's stall is identified on Browne Willis's ground-plan of the cathedral, on the south side of the choir near the bishop's throne in 1720 (*Survey of Cathedrals*, i. 284). The custom of installation of the archdeacon of Carlisle in a special seat in the choir became superfluous when the fourth prebendal stall was annexed to the archdeaconry in recent years.

the bishop's official or official of Carlisle¹ and the rural deans, comes into view during the twelfth century. The ecclesiastical troubles, long simmering in Carlisle, reached a climax during Bernard's episcopate, 1204-1214. After his death the constitutional position of the canons was assured. Not only was power given them to elect the bishop of the diocese, but also the prior of their own house.

In the infancy of the Augustinian institute in England the founder of each house claimed the right of appointment to the chief seat. The custom is observable in many places,² and it is most likely that at the outset it existed at Carlisle. No superior, except the bishop, was needed so long as he resided within the cathedral precinct and remained an effective instrument of the institution. There is no precise evidence of the mode of appointing priors of Carlisle in the latter half of the twelfth century. The analogy of other Augustinian houses is scarcely applicable to that of Carlisle, which was also a diocesan chapter. The house of secular canons was founded by Henry I. in 1102, but the order was changed in 1133 by Bishop Adelulf, who introduced Augustinian canons. It is probable, therefore, that it was the bishop who appointed Prior Walter, a local man and cadet of a noble house³ in the district of Carlisle, when his episcopate was drawing to a close. There is no evidence to show how his successors were appointed while the see was vacant.

During this period the abnormal condition of the diocese brought the canons into considerable prominence. There was a general movement to self-determination. The chaos which prevailed in the North through the disagreements of King John and

¹ Thomas de Thorp was official of Carlisle in the last decade of the twelfth century. (See *Reg. of Wetherhal*, p. 92.)

² Richard Engaine, son of the founder of the Augustinian priory of Castle Hymel in Northamptonshire, gave the canons the power of free election of a prior (*prelatus*) without the consent of himself or his successors (Dugdale, *Mon.* vj. 449-50), a privilege which was confirmed by Honorius III. in 1223 (*Cal. of Pap. Lett.* i. 92). Ten years later a similar change took place at Cartmel in Lancashire, another Augustinian house, where the custom obtained that the canons should present two persons to the founder, one of whom he selected with the approval of the bishop of the diocese. Gregory IX. described the custom as *corruptela*, and ordered it to cease (*Reg. of Abp. Gray*, p. 167, Surtees Soc.; *Cal. of Pap. Lett.* i. 135). At the outset the patronage of a religious house was a very real thing.

³ See my note in *The Athenæum*, No. 4107, 14th July, 1906, pp. 43-44, where it is shown that Prior Walter of Carlisle was a son of Dolfin, son of Ailward, who married Maud, daughter of Earl Gospatric and sister of Waldeve.

his barons, and the gravitation of the allegiance of the canons from the English to the Scottish king, developed a policy of ecclesiastical independence in Carlisle which obliged King John to grant them free election. The see was again vacant, and the king could have no opposition from the bishop. The first prior, elected by the canons so far as we have found, was Henry de Merton, whose election was confirmed by the king in 1214.¹ It did not matter to the canons whether they dealt with the king or the bishop in the election of a superior of their house; the important principle was that he should be of their own choice. Circumstances intervened which postponed papal confirmation of their inherent power till 1248.

It was at this period, after the death of the second bishop in the succession, that the canons attained to a constitutional position in the diocese. Not only did they succeed in obtaining the right of election of their own superior, but they were also charged with the election of the bishop of the diocese. The first two bishops were nominated by the king; all the subsequent bishops till the ecclesiastical changes in the sixteenth century were elected by the prior and canons, except in a few instances when they were arbitrarily provided by the Pope. Bishop Hugh,² 1219-1223, was the first bishop of capitular election. In recognising the free election of the canons, Honorius III. stipulated³ that thereafter no one should be appointed to the see of Carlisle surreptitiously or by violence but he whom the brethren of that church by common consent, or the sounder part of them, should elect. While the priory of Carlisle lasted, it was the custom to send two or more canons to announce to the King the death of the bishop and at the same time to petition his licence for the election of a successor. When the election was made, the new bishop, if canonically elected, was accepted and did homage. The election of a prior was attended with the same external observances in relation to the bishop as that of the bishop was with respect to the Crown.

The constitutional position of the canons in the diocese was conceded after a great upheaval. The long vacancy of the see, when the canons were their own masters, had for them disastrous consequences. It is not quite certain whether Bishop Bernard

¹ *Rot. Litt. Claus.* (Rec. Com.), i. 207b, 211, 211b; *Chronicon de Lanercost* (Maitland Club), p. 14.

² *Patent Rolls*, 1216-25, pp. 164, 376, 408.

³ *Cal. of Pap. Lett.*, vij. 565.

took up the hegemonic place of his predecessor in the cathedral precinct. It is probable that he did not. At all events, he had reluctance in accepting the see in 1204, as Paulinus of Leeds had no reluctance in refusing it in 1186. The King, however, overcame his scruples and granted him a pension out of the exchequer for his maintenance.¹ The canons were restless and politically dangerous during the internal troubles of the kingdom. Their loyalty was of great importance to the English king owing to the geographical position of the priory of Carlisle. Political feeling in the neighbourhood ran on the baronial side, and the King of Scotland was invited to Carlisle. When the city and castles of the county were surrendered to him, the canons not only received King Alexander to communion, though he was in a state of papal excommunication, but they elected a Scotsman to fill the see rendered vacant by the death of Bishop Bernard. The act of treason brought a doom on the priory. On the complaint of King John and the bishops to Rome, the papal legate was instructed to take extreme measures for the punishment of the offenders. The canons were forthwith expelled from Carlisle in 1218, and placed in regular churches; their election of a bishop was declared void; and other Augustinian canons, faithful to the English king, were appointed in their place. It was to the new body of canons that right of episcopal election was granted and immediately exercised in the same year by the election of Hugh, abbot of the Augustinian house of Beaulieu in Hampshire, whose election was confirmed by the Crown.²

Amidst the chaos which the baronial troubles produced in Carlisle, a radical change was brought about in the relations of the bishop to the cathedral body. There were many contributory causes to prepare the way for it. The long vacancy in the bishopric led to the rise of the prior, a new force which tended to weaken the tie between the bishop and his chapter. The priory had a head of its own who must have been strongly tempted to set himself up as a rival to the bishop, if such existed, or to go his own way during an avoidance of the see. The bishop of Carlisle was gradually ousted from the immediate headship of the canons and their revenues. The tendency of the times culminated in the unfortunate treason of which mention has been

¹ *Rot. Litt. Claus*, i. 67b. For the whole circumstances see *V. C. H. Cumb.*, ii. 21-2.

² Most of the authorities are given in *V. C. H. Cumb.*, ii. 23.

made. Attention was directed to the poverty¹ of the see, and the difficulty of finding a pastor to undertake it. The old corporation of bishop and canons, known as the church of Carlisle, was dissolved; the endowments of the church were divided, after a long process of adjudication, between the new canons and the bishop.² The chapter under this arrangement became a distinct corporation with a local head distinct from the bishop, who ceased to be a lodger in the cathedral precinct, sharing the commons of his subordinates. The ordinary jurisdiction of the bishop over the chapter and cathedral was left undisturbed, but the apportionment of the endowments of the church was radical and complete. It was arranged, however, that the bishop could not alienate any property of the see without the chapter's sanction,³ a restriction on the bishop which has survived through the centuries, and is in force at the present time. The chapter became to some extent an isolated authority, which could only be made amenable to the bishop, not personally as an immediate ruler, but by visitation as an external power. The church of Carlisle, composed of bishop and canons, like the king and parliament⁴ in modern civil life,

¹The king wrote to the pope in 1217 that while the canons themselves 'in multis habundent, episcopus eorum ita hactenus egestate afflictus est et inopia, quod vix habet ubi capud suum reclinet, et non invenitur aliquis, qui in aliquo nobis utilis esse poterit aut necessarius, qui episcopatum illum recipere voluerit' (*Patent Rolls*, 1216-25, p. 111).

²On the division of the church endowments, compare my narrative with references in *V. C. H. Cumb.*, ii. 22-4, and notably the two deeds of apportionment printed on pp. 124-6.

³This was in 1248, in one of the last awards of the adjudicators, as the papal bull may be described. In it the pope granted to the prior and convent the right of electing the prior; and prohibition to the bishop to dispose of his (*wrongly translated* their) possessions without their consent (*Gal. of Pap. Lett.*, i. 250). Confirmation of the bishop's acts by the prior and convent, and afterwards by the dean and chapter, their successors, so far as they touched the leasing or alienation of the property of the see, is well known. The custom has been observed in all the centuries since 1248. As the episcopal estates have been transferred to the Ecclesiastical Commissioners, the practice is now mainly confined to patent offices, like those of the chancellor and registrar of the diocese, when conferred for the life of the holder. For the rules of the common law on the confirmation of bishop's leases, and the leases of other corporations sole, see the law books, e.g. Gibson, *Codex* (ed. 1713), pp. 781-2; and for the grant of an office by a bishop, see Burn-Phillimore. *Eccles. Law* (ninth ed.) ii. 376-81.

⁴The state of things in Carlisle was much the same as it was elsewhere. Bishops and chapters were falling away from each other by the loosening of old ties. It was the same spirit which brought about the independence of boroughs from their temporal or spiritual lords (*Freeman, Cath. Church of Wells*, pp. 61-4).

was to exist no longer as a single corporation. Two authorities were created in intermutual relation, and the administration of the affairs of the diocese was divided between them.

There is no mention of dignitaries among the canons, except the prior, till the great division of the church of Carlisle into two authorities. No doubt some sort of organization existed among them in the abnormal condition of the chapter and diocese, but such organization has not been revealed. It is true that William, dean of the canons,¹ was an important personage in 1186-8, but there is some doubt about the nature of his office. In another record he is described as dean of Carlisle, a man of private fortune, with the will and the power to bestow endowments on the priory.² As the office of dean is not found again in respect of the cathedral during the mediæval period, it may be assumed that it was in his capacity of what was afterwards called rural dean³ that he was referred to. Territorial deaneries had not at this date become altogether fixed either in area or number. It is possible that the canons had a dean of their own, or were reckoned as an integral portion of diocesan movement in the twelfth century, and as deans existed in connection with towns as well as rural districts, the dean of Carlisle would be viewed in a public record as having in his oversight the canons of the cathedral church. It is at all events in the final award of the division of the church property between the bishop and canons in 1249 that special officers in the priory first appear.

It has been already suggested that the bishop, as the immediate head of the canons of his cathedral, was the patron of the offices needful for their internal development. It was he, as we have alleged, who appointed the first prior. The reservations of the great award in 1249 seem to make these assumptions conclusive. Throughout the dispute between the bishop and canons, the patronage of the obedientiaries in the priory was one of the issues. Was it the bishop, or the prior, or the canons who would appoint

¹ *Pipe Rolls of Cumberland* (ed. Hinde), p. 50.

² Dugdale, *Monasticon*, vj. 144.

³ This explanation is not quite satisfactory, but it is the best that can be offered at the moment. The *decanus* is sometimes found as an officer in connection with some early Augustinian institutions, e.g. at Nostell (Chartulary, MS. f. 19). The description of the office at Carlisle may be another designation of the *prepositus canonicorum* at Lincoln, from whom the canons received their portion of the *communa* in the chapter house (*Lincoln Cath. Stat.*, i. 275, 284). But the provost at Lincoln seems to have been an inferior officer, whereas William, dean of Carlisle, was an important personage.

the dignitaries in the priory under the new condition of things? The adjudicators defined the bishop's power in future appointments. As often as a sub-prior or cellarer in the priory of Carlisle, so the award¹ runs, is to be appointed, the prior and convent shall elect two or three persons fit for the office, whom they shall present to the lord bishop, if he be in the diocese, but if not, he shall commit his turn in that respect to some other person within a month after the election was brought to his notice, so that the office be not vacant by his neglect beyond the prescribed period, and it shall be at the bishop's option to admit one *de illis tribus electis* and to give his assent to the same. The strong hold given to the bishop over the internal affairs of the canons was reminiscent of his traditional pre-eminence among them. The offices of sub-prior and cellarer, two of the most important of the cathedral dignitaries under the prior's rule, were practically in the bishop's patronage. The award was not suffered to be a dead letter. Again and again the bishop exercised² his right of selection in the history of the priory, and the canons were not slow in keeping him to the terms of the original agreement.

The names of other offices for the internal administration of the priory are slow to come above the surface, and when they appear it is quite certain they had been long in use. When Ralf de Ireton, prior of Gisburne, was elected to the see of Carlisle in 1279, the prior, precentor, succentor, cellarer and sacristan were the nominees of the convent for the purpose of an election³; no doubt these were the principal dignitaries of

¹ The full text of this award was first printed by me in the *Vict. Hist. of Cumberland*, ii. 126, from Charter Roll, 18 Edw. i. No. 26, on which it is recorded by *inspeximus*. The document has since been translated into English under the direction of the Master of the Rolls (*Cal. of Chart.* ii. 365).

² Bishop Ross exercised it in 1331 while residing at Melbourne in Derbyshire, by issuing a commission to select one of two fit persons for the office of cellarer, and Bishop Kirkby did likewise in 1339 when sojourning at Horncastle in case of the sub-priorate. In the former instance, the canons wished to impress the bishop with a sense of their magnanimity by pretending to confer a favour upon him, but in reality it was no favour at all, as they were obliged by the award of 1249 to do what was done (Carl. Epis. Reg. Ross, MS. f. 265; *Ibid.* Kirkby, MS. f. 390). In 1379 Prior John de Penreth removed the cellarer from his office without the consent *maioris et sanioris partis capituli sui*, but when the cause was submitted to the bishop, the deposed cellarer was reinstated (*Ibid.* Appleby, MS. ff. 319-20). See a fuller statement of the tenure of these offices in *V. C. H. Cumb.*, ii. 132-3.

³ *Cal. of Pap. Lett.*, i. 461.

the establishment. In the enumeration of the canons, made in obedience to the bishop's mandate,¹ for the purpose of his visitation in 1366, only the offices of prior and sub-prior are given; the offices of the rest of the convent are not mentioned. As the precentor was indispensable to the work of the church, his office must have arisen at an early date. In dignity he ranked next to the sub-prior. One of the precentors of Carlisle, Alan de Frysington, attained to special distinction in 1291, when the convent made a report to Edward I. on the English claim to the sovereignty of Scotland. The document,² called the 'Cronica de Karleolo,' was presented to the king by the above-named dignitary. If it was drawn up by him, as probably it was, the precentor was well acquainted with the contents of his library at Carlisle, which, from the evidence of the writing, was well supplied with copies of the ancient chronicles, legendary and historical, the identification of which, from his quotations, is a comparatively easy task. The mention of the office of succentor at Carlisle is very rare,³ but that of sacrist became traditional, to which was annexed the pastoral charge of the church of St. Mary, which occupied the nave of the cathedral from time immemorial.

The chancellor, *cancellarius in scolis regendis*, has not been found as an officer of the cathedral, owing, no doubt, to its Augustinian constitution. A school existed in Carlisle as an adjunct of the priory, perhaps from its foundation, certainly from the middle of the twelfth century.⁴ A canon with the title of *magister scholarum*⁵ was schoolmaster in 1264, but several succeeding schoolmasters were not canons; some of them were laymen.⁶ Another

¹ Carl Epis Reg., Appleby, MS. f. 165.

² Chapter House (Scots Doc.), Box 100, No. 168. The document consists of a single sheet of vellum, illegible in parts from ill-usage, and has been printed by Palgrave, *Documents and Records* (Rec. Com.), pp. 68-76. It was transmitted 'per latorem presencium dominum Alanum de Frysington concanonicum nostrum et precentorem ecclesie nostre beate Marie, Karlioli.' The precentor was afterwards sent in pastoral charge of outlying parishes appropriated to the priory.

³ This officer was called 'the sub-chanter' at the time of the surrender of the priory in 1540, as the precentor was known as the 'chief chanter of the monastery' (*Letters and Papers of Henry VIII.*, 1540, pp. 301, 305).

⁴ *Pipe Rolls of Cumberland* (ed. Hinde), p. 50.

⁵ *Chartulary of Whitby* (Surtees Soc.), i. 289.

⁶ Master Nicholas de Surreton, *rector scholarum Karlioli*, was successively admitted to holy orders, 1316-19, *ad titulum probitatis* (*Reg. of John de Halton*, ii. 136, 139, 191, Cant. and York Soc.). The will of John de Burdon, *magister scholarum Karlioli*, in which he speaks of his late wife Christiana, has been recorded; the

designation of the office was *rector scholarum*, to which the holder was licensed by the bishop of the diocese. The duties of the office, which was held only during pleasure, were set out in the licence,¹ viz., to teach grown-up boys and all willing to be taught in the knowledge of grammar and such matters. The title of the institution was the Grammar School of Carlisle. The school underwent many vicissitudes during the centuries, and gradually drifted away as a separate institution, but under cathedral patronage. The office of chancellor, which combined the functions of official principal and vicar-general, is a creature of the Reformation, and first appears in connection, not of the cathedral, but of the diocese,² when it was convulsed in 1536 by the destruction of the monastic houses. The title or office never had a necessary relation to the cathedral, except that the consistory court was held in St. Mary's church, which occupied the cathedral nave,³ from which it was transferred, in 1670, to the north transept of the cathedral itself, where it still remains.

The Augustinian chapter was shorn of half its influence by the apportionment of the endowments of the church of Carlisle between the canons and the bishop. A striking feature of these early endowments is that they consisted largely of parish churches, which were wholly or almost wholly appropriated to the canons. As Bishop Hugh, 1219-23, was instrumental in carrying out the division, the Augustinian author of the *Chronicle of Lanercost* most

will was proved in 1371 (*Testamenta Karleolensia*, ed. Ferguson, p. 101). In the will he makes a bequest of *omnes libros meos* to a friend, and constitutes a canon as one of his executors.

¹ See, for example, a copy of the schoolmaster's licence in Carl. Epis. Reg. Welton, MS. f. 103, for the date 1362. In the previous year a master was licensed to the school of Penrith, where he was obliged to give instruction *super psalteriis, donato et cantu* (*Ibid.* f. 81).

² *Letters and Papers of Henry VIII.*, xij. (1), 226-7. For the chancellor as *vicarius episcopi*, see the projected legislation of Henry VII. in *Reformatio Legum*, p. 202.

³ Before the destruction of the nave during the Cromwellian wars, it was a large area, more than ample for the parish church of St. Mary during the mediæval period. It was then the home of several chantry chapels, altars for obits, sites for the burial of notabilities, and so forth. When the destroyed portion of the cathedral was renovated after the Restoration of 1660, the consistory court was removed to a more convenient place at the bishop's request, that more space might be left for the parish church. The style of the consistory Court in the records, 1606-1608, tells that it was held 'in ecclesia beate Marie virginis, civitatis Carleolensis (loco consistoriali ibidem)'. This style was resumed after the Restoration, and continued till the court, held on 21st Oct., 1670, when it was changed to 'in ecclesia cathedrali sancte et individue Trinitatis, Carlioli.'

ungraciously described him as the bishop who odiously dispersed the old convent, and by a fraudulent division took away half of the possessions of the canons.¹ Before the awards of the adjudicators, the influence of the canons on the work of the diocese must have been immense. But it was an Augustinian influence; there was little scope for the employment of secular clergy. All ecclesiastical patronage was exercised by the canons, who appointed the members of their own society to pastoral charges. The patronage was now divided; the bishop got a good share. Though many of the successive bishops had been priors or canons of the house before consecration, it came to be recognized that the seculars were under his special protection. The two authorities drifted further and further apart till they are seen moving on parallel lines in their bestowal of ecclesiastical patronage. It may be taken that the bulk of the priory churches were served by canons, and those churches in the patronage of the bishop by seculars.

From some churches the canons were recalled after a period of service, and were replaced by others. The priory was in constant touch with the most distant parishes. So close was the connexion that the prior was reckoned to be the incumbent of a church totally appropriate to his house, and the canons, resident in the parishes, were his stipendiary curates, who were not instituted, and remained in the stipendiary status.² No record of the admission of these curates or chaplains was made in the diocesan archives. In fact, in later centuries, a tombstone could not be placed in the churchyard of one of these parishes, or a parish clerk appointed, without the formal sanction of the canons. There were, therefore, resident and non-resident canons of Carlisle, the former responsible for the daily services and administration of the revenues, and the latter in pastoral charge of the appropriate parishes. This distinction, often forgotten, is fully recognised in ecclesiastical nomenclature. The cathedral body resident at home was known as the prior and chapter, but the complete assembly of the canons, resident and non-resident, was always described as the prior and convent. It was the general body that elected the

¹ *Chron. de Lanercost* (Maitland Club), p. 30.

² An enumeration of the spiritual possessions of the priory was submitted to the bishop at his primary visitation, with the title-deeds of the holders of ecclesiastical preferment, on the inspection of which, if they were found correct, the parties received letters of dimission confirming them in possession. In the fourteenth century we have full descriptions of the ecclesiastical status of the various priory churches in two letters of dimission issued by Bishops Kirkby and Welton (*Registers*, MS. ff. i. 382, ii. 19). See a fuller account by me in *V. C. H. Cumb.*, ii. 136.

prior and made presentations to benefices not wholly appropriate. To episcopal visitations of the priory, that is, prior and chapter, the pastoral canons were not summoned, but if a canon was otherwise absent for a lawful purpose, like study at an University, he was preconized and his non-appearance was excused. There was no need for the visitation of the prior and convent, for the pastoral canons came within scope of the visitations of the diocese. The bishop's visitation was always made to the prior and chapter.¹

In the Augustinian body at Carlisle we have no evidence of a rule laid down for the appointment of novices or candidates for the profession of canons. The acceptance of candidates was probably the duty of the prior in consultation with the daily chapter, but, of course, the bishop was ultimately the determining factor in the making of a canon. The priory was a missionary or theological seminary for the preparation of likely men for holy orders; admission was only given for that purpose. The novice served a year's probation, and after instruction, if he was found suitable, he was presented for ordination to the bishop, who had necessarily the last word. After ordination he made canonical profession in a prescribed form² as directed by the Order. The number of the canons kept at the cathedral varied according to the political and economic condition of the country. The normal aim was that the chapter should consist of a prior and twelve canons,³ which was the ideal of the Cistercian institute,⁴ in imitation of the sacred model. The pastoral canons far exceeded in

¹ No narrower reference can be given in support of the statement in this paragraph than the two volumes of ancient registers of the bishops of Carlisle, 1292-1386, now in the diocesan registry of Carlisle, the earlier portion of the first volume of which has been printed by the Canterbury and York Society, viz. the register of Bishop John de Halton, 1292-1324.

² For the admission of novices, their clothing, instruction, and subsequent profession, see the *Customs of Barnwell* (ed. J. W. Clark), pp. 120-136. The actual form *in fratribus suscipiendis* in use at Holyrood, with the canons of which those in Carlisle were in confederation, has been preserved (*Holyrood Ordinale*, ed. Eeles, pp. 2-3). For the various customs on the Continent, compare Martene, *De Antiquis Monach. Rit.*, lib. v. cap. 1-4, with the customs of the canons regular in *De Antiquis Eccles. Ritibus*, ii. 179-80.

³ The number of canons at the cathedral as returned by the prior to the bishop on his visitation of the chapter in 1366 was a prior and twelve canons, one of whom was absent for the sake of study 'et non est premunitus ex causa' (Carl. Epis. Reg., Appleby, MS. f. 165). In 1379 the prior and eleven canons were assessed to the *malum subsidium*: the prior's benefice was valued at cc li. a year and assessed to the subsidy at iij li.; each of the canons was assessed at iij s. iiij d. (P.R.O. Clerical Subsidies, Dio. Carlisle, 69^o).

⁴ *Cistercian Statutes* (ed. Fowler), pp. 20, 27.

number those at home.¹ It was a principle among them that a non-resident canon should not live alone, for 'woe to him that is alone when he falleth, and hath not another to lift him up.' To large parishes, not wholly appropriate, two or three canons were sent in association, one of whom was presented to the bishop for institution. During the troubled period of Scottish warfare, the canons at home and abroad carried on their sacred work with great hardship and difficulty. The number dwindled owing to lack of sustenance, and sometimes resident canons were sent to other Augustinian houses in more favoured situations till the political horizon cleared.²

Though no records of the customs or observances for the regulation of the priory of Carlisle have survived, there can be no manner of doubt that the canons lived in association and were maintained out of the common fund. A canon of Carlisle had not a separate house; he had no distinct prebend or separate portion. The prior had his own lodging (*camera*), but the canons resident in the priory deliberated daily in the chapter-house; sang the hours in the church; studied or exercised in the cloister; dined in the refectory; slept in the dormitory; and when sick, were sent to the infirmary, all of which were situated within the precinct.³ Common life and common maintenance was the rule at Carlisle, according to the original constitution throughout the existence of the Augustinian institute, except for a short period before the end, when the daily liberations to the canons were reckoned a sort of prebenda.⁴ When a prior retired in 1304, a

¹ In 1438 the number of non-resident canons was twenty, according to the representation made by the priory to the King, when the Border was particularly lively (*Cal. of Pat. Rolls*, 1436-41, p. 185).

² In 1316, when the destroying hand lay heavily on the priory and its possessions, Edward II. sent writs to six distant Augustinian houses that each should receive one of the canons of Carlisle, to be nominated by the prior's letters patent, and maintain him as one of their own canons until the priory of Carlisle was relieved of its distress (*Cal. of Close Rolls*, 1313-18, p. 426).

³ Work was carried on at the dormitory of the canons (*in operatione dormitorii canonicorum*) in 1187, when the large sum of xxij li. xixs. ijd. was spent on it (*Pipe Rolls of Cumb.*, ed. Hinde, pp. 50-51). In 1226 'certain houses below the infirmary' were assigned to the bishop in the great division of the possessions of the church of Carlisle (*Cal. of Pap. Lett.*, i. 112). The site of the infirmary is now occupied by the dean's garden, at the lower end of which the bishop has his registry. The refectory, now called *fratry*, still flourishes as a library and place of assembly, and the prior's lodging is now the deanery.

⁴ In the clerical subsidy of 1379 the canons of Carlisle were rated like the inmates of other monastic houses in the diocese. The prior was assessed as

liberal allowance for maintenance was made to him by the canons. Not only was a new chamber within the precinct assigned for his use, but the corrodies or liberations of three canons, according to the custom of the priory, in daily victuals *de communi* were at his disposal. By reason of his noble ancestry and the social status of his friends, additional provision was made, with special instructions about it to the cellarer of the house, that the retired prior might be able to live in a style becoming his antecedents and the reputation of the priory.¹ In course of time the daily maintenance of a canon of Carlisle came to be reckoned as a prebenda. Thus, in 1430, the Pope granted an indult to one of the canons to hold a benefice in addition to his 'canonry and prebend' in the church of Carlisle where he was professed, but in 1440 a succeeding pope described his status as of 'holding a canon's portion in the said church.'²

The evidences show that the creation of two corporations in the early part of the thirteenth century was not wholly good for the church of Carlisle. The Augustinian chapter, pursuing its own objects in isolation from the bishop, gradually departed from its first estate, and sank almost to the level of a secular foundation. The cathedral of Carlisle was the bishop's church, served by Augustinian canons under his visitation. The old theory of bishop and canons was long dead. At the suppression of the religious houses, the priory of Carlisle was surrendered to the officers of Henry VIII., like the monastic centres of the kingdom, without infringing any of the bishop's rights.³

The canons of the priory were not particularly keen on the reforming movement, and were slow to adopt the new measures of liturgical innovation enjoined upon them by parliament. After the dissolution, the service of Thomas Becket and the usurped 'papa' of the bishop of Rome were unerased in their choir books, and all kinds of subterfuge were employed to explain the

possessing the *corpus* of the house, paying the same amount as the bishop. The canons paid individually small sums like monks and chaplains. Each monk of Wetheral was assessed at *xxd.*, and of Holmcultram, *xld.*; while a canon of Carlisle was assessed at *iijs. iiijd.*, a canon of Lanercost *xijd.*, and a canon of Shap *xxd.* Stipendiary curates, chantry priests, and chaplains paid *ijs.* each; and incumbents were assessed according to the value of their benefices (*Clerical Subsidies, dio. of Carlisle, MS. 60-1*).

¹ *Reg. of John de Halton* (Cant. and York Soc.), i. 224-6.

² *Cal. of Pap. Lett.*, ix. 77-8.

³ Close Roll, 31 Henry VIII., pt. iv. 210-17; Rymer, *Foedera* (old edition), xiv. 668. See also Freeman, *Cathedral Church of Wells*, pp. 62-4.

error.¹ The former institution was superseded by the erection of a college composed of a dean and four prebendaries, with a number of subordinates, and endowed with the possessions of the priory, to which were afterwards added some confiscated endowments from a neighbouring monastery.² To this cathedral church of the Holy and Undivided Trinity of Carlisle, a body of statutes was delivered in 1545, by which the work of the dean and chapter of Carlisle is now regulated.³ In refounding the establishment, the former prior became the first dean, and four of the former canons were appointed to be the four new prebendaries who made up the corporation known as the dean and chapter or college of Carlisle.⁴ Only three canons retired on pensions,⁵ and others of the canons became minor canons,⁶ of whom there were eight. This college of a dean and twelve canons, prebendaries and minor canons, the traditional number at the cathedral, worked the new ecclesiastical system. Under the statutes, the governing body of a dean and four prebendaries were allowed to elect from among themselves only three dignitaries or officers, the vice-dean, receiver and treasurer, whose tenure was annual. There was, of course, a considerable entourage of subordinate ministers on the foundation, and of others dependant upon it. Except in the use of the buildings in the precinct, and in the mode of life entailed by the institution of separate prebends and houses, things went on much as they did before. The canons of the old order became the prebendaries and minor canons of the new. The book of common prayer in due course took the place of the old service books.

¹ *Letters and Papers of Henry VIII.*, vol. xv. 301, 305.

² Patent Roll, 33 Henry VIII. pt. 9, m. 28; *Letters and Papers*, xvj. 393.

³ These statutes have been translated and printed, with many scholarly notes, by Dr. J. E. Prescott, chancellor of Carlisle. The book is a mine of useful information on the constitution, customs, and observances of the capitular body.

⁴ It is curious how long this epithet, 'College of Carlisle,' as descriptive of the dean and chapter, lingered in common usage. It was very prevalent in the Elizabethan period, and the phrase is often found till a late date. We have in possession a deed of conveyance of a burgage and tenement in St. Cuthbert's Vennell, dated 13th January, 1691, which lay against 'the Colledge wall on the north.'

⁵ Augmentation Book (P.R.O.), vol. ccxxiv. f. 374b; *Letters and Papers*, xv. 18.

⁶ No exact information on the first minor canons of the new foundation has been found, but all the available evidence suggests that the new dean and chapter appointed canons of the old priory. For example, John Austane and John Thomson, who were brothers of the old establishment in 1540 (*L. & P. of Hen. VIII.* xv. 301, 305), were two of the eight minor canons in 1559, when the Royal Commission under the Act of Uniformity sat in the chapter-house of Carlisle Cathedral (S.P. Dom. Elizabeth, MS. vol. x. f. 88).

The Augustinian chapter gradually melted into a chapter of secular clergy, all appointed by the Crown, till Queen Mary transferred the patronage of the four prebendal stalls to the bishop.¹ The prior and convent became the dean and chapter of Carlisle by easy transition without a break in continuity. It was a growth rather than a reconstruction.

APPENDIX

The following table, written on the fly-leaf of the present writer's copy of the *Statutes of Carlisle Cathedral*, made while Dr. Bolton was Dean, 1735-63, may illustrate the composition of the Cathedral staff about that date, with the respective stipends and allowances. It should be compared with Statute, No. 32, *de stipendiis ministrorum*, upon which Dr. Prescott, translator and editor, has given a very valuable note (*Stat. of Carl. Cath.*, pp. 72-4).

	Stipendia.	Pro mensa et communiis per mensem.	Pro togis.	Tot.
Minor Canon. -	3 : 10 : 8	0 : 5 : 4	1 : 0 : 0	8 : 0 : 0
Inform. Pueror.	8 : 17 : 4	0 : 5 : 4	1 : 0 : 0	13 : 6 : 8
Magist. Chorist.	5 : 10 : 8	0 : 5 : 4	0 : 15 : 0	9 : 15 : 0
Diacon. - -	2 : 10 : 0	0 : 4 : 8	0 : 18 : 0	6 : 8 : 8
Subdiacon. -	2 : 0 : 0	0 : 4 : 8	0 : 18 : 0	5 : 18 : 8
Cleric. - -	2 : 19 : 2	0 : 4 : 8	0 : 13 : 6	6 : 13 : 4
Subsacrist.	2 : 16 : 8	0 : 0 : 0	0 : 10 : 0	3 : 6 : 8
Virgifer - -	2 : 11 : 8	0 : 0 : 0	0 : 15 : 0	3 : 6 : 8
Janitor - -	3 : 16 : 8	0 : 0 : 0	0 : 10 : 0	4 : 6 : 8
Pincern. - -	2 : 16 : 8	0 : 3 : 4	0 : 10 : 0	5 : 10 : 0
Coq. - -	1 : 13 : 4	0 : 3 : 4	0 : 10 : 0	4 : 6 : 8
Chorist. - -	0 : 15 : 0	0 : 3 : 4	0 : 8 : 4	3 : 6 : 8
Pauper. - -	4 : 10 : 0	0 : 0 : 0	0 : 10 : 0	5 : 0 : 0
Subcoq. - -	0 : 18 : 4	0 : 0 : 0	0 : 8 : 4	1 : 6 : 8
Vicedecan. -	1 : 6 : 8	0 : 0 : 0	0 : 0 : 0	1 : 6 : 8
Receptor - -	5 : 0 : 0	0 : 0 : 0	0 : 0 : 0	5 : 0 : 0
Thesaurar. -	1 : 6 : 8	0 : 0 : 0	0 : 0 : 0	1 : 6 : 8
Praecentor -	1 : 0 : 0	0 : 0 : 0	0 : 0 : 0	1 : 0 : 0
Sacrist. - -	1 : 0 : 0	0 : 0 : 0	0 : 0 : 0	1 : 0 : 0
Seneschall. -	1 : 6 : 8	0 : 0 : 0	0 : 0 : 0	1 : 6 : 8
Auditor - -	2 : 13 : 4	0 : 0 : 0	0 : 0 : 0	2 : 13 : 4
	per annum.	per diem.		
Decan. - -	29 : 2 : 6	0 : 5 : 0	...	120 : 7 : 6
Canon. - -	7 : 0 : 10	0 : 0 : 10	...	22 : 5 : 0

¹ Pat. Roll, 4 & 5 Philip and Mary, pt. 13. The date of the patent is 7th March, 1558. Compare Tanner, *Notitia*, p. 75, with Nicolson and Burn, *Hist. of Cumberland*, ii. 246.

The Fenwick Improvement of Knowledge Society¹

‘ Knowledge is the treasure of the soul ’

1834-1842.

THE following persons are members of the Society

Nov 16th 1835

1 Andrew Gemmell	6d.	14 John Brown	6d.
2 Daniel Love	6d.	15 John Gemmell Junr	6d.
3 Robert Howat	6d.	16 Mathew Fulton	6d.
4 John Kirkland	6d.	17 William Clark	6d.
5 Thomas Fulton	6d.	18 John Blundell	6d.
6 William Fulton Senr	6d.	19 William Fulton Junr	6d.
7 John Faulds	6d.	20 John Fulton	6d.
8 Alexander Armour	6d.	21 Peter Gemmell	6d.
9 William Morton	6d.	22 William Taylor	6d.
10 Robert Orr	6d.	23 Alexander Dunlop	6d.
11 John Gemmell Senr	6d.	24 Matthew Dunlop	6d.
12 James Taylor	6d.	25 Andrew Cairnduff	6d.
13 Alexander Fulton	6d.	26 Alexr Murdoch	6d.

Robert Howat Clerk

Daniel Love Treasurer

James Taylor Librarian

Oct 13th 1835

The Society purchased Chambers Information for the people for the use of the Members Price 6/3.

Nov. 16th. The Society agreed to uplift one penny at each meeting from each member² and that those who are after halfpast seven oclock in coming to the meeting will be fined in one halfpenny if a Reasonable [excuse] is not given.²

¹ Continued from *Scottish Historical Review*, xvii. 137.

² This rule abolished.

The Fenwick Improvement

The Society purchased a Catechism of Phrenology Price 1/-
Decr 28. 1835.

It was agreed that William Morton be Clerk to the Society.

The Society purchased a Catechism of Geography Price 9d.
March 7th.

The Society purchased a pamphlet on England Ireland & America Price 6d. April 4th.

The Society purchased a pamphlet on Ireland and O'connel price 8d. May 2d.

The Society purchased Milton's prose (select) works Price 10sh 6d. May 13th.

The Society purchased Tait's exposure of the spy System.

1837. January 23. Elected officebearers for the ensuing year
viz John Gemmell Clerk Thomas Fulton Treasurer James Taylor Librarian

1838. January 8th. Elected officebearers for the ensuing year
viz Thomas Fulton Treasurer John Kirkland Librarian

John Gemmell } Secretaries
James Taylor }

Oct 29th. The following Resolution which was stated at the previous meeting was finally adopted

That on every alternate meeting or monthly ; each member shall bring forward a written article, either original, or copied, which he shall read to the society.

1839. January 21st. Elected for the ensuing year

James Taylor Treasurer

Thomas Fulton } Secretaries
John Gemmell }

John Kirkland Librarian.

1840 January 6

1841 January 4 [Same list as in 1839 repeated]

1842 January 3

[1841.] April 12. Resolved, that reading papers be discontinued.

[1842.] July 4. Resolution carried to dissolve the Society, to be reconsidered (as required by the 13th Article) on July 18.

July 18th. Reversed the above vote and agreed to continue the society.

Elected Alexr Murdoch one of the secretaries, in room of Thomas Fulton resigned.

Note.—Along with the little Minute Book is the following Passport :

By John Craufurd of Craufurdland Preses to the meeting of
Commissioners for the District of Kilmarnock

Permit the Bearer James Hopkine Taylor att ffinnick kirk who is of ane honest and fair character capable to subsist himself by his employment and so noway under the description of the late act of parliament anent the recruiting of his Majestys' Forces to pass and repass to and from Irvine and other places In the prosecution of his lawfull Business without any trouble or molestation He allways behaveing himself as becometh a dutifull and Loyal Subject. Given under my hand Att Craufurdland this twenty second of January 1757

J CRAUFURD

J.P.

To all concerned
[Endorsed]

Pasport
1757.

APPENDIX.

MINUTES &C. OF THE FENWICK EMIGRATION
SOCIETY. APRIL 23 1839.

Regulations.

Preamble—A fearful gloom is fast thickening over the horizon of our country. Every prospect of comfort to the working man is daily becoming darker and more dreary. Trade and manufactures are rapidly leaving our shores. And, to all appearance, a crisis is at hand, in which the sufferings of the working classes will in the first instance, form a prominent feature. It is desirable therefore, that they should have it in their power, as far as possible, to avoid the miseries to which a large portion of the community must be reduced by the depression of wages, scarcity of work, and starvation by hunger through the operation of the corn laws. This can be best effected by fleeing from the scene of destitution and distress. But as it cannot be effected without considerable expence, and as few working men can command a sufficient fund for that purpose, unless by the gradual process of weekly deposits, it is hereby proposed to form an association for the purpose of encouraging emigration amongst the working classes, and of acquiring the means necessary for the accomplishment of that object. The following regulations will form the basis of the association.

[There follows a constitution, providing for weekly deposits which were to be consigned on deposit in bank. The application of the moneys is sufficiently indicated by the sixth regulation :—]

6th. That if any member is going abroad he may have the whole amount of his deposits with interest due (except on the deposits of the current half-year if incomplete) at any time, by giving ten days' warning to the Treasurer. If he is not going abroad or has a claim by article 7th he cannot receive any money till the half-yearly meeting.

[At half-yearly meeting the interest was distributed according to the shares of capital contributed. At the first half-yearly meeting Nov 5 1839 the total deposits were £66, and the interest distributed only 7s. 3d., but the balance of funds in hand had risen in December 1851 to £381, and the dividend of interest was £10 10s. 11d. Several entries in the Minutes are of interest as regards emigration, and several references occur to persons whose names also appear in the record of the Fenwick Improvement of Knowledge Society. Accordingly a few extracts will be of value towards the editing of the latter.]

Fenwick May 1 1839. A meeting was held this evening according to arrangement in Mr Cairnduffs school, when the Association was formed by subscribing the regulations. The following persons were also chosen managers Alexander Dunlop Preses Matthew Fulton Clerk John Taylor Treasurer and Allan Galt, Thomas Fulton, William Bicket and William Morton ordinary managers.

June 4 1839. The Society held its first monthly meeting when an interesting account of the passage and safe arrival at New York of four emigrants from the Parish of Fenwick was laid before them.

Augt 6 1839. Some extracts were read from a letter from an emigrant who has located himself at Parkhill, Saltfleet, County of Wentworth, District of Gore, Upper Canada, N.B. America.

Sept 3 1839. Notes from extracts of a letter in the Ayrshire Examiner No from a Settler in New Zealand were read to the society.

Oct 1 1839. The Society held their monthly meeting this evening when a part of Chambers No 5 of the 'Information to the people' on emigration to the United States was read.

Dec 3 1839. Held the monthly meeting, when a few extracts from an emigrants letter was given concerning the state of America and the qualification necessary for emigrants thither.

Apr 17 1840. Uplifted for behoof of Mr Matthew Fulton who is going to America.

2 May 1848. The Preses Robert Gilmour having left for Glasgow James Taylor occupies his place.

November 16 1857. Intimation being previously given the Emigration Society met this evening to elect a President in the room of James Taylor deceased when John Fulton was unanimously chosen to that office.

NOTE BY GEO. NEILSON, LL.D.

It is impossible to glance at the themes discussed without an impression that the superior character of the intellectual standpoint, which on the whole is reflected, may have been due to the dominating force of one or two individuals in the Society. While 'the Utility of Societys for the Improvement of Knowledge' might be a commonplace enough commencement of programme, the second item, the debate between implicit belief as against rational conviction, raised the great issue of Faith *versus* Reason, and

showed the rationalistic bent. The affirmation of voluntarism in religion as against establishment, and still more the preference of republicanism to monarchy, are expressions of well-defined revolutionary tendency even when checked by the qualification that the replacement of monarchy by a republic should be achieved not by physical but by moral means.

American institutions evidently made their appeal to some of the members, though we have no record of the night when the contest between America and Britain was discussed. On the labour problem the vote in favour of repealing restrictive laws, the 'General Conversation on the State of Society,' and the pronouncement in favour of household suffrage, serve as a reminder that in 1835 the once revolutionary movement was passing through its phase of reform and radicalism on the way to Chartism. As regards 'the once popular doctrine of Ghosts and Witches' the note of emancipation from credulity is emphatic.

Various views, as for instance on science and religion, on the ceremony of marriage and on the temperance question, are as interesting in their social significance as are the political proposal to dispense with the House of Lords, the cautious resolution about 'the lawfulness and propriety of blood-eating,' and the versatility of these rural discussions ranging with assured freedom from the abstractions of political principle to the niceties of literary preference and taste.

The discourse on astronomy by Thomas Fulton introduces a most interesting connection with a somewhat famous mechanical construction, of which Fenwick is entitled to the honour. This is the orrery constructed by John Fulton. It is not without significance that the ingenious and surprising mechanical rendering of the celestial movements should have had as its antecedent the studies of astronomy pursued by and discussed in the Fenwick Society. As a community the village circle manifested a quite unusual intellectual aptitude, and their keen political sense was reflected in such bodies as the Fenwick Weavers' Society, founded in 1761, the Masons' Society, and the Friendly Society, which were all maintaining their activities during the period of these village debates. Another association expressive of a thoughtful and provident standpoint among the people was formed in 1839: this was the Fenwick Emigration Society, of which some general impression may be formed from the few extracts from the minutes given in the appendix, *supra*. It reveals the villager of Fenwick as a thrifty Scot with a keen eye upon his prospects in life, and a shrewd as well as courageous determination to adopt the career offering the higher promise.

The Preamble, product of a period when the Chartist movement was rapidly approaching the explosive point, reflects the rhetorical pessimism of its time. The industrial crisis was no doubt severe, but the gloom of the Preamble was perhaps hardly warranted. Yet it can scarcely be doubted that such emigration societies as that of Fenwick were serviceable and wise institutions whereby (on the principle long familiar in building societies) the modest weekly contributions of the members became, when emigration was resolved upon, available to assist their settlement in the new world beyond the ocean.

To return, however, to the debates of the Improvement Society. The notice of the competitive readings of the 'Tory poets' on the one hand, and of Byron as the sole representative of the more progressive view, with the decisive conclusion reached after the experiment, will be perused with amused interest for its naïve combination of critical and political opinion. Paper currency, land nationalisation, 'the moral effect of Poetry,' as well as its generally 'radical tendency,' the discussions of geology, and the record of book purchases made by the Society, all attest a characteristic inclination of mind of a sturdy and alert membership. Their New Year meetings of 1838 and 1839 are felicitously recorded with a pen evidently flowing with sympathy for the social, political, sentimental, poetical, oratorical, musical, and genial traits exhibited by the company on each occasion. Such meetings were doubtless memories of joy to the participants, and certainly the gleeful company was happy in its secretary, whose detailed record now challenges the criticism of a wider world than that of the little Fenwick circle. Despite their discontents and dubieties, and the gloom that brooded over their political and industrial outlook, there was room in their hearts and in their lives for gaiety and wit and eloquence, the flashes of which still shine from the faded page.

A Side Light on the 1715

CAPTAIN CHARLES POOLE was in command of H.M.S. *Pearl* when cruising off the east coast of Scotland in 1715. Some papers of his, which, by the kindness of his relatives, I am permitted to use, shed an interesting side-light on the naval operations in the North Seas of that year.

Captain Poole was appointed to the *Pearl* on 26th July, 1715, his commission being signed by the Earl of Orford, Admiral Russell, who was then First Lord of the Admiralty, and others; and a month later he received his instructions from Admiral George Byng, through Captain James Stewart of H.M.S. *Royal Anne* Galley, as follows:—

‘By Sir George Byng, Admiral of the White, and Commander in-Chief of his Majties. Fleet in the Channell.

‘You are hereby required and directed to take the *Pearle* under your command, and proceed with her and your own ship to the Coast of North Britain, and cruise there on a station between St. Abb’s Head and Buchaness, looking now and then into the Firth of Murray, to gaine what intelligence you can; and when you meet with the *Port Mahon*, you are likewise to take her under your command, her Captain being hereby directed to observe your orders.

‘You are to employ the ships with you in such manner upon this station, that you may spread the whole coast within the limits of your cruise, appointing signalls to each other, to be joined, upon occasion, and you are to use your utmost care and diligence to speak with, and search all such ships or vessells as you may meet with, and have reason to suspect are going between France and Scotland; and if you shall find on board them any arms, ammunication, money, or persons whom you may have reason to apprehend are officers employed by the Pretender, or any other suspected persons, you are to take particular care that they be

secured, either on board the ships under your command or by the Civil Magistrates on shore, until further order, and you are also to be careful that some persons belonging to the ships under your command be in readiness to give evidence upon oath if required, where, when, and in what manner the aforesaid persons were seized; and that such papers as shall be found about them be in like manner secured; and that they be so marked by yourself and signing officers, or such other persons as you shall judge proper, as that upon occasion, you and they may be able when thereunto required to make oath, that they are the very papers so seized as aforesaid.

‘And whereas you will receive herewith papers of Intelligence concerning some vessells suspected to be going between Havre de Grace and North Britain with arms aboard; if you shall meet with any of those vessells, you are to be particularly watchful of intercepting them; and if any ships or vessells that you shall thus search shall make resistance, you are in that case to take, sink, or destroy them; and to suffer no ships or vessells to pass you, by any means without their being first searched, and that you are satisfied they are not employed on any such service as aforesaid.

‘You are to remaine on this service untill further Order, sending up to the Admlty. from time to time frequent account of your proceedings. Dated on board the *Windsor* in the Downes the 28th. August 1715. (Sgd.) G. BYNG.

‘To Capt. Stewart,
‘Commander of his Maties. Ship,
‘*Royal Anne Galley.*’

Admiral Sir George Byng, who signed these instructions, was created Viscount Torrington a few years later in recognition of his victory over the Spanish fleet off Cape Passaro. He was the father of the better remembered Admiral Byng who, less fortunate in battle off Minorca, was shot, as a witty Frenchman said, *pour encourager les autres*.

It will be recollected that the Earl of Mar held his great hunting party at Braemar on 26th August, and that he threw off all disguise and raised his standard on 6th September. Captain Poole obtained an interesting letter written by Mar three days later addressed to his friend ‘Jockie’—otherwise John Forbes of Inverernan, which indicates the exasperating difficulties he had to contend with. The Highlanders were showing themselves unexpectedly indifferent to the claims of the Old Pretender, and

Mar's temper was already giving way—surely a bad sign. His letter¹ is as follows :—

‘Invercauld Septer. 9th at night 1715.

‘JOCKIE,

‘Ye was in the right not to come with the 100 men ye sent up to night, when I expected four times the numbers. It is a pretty thing when all the Highlands of Scotland are now rying upon their King and countrys account, as I have accounts from them since they were with me, and the gentlemen in most of our neighbouring lowlands, expecting us down to join them that my men should be only refractory. Is not this the thing we are now about which they have been wishing these six and twenty years. And now when it is come and the King and countrys cause at stake, will they for ever sitt still and see all perish.

‘I have used gentleness too long and see I'll be forced to putt other orders I have in execution, I have sent you inclosed ane order for the Lordship of Kildrinnie which you are immediately to intimat to all my vassalls. If they give ready obedience it will make some amends, and if not ye may tell them from me that it will not be in my power to save them (were I willing) from being treated as enemies by those who are ready soon to join me ; and they may depend on it that I will be the first to propose and order their being so ; particularly lett my own tenants in Kildrinnie know that if they come not furth with their best arms that I will send a pairtie to burn what they shall miss taking from them, and they may believe this not only a threat, but by all that's sacred I'll putt it in execution, lett my loss be what it will, that it may be example to others. You are to tell the gentlemen that I'll expect them in their best acutriments on horse back and no excuse to be acceted off. Go about this with all diligence and come yourself and lett me know your having done so. All this is not only as ye will be answerable to me but to your King and country.

‘Yr. assured friend and servant,

‘(Sic subscribitur) MAR.

‘To John Forbes of Inverernan,
‘Baillie in Kildrinnie.’

¹This letter, and the order which follows, are printed from a contemporary manuscript copy. See Rae's *The History of the Rebellion rais'd against His Majesty King George I.*; the Second Edition (London : A. Millar, 1746), pages 413, 414, for another copy of the same document.

The order which Mar refers to is in the following more dignified terms :—

‘Our rightful and naturall King James the 8th by the grace of God who is now coming to relieve us from our oppressions, having been pleased to entrust me with the direction of his affairs, and the command of his forces in this ancient Kingdom of Scotland, and some of his faithful subjects and servants mett at Aboyne, viz., the Lord Huntley, the Lord Tilliebardin, the Earle Marshall, the Earle of Southesk, Glengarrie from the Clanns, Glendrule from the Earle of Breadalbin and Gentlemen of Argyleshyre, Mr. Patrick Lyon of Auchterhouse, the Laird of Auldbar, Lieutenant General George Hamilton, Major General Gordon and myself having taken into consideration his Majesties last and late orders to us, find that as this is now the time that he ordered us to appear openly in arms for him, so it seems to us absolutely necessary for his Majesties Service, and the relieving of our native country from all its hardships, that all his faithful and loving subjects and lovers of their country should with all possible speed putt themselves into arms.

‘These are therefore in his Majesties name and authority and by virtue of the power aforesaid, and by the King’s speciall order to me thereanent to require and impower you forthwith to raise your fencible men with their best arms, and you are immediately to march them to join me and some other of the King’s forces at the Inver of Braemar on Monday nixt in order to proceed in our march to attend the King’s Standard with his other forces.

‘The King intending that his forces shall be payed from the time of their setting out, He expects as he positively orders that they behave themselves civilly and committ no plundering or other disorders, upon the highest penalties and his displeasure which is expected you’ll see observed.

‘Now is the time for all good men to show their zeal for his Majesties service, whose cause is so deeply concerned, and the relief of our native country from oppression and a foreign yোক too heavy for us and our posterity to bear, and to endeavour the restoring not only of our rightful and native King but also our country to its ancient free and independent constitution under him whose ancestours have reigned over us for so many generations.

‘In so honourable good and just a cause We cannot doubt of the assistance direction and blessing of Almighty God, who has so often rescued the royall family of Stewart and our country from sinking under oppression.

‘Your punctual observance of these orders is expected, for the doing of which, this shall be to you and all you employ in the execution of them a sufficient warrant, Given at Braemar 9 Septer. 1715.

(*Sic Subr.*) MAR.

‘To the Baillies & the rest of the
‘Gentlemen of the Lordship of Kildrimmie.’

These stirring events up Deeside evidently drew the *Pearl* to Aberdeen, where Captain Poole was welcomed by the loyal citizens and presented on the 17th September with the freedom of the city. By the beginning of October the Jacobite forces were moving south, and the importance of preventing them from crossing the line of the Forth was realised. Accordingly we find the *Pearl* in the Firth of Forth, where Captain Poole received the following communication from the Duke of Argyll, who wrote from the ‘Camp at Stirling 5th October 1715’ to ‘the Captain commanding any of his Majties. Ships in the Road of Leith’ as follows :—

‘SIR,

‘Having given severall orders for removing all boats, barks, and ships from the Coast of Fife to the other side of the water which have still proved ineffectual, tho I cannot pretend to send you any orders, yet I must beg the favour of you to be assisting in getting put in execution what is judged very necessary for his Majesties service and therefore desire you to send your Boats to the several Towns and Harbours on the Coast of Fife and force all ships and vessalls whatsoever to go forthwith to Leith, Prestonpans, or any such place on this side, and whatever master of any vessell shall refuse to obey to send him prisoner to Edinburgh; in doing this you will please to act in concert with the Provost of Edinburgh.

‘I am,

‘Your most Obed. Humble Servant,

‘ARGYLL.’

Captain Poole docquets this letter—‘Recd. 8 ber 8. $\frac{1}{2}$ an hour after 7 in the morning.’

The Duke of Argyll was evidently anxious lest the rebel forces should find means to cross the Forth. On 8th October he issued fresh instructions to Capt. Poole from the camp at Stirling :—

‘You are hereby authorised in case of resistance by force of arms, to bring over to Leith, disable, or destroy, all the ships,

barks, or boats found in the Harbours of the County of Fife, conforming to the particular instructions to be given you by the Lord Provost of Edinburgh, Lord Advocat, or Lord Justice Clerk.'

The problem which the authorities in Edinburgh had to solve was—where would the rebels attempt to cross the Forth? On the 9th October the Earl of Hopetoun wrote the following letter to John Campbell, Lord Provost :—

'MY LORD,

'I was in hopes to have found the frigate before me at Queensferry, but I understand she has never come by Newhaven so I entreat you would be pleased to order her up without delay for I know there is a good many boats and some barks still upon the northside, and I was told to-day by a skipper who came from the North ferry, that they had seized some small boats about Aberdour and sent them to Bruntisland harbour, and no doubt if they be not prevented they will do the same with all the boats on that side; about four o'clock this afternoon when I was at the ferry we observed a good many horsemen on the top of the hill on the Northside but I cannot condescend of their number. I know you'll forgive this trouble.'

The next day the Lord Provost sent the following letter to Captain Poole, and enclosed the Earl of Hopetoun's letter as above :—

'SIR,

'I have just now yours, and did send your letter last night to the Duke of Argyle and shall send yours this day to Mr. Cockburne. My Lord Advocat and severall others are of opinion that since it's from Bruntisland the Rebels are to come, that at least two of the men of war should (when they are not cruising) anchor as nigh to the harbour as possible, so as to be in condition to fyre in on them in caise they attempt to come out. They are the more convinced of this, that yesterday the Rebels brought up two barks and they say some boats from Aberdour and from other places to the wester of Bruntisland. And also it's thought fitt that you come to anchor as little as possible.

'There is letters from Stirling that says a ship is come to Aberdeen which passed the men of war without searching.

‘I send you a letter I had just now from the Earle of Hopetoun together with the news papers.

‘I am,

‘Your most humble Servant,

‘Jo : CAMPBELL.

‘Edinburgh, 10th October, 1715.’

Apparently the local authorities were misled by a feint on the part of the rebels to the west of Burntisland which was intended to cover their operations in the East Neuk of Fife. If, in consequence, the *Pearl* was kept cruising between Burntisland and North Queensferry, it is not difficult to understand how the hostile force was able to embark at Pittenweem, Elie, and Crail on the night of 12th and 13th October, and cross unmolested to the Lothian coast.

Notwithstanding the passage of the Forth by the rebel forces, the authorities were still apprehensive of an attack on Burntisland. On 26th October Captain Stewart sent to Captain Poole a memorandum from the *Royal Anne* Galley in Leith Road as follows :—

‘If the garrison of Brunt Island should be attack’d and straightn’d, the Officer Commanding there will cause a great fire to be made towards the sea, or blow off some powder upon the top of the Castle, which signal you are to observe, and if I don’t answer it by firing two guns towards the town, you are to give me immediate notice in order to my advertising the Government thereof, but in case the weather is such that you cannot conveniently send a boat to me, then you are on that side next to me to hoist two lights of an equal height in your main shrouds and keep them out untill I fire two guns towards the town.’

Early the following month the *Pearl* was ordered away from the Forth by Captain James Mighes, thus :—

‘You are hereby required and directed with his Majties. ship the *Pearl* under your command without loss of time to proceed and cruise off Aberdeen till further orders, to observe the motions of the Rebels and prevent their being supplied with provisions or arms, or being joined by any others as far as in you lies ; and you are to be particularly careful in looking out for a Provincale Bark of about ninety tons, her quarter and head painted green and yellow mixed with a little gold, manned with Scotchmen, whereof one George is Master, suspected to have arms on board, is sailed

from Havre de Grace bound to Aberdeen, and upon meeting with her, to seize and secure her together with all her persons and papers that shall be found on board her ; and you are to be very diligent in executing all former orders you received from Capt. Stewart for intercepting or destroying all ships or vessells you shall find in the interest or service of the Pretender. Dated on board the *Orford* in Leith Road this 10th of November 1715.'

The last of Captain Poole's papers refers to the vain hopes cherished by the Jacobites of receiving effective aid from France through the Regent Orleans. It is a letter addressed to him from 'Capt. James Stewart Commander of his Majties. Ship the *Royal Anne* Galley pursuant to an order from Sir John Jennings, Amll. of the White Squadron of his Majties. Fleet dated 29th day of January 1715 to me :—

'Whereas I have received intelligence that six hundred Officers are ready to embark for Scotland, from Calais and that part of France, as also that Sir John Erskine has a considerable sum of money to send over for animating and supporting the Present unnaturall Rebellion, and that General Eslin and Lord Duffus are gone from some port near Aberdeen with ordnance on the same vile design ; and there being likewise just reason to apprehend that the late Duke of Ormond with other disaffected persons is hovering about the Ports of West France in order to make use of the first opportunity to come over and join the Rebels : you are therefore hereby required and directed with his Majties. Ship under your command to cruise in company with his Majties. ship under my command between Buchanness and the Isle of May, so that you may most probably intercept any ships or vessells coming on or going from the coast with money, arms, or persons of what denomination soever in the interest of the Pretender, to which end you are to keep the most diligent look out, and to stay no longer with the ship under your command in any Port or Harbour whither the extremity of weather may force you than shall be absolutely necessary : and in case of meeting with any such ships or vessels, to use your utmost endeavours to come up with, and seize them, with all papers you can gett into your hands, concerning which you have received particular instructions : or upon resistance to Burn, Sink or otherwise destroy them : and to prevent, as far as may be, the Illusions (*sic*) of any ships or vessels that you may be able to speak with on the Coast, you are to send such of them, of whose

good intention to the Government you shall not be very well assured to the Adml. in Leith Road in order to a stricter examination (giving me on the first opportunity an account thereof) the exigency of affairs at this juncture requiring the strictest Inquisition : and as often as wind and weather will permit, you are to look into Aberdeen, Montross and Stone Hyth, and to endeavour to destroy any vessels or embarkations you may find there, or in any other port near your station in the arbitrary possession of the Rebels, according to the Intelligences you may be able to gain, so far as the same may be judged practicable with regard to the safety of his Majesties ship under your command, and you are to continue on this station and service till further order taking all opportunities of giving me account of your proceedings : Dated on bd. his Majties. Ship *Royal Anne* Galley off St. Andrews the 31st January 1715/16.

‘(Sgd.) JAS. STEWART.’

NINIAN HILL.