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The
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The Black Friars and the Scottish Universities

IT is to the foresight and the action of St. Dominic and his great Order of Friars Preachers—colloquially known as the Black Friars—that the first introduction into Scotland of a systematic course of education is to be attributed. No doubt, there were schools in existence in the twelfth century, and men of high literary attainments were to be found among the Roman hierarchy as well as in the monasteries; but there was no organized system of study in operation in this country until the advent of the Black Friars in 1230.[1] Among the monks of every class, education was to a large extent—in the early days at least—a mere matter of personal inclination. In the original rules laid down by St. Benedict and the other monastic founders, the leading obligation is manual labour; while study as an art is conspicuous by its absence. The celebration of the divine offices and the reading of the Holy Scriptures or of works by the Fathers, etc., formed, practically, the sole official outlet for the spiritual aspirations of the monk; and, hence, progress in education depended entirely upon the intellectual calibre of the individual. The monk who tilled the ground fulfilled his obligations equally with him who, of a higher intellect, chose to spend his spare hours in study.

St. Dominic's ideals were lofty, although, as they took ten years to arrive at fruition, they lacked the spontaneity of those of St. Francis. He sought to counteract the heresies of the Cathari, the Patarini, the Albigenses and other wild sectaries

[1] *Melrose Chronicle*, p. 143.

of his day, by equipping and training a special body of public evangelists, who, by their preaching in the streets and squares of cities and villages, and even in the fields, would not only educate the people in the tenets of the orthodox religion, but would render them immune against the insidious attacks of heresy. There lay, however, a fundamental distinction beneath the confirmation granted by the Holy See to the Franciscan ideal as opposed to that of the Dominican. St. Francis was a layman and unlearned; while St. Dominic had knowledge, and was not prepared to sacrifice ecclesiastical tradition. He was a canon regular of the Church, and he and his followers were confirmed as an Order of Canons serving God under the Rule of St. Augustine.[1] There were no lay preachers within their ranks,[2] and hence, so far, there was no change in ecclesiastical life as was the case with the Grey Friars. As canons, the priory church, in which the usual offices were celebrated day and night, became their principal possession, to which the other buildings formed a mere adjunct. Then, the Augustinian rule was expressly selected as a framework on which their institutes and constitutions of government—to be afterwards devised by their Chapter General—could be engrafted; and it left them free to raise their edifice in independence. To carry out his special mission of 'universal preaching,' St. Dominic foresaw from the beginning, that, to command success, study and knowledge were necessary corollaries. Among his opponents—the Patarini, for example—there were many powerful preachers; and he resolved to convert his friars into an Order of learned men, able and ready at all times to face an intellectual adversary. It was the educational scheme which he inaugurated for his friars that led Honorius III. to describe them as *futuros pugiles fidei, et vera mundi lumina*.[3] Indeed, it may be asserted that the Black Friars were the first in Europe to devise and introduce for their students a complete and systematic course of education extending over a long period of years, and ending in a degree at a university recognized by the Order; and it is to the distinguished share, direct and indirect, taken by the Black Friars in assisting and furthering the establishment of our Scottish Universities, that attention is here drawn.

[1] *Bullarium Ord. Praed.* 1, 2, 4.

[2] The lay-brothers—the *laiici* of the Grey Friars—were known as the *fratres conversi*, and performed the meaner offices of the priory, such as cooking, etc.

[3] *Nos Attendentes*, 22 Dec. 1216; *Bull. Ord. Praed*, i. 4.

Unfortunately, the native material at our command is singularly scanty. To whatever cause—the ignorant zeal of the 'rascal multitude' at the Reformation, or subsequent wanton neglect—the loss of the major portion of the vast array of ecclesiastical muniments, other than those of a purely legal nature, that undoubtedly existed in pre-Reformation times, constitutes one of the great misfortunes of our country. The Black Friars excelled all the other religious communities in the number and variety of the records which, under their statutes, they were bound to compile; and yet, but little is now extant from which any idea of their personal life can be obtained. At the head-quarters of the whole Order at Rome, also, very little information relating to Scotland has been preserved;[1] but, in recent years, great literary activity has been evinced by members of the Order, and many of their records, so far as extant, have been published. These include their Constitutions—codified in 1228, and again in 1239—the *Acta* of the Chapter General and of many of the leading provinces in Europe, the more famous chronicles, etc.

Briefly stated, the Black Friars divided their scholastic system into three well-defined sections—an arrangement which has been followed down to the present day in this and all other countries where a national system of education prevails. There were, first of all, the Conventual Schools, in which the novices and young friars were trained. Then came the Provincial or Secondary Schools known as the *Studia Solemnia*, and, lastly, the International University Colleges, or *Studia Generalia*.

The priory was, of course, the principal arena of Dominican life, and it was there that the fountain of knowledge took its rise. The constitutions of 1228 to 1236—dating in reality back to the time of St. Dominic—declared that, without both a prior and a doctor, there could be no priory—'*Conventus . . . sine priore et doctore non mittatur.*'[2] This doctor was practically a professor of theology, and his theological classes were open to the laity as well as to all the clergy and 'religious' in the neighbourhood. Hence, he was also described as a *publicus doctor*. Every friar, including the prior, was compelled, when not engaged in other special work, to attend the doctor's classes, and in this way there was no room left for idleness within the *septa* of a priory. In the encyclic of John of Strasbourg of 1249, he orders his friars to 'study without cessation . . . love your cell; it is the road to

[1] *Analecta Ord. Praed.* 1896, p. 646 n. [2] *Analecta*, 1896, p. 642.

Heaven, do not leave it unnecessarily';[1] and, as years rolled on, the demand for study grew more insistent and imperious in all the Chapters, both General and Provincial. Latterly, the education and training of their preachers became the most important function of the Order. As a safeguard to doctrine, the doctor, prior to appointment, must have 'heard' theology for a period of not less than four years,[2] and, if a master of theology, he was given precedence[3] over his prior in the event of the latter not having attained to academic rank. Friar William Cumyn, Doctor and Reader of Theology in the Priory of Perth, was unanimously chosen by the members of the Chapter of the See of Argyll to the bishopric. Their selection was confirmed by Gregory X., and the Bishops of St. Andrews and Dunkeld were directed to proceed with his consecration, provided that the Order consented to his elevation.[4] In addition to these public classes of theology, others for the instruction of the novices and young friars were to be found in every convent. They were under the management of the master of the novices, the lector, and the lector *principalis*, and were not open to the general public. The novices entered at the age of fifteen, and served a novitiate, in the early Dominican days, of six months; but this period was afterwards extended to twelve months,[5] and even, in some cases, until the novice had attained the age of eighteen. There was no compulsion on the novice on entry, although, on the other hand, only the apt student was retained.[6] There existed in these days no false sentiment against the use of punishment, and the master of the students was given full power of correction.[7] The lectors conducted the arts classes, including grammar, rhetoric, and logic, and in some of the priories, moral philosophy. Young friars, however, were not permitted to attend the

[1] *Litterae Encyclicae Magist. Gen.* p. 9, ed. Reichert. At least one-third of the *Acta* of the General Chapter is devoted to the question of study.

[2] *Analecta*, 1896, p. 643. *Nullus fiat publicus doctor, nisi ad minus theologiam per quatuor annos audierit. Acta Cap. Gen.* i. 35.

[3] Chap. Gen. of 1542; *Acta Cap. Gen.* iv. 296.

[4] 24th May, 1275, *Theiner*, No. 262. It was the custom, at this date, for friars, even when raised to the episcopate, to continue to wear the dress of their Order. There were in all seven Scottish Black Friars who were promoted to the episcopal bench.

[5] At first most of the novices were already masters or bachelors of arts, and, therefore, learned men.

[6] The poor student to be replaced by a better. *Analecta*, 1896, p. 643.

[7] '*Item, utrum magister studencium possit corrigere et punire—Respondemus quod sit.*' Douais, *Acta Cap. Provincialum, Prov. of Provence*, 16.

arts classes until they had completed a thorough course of training in singing and in the divine offices, and, in any case, not sooner than two years from date of admission.[1] The lectors were provided during office with a special *camera* or chamber,[2] and were freed from many of the ordinary duties such as the hearing of confession,[3] taking charge of the infirmary,[4] etc. In the event of there being other suitable friars in the province, the lectorship could only be held for a period of five years.[5] The students were freed from many of the 'offices' or other duties which interfered with their studies; and they were also allowed to read, write, pray, sleep, and watch in their cells.[6] Even the prior, the controlling head of the schools, required to be an efficient preacher in Latin as well as in the vernacular. The Chapter General of 1518 declared that he must be able to speak grammatically and without false Latinity—*absque falsa Latinitate, et bene intelligere grammaticam*—and be sufficiently versed *in moralibus divine Scripture* to preach the word of God in his own convent.[7] The *Magister Studentium* had the right to denounce in the priory chapter any remissness on the part of his prior, and even to appeal, if necessary, to the provincial chapter.[8]

The second rung in the Dominican educational ladder was the establishment in every province and vicariate of one or more Secondary Colleges, to which the more advanced of the friar students were regularly sent. These Provincial Schools were under the direct supervision of the Provincial Master. For many years Scotland was only a vicariate of the Province of England, and the appointment of the vicar required confirmation by the English Provincial. Although, therefore, the Scottish Provincial School was under the immediate control of the Provincial Vicar, it was the duty of the English Provincial to send his Visitors[9] to report to him on the condition of all the schools, provincial and conventual, in this country. In the same way, the Chapter General sent Visitors[10] to far distant countries; and in 1261 a representative appeared in the person of Friar Stephen de Salanhac, Prior of Toulouse, deputed 'to visit Scotland, and to transact the other affairs in England which the Master of the Order may

[1] *Acta Cap. Gen.* i. 285. To promote the study of grammar and music, the Provincials were instructed to provide the necessary accommodation at the expense of the respective convents; *Ibid.* ii. 323.

[2] *Ibid.* i. 37. [3] *Ibid.* i. 11. [4] *Ibid.* i. 16. [5] *Ibid.* ii. 246.

[6] *Analecta*, 1896, p. 643. [7] *Acta Cap. Gen.* ii. 380; iii. 103, 412; iv. 163.

[8] *Ibid.* i. 65. [9] *Ibid.* i. 99. [10] *Ibid.* ii. 91.

put upon him.'[1] Unfortunately, his report on the Scottish Dominican Schools has not been preserved; but the 'other affairs' referred to the punishment awarded by the Master General to Friar Simon, the English Provincial, for disobedience—an incident to which further reference will be made. At the Chapter General at London of 1335, it was ordained that in each province there should be not less than two schools of theology, two of natural philosophy, and two schools of arts;[2] while in 1347 provincials were ordered to provide *studia particularia* of theology, natural sciences and logic. The lectors or professors were selected by the provincial, and each of the students received a contribution for his support from his own priory. Of the many records relating to the Scottish Provincial and Conventual Schools not a vestige now remains, but it may be assumed that, until the fifteenth century, the Provincial Schools were held in the Edinburgh Priory.[3]

From the commencement of the Dominican movement, it had been the practice to send friar students from all the different provinces to the *Studium Generale* at Paris; but at the Chapter General of 1246, the number from each province was restricted to three.[4] At the same time, four provinces, including that of England, were each ordered to erect a '*generale studium et sollempne*' in one of the larger convents, to which two friars could be sent. The English friars—more insular than their neighbours across the border—refused to receive their foreign brethren; and the Master General, at the Chapter of 1261, fixed peremptorily upon Oxford as the *Studium Generale* for the English Province. For his contumacy, Friar Simon was relieved of his office as Provincial, and sent in exile to be lector in the Priory at Cologne.[5] Some of the Scottish friars are alleged to have attended this *Studium*, but the tendency in this country was, from the first, to favour that at Paris. Among the Denmyln MSS.[6] is a letter, dated 29th September, 1349, by Jean des Moulins, the twentieth Master General, to the Scottish 'Vicar General.' In it the Master grants,

[1] *Acta Cap. Gen.* i. 112. [2] *Ibid.* ii. 229.

[3] The *Acta Capitulorum Provincialium*, by C. Douais, of the Provincial Chapters of the Provinces of Provence, Rome, and Spain, 1239 to 1302, furnishes the best account of the vigorous management, even at this early date, by the friars of their Provincial Schools.

[4] *Acta Cap. Gen.* i. 34.

[5] *Ibid.* i. 110, 111. In view of his submission, he was permitted in the following year to return to his native country.

[6] No. 77, Adv. Lib.

'as a mark of our esteem, this privilege—that your Vicar who shall be for the time may assign to some *Studium Generale* of our Order a friar as a student, and recall him at his good pleasure.'[1] It is possible to assume that the friars had at last thrown off the yoke of the English Provincial, although the vicariate continued without representation in the Chapter General until the 10th June, 1481, when it was, at the request of King James III., erected into a province 'separate and distinct from that of England.'[2] By the Chapter General of 1410 and subsequent Chapters, the study and practice of both medicine and surgery[3] were forbidden as unnecessary qualifications for a friar preacher; while, for the study of alchemy, the severest punishments—excommunication and imprisonment—were meted out to offending friars.[4]

Owing to their steadfast pursuit of learning, the Black Friars as a body attained to a position of great eminence in the scholastic world, and there sprang from among their ranks many of the most celebrated scholars in Europe. Naturally, it brought them into close relationship with the various universities; and, amid the strife that arose in the University of Paris, two of the friars were raised to professorial rank in 1229-30[5]—a practice that was followed, with the advance of time, in other *studia generalia*. By the beginning of the fifteenth century the ground had been prepared for the establishment of universities in Scotland.

It is at this point that the loss of our native Dominican records becomes strongly felt; but assistance, to a certain extent, is to be found in the *Munimenta* of the University of Glasgow.[6] For many years after its foundation, the Black Friars of Glasgow lent their arts class-room, their chapter house, and even their church for the purposes of this poorly endowed university. The arts class-room was repaired and utilized for the professorial arts classes; while the professors of canon and civil law made their prelections in the chapter house. It was there, also, that the ceremony of incorporating with the University the *élite* of the

[1] 'Friar Alexander of Scotland' is mentioned as having been assigned in 1525 to the Studium Generale at Paris. *Acta Cap. Gen.* iv. 206.

[2] *Ibid.* iii. 368, 10th June, 1481. [3] *Ibid.* iii. 139; iv. 65 and 350.

[4] *Ibid.* i. 170, 238, 252; ii. 65, 72, 147.

[5] The question of the Mendicant Friars and the Universities is beyond the scope of our inquiry. See *Illustrations of Mediaeval Thought*, by Dr. Reginald L. Poole; *Universities of Europe*, by Dr. Rashdall; *The Mediaeval Mind*, by H. B. Taylor, and numerous works by foreign writers.

[6] *Munimenta Alme Univ. Glasguen.* ii.

clergy in the neighbourhood—a practice which also prevailed at the Universities of Oxford and Cambridge—was held. Among the *incorporati* were Friar John Mure, the first provincial appointed under the Act of 1481; the successive priors of the local convent, all of whom were professors or bachelors of sacred theology; and many of the friars.[1] The name of Friar Robert Lile, one of the priors, also appears as having, on 24th March, 1521-2, commenced in the priory, in the presence of the Rector, the Dean of the Faculty and other Masters of the College, the statutory lectures on the Four Books of the Sentences. Friar John Adamson, Professor of Sacred Theology and Provincial of the Order, presided over the meeting, and we may conclude that the public classes of theology devised by St. Dominic had, by this time, received the *imprimatur* of this university. Friar Lile was a distinguished *alumnus* of the University of Aberdeen, and all contemporary writers unite in commending the great scholarship and piety of the Provincial, Friar Adamson. It was to his care in the priory at Aberdeen that the Abbot of Kinloss committed his young friars to be instructed in theology.[2] In 1518 the Chapter General recorded its approval of the agreement entered into between the Dean of Dunkeld and the Reverend the Provincial of the Province of Scotland relative to the foundation for five or six students in the Convent of the University of St. Andrews.[3] This, strange to say, is the only reference to a Scottish university to be found in the *Acta*; but from it, and from what has been already said, it is fair to assume that the priories at Glasgow and St. Andrews had both been erected into Dominican *studia generalia*, and, therefore, become incorporated, in imitation of the priories at Paris, Oxford, etc., into their respective universities. From the Lord Treasurer's accounts we also learn that, during the reign of James IV., there were among the 'studentis of Sanctandrois' several Irish friars, who no doubt preferred the Scottish studium to that of either Oxford or Cambridge. Although all university degrees required

[1] *Munimenta*, pp. 66, 67, 78, 100, 136, 156, 157, 182, 206, 208.

[2] See the remarks of the late Dr. Joseph Robertson in his learned preface to the *Liber Collegii*. Friar John Spens was another of the Glasgow priors who attained to great distinction. He was translated in 1519 to the Priory at Elgin, which, from the want of funds, had fallen into decay. *MS. Chartulary of Elgin*, Adv. Lib.

[3] '*Approbamus pactum initum inter dominum decanum Dunclidensem et reverendum provincialem provincie Scocie super fundationem quinque vel sex studentium in conventu universitatis sancti Andree.*' *Acta Cap. Gen.* iv. 173.

confirmation by the Chapter General, very few names of either Scottish or English friars are recorded in the *Acta* as having attained to academic rank. The only notice of the friar Scot is to be found in the *Acta* of the Chapter General of 1525, which approved of Friar James Crichton in the Mastership, and licensed as Bachelors Friars Alexander Campbell, Alexander Barclay, Alexander Lawson, James Cheuvot, Francis Carpentar, John Makcap, John Makdorod (Macdonald ?), and James Pryson.[1] Although Cardinal Betoun appointed an Edinburgh Black Friar to act as his penitentiary south of the Forth,[2] he seems, to judge by his charities as noted in his Granitar and Chamberlain's accounts, to have favoured the Observantine Grey Friars rather than the Dominicans. The Grey Friars may not, at least in this country, have adopted the systematized educational itinerary of the Black Friars; but their scholars were the rivals of the latter in learning, and maintained an equally close connection with the Universities of Paris, Oxford, and other well-known *studia generalia*. Their school for novices was at St. Andrews, and the friars had some relationship with the College of St. Salvator. The Cardinal paid annually the sum of 21s. 4d. to the '*Collegio Sancti Salvatoris et fratribus Minoribus de Observantia Civitatis Sanctiandree pro eorum firma burgali.*' On the day of his murder, in 1546, this College, as well as both the Black and Grey Friaries, was committed to the flames. This incident, unnoticed hitherto by our historians, appears in the prosaic pages of the Register of the Privy Seal, in which the heritable property of Norman Leslie and his associates are recorded as having been escheated and gifted to certain followers of the Governor, the Earl of Arran.[3]

In this country the difficulties in tracing the genesis of our university system are great, and the above sketch, taken mainly from Dominican sources, is offered as a possible step in the inquiry. A close connection certainly did exist between the Black Friars and our Scottish universities.

W. Moir Bryce.

[1] *Approbamus magisterium fr. Jacobi Criton, provinciae Scotiae, licentiamusque ad bacchalariatum fr. Alexandrum Camvel, fr. Alexandrum Barclai, fr. Alexandrum Lanson, fr. Jacobum Cheuvot, fr. Franciscum Carpitarii, fr. Joannis Makcap, fr. Joannis Macdorod, fr. Jacobi Pryson*, dictae provinciae Scotiae.' *Acta Cap. Gen.* iv. 206.

[2] MS. vol. in Adv. Lib. known as the *Rental Book of the Archbishopric of St. Andrews*. It contains only the accounts of the Granitar and Chamberlain of that See between the years 1538 and 1545.

[3] *Reg. of Privy Seal*, xxi. ff. 29, 30, 32, 50.

The Reformers and Divorce

A Study on Consistorial Jurisdiction

THE struggle for consistorial jurisdiction was not a consequence of the religious reformation of the sixteenth century. The warring interests, civil and ecclesiastical, which lay behind the religious upheaval, gave momentum and sanction to the claims of the Reformers. But had the struggle been exclusively religious, the course of the Reformed Church would have been clearer, and political and constitutional cross-currents would not have so effectually confused the issues of the critical years. The Reformed Church did not in or about 1560 step into the shoes of the Church of Rome. The civil power had already asserted itself, and right through the period of the Reformation there were three contending forces—the Church of Rome, the Reformed Church and the Civil Power. The first and the last were old opponents, and had they been permitted to continue their struggle undisturbed the conflict would have been prolonged, but it would have been more logical and the subsequent history of Scotland would have been more akin to that of England or France or Spain than has been the case.

But the Reformers stepped into the arena, doctrinaire, cosmopolitan and *deracinés*, and the struggle became a triangular one. The Reformers drew their strength from the two other combatants; their weakness they brought with them from Geneva. From the Roman Church they drew the religious enthusiasm and reforming fervour which had manifested themselves in the belated reforming legislation of the Church Councils of 1543-9 and 1559. They reaped the harvest of the Indian summer of the Church of Rome which faded before the strong chill blasts from Trent. From the Civil Power they filched the bloom of its tardy youth. When under the influence of the awakening to political ideals which formed one of the developments of the Renaissance the central executive in Scotland began to be conscious of its rights and duties, the Reformers brought back with them from the

Continent the elaborately articulated and fascinating theocratic political philosophy of Geneva, and the weak and youthful aspirations of the civil spirit in Scotland appeared for a time to yield to the hardy growth which flourished on the northern soil. They appeared to yield, and for a time the Civil Power had to dress itself up in Episcopal robes to confront the Geneva gown of the Reformers, but ultimately the Cromwellian despotism beat both to the ground, and when Presbyterianism was finally established at the Revolution settlement it was a chastened figure that bore the Keys of Heaven on the steps of the Hanoverian throne.

The question of consistorial jurisdiction was only a subordinate one, but the solution of it involved the consideration of some of the ultimate grounds of political philosophy. Its beginnings can be traced back to the earlier years of the fifteenth century when the only parties involved were the laity and the Roman clergy. In its earlier stages the question in dispute was not one of jurisdiction. There was no attempt to withdraw consistorial cases from the cognisance of the spiritual courts, but there can be traced in the legislation of the period an effort to define and limit the law which was to be applied by the clerical tribunals to the cases which came before them. Thus at the Provincial Synod held at Perth in 1420 the clergy stated their claims to consistorial jurisdiction as regards the confirmation of testaments with precision and at length,[1] and five years later we find the estates enacting that 'all and sundrie the Kinge's Leiges of the Realme live and be governed under the Kings lawes and statutes of the Realme aleanarlie: and under na particular Laws nor special Priviledge, nor be na Lawes of uther Countries nor Realmes.'[2] The same Parliament made an ineffectual attempt to codify the law. The Great Schism had ended in 1416, and the confusion which it had created had added strength to the civil encroachments which marked the reign of James I. During the reign of Robert III., in 1401, the Estates had regulated appeals in the spiritual courts from the Ordinary to the Conservator, and from the Conservator to the Provincial Council 'Cui ordinationi censuit clerus durante schismate, sicut caeteri regis legii.'[3] It will be observed from the last clause of this statute that the consent of the Provincial Council is expressed. This attempt to

[1] Patrick, p. 80.

[2] 1425, cap. 48; cf. 1503, cap. 79. On the other hand, the authority of the Canon Law is recognised in 1493, cap. 51; 1540, cap. 80; 1551, cap. 22.

[3] 1401, cap. 6; cf. James II. 6, cap. 12.

carry the Church along with it marked what might be described as the intrusive civil legislation of the fifteenth century. Thus in 1426 the Estates 'ad parcendum expensis et vexationibus pauperum in cauria spirituale litigantium' laid down regulations regarding processes in which the pursuer was a layman and the defender a cleric, and the act concludes: 'Et quod istud statuatur de presente authoritate Concilii Provincialis.'[1] But as time passed, this semblance of co-operation was dropped, and by the beginning of the sixteenth century the state had begun to legislate on matters which the canonists claimed for the ecclesiastical *forum*.[2] It will be observed that all the legislation to which reference has been made was confined to the content of the law, and that the consistorial jurisdiction was left undisturbed. But there was grave discontent among the laity with the ecclesiastical courts, and in the synodal constitutions of Archbishop Forman (d. 1522) the attempts of 'lords temporal and other secular persons' to prohibit their dependents from having recourse to spiritual courts are denounced, and the guilty persons are threatened with excommunication.[3]

In 1532 the foundation of the College of Justice on the model of the Parliament of Paris marked a steady advance in the development and consolidation of the centralised secular forces within the Kingdom. It took the place of the old Session and substituted a permanent and professional tribunal for the sporadic and fitful activities of an amorphous body whose decisions were guided by extraneous and generally political considerations. Its foundation was an act of the Royal prerogative and only received legislative sanction in 1540,[4] though its early Acts of Sederunt are commonly treated as Acts of Parliament. But to effect his purpose the King had to evoke Papal co-operation, and the new College of Justice was maintained on ecclesiastical revenues. While this material consideration was no doubt predominant, the Papal sanction was of importance as giving the new Court a prestige which it would have found it hard to acquire had it been launched by the Civil Power alone and left to compete on unequal terms with the full-fledged spiritual courts of the country and the local feudal jurisdictions. The Bulls of Clement VII. and Paul III., which were dated respectively September, 1531,

[1] James I. 6, cap. 87.

[2] James IV. 6, cap. 77, 'Anent the exceptions proponed anent Widowes, in hindring of them of their teirces.'

[3] Patrick, 270.

[4] Cap. 93.

and March, 1534, conferred wide powers and immunities on the new foundation, but the Popes attempted to maintain their hold on its activities by stipulating that of the senators 'media pars in dignitate ecclesiastica constituta omnino esse debeat.' The second bull added the additional proviso 'pro uno Presidente semper prelato ecclesiastico,' and the first President was the Abbot of Cambuskenneth. The Crown was conscious of the uncertain line of development of such a mixed tribunal, and the ordinances and statutes which the Lord Chancellor produced on 21st February, 1534, expressly reserved, *e.g.* the Treasurer's right to payment of the usual fines on the issue of letters of legitimation *per rescriptum principis.* But the lay element seems to have predominated from the beginning, and we find the Clerk Register formally protesting in the King's name against the use of inhibitions by spiritual judges to the hindrance of Royal justice and the protest entered as an Act of Sederunt of the Court on 14th February, 1538.

As the fateful year of 1560 approached and the two parties in the state began to draw apart and define themselves, the clerical members of the Court displayed an inclination to absent themselves from its sittings, and on the 27th of March, 1546, it was found necessary to pass an Act of Sederunt providing with the approval of Cardinal Beaton that the spiritual lords should remain in their places for the administration of justice. The court vindicated its independence of the Church in the case of Friar Archibald Arnot, in December, 1546, holding itself a competent tribunal in this case, which was in fact an ecclesiastical one. Yet its clerical members were drawn from fields of activity which would naturally give a strong ecclesiastical bias. On 17th February, 1547, *e.g.* Abraham Crichton, Official of Lothian, was admitted a senator.[1] It may be noted that the absorption of the leading ecclesiastics in civil administration gradually secularised them and gave them national sympathies. They were influenced by the gradual awakening of the country to the reality of a national civil life. They came to look for their future to the expanding civil organisation of the country, and when the time came did not find it difficult to turn their backs on the Church of Rome, which could only offer them the doubtful prospect of a purely ecclesiastical career in the midst of a hostile population. The clerical element remained in the Court of Session after the Reformation, and it was only in the year 1579 that the Estates

[1] It may be noted that by the Act, 1567, cap. 50, it was provided that commissaries should not be Lords of Session or advocates and have any other office.

dispensed with the stipulation of the original foundation that the President should be an ecclesiastic.[1]

A further step in this direction is marked by the Act of the year 1584 which expressly excluded clerics from judicial office in the Court of Session.[2] The aim of the early Reformers to leaven the civil organisation of the country with the spirit of the true Evangel found expression in a resolution of the General Assembly of December, 1560, to the effect that all judicial officers, including Lords of Session, should be chosen from the professors of the true word of God.[3] It was not, however, in accordance with their political theory that the clerical element should remain in the Court, and in March, 1572, the General Assembly decided that it was not expedient that ministers should be appointed Senators of the College of Justice, an exception being made in favour of Robert Pont, who already occupied that office.[4] The Act of 1584 was passed to meet the claims of the restored Episcopate to the jurisdiction of the Pre-Reformation prelates and was not directed against the Presbyterian party. Any claim to participate in the administration of civil justice came from the Bishops.[5] Thus in January, 1609, in the Memorials sent by the Bishops to King James, it was stated, 'And since our greatest hindrance is found to be in the Session, of whom the most part are even in heart opposite unto us, and forbear not to kyth it when they have occasion, you will humbly entreat His Majesty to remember our suit for the Kirkman's place according to the first institution, and that it may take at this time some beginning, since the place vacant was even from the beginning in the hands of the spiritual side, with some one Kirkman or other till now.'[6]

It cannot be too often insisted upon that the early Reformers and their Presbyterian successors kept before them with remarkable consistency two successive conceptions of the relations between the civil and spiritual elements in the state, which made it unnecessary in their view that the representatives of the latter element should intervene in the civil administration of the state. The original political theory of the reformers involved no separation of

[1] 6 James VI., cap. 93. [2] 8 James VI., cap. 133.

[3] *Book of the Universal Kirk.*

[4] Calderwood, iii. 277 ; *Book of the Universal Kirk*, i. 264.

[5] The claim made in 1585 on behalf of the Presbyterian party was the work of Robert Pont, and was not approved by the leaders of the party. Cf. Calderwood, iv. 454.

[6] *Book of the Universal Kirk*, 1069 ; cf. 1112.

http://stores.ebay.com/Ancestry-Found

powers; there was such a subtle interfusion of the secular and sacred functions of the magistrates that, to the enthusiastic minds which directed the new movement, there did not appear any possibility of a failure on the part of the civil forces to be directed and controlled in accordance with the ideal which the Church would hold before them. The power of the Evangel seemed so overwhelming that a godly laity under its influence could be counted upon to use the power which they had seized in accordance with its teaching. The direct intervention in the administration of affairs on the part of the Church seemed neither politic nor necessary. The later political theory of the Reformers was distinctively Presbyterian, and was largely the creation of Andrew Melville. It insisted on the complete separation of powers, on the existence of two kingdoms in Scotland, and from an attitude of solicitous and paternal supervision and admonishment, the Church passed to one of opposition and imperious isolation. During this phase there was no inclination on the part of the Church to mix in matters of civil administration. The leaders of the Church party regarded the Civil Power as purely secular, and deprived it of the mysterious sanctions with which the Lutheran influences of the earlier stage of the Reformation movement had invested it.

Having thus indicated the centralising and civil forces which had been at work for some time, and indicated the line of development of the Court of Session, the most adequate embodiment of these forces, we must now turn to the eventful years which followed the casting off of Papal jurisdiction in 1560. From the point of view of this article, the most interesting feature of this great change was the resumption of jurisdiction by the Crown, based on a view of the secular origin of ecclesiastical jurisdictions. In 1560 we find the Crown, through the Privy Council and Court of Session, acting on the theory that it is the source of all jurisdictions, and, after some hesitation, dismissing the claim of the early Reformed City units to step into the shoes of the Church of Rome.[1] Just as the nobles who had seized the Church lands were determined to retain them, and the Reformed Ministry had to rest satisfied with a moderate sustenance, so the central power was determined to retain the jurisdiction which had fallen to it from the nerveless hand of the Church of Rome. The Reformed Ministry found itself confined to the exercise of ecclesiastical discipline. The civil origin of the jurisdiction of the Roman prelates was accepted by Calvin,[2] and it will be found that the Scottish

[1] Balfour's *Practicks* (ed. 1754), 269 and 659. [2] *Institutes*, iv. cap. 11, sec. 10.

Reformers were true to their spiritual father in admitting the claims of the Civil Power. The civil origin of the consistorial jurisdiction, and the fitness of the resumption thereof by the Civil Power, are expressed in many of the symbolical documents of the period.[1] This view generally maintained its position in Scotland through all the confusion which marked the latter half of the sixteenth century,[2] and when the consistorial jurisdiction was conferred upon the Bishops in 1609, it came to them from the Crown, and their decisions remained subject to the appellate jurisdiction of the Court of Session.[3] As has been indicated, the policy of the Reformers in regard to civil administration was one of permeation rather than absorption, of direction rather than of execution. Denying, as they did, the claims of Rome, they could not consistently treat jurisdiction on consistorial questions as within the scope of the Church, and, accepting the claim of the Crown, did not desire to intervene directly in a civil matter.

We must now turn to the different spheres in which the theory of the resumption of consistorial jurisdiction by the Crown was made effective.

(1) *The Court of Session.* The Consistorial Courts of the Roman Church dealt with cases up to August, 1560, when the authority on which they acted was repudiated. While their regular activity ceased at that date, the old hierarchy dealt with a few cases during the interregnum which preceded the foundation of the Royal Commissariots, and even after that date, a special tribunal being erected for the trial of each case.[4] In the absence of tribunals, the Court of Session acted as a court of first instance in consistorial cases until the establishment of the Commissariot of Edinburgh in February, 1564.[5] Thus, on 19th December, 1560, it dealt with the case Chalmers *v.* Lumsden, an action of adherence, in which the defender was assoilzied on the ground of the pursuer's adultery.[6] Similar cases were dealt with in the two following years, but in March, 1564, the Court remitted a case to the newly erected Commissary Court. While thus ceasing to act as a court

[1] *Confessio Augustiniana* (1531), art. vii.; *Confessio Helvetica* (1536), art. xxvii.; *Confessio Saxionica* (1551), art. xviii. and xxiii. But cf. *C. Helvetica* (1566), art. xxix.; *Reformatio legum*, etc.; *De officio et jurisdictione omnium judicum.*

[2] For denial of this view cf. Calderwood, iv. 283, 453.

[3] 1609, cap. 8; Stewart's *Dirleton*, 81. [4] Robertson's *Statuta*, clxxiv. n.

[5] Cf. 7 James VI. cap. 115, with reference to appeals to Rome. This Act confirmed an Act of July, 1560.

[6] Balfour's *Practicks* (ed. 1754), p. 655.

of first instance, the Court of Session retained its appellate jurisdiction, and reduced in several cases decrees of divorce granted in the Commissary Court.[1] The Court of Session was, in fact, 'the King's great consistory,'[2] but, unfortunately, the central power did not maintain the rights of this Court during the interregnum which subsisted between 1560 and 1564. Had the Government looked only to the Court of Session during that period, much confusion would have been avoided, and there would have been no middle course between the claims of the Civil Power and the Roman claim formulated by the Council of Trent in November, 1563.[3] But, unfortunately, the Government appears to have passed through a period of hesitation, during which the activities of the local Reformed units received undue recognition, and the powers of the Court of Session were frequently ignored.

(2) The Privy Council was largely responsible for this state of matters. This body was largely resorted to in the period of uncertainty which preceded the creation of the Commissary Courts, but, instead of directing petitioners to the Civil Court, it referred them on several occasions to the small reformed communities. Thus on 22nd December, 1560, a husband who petitioned the Privy Council to obtain a divorce on the ground of his wife's adultery had his case remitted to the Kirk Session of St. Andrews, and in a similar manner in June, 1562, the Privy Council remitted to the Kirk Session of Glasgow, which failing to that of Edinburgh, the trial of an action of divorce at the instance of the Countess of Eglinton. It is to be noted with reference to the latter case that the Countess had obtained a divorce from a Court constituted by the Archbishop of St. Andrews a month before her petition to the Privy Council.[4] She made assurance doubly sure by taking advantage of the facilities offered by the two religions. The favour which the central executive showed to the local organisations of the Reformers caused nothing but confusion, and is difficult to explain except on the ground that to the men of the day matrimonial questions were so intimately associated with the Church that they were at first inclined to accept the theory that the Reformed Church had stepped into the shoes of the Church of Rome. This temporary hesitation was atoned for by the foundation of the Commissary Courts, which set the final seal on the theory of the civil origin of consistorial jurisdiction. After March, 1564, the Privy Council only intervened in

[1] *Ibid.* 659. Riddell, 426.
[2] Cf. 1609, cap. 6.
[3] Session 24, cap. 20.
[4] Robertson's *Statuta*, clxxiv. n.

matrimonial cases when a question of beneficial interest was involved, *e.g.* in regulating the aliment to be paid during divorce proceedings.[1] But it heard appeals against the disciplinary regulations of the Kirk Sessions and the General Assembly with reference in particular to the remarriage of adulterers. Reference may be made to the cases of Carmichael of Gallowflat on 30th October, 1576,[2] and Balwaird of Enterkin in April, 1579.

(3) The Commissary Court was erected by an Act of the Privy Council of 28th December, 1563.[3] This erection seems to have been a temporary expedient and did not receive legislative sanction until 5th June, 1592.[4] The old local commissary courts apparently continued to exercise their functions to a limited extent, 'but subject to new regulations corresponding to the change which had taken place in the religion and ecclesiastical polity of the Kingdom.'[5] An appeal lay from these local courts to the Commissary Court at Edinburgh and thence to the Court of Session.[6] It is to be noted that the Commissary Court of 1563 was to a large extent the creature of the Court of Session, which was appealed to when as the years passed there seemed room for improvement in its methods. Thus in 1566[7] a commission was granted to the Court of Session to appoint and superintend the Commissioners, and on 29th July, 1569, in response to a complaint by the General Assembly, the Regent undertook to consult the Lords of Session as to the appointment of commissaries throughout the country.[8] Again on 1st June, 1575, the Privy Council, with reference to the abuses which had crept into the administration of the Commissaries, summoned them all to Edinburgh to give an account of their stewardship.[9] This characteristic of the Commissary Court as being the creature of the Royal prerogative was indicated in one of the steps taken by Queen Mary in connection with her projected divorce from Bothwell. On 30th July, 1569, Lord Boyd appeared before the Privy Council at Perth as procurator for the Queen, and pursued a mandate for pursuing an action of divorce in her name against Bothwell, and asked for an order on the Commissaries of Edinburgh to deal with the case.[10] Again on 12th January, 1580-1,

[1] *Register of Privy Council*, iii. 34, 108, 402, 598. [2] *Ibid.* ii. 560, iii. 224.
[3] *Ibid.* vol. i. 252. [4] 1592, cap. 64; 1606, cap. 38.
[5] Fergusson's *Consistorial Law*, pp. 95, 102-3.
[6] Cf. Balfour's *Practicks* (ed. 1754), pp. 655 *et sqq.*, 673, 676.
[7] Cf. 1581, cap. 56. [8] *Register of the Privy Council*, ii. 7.
[9] *Ibid.* 455. [10] *Ibid.* 8.

the Provost, Bailies, Council and Community of St. Andrews and the Commissary thereof and his clerk complained to the Privy Council regarding the proposed dismemberment of the Commissaryship of St. Andrews at the instance of the Lords of Session. The Privy Council remitted the question to some of their number along with some of the Session, who determined that the Session had acted within its powers, but deferred the particular case for Royal consideration.[1] The early records of the Commissary Court are not now available, but their decisions would appear to have been based on the old canon law, subject to such modifications as it had undergone at the hands of the Court of Session and as the result of the Reformed legislation.[2] It is worthy of note that the Commissary Court generally declined to recognise the validity of divorces granted by the small Reformed units.[3] One of the most significant features of this court was the activity of the Procurator-Fiscal. This official 'in the acknowledged capacity of *censor castigatorque morum*' pursued divorces before the commissaries independently of the parties involved, and *e.g.* in the case of Stevenson *v.* Pollock, in the year 1565, is found setting aside before the commissaries with the concurrence of the innocent spouse a pretended marriage between a divorced adulterer and his paramour.[4] In December, 1598, in the case of Whytlaw *v.* Ker the Procurator of the Church intervened in proceedings before the Commissary Court to enforce the view that marriages of adulterers were unlawful, and in 1601 the Church appeared before the same court in the form of the Presbytery of Ayr as procurator for the Church.[5] We observe in this curious activity of a Governmental functionary evidence of the disciplinary and criminal view which even the civil power took of sexual offences, and of the 'cumulative assistance' by the civil power to which reference will subsequently be made.[6]

(4) The activity of the civil power in the field of consistorial law was further manifested in the exercise of what may be described as the Royal dispensing power. The Crown, ignoring the

[1] *Ibid.* iii. 342.

[2] Cf. 1567, cap. 8 and 31; 1581, cap. 99; 1592, cap. 116; 1609, cap. 6; cf. Riddell, 450.

[3] Cf. Hamilton *v.* Sempil (1568), Maxwelle *v.* Hamilton (1564), etc., but cf. Riddell, 392.

[4] Riddell's *Peerage and Consistorial Law*, 1002-5; cf. case of Ogilvie *v.* Chisholm, *ibid.* 461.

[5] Riddell, 396 *et sqq.*

[6] Fergusson's *Consistorial Reports* (1817), p. 363 *et sqq.*

existence of the special tribunals which it had created, and the civil legislation which had been promulgated on matters which had been formerly treated as being within the spiritual field, took upon itself to dispense in individual cases with the law. Thus on 29th July, 1592, the King passed a remission and dispensation in favour of one Robert Duguid, who had married again during the lifetime of his former wife, who had divorced him for adultery. The same claim on the part of the Crown manifested itself in the creation of special tribunals for the consideration of particular cases. The leading instance of this is, of course, the restoration of consistorial jurisdiction to the Archbishop of St. Andrews for the purposes of Bothwell's divorce.

This activity on the part of the civil power coincided with an even greater activity on the part of the Reformers. Before the public recognition of the fact of the Reformation in August, 1560, the Reformers were in full activity maintaining an *imperium in imperio* and seeking a premature recognition of their claims at the hands of an indifferent and passively hostile country, half conscious of the disruptive force which the new movement contained. Faced by the increasing activity of the civil power on the one hand and by the spasmodic struggles of the Roman Church on the other, tardily conscious of the inevitable failure which awaited it, the Reformers had a difficult course to steer. It is perhaps unfair to criticise their methods: they were suited to a small unobtrusive religious organisation and failed owing to that theocratic wave which swept the indigenous growth from its roots and to the fact that through its own force the new movement began to represent an ideal of national organisation. Had their original *cadre* not crumbled under these expansive forces, the Reformed units would probably have flourished for a time as isolated and purely local organisations and then died a natural death.

The early history of Presbyterianism in England seems to indicate the normal line of its development when its theocratic pretensions did not find a favourable soil (cf. 'The Presbyterian Movement in the Reign of Queen Elizabeth, as illustrated by the Minute Book of the Didham Classis, 1582-1589'[1]). The interesting documents printed in this volume give the reader a vivid picture of the activities of Presbyterian divines deprived of lay support and yet carrying on an isolated struggle to justify the faith that was in them. The following entries might be paralleled from many a Scots Kirk Session Register:

[1] *Camden Society*, iii. series, vol. 8 (1905).

3rd December, 1582. Mr. Stocton moved whether fornication make affinity; not thought convenient to be decided.

4th February, 1582-3. Another question was propounded by Mr. Dowe whether a man divorced from his first wief justly and marying a second should retaine the second as his wieff; to be determined the next meetinge.

4th March, 1582-3. It was concluded that the Worde of God alloweth that a man justlie divorced from his first wieff might mary a second, so his proceedinge to the second mariage be orderly and in the lorde.

1st July, 1584. Tuchinge mariage of cosins children (moved by Mr. Negus) it was determyned to be lawfule, and the conveniency of it to be waighed by circumstances of the place and people there wher such questions shall come in use (36).

The new movement first showed itself in the smaller centres of organised life. In a letter to Mrs. Anna Lock of 2nd September, 1559, Knox wrote that there were organised Reformed communities in Edinburgh, St. Andrews, Dundee, Perth, Brechin, Montrose, Stirling and Ayr.[1] In the form of these small isolated units the forces of the Reformation first showed themselves in Scotland. The General Assembly did not begin to exercise its functions until December, 1560, and Presbyteries date only from the Glasgow Assembly of April, 1581. These small city units were independent of the great territorial magnates, and when once a common interest was discovered, readily associated themselves with the smaller landed gentry, thus producing a force which soon controlled the national destinies. They were well organised and only accountable to the central power when once the old hierarchy had vanished. The declaratory, propaganda and polemical work of the Reformation was done by the Lords of the Congregation and the General Assembly, but the most effective and permanent work was done in these small city units. The leaders of the Reformed party were conscious of this, and the Parliament of 1563 expressly ratified the privileges of the boroughs. This ratification was repeated in 1571, 1578 and 1579.[2] Every effort was made to support the claims of the boroughs, and in the Confession of Faith of 1567 the Article on the Civil Magistrate includes in the definition of the term, 'uthers magistrates in the citties.' It will be noted that the other civil magistrates mentioned in the Article are sovereign powers, and that the right of magistrates in cities is recognised almost as an *imperium in imperio*.[3]

[1] Laing's *Knox*, iv. 76.

[2] 1563, cap 86; 1571, cap. 7; 1578, cap. 64; 1579, cap. 85.

[3] Article 25. It is to be noted that the Act VII. James VI., cap. 115, which confirmed an Act of 1560, expressly confers on *inter alios* the provost and baillies of boroughs the right to deal with consistorial cases.

It is probable that the city unit appealed to the more far seeing of the early Reformers as being an organised community which had never received close definition and could be made use of without any apparent violence being done to the more prominent features of the national organisation. The boroughs, further, had shown an independence of the spiritual courts of the Roman Church in the first half of the sixteenth century which seemed to indicate that they would offer a fair field for the development of a new religious system based on the awakening of the more influential members of the community to the reality of their spiritual and moral responsibilities. These members consisted of the more educated men whom the new doctrines attracted. In the earlier stages of the Reformation the prevailing influences were Lutheran, full of that respect for the civil power which characterised the German movement, but before many years had passed the Calvinistic idea of the theocratic city community found a congenial field for its realisation in the easily controlled and comparatively isolated towns of sixteenth-century Scotland. This absorption of these self-contained units by the new political ideal gave the Church of Scotland its peculiar character. It gained precision, but it lost something in exchange; a looser hold on corporate life, a less intense absorption in the general life of small centres would have given the Reformed Church a tolerance and power of comprehension which would probably have enabled it to satisfy the requirements of the whole nation in a way in which Presbyterianism has never satisfied them.

The chief note of the Reformers was the exercise of discipline. They conceived of a moral standard higher than that which prevailed, and towards the realisation and acceptance of which the civil authorities were to be urged. This recognition was to be obtained by penal legislation and its enforcement by the state. By their persistent activities the Reformed Church obtained the legislation which it desired, but it found it impossible to get it enforced, and it remained in some respects a dead letter.

The Reformers had no desire to legislate; they were satisfied with the field of their activity, were inclined to discentralisation, to the Calvinistic idea of the Reformed City. The life of one of these communities is fully portrayed in the *Register of the Kirk Session of St. Andrews*. Their activity began before the public recognition of the Reformation. Thus on 1st February, 1559, in a petition for divorce[1] on the ground of adultery, the husband concludes

[1] Rantoun *v.* Rantoun; *Register of the Kirk Session of St. Andrews* (S.H.S.), i. 18.

'to decerne the said Elizabeth to haif brokin and violated the said band of matrimony betwix me and hir, and, conforme to the law of God, that I therefore aucht and suld be fre fra the samyn band, and that I may haif fredome and libertie in God to mary in the Lord quhome I please, according to Goddes law, Christes Evangell and the richtousness therof.' The wife's defence is addressed to the 'maist honorabill ministre and counsale of this cietie.' Decree of absolvitor was granted. The wife thereupon raised an action of divorce on the same ground and obtained decree in the following terms: 'And the said Williame to be holdin and reputte ane dead man, worthy to want his lyfe be the law of God, quhen ever it sale pleas God to stirre up the heart of ane gude and godlie magistrate to execute the same with the civile sworde; to quhome we will that our sentence prejudge nathing, bott committes the same to him, quhen it salbe thocht expedient and ganand tyme to tak forther triale and cognition heirintill, according to the law of God forsaid.'[1]

It will be observed that the Kirk Session was proceeding on the Mosaic code, which punished adultery with death, and that the decree was in fact an act of discipline which placed the injured wife in the position of a widow.[2] Now the Estates made adultery punishable with death only in 1563,[3] and expressly provided that the penalty so inflicted would not prejudice the right to sue for a divorce. But while thus acting in anticipation of a code *in embryo* the Kirk Session was careful to note any recognition at the hands of the civil power, and in a case which was decided on 15th December, 1560, the decree proceeds in the names of the minister and elders 'being requested and charged be the Lordes of Secrete Consale, and the commissioun in wryte directed to us thereupon, haif taken cognition and tryall &c.'[4] In an action on 20th February, 1560, decree of divorce was granted by 'the ministrie of the Christiane congregation of this reformed cietie of Sanctantrois and parochin thereof, juges in the actioun and caus of divorce.'[5] Again, in a case on 14th May, 1561, the decree proceeds: 'Bayth the saidis parties submittying tham to the

[1] *St. Andrews Register*, i. 59. Cf. *Records of Aberdeen Kirk Session* (Spalding Club), 8.

[2] Cf. *First Book of Discipline; Knox's Works*, ii. pp. 227, 231, 247-9. It is not necessary for the purposes of this article to deal with the distinctions which were drawn by the Reformers and the Civil Courts when dealing with the marriage of adulterers, between cases in which the injured spouse did and did not survive.

[3] 9 Mary, cap. 74. [4] *St. Andrews Register*, i. 59. [5] *Ibid.* i. 62.

jurisdiccione of this ministrie, and to the disciplin of the Kyrk.'[1] The Kirk Session would not recognise the jurisdiction of the old Church, and in an action of adherence decree was granted against a husband who alleged that he had obtained divorce in a private house in the reformed city of St. Andrews on the ground of propinquity, after the date of the Reformation.[2] On 12th August, 1562, however, the Kirk Session accepted the validity of a Roman pre-Reformation divorce for nullity on the ground of impotency.[3] The underlying idea of discipline was shown in a case on 13th January, 1563, when the Kirk Session refused to hear procurators and insisted on the parties appearing in person.[4]

The next case shows the alteration of matters produced by the institution of the new commissariots. On 9th January, 1566, one of the bailies and the town clerk of Crail appeared before the Kirk Session and protested against its taking cognisance of a case in which the parties belonged to Crail, to the prejudice of the Kirk and ministers of that town, 'and forder allegis bayth the contractyng of marraige and divorcement is provydit, be the King Quene's Maieste and Secreit Consale, to be discussit and tryed befoir the commissaris of Edinburgh, deput tharto.'[5] This contradictory protest indicated changed times, and the new spirit which was awake is shown in the report of the interesting case of Dalgleish and Wemyss, which came before the Kirk Session on 17th April, 1566. Dalgleish maintained that the Session had no jurisdiction, 'Havand na commissione or power gevyn to thaim be our sowerane's Lord and Lady or thar Session, nor ony other ordinar juge havand power to gyf the sammyn,' and proceeded, 'that nan thar liegis nor subjectes suld tak upon hand or usurp ony jurisdiccion of thais causis, quhilk wes wont to be tretit, cognoxit and decidit befoir be the spirituale jugis Lyikas this pretendit caus and utheris sictyik war wont, in all tym bypast, to be treatit and decidit befoir tham, as ordinarie jugis, tharto havand sufficient power, bayth of the spirituale and civil magistrat to that effect and be tham apprevit, be the lawes of this realm and actis of Parliament maid tharupon, standand as yit unrevocat, reducit, or tane away be only contrar statut or law, be ony havand power

[1] *St. Andrews Register*, i. 64. [2] *Ibid.* i. 134. [3] *Ibid.* i. 147.

[4] *Ibid.* i. 175. A curious appellate jurisdiction exercised by the Kirk Session of Edinburgh is shown in a case on 27th January, 1564, in which on appeal a decision by the Kirk Session of Orkney was affirmed by the Edinburgh body. Cf. Riddell, p. 431.

[5] *Ibid.* i. 257.

to do the sammyn. And suathe saidis pretend minister, eldaris and deaconis of this citie, being bot certan pryvay and ignorant personis for the maist part, ar na wayis jugis competent to cognosce in this caus, havand na power tharto, as said is, bot onlye usurpit in his contempt of the King and Quene's Maiesteis autorite and utheris mennis jurisdiccione, *mittentes falcem in messem alienam*. And tharfor the saidis M. Jhon and Jonat aucht and suld be remittit to thar jugis ordinar and competent in this caus, vidz the commissaris of Edinburgh, quhair ar speciale deput to that effect, as said is.' This objection which, it will be observed, maintained the civil origin of the consistorial jurisdiction, was repelled by the Kirk Session on the strength of the Royal proclamation of 25th August, 1561, which maintained the *status quo* as it existed at the date of the landing of Queen Mary. The Kirk Session ignored subsequent civil legislation and treated the proclamation as a recognition of the claims of the Reformers.[1] Again, on 26th July, 1570, in an action of adherence the wife declined the jurisdiction of the Kirk Session on the ground that she had a divorce action pending before the Commissary Court at Edinburgh.[2]

In spite of the bold front maintained by the Kirk Session, the day of the small isolated Reformed units on the Geneva model was done, and the growing reorganisation of Church and State forced the local bodies to cast in their lot with the former. There is a growing body of evidence of this change in the St. Andrews Kirk Session records. Thus on 14th October, 1568, the question of the right of an adulteress to remarry was remitted to the General Assembly.[3] This idea of a remit was resorted to more frequently when the Presbyteries began to come into prominence, and we find instances on 28th February, 1582, 5th June, 1583, 18th May, 1584, and 3rd August, 1586.[4] We also find remits to the Synodal Assembly on 13th July, 1586, 24th November, 1586, and 12th July, 1587.[5] But this tendency was not regarded with favour by the civil authorities which feared the influence of centralised Reformed organisations with theocratic and doctrinaire characteristics on the small local bodies unconsciously linked to the past, conservative, lay, and limited in their scope and jurisdiction. Thus we find the Archbishop of St. Andrews on 17th June, 1584, declaring the Royal approval of the Kirk Session and indicating that it was only Presbyteries that were

[1] *Ibid.* i. 266. [2] *Ibid.* i. 340. [3] *Ibid.* i. 340.
[4] *Ibid.* ii. 500, 503, 523, and 570. [5] *Ibid.* ii. 567, 579, and 595.

objected to.[1] The Kirk Sessions gradually confined themselves to the execution of discipline, and on 21st October, 1590, we find a wife asking for a certificate of her marriage to enable her to seek divorce from the secular court.[2] Again on 23rd August, 1592, we find a decree of divorce by the Commissary Court at Edinburgh, referred to in a disciplinary case.[3] It is worthy of notice that during a considerable period of the recorded activity of the Kirk Session the Commissary of St. Andrews was numbered among its members.[4] The disciplinary idea gradually reasserted itself. On 31st December, 1589, penance was prescribed in a case of adultery without any attempt being made to deal with the status of the guilty parties,[5] and ten years later the ultimate stage is reached when we find the Kirk Session on 22nd April, 1599, urging the magistrates to put the Act of Parliament against fornicators into force.[6]

Church discipline was gladly undergone in the earlier years of the Reformed regime as a means of obtaining freedom from the marriage tie, and there are indications that the consistorial jurisdiction of the Kirk Session was frequently based on the consent of parties, but when the new secular commissary courts offered freedom without discipline recourse was seldom had to the Kirk Session, which could only inflict punishment, and whose decrees afforded too onerous a proof of inconstancy. Yet it is probable that this temporary consistorial activity on the part of Kirk Sessions was not in fact of assistance to them in furthering their ultimate aim : it tended to specialise their work, to transform what was intended to be a theocratic government interesting itself in every detail of the life of the community which it had chosen for its field, into a body of referees with a consensual jurisdiction limited to the acceptors of their claims, and only active when an appeal was made to it. The Kirk Session was properly an executive and not a judicial body. It never claimed any legislative powers. During a period of years it was diverted from its proper functions into a field of activity which, owing to the special circumstances of the times, offered it that scope and recognition for which it was struggling. But when circumstances changed, it relinquished this somewhat narrow field and, ceasing to combine judicial and executive functions, became a magisterial

[1] *St. Andrews Register*, ii. 529. [2] *Ibid.* ii. 685. [3] *Ibid.* ii. 724.
[4] *Ibid.* ii. 789, 802, 870, 941. [5] *Ibid.* ii. 656.
[6] *Ibid.* ii. 887 ; cf. i. 28, 49, 112, 244, 250, 421, 422, ii. 552, 557, 580, 591, 599, 643, 645, 659, 889.

body alone. As the influence of the Reformed Church made itself more and more apparent in civil legislation, the reference of questions to the Church, which has always been common in isolated religious communities in the midst of a hostile population, ceased to be expedient. As the theocratic claims of the Reformers grew, it was seen to be a tactical error to limit the faithful to what were technically ecclesiastical courts. The whole kingdom and its organisation had become the province of the Church.

This tendency to direct the energies of the civil power is plainly revealed when we turn to the consideration of the role played by the General Assembly. This powerful body which was destined in the course of its history to determine the fate of Scotland on more than one occasion, began its recorded life in December, 1560, though it did not receive its distinctive name until two years later. Its earlier activities reflect the interest in questions of a matrimonial character which generally followed the abolition of Papal authority in August of that year. Thus we find that the Civil Power was urged to remove the old impediments to the marriage of blood relations, and at the same time to inflict the death penalty on adulterers. On the other hand it was resolved that none but adherents of the Reformation should obtain public office in towns, and it was decided to petition the Estates and the Privy Council to confer judicial offices only on such. These resolutions embody the aspirations of the members of the first Assembly. In July, 1562, it was decided regarding actions of divorce to petition the Privy Council either to give up the jurisdiction in consistorial cases to the Kirk or else to make provision of suitable judges.[1]

While thus vigilantly exercising pressure on the civil authorities the central organisation of the Church was careful to maintain its internal discipline, which appeared to be threatened by the uncontrolled activity of the local units, and on 31st December, 1562, it was ordained that no minister or other bearing office within the Kirk should take in hand to decide actions of divorce except such as were given commissions by the superintendents and the superintendents themselves, and that, in the case of the former, the commission must be a special one for each case.[2] On 26th June, 1563, moreover, it was arranged further to petition the civil power to constitute judges in every province to deal with divorce

[1] *Book of the Universal Kirk*, i. 19.

[2] *Ibid.* i. 30; cf. *Aberdeen Kirk Session Records*, p. 8.

cases and to punish the guilty parties according to the Act of Parliament (*i.e.* Mary 9, cap. 74).[1] Again on 1st March, 1571, a number of articles 'to be proponit to the Regents grace and secret Council' were approved, including the following: 'Because the conjunction of marriages pertaines to the ministry, the causes of adherence and divorcements ought also to pertain to them, as naturally annexed thereto.'[2] Yet among the injunctions given to the Commissioners sent to the Regent all that was provided on this subject was that sexual offences should be punished, 'and Commissioners of Justice be appointed in every Province to that effect.'[3] Again, in the following March, note is taken of a case in which the civil magistrate would not proceed, 'seeing the judicial law is not yet received.'[4] In the records of the Assembly held in March, 1572, we find the right of the civil judge in consistorial cases fully recognised. In August, 1574, we find the General Assembly petitioning the Regent to appoint gentlemen in every country to punish sexual crimes, and 'that her Grace will grant commission to certain persons in every dyocie to sitt in causes of divorcement where the parties are poor.'[5]

It will be observed from the foregoing that after the first uncertainty which followed the abolition of the Papal jurisdiction, the General Assembly confined its energies mainly to the exercise of constant pressure on the civil authorities to legislate on the basis of the new marriage theory founded on the Mosaic code, and to carry such legislation into effect, and, in fact, discouraged the consistorial activity of Kirk Sessions. There were, no doubt, sporadic outbreaks of clerical ambition, but these were mainly attempts to counteract intruding activity on the part of the Civil Power. But here and there a straw showed the way the wind was blowing. On 29th December, 1563, on the complaint of John Baron, minister of Gladstone, the General Assembly directed letters to be sent to the Archbishops of York and Canterbury, requesting these dignitaries to order the minister's wife, who had deserted him and fled to England, to appear before the Superintendent of Lothian and Kirk Session of Edinburgh to answer for her conduct. This was, no doubt, a case of internal discipline, but it indicated a consciousness of affinity with the ecclesiastical organisation of England and of the reality of the independence and claims of the Scottish Church.

[1] *Book of the Universal Kirk*, i. 34. [2] *Ibid.* i. 187. [3] *Ibid.* i. 188.
[4] *Ibid.* i. 197. [5] *Ibid.* i. 305.

The most interesting feature of the activity of the General Assembly from the point of view here adopted was its attention to the questions of consistorial law which were referred to it for judgment by its members. From the point of view of the Reformers, the abolishing of the Papal authority implied the sweeping away of the mass of canonical jurisprudence which had been built up through centuries round the sacrament of marriage and a return to the apparent simplicity of the Mosaic regulations. We find, accordingly, the attention of the Assembly directed to such questions as the constitution of marriage by promise *subsequente copula*, the consent of parents, marriage between cousins, marriage *per verba de praesenti*, marriage with a wife's niece, divorce for desertion, enforcement of promise of marriage for immoral consideration, marriage with an aunt, enforcement of promise of marriage *per verba de futuro*, and many other cognate questions.

The Reformers conceived of themselves as having the task laid upon them of restoring all things in Christ. They conceived themselves cut off from the past and with nothing to guide them for the future but the Law of God as revealed in his Word. They approached the questions which were submitted to them with deference and circumspection, and soon realised that their judgments would be of little weight unless they were adopted by the civil power and enacted in the form of new legislation. They made no attempt to retain for the Church the ultimate decision on consistorial questions so far as legislation was concerned, and after a short period of uncertainty, devoted their energies to the effort to induce the Christian magistrate to enact the Law of God as part of the law of the country.[1]

The line which the General Assembly adopted may be best illustrated by considering the question of divorce for adultery and the marriage of adulterers. In the eighteenth chapter of Leviticus adulterers were punished with death, and in the early years of the new regime the Kirk Sessions proceeded on the theory enunciated in the *First Book of Discipline*, that, the offence having been proved, the guilty party had ceased to have any rights, being theoretically dead. The injured spouse was in the position of a surviving spouse and could, of course, marry again. This was no substitution of divorce *a vinculo* for divorce *a mensa et thoro*: it was simply the recognition of a disciplinary measure with its logical consequences. But the Reformers were at once met with the difficulty that the civil power had not yet adopted their point

[1] This was not Calvin's view; cf. *Institutes*, iv. cap. 20, 14-16.

of view, and declined to impose the death penalty on adulterers. The ministers were met with applications for marriage by adulterers and their paramours, and in disciplinary cases their accusations of fornication were opposed by parties who alleged their divorce from their former spouses and remarriage with their paramours. The only way out of the difficulty was to get the state to adopt their view of the punishment of adulterers, for it was not in accordance with their theocratic ideals to cut themselves and their adherents off from the life of the nation and form an *imperium in imperio* within the state. They desired rather to permeate the civil organisation and to lead it in the way of truth.

In the spring of 1551 the Estates under the old regime had legislated regarding such as were 'manifest, commoun and incorrigible adulterers, and will not desist and cease therefra, for feare of any spiritual jurisdiction, or censures of Halie Kirk,' and provided that such persons should be denounced as rebels and put to the horn with consequent confiscation of moveables, and that no appeal from the spiritual court would be allowed.[1] This disciplinary measure, an instance of the belated reforming zeal of the old church, remained a dead letter, and as has been seen, the local judicatories of the Reformed Church in granting divorces expressly sanctioned the remarriage of the injured spouse in accordance with their view of the legal death of the adulterer. Matters remained in this unsatisfactory position until June, 1563, when an act was passed[2] imposing the death penalty, but containing the significant reservation that the act would not prejudice the right of the injured party to sue for divorce. The penal part of the statute was not enforced, and on 27th December, 1566, the General Assembly provided that the superintendents should 'admonisch all ministers within ther jurisdictiouns, that none joyne any partie separatit for adulterie in mariage, under paine of removeing from the ministrie.' Again, on 27th June, 1567, the minute of the General Assembly bears: 'Ane man being divorceit for adulterie, Quether he may marie again lawfullie or not? The Kirk will not resolve heirin schortlie, bot presentlie inhibites all ministers to meddle with any sick mariages, quhile full decision of the question.' On 25th July and 22nd December, 1567, the General Assembly urged the penal punishment of adulterers, ordering superintendents to report to the civil magistrate, and on 3rd March, 1569, regulations were

[1] Mary 5, cap. 20. [2] Mary 9, cap. 74.

approved regarding public penance 'that thereby the civil magistrates may know the crimes and pretend no ignorance thereof.' Again the real question was evaded on 16th March, 1569, when we find the following question and answer: 'A woman divorced for adultery committed be her, contracting marriage with another beareth a child to him, and desireth to proceed to the solemnisatione of marriage, whither shall the man be permitted to marrie this woman. Let her present herself to the Assembly to be punished; and then let her supplicatione be given in, and she shall have ane answer.' At the sixth session of the General Assembly of March, 1571, in reply to the general question it was directed that the marriage of adulterers was unlawful.

But in August, 1574, the Regent was required by the General Assembly to give commission to certain gentlemen in every country that *inter alia* adultery might be punished, and at the same Assembly it was ordained that adulterers marrying their paramours after their wife's death should separate themselves from them 'untill the tyme it be decydit be the Judge Ordinar, whither the said mariage be lawfull or not, under the paine of excommunication to be execute against dissobeyers.'[1] Again at the Assembly of August, 1575, Robert Graham, Commissioner of Caithness, was deprived of his office for *inter alia* celebrating a marriage between a divorced daughter of the Earl of Caithness and the Laird of Innes. He pled in his defence, 'As to the marriage, grants he gave to her such liberty as the Kirk gives to others; and that she has made her repentance bareheaded and barefooted.' At the same Assembly we find another case of evasion. The question was asked, 'What shall the minister do, who is required to marry a man that has committed adultery in his wife's tyme, now his wife is departed, and he has satisfied the Kirk therefore, and desires to be married upon another woman that he had in his wive's tyme.' The only answer given was 'Ordaines to form this question better.' On 27th February, 1576, the Privy Council ordered ministers in Edinburgh and other boroughs to report adulterers and persons guilty of incest to the Lord Treasurer and Justice Clerk for punishment.[2] Some punishment seems to have been at times inflicted by zealous magistrates. On 6th October, 1579, the Privy Council granted, on caution being found, release from the Tolbooth of Edinburgh to William Turner who had been

[1] *Book of the Universal Kirk*, i. 310. [2] *R. of P.C.* ii. 499.

imprisoned sixteen weeks for adultery,[1] and on 2nd December, 1581, John Duguid petitioned against the provost and bailies of Aberdeen who had discharged him from using his craft as a cordiner on the ground of his adultery. The question had again to be faced at the Assembly of October, 1576, and again the Assembly delayed the decision of the matter. The record deserves quotation: 'Q. Whether if a man or a woman divorced for adultery ought to be admitted to the second marriage; and if the Kirk ought not, like as they have inhibit the Ministers to marrie any such, so plainly to give their judgments in this case, and to declare it to be unlawfull, specially in respect of the great inconveniences that follow daily thereof; namely, some forge causes of adultery; some make causes indeed; and some be collusion corrupt judgements; and all in hope of a new marriage, which daily they attain unto be some hyreling smaikes, who are but suspended therefor for a while; swa that if provision be not shortly made hereunto, no man may brooke his wife, nor no wife her husband longer than they lyke; and a barbarous confusion unknown to the very Ethnicks and Turks shall enter in among us. A. The Kirk will not presently resolve the question, whither if a man or a woman divorcit for adulterie, ought to be admitted to the second marriage; but inhibites all Ministers and Reidars to marie any sick persons, under the paine of deprivatioun simpliciter, without any restitution to their offices in tymes cuming; and the persons so joynit to be chargeit to separate themselves conforme to the Act of the Assembly in August, 1574.'

It will be observed that the Act of Assembly referred to has been quoted above, and that it left the decision of the question to the 'Judge Ordinar.' The position was becoming untenable, and we find the Assembly of April, 1577, again urging the infliction of the capital punishment on adulterers, and four years later among the Heads referred by the Synod of Lothian to the General Assembly in October, 1581, the matter was brought up again. The eleventh Head is as follows: 'Seing the Act of Parliament appoins them that are convict of notorious adulterie, and through the ambiguous exposition of this word, Notorious, no execution is used thereupon: Therfor for avoyding the plagues hingand above this haile countrie for this cryme, That the Generall Assemblie wald crave that ane act may be made in Parliament for punishment of all persons to the death, quhosoevir are lawfullie convict of

[1] *R. of P.C.* iii. 224.

adulterie.'[1] The question was brought before the King by the Assembly of October, 1583, and the reply was given that the default of punishment could not justly be imputed to His Highness 'quho has ever bein willing and ready to grant commissioun to such as the Ministers thoght mertest to execute the same, quhen inhabititie was in the Judges ordinar.' At the General Assembly of June, 1589, 'it was appointed, that in every Presbytery they shall dispute concerning the mariage of adulterers; and report their judgement unto the next Assembly.'[2]

Apparently the local organisations had had their views modified by contact with the life of the country, and the General Assembly had begun to realise that it was a *vox clamantis* in its attempt to impose the literal interpretation of the Book of Leviticus on Scotland. Perhaps realising that the lapse of time had made their task more easy, the civil authorities took up the question at this stage, and in June, 1592, passed an Act which was retrospective to July, 1587, and which is known as 12 James VI., cap. 119. This act impliedly forbids the remarriage of an adulteress, and prohibits the alienation of her property in favour of the issue of a pretended second marriage with her paramour by a woman who had been divorced from her former husband for adultery. It will be observed that this Act, unlike that of 1563, imposes a civil penalty on the guilty spouse, probably a more efficacious measure than the infliction of penal punishment, which was, as a matter of fact, not enforced. At length, at the Assembly of 28th June, 1595, a definite conclusion was arrived at: 'Anent mariages: The Assemblie declarit thir two sorts to be unlawfull; first, when ane person marieth another quhom they have polluted by adulterie; nixt, quhen the innocent person is content to remaine with the nocent and guiltie, and the guiltie will have another, or takis another.'

In the following March we find the General Assembly complaining that 'Adulteries, fornicatiouns, incests, unlawfull mariages, and divorcements are allowit be publik lawis and Judges; and children begotten in such marriages declarit to be lawfull'; and protesting against 'Universall neglect of justice both in civile and criminall causes, as, namelie, in granting of remissions and respetts

[1] *Ibid.* i. 536. 'Andrew Melville described the legislation of the civil power as 'addercope webs, that takethe sillie flees, but the bumbarts breake through them.' Calderwood, iv. 152.

[2] *Ibid.* i. 746; Archbp. Bancroft was fully cognisant of the position; cf. Calderwood, v. 78.

http://stores.ebay.com/Ancestry-Found

for blood, adulteries and incests.' Among the 'Greivis to be proponit to his Majestie' in March, 1597, was included 'To crave ane redresse anent adulterous marriages, quhen two persons, both divorcit for adulterie committit either with uther, craves the benefite of the Kirk to be joynit in marriage.' The King's answer was as follows: 'Anent adulterous marriages: His Majesty thought good that ane supplication should be given in to the next Parliament craving such marriages to be declared null in all times coming and the bairnes gotten therein to be bastards.' Accordingly, in March, 1600, the General Assembly decided to petition the Convention on the subject. This continual agitation at length produced the Act of 1600,[1] which declared the marriage of adulterers null and their issue incapable of succeeding to their parents.

The long struggle of forty years shows clearly the functions which the General Assembly conceived it its duty to exercise; it conceived itself as a purifying and illuminating influence in the community, and as a consultative body like the old Lords of the Articles, suggesting legislation and urging its enforcement.[2] Its attempt to enforce criminal penalties failed, and it had to content itself with the infliction at its instance of civil disabilities. Its failure was, in fact, the failure to induce the State to incorporate the disciplinary system of the Church in the penal code. This sketch of its activity indicates that after the period of confusion which marked the first years of the new regime the most self-conscious and calculating organ of the Reformed Church, the organ which alone displays the articulated policy of the Reformers, maintained with almost complete consistency the theocratic ideal. The General Assembly would have nothing but the nation for its field of activity, shunned separation and only under the influence of the disruptive forces which the restored Episcopacy set in motion cut itself adrift from the full current of national life. It was only when the State granted recognition to a rival ecclesiastical system that the Presbyterian leaders began to differentiate between their adherents and the nation at large. The era of the covenants marked the recognition of the fact that another test than citizenship was required to define the limits of the community over whose welfare the General Assembly watched.

[1] 16 James VI. cap. 20.

[2] 'For, to draw out of the pure fountains of God's word an ecclesiastical canon agreeable to the same, and to sute, like humble supplicants, the approbation of the same, is the duetie of the Kirk.' Calderwood, iv. 271.

Note.—The goal towards which the General Assemblies of the latter years of the sixteenth century were making, received clear and precise definition at the hands of the theorists of the next generation. If George Gillespie's 'Aaron's Rod blossoming' be taken as a typical exposition of full blown and perhaps over-ripe Presbyterianism, we find such pronouncements as the following: 'Presbyterial government is not despotical, but ministerial; it is not a dominion, but a service . . .' 'That power of government with which pastors and elders are invested, hath for the object of it not the external man, but the inward man. It is not, or ought not to be, exercised in any compulsive, coercive, corporal, or civil punishments; when there is need of coercion or compulsion, it belongs to the magistrate, and not to the minister.'[1] Again, 'The civil sanction added to church government and discipline is a free and voluntary act of the magistrate, that is, church government doth not, *ex natura rei*, necessitate the magistrate to aid, assist, or corroborate the same, by adding the strength of a law. But the magistrate is free in this to do or not to do, to do more or to do less, as he will answer to God and his conscience. It is a cumulative act of favour done by the magistrate. My meaning is not, that it is free to the magistrate *in genere moris*, but *in genere entis*. The magistrate ought to add the civil sanction *hic et nunc*, or he ought not to do it. It is either a duty or a sin; it is not indifferent. But my meaning is, the magistrate is free herein from all coaction, yea, from all necessity and obligation, other than ariseth from the word of God binding his conscience. There is no power on earth, civil or spiritual, to constrain him. The magistrate himself is his own judge on earth how far he is to do any cumulative act of favour to the church.'[2] 'Magistracy, or civil power, is monarchial and legislative. . . . The ecclesiastical power is merely ministerial and steward-like.' 'The subordinate end of the civil power is, that all publie sins committed presumptuously against the moral law may be exemplarily punished, and that peace, justice, and good order may be preserved and maintained in the commonwealth, which doth greatly redound to the comfort and good of the church, and to the promoting of the course of the gospel."[3] 'The fifth difference between the civil and ecclesiastical powers is in respect of the effects. The effects of the civil power are civil laws, civil punishments, civil rewards; the effects of the ecclesiastical power are determinations of controvercies of faith, canons concerning order and decency in the church, ordination or deposition of church officers, suspension from the sacrament, and excommunication.' 'The eighth difference stands in the correlations. The *correlatum* of magistracy is people embodied in a commonwealth, or a civil corporation. The *correlatum* of the ecclesiastical power is people embodied in a church, or a spiritual corporation. The commonwealth is not in the church, but the church is in the commonwealth; that is, one is not therefore in or of the church because he is in or of the commonwealth, of which the church is a part; but yet every one that is a member of the church is also a member of the commonwealth, of which that church is a part.' 'They differ in a divided execution; that is, the ecclesiastical power ought to censure sometime one whom the magistrate thinks not fit to punish with temporal or civil punishments; and again, the magistrate ought to punish with the temporal sword one whom the church ought not to cut off by the spiritual sword. . . . Again, the most notorious and scandalous sinners, blasphemers, murderers, adulterers, incestuous persons, robbers, &c., when God gives them repentance, and the signs thereof do appear, the church doth not bind but loose them, doth not retain but remit their sins, I mean ministerially and declaratively; notwithstanding the magistrate may and ought to do justice according to law, even upon those penitent sinners.' 'Powers

[1] Cap. iii. 2 and 3. [2] *Ibid.* iii. 5. [3] *Ibid.* iv. 4.

that are collateral are of the same eminency and attitude, of the same kind and nature; but the civil power is a dominion and lordship; the ecclesiastical power is ministerial, not lordly.' 'The magistrate may and ought to be both *custos et vindex utriusque tabulae*, he ought to preserve both the first and second table of the holy and good law of God from being despised and violated, and punish by corporal and other temporal punishments such (whether church officers or church members) as openly dishonour God by gross offences, either against the first or against the second table.' 'It doth properly and of right belong to the magistrate to add a civil sanction and strength of a law for strengthening and aiding the exercise of church discipline, or not to add it. And himself is judge whether to add any such cumulative act of favour or not.'

In attempting to trace in an abstracted form the development of one of the many questions which faced the Reformers there is a danger of attributing theories to historical parties and individuals of which they were quite unconscious, but this danger is slight when the subject dealt with is a phase of the Scottish Reformation. While this is so, it must be kept in view that between 1560 and 1581 there lay a period of rapid development and essential change, and that, while an attempt has been made in the foregoing pages to treat one question in an abstracted form, the surroundings were perpetually changing and giving new significance to the forces at work in the narrow field on which attention has been directed. The tendencies which revealed themselves obscurely and intermittently during the second half of the sixteenth century, and of which glimpses can be caught in the foregoing sketch, were fully disclosed in the succeeding generation. Strictly speaking, there was in fact no struggle for consistorial jurisdiction, and the Reformers declined to limit themselves to the narrow field which the question offered, but in that field can be observed the progress of a more important and far-reaching struggle the echoes of which still sound in our ears. The episode was a preliminary reconnaissance in the long campaign between church and state, and is of interest not only to the legal antiquarian but also to the student of history.

DAVID BAIRD SMITH.

Scotsmen Serving the Swede

THE tercentenary of the accession of Gustavus Adolphus, who succeeded his father, Charles IX., as King of Sweden on October 30, 1611, cannot fail to arouse sympathetic interest in this country, especially amongst those Scottish families whose annals contain some record of reputation won or achievement performed under the great champion of the Protestant faith in Europe. His brief, but brilliant, intervention in the Thirty Years War attracted many officers and men to his standard, as appears from the number of royal warrants for the levying of troops for service abroad.[1] Whilst he lived his 'valiant Scots,' as he affectionately called them, contributed in no small degree to the success of his cause; and after his death at Lützen, they remained on in Germany to gain fresh laurels under his successors, Duke Bernard of Weimar, Gustavus Horn, Baner, Torstenson, and Wrangel. Then the news of the troubles at home reached them. Writing to Secretary Windebank on September 26, 1640, Sir Thomas Rowe says:—'Advice has come to me that twenty-six of the principal colonels and officers that have served the Swede have obtained their license and got their rests in munitions of war, a course begun by Leslie the Great, and are preparing at Gottenburg to sail in three ships for Scotland.' Although the Peace of Westphalia was not concluded until 1648, the majority of officers, who had survived the prolonged struggle, returned home at the outbreak of the Civil War to take sides with King or Parliament.

In his essay on Gustavus, Archbishop Trench points out that none of his officers were more entirely trusted by the king when some difficult and dangerous exploit had to be undertaken than those belonging to the Scottish brigade.[2] Perhaps the hardest

[1] *Calendar of State Papers, Scotland*, Dom. Ser. 1626-32. It was about two months before Gustavus actually assumed his father's title.

[2] *Gustavus Adolphus and Social Aspects of the Thirty Years War*, London, 1865, p. 22.

task which fell to the lot of any of them was the defence of Stralsund by Sir Alexander Leslie against Wallenstein in 1628, just two years before the King of Sweden himself landed at Usedom to carry out his arduous work. Stralsund was one of the most flourishing cities of the north. It belonged to the Hanseatic League, and owed no allegiance to the Empire. Though nominally subject to the Duke of Pomerania, it was practically independent; and, sheltered by the Island of Rugen in the very centre of the Baltic trade, its geographical position rendered it of the utmost importance. The Emperor Ferdinand II. had seized the possessions of the two Dukes of Mecklenburg for supporting Christian IV. of Denmark, and had conferred their duchies on Wallenstein, who assumed the high-sounding title of Admiral of the Baltic and the North Seas. He sent his lieutenant Arnim to besiege Stralsund, and he was determined to have it. The town was triangular in shape;[3] one side of it was washed by the sea and the other two sides were protected by wide lagoons and salt-marshes, over which three causeways led to the gates.

In February hostilities began. The garrison at first consisted of only 150 soldiers, with 2000 citizens capable of bearing arms; but it was augmented by fugitives from the Danish War and peasants seeking safety from the cruelty of the Imperialist soldiery. By May 23 Arnim had taken all the outworks, when Wallenstein arrived in person to aid him. Gustavus then allied himself with the German town against the Emperor, and sent Count Brahe and Colonel Alexander Leslie to Stralsund with 2000 picked troops. They forced their way into the fortress on July 18th, and Wallenstein, who had assembled a huge army of 25,000 men[4] round the place, found himself opposed by a garrison of experienced soldiers. Still the odds in favour of the besiegers were fearful.[5] Wallenstein 'tried it,' according to Carlyle, 'with furious assault, with bombardment, sap and storm; swore he would have it, "though it hung by a chain from Heaven"; but could not get it, after all his volcanic

[3] *Life of Wallenstein, Duke of Friedland*, by Lieut.-Col. J. Mitchell, London, 1837, p. 117; and see map of Stralsund in *Life of Gustavus Adolphus*, by C. R. L. Fletcher, 1910, p. 84.

[4] Gardiner does not hesitate to say that it was the most numerous and well-appointed army which had been seen on the Continent since the days of the Romans (*History of England*, vii. p. 97); *The Cambridge Modern History*, vol. iv. p. 107 (1906).

[5] Gardiner's *Thirty Years War*, 1874, pp. 107-8.

raging.'[6] At length rain began to fall in torrents, and the flat oozy ground upon which the invading army was encamped became untenable. The Imperialist commander gave orders on August 3 to raise the siege, and his failure marked the limit of Austria's advance.[7] All historians, including Carlyle, who regarded the affair as world famous, are agreed that it was an event of incalculable importance, and that if the city had fallen both Sweden and Denmark would have been excluded from further interference in Germany. Leslie received a gold medal from Gustavus, and the grateful Stralsunders, who claimed the victory as a triumph for the Hanseatic League, caused further medals to be struck in his honour.

The gallant defender of Stralsund served in the Swedish army for thirty years (1608-1638), at first under Charles IX. and then under his successor in their campaigns in Russia, Poland, Denmark, and Germany. Before the advent of Gustavus, Leslie was busily employed in 1630 recruiting along the coasts of Mecklenburg and Pomerania; and on hearing that Wallenstein, whose troops were in possession of Rugen, intended to hand it over to Christian IV. in the hope of embroiling the two Northern Powers, he promptly occupied the island and turned out the Imperialist garrison of two thousand men.[8] He was then appointed commandant at Stettin, and when the King of Sweden continued his march to Landsberg after the storming of Frankfort-on-the-Oder on April 3, 1631, he left Leslie behind as Governor.[9] He was present at the Battle of Lützen, where the Protestant leader fell on November 6, 1632,[10] and he retired six years later from the service of Sweden with a pension of 800 rix-dollars. Then he set about organizing the forces of the Covenant. The favourite field-marshal of Gustavus, his influence in Scotland was also great.[11] 'Such was the wisdom and authority of that old, little crooked soldier,' writes Baillie the Covenanter of Leslie at Dunse Law, 'that all with one incredible submission, from the beginning to the end, give over themselves to be guided

[6] *Frederick the Great*, book iv. chap. v.

[7] *The House of Austria in the Thirty Years War*, by A. W. Ward, M.A., 1869, p. 61.

[8] *Gustavus Adolphus*, by C. R. L. Fletcher, 1910, pp. 114 and 127.

[9] *An Old Scots Brigade*, by John Mackay, 1885, pp. 109 and 142.

[10] *The Scots Peerage*, edited by Sir James Balfour Paul, vol. v. 1908, p. 374.

[11] *The Scottish Covenanters*, by James Dodds, 1860, p. 32.

by him as if he had been Great Solyman.'[12] He was created Earl of Leven and Lord Balgonie in 1641, but his subsequent career does not concern us. 'Excellent, though unfortunate,' is Carlyle's valediction, and he recalls his supreme achievement. 'He bearded the grim Wallenstein at Stralsund once, and rolled him back from the bulwarks there, after long tough wrestle; and, in fact, did a thing or two in his time. Farewell to him.'[13] He died at Balgonie, Fifeshire, in 1661, and was succeeded by his grandson as second Earl of Leven. His eldest son, who was significantly named Gustavus, predeceased him.

Both Leven and his kinsman David Leslie, afterwards Lord Newark, another officer of Gustavus and Cromwell's opponent at Dunbar, were prominent at Marston Moor. The Earl brought an army across the border with Major-General David Leslie as Commander of the Horse, and occupied the centre of the field between the armies of Manchester and Fairfax. It is a debatable point whether the victory was due to Cromwell or to Leslie, but the Scottish officer's magnificent handling of the cavalry seems to have decided the issue.[14] That is not surprising. Leslie had the experience of the Thirty Years War behind him, whilst Cromwell's reputation as a military commander was yet in the making. The various accounts of the battle are somewhat conflicting, but its interest for us lies in the fact that opposed to the Leslies was James King, Lord Eythin, their comrade in arms in Germany. He was second in command to the Marquis of Newcastle and led the Royalist centre. It is possible that if he had been able to co-operate freely with Prince Rupert throughout the campaign unhampered with Newcastle's sluggishness, and they had come to appreciate each other's good qualities, the day might not have proved so disastrous for Charles. However that may be, Eythin declined at Rupert's request to begin the battle late in the evening, and blamed him for drawing up his men so near the enemy. The prince admitted his fault and offered to move them to a further distance. 'No, sir,' replied Eythin, 'it is too late,' and the Parliamentarians, noticing certain signs of unpreparedness, commenced the attack.[15] Clarendon says[16] that King was an officer

[12] Carlyle's *Miscellaneous Essays*, edit. 1866, iv. p. 234.

[13] *Cromwell's Letters and Speeches*, edit. 1857, ii. p. 299.

[14] *History of Scotland*, by J. H. Burton, edit. 1870, vii. p. 180; *The Scots Peerage*, vol. vi. 1909, p. 440; *Cromwell's Letters and Speeches*, edit. 1857, i. p. 151.

[15] Gardiner's *History of the Great Civil War*, 1893, i. p. 377.

[16] *History of the Rebellion*, edit. 1720, ii. p. 509.



JAMES KING, LORD EYTHIN.

DIED 1652.

From oil painting in the collection of Colonel Alexander J. King of Tertowie.

of great experience and ability, and that the marquis being utterly unacquainted with war, referred all matters of importance to the discretion of his lieutenant-general.

As early as 1609 King sought service in Sweden, and he attained the rank of general-major and colonel of the Dutch Horse and Foot. He became Governor of Vlotho, a fortified town on the Weser, which belonged to the Dukes of Brunswick and Counts of Waldeck.[17] After the death of Gustavus he fought under his generals Baner and Wrangel, and his portrait is still to be seen with others of his adventurous countrymen in the Chateau of Skokloster, near Upsala, which belonged to the Wrangel family. He received the Swedish order of knighthood in 1639, and returned to England. He was an Aberdeenshire laird, and his Scottish title, which was bestowed upon him on March 28, 1642, is taken from the river Ythan in that county.[18] The Queen sent him from Holland next year, with other officers of reputation, to join Newcastle in the North, who accepted him as his military adviser. After Marston Moor he crossed over to the continent, and Queen Christina, in recognition of his services to her father, created him a peer of Sweden with the title of Baron Sanshult and granted him estates in the district of Calmar as well as a pension of 1800 rix-dollars annually. At his death in Stockholm, on June 9, 1652, he was accorded a public funeral, the Queen attending in person, and was buried in the Riddarholm Church, where rest the remains of Gustavus and Charles XII. Lord Eythin left no children, but two of his brothers died in Swedish service.

Sir Donald Mackay of Strathnaver, Lord Reay, may be described as the recruiting sergeant for Gustavus in Scotland. Whilst assisting Christian IV. of Denmark he distinguished himself at the Pass of Oldenburg in Holstein, where in 1627, with his famous regiment[19] he kept Tilly and the Imperialists at bay, being himself wounded in the engagement.[20] But the exploits of 'Drunken Christian,' as Carlyle calls him, soon came to an end and he was easily beaten.[21] And so we find Mackay two years

[17] *Life of Sir John Hepburn*, by James Grant, 1851, p. 167.

[18] *The Scots Peerage*, vol. iii. 1906, p. 592.

[19] Its achievements are set out in Colonel Robert Monro's rambling, but valuable *Expedition with the Worthy Scots Regiment called Mac-Keyes Regiment*, London, 1637.

[20] *An Old Scots Brigade*, p. 36.

[21] *Frederick the Great*, ed. 1858, vol. i. p. 331.

later, back again in Scotland, collecting men on this occasion for a worthier master, the King of Sweden.[22] He was present with him at the taking of Stettin and Damm when they surrendered, and was mainly responsible for the capture of Colberg in Pomerania. In an encounter with the Imperialists who had advanced to its relief, the Swedes, led by an inexperienced officer, fled without firing a shot, and if it had not been for Lord Reay's Scottish musketeers, who were in the van and stood firm, the enemy would have been victorious. In 1631 he returned home, but he was in constant communication with Gustavus regarding the raising of fresh levies. The death of his patron was a great blow to him. Of the large sums of money which he had spent to pay his recruits he received nothing back,[23] and he was compelled to denude himself of part of his estates to pay his debts.

When the King of Sweden accepted the Order of the Garter at the hands of King Charles's envoys after the Battle of Dirschau in West Prussia in the autumn of 1627, he made six knights. The ceremony took place in the presence of the whole army in front of the royal tent, and was performed with great triumph.[24] One of the recipients of the honour was Sir Alexander Leslie, and another Sir Patrick Ruthven, who afterwards became Earl of Forth and Brentford.[25] Powerfully built and covered with scars, or, as Colonel Robert Monro, the author of the *Expedition with the Worthy Scots Regiment* puts it, 'carrying the marks of valour on his body,' he was a man of great courage and a trusted leader. In spite of his propensity to hard drinking which earned him the nickname of General Rotwein (red wine), he always kept a cool head.[26] Scott probably had him in mind in drawing Dugald Dalgetty, for his hero is said to have acquired in these wars a capacity to bear an exorbitant quantity of strong liquor. Ruthven's career as a soldier began about 1606-9, when his name figures in the lists of Swedish officers, and he was soon appointed captain in a regiment of Scots in Sweden. Thus he joined the army at the same time as Leslie, and he must have served with him under Charles IX.

[22] *The Book of Mackay*, by Angus Mackay, 1906, p. 134.

[23] *The Scots in Germany*, by T. A. Fischer, Edin. 1902, p. 91; *The Book of Mackay*, p. 136.

[24] *Ruthven Correspondence*, Roxburghe Club, 1858, Introd. p. ix.

[25] *The Scots Peerage*, vol. iv. 1907, p. 104.

[26] *The Scots in Germany*, p. 107.

After his accession in 1611 the attention of Gustavus was first engaged by the war in Denmark, in which Ruthven does not appear to have taken any part. But he was ordered during the Russian war to conduct certain troops to Narva, and was present at the storming of Pleskoff (1615), having in the following year the command of an East Gothland troop of 300 men ; and in the campaign against Sigismund III. of Poland he shared in the successful siege of Riga (1621). He held successively the Governorships of Memel, Marienburg and Ulm, and many of his letters to Axel Oxenstiern, commencing in 1629, have been preserved.[27] He urges on the Swedish Chancellor the necessity of rendering Memel safe from the attacks of the enemy. When at Marienburg he defends himself against the charge of having delayed General Wrangel's departure by not supplying him with horses and conveyances. 'I did command the magistrates,' he writes, 'two days previous to be ready with their horses and carts, but what they furnished was of such miserable description that I put the mayor into prison, and sent him home after a time to provide better horse material.' He thanks Oxenstiern for allowing him the rights of fishing in the neighbourhood, and begs for money to pay his troops. As to this, he complains in one letter, dated August, 1630 :—'I and my captains have ever and anon pawned our store of clothes and other things to content the men, but now the well is exhausted and I know of no other means.' Whilst in command of Ulm he succeeded by his vigilance in suppressing two conspiracies and in reducing a number of Catholic towns in the vicinity, although his garrison only amounted to 1200 men. His reward was the Grafschaft or Earldom of Kirchberg, near Ulm, worth about £1800 a year.

In May, 1632, Ruthven was raised to the rank of major-general, and was given the first command with Duke Bernard of Weimar of 800 men in Swabia, to watch the movements of the Catholic general Ossa, who was threatening Ulm. Seeing that he was engaged with Christian of Birkenfelt at the siege of Landsberg near Frankfort-on-the-Oder, in October, he cannot have been present at the Battle of Lützen in the following month. During 1634-5 he was travelling in Scotland, England and France, but he returned to Germany to take part in the Battle of Nördlingen, so disastrous for the Swedes. Later on he was lieutenant-general with Baner and assisted him in defeating the Catholics at Domitz,

[27] *The Scots in Sweden*, by T. A. Fischer, Edin. 1907, p. 102.

Lützen, Goldberg and Kosen.[28] In 1636 Ruthven retired from active service abroad. Clarendon[29] says that he joined King Charles at Shrewsbury, and he was appointed to command as general at Edgehill, succeeding the Earl of Lindsey who fell at this battle. His place was, however, soon taken by Prince Rupert, and the last we hear of him in connection with the country he served so well was in 1649, when he was sent on a royalist mission to Sweden.

The oldest colonel at the great battle of Breitenfeld, near Leipzig, on September 17, 1631, where, in spite of the cowardice of his Saxon allies, the King of Sweden defeated the aged Tilly with the loss of 6000 of his veterans, was Sir James Ramsay, who commanded three regiments of chosen musketeers forming the vanguard.[30] They sustained a furious charge by a body of cuirassiers under Pappenheim, the bravest soldier, according to Schiller, Austria possessed, whom they compelled to fall back on their main body by dint of pike and musket.[31] This officer was usually called the Black Colonel of Scots, to distinguish him from Sir James Ramsay the Fair, Governor of Brissac. With a detachment of his countrymen he led the storming party at the capture of Würzburg in Franconia on October 10, and was wounded in the arm. Monro says that this was the greatest exploit performed during the war. The castle was approached by a bridge which had to be repaired under a shower of cannon and musket shot. Gustavus asked the Scots if they were willing to take the place by assault, knowing that if they refused it would be useless to expect any others to go upon such a forlorn hope.[32] For these and other conspicuous services Ramsay received a grant of lands in the Duchy of Mecklenburg and the government of Hanau, an important fortress on the river Main near Frankfort.

After the defeat of the Swedes at Nördlingen in 1634 the Imperialists besieged Hanau, which its commander defended with the greatest skill and courage. His sallies from the town were well conducted and generally successful, and, in order to gain time and rest for his worn-out garrison, Ramsay began a series of

[28] *The Scots Peerage*, vol. iv. 1907, p. 104.

[29] *History of the Rebellion*, ed. 1720, vol. ii. pp. 40 and 57.

[30] *Monro's Expedition*, ed. 1637, ii. 63.

[31] *Life of Sir John Hepburn*, by James Grant, 1851, p. 101.

[32] *An Old Scots Brigade*, p. 163: *Gustavus Adolphus*, by C. R. L. Fletcher, p. 207.



PATRICK RUTHVEN, EARL OF FORTH AND BRENTFORD.

DIED 1651.

From oil painting in Skokloster Castle, Sweden, formerly the seat of General Wrangel.

The correctness of the attribution of this portrait has not been doubted.
See page 48 for another portrait of Patrick Ruthven.

sham negotiations with the Catholic general Lamboy, proposing to send an envoy to Oxenstiern and to Duke Bernard of Weimar for their condition to surrender the fortress, which he knew would never be given.[33] Undaunted by plague and famine, Ramsay held on doggedly, until the besieged were reduced to feeding on dogs and cats. He was so joyful at the success of his punitive exhibitions against Lamboy that he could afford to indulge in a grim joke at his expense. His enemy had scornfully presented him with two fat pigs, when the Governor sent him in return a gift of fifty pounds of carp caught in the moats, with the mocking request for news, especially concerning the rumour current in the town, of Hanau being besieged.

At length the brave defenders were relieved. The London apprentice, Sydnam Poyntz, who joined Wallenstein's army and wrote an account of his campaigns, bears witness to the stubbornness of their resistance to the last. 'The Comaunder of Hannow' he writes, 'who was old Coronell Ramsey, a Scotch man, having gotten notice of the Duke of Hessen's coming to succour hym and at hand, and the other side not dreaming of any Adversary nere, sallyed out of the Towne, beat the Imperialists out of their Trenches, killed and drowned in the River of Mume (Main) as good as fower thousand and levelled all their workes.'[34] On June 23, 1636, the Landgrave of Hesse and Sir Alexander Leslie entered the town amidst the ringing of bells and joyful shouts of the populace, bringing with them 600 waggon loads of provisions and herds of cattle for slaughter. In memory of this deliverance the so-called Lamboy festival is celebrated in Hanau to this day. Ramsay's end was a tragic one. In the same year the fortress was again invested by the Elector of Mainz, and the Governor, realising the impossibility of sustaining another siege, agreed to evacuate it on certain terms. When, however, it was clear to him that the treaty was about to be violated he retook the place, which was eventally surprised by Henry, Count Nassau Dillenburgh. Ramsay defended himself as best he could in this extremity, but he was wounded, and, after having been treated with the most cruel rigour and severity, he died a prisoner in the Castle of Dillenburgh, on March 11, 1638. He was buried in the church there, but the grave of this devoted hero has never been discovered.

[33] *The Scots in Germany*, p. 94.

[34] *The Relation of Sydnam Poyntz* (1624-1636), Camden Society, Third Series, vol. xiv. p. 1908, 122. We cannot vouch for the accuracy of this writer's figures.

Next to Gustavus himself Sir John Hepburn was accounted the ablest leader on the Protestant side. He was the second son of George Hepburn of Athelstaneford near Haddington, and he may be described as a typical man of action, and one of the most famous soldiers the world has ever seen. With a genius for command, he combined quick decision and dauntless courage. Handsome in appearance and dignified in bearing, he far outshone his comrades in the magnificence of his arms and attire, and this seems to have been the only fault that the plain Swedish king had to find with him. Like Dugald Dalgetty, who is never tired of telling us that he had studied humanity at the Marischal College of Aberdeen, and had served half the princes of Europe, Hepburn was scholar as well as courtier. When the unfortunate Winter King, Frederick, Elector Palatine, lost the crown of Bohemia after his defeat by Tilly and the Catholic League at the White Hill of Prague on November 8, 1620, his bodyguard consisted of a company of Scots under Sir Andrew Gray, in which young Hepburn commanded a band of pikes. Two years later he distinguished himself with Ernest, Count of Mansfield, against the Spanish commander, Spinola, at the defence of Bergen-op-Zoom, and at the Battle of Fleurus in the Low Countries. Attracted to Sweden by the fame of its ruler, his services were readily accepted by Gustavus, who, in 1625, appointed him colonel of one of his Scottish regiments.

Thenceforth Hepburn's career is in the nature of a triumphal progress. During the King of Sweden's first campaign in Pomerania and Mecklenburg in 1630, he was sent by Oxenstiern to the relief of his fellow countryman and constant companion in these campaigns, Colonel Robert Monro, at Rugenwalde,[35] and he was rewarded with the governorship of that place. Already he had been knighted, as his name appears in the *Swedish Intelligencer* of the time as 'Sir John Hebron.' In conjunction with Kniphausen and Bauditzen he successfully intercepted the Imperialists who were advancing to succour Colberg, then being blockaded by the Swedes. In March, 1631, Gustavus formed his Scots Brigade, consisting of Hepburn's own regiment, Mackay's Highlanders, Stargate's Corps, and Lumsden's Musketeers, and gave the command to Sir John. Throughout the army it was known as the 'Green Brigade,' from the tartan of the Highlanders and the colour of the doublets, scarfs, feathers,

[35] *Gustavus Adolphus*, by C. R. L. Fletcher, p. 137.

and standards of the other regiments.[36] The actual date of Hepburn's birth is unknown, but his biographer[37] claims that at the age of thirty he was at the head of the four best regiments in the Swedish army. With every allowance for partiality there appear to be sufficient grounds for this contention, judging from the subsequent exploits of the brigade. During the Thirty Years War the Saxons could not understand Tilly's veterans and always ran away, the Swedes and the Finns generally acquitted themselves nobly, but the Scots as a rule were entrusted with the most perilous enterprises and invariably stood firm.

The brigade soon had an opportunity of displaying their courage at Frankfort-on-the-Oder which was taken by storm on April 3, Hepburn and Colonel James Lumsden directing the attack on the Guben Gate, lighted petards in hand. 'Now my valiant Scots, remember your brave countrymen who were slain at New Brandenburg,' cried Gustavus in allusion to the terrible massacre of Lord Reay's Highlanders by Tilly a few days before. Monro in his *Expedition* has given a graphic account of the struggle which was stubbornly maintained on the part of the Imperialists by Walter Butler and his Irishmen. Hepburn was hit above the knee and retired for a time to get his wound dressed. 'Bully Monro, I am shot,' he jocularly called out to his friend who was passing into the line of fire with his Highlanders; at which the other tells us in his characteristic way he was 'wondrous sorry.' The enemy's guns were captured and turned upon them. In the streets the ground was contested inch by inch, the Austrians slowly retreating and begging for quarter, but to every appeal the merciless answer was 'New Brandenburg. Remember New Brandenburg!' Thus was the slaughter of the Scots avenged, for three thousand of the garrison were put to the sword.[38] Landsberg then fell, after a blockade of ten days, on April 16, and Hepburn, although still suffering from his wound, was actively engaged upon the operations which led to its surrender.

During the next few months the Green Brigade was encamped in the open fields, at first near Berlin and later at Old Brandenburg, where they lost many of their men by pestilence. In July Gustavus concentrated his forces at Werben, and Tilly with

[36] *An Old Scots Brigade*, p. 125.

[37] *Dict. Nat. Biog.*; *Life of Hepburn*, by James Grant.

[38] Fletcher's *Life of Gustavus Adolphus*, p. 160.

20,000 troops appeared in the neighbourhood of his camp. The Catholic leader reduced Leipzig, and his opponent, drawing out his army in full battle array, marched towards the city. After the flight of the Saxons at Breitenfeld, Hepburn's brigade, which was held in reserve, was hurried up to the assistance of Field-Marshal Horn, who commanded the Swedish left wing, and was being hard pressed by Tilly. Lord Reay's Highlanders are credited with being the first to make the breach in the enemy's ranks which decided the issue. The slaughter which ensued was fearful. About 600 of Tilly's veterans who remained alive closed round their aged leader and bore him wounded from the field. The Scottish Brigade was publicly thanked in the presence of the whole army, and Monro, who himself fought valiantly, says that whilst Gustavus principally ascribed the victory to the Swedish, Finnish, and Dutch horsemen, Hepburn's men got great praise for their foot service. Following up this success General Bauditzen and Sir John between them captured six large towns on the way to Würtzburg. The latter's defence of Oxenford was a notable achievement. The Duke of Lorraine reinforced Tilly after his defeat with 12,000 troops, and the Imperialist ranks rose to 40,000 men. Gustavus ordered Hepburn to garrison this place with 800 musketeers so as to prevent the enemy crossing the Maine, and if he found the service too desperate to blow up the bridge and retire on Würtzburg. So skilfully did Hepburn make his dispositions that Tilly, with his huge army imagined that a large force was behind the walls and turned aside to Nürnburg.

In December, 1631, Gustavus crossed the Rhine and attacked the first Spanish garrison at Oppenheim. After taking a strong fort or sconce on the east side of the river and putting the commandant under terms to depart to Bingen, Hepburn immediately went to the assistance of his chief in reducing the castle, which surrendered after the seizure of one of its outworks. Mainz gave the Swedes very little trouble. Such was Hepburn's reputation at this period, it is said that when Don Philip de Silvia and his Castilians saw his brigade about to storm they laid down their arms. The conquerors remained in the city till March, 1632, when they marched to Frankfort-on-the-Maine to take part eventually in the capture of Donauwörth, from which Gustavus drove the garrison after a hot resistance. At the passage of the Leck, a tributary of the Danube, where Tilly received his mortal wound, Hepburn led the van. It was, however, an artillery



PATRICK RUTHVEN, EARL OF FORTH AND BRENTFORD.

DIED 1651.

From oil painting in the Bodleian Library.

It differs in various particulars from the dated portrait of Ruthven at Skokloster (see page 44), and also from the engravings of him. Hence its identity must remain doubtful.

duel in which the Swedish guns were vastly superior.[39] The Austrians had taken up a position on the right bank of the river, between Augsburg and Rain, and on the night of April 3, Gustavus threw up earthworks upon which he mounted 72 pieces of artillery. The enemy were forced to retire by a converging fire, and he gained the passage of the river. With Frederick of the Palatinate in his train, the king entered Munich in triumph, a city which Hepburn knew as a subaltern in the Scottish bands of Sir Andrew Gray, and of which he was now made military governor.

The merits of the quarrel between Gustavus and Hepburn which deprived the Protestant leader of the services of his ablest general before the battle of Lützen have never been ascertained. It is sad to have to recall this unhappy termination of their friendship, but whether it was the outcome of a taunt regarding Hepburn's religion, which was Catholic, or the extreme magnificence of his armour and apparel is not very material at this date. At all events the haughty Scot took offence at some real or imagined slight, and vowed never to unsheath his sword in the service of Sweden again. He remained on, however, to perform some hazardous work for his master against Wallenstein on the Altenburg, and there was an affecting parting between him and the Scottish officers who accompanied him for a mile on the road. Within a month of his departure Gustavus fell. The Scots Brigade, having lost heavily at Nürnburg, were not present at Lützen, though Alexander Leslie and several officers of Mackay's regiment were with the king at the end. There was no need, however, for leadership at this supreme moment, for each individual Swede fought with furious courage to avenge him. 'Life falls in value, since the holiest of all lives is gone; and death has now no terror for the lowly, since it has not spared the anointed head.' Such is Schiller's tribute to the romantic devotion of the victorious army.

Hepburn's last years were spent in the wars of France, where he gained the friendship and esteem of Richelieu, and fought under the Cardinal Duke de la Valette and the great Turenne, then at the outset of his career, against his old enemies the Imperialists. Before he reached his fortieth year this brave soldier of fortune was shot in the trenches at the Siege of Saverne, assisting Duke Bernard of Weimar, on July 8, 1636, and his death was universally mourned. In his distress at the news Richelieu wrote a touching letter to Valette, extolling the worthi-

[39] Article on Artillery in *Encyclopaedia Britannica*.

ness of his character and deploring his loss, which had affected him so sensibly that he found it impossible to receive any comfort.

While Hepburn, Ramsay, Ruthven, Mackay, King, Alexander Leslie and Robert Monro were the principal officers 'serving the Swede,' the military achievements of three other Scottish colonels stand out conspicuously. What Gustavus would have done without Alexander Hamilton's guns, especially at the passage of the Lech, it is difficult to say. 'Dear Sandie,' as he was called, was half-brother of the first Earl of Haddington and a celebrated artillerist. He had workhouses at Urbowe or (Örebro) in Sweden, which Lord Reay and Monro visited in 1630, and he invented 'cannon and fireworks for his Majesty.'[40] Gustavus recognised the need of mobile field artillery and used iron 4-pounder guns, weighing about 5¼ cwt. and drawn by two horses, whilst Tilly's weapons were cumbrous 24-pounders, each requiring 20 transport horses, and 12 horses for the waggons. The service of his guns was primitive and defective, but the Swedes obtained rapidity of fire by the use of cartridges in place of the old method of ladling the powder; and as two of their light guns were attached to each regiment, they had a distinct advantage over the Imperialists who had difficulty in moving their artillery during the course of an action.[41] Hamilton returned home about 1635, and joined the Covenanters; and his guns were mainly responsible for the defeat of Lord Conway, who opposed the Scots under Leven at the passage of Newburn-on-Tyne.

The officer in command of Lord Reay's Highlanders, who were slaughtered at New Brandenburg, was Lieutenant-Colonel John Lindsay, grandson of David, tenth Earl of Crawford.[42] In March, 1631, Tilly with 15,000 troops arrived before the town, where General Kniphausen was stationed with 2000 men.[43] His garrison included about 600 Highlanders under Lindsay, who, although in his twenty-eighth year, had seen much service, having been dangerously wounded at the Siege of Stralsund. Gustavus ordered Kniphausen to retire, as the place being in a wretched condition of defence was not worth holding against such fearful odds. The message miscarried. For nine days the heroic defenders kept the Austrian veteran at bay. At length the town,

[40] *An Old Scots Brigade*, p. 88. As to Hamilton's guns in the Civil War see *Cromwell's Army*, by C. H. Firth, 1902 (*passim*).

[41] Article on Artillery in *Encyclopædia Britannica*.

[42] *The Scots Peerage*, vol. iii., 1906, p. 30.

[43] *Gustavus Adolphus*, by C. R. L. Fletcher, p. 158.

after a desperate struggle, was taken, and the entire garrison, except the commander, his wife and daughter, and about sixty men, were barbarously massacred. Lindsay fell in the breach, fighting to the last with a pike in his hand, his tartaned soldiers slain in a heap around him. In the town records he is singled out as the Scottish nobleman 'Earl Lindz,' who defended his post long after all other resistance had ceased. According to Monro the first men over the ramparts at Frankfort-on-the-Oder to avenge this slaughter were Major John Sinclair and his lieutenant Heatley. They placed their backs against the wall and resisted the attack of the enemy's oncoming horsemen with a handful of musketeers until relieved. Sinclair was the third son of George, fifth Earl of Caithness, and he obtained the temporary command of Mackay's famous regiment when Monro returned to Scotland to procure recruits. He was killed at Newmarke in the Upper Palatinate in 1632, his place being taken by Major William Stewart, brother of the Earl of Traquair. Lamenting the loss of his friends during the war, Monro writes thus: 'Shortly after him (*i.e.* his own brother, Colonel Monro of Obstell) my dear Cosen and Lieutenant-Colonel John Sinclaire being killed at Newmark, he did leave me and all his acquaintance sorrowfull, especially those brave Heroics Duke Barnard of Wymar and Feltmarshall Horne, whom he truly followed and valourously obeyed till his last houre; having much worth he was much lamented, as being without gall or bitternesse.' His epitaph in Latin by Joannes Narssius is prefixed to Monro's remarkable narrative.

George A. Sinclair.

The Hospitallers in Scotland in the Fifteenth Century

THE Knights of S. John of Jerusalem, and their brethren the Templars, were popular Orders in their early history, and as fighting forces of trained warriors their services during the Crusades and in support of the Latin kingdom of Jerusalem are recognised as valuable, and would have been still more so but for the jealousy and frequent quarrels between them.

When the Spanish Jew, Benjamin of Tudela, visited the Holy City, somewhere about the year 1170, during the time when the Order of the Hospital was governed by its fourth Grand Master, he found its special work both in war and peace being efficiently performed. He says 'The city contains two buildings, from one of which—the hospital—there issue forth four hundred knights; and therein all the sick who come thither are lodged and cared for in life and in death.' He then goes on to refer to the Templars quartered in the Temple of Solomon who numbered, according to Benjamin, three hundred knights, and 'issued therefrom every day for military exercise.'[1]

About twenty years before Benjamin's visit to Jerusalem the Hospitallers had been introduced into Scotland, and had established their preceptory at Torphichen in East Lothian.[2] The earliest charter evidence takes us back to the year 1160, during the reign of Malcolm IV., when Richard of the Hospital of Jerusalem and Robert, brother of the Temple, appear on record.[3]

[1] Adler, *Itinerary of Benjamin of Tudela*, p. 22.

[2] *Transactions of Glasgow Archaeological Society*, vol. iii. (N.S.), 313 ff.

[3] *Regist. St. Andrews*, p. 207. It is true that in the alliterative *Morte Arthure* there

'Comez a templere tyte, and towchide to þe kynge,'

and we also have a Hospitaller in

'Raynalde of þe Rodes and rebell to Criste,
Pervertede with paynyms þat Cristen persewes,'

but romance and history are not synonymous.

Owing largely to the loss of the chartularies, which must at one time have existed for both the Templars and Hospitallers, no connected narrative of the doings of the knights in Scotland is possible until the latter half of the fifteenth century is reached, when Sir Henry Livingston became preceptor. Our own Scottish records before this time tell us little of their military strength or economic position, of the succession of preceptors at Torphichen, or of the attitude taken by them and their brethren in the War of Independence and subsequent events. We can glean, indeed, some scattered facts from the muniments of the Order. Of this nature is the Bull or Act of the Grand Master Philibert de Naillac (1396-1421), dated 11th August, 1418. To M. J. Delaville Le Roulx, editor of the *Cartulaire Général des Hospitaliers* and author of other works of prime authority on the subject, we are indebted for calling attention to this document, which is recorded in the archives of the Order at Malta. Its importance as bearing on the history of the knights in Scotland in the early years of the fifteenth century admits of no question.[1]

This Bull or Act presents a clear view of the policy adopted at its date by the Order in solemn assembly for the purpose of securing, as far as possible, an annual revenue from its preceptories and possessions in this outlying kingdom, and indicates a distinct resolve to deal directly with Scotland as an independent realm, and not through the prior of England.

Owing to the fact that England, Scotland, and Ireland formed a single 'langue' or division of the Order, the English prior claimed to be head and receiver-general of the revenues in these countries, a claim which the Scottish War of Independence caused to be looked upon with distrust, and which was soon repudiated. The hundred years' war between France and England, in progress when the Bull was granted, was doubtless a considerable factor in bringing about this determination to have no Scottish remittances through England. At this date three years were not past since the battle of Agincourt, and the fortunes of the English king were yet in the ascendant. Scotland, with her young ruler (James I.) still in captivity, was giving unofficial but effective help

[1] *Lib. Bull. Mag.* vol. xxvii. f. 130. The original is written on paper 11 in. by 8 in. and the writing covers 10 in. by $6\frac{7}{8}$ in. of the sheet.

At M. Delaville Le Roulx's suggestion, and by courteous permission of the keeper of the archives at Malta, a photograph of the pages of the volume has been taken, and a transcript and translation are appended to the present article. The writer is indebted to Mr. George Neilson, LL.D., for valuable assistance in several palaeographical difficulties.

to France in the struggle, and the Knights Hospitallers, whose Grand Master, Philibert de Naillac, before his elevation had been Grand Prior of Aquitaine, were desirous of keeping the revenue from this country free from the control of the prior of England,—the more so as there are indications that remittances through him from Scotland had been irregular.

This policy was not a new one. Upwards of sixty years before, Master David de Mar, treasurer of Moray, secretary to Queen Johanna, first wife of King David II., had a lease of a preceptory of Torphichen, evidently only a portion of the estates, and he seems to have proved a very unsatisfactory tenant. He held the property for twenty years and more, and for seven of these years he neglected to pay the rent. In 1363 Urban V. wrote from Avignon to King David II. urging him to 'favour the Master and convent of the Hospitallers in recovering from David de Mar, treasurer of Moray, what is due to them on account of a preceptory and goods of the Hospital in Scotland farmed by de Mar at one hundred marks a year, and which has been unpaid for seven years, although he has been publicly excommunicated in the Roman court.'[1] It seems safe to assume that the culprit was reduced to reason, as he kept possession for upwards of twenty years in all, which is unlikely if he had persisted in refusing to make remittances to head-quarters.

After this we find a layman in possession. He is Robert Mercer, Lord of Innerpeffray, a kinsman and member of the household of King Robert II., and a member of the well-known family of Mercer of Aldie. In the spring of 1374 he visited the Holy See at Avignon and presented to Pope Gregory XI. a petition from the king along with a letter from King Charles V. of France. The result of this influential support was a communication from His Holiness to the Master of the Hospital (Raymond Berenger) desiring him 'to grant certain property in Scotland belonging to the Hospital, accustomed as the pope has learned to be governed by laymen,'[2] to Mercer for a pension due to him.[3] King Robert proposed to pay Robert Mercer's pension by getting for him a lease of the property of the Knights in Scotland, and for this purpose he invoked the assistance of his ally the King of France. At first they gained their end, for

[1] Bliss, *Calendar Papal Letters*, iv. 3.

[2] This statement is doubtful. David de Mar was an ecclesiastic. Possibly he managed the estates through a lay factor.

[3] Bliss, *u.s.* p. 135.

Robert de Julliac, successor of Raymond Berenger in the Grand-mastership, granted a lease to Robert Mercer 'for ten years at a yearly rent of four hundred gold florins of Florence to be paid at Paris at the feast of the Ascension,' which the pope declared was double that paid by the prior of England. This grant was duly confirmed by the Holy See and intimation was sent to Robert II.[1]

Within a few months, however, the pope found that he had placed himself in a difficult position, for Edward III. and the prior of Clerkenwell protested, the former asserting that the preceptory of Scotland pertained to the King of England's crown. To this Gregory XI. replied that he had learned that the Scottish preceptory did not belong to the priory of England, and was not in any way *inter regalia* of England, 'but had been held with the goods thereof for very many years by divers clerks and laymen, and among others was held in farm for twenty years and more by a certain David [de Mar] Clerk, a Scot, who had been wont to dwell at the papal court.'[2]

The pope saw that action must be taken at once, as both the king and the prior of the Hospitallers in England, Robert de Hales, were threatening to stop supplies of money and men for the crusade which lay very near to the pope's heart.[3] What he did shows the strait he was in, for he disavowed his own action, writing in October next year (1375) to the Bishops of Scotland 'requesting them to assist Henry de St. Trond, preceptor of Avalterre,' Treasurer of Rhodes, to whom he had assigned the task of collecting the revenues of the Scottish preceptory pending the decision in the suit brought by the English prior against 'Robert de Julliac, master of the Hospital, he having let the said preceptory on farm to Robert Mercerii, a layman of Scotland, who obtained papal confirmation of the grant and now holds it to the injury of the said prior of England to whom of right it belongs.'[4] He wrote in similar terms to the King of Scots, adding 'Henry is to govern pending the pope's decision.'[5] There does not seem to be any evidence that the Treasurer of Rhodes visited Scotland

[1] Bliss, *u.s.* p. 146. The gold florin at the end of Charles V.'s reign was value for twenty shillings. See Ducange, *Moneta*.

[2] Bliss, *u.s.* p. 140.

[3] Edward III. arrested the property of the Order in England, and thus prevented all remittances. In 1375 the pope wrote twice to the king desiring the removal of the sequestration. (Hardy, *Rymer's Foedera*, *R.S.*, i. p. 473.)

[4] Bliss, *u.s.* p. 110.

[5] Bliss, *u.s.* p. 140.

in person to collect the revenues assigned to his administration. As to the lord of Innerpeffray he disappears from the records.

The great Schism in the Church having taken place, Scotland adhered to the anti-pope, as did France, while England favoured Urban VI. The result was confusion in the Order in Britain. In 1380-2 the estates were leased to Sir Robert of Erskine, Chamberlain of Scotland, and in 1387 to his son, Sir Thomas Erskine, Keeper of Edinburgh Castle.[1]

The disputes regarding administration of the Scottish preceptories and estates eventually gave rise to the determination to place these under the direct control of the Order at Rhodes. In 1410 John de Bynnyng received from the Grand Master a grant of the bailliage of Scotland for five years. Philibert de Naillac, Grand Master, appears to have visited England in this year, as he had a safe conduct on March 8th, 1410.[2] In 1415 Brothers Alexander of Lyghton, John of Bynnyng, and Thomas Goodwyn, Scottish Hospitallers, come into view as possessors of a safe conduct from the English king to attend the Chapter in England, and in the autumn of that year the last of these was preparing to travel to Rhodes. He was then designated Chaplain of the Scottish Hospitallers.[3]

Let us now turn to the Bull or Act under consideration. It begins thus: 'Brother Philibert de Nailhac, etc., Recognising what great damage to the goods, returns, revenue, rights and lordships of our order may result from want of proper administration, and that the obligation of making provision of this nature rests upon us: We make known to all men by these presents, that, after effecting the satisfactory adjustment of many difficult affairs of our order dealt with in our present assembly, bestowing keen consideration upon the administration of the property of the said order within the realm of Scotland and upon the suitable maintenance of our three brethren residing there, namely, Alexander de Lahton, John Benyn, and Thomas Gudwyn, and having heard the views of our dearest brethren in Christ, John d'Autun de Bellacombe, Garcia de Tours, Doctor of Laws, of Villa-Francha de Penedes, preceptor, and Pascal Martini de Torrellas, prior of the Church of Montressa, deputed and specially appointed by us and the said assembly for the assessment of the

[1] M. Delaville Le Roulx has found these lessees mentioned in the Archives as 'Robert Eslrin, Chevalier Seigneur d'Arqui,' and 'Thomas d'Arquin, Seigneur d'Arquin.'

[2] Hardy, *Rymer's Foedera, R.S.*, i. p. 565. [3] Bain, *Calendar*, iv. 854, 868, 869.

value of all the property which the before-named order in the said realm of Scotland has heretofore owned and possessed and now owns and possesses, and for the blessing of the cultivation of peace, union, and brotherly affection among the said brethren, and also for the conservation of the property and legal rights of the said order existing within the said realm : By will, advice and consent of our very dear and reverend brethren in Christ'—(here follow the names of thirty-four officials and preceptors, and the deed at the end of the list continues)—'and numerous other brethren present and taking part in the business of our assembly, Have Willed and Ordained and Do by these presents Will and Ordain in manner following.'

One may remark in passing that the meeting at which this deed was granted was not a general Chapter of the Order, which was appointed to be held at Rhodes. It is styled an Assembly (*Assembleya*), which is explained in the Statutes of the Order as a term used to describe a congregation or meeting gathered together to discuss and arrange urgent matters pertaining to the Order.[1] This assembly was held at Avignon, and was composed chiefly of French and Spanish preceptors. Thus it was only justified in making a temporary adjustment of Scottish grievances, and the final settlement is reserved to the next Chapter at headquarters in the Island of Rhodes.

Looking again at the deed itself, we find that the outstanding feature disclosed by the operative clauses is the division of the ecclesiastical property, revenues and general income of the Order in Scotland into three parts, and the assignment of these, in a specific but unequal way, to three separate individuals with varied rents payable by each. Thus the church of Torphichen, which is leased to John Binning along with certain lands adjoining, bears an annual rent of seventy-one gold crowns (*scuta auri*), the church of Balantrodach, with lands in the immediate neighbourhood, assigned to Thomas Goodwin, of thirty-nine, and the other emoluments, including all dues of entry of vassals of the Order, are granted on lease to Alexander de Leighton at an annual payment of two hundred and eighty-nine gold crowns.[2]

The arrangement made, however, is stated to be only provisional, and was to remain firm and stable until the next

[1] *Statuta*, tit. i. § 12. Ducange, *s.v. Assemblea.*

[2] *Omnia alia emolumenta et introitus dicti religionis.* At first one is apt to consider 'introitus' as applying to dues payable by intrants into the Order, but none were admitted in Scotland. It is clear that the reference is to feudal rents and casualties.

General Chapter to be held at Rhodes, in which a definite agreement was to be come to.

The whole property is stated as amounting in value yearly to four hundred and fifty pounds (*franci*), each pound being reckoned as equal to sixteen shillings of Paris (*solidi Parisienses*) or to four hundred gold crowns (*scuta auri*), each crown being estimated as value for eighteen shillings of Paris.[1]

The rent above mentioned as payable by the three lessees amounts *in cumulo* to three hundred and ninety-nine gold crowns, which sum is one crown short of the annual value, four hundred. This is somewhat curious, as the deed states distinctly that added together, the three sums reach four hundred scuta. One explanation that occurs is, that forty having been expressed in the original by xxxx, xxxix has been written by the copyist, *per incuriam*, inserting a i in front of the last x.

It seems at first sight rather remarkable that the two first-mentioned brethren pay between them a rent of only one hundred and ten scuta, while Alexander de Leighton is taken bound to pay two hundred and eighty-nine. The reason of this is, that he gets possession of property yielding an indefinite and elastic revenue, described as 'all other emoluments and dues of entries of the said Order existing in the said Kingdom as well jurisdictional lordships of every kind of the said place of Torphichen, as of all other places [in Scotland] belonging to our Order.'

It is clear that these rights thus granted were valuable—the stipulated rent is more than two and one-half times that payable by the other two brethren combined—and this is explained by the fact that the Order possessed real estate, ecclesiastical and civil, all over Scotland, including churches, teinds, annual rents and other heritable subjects, and that these carried with them the feudal rights and privileges of a lord of a barony. Sir Alexander de Leighton was thus granted by an outside authority the position of a lay-lord with all the emoluments

[1] The calculation of values in francs—Torphichen 260, Balantrodach 140—is to be looked upon as a gross valuation which makes no allowance for the expense of living, upkeep, etc. (*reprise*), and it does not include the 'alia emolumenta et introitus' assigned to Leighton. These latter are not valued in gross as they are indefinite and fluctuate from year to year. We may take it for granted, that Sir Alexander de Leighton made what he considered a good bargain at 289 écus. He was on the spot, and presumably quite able to look after himself. Cf. *Registrum Epis. Aberdon.* i. 220, 228.

and immunities thereto belonging—soc and sac, thol and theme, infangthief and outfangthief. In fact, he became thus entitled, after investiture, to exercise the rights of jurisdiction, holding of courts of the barony, admitting of vassals, wardship and relief, which we find from later records were actually claimed and exercised by his successors the preceptors of Torphichen.[1] He was thus granted, what may be called the Mastership or office of prior of the Scottish 'langue,' and the other two brethren were virtually chaplains and entitled merely to the ecclesiastical revenues of the churches with a certain added return, in the case of Torphichen from the lands of Locharis, and in that of Balantrodach from the two mills and the lands of Hudspeth, Esperstoun and Utterstoun.

These properties, which lay in the immediate vicinity of the respective churches, were added in order to secure a sufficient annual stipend for the chaplains, after remitting the stipulated rent to headquarters. It is true that in the deed Thomas Goodwin, who gets Balantrodach, is called preceptor, and so he was at his own preceptory, the term thus applying solely to his position at Balantrodach. He is elsewhere styled chaplain.[2] He and his colleague John Bynning were clearly in priests' orders. To them was granted the cure of souls at Balantrodach and Torphichen, and they thus were made responsible for the due performance of divine service,[3] while no such care is assigned to Alexander de Leighton, who, although he belonged to the clergy in the medieval sense, in virtue of his vows as a member of the Order, yet was probably not in priest's orders. He would thus represent the militant side, while Thomas Goodwin and John Binning were entrusted with the maintenance in Scotland of the religious worship and work which were undertaken by the Order in its preceptories proper.

We can readily understand that a warlike knight, although bound, as all the Hospitallers and Templars were, by the three monastic vows of poverty, chastity, and obedience, was not quite a suitable person for celebrating divine service in Latin. He was more in his element in a battle, and the arm of flesh was a weapon to which he was thoroughly accustomed. This fact is vividly brought out by an occurrence in Buckinghamshire about sixty years

[1] *Reg. Mag. Sigilli*, 1 Jac. IV. 1791. [2] Bain, *Calendar*, *ut supra*.

[3] Philibert de Naillac promulgated a Statute ordering all officers, commanders, and brethren to make it their earnest duty to have all churches and chapels under their care put into 'a good and honourable state.' Vertôt. *Hist. de Malte*, iv. p. 91.

before the date of our Charter. We quote from the Calendar of Patent Rolls: 'Commission of oyer and terminer to William de Shareshull [Chief Justice] and others on complaint by Simon Warde of Buyton [Bonington] that John de Pavely, prior of the Hospital of S. John of Jerusalem in England, Richard Wrikele [de Werkele], John Dyngele, and Robert Cherleton his confreres and others took him at Merlawe, county Buckingham, threw him in a stank of water there, and kept [him] in the water as far as to submersion, until to escape death he made oath not to sue against the prior or any other of the said transgressors by reason of any trespass done to him in the King's court or elsewhere, and that afterwards drawing him out of the stank they assaulted and greviously wounded him and likewise maimed his horse worth 100s. and cut off its tail and ears, then set him so wounded thereon and led him through the market of the town in the sight of all the people assembled there, with loud shouting (*ingenti clamore*).'[1] The gentleman thus treated by the head of the English Hospitallers had arrived in the town with the object of serving a summons upon the Order.

But to return to the document before us. It may be looked upon as an attempt to reduce administration of the affairs of the Hospitallers in Scotland to proper order and thus to secure two results,—first, the due performance of the religious services and duties attaching to the churches of the knights and those others of which they were patrons, and second, the regular payment of the revenue as stipulated to headquarters for behoof of the Order in the East. These objects were both very desirable, but could only be attained by eliminating competition and quarrels among the brethren in Scotland, and by laying down the duties which each was to undertake and the sum he was bound to remit yearly.

Of course, in order to form an idea of the total rent payable according to present-day values, one must multiply the sum of £450 by twelve or thereabouts. It would thus represent a rental of £5400 drawn by the Order from the estates in Scotland, after providing for maintenance of the three brethren and the expenses of the preceptories and churches.

We are in a position to compare this rent of the fifteenth century with an earlier valuation. It is that of 1338, a time, as will be remembered, when the fortunes of our land had sunk very low, after the defeat of Halidon Hill. At that time the English prior obtained a detailed return of the annual revenue

[1] *Calendar of Patent Rolls*, 31 Edward III. part 1, May 9, 1357.

derived from all the preceptories under his jurisdiction for presentation to the Grand Master of the Order, Elyan de Villanova. Scotland figures as capable of yielding no revenue whatever owing to 'the fierce war waged there for many years, whence,' it is declared, 'in these days nothing can be raised.' The report goes on: 'It was wont however, in time of peace, to return *per annum* 200 marks.' In the same document, when we reach the list of possessions formerly belonging to the Knights-Templars and thereafter to the Knights of St. John, we are told that, although from the same cause 'they have been completely destroyed, burned up, and annihilated, yet they used in the time of the Templars and in time of peace to yield a revenue of 300 marks.'[1] From these statements of an official character—emanating, it is true, from England, but still in all probability trustworthy—the following facts as to values emerge. First, the original possessions of the Templars, which were given over to the Hospitallers after the suppression of the former in 1312, were of greater value in Scotland than those of the Hospitallers themselves, viz., as 300 marks are to 200 marks. Second, the combined revenues of both estates in time of peace reached 500 marks, equal to £333 6s. 8d. This must have been during the reign of Alexander III., when a large measure of peace and prosperity prevailed, and thus it was during the time when each Order was drawing its own revenues. The rental at that time represents to-day an annual sum of about £4000 clear going to headquarters. Lastly, one sees the economic disasters caused by Edward III.'s devastation of the country during the reign of the weak King David Bruce. It must be borne in mind that possibly advantage was taken of the state of war between the countries to refuse all remittances to England, but this explanation does not cover the whole case, for they could have and would have been sent to France, if the Order in Scotland had been able to do so. No return whatever from any of the estates was received, and only one brother of the Order, William de la Fforde, was to be found in the country, and no one knew how he managed to live.[2]

In 1412 Alexander de Leighton had petitioned Benedict XIII., anti-pope, for a grant of the preceptory or priory, meaning thereby the whole estates, and he then stated the value as £500. In that petition he mentions that they have been committed to John de Benyng.[3] His petition was granted, but probably he

[1] *Hospitallers in England* (Camden Society), pp. 129, 201. [2] *Ibid.* p. 201.

[3] *Calendar of Papal Registers, Petitions*, i. p. 598.

found that possession was nine points of the law, and that it was impossible to oust John, and thus the amicable understanding was eventually come to, which recognised the Chaplain Thomas Goodwin as preceptor at Balantrodach in Midlothian and John Binning as preceptor at Torphichen, while Sir Alexander contented himself with the general revenues of the Scottish estates of the Order. Thus our deed embodies this arrangement.

The number of members of the Order in Scotland was always small. We gather that in 1418 there were no more than three, but of course there was a considerable body of servants engaged in the varied occupations arising from the management of the preceptories and estates, and there were at least five chaplains in addition to the two who were located at Torphichen and Balantrodach.[1] These served the several appropriated churches of which the Order was rector, including the church at Maryculter on the south side of the Dee in Kincardineshire. This property came like Balantrodach to the Hospitallers upon the fall of the Templars. It formed the Barony of Maryculter, which was held by the Lords of Council and Session in 1548 to belong to the preceptory in free regality, having been 'in tymes bypast replegit fra the Schiref of Kincardin & his deputis to the fredome & privelege of the said regalite & baillies courttis thairof.'[2]

We know that Alexander Seton, guardian of the house of S. John of Jerusalem at Torphichen (1345-6)[3], belonged to a family connected by ties both of marriage and of patriotism with the cause of Bruce, and possibly King Robert had facilitated the gaining by the Hospitallers of effective possession of the extensive estates of the Templars in the north. Of the seven churches which the Order possessed in Scotland, four were in the Aberdeenshire district.[4] Thus we have evidence of the strong position which the Knights eventually occupied in the north-east of Scotland. Maryculter, although itself a small preceptory or camera,

[1] The churches belonging to the Order seem to have been (1) Torphichen, (2) Temple of Balantrodach, the original chapel of the Templars, (3) Maryculter in Kincardineshire, (4) Inchinnan in Renfrewshire, (5) Kilbathock or Kinbattoch, the old name of Towie parish, Aberdeenshire (see *Chartulary of Torphichen*, p. 6), (6) Aboyne, regarding which early in the eighteenth century we learn that 'the Church is but a little edifice and thatched with heather without a bell,' (7) Tullich (*Chartularies of Torphichen and Drem*, p. 9).

[2] *Register of Privy Council*, vol. i., 1545-69.

[3] *Report Hist. MSS. Commission*, v. 646; Robertson, *Index*, p. 16, 29.

[4] These were Maryculter, Kilbathock [Towie], Aboyne, and Tullich.

was clearly a centre of influence of an Order owning large possessions in the neighbourhood, which were controlled and administered from it.

It will be observed that in the same month in which this bull of the Grand Master was granted, Alexander de Lychtoun had a safe conduct to proceed to the Convent at Rhodes in such manner as he pleased, with sufficient retinue (*equis et armis*), and to return. He required this in order to attend the General Chapter of the Order, which was to be held forthwith. It would thus appear that he was the only one of the three Scottish brethren who attended the Assembly at Avignon, and that his presence at Rhodes was desired for a full and final adjustment of the matters now put upon a basis holding out the prospect of a satisfactory *modus vivendi* in Scotland. What took place at Rhodes we know not, but we do know that he retained his position in the Order, and returned to Scotland, and we possess indications that his interest lay in the north. Probably he made his residence at Maryculter on the Dee, as we find that, in 1422, he was a witness at Aberdeen to an important charter. He is the first witness, and is styled 'Alexander de Lychtoun, Knight, Prior of the house of Torfychyne.'[1] He was a relative, probably a brother, of Henry de Lychtoun, Bishop first of Moray and afterwards of Aberdeen, a great builder who completed the walls of the Cathedral of Aberdeen and erected the two western towers.[2] The bishop's effigy and epitaph are to be found at S. Machar's.

'Friar Alexander de Lychtone Knight prior of Torphikyn and guardian and governor of all the lands of Saint John of Jerusalem within the realm of Scotland,' granted, in 1423, a charter of confirmation as superior, by which he confirmed a mortification of certain lands in the regality of the Garioch, for the purpose of founding a chaplainry at the altar of S. Mary the Virgin, situated in the south choir of the Church of Aberdeen. Bishop Henry, Alexander Stewart, Earl of Mar and Garioch, 'the hero of Harlaw,' and his son Thomas Stewart, Lord of 'B'onach' [Badenoch] are the three first witnesses. Sir Alexander's close connexion with the Bishop doubtless was the reason of the privileges of his order being engrossed for preservation, as we

[1] *Reg. Mag. Sigilli*, 23 Jac. I. No. 111. If the word 'Prior' is used strictly, it indicates that he was head of the province of Scotland.

[2] *Macfarlane's Geographical Collections*, ii. 486. Mr. William Kelly, A.R.S.A., architect, author of *St. Machar's Cathedral*, has kindly lent his drawings and given valuable information.

find them, in the *Registrum Album* of the Bishopric of Aberdeen.[1] It appears that early in his career he held the office of rector of the hospital of S. Peter, which Bishop Matthew of Aberdeen founded in the twelfth century. This, along with the endowments, he resigned into his relative the bishop's hands, the deed recording the transaction bearing that the bishop had come to the conclusion that the management of the hospital had been for a long time lax, and the original purpose of charitable hospitality towards the poor and infirm had not been observed.[2] The Leightons were kinsmen of Robert, Duke of Albany, Regent of Scotland, which fact accounts in part for their influential position.[3] Sir Alexander de Leighton must have been dead before October 14, 1427, for at that date 'Brother Thomas Gudwyn and John Ledal, Esquire (*Scutifer*), and of the king's household, were appointed procurators of the house of the hospital of S. John of Jerusalem, for directing, governing, and levying the lordships and possessions of the said hospital in Scotland during the king's pleasure.'[4] This appointment was of course only temporary during a vacancy, and the nomination of Thomas Goodwin as one of the procurators shows that he (who it will be recollected got the Church of Balantrodach or Temple) was trusted by the king (James I.) as a suitable administrator. Ledal, his colleague, is apparently a layman, and possibly was not a member of the Order.

By the year 1432 Sir Andrew Meldrum emerges as on his way to Rhodes with six attendants, and by the autumn of the following year he had reached Flanders on his return with a retinue of six persons and horses, etc.[5] His chaplain, Sir John Kyndeloch (Kinloch) appears as accompanying him in 1438 to England.[6] He and Thomas of Torphichen, Chaplain—probably Thomas Goodwin—figure in the Exchequer Accounts for the same year as having received between them £23 6s. 8d. in lieu of the teinds (*decimae garbales*) of the Churches of 'Obyne' and 'Kylbethow' (Towie), which had been diverted two years before by royal authority to the maintenance of the king and court at the Castle

[1] The documents are Bulls of Pope Honorius III. and Pope Alexander IV. in favour of the Templars and those of Innocent IV. in favour of the Hospitallers. *Reg. Epis. Aberdon.* ii. p. 259 ff.

[2] *Reg. Epis. Aberdon.* i. p. 228.

[3] Bliss, *C.P.R. Petitions*, i. 639.

[4] *Reg. Mag. Sigilli*, 22 Jac. I. No. 104.

[5] Bain, *Calendar*, iv. 1058, 1066.

[6] *Ibid.* 1117.

of Kildrummy.[1] He is there styled Sir Andrew of Melgdrum, Knight, Master of Torphichen.

We have attempted to deal somewhat in detail with the economic and financial aspect of the administration of the Hospitallers in Scotland in the fifteenth century, because it tends to throw light upon the state and resources of the country at that period, a subject not, perhaps, adequately handled in political histories.

A considerable amount of material bearing upon the properties of the Hospitallers has been collected and published by the late Mr. James Maidment, Advocate, from MSS. in the Advocates' Library, Edinburgh, and other private sources. Among these he has printed an *Abstract of the Charters and other papers recorded in the Chartulary of Torphichen.* This was taken from a document, now lost, produced in the Court of Session in 1782. The *Abstract* embraces a period of fifteen years between 1581 and 1596. In those fifteen years the deeds granted by the superior (Lord Torphichen) to his vassals and tenants, and registered for preservation, number upwards of eight hundred; and these deal with properties scattered over the whole country from Inverness to Wigtown—excluding the West Highlands—in the somewhat pompous phraseology of the record itself *à lie limitibus versus Angliam et sic descendendo per totum regnum ab dictis limitibus usque ad Orchades.*

JOHN EDWARDS.

APPENDIX.

[*Lib. Bull. Mag. Vol. xxvii. f.* 130.]

TEXT.	TRANSLATION.
ANGLIE HYBERNIE & SCOCIE CXXX	ENGLAND IRELAND AND SCOTLAND.
Frater Philibertus de Nailhaco etc. Attendentes in quanta possunt nostre religionis bona redditus prouentus Iura et dominia debite regiminis ob defectum cadere detrimenta Quodque prouisionis huiusmodi nobis onus incumbit Notum facimus uniuersis presentes literas inspecturis quod post multiplicium nostre religionis	Brother Philibert de Nailhac &c. Recognising what great damage to the goods, returns, revenues, rights and lordships of our Order may result from want of proper administration, and that the burden of making provision of this nature lies upon us, We make known to all men by these presents that after

[1] *Exchequer Rolls*, v. p. 35.

TEXT.

negociorum arduorum in nostra presenti assembleya tractatorum salubrem epedicionem (sic) regiminis bonorum prefate religionis in regno Scocie existencium nostrorumque trium fratrum inibi commorancium videlicet Alexandri de Lahton Johannis Benyn et Thome Gudwyn status condecenciam (sic) nostre consideracionis aciem dirigentes audita relacione religiosorum in Christo nobis carissimorum fratrum Johannis de Autuno de Bellacomba Garcie de Turribus legum doctoris de Villa francha de Penedes preceptoris et Pascalis Martini de Torrella prioris ecclesie Montessoni per nos et dictam Assambleyam ad inquisicionem extimacionis bonorum omnium que Iamdicta Religio in dicto regno Scocie hactenus habuit et possedit et de presenti habet et possidet deputatorum et specialiter commissorum pro bono pacis unionis et concordie fraternalis dilectionis nutriendarum inter prenominates fratres ac conservacione bonorum et Iurium dicte Religionis in eodem Regno existencium De voluntate consilio et assensu Religiosorum in Christo nobis Carissimorum fratrum Galteri Crassi decretorum doctoris prioris ecclesie conuentualis nostri Rodi Johannis Gamelli preceptoris Vallifranche procuratoris nostri Rodi conuentus Johannis Flote Sancti Egidii Gauffridi de Canadal Catalonie prioris Petri Pignatelli Anthonii de Verneto forensis Johannis de Patria de Tenale Thesaurarii dicti Conuentus Petri de Galberto Arelatensis Karoli de Busca Johannis Dotun de Bella comba Bailliui insule nostre Rodi Guillelmi de Sancto Juliano de Marchia Philiberti de Aqua de Maloleone Anthonii de Sancto Amendo de Bignes Georgii de

TRANSLATION.

the satisfactory adjustment of many difficult affairs of our Order dealt with in our present assembly, bestowing keen consideration upon the administration of the goods of the said Order within the realm of Scotland and upon a suitable provision for our three brethren residing there, viz. Alexander de Lahton John Benyn and Thomas Gudwyn and having heard the views of our dearest brethren in Christ John d'Autun de Bellacombe Garcia de Tours Doctor of Laws of Villafrancha del Panadés preceptor and Pascal Martini de Torrellas prior of the Church of Montressa commissioned and specially appointed by us and the said assembly for the investigation of the value of all the property which the beforenamed Order in the said realm of Scotland has hitherto owned and possessed and at present owns and possesses, and for the blessing of the cultivation of peace, union, and brotherly affection among the said brethren, and also for the conservation of the property and legal rights of the said Order existing within the said realm By will, advice and consent of our very dear and reverend brethren in Christ, Walter Crassi, Doctor of Decrees prior of the conventual Church of our island of Rhodes, John Gamelli, preceptor of Villafrancha procurator of our convent at Rhodes, John Flote of Saint Gilles, Geoffrey de Canadal, prior of Catalonia, Peter Pignatelli, Anthony de Vernet Advocate, John de Patria de Tenale Treasurer of the said Convent, Peter de Galbert of Arles, Charles de Busca, John d'Autun de Bellacombe Bailiff of our Island of Rhodes, William of Saint Julian de Marchia, Philibert de Aqua de

TEXT.

Crinellis Auinionensis Michaelis Ferrendi Verone Petri de Limam de Terrento et de Cinqua Pascalis Martini prioris Montissoni Ludouici de Galbis Barchinonensis Dalmacii Patruai de Maillorqua Johannis de Bellagut degreynencis Grasie de Turribus legum doctoris de Villafrancha de Penendes Johannis de Villafrancha Gabrielis de Gabalbis de Aqua Vina Bernardi de Quosqueri de Salnera Michaelis de Pena de Nouasso Gabrielis de Asineriis Montistalerii Johannis Gerandi Sancti Petri Anecii preceptoris Petri Medici Raymondi Delmas Freschine de Pereya Aymory de Sesselo Clementis de Trecis et Reginaldi Parui clerici ac aliorum fratrum nostrorum plurium in nostre assembleye celebratione nobis assistencium Voluimus et Ordinauimus Volumusque et per presentes Ordinamus in modo qui sequitur Primo eidem fratri Johanni Benyn assignamus ecclesiam de Torfychin quod decimas oblaciones et alia obveniencia ratione cure animarum unacum firmis terre de Locharis infra dominium de Torfachin que omnia ducentos sexaginta francos computando sexdecim solidos Parisienses pro quolibet franco valent annuatim Item eidem fratri Thome Gudwyn pariter assignamus ecclesiam de Bartrodoch quod decimas et oblaciones et obveniencia ratione cure animarum cum duobus molendinis et cum firmis terrarum Hudspeth et Esperstoun et Utherstoun que omnia centum quadraginta francos secundum predictum valorem ascendunt communiter annuatim Omnia vero alia emolumenta et introitus dicte religionis in eodem regno existencia tam dominia iuridicionalia qualiacunque dicti loci de Torfychin

TRANSLATION.

Mauleon Anthony de Saint Amand de Bigny, George de Crinelli of Avignon, Michael Ferrend of Verona Peter de Limam de Terrent and de Cinqua, Pascal Martini prior of Montisson, Louis de Galbi of Barcelona, Dalmacius Patruai of Majorca, John de Bellagut de Greynan, Garcia de Turris Doctor of Laws of Villafrancha del Penedes John de Villafrancha Gabriel de Gabalbis de Aqua-vina, Bernard de Quosquer de Salnera Michael de Pena de Novaes, Gabriel de Asnières Montisvalerii (Montvalérien) John Geraud of St. Peter's of Annecy, Preceptor, Peter Medicus, Raymund Delmas, Freskin de Pereya, Aymory de Sesselo, Clement de Trecis and Reginald Small clerk and numerous other brethren present and taking part in the business of our assembly Have Willed and Ordained and Do by these presents Will and Ordain in manner following: In the first place we assign to the said brother John Benyn the church of Torfychin, the teinds oblations and other emoluments by reason of the cure of souls along with the rents of the land of Locharis within the Barony of Torfachin all which amount together annually to two hundred and sixty pounds computing sixteen Parisian shillings for each pound: Also to the said Brother Thomas Gudwyn, preceptor, We Assign the Church of Bartrodoch, the teinds and oblations and emoluments by reason of the cure of souls with the two mills and with the rents of the lands of Hudspeth and Esperstoun and Utherstoun all which amount together annually to one hundred and forty pounds according to the foresaid value: But all other emolu-

TEXT.

quam de aliis quibuscunque locis eidem nostre Religioni pertinentibus eidem fratri Alexandro remanebunt Eisdem tribus fratribus quadringenta scuta auri vel eorum valorem advaluatum ad quadringentos quinquaginta francos computandos decem et octo solidos Parisienses pro quolibet scuto, nostro communi thesauro singulis annis per eos soluenda cuilibet scilicet pro sua rata de voluntate consilio et assensu predictis imponenda videlicet fratri Johanni Benyn scuta septuaginta unum dicto vero fratri Thome Goudwyn scuta xxxix et eidem fratro (sic) Alexandro de Lychon scuta ducenta octoginta nouem que simul iuncta ad summam predictorum quadringentorum scutorum ascendunt Hoc autem usque ad nostrum Generale Capitulum Rodi Diuina fauente clemencia proximo celebrandum in quo de hiis penitus concludetur firma et stabilia manere volumus, et interim per iam nominatos fratres inuiolabiliter obseruari: Datum Auinioni die undecima mensis Augusti Anno Incarnacionis Domini Millesimo cccc^{mo} xviii^{mo}

TRANSLATION.

ments and dues of entry of the said religious Order existing in the said Kingdom as well jurisdictional lordships of every kind of the said Place of Torfychin as of all other Places belonging to our religious Order shall remain in the possession of the said Brother Alexander: The said three Brethren paying each year to our common treasury four hundred gold crowns or their estimated value, calculated at four hundred and fifty pounds reckoning eighteen shillings of Paris for each crown, this sum being assessed to each *pro rata* by will advice and assent aforesaid, namely to brother John Benyn seventy-one crowns, to the said brother Thomas Goudwyn thirty-nine crowns and to the said brother Alexander de Lychon two hundred and eighty-nine crowns which added together amount to the foresaid sum of four hundred crowns: This however We desire to remain firm and stable until our next general Chapter to be held at Rhodes by Divine favour in which a definite arrangement shall be come to, and meanwhile to be observed inviolably by the foresaid three brethren: Given at Avignon upon the eleventh day of the month of August in the year of the Incarnation of our Lord 1418.

Item die xxiij^{a} mensis Augusti anno et loco predictis, data fuit licencia fratri Alexandro de Lychtoun de Scocia eundi ad Conuentum Rodi quomodo voluerit cum equis et armis sufficientibus secundum statuta &c et deinde redeundi &c.

Item, upon the twenty-third day of the month of August, year and place before written there was given licence to Brother Alexander de Lychtoun of Scotland to proceed to the Convent at Rhodes in what manner may please him with suitable horses and armed retinue conform to the Statutes &c. and to return thence &c.

Chronicle of Lanercost[1]

ALL lepers who could be found in nearly all parts across the sea as far as Rome, were burnt; for they had A.D. 1321. been secretly hired at a great price by the Pagans to poison the waters of the Christians and thereby to cause their death.

In summer of the same year Humfrey de Bohun, Earl of Hereford, Sir John de Mowbray, Sir Roger de Clifford, with many other barons, knights, esquires and a great force of other horse and foot, entered the March of Wales, and speedily took and occupied without opposition the various castles of Sir Hugh Despenser the younger, who was, as it were, the King of England's right eye and, after the death of Piers de Gavestoun, his chief counsellor against the earls and barons. These castles they despoiled of treasure and all other goods, and put keepers therein of their own followers; also they seized the king's castles in those parts, and although they removed the king's arms and standard from the same, they declared that they were doing all these things, not against the crown, but for the crown and law of the realm of England. But all these things were done by advice and command of the Earl of Lancaster. These earls and barons were specially animated against the said Sir Hugh because he had married one of the three sisters among whom the noble earldom of Gloucester had been divided, and because, being a most avaricious man, he had contrived by different means and tricks that he alone should possess the lands and revenues, and for that reason had devised grave charges against those who had married the other two sisters, so that he might obtain the whole earldom for himself.

The aforesaid [knights], then, holding the castles in this manner and prevailing more and more against the king from day to day, in the following autumn they, as it were, compelled the king to hold a parliament in London and to yield to their will in all things.

[1] See *Scottish Historical Review*, vi. 13, 174, 281, 383; vii. 56, 160, 271, 377; viii. 22, 159, 276, 377.

In this parliament Sir Hugh Despenser the younger was banished for ever, with his father and son, and all their property was confiscated.

Now after the Epiphany,[1] when the truce between the kingdoms lapsed, the Scottish army invaded England and marched into the bishopric of Durham, and the Earl of Moray remained at Darlington. But James of Douglas and the Steward of Scotland went forward plundering the country in all directions, one of them raiding towards Hartlepool and the district of Cleveland, the other towards Richmond. The people of Richmond county, neither having nor hoping to have any defender now as formerly, bought off the invaders with a great sum of money. This time the Scots remained in England a fortnight and more; and when the northern knights came to the Earl of Lancaster at Pontefract, where he usually dwelt, ready to fight against the Scots if he would assist them, he feigned excuse; and no wonder! seeing that he cared not to take up arms in the cause of a king who was ready to attack him.

Howbeit, as time went on, the king, through the efforts of some of his adherents, drew to his party by large gifts and promises the citizens of London and other southerners, earls as well as barons and knights. And he granted leave for the said two exiles to return,[2] received them to his peace, and caused this to be publicly proclaimed in London.

When this report was received, the party of the Earl of Lancaster besieged the king's castle of Tykhill with a large army; and thus war was declared and begun in England, and the enmity between the king and the earl was made manifest.

When, therefore, the whole strength of the king's party south of Trent was assembled at Burton-upon-Trent, some 60,000 fighting men, in the second week of Lent, about the feast of the Forty Martyr Saints,[3] the Earl of Lancaster and the Earl of Hereford (who had married the king's sister) attacked them with barons, knights and other cavalry, and with foot archers; but the earl's forces were soon thrown into confusion and retired before the king's army, taking their way towards Pontefract, where the earl usually dwelt. The king followed him with his army at a leisurely pace, but there was no slaughter to speak of on either side; and although the earl would have awaited the king there and given him battle, yet on the advice of his people he retired with his army into the northern district.

[1] 6th January, 1322. [2] The Despensers. [3] 10th March, 1322.

Now when that valiant and famous knight, Sir Andrew de Harcla, Sheriff of Carlisle, heard of their approach, believing that they intended to go to Scotland to ally themselves with the Scots against the King of England, acting under the king's commission and authority, he summoned, under very heavy penalties, the knights, esquires and other able men of the two counties, to wit, Cumberland and Westmorland, all who were able to bear arms, to assemble for the king's aid against the oft-mentioned earl. But when the said Sir Andrew, on his march towards the king with that somewhat scanty following, had spent the night at Ripon, he learnt from a certain spy that the earl and his army were going to arrive on the morrow at the town of Boroughbridge, which is only some four miles distant from the town of Ripon. Pressing forward, therefore, at night, he got a start of the earl, occupying the bridge of Boroughbridge before him, and, sending his horses and those of his men to the rear, he posted all his knights and some pikemen on foot at the northern end of the bridge, and other pikemen he stationed in schiltrom, after the Scottish fashion, opposite the ford or passage of the water, to oppose the cavalry wherein the enemy put his trust. Also he directed his archers to keep up a hot and constant discharge upon the enemy as he approached. On Tuesday, then, after the third Sunday in Lent, being the seventeenth of the kalends of April,[1] the aforesaid earls arrived in force, and perceiving that Sir Andrew had anticipated them by occupying the north end of the bridge, they arranged that the Earl of Hereford and Sir Roger de Clifford (a man of great strength who had married his daughter) should advance with their company and seize the bridge from the pikemen stationed there, while the Earl of Lancaster with the rest of the cavalry should attack the ford and seize the water and the ford from the pikemen, putting them to flight and killing all who resisted; but matters took a different turn. For when the Earl of Hereford (with his standard-bearer leading the advance, to wit, Sir Ralf de Applinsdene) and Sir Roger de Clifford and some other knights, had entered upon the bridge before the others as bold as lions, charging fiercely upon the enemy, pikes were thrust at the earl from all sides; he fell immediately and was killed with his standard-bearer and the knights aforesaid, to wit, Sir W. de Sule and Sir Roger de Berefield; but Sir Roger de Clifford, though grievously wounded with pikes and arrows, and driven back, escaped with difficulty along with the others.

[1] 16th March, 1322.

The Earl [of Lancaster's] cavalry, when they endeavoured to cross the water, could not enter it by reason of the number and density of arrows which the archers discharged upon them and their horses. This affair being thus quickly settled, the Earl of Lancaster and his people retired from the water, nor did they dare to approach it again, and so their whole array was thrown into disorder. Wherefore the earl sent messengers to Sir Andrew, requesting an armistice until the morning, when he would either give him battle or surrender to him. Andrew agreed to the earl's proposal; nevertheless he kept his people at the bridge and the river all that day and throughout the night, so as to be ready for battle at any moment.

But during that night the Earl of Hereford's men deserted and fled, because their lord had been killed, also many of the Earl of Lancaster's men and those of my Lord de Clifford and others deserted from them. When morning came, therefore, the Earl of Lancaster, my Lord de Clifford, my Lord de Mowbray and all who had remained with them, surrendered to Sir Andrew, who himself took them to York as captives, where they were confined in the castle to await there the pleasure of my lord the king.

The king, then, greatly delighted by the capture of these persons, sent for the earl to come to Pontefract, where he remained still in the castle of the same earl; and there, in revenge for the death of Piers de Gaveston (whom the earl had caused to be beheaded), and at the instance of the earl's rivals (especially of Sir Hugh Despenser the younger), without holding a parliament or taking the advice of the majority, caused sentence to be pronounced that he should be drawn, hanged and beheaded. But, forasmuch as he was the queen's uncle and son of the king's uncle, the first two penalties were commuted, so that he was neither drawn nor hanged, only beheaded in like manner as this same Earl Thomas had caused Piers de Gaveston to be beheaded. Howbeit, other adequate cause was brought forward and alleged, to wit, that he had borne arms against the King of England in his own realm; but those who best knew the king's mind declared that the earl never would have been summarily beheaded without the advice of parliament, nor so badly treated, had not that other cause prevailed, but that he would have been imprisoned for life or sent into exile.

This man, then, said to be of most eminent birth and noblest of Christians, as well as the wealthiest earl in the world, inasmuch

as he owned five earldoms, to wit, Lancaster, Lincoln, Salisbury, Leycester and Ferrers, was taken on the morrow of S. Benedict Abbot[1] in Lent and beheaded like any thief or vilest rascal upon a certain hillock outside the town, where now, because of the miracles which it is said God works in his honour, there is a great concourse of pilgrims, and a chapel has been built. In the aforesaid town Sir Garin de l'Isle, a king's baron, also was drawn and hanged, and three knights with him. But the aforesaid Sir Andrew [de Harcla] was made Earl of Carlisle for his good service and courage.

Besides the decollation of the most noble Earl of Lancaster at Pontefract, and the slaying of the Earl of Hereford and two knights at Boroughbridge, eight English barons, belonging to the party and policy of the earl and his friends, were afterwards drawn and hanged, as I have been informed, and one other died in his bed, it is believed through grief. Four others were taken and immediately released; ten others were imprisoned and released later. Also fifteen knights were drawn and hanged; one died in his bed, and five escaped and fled to France; five were taken and released at once, and sixty-two were taken and imprisoned, but were released later. O the excessive cruelty of the king and his friends!

In addition to all these aforesaid, the following barons were taken with the earl at Boroughbridge and in the neighbourhood: Sir Hugh de Audley,[2] who owned a third part of the earldom of Gloucester, Sir John Giffard,[3] Sir Bartholomew de Badlesmere,[4]

[1] 22nd March, 1321-22.

[2] Sir Hugh de Audley of Stratton Audley, youngest son of James Audley or de Aldithley of Heleigh, co. Stafford: created baron by writ in 1321. After being taken at Boroughbridge he was confined in Wallingford Castle, whence he is said to have escaped and afterwards to have been pardoned. His second son, Hugh, was created baron by writ during his father's life, 1317. He also was taken at Boroughbridge, but was pardoned and summoned again to parliament in 1326. He was created Earl of Gloucester in 1336-37. He married Margaret de Clare, Countess of Cornwall, widow of Piers Gavestoun.

[3] Sir John Giffard, called *le Rych*, of Brimsfield, Gloucestershire, was son of that John Giffard who took prisoner Llewelyn, Prince of Wales, and beheaded him in 1282. He was Constable of Glamorgan and Morgannoe Castles, and was hanged at Gloucester.

[4] Sir Bartholomew de Badlesmere in Kent, summoned as baron by writ 1309-21; hanged at Canterbury, 22nd April, 1322. His wife Margaret, aunt and co-heir of Thomas de Clare, refused to admit Queen Isabella to the royal castle of Leeds (Kent) in 1321, was besieged there, and, having been taken on 11th November, 1321, was imprisoned in the Tower, but was afterwards released.

Sir Henry de Tyes,[1] Sir John de Euer,[2] Sir William Touchet,[3] Sir Robert de Holand,[4] Sir Thomas Maudent.[5] Now Sir John de Mowbray[6] and Sir Roger de Clifford,[7] were drawn and hanged at York with Sir Jocelyn de Dayvile, a knight notorious for his misdeeds; but Sir Bartholomew de Badlesmere was taken near Canterbury, and was there drawn, hanged and beheaded. Sir Henry Tyes was drawn and hanged in London, each of them in his own district for their greater disgrace, except the aforesaid Sir Hugh de Audley and others. Also there were imprisoned at York about sixty-seven knights, but most of these afterwards obtained the king's pardon.

After this the king held his parliament at York, and there Hugh Despenser the elder, sometime exiled from England, was made Earl of Winchester.

About this time the question was raised and discussed in various consistories and before the Pope, whether it was heresy to say that Christ owned no private property nor even anything in common; the Preaching Friars held that it was [heresy] and the

[1] Sir Henry de Tyes of Shirburn, Oxon., baron by writ, 1313-21, was beheaded. He was brother-in-law of Sir Warine de Lisle.

[2] Sir John de Euer. I find no baron summoned under this name till 1544, when Sir William Eure or Evers of Wilton, co. Durham, appears as Lord Eure, Baron of Wilton. His father and he were successive Wardens of the East Marches, and his son and grandson Wardens of the Middle Marches.

[3] Sir William Touchet was probably the same who was summoned as baron by writ, 1299-1306. He belonged to Northamptonshire, and subscribed the famous letter to the Pope in 1301 as *Willielmus Touchet dominus de Levenhales.*

[4] Sir Robert de Holand, co. Lancaster, baron by writ, 1314-21. He married Maud, 2nd daughter of Alan, Lord Touche of Ashley, and acted as secretary to Thomas, Earl of Lancaster; but, having failed to support him in his rebellion, he was taken by some of the earl's adherents near Windsor as late as 1328, and beheaded on 7th October.

[5] Sir Thomas Maudent. There is no trace of a baron of this name in Edward II.'s parliaments; though Sir John Mauduit of Somerford Mauduit, Wilts., was summoned in 1342 to Edward III.'s parliament.

[6] Sir John de Mowbray of the Isle of Axholme, co. Lincoln, had done excellent service in the Scottish war. That he was concerned in Lancaster's rebellion is one of the many proofs of the despair which the best men in the realm entertained of any good coming from Edward II. He was Warden of the Marches and Sheriff of Yorkshire in 1312-13, and was hanged at York in 1322. But there was no attainder, and the present Lord Mowbray claims, as 24th baron, to be the senior of his degree.

[7] Sir Roger de Clifford of the county of Hereford, son of Sir Robert killed at Bannockburn. According to some accounts, he was alive in the reign of Edward III. He was the second baron: the present Lord de Clifford is the 26th baron.

Minorite Friars that it was not, chiefly on the strength of that decretal in Sextus—*Exiit quod seminat.* Of the cardinals and other seculars, some held one opinion, others another.

The king mustered an army in order to approach Scotland about the feast of S. Peter ad Vincula;[1] hearing of which Robert de Brus invaded England with an army by way of Carlisle in the octave before the Nativity of S. John the Baptist,[2] and burnt the bishop's manor at Rose,[3] and Allerdale, and plundered the monastery of Holm Cultran, notwithstanding that his father's body was buried there; and thence proceeded to waste and plunder Copeland, and so on beyond the sands of Duddon to Furness. But the Abbot of Furness went to meet him, and paid ransom for the district of Furness that it should not be again burnt or plundered, and took him to Furness Abbey. This notwithstanding, the Scots set fire to various places and lifted spoil. Also they went further beyond the sands of Leven to Cartmel, and burnt the lands round the priory of the Black Canons,[4] taking away cattle and spoil: and so they crossed the sands of Kent[5] as far as the town of Lancaster, which they burnt, except the priory of the Black Monks and the house of the Preaching Friars. The Earl of Moray and Sir James of Douglas joined them there with another strong force, and so they marched forward together some twenty miles to the south, burning everything and taking away prisoners and cattle as far as the town of Preston in Amoundness, which also they burnt, except the house of the Minorite Friars. Some of the Scots even went beyond that town fifteen miles to the south, being then some eighty miles within England; and then all returned with many prisoners and cattle and much booty; so that on the vigil of S. Margaret Virgin[6] they came to Carlisle, and lay there in their tents around the town for five days, trampling and destroying as much of the crops as they could by themselves and their beasts. They re-entered Scotland on the vigil of S. James the Apostle,[7] so that they spent three weeks and three days in England on that occasion. A.D. 1322.

The King of England came to Newcastle about the feast of S. Peter ad Vincula,[8] and shortly afterwards invaded Scotland

[1] 1st August. [2] 17th June.

[3] About seven miles from Carlisle. [4] Austin Canons.

[5] The river Kent, between Westmorland and Lancashire whence Kendal takes its name, *i.e.* Kent dale.

[6] 12th July. [7] 24th July. [8] 1st August.

with his earls, barons, knights and a very great army; but the Scots retired before him in their usual way, nor dared to give him battle. Thus the English were compelled to evacuate Scottish ground before the Nativity of the Glorious Virgin,[1] owing as much to want of provender as to pestilence in the army; for famine killed as many soldiers as did dysentery.

After the retreat of the King of England the King of Scotland collected all his forces, both on this side of the Scottish sea[2] and beyond it, and from the Isles and from Bute and Arran,[3] and on the day after the feast of S. Michael[4] he invaded England by the Solway and lay for five days at Beaumond, about three miles from Carlisle, and during that time sent the greater part of his force to lay waste the country all around; after which he marched into England to Blackmoor[5] (whither he had never gone before nor laid waste those parts, because of their difficulty of access), having learned for a certainty from his scouts that the King of England was there. The king, however, hearing of his approach, wrote to the new Earl of Carlisle,[6] commanding him to muster all the northern forces, horse and foot, of his county and Lancaster, that were fit for war, and to come to his aid against the Scots. This he [Carlisle] did, having taken command of the county of Lancaster, so that he had 30,000 men ready for battle; and whereas the Scots were in the eastern district, he brought his forces by the western district so as to reach the king. But the Scots burnt the villages and manors in Blackmoor, and laid waste all that they could, taking men away as prisoners, together with much booty and cattle.

Now my lord John of Brittany, Earl of Richmond, having been detached with his division by the king to reconnoitre the army of the Scots from a certain height between Biland Abbey and Rievaulx Abbey, and being suddenly attacked and surprised by them, attempted by making his people hurl stones to repel their assault by a certain narrow and steep pass in the hill; but the Scots forced their way fiercely and courageously against them; many English escaped by flight and many were made prisoners,

[1] 8th September. [2] The Firths of Forth and Clyde.

[3] *De Brandanis:* the Atlantic was known as *Brendanicum mare.*

[4] 30th September.

[5] *Blakehoumor*, Blackmoor in the North Riding, the old name of the moorland south of Cleveland.

[6] Sir Andrew de Harcla.

including the aforesaid earl. Justly, indeed, did he incur that punishment, seeing that it was he himself who had prevented peace being made between the realms.

When this became known to the King of England, who was then in Rievaulx Abbey, he, being ever chicken-hearted and luckless in war and having [already] fled in fear from them in Scotland, now took to flight in England, leaving behind him in the monastery in his haste his silver plate and much treasure. Then the Scots, arriving immediately after, seized it all and plundered the monastery, and then marched on to the Wolds, taking the Earl [of Richmond] with them, laying waste that country nearly as far as the town of Beverley, which was held to ransom to escape being burnt by them in like manner as they had destroyed other towns.

Now when the aforesaid Earl of Carlisle heard that the king was at York, he directed his march thither in order to attack the Scots with him and drive them out of the kingdom; but when he found the king all in confusion and no army mustered, he disbanded his own forces, allowing every man to return home. The Scots on that occasion did not go beyond Beverley, but returned laden with spoil and with many prisoners and much booty; and on the day of the Commemoration of All Souls[1] they entered Scotland, after remaining in England one month and three days. Wherefore, when the said Earl of Carlisle perceived that the King of England neither knew how to rule his realm nor was able to defend it against the Scots, who year by year laid it more and more waste, he feared lest at last he [the king] should lose the entire kingdom; so he chose the less of two evils, and considered how much better it would be for the community of each realm if each king should possess his own kingdom freely and peacefully without any homage, instead of so many homicides and arsons, captivities, plunderings and raidings taking place every year. Therefore on the 3rd January [1323] the said Earl of Carlisle went secretly to Robert the Bruce at Lochmaben and, after holding long conference and protracted discussion with him, at length, to his own perdition, came to agreement with him in the following bond. The earl firmly pledged himself, his heirs and their adherents to advise and assist with all their might in maintaining the said Robert as King of Scotland, his heirs and successors, in the aforesaid independence, and to oppose with all their force all those who would not join in nor even consent to the said treaty,

[1] 1st November.

as hinderers of the public and common welfare. And the said Robert, King of Scotland, pledged himself upon honour to assist and protect with all his might the said earl and all his heirs and their adherents according to the aforesaid compact, which he was willing should be confirmed by six persons each [kingdom] to be nominated by the aforesaid king and earl. And if the King of England should give his assent to the said treaty within a year, then the King of Scots should cause a monastery to be built in Scotland, the rental whereof should be five hundred merks, for the perpetual commemoration of and prayer for the souls of those slain in the war between England and Scotland, and should pay to the King of England within ten years 80,000 merks of silver, and that the King of England should have the heir male of the King of Scotland in order to marry to him any lady of his blood.

On behalf of the King of Scotland my Lord Thomas Randolf, Earl of Moray, swore to the faithful fulfilment of all these conditions without fraud, and the said Earl of Carlisle in his own person, touching the sacred gospels; and written indentures having been made out, their seals were set thereto mutually.

Now the Earl of Carlisle made the aforesaid convention and treaty with the Scots without the knowledge and consent of the King of England and of the kingdom in parliament; nor was he more than a single individual, none of whose business it was to transact such affairs. But the said earl, returning soon after from Scotland, caused all the chief men in his earldom to be summoned to Carlisle, both regulars and laymen, and there, more from fear than from any liking, they made him their oath that they would help him faithfully to fulfil all the things aforesaid. But after all these things had been made known for certain to the King and kingdom of England, the poor folk, middle class and farmers in the northern parts were not a little delighted that the King of Scotland should freely possess his own kingdom on such terms that they themselves might live in peace. But the king and his council were exceedingly put out (and no wonder!) because he whom the king had made an earl so lately had allied himself to the Scots, an excommunicated enemy, to the prejudice of the realm and crown, and would compel the lieges of the King of England to rebel with him against the king; wherefore they [the king and council] publicly proclaimed him as a traitor. So the king sent word to Sir Antony de Lucy that he should endeavour to take him [Harcla] by craft; and if he should succeed in doing

so by any means, the king would reward him and all who helped and assisted him. Therefore Sir Antony, taking advantage of a time when the esquires[1] of the aforesaid earl and his other people had been scattered hither and thither on various affairs, entered Carlisle Castle on the morrow after S. Matthew the Apostle's day,[2] as if to consult with him as usual upon some household matters. With him went three powerful and bold knights, to wit, Sir Hugh de Lowther, Sir Richard de Denton, and Sir Hugh de Moriceby, with four men-at-arms of good mettle, and some others with arms concealed under their clothing. When they had entered the castle, they were careful to leave armed men behind them in all the outer and inner parts thereof to guard the same; but Sir Antony, with the aforesaid three knights, entered the great hall where the earl sat dictating letters to be sent to different places, and spoke as follows to the earl: 'My lord earl, thou must either surrender immediately or defend thyself.' He, perceiving so many armed knights coming in upon him on a sudden, and being himself unarmed, surrendered to Sir Antony.

Meanwhile the sound arose of the earl's household crying—'Treason! treason!' and when the porter at the inner gate tried to shut it against the knights who had entered, Sir Richard de Denton killed him with his own hand. Nobody else was killed when the earl was arrested, for all the earl's men who were in the castle surrendered and the castle was given up to the aforesaid Sir Antony. But one of the earl's household ran off to the pele of Highhead and informed Master Michael, the earl's cousin (an ecclesiastic) of all that had been done at Carlisle. Michael went off in haste to Scotland, and with him Sir William Blount, a knight of Scotland, and sundry others who had been particular friends of the earl. Then a messenger was sent to the king at York, to announce to him the earl's arrest and all that had taken place, that he might send word to Sir Antony how he wished the oft-mentioned earl to be dealt with.

Meanwhile, to wit, on the morning after his arrest, the earl made confession to the parish priest about his whole life, and afterwards, before dinner on the same day, to a Preaching Friar, and later to a Minorite Friar, and on the following day to the Warden of the Minorite Friars—each and all of these about the whole of his life, and afterwards repeatedly to the aforesaid Minorite; all of whom justified him and acquitted him of

[1] *Armigeri.* [2] 25th February, 1322-23.

intention and taint of treason. Whence it may be that, albeit he merited death according to the laws of kingdoms, his aforesaid good intention may yet have saved him in the sight of God.

On the feast of S. Cedda Bishop[1] (that is, on the sixth day after the earl's arrest), there arrived in Carlisle from the king a number of men-at-arms, with whom was the justiciary Sir Galfrid de Scrope, who on the next day, to wit, the 3rd of March, sat in judgment in the castle, and pronounced sentence upon the earl as if from the mouth and in the words of the king, condemning him first to be degraded and stripped of the dignity of earldom by being deprived of the sword given him by the king, and in like manner of knightly rank by striking off from his heels the gilded spurs, and thereafter to be drawn by horses from the castle through the town to the gallows of Harraby and there to be hanged and afterwards beheaded; to be disembowelled and his entrails burnt; his head to be taken and suspended on the Tower of London; his body to be divided into four parts, one part to be suspended on the tower of Carlisle, another at Newcastle-on-Tyne, a third at Bristol and the fourth at Dover.[2]

When this sentence was pronounced the earl made answer: 'Ye have divided my carcase according to your pleasure, and I commend my soul to God.' And so, with most steadfast countenance and bold spirit, as it seemed to the bystanders, he went to suffer all these pains, and, while being drawn through the town, he gazed upon the heavens, with hands clasped and held aloft and likewise his eyes directed on high. Then under the gallows, whole in body, strong and fiery in spirit and powerful in speech, he explained to all men the purpose he had in making the aforesaid convention with the Scots, and so yielded himself to undergo the aforesaid punishment.[3]

[1] 2nd March, 1322-23.

[2] It appears from the Parliamentary Writs (ii. 3,971) that the destination of the earl's quarters was to Carlisle, Newcastle, York and Shrewsbury.

[3] It is not difficult to discern in this most tragic fate of a gallant knight the influence upon the king of men who were jealous of Harcla's rapid rise. Harcla had been appointed by the king to treat with King Robert: he agreed to little more than what the king two months later was obliged to concede at Newcastle in fixing a truce for thirteen years. The terms of Harcla's indenture with King Robert are given in Bain's *Cal. Doc. Scot.* iii. 148.

(*To be continued.*)

Reviews of Books

THE COLLECTED PAPERS OF FREDERIC WILLIAM MAITLAND, DOWNING PROFESSOR OF THE LAWS OF ENGLAND. Edited by H. A. L. Fisher. Three Volumes. Vol. I, pp. ix, 497; Vol. II, pp. 496; Vol. III, pp. vi, 566. Demy 8vo. Cambridge: University Press. 1911. 30s. nett.

ALL scholars will be under a deep debt of gratitude to the Cambridge Press for publishing in three handsome volumes the scattered papers of the late Professor Maitland, and to Mr. Fisher for his prompt and careful performance of the duty of bringing the papers together from many scattered sources, arranging them in chronological order, and providing them with a copious index.

In an almost too short introduction the editor tells us how he has gone about his work. His main principle has been the wise one of bringing together the whole mass of Maitland's scattered writings. We are heartily glad of this comprehensiveness. If the early philosophical writings, such as the fellowship dissertation of 1875 and the paper on Herbert Spencer's theory of society, seem thin in comparison with later work, they are, especially the former, of real historical interest in showing the growth of Maitland's mind, and even the early formation of his characteristic style. Even the shortest note and review in the later volumes is well worth preserving, containing, as Mr. Fisher truly says, 'a new grain of historical knowledge,' or a revelation of Maitland's original thought. Mr. Fisher notes one exception to his rule of inclusion, and has no difficulty in justifying his policy of not tearing from the texts which they illustrate Maitland's eight prefaces, written for as many volumes of the Selden Society, and his introduction to the *Memoranda de Parliamento* (1305) in the Rolls Series. He might with advantage have also noted that the most important of Maitland's many contributions to the *English Historical Review* are similarly excluded, namely the papers on 'Roman Canon Law in the Church of England,' which were made sufficiently accessible by their separate publication in 1898. We miss also Maitland's 'Introduction to the Pleas of the Crown for Gloucestershire, 1221,' which has special importance as the first of his efforts to set forth in print some of the contents of the Plea Rolls. We regret also that the Rede lecture for 1901 on 'English Law and the Renaissance' was not also included, since its publication in the form of an isolated lecture has hardly given it the publicity which it deserves. If also it were thought worth while to reprint the

luminous 'Outlines of English Legal History,' which are readily accessible in the pages of *Social England*, it is hard to see why so original and characteristic a piece of Maitland's work as his chapter on the 'Anglican Settlement and the Scottish Reformation' should not also have been extracted from the second volume of the *Cambridge Modern History*. Anyhow, if the reasons against publication in each of these cases were decisive, it is a pity that they were not told to us.

Mr. Fisher has absolutely refrained from annotation in any part of this book. We entirely agree with him that what has been written since does not 'in an appreciable degree affect the permanent value of Maitland's work,' though in the two or three sentences of unrestrained eulogy that follow, Mr. Fisher does less than justice to his hero's memory by almost suggesting an infallibility which Maitland himself would have been the first to disclaim. Yet though Maitland's bold and happy use of hypothesis and analogy more than once led him to conclusions which the majority of scholars are not likely to ratify, it would, we entirely agree, have been quite unnecessary, and indeed dangerous, to make any attempt to bring his work, so to say, up to date. It is permissible, however, to think that a little more might have been done with advantage by the editor with the view of making the papers which he has republished more easily usable. The ingenious and successful attempt to mark by asterisks such of the papers as are likely to be within the capacity of the general reader is to be commended. Yet to the very meagre table of contents, which gives us nothing but the short title of the article, we should have wished that Mr. Fisher had added the date at which the paper was written and the periodical in which it first appeared. It is true that these items of information are given in its place at the head of each article, but their repetition in the contents would have been a saving of trouble. As it is, Mr. Fisher does not even tell us where we can find the two exceptions which he notes to the general rule that the pieces here given have been previously published. The same incuriousness to the reader's comfort, or reliance on his omniscience, has also, in several cases, led Mr. Fisher to suppress the name of the book, or books, which Maitland was reviewing. Yet surely when the Court Rolls of a Lincolnshire manor and samples of local inquisitions published by a Yorkshire archaeological society are reviewed by Maitland, it is not quite fair to the editors of these works to delete without a word of warning the names of the books which Maitland prefaced to his article. This omission becomes serious when, in the case of the *Quarterly Review* article on 'The Laws of the Anglo-Saxons,' the book under review is no less a work than Dr. Liebermann's great edition of the early English Law Books.

However much he may impose upon himself a self-denying ordinance, there is one species of annotation which every editor of a reprint of a work of permanent value ought to indulge in. It is, we conceive, the duty of such an editor to bring up to date the references which his author has employed. Writing in the eighties and early nineties Maitland naturally cites the editions which were the best at the time; but since he wrote, better editions have in some cases appeared, which have made these early

works comparatively obsolete, and have tended to drive them from the working library of scholars. Thus Maitland quotes in his early articles on Anglo-Saxon law the texts and references in Schmid's *Gesetze der Angel-Sachsen*. We think that when his works were reissued the corresponding references to Liebermann's much more definitive edition ought to have been given. Similarly, references to the customs of the Beauvaisis should nowadays be made to Salmon's edition rather than to Beugnot's. And though Lumby's edition of Knighton is as bad as an edition well can be, it is the edition which most scholars have on their shelves, and is therefore preferable to a reference to Twysden's *Decem Scriptores*. Moreover, when as in Vol. I, p. 238, Maitland refers to another article of his, reprinted in an earlier part of the same volume, a reference to the place, where the saying actually occurs within thirty pages of the reference to it, seems highly desirable. Fortunately, however, the mass of Maitland's work is so recent in date that corrections of this kind are rarely necessary.

'For the crimes of the index,' writes Mr. Fisher, 'the editor is solely responsible.' Some labour spent in examining the index has convinced us that the editor's breaches of the criminal code are neither numerous nor heinous. Substantially, the index is a good index, complete, thorough and accurate. It is good that it is, to some extent, an index of subjects as well as of names. It is inevitable that a subject index cannot be as complete as a nominal index, but as regards names referred to in the text those omitted in the index are few and of insignificant importance. It might be perhaps argued that if the five references to Adam, the first man, deserve to be carefully collected, the late Duke of Devonshire, who is referred to as Lord Hartington on I. 666, might also have been recorded, and that if three of the Wiltshire Deverills find place in the index, the other two which are also mentioned on Vol. II, p. 89 are worthy of a similar honour. There is a little hesitancy as to whether medieval men should be indexed under their surname or their Christian name. We have 'Alan de la Zouche' cheek by jowl with 'Anesty, Richard of,' and other instances might be added to these. Amusing results are sometimes got when justices and chief-justices are indexed with J. or C.J. after their names, without any suggestion whether it is their Christian name or the abbreviation of their title. The general knowledge of the reader may, however, be relied upon to convince him that 'Bryce, J.' is not Mr. Justice Bryce, but Mr. James Bryce, the eminent historian, though it requires more special knowledge not to differentiate between 'Blackburn, J.' and 'Blackburn, Lord,' who are separately indexed. On Vol. III, p. 546 'Battle, Priory of St. Peter at,' is a slip for Bath, and the 'Chacepore' of Vol. III, p. 548 is one of the rare printer's errors for Chaceporc. When these are the worst errors that scrutiny can discover, the editor may be safely declared to have left the court without a stain on his character.

Too much space has perhaps been devoted to niggling and pedantic criticism. Let it be said, as emphatically as possible, that they in no wise diminish our sense of obligation to Mr. Fisher for having lavished time and thought that took him far from his own special line of study in collecting and seeing through the press this remarkable collection of the occasional

papers of a great master. He will have his reward in the consciousness which all readers must have that Maitland's brilliancy, originality and versatility become more patent when the gleanings of more than a quarter of a century of his work are thus brought together consecutively within the covers of a single book.

T. F. Tout.

A History of the British Army. By the Hon. J. W. Fortescue. Vols. V and VI : From the Peace of Amiens to the Battle of Corunna. Vol. V, pp. xxi, 437 ; with 17 Plans. Vol. VI, pp. xix, 448 ; with 9 Maps. 8vo. London : Macmillan & Co., Ltd. 1910. 18s. nett per Volume.

When the story of England's great struggle with Napoleon is read as a whole, it is easy to see what a very important turning-point in the contest the battle of Trafalgar was. It drove the Emperor to employ that double-edged weapon, the Continental System, which in the end damaged him more deeply than his adversaries by turning against him the great majority of his vassals and allies. But it is highly questionable whether in the years that immediately followed Trafalgar any one can have realised that it had been more than a merely negative success, the mere destruction of a fleet which might have been used against England. Indeed, the more one studies the period, the more one realises that Trafalgar was not by itself really decisive or final. The latest instalment of Mr. Fortescue's great enterprise will do much to help towards a realisation of the true situation. The failure of Napoleon's invasion scheme and the destruction of his main fleet at Trafalgar are narrated about the middle of Vol. V, but as one reads on the situation becomes worse instead of better. Napoleon's power, so far from being diminished, spreads over the whole of Central Europe. England's efforts against him are almost invariably unsuccessful and Vol. VI closes with Moore's death at Corunna, the apparent failure of our attempt to profit by the Spanish insurrection. The greatest and most conspicuous of naval victories seemed to have brought us no nearer an honourable peace. Supremacy at sea we had acquired, but the underlying lesson of Mr. Fortescue's volumes is that supremacy at sea is only a means to an end.

The story of the years which followed Trafalgar is a record of opportunities for effective action neglected or so feebly handled as to be wasted, of a great naval victory apparently proving barren of positive results for want of an efficient army to profit by the chances it created. 'The Channel Fleet,' Lord Salisbury once remarked, 'cannot climb the mountains of Armenia' ; and if the seventy-fours of Cornwallis and Nelson could sweep the French flag off the seas, they could not prevent Austerlitz and Jena. So in these volumes one reads of opportunity after opportunity for the effective action of a British army wasted, partly because our ministers had failed to grasp the true relation between the work of the naval and military forces of the country, partly because an unsound policy in respect to the raising and organising of our military forces had left us without troops enough to use those chances. There is the failure to profit by

the chance presented us in the spring of 1807, after Eylau, when Napoleon was indeed hard pressed, there is Maida, a victory which might have been turned to splendid effect but was absolutely neglected, there are minor expeditions like the capture of Surinam which merely locked up in garrison duty troops for whom better use could have been found elsewhere, there are futile if well-meant efforts like Cathcart's expedition to the Weser in the late autumn of 1805, which resulted in a complete fiasco because our forces were not strong enough to act independently of doubtful and treacherous allies like Prussia. Worse than this one has blunders like the 1807 expedition to Egypt, and the utter waste of men and money on the Buenos Ayres venture for which no excuse or palliation can be found.

Yet there is not wanting a brighter side to the picture : Assaye with which Vol. V really opens is a prophetic beginning, a foretaste of the quality of the man who was to take up Moore's work and carry it through. And if at the moment Corunna seemed only another failure, our intervention in the Peninsula marks the adoption of that sounder military policy the gradual evolution of which can be traced through these volumes, a policy which had become possible because at last a man had come to the front who had a real idea not only of the purposes for which troops were wanted, but of the right principles by which their provision and organisation should be guided.

Indeed, it is one of the great services of these volumes that they do to some extent bring out the great work done by Castlereagh. Pitt, Addington and Windham had all tried their hands before him and had all failed. Castlereagh, taking from one scheme and another the more serviceable portions, did produce a plan based on sound principles and did achieve a far greater measure of success in providing an effective military force than any of his predecessors. As Mr. Fortescue says, 1808 marked 'a turning point no less in the reorganisation of our military forces than in their sphere of action,' and for both of these Castlereagh was largely responsible. He realised the importance of vigorously utilising the opportunity offered by the Spanish rising, of striking hard and in force at a really vulnerable point of the enemy's position ; he dropped Pitt's system, which had been copied only too faithfully by the Ministry of All the Talents, of frittering away the available troops in isolated minor enterprises, which even if wholly successful could achieve little ; what was equally important, he had made it possible to send to the Peninsula a really considerable force.

The story of the various expedients for raising troops is not a little bewildering, but it helps one to realise the importance of Castlereagh's work in setting up really sound principles. Windham had pointed out that our first need was to augment the force available for service overseas ; if we could trust the navy to secure and maintain supremacy at sea, we had no need to devote our efforts and resources to the production of forces which, like the Volunteers, could not be used abroad : what we wanted was a really effective force, capable not merely of capturing unimportant colonies and outposts, but of intervention on the Continent on behalf of our European allies on a respectable scale. To the production of such a

force all other efforts should have been subordinated, provided always that the United Kingdom was adequately equipped with forces capable of beating off raids and minor attacks, so that the fleet could feel secure of its base and so enjoy real strategic freedom.

Castlereagh's substitution of a Local Militia for the Volunteers (Vol. VI, p. 183) was a really important reform : infinitely more efficient than the incoherent, indisciplined, tumultuary levies whom they replaced, the Local Militia supplied a 'second line' force which allowed a much larger number of regulars to be sent abroad and would, had the system been properly maintained, have provided an adequate method of training the nation to arms. The whole story of the Volunteer movement, which Mr. Fortescue summarises here, having told it at greater length in his *County Lieutenancies and the Army*, is most instructive. Energy and enthusiasm, time and money were misapplied, when devoted to the production of a force which could never be of any real value was positively detrimental in as much as it competed in the never too well-supplied recruit market with forces of far greater utility. And another all important lesson is that no system of a compulsory character which allows of the vicious practice of substitution has any chance of success. It was this defect which had ruined Addington's Army of Reserve and Pitt's Additional Forces Act, by diverting into forces raised for limited service recruits who should have been drawn into the regular army. This mistake Castlereagh was careful to avoid, exemptions were allowed but not substitution, and while the ballot kept the Militia fully up to strength his method of encouraging militiamen to enlist in the line provided the regulars with a very fair supply of trained recruits.

Castlereagh then stands out clearly as the statesman who at this most critical period did most for England : he it was who was largely responsible for the expedition to Copenhagen in 1807, a stroke which, if it fell heavily on Denmark, the pawn in Napoleon's game, nipped in the bud the coalition of Baltic navies which Napoleon was planning as the first-fruits of Tilsit. Castlereagh, too, deserves the credit for the selection of Arthur Wellesley for high command in the Peninsula, and Mr. Fortescue is able to show that it is Canning who must be held responsible for the very discreditable way in which Moore was treated in connection with that expedition and with the previous one to Sweden, a venture foredoomed to failure since it had no definite purpose and depended on the co-operation of a lunatic, Gustavus IV. of Sweden. Canning suffers severely at Mr. Fortescue's hands, but the strictures are deserved : 'no military enterprise prospered while Canning remained at the Foreign Office' (VI, p. 323) is no more than the truth. One need do no more than cite his treatment of Sir Hew Dalrymple, most unjustly made the scapegoat for the convention of Cintra, when the blame, so far as it was due, belonged to the Cabinet (*ibid.* p. 252), as typical of what British officers had to expect from him.

In the course of these volumes there are many things of which mention should be made. Mr. Fortescue's powers of graphic and lucid description show to advantage in things like his account of Maida or the really excellent narrative of the great war of 1803-1805 against the Mahrattas.

Assaye is familiar to all, but how many people know the not less desperate struggle of Laswaree, or Lake's headlong chase of Holkar, or Ochterlony's defence of Delhi, or the hundred other deeds of daring and endurance which signalised the campaigns in Hindustan. Lake's generalship is well summed up—a fighting man like Ney or Blucher rather than a general of the class of Massena or Soult, 'of surpassing prowess in action,' a great disciplinarian and leader of men, a splendid fighter of battles even if his operations lacked the insight and forethought, the careful and provident organisation, the system and method of his great colleague. The little-known story of the expedition to Buenos Ayres is admirably told, and one is all the more glad to have a proper account of it because the episode is one about which, not unnaturally, very little has been written. Mr. Fortescue is deservedly severe on the headlong folly of the erratic Home Popham, and he mercilessly exposes the root of the disaster, the blunders of the Ministry, beside which Whitelocke's errors, serious and culpable as they were, became insignificant. The military lessons of the expedition may be summed up in the one word 'transport': had Whitelocke and his subordinates given to that all-important subject a little of the care and trouble habitual with Moore and Wellesley, the venture might well have had a very different result.

Of the Peninsula operations, to which the greater part of Vol. VI is devoted, Mr. Fortescue gives a most excellent account. One can give it no higher praise than to say that it adds appreciably to what Napier, Professor Oman and Sir Frederick Maurice's *Diary of Sir John Moore* have given us. He shows that there were good grounds for the detaching of Craufurd to Vigo, for Moore's decision not to fight at Astorga (VI, p. 358), for sending the guns round by Elvas (VI, p. 307). He brings out clearly and without exaggeration the results of Moore's stroke at Napoleon's communications (p. 395), showing how the move on Portugal and the siege of Saragossa were checked, that the main striking force of the French was drawn off to the extreme north-west of Spain, and consequently rendered unavailable for use to the southward and south-westward, so that Andalusia was given several precious months of respite—in brief, that a bold offensive movement by a small force completely upset Napoleon's schemes for the subjugation of Spain. The volumes close with a sketch of Moore's character and achievements which is admirable, a noble and well-deserved tribute to a great man.

One or two words of criticism cannot be avoided. On p. 309 of Vol. VI there is an undeserved sneer which might have been omitted, even if Baird did give his countrymen the first chance of distinction, and a somewhat similar remark on p. 313 is uncalled for. But what one does expect in a *History of the British Army* is more about its methods and organisation, its costume, equipment, tactics, discipline, education, in a word more of the institution and less general European history. Of course, an outline of Continental affairs is essential to enable the reader to realise what England did with her army, and what she might have done, but one gets far more detail of Napoleon's intervention in Spain and of his operations against the Spaniards than one really needs. The very full account of

Portuguese affairs (Vol. VI, pp. 86-104) is hardly in proportion, and the whole of Chapter XVIII is devoted to operations in which no British troops took part. Similarly one gets a good deal more detail as to the diplomacy of the period than is essential to the understanding of it. Mr. Fortescue has of course been working through original authorities and has plenty of new stuff to give us, but one would have done without most of it gladly, if only he would have given us more of Moore and the camp at Shorncliffe where the Light Division was trained, more of the strength and distribution of the army from year to year, fuller accounts of such things as the raising of the King's German Legion, the foreign regiments in our service, the beginnings of scientific military education, and the organisation of the various arms. He gave more of this side of the story in his earlier volumes, and one's gratitude to him for the splendid work he is doing would be increased if only he would let us have more of it again. Finally, the maps are extremely good.

C. T. Atkinson.

Some Supposed Shakespeare Forgeries. An Examination into the Authenticity of certain Documents affecting the Dates of Composition of Several of the Plays. By Ernest Law, B.A., F.S.A. With Facsimiles of Documents. London : G. Bell & Sons, Ltd. 1911.

Mr. Ernest Law, the historian of Hampton Court, has joined the vigorous band of Elizabethan scholars who, in the space of a few years, have added more to our knowledge of Shakespeare's career than was added during the whole of the last half century. Some twenty years ago he pointed out to Halliwell-Phillipps at least one fact which was used in the sixth edition of the *Outlines of the Life of Shakespeare*, but only in the last year or two has he made in his own name contributions of first-rate importance to Shakespeare scholarship. His *Shakespeare as a Groom of the Chamber* (1910) reproduced a document which proves that when in 1604 the Constable of Castile was sent on a special mission to this country to draw up and ratify terms of peace, Shakespeare and the other members of the king's company of players attended on the Spanish visitors at Somerset House during their stay of eighteen days. The document appears to have been known to Halliwell-Phillipps, but this indefatigable scholar, who had the foible of keeping to himself more than a scholar should, preferred that its contents and whereabouts should remain his own secret. Now Mr. Law has given us an even more interesting volume, in which he does not present any new document, but proves that a document which has long been rejected as a forgery is authentic.

Peter Cunningham edited for the Shakespeare Society in 1842 *Extracts from the Accounts of the Revels at Court in the Reigns of Queen Elizabeth and King James I.*, and his extracts concluded with the 'Revels Book' for the winter of 1604-5, and for the winter of 1611-12. These two books were the only part of the volume which had direct bearing on Shakespeare. In the former there was record of 'The Moor of Venis,' 'The Merry Wives of Winsor,' 'Mesur for Mesur,' 'The Plaie of Errors,' 'Loves Labours Lost,' 'Henry the fift,' and 'The Martchant of Venis'; and in

the latter of 'The Tempest' and 'The Winters Nights Tayle.' But these records were unwelcome to a considerable body of critics who had other views on the dates of some of Shakespeare's plays. Suspicion was thrown on them the more readily as the originals had passed illegally into the hands of Cunningham, who, in the sad circumstances of his closing years, had endeavoured to dispose of them by private bargain. And Cunningham was the friend of Collier. Suspicion became conviction, and Cunningham, now dead, was branded as a forger. Under this stigma his memory has remained. Even those who believed in the accuracy of the information were content to distrust the genuineness of the documents. Mr. E. K. Chambers in his *Notes on the History of the Revels Office under the Tudors*, 1904, p. 21, a work of much first-hand research, says of them, without any qualification : 'These are forgeries, but may be based upon genuine originals among the Records.' And Sir Sidney Lee—who has lost no time in welcoming the correction—had included them in the catalogue of forgeries in his *Life of Shakespeare*.

Mr. Law has rehabilitated the name of Cunningham, and he has proved to those who, like Sir Sidney Lee, accepted the theory of forgery, but did not assert Cunningham's share in it, that the documents which were impounded and handed over to the Record Office in 1868 are none other than the genuine originals. He has given full details of his inquiry, in which he had the collaboration of officials of the Record Office, the British Museum, and the Government Laboratories. Not content with the evidence of handwriting, Mr. Law persuaded Sir Henry Maxwell-Lyte to permit a chemical examination of the ink. The Government analyst found nothing to support the suggestion that the writing on the suspected pages of the book of 1604-5—the pages which contained the list of the plays, of which seven are Shakespeare's—is of a different date from the writing on the remainder of the document. It was not thought necessary to subject the corresponding pages of the book of 1610-11 to a chemical test.

Mr. Law's work has many points of interest. Its value to the student of Shakespeare lies in the new and unassailable certainty that *Othello* was performed in 'the Banketinge house att Whithall' on 'Hallamas Day being the first of Nouembar,' 1604. And the genuineness of the 1611 reference to the *Tempest* disposes at once of the theory that the play was written for the marriage of the Princess Elizabeth to the Elector Palatine in February, 1613. But Mr. Law inadvertently claims too much for this reference when he says that it fixes the date of the play. It fixes only the later limit.

The stages in the Cunningham calumny are described by Mr. Law with much spirit. There is, however, one criticism which should be passed on his excellent account. It does not give sufficient prominence to the beginnings of the reaction in favour of Cunningham. The question of authenticity was not quite dormant when Mr. Law started his conclusive investigation. The following passage, for instance, will be found in Mr. D. H. Lambert's *Shakespeare Documents*, 1904, p. 52: 'I have carefully, with gentlemen at the Record Office thoroughly competent

to pronounce an opinion on such a subject, examined these documents, and it is only fair to state that at least, with all deference to the weighty opinion of the late Mr. Bond, views on the point are divided. The pages could not have been interpolated, and the character of the writing which contains the references to Shakespeare's plays, though open to question, tallies in many respects with that of the preceding entries.' Mr. Law will always have the credit, not of reopening the question, but of having caused it to be settled once and for all.

And justice was already being done to the excellence of Cunningham as an editor in his earlier and happier days. On this no one is so well qualified to offer an opinion as M. Albert Feuillerat. In his *Documents relating to the Office of the Revels in the time of Queen Elizabeth*, 1908—a great piece of editing, of which Mr. Law's praises are none too high—M. Feuillerat has given this note: 'I am glad to say that in the part of Cunningham's *Revels* included in this volume (I leave the 1605 and 1612 Books out of the question at present) I have found no forgery; on the contrary, it is but just to say that his publication is most accurate, and that I have counted no more than five or six serious misreadings. Unfortunately, I cannot say the same of Collier.'

M. Feuillerat and Mr. Law have given us new faith in the 'Revels Extracts' printed for the Shakespeare Society in 1842. It cannot vie with the massive tomes which M. Feuillerat is publishing at Louvain. But so far as it goes it is good; it is adequate to most purposes; it is, unlike the Louvain books, convenient to use. It is, above all, to be trusted.

D. Nichol Smith.

Histoire de l'Expansion colonial des Peuples Européns—Neerlande et Denemark (XVII^e^ et XVIII^e^ Siècles). By Charles de Lannoy et Herman Vander Linden. Brussells, 1911.

Two Continental scholars, Prof. de Lannoy and Prof. Vander Linden, have planned an imposing work on the development of colonisation from Europe. The method of treatment which has been adopted is to take related countries together—thus a previous volume dealt with the colonial expansion of Spain and Portugal, while the present one is concerned with that of Holland and Denmark, Prof. de Lannoy having written the Dutch portion and his colleague the part relating to Denmark. The authors have conceived the subject of their investigation in no narrow spirit. They begin by presenting an able outline of the social, political, and commercial position of the countries dealt with at the time when they began to make settlements over-sea; and, in describing the nature of those settlements, factories for foreign trade (but not for colonisation in the English sense of the word, such as trading factories in India during the seventeenth century) are included. The reader obtains a general picture of the causes which caused Holland and Denmark to expand beyond their respective borders, and then the main aspects of the particular kind of settlements established are described in each case. Further, certain of the chief characteristics of the colonies are selected for a special and detailed treatment; as, for instance, the methods of administration both in the

home country and in the colony, the economic relations between the dependency and the mother country—what, in fact, Adam Smith called 'the colonial system'—the persistence of the feeling of original nationality in the settlers and the reaction of the colonies of the mother country. Finally there is a series of maps and a good bibliography.

This work is a valuable one from several distinct points of view. It brings together the results of a great number of monographs, and it is an advantage that the work of co-ordination should be expressed in French—a language which lends itself readily to the statement of the tendencies which the authors aim at establishing. Thus the Dutch East India Company is summed up as influenced by the characteristics of its founders —it had a democratic foundation, a decentralised organisation, and an aristocratic directorate (p. 162). Moreover, it is to be hoped that finally the authors will provide a comparative treatment of the different methods of the various countries at varying periods. In this way, though the study is in the main historical, it should yield valuable light on some modern problems in colonial administration.

The whole field covered by the present volume is surveyed with great lucidity and insight. Thus the importance of sea-power is fully recognised in connection with the prosperity of colonies. At the present time one is perhaps inclined to forget how important the Dutch colonial empire was at one period, and the pages which trace its rise as the navy of Holland grew and its decline as the navy waned in efficiency are instructive, especially as coming from Continental critics. It is an instance of critical acumen that the matters in dispute between the English and Dutch East India Companies, which led to the tragedy of Amboyna, are fairly stated. With regard to the former body M. de Lannoy has followed English authorities in describing it as conforming at first to the regulated rather than to the joint-stock type of organisation; but this is now known to be an error—in England the spokesmen of regulated companies were very vociferous, and this has occasioned the undue prominence given to these companies. Also, it might be noticed, in connection with the colonial métayage of the Dutch West India Company, that a similar system existed earlier in the land-system of the Virginia and other English companies.

The combined treatment of foreign trading with colonising venture, suggests the reflection that colonisation, like Hedonism, has its paradox. Most of the enterprises which aimed directly at the acquisition of over-sea possessions sooner or later came to grief; while on the contrary, in several cases, undertakings, which aimed severely and consistently at commercial operations only, ended by having acquired large or even immense territories. The Dutch West India Company was an instance of the former tendency, the Dutch East India Company of the latter. The joint-authors of this work are to be congratulated on having advanced so far in an investigation which involves great research and unusual powers of exposition. The book will be essential to all students of the development of colonisation.

W. R. Scott.

THE RULERS OF STRATHSPEY. A HISTORY OF THE LAIRDS OF GRANT AND EARLS OF SEAFIELD. By the Earl of Cassillis. Pp. xii, 211. With Illustrations. Demy 8vo. Inverness: Northern Counties Newspaper and Printing and Publishing Co. 1911. 6s.

THE knowledge of the family pride of the Grants [we all know the story, 'and there were Grants in those days'], which has already produced one of Sir William Fraser's monumental family histories, has been, we are glad to say, the reason for the compilation of this work, which, from the care taken in its preparation and its wealth of references, cannot fail to become an important book of genealogical reference.

Sir William Fraser's *Chiefs of Grant*, on which it is rightly very largely based, extends to three enormous volumes, valuable to historians, but both difficult to obtain and awkward to transport. With the sympathy of the widow of a late chief, Caroline Countess of Seafield, Lord Cassillis has undertaken the task of making the history of the Chiefs of Grant who ruled in Strathspey accessible to the clan, and this book is the result.

It is worth noting that the chiefs of so northern a clan sprung, it is believed, from a family of Norman origin, Le Grant or Le Grand, and it is likely that they came to the north only on the return of Walter Bysset from exile about 1249. Sir Laurence le Grant was Sheriff of Inverness in 1263. The first known Grant who possessed land in Moray was Robert le Graunt, and John le Graunt of Inverallan was an adherent of John Comyn elder of Badenoch, *circa* 1297. Early Grants were connected with families bearing Norman names like 'Pylche' and 'Seres,' so it is interesting when one finds a daughter of the house marrying a Mackintosh before 1400, and John Grant in 1434 being already known as 'Ian Ruadh.' Sir Duncan Grant, knighted about 1460, was the first to be styled 'of Freuchie,' and his daughters and grand-daughters intermarried with chiefs of other Highland clans, such as Macdonalds, Camerons, Frasers, Mackintoshes and Mackenzies. It is not our design now to follow the history of the family and how they became Earls of Seafield. We shall only say that it can be traced and fully traced here, that the deeds of the heroes of the past are well narrated, and that the cadet families are not neglected by the compiler.

A. FRANCIS STEUART.

HOME LIFE OF THE HIGHLANDERS, 1400-1746. Pp. viii. 140. Demy 8vo. Glasgow: Scottish National Exhibition. 1911. 1s. nett.

THE executive of the Highland Village at the Glasgow Exhibition have done a real service in publishing this account of life in the Highlands before 1746. The work is really more comprehensive than the title suggests, and amounts to a summary of the social and economic condition of the people in the most fascinating period of their history. Some of the writers have found it impossible to draw any arbitrary line in sketching the development of the subjects with which they deal and have traced their growth from very early times.

The first contribution is an admirable essay upon the fundamental question of the clan system, and clearly describes the different causes which

led to the growth of separate tribes. Each clan was not by any means always of one kin, although the fiction of a common ancestry, often firmly believed, contributed most powerfully to their cohesion. The relation of the chiefs to the Crown, the character and condition of the people, and the military organisation of the clans are touched upon; the nature of the patriarchal power exercised by the chiefs is also explained, with its connection with control of land and the power to protect the clansmen. Another essay deals with the allied subject of tribal organisation and land tenure. It is unfortunate that so little clear evidence has come down to us upon the important point as to how far the original Celtic system, as depicted in early Irish laws, had survived in practice in Scotland. Records belong to estates like that of Campbell of Glenorchy which were not managed upon the principles of the Senchus Mor, whereas the ancient Celtic apportionment of land was essentially a matter of custom. Sheriff Campbell implies that throughout the Highlands clansmen were regarded as joint owners of certain tribal lands, until the influence of an Act of 1695, allowing the division of common lands in Scotland, led to a change of status by which they became either tacksmen holding leases from the chief as feudal owner or sub-tenants under the tacksmen. Mr. William Mackay, on the contrary, in his essay on 'Industrial Life' points out that the tacksmen and sub-tenants existed as early as the thirteenth century. The Act itself, as Sheriff Campbell says, applied to ownership not to occupancy, and whether a chief was already legally the owner of the lands occupied by his clansmen or not, it gave him no new powers; on the other hand, it did not interfere with the practice of common tenancy. The Act of 1695 and the later disuse of common working of the land were alike incidents in the economic change which was taking place throughout Great Britain.

The succession to the chiefship is another point where feudal law differed from the old Celtic customs, but the genealogies and records of the clans seem to show that hereditary succession in the male line was generally followed in the period specially covered by this book. Instances to the contrary can be explained as the outcome of special circumstances, and hardly bear the general interpretation which the writer puts upon them.

An article on 'Social Life' describes the Highlanders' amusements and hospitality as well as the customs of fosterage and the character of wedding and funeral ceremonies. It deals also with the question of the poverty of the Highlands in the eighteenth century, which must have seemed extreme to English writers. But it is to be remembered that all Scotland was deplorably poor and that actual famine was a constant possibility even in the Lowlands. The cognate fact of constant unemployment in the Highlands is clearly brought out in Mr. W. M. Mackenzie's essay on 'The Clans' in discussing the cleavage between the chiefs and gentry with their immediate dependents and the cultivating class. The other side of the picture is supplied in Mr. Mackay's contribution upon 'Industrial Life,' which describes considerable opportunities of trade and a wide range of occupations which were habitually followed by the Highland natives.

Special articles also deal with the state of religion and the development of education among the Highlanders, with their superstitious practices, their buildings and dress, literature and music. Especially interesting is Dr. Hugh Cameron Gillies's account of the medical knowledge of the Highlanders, which was remarkable in its extent and practical value, and is shown by the author to furnish proof of the high character and true civilisation of the people. In this matter it is an interesting commentary on the essays upon religion and education, literature and music. A contribution in Gaelic forms an appropriate end to the book, and must add greatly to its value in the eyes of many Highlanders.

It is a great merit of the work as a whole that in spite of inevitable overlapping the writers have avoided undue repetition. No less true is it that the different contributors have succeeded in presenting a wonderfully consistent picture of the vanished world of the Highlands. Only on the question of land tenure does there appear to be a direct difference of opinion, a fact which bears high testimony to the great care and impartiality with which the authors have dealt with doubtful points and controversial subjects. The whole sketch of Highland life is wonderfully complete, and sufficient detail has been given to make the picture vivid in spite of the small compass of the book. It should serve to correct some misconceptions, such as that respecting the heritable jurisdictions which, as Sheriff Campbell points out, were not the foundation of the chiefs' power in 1745. The present succinct and impartial account of the facts as far as they are known is the more welcome since many causes have long contributed to distort popular beliefs about the Highlanders.

A. Cunningham.

The English Factories in India, 1634-1636; A Calendar of Documents in the India Office, British Museum, and Public Record Office, edited by William Foster. Oxford: Clarendon Press. 1911. Pp. xl, 355. 12s. 6d. nett.

The India Office is to be congratulated on the good progress which is being made with the production of this series of Calendars and also on the high standard of editing that is fully maintained. The appearance of the present volume is particularly to be welcomed, since a point has now been reached where new ground is being opened up. Mr. Sainsbury's *Calendars* (*Calendars of State Papers, Colonial, East Indies* and *Colonial, East Indies and Persia*) combined summaries of the Court Books and of other documents. The last entries in Mr. Sainsbury's series closed in 1634, and it is with that year that the instalment of the *English Factories* now before us begins, so that by far the larger part of the documents summarised will be new to everyone except to the few who have had occasion to consult the originals.

The three years dealt with were full of interest and excitement. In previous reviews of Mr. Foster's *Calendars* it has been shown that, since the massacre of Amboyna, the East India trade had been very depressed indeed. By 1630 there came the beginning of better times. But as yet for a long time the company only enjoyed intermittent gleams of prosperity; and often, as the future began to look more favourable, some unexpected

misfortune was experienced. Thus Mr. Foster rightly characterises this period as an 'eventful one.' It witnessed an agreement which terminated the long disputes with the Portuguese, the obtaining of the 'golden farman' and the first voyage to China. On the other hand, the company had to face the penalties, exacted from it in India, for the piracies of the *Roebuck*, and Charles I. was supporting the rival body formed by Sir W. Courten. Very graphic accounts are given of the indignities to which Methwold was subjected by the natives on account of the plunderings of the *Roebuck*, and, although the company was not only guiltless of complicity, but was completely ignorant of the whole affiair, it was eventually compelled to compensate the native merchants for their losses.

W. R. Scott.

An Historical Relation of Ceylon together with Somewhat concerning Severall Remarkeable passages of my life that hath hapned since my deliverance out of my captivity. By Robert Knox, a captive there near Twenty Years. Pp. lxviii, 460. With numerous Illustrations. Demy 8vo. Glasgow: James MacLehose & Sons. 1911. 12s. 6d. nett.

This new edition of the account of Ceylon, by the prisoner who experienced a captivity of eighteen years and a half there, will be welcomed by all who know the wealth of detail in the original book, and not the less so because this edition gives many new features of his career in his own words. Robert Knox, the pious writer ('God often Spoake to my Conscience in my mineority,' he writes), and his father were, when on an Eastward cruise in the ship 'Ann,' taken prisoners when seeking wood at Cottiar in 1661, and, with sixteen other unfortunate Englishmen, carried into the interior of Ceylon by the tyrant Raja Singa. Knox's father soon died, but he and his comrades remained in bondage of differing grades, terrified of their despot (who had already put to death two of his children and 'cut off' many of his subjects), and resigning themselves to a miserable captivity.

Most of them took native wives, but Knox resisted this distraction, and, with the sole consolation of a miraculously obtained Bible, applied himself to the unconscious study of the Island of Ceylon, which was the beginning of this book, while living as a pedlar. In 1679 he, with Stephen Rutland, managed to effect an escape from their bloody master, and to take refuge with the Dutch, who occupied the coasts of the island. Sent home, he wrote this book during the voyage, and then had a gratifying meeting with his surviving relatives, and was received by the pitiful East India Company and protected (for a time) by Sir John Child. He again essayed an Eastern voyage, and it is not a little strange to find the pious and resentful ex-captive not only sometimes a pirate but also a zealous slave-dealer in Madagascar! His slave-trading there almost led to another captivity, and we learn about this in his biography, which is printed here for the first time.

His later life included the publication of his excellent account of Ceylon, with the approval of the Royal Society, an hour's conversation with King Charles II., a West Indian voyage, and some peaceful days in England before he died, leaving considerable wealth, in 1720. One of the most

interesting points brought out in this book—in the newly printed portion—is the information that Knox, the Bible-quoting prisoner, was not, as has generally been asserted previously, a Scot. He himself states that his father and grandfather were both born at Nacton in Suffolk, and this is a new fact for most of his biographers. A. Francis Steuart.

The Past at our Doors or the Old in the New around us. By Walter W. Skeat, M.A. With numerous Illustrations. 8vo. Pp. xi, 198. London: Macmillan & Co. 1911. 1s. 6d.

Dedicated to the author's father and mother on their golden wedding day, Mr. Skeat's slim little volume pleasantly continues in the second generation Professor Skeat's mingling of studies in history with philological researches. The son is more an archaeologist than the father and less a philologist, but he practises both kinds of research in his series of comprehensive essays on our food, dress and homes, considered chiefly in the light of the names of things. He has the philologist's tendency to draw very remote inferences sometimes (for example, regarding 'haggis'), but his gatherings of little domestic fact on the evolution of dishes, garments and types of houses are generally excellent. Notable instances are his treatment of plough, sickle, coat-tail buttons, the dresser, hall and belfry. The book recalls the late Sir Arthur Mitchell's way of seeing the past in the present, and is an informing popular sketch.

A Biography of Thomas Deacon, the Manchester Nonjuror. By Henry Broxap, M.A. Pp. xix, 215. With two Illustrations. 8vo. London: Sherratt & Hughes. 1911. 7s. 6d. nett.

This short study contributes not a little information about the little known sect which arose out of the body of original Nonjurors. The bishops who 'went out' in 1688 on account of their loyalty, decided (with the permission of their exiled king, who obtained Papal consent for his action) to perpetuate their Episcopal succession, and this continued with the assistance of certain Scottish Nonjuring Bishops, one of whom was Bishop Archibald Campbell. Later (1716) the great and learned dispute about 'The Usages' began which rent the Nonjuring Church in twain. One of the supports of 'The Usagers' was Thomas Deacon, a young nonjuring clergyman, who had been interested in 'The '15.' He removed about 1720 to Manchester, which was then 'the largest, most rich and busy village in England,' and there supported himself by the practice of medicine, while he continued writing his long-forgotten tracts.

About 1733 Bishop Campbell took the extraordinary step of alone consecrating him bishop, and after this he ruled over a small congregation in Manchester, separated, except politically, from the other more canonical Nonjurors. We get an interesting glimpse of Manchester in the '45 in this book, and of the Jacobite rising, which cost the worthy bishop the lives or freedom of three sons. Dr. Deacon did not long survive this catastrophe, as he died in 1752, after a harmless and useful life.

The author has handled his subject with so much skill that he reawakes in the reader interest in the long dead religious controversies of the Non-

juring Churches, and one sees the example their zeal gave as a protest against the dull Erastianism of the English Church till broken by the Nonconformist movement and the Anglican Revival to both of which this example may have contributed.

Colonel Thomas Blood, Crown-Stealer, 1618-1680. By William C. Abbott. Pp. 98. With Frontispiece. Crown 8vo. Newhaven: Yale University Press. 1911. 4s. nett.

We are here given an excellent narrative of the life of one of the plotters whom the see-saw of politics made so plentiful after the Reformation. Colonel Thomas Blood, a north of Ireland adventurer, was one of the chief parties in the attempt to kidnap (and perhaps hang) the great Duke of Ormonde in 1770. He had been in many plots, but his daring attempt to steal the Regalia from the Tower in 1771 brought him into most fame. Andrew Maxwell wrote of his disguise:

> 'He chose the cassock, surcingle and gown,
> The fittest mask for one who robs the crown.'

Brought before Charles II., the strange thing is that he was pardoned, and was soon in a high and feared, if doubtful, place as an informer. In 1680, he having found out that in spite of all his schemes

> '... Success was still to him denied,
> Fell sick with grief, broke his great heart and died.'

Principles of Biography. By Sir Sidney Lee. Pp. 54. Cambridge University Press. 1911. 1s. 6d.

A biographer on the principles of his art can hardly fail to interest, even if he is sparing of enunciations. In this Leslie Stephen lecture Plutarch is praised without criticism of his method of 'parallels,' which would hardly satisfy modern conditions, though doubtless it might still be applied to balanced estimates of, say, Nelson and Napoleon. Masson's *Milton* is referred to as a 'swollen cairn' (do cairns swell?). Boccacio's *Dante* is condemned for its impassioned but irrelevant rhetoric. Boswell—the phrase a 'rarely inquisitive young man' is ambiguous—gets credit for his masterpiece, but more for his art than for himself. Lockhart's *Scott* is ranked next. Collective or dictionary biography is described as dominated by the need of brevity and by strict discipline. These are no startling doctrines. Biographical principles differ so greatly for different types of lives that we scarcely wonder that but few have been found of universal application to insist upon. The lecture opens with a restrained but hearty tribute to Leslie Stephen, honourable alike to master and pupil.

Specimen Pages of Two Manuscripts of the Abbey of Coupar-Angus in Scotland, with a Short Description. By O. H. M. Bannister. 4to. Pp. 13. Five Phototype Plates. Rome: Editor Danesi. 1910.

These facsimile reproductions from two Vatican codices were made on the suggestion of Prof. W. M. Lindsay of St. Andrews, but the introductory

notice is too brief to be satisfactory. The one MS. is a psalter, '*psalterium glossatum*,' and the other a copy of Beda's *Historia Anglorum*. The provenance is indicated by an identical title on each—*Liber Sancte Marie de Cupre*. The psalter is in 'Irish' script of 'at earliest the second half of the twelfth century,' and the copy of Beda is of the thirteenth century. Features of the psalter suggest a scriptorium in Great Britain rather than in Ireland, and a resemblance to Durham MSS. is detected in the Beda. The latter has a continuation to A.D. 796, recording events relative to the bishops of Whithorn, a fact which stimulates the wish that the pages containing this continuation might be issued in a sequel to the present specimens. Their interest can hardly be exaggerated as attesting what Mr. Bannister styles 'insular script,' and as affording concrete evidences of Celtic survival in the library of the Cistercian abbey of Cupar (Coupar-Angus), which Mr. Bannister states—without citing any authority—to have been founded in 1136. Presumably this is a slip, as the early writers with one accord from the chronicler of Melrose to Fordun, Wyntoun and Bower agree in assigning the foundation to King Malcolm the Maiden in the year 1164. The five plates are capital reproductions, and the editor's claim for the importance of the two MSS., not only for the handwritings and the liturgical and historical contents, but also for their connection with Cupar, is well made out. We trust the venture of the publisher in Rome has met the response it deserves in this country.

Controversial Issues in Scottish History: A Contrast of the Early Chronicles with the Works of Modern Historians. By William H. Gregg. Pp. x, 581. With numerous Illustrations. S.R. 8vo. London: G. P. Putnam's Sons. 1910. 25s. nett.

This is a bewildering monumental mass of quotations and unnecessary reproductions. The laborious author expects criticism of his system, but it is so cryptic that it makes any real criticism impossible. He tilts against the historical works of Chalmers, Pinkerton, and more especially Skene, who, he alleges, founded a movement 'utterly to abolish the *old* history of Scotland, and to replace it with one which has contributed no new facts, nor established any documentary evidence.' He selects as an illustration of this the obscure period of the eighteen years of King Gregory. His contentions anent the identifications by others of Ciric, Girig, Gryg, Gyrg, Grig and Gregory; the king's career (about which he counters Skene) and his relation to the Clan Gregor, may be found in this well got up but labyrinthine work, the construction alone of which will be bound to baffle all but the most tolerant and patient of Celtic students.

A Synopsis of the Leading Movements in Modern History. By F. R. A. Jarvis. Sm. 8vo. Pp. vi, 122. London: George Philip & Son. 2s.

Excellent as a skeleton history of representative government, this synopsis constantly subordinates the biographical elements to the institutional, and achieves an unusual degree of success in the interesting treatment of principles, political, social, and economic, illustrative of the

passage of history centring upon Great Britain from the masterful epoch of the Tudors to the present age of colonial constitution-making.

The little book adds to the virtues of succinct statement and well-marshalled lines of cause and effect, a fine perception of the main trend of democratic aspiration, of the necessity to beware of socialistic tendencies to throw all responsibility on the State, and of the need of some form of co-ordinating federal sovereignty over the Empire. His conclusion is interesting—that Adam Smith's project of Empire ('the union of Great Britain with her colonies') may be converted into a living reality through economic and military pressure.

THE ROYAL HIGH SCHOOL, EDINBURGH. By James E. Trotter, M.A. Pp. xii, 195. With 32 Illustrations. Crown 8vo. London : Sir Isaac Pitman & Sons, Ltd. 1911. 3s. 6d. nett.

IT is a pity that so much 'fine writing' has been attempted in this history. The 'Old Boys' who read the account of the life of the old Grammar School and its 'bickers' will find that the narrative would have gained in merit if the writer had been less diffuse. Still, he traces in his own way the history of the Schola Regia and its migrations (the archbishop's palace in which it was once housed was built, not by Thomas, but by Archbishop James Bethune), and gives full lists of those (and they are many) *alumni* who have made the name of the school great in the past, and of their rectors. He has something to interest them, too, in the school-days of Sir Walter Scott and the author of *Lavengro*, and among the portraits of past pupils which add to the interest of the book we find one of King Edward VII. when he was under the care of the then rector, Dr. Schmitz.

THE FIRST DECADE OF THE AUSTRALIAN COMMONWEALTH. A CHRONICLE OF CONTEMPORARY POLITICS, 1901-1910. By Henry Gyles Turner. Pp. xv, 320. Demy 8vo. Melbourne : Mason, Firth & M'Cutcheon. 1911. 9s.

THE author admits the difficulty of gauging the value of contemporary history, so we shall only say that this is his account—and a well-written one—of Australian political history from the appointment of the first governor-general and the opening of the first Federal Parliament in 1901 to the 'Third Labour Ministry.' We must also quote his own words 'whether my deductions are right or wrong, I can say that they have been conscientiously arrived at, and, that in forming them, I have asked no man's advice or opinion.'

A GUIDE TO THE BEST HISTORICAL NOVELS AND TALES. By Jonathan Nield. Pp. xviii, 522. Foolscap 4to. London : Elkin Mathews. 1911. 8s. nett.

THE fourth edition has brought this attempt to enumerate the best—however one may construe the word—historical novels up to date. It is a difficult and rather thankless task, yet we see that the compiler has bestowed much care upon it, and we hope that it will be of use to those who prefer their historical studies to be pursued in the guise of fiction.

The article in the *Edinburgh Review* for April on Roman Scotland will be read with peculiar interest as the eloquent, picturesque, and courageous exposition of a ripe archaeological scholar's conclusions on the general significance of the Roman occupation, especially in the light of Mr. Curle's unearthing of Trimontium and Dr. Macdonald's re-discussion of the Vallum of Antonine. The writer's pen—if conjecture as to this possibility be permissible—has heretofore been well under restraint; indeed, some of us have for years been calling for a plain and full deliverance of his theory of the interrelation of the composite barrier across North England and the simpler structure between Forth and Clyde. The article at last, and in a lively, dignified, and engaging manner, sets forth to a considerable degree the faith that is in the author, whose identity in Prof. Haverfield is archaeologically a secret of the housetops. Agricola's chain of transisthmian forts had been given up after his recall. Newstead (Trimontium) marked perhaps for thirty years later the Roman limit—a river frontier line of Tweed, or a mountain line along the northern foot of Cheviot. When Hadrian came he chose a frontier forty miles south, across which the professor enters the archaeological battle-ground of centuries. The earthen Vallum of the Cumbro-Northumbrian barrier he still leaves unaccounted for, but Hadrian built the first wall—'a solid rampart of neatly laid sods'—with 'large and small forts and turrets' all connected by a road. This work of A.D. 120-124 is characterised as a real service to the Empire, by enabling the garrison to patrol the frontier as they could never have done without it. About A.D. 142 the frontier was moved northward and the Antonine Wall built. The description of it deserves quotation for its sympathetic touches and crisp delineation.

'The chief item in the new order is the new feature, the Wall. A continuous rampart was built for thirty-six miles from Old Kilpatrick on the Clyde to Bo'ness on the Forth, along the very line where Agricola had once placed his forts. Its shorter length, its meaner ruins, its less delightful and majestic scenery have won for this Wall far scantier notice than has fallen to the southern Wall. Few, we think, have cared to walk it from end to end: few have gained from it that impression of Roman power which marks the greatest remains of the ancient world. Yet it is a serious piece of frontier work. Like Hadrian's Wall, it was built of sods and ran along a continuous valley from sea to sea. But it followed to the southern not the northern side of the valley and it made no attempt at straightness; instead it wound from hill to hill in unceasing anxious quest of strong military positions, and its whole scheme is that of the one central section of Hadrian's Wall which crowns the line of basalt crags. Many forts guarded it, some actually built on it, others a few yards to the rear. Most of these forts, as far as is known at present, were of one general type. They were girt by ramparts of turf like the Wall itself; within these ramparts they covered a space equal to a square of a hundred yards and housed a garrison of five hundred men; they stood on selected sites approximately two miles apart. On the other hand, they were reinforced by no such smaller forts or towers as mark the lines of Hadrian. The garrisons of the northern wall were perhaps stronger: they were certainly massed closer

than those of the south.' This new frontier 'did not supersede the earlier southern line. The two were held together.' And at this point the professor, or at any rate the Edinburgh Reviewer, advances new doctrine for the new frontier, when he says that Pius did not aim at annexing part of southern Scotland, and that he took not a new province but a remote strategic point, closing the door against the unconquered Caledonians of the hills so as to shut them out from raids into the south. All the land west of the road from Carlisle past Carstairs to the centre of the Wall 'lay wholly outside the Roman strategy.' This interpretation (does it apply to Berwickshire also where there are no Roman remains?) is difficult, and some of us may hesitate before accepting it. However this may be, the frontier did not succeed; there were repeated revolts; about A.D. 162 the Wall was lost for a time; about 180 it was lost altogether, when Newstead (rebuilt after 162) was lost also—'the end of Roman Scotland.'

There was still to come at the beginning of the third century the campaign of Severus, about which the professor is dubious whether that Emperor ever passed the Cheviots, ascribing to him, however, the mighty work of rebuilding in stone Hadrian's Wall of turf, and walling the forts with stone also. 'With his death in 211 Scotland drops out of the tale of the British frontier.'

It is impossible to read without a responsive thrill the panegyric of the Britannic *limes* which concludes the article. The garrisons might fail at last, but they were saving Europe by the two centuries of defence. We may ask for further proof before adopting the inference about the Tweed frontier, the limited scope of policy behind the Antonine Vallum, the magnitude of the building programme assigned to Severus and certain consequences deducible therefrom; but we are not the less grateful for so vivid, learned, and stirring a presentment of facts which are beyond gainsay, and of frank and persuasive theories which require ruminating, and admit of no hasty refutation however obstinately inspired. And certainly we appreciate Professor Haverfield's closing sentences: 'The Roman walls in Scotland and northern England have passed utterly out of our modern lives. They did not in the end save Roman civilisation in our corner of the empire. But before they perished they helped to do a work for which to-day all Europe may be grateful.'

The Milecastle on the Wall of Hadrian at the Poltross Burn. By J. P. Gibson and F. Gerald Simpson, with contributions by Prof. R. C. Bosanquet and H. H. E. Craster (Kendal: Titus Wilson. 1911) is a private reprint from *Cumberland and Westmorland Antiquarian and Archaeological Society's Transactions.* Poltross Burn is the boundary between Northumberland and Cumberland, and the milecastle there, near Gilsland, was excavated last year. The results are, with much clearness, exhibited in the report by Mr. Gibson and Mr. Simpson, which is made additionally effective by a fine series of photographic plates showing general views, the north gate, the connection with the Great Wall, the ovens (of three periods), coins, fibulae and bronze objects. Besides, there are unusually well-defined and large plans done by Mr. Simpson, as well as sections and drawings of pottery, etc.

Chief interest probably lies in the facts or inferences (1) that three successive floors were found, proving three occupancies; (2) that the coins, pottery and fibulae of the lowest floor are of second century dates and types; and (3) that the milecastle was abandoned before 330 A.D. The sum of fact suggests to the authors the conclusion that 'the building of the milecastle and Great Wall took place about 120 A.D.,' and that the invasion of 180 A.D. was the occasion of the first destruction, while there are no data to fix the period of the second destruction following the first rebuilding. The lines of inference, singly slender, are strong by convergence, and offer the sharpest contrasts of interpretation to those of the Edinburgh reviewer. The argument that milecastles of stone are incompatible with a wall of turf carries a great appearance of force. In any view the positions maintained by Mr. Gibson and Mr. Simpson, with their extensive local knowledge and experience in similar excavations, much accentuate the difficulty of adopting as at all countenanced by archaeological fact the conclusion that Severus, not Hadrian, built the Murus.

The English Historical Review (April), besides formal papers on the Papal claim of fealty from William the Conqueror, the year-book of Edward II., and the letters, etc., of Henry VIII., has a variety of important notes. One is a collection of biographical data for Mary, abbess of Shaftsbury, believed to have been the poetess Marie de France. Another is a short comment with text of two chapters of Robert the Bruce in 1315 conveying the sheriffdom and burgh of Cromarty to Sir Hugh of Ross. The fact that the text of this grant was already known does not lessen the interest of its presence in our contemporary's hospitable page. Sir James Ramage proposes to account for Pipe Roll as—not a cylinder parchment but as—coming from O.F. *pipe espere de baton*. A reference to Laborde's *Glossaire Français du Moyen Age* voce *pippe*, giving many instances of the word in connection with medieval book-binding, would perhaps lend Sir James's explanation some corroboration, but meantime the explanation he offers is far from clear. A facsimile from the Vatican archives shows the words *Pater sancte* in the handwriting—'probably the only surviving specimen' of Edward III.

In the July issue Professor Hoskins, tracing the points of contact between chancery practices of England and Sicily in the twelfth century, registers a remarkable body of fact concerning Thomas Brown (or le Brun), an Englishman employed as assistant to the chancellor of King Roger of Sicily and thereafter from 1160 until 1180 filling an important place at the exchequer of Henry II., as the well-known *Dialogus* sets forth. The opinions of Reginald Pecock, especially as revealed by his *Book of Faith* recently edited by Professor J. L. Morison, are sympathetically expounded by the Rev. E. M. Blackie, who appears in considerable degree to share Prof. Morison's estimate of the originality and boldness of Pecock's interpretation of the relations of faith and reason, and his plea for the dominance of the latter virtually making the creed itself subject to 'sufficient evydencis.' What a glory it would have been to his memory had he faced the stake with that doctrine. But as later to Erasmus, the Church was still more to him than the individual creed. Professor W. H.

Stevenson once more earns gratitude for his learned exposition of a strange fragment of medieval congratulation to King Athelstan after the defeat of Sictric of Northumbria in 926, and before the battle of Brunanburh—because the Scottish king—'Constantinus Rex Scottorum et velum Brytannium'—is apparently regarded as King Athelstan's colleague and friend. The little poem is best known from the imperfect version given in *Reliquiae Antiquae*, 1843, ii. 179, but a fresh version from an eighth century Durham MS. printed in 1909 has now enabled Prof. Stevenson to furnish an emended text. In editing it he furnishes a very satisfactory parallel in matter and form in a poem addressed to Charlemagne.

In the *Juridical Review* for April, Mr. John Bartholomew makes a faithful assembly and an interesting analysis of Bonds of Manrent, quoting many examples and endeavouring to distinguish their intricate strands of relationship with feudal dependence on the one hand, and the clan system and cognate covenants of mutual defence on the other. An abuse of feudalism, manrent at times too readily approximated to blackmail; it was the corollary of an insufficiently protective central power; and, like most of such institutions, it long defied the statutes of 1457 and 1555, by which, according to Stair, it was 'utterly abolished.'

Special features of the *Rutland Magazine* for April are a note on the bell-lore of Oakham and a set of reprints of election squibs of 1841.

While the *American Historical Review* for July has its due quota of interesting matter on the Russo-Japanese War, the records of early settlement in Carolina, and the story of American politics, including the opening of the slave question campaign in 1860, the most attractive contribution for European reading is Dr. G. L. Burr's annotated transcript with facsimiles of a fragment of script on a blank page of a copy of Luther's German Bible printed in 1546, the year of the great reformer-translator's death. It is the engrossment of a letter evidently contemporary recording how Luther 'our chariot and true charioteer in Israel' died after a heart seizure sudden and short enough, yet giving time for the application of unavailing remedies before he passed away with *Pater in manus tuas*—words that have soothed so many parting souls before and since—on his lips. Dr. Burr suggests that the letter must have been written within a day or two after 18th February, 1546, and that it probably illustrates the actual putting in force of Melancthon's counsel that to avoid false stories (of suicide or the like) the friends of Luther should at once make known the circumstances of his death.

The *Maryland Historical Magazine* for June, among varied notes on the hostilities in the Revolution and during the war of secession, prints a letter by William Wilmot in 1777 describing his escape from capture in an attack on the British force on Staten Island when some 200 of his companions had to surrender.

Wilmot's independent spirit communicated itself to his spelling! He tells briskly of the 'houraw or hussaw from the oune end of our little line

to the other' when they saw the 'hesions' (Hessians) fall back at one stage of the encounter before their fire. Less heroic is his story of his hiding in a hay shed 'devotely praying for the dark shades of knight to appear.'

The *Iowa Journal* (July) describes the exploratory expedition made in 1805 by Lieutenant Zebulon M. Pike from St. Louis up the Mississippi to one of its sources at Leech Lake, Minnesota. The lieutenant's journal has all the charm of geographical discovery with adventures among Sac, Fox, Iowa, Sioux and Chippewa Indians to boot. His transaction with the last named at Fort Snelling—a purchase of 100,000 acres for the United States in return for presents of about $200—was at least shrewd bargaining. Another article quite as interesting and even more curious, gives the minutes of proceedings of a conference of Governor Henry Dodge with the chiefs of the Chippewas at Fort Snelling in 1837, resulting in a purchase of a vast territory between Lake Superior and the Mississippi for over $200,000. The Indians doubtless were still poor enough bargainers, but the record of the speeches of Flat Mouth, Rat's Liver and the Loon's Foot are proofs that the Great Father beyond the mountains (the United States president) was somewhat more warily regarded by them than his predecessor had been in the days of Lieutenant Pike.

A striking feature of the *Revue Historique* (Mai-Juin) is Henri Marczali's story of a celebrated case of the fourteenth century *Le Procès de Félicien Záh*—a Hungarian killed in 1330 in the palace of Charles-Robert I., King of Hungary, after an attack on the king, in which the queen, Elizabeth, had several fingers cut off. Záh, who was one of the nobility, underwent a post-mortem sentence of denunciation subjecting his family to the third generation to the death penalty, and his more distant kinsfolk to slavery. It is an extraordinary sentence setting forth the treason and ambition of Záh and his 'mad-dog-like' murderous ferocity. But it proves to be elaborately false; it was an official hushing up of the real fact that Záh was avenging an insult to his daughter by the queen's brother, to which the queen was privy. The middle ages rich as they are in such things, have rarely matched this tale of fury and vengeance and wrong, and of the slow but final vindication of Záh from the fierce injustice which the lying sentence did to his name.

M. G. Bloch concluding his study of Roman class origins reverts in great measure to the position of Niebuhr against Mommsen's more recent view of the origin of the plebs. Diplomatic papers deal with Fancan and Richelieu, and with the French negotiations during the Prussian war with Denmark in 1864.

In the next number of the *Revue* (Juillet-Août) a poignant contribution, by M. Paul Gaffarel, re-examines the evidences for the massacres of the Vaudois in 1545, which so cruelly stained the closing years of Francis I. with Lutheran blood. The scrutiny unfortunately does not materially lessen the degree and extent of persecution, although the number of thousands of victims at Cabrières and Mérindol eluding exact computation may well have been somewhat overstated by protestant controversialists. The villains in the tragedy, President Oppède, Advocate-general Guérin

and Captain Polin, were subsequently prosecuted, but emerged with acquittal from the ordeal of embittered accusations. Guérin, currently believed to have been the 'expiatory victim for the massacres,' really suffered on a still more disgraceful charge. He was hanged and decapitated, and his head set on a stake in front of his own door, but this was not for the massacres, but for forgery. M. Gaffarel naturally reckons the story of these persecutions as among the most sinister pages in French annals. M. Marcel Marion, commencing a narrative of certain examples of the application of the laws against the royalist emigrations in 1792-93, points out that the threat of no quarter to the revolutionaries necessarily exposed the *émigrés* to reprisal, and that the cruel wrong which resulted in many cases was due to abuse of laws in themselves justifiably severe. M. Henri Prentout challenges the received interpretation of the Gaulish *Litus Saxonicum* in the *Notitia*, and controverts the view that it specifically connoted the Bessin in Normandy, suggesting that the term more probably was indefinite and embraced the whole coast line from the Loire to the Rhine.

The *Revue des Etudes Historiques* (July-December, 1910) contains an interesting seventeenth century study (not yet completed) in the articles on the life of Isabelle de Montmorency, Duchess of Châtillon and of Meklembourg. Her brilliant and varied career was the subject of many verses and *jeux d'esprit* by contemporary writers, and M. Fromageot's vivid narrative is not merely a personal sketch, but a living picture of many of the members of the great families of Montmorency and Coligny. 'Le grand Condé' was her cousin, and the Duc de Châtillon, with whom she made a romantic marriage, was a great-grandson of Admiral Coligny. Isabelle was not merely a beauty, but a woman of strong character, deep in the confidence of her distinguished cousin; she played no mean part in the Fronde, and counted for much in the fortunes of the great Catholic house generally.

M. de Vaissière's papers on Poltrot de Méré, the murderer of Guise, are also full of interest, in their discussion of the details of the crime, and the perennial question regarding the possible or probable complicity of Coligny, Soubise, and other Huguenots, not to mention Catherine de Médicis herself. On this last point much remains to be said, and M. de Vaissière hopes to bring forward more proof to establish her responsibility in the affair. Coligny he acquits of instigation, if not of foreknowledge and indifference.

General Collier de la Marlière, a descendant of an English Collier who went to France with Henry V. and remained there, is also the subject of an essay. He joined the Republican Army at the Revolution, chiefly from motives of necessity, and after a brief but notable career, ended by himself falling a victim to the guillotine.

Communications and Replies

NOTE ON THE PORTRAIT OF JAMES I. (*S.H.R.* vii. 113). Mr. James L. Caw has done good service by publishing such excellent copies of the Edinburgh series of portraits of the five Jameses in the *Scottish Historical Review*, vol. vii. No. 26, and it is to be hoped that his paper may be the means of throwing light upon the origin of the well-known picture that has long done duty as a portrait of King James I. That picture represents the king with flowing hair and a bifid beard, wearing a curious cap with a peculiar ornamentation, and a jacket open at the neck, laced loosely with a cord across the chest.

So far as I have been able to trace it, the portrait first appeared as one of a series of Scottish kings in J. Jonston's *Inscriptiones historicae Regum Scotorum*, which was published at Amsterdam in 1602. From Jonston it was reproduced in William Drummond's *History of Scotland* in 1655, where various liberties have been taken with the dress, and T. Murray's *Laws and Acts of Parliament of Scotland* in 1681. In 1797 it was copied by Pinkerton (*Iconographia Scotica*), who pronounced the series of portraits of which it forms a part to be 'entitled to the greatest confidence of authenticity.' But those were uncritical days, and Pinkerton apparently took no further pains to trace the origin of the picture, though he notes that it had twice appeared since Jonston's time, adding mysteriously that these copies (*i.e.* from Jonston) 'are of no authority.' The portrait appeared again in the *Pictorial History of England* (ii. 133) in 1856, and it has recently taken a fresh lease of life in R. Garnett, *English Literature*, i. 287 (1903); S. Cowan, *Royal House of Stuart*, i. 166 (1908); and as a frontispiece in A. Lawson, *The King's Quair* (1910).

It seems, therefore, as if it had come to stay, and it would accordingly be well to look a little more narrowly into its claim to authenticity.

It will be seen that Jonston, who first published it 165 years after the king's death, says nothing as to where he had taken it from, and no one seems to have raised the question since. But if we compare his series with that now acquired for the National Portrait Gallery in Edinburgh, it is impossible to miss the resemblance between the two, not so much in the features of the portraits as in the details of the dress and ornaments, *e.g.*

(*a*) the cap and the laced front of James I., together with a general similarity, though Jonston added the right hand grasping a sword;

(*b*) the ornament on the cap of James II.;

(*c*) the pendent of the chain and the ornament on the cap of James III.;

(*d*) the cap and the chain across the chest of James IV.;
(*e*) the whole costume of James V.;
all pointing to the Edinburgh panels as being probably the originals on which Jonston worked.

I quite agree with Mr. Caw (p. 114) in ascribing these panels to the middle of the sixteenth century, the only really contemporary portrait among them being that of James V.; the others I conceive to be mere guess-work, such as was common enough among portrait-painters who undertook orders at that period. Mr. Caw, however (p. 115), thinks that 'the likenesses were almost certainly founded upon earlier portraits then existing but now lost,' and that 'the costumes are archaeologically correct.' But both of these propositions appear to me to be exceedingly doubtful, and until something more indisputable is advanced it seems necessary to utter a caution against the prevalent fashion of taking the Jonston picture as an authentic representation of the features of James I., though the trustees of the Portrait Gallery are certainly to be congratulated upon having apparently acquired the sixteenth century original which Jonston (in the French sense) vulgarised.

Incidentally let me add that there appears to be no reason for supposing with Mr. Caw (p. 116) that the picture of James II. at Kilchberg (not Kielberg) near Tübingen has 'now disappeared.' According to present information all the (so-called) portraits of Ehingen's nine sovereigns are at Kilchberg yet.

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'SCOTTISH ISLANDS IN THE DIOCESE OF SODOR' (*S.H.R.* viii. 261). With reference to Mr. Reginald L. Poole's extremely interesting paper I offer the following notes:

Chorhye = Chorbrye = Kiarbarey = the Saga name for Kerrera, which comes in quite appropriately next after Mull.

Carrey. On the old maps (*e.g.* Ortelius, 1570; D'Arfeville and Lyndsay, 1583; Speed, 1610; and Straloch, 1653) the island of Kara appears quite as prominently as Gigha (Saga name, Gud-ey), which is immediately to the north of it. Your contributor is probably correct, however, in his ingenious suggestion that the transcriber has miswritten Canney (Canna), which fits in better as to position.

Howas = Hivist, one of the many forms of Uist (Saga name, Ivist). The suggestion of Howse is founded on a misreading of Dean Munro, who gives the name of the parish as Howfe (not Howse). See *Origines Parochiales* for various other spellings.

De insulis Alne must, I think, refer to a *group* of islands, and here I suggest that the word Alne may be a corruption of Flanni, *i.e.* the Isles of St. Flann. The Flannan Isles also called The Holy Isles and The Seven Hunters, are a small group twenty miles west of the Lewis.

Swostersey. Principal Lindsay would seem to have solved this puzzle; the Wattersay referred to is probably the one near Barra, which best suits the geographical progression.

Episcoporum h(...) must, one would think, refer to the isles referred to by Principal Lindsay and known as the Bishop's Isles. h(...) may stand for haebudensium?

I suggest that the lacuna in the middle of page 259 should read: pertin (entibusque), and not (entiisque).

The use of Sodor as a place-name is, of course, a barbarism—the contraction 'Sodor.' in some Latin manuscript (representing Sodorensis, *i.e.* Sudreyan) having been taken for a noun.

As we are dealing here with the Saga period, the names of the various Sudreyar are, as we should expect, chiefly given in their Norse form.

ROBERT L. BREMNER.

With reference to the same paper Mr. David MacRitchie writes:

Mr. Reginald Poole's identification of *Chorhye* with the island of Tiree in the papal bull of 1231 is borne out by the pronunciation of the word 'Tiree' when expressed according to English phonetics. The Gaelic word *tir*, 'land,' is pronounced like English 'cheer,' and I have heard a Gaelic-speaking woman pronounce 'Tiree' as if it had been written in English 'Cheree,' the accent being strongly on the second syllable. There is a modern tendency, even among Gaelic speakers—at any rate when they are speaking English—to pronounce the word as 'Tie-ree.' But as the woman referred to belonged to the caste of tinkers, a caste noted for its conservation of old forms, her 'Cheree' may safely be taken as the oldest pronunciation. From 'Cheree' to the 'Chorhye' of the papal bull is but a step.

BATTLE OF DUNDALK. What is the true date of the battle of Dundalk which brought Edward the Bruce's Kingship of Ireland to an end?

Mr. MacCarthy, Editor of the *Ulster Annals*, accepts the criteria in Clyn Towit, "1318, on the feast of blessed Calixtus, Pope and martyr, Oct. 14 on the morning of Saturday"; elsewhere it is given as 5th October, 1317, which was a Wednesday.

G. LAW.

[There cannot be a doubt that the date was Saturday, St. Calixtus day, 14th October, 1318. All original authorities, Scottish and Irish, agree on the p*cin*g. The latest examination of the question is in Mr. W. M. Mackenzie's *The Bruce*, note to bk. xviii., where the source of the erroneous 5th October is traced to the Annals of Ireland in the old Latin edition of Camden's *Britannia* used by Hailes. Later editions, *e.g.* ed. 1695, p. 1137, translate the text of the Annals expressly and correctly thus—'On Saturday which happen'd to be the feast of Pope Calixtus a Battle was fought... two leagues from Dundalk.' It is right to suggest in slight correction both of Father Stevenson, editor of the *Lanercost Chronicle*, and of Mr. Mackenzie that the *Chronicle* may be read as putting the battle not on the 13th as they state, but on the 14th of October—*infra quindenam post festum sancti Michaelis*, that is, the fifteenth day *after* 29th September, which is October 14, differing from the simple 'quinzaine' of St. Michael which is the 13th.]

ORDER OF THE STAR OF BETHLEHEM. The Monastic Order of the Star of Bethlehem was one of the lesser orders of which little seems to be known. Mathew Paris, in his *Historia Major* under the year 1257, mentions that a house in Cambridge was given to the Bethlehemite Brethren, whose dress is similar to that of the Black Friars, but is marked on the breast with a red Star with five wavy rays, and in the centre a round brazen knob representing the Comet which appeared at Bethlehem at the Birth of our Saviour.

The only house of this Order in Scotland was at St. Germans in the Parish of Tranent in East Lothian. As to when it was founded we have no information; but from the dates of some of its rulers, it must have been established much earlier than the one in England.

The Order appears to have been closely connected with the Bishopric of Bethlehem, which was suffragan to the Patriarch of Jerusalem. The first mention of the Order is in a deed in the *Reg. Epis. Glasg.*, where Sir Milo Cornetht is a witness as to Stobs of date 1208-14. This does not mention St. Germans; but in a cyrograph between De Quinci and Holyrood as to the tithes of Tranent, where St. Germans is situated, in 1222, Milo Cornet, Prior of St. Germans, is a witness. The identity of these two is, I think, well established. He also, as Milo Corneth, witnesses undated charters to Dunfermline by De Quinci and to Newbattle by Richard de Morville.

In the Charters of Soltre [Bannatyne Club] 'Edward de Albo Fonte' grants Soutra the lands of Quhitwel 'et terram insuper de Bothoclyd quam tenui de *Sancto Germano*, pro qua quidem terra solvent annuatim *illius loci custodi* quatuor denarios ad Festum Sancti Michaelis pro omnibus et singulis que dictis terris exigi poterunt aut debebunt.' This deed is undated, and in the printed tabula the approximate date is given c. 1238-1300; but as Sir Wm. Sancto Claro, sheriff of Edinburgh, is a witness, the period may be shortened to between 1266-1290.

In Bayamond's Roll [Theiner, *Mon.*] Fratres de Sancto Germano paid 40s.

Friar John of St. Germans, who was the bearer of a letter of condolence to King Alexander from Edward I. in 1284, may or may not have been connected with this St. Germans. In 1291 the Pope grants a relaxation of one year and forty days of penance to those who visit the church of St. Germans, Travernent, and on the Feast of St. German.

In the valor verus the Domus de Sancto Germano is valued at £3 6s. 8d. and the tenth 6s. 8d.

In Ragman Roll, Bartholomew Magister domus Sancti Germani de Travenynt appears as owning land in Aberdeen and in Kincardine 28 Aug. 1296.

The Papal Letters and Petitions supply us with various other notices.

The Pope writes to David, King of Scotland, asking him to assist William, Bishop of Bethlehem, to recover certain sums of money due to him from certain benefices and other sources in Scotland, Sept. 1332.

In 1408 Robert, Duke of Albany, petitions on behalf of Richard de Mariton, a Canon of Scone, for the Hospital of St. Germans of the value of

£50 of old valuation, which was wont to be given by the Bishop of Bethlehem to clerks, bearing the Red Cross; and which was void, as Roger de Edinburgh is a notorious schismatic, notwithstanding that Henry de Ramsay unlawfully holds it.

This Roger de Edinburgh, a priest, who describes himself as of noble birth and akin to the King of Scots, had petitioned in 1394 for a canonry of Rouen Cathedral, and in 1403 the Precentor of Bayeux petitioned on his behalf for a benefice in the gift of the Bishop and Chapter of Aberdeen.

The possession of this Hospital was the subject of much litigation. About four years later Henry de Ramsay, of noble birth and Rector of the Augustinian Hospital of St. German of the Star of Bethlehem, in the Diocese of St. Andrews, claims that the said Hospital, when void by the death of John Rollock, a papal chaplain, was given to him, first by his Ordinary, and then by papal authority, on deprivation of Roger de Edinburgh, a schismatic; and whereas Richard de Mariton, by a surreptitious grant obtained by false statements, is maliciously litigating about the same before Thomas de Carnes, official of St. Andrews, he prays the Pope to remit the cause to John Garsie, papal auditor, so that the Hospital may be given to the said Henry, which petition is granted in 1412.

As far back as 1373 John Rollo (Rollock above) Master here appears as one of the clerks of the wardrope (*Excheq. Roll*).

In the Douglas Charters, Dominus Richard Langlandis, Magister Hospitalis St. Germani, appears as a witness in 1421.

In 1466 Friar Patrick Pyot, master of the Hospital, gives sasine of certain burgh tenements in Crail to Sir John Ottyr; sasine is given by William Pyot, his brother, as his bailie.

In the *Antiquities of Aberdeen* (Spalding Club), Patrick Pyot, 'Magister Domus Sancti Germani Ordinis Sancti Augustini Iherosolamitani Cruciferorum cum Stella,' grants Donebankis in feu to Michael of Donebankis 1475. There is in the Dun charter chest a writ by John of Chalmers, master of St. Germans and parson of Aberluthnocht, in reference to the teinds of that parish for the year 1473. It is dated July 1474. There are also deeds of the same Chalmers as 'pensionarius' of St. Germans. These would appear to point out that there were two masters called Patrick Pyot with Chalmers ruling in the interval. In the Crail writs Mr. Thomas Pyot, Preceptor of the Star of Bethlehem, occurs in 1490. He seems to have been succeeded by the most famous master of the Hospital, the great and good Bishop Elphinstone of Aberdeen—a preferment that appears to be unknown to the writers of the life of the Bishop. Elphinstone appears as Preceptor in 1506 and 1510 in writs in the Kinnaird charter chest.

In General Hutton's MSS. in the Advocates' Library is a statement that 'Thomas Pyot, master of St. Germans, resigned properties in Glenmuick, Glengarden, and elsewhere, and rents in Fife, Lothian, Angus and Mearns to Bishop Elphinstone.' Unfortunately, the General does not condescend on dates, nor does he, as far as I could see, mention where the deed was that he quoted. This is to be regretted as evidently this was the deed by which the Preceptorship was resigned in the Bishop's favour. In the *Acta Dom. Aud.* is a mention that an annual of 4s. from a tenement

in Leith was to be paid yearly 'to ye place of ye sterne of Bethlehem' in 1483.

About 1542 Mr. Henry Lauder, the Queen's advocate, is designated of St. Germans. He as a young man made an oration in the 'French tongue' to the Queen on her first entry to Edinburgh. In the Denmyln MSS. in Advocates' Library is a Papal Letter granting permission to him, his wife and children to have a private altar. In the Register of the Great Seal, 1577, there is a confirmation of a charter by Alexander Morisone vel Moreis, chaplain vel Preceptor de Capelle S. Germani de Stella Bethleemitate infra Partes Laudonie, of the Lands of St. Germans to George Douglas and Elizabeth Fairlie, his spouse, reserving life-interest to Francis Douglas of Borg, his father, and to Agnes Lauder, his spouse, and on their resignation. This was apparently in reference to making up the titles as the lands had been disponed years before as shown above.

Thomas Dempster, of Muiresk, whose gigantic mendacity can only be palliated by his 'perfervidum ingenium Scotorum,' states that Donatus Grant eremita here wrote a work in 1354 entitled 'De Wiclifitarum Perfidia,' which fact is probably a creation of his active brain. He also states 'Eremita quidam Scotus imaginem Deiparæ Virginis Lauretanae humeris suis in Scotiam, divina revelatione admonitus, deportavit et Musselburgi, quarto a regia Edinburgo lapide Villa Sancti Germani deposuit, ad quam toto regno atque etiam ex Anglia creberrimus piorum hominum concursus et solennis peregrinatio. Io. Leslaeus lib. IX. Hist. Scot. pag. 442 scripsit Revelationes suas Delata est ab eo imago an. MDXXXJ existimo hunc et Monachum et Ordinis Eremitanæ D. Hieronymi, quod illo ordo Sancti Germani Coenobium haberet, viris doctis et sanctis celebre.' Dempster was not the only writer to confuse the Hospital of St. Germans with the Chapel of Loretto at Musselburgh.

The name of Pyot [Magpie] was held of little respect, as in 1707 a petition was presented to Parliament by William Pyot for himself, his kinsmen and relations, humbly showing that their predecessors were of the surname of Graham, but that owing to an unhappy difference in the clan they were obliged to cover themselves under the surname of Pyet. They therefore earnestly entreat Parliament to discharge the ignominious nickname of Pyet and to allow them to take the surname of Graham which they cannot do without a Public Act. Parliament granted the prayer, and an act was passed for the purpose.

In *Exegesis in Canonem Divi Augustini*, by Robert Richardson, Canon of Cambuskenneth, Paris, 1530, a rather rare book, is a list of the orders that follow the rules of St. Augustine. The Star of Bethlehem is not mentioned, but it may be included under that of the Cruciferorum, those bearing the Star of Bethlehem having made the Pilgrimage to Bethlehem.

J. G. Wallace-James.

Haddington.

THE BATTLE OF HARLAW. Five hundred years ago, on 24th July, 1411, the battle of Harlaw was fought, near Inverurie, some

twenty miles from Aberdeen. Donald, Lord of the Isles, having ravaged Ross—the earldom of which was in dispute—marched southward declaring that he would harry and burn the town of Aberdeen. The lowland forces, under the Earl of Mar, repelled the Celtic invasion, possibly in a more effective way than was thought of at the time. Aberdeen was saved, although its Provost, Robert Davidson, who led out thirty or forty of the burghers, was killed in the battle.

In commemoration of the five hundredth anniversary of this battle a pageant was held in Aberdeen on Coronation Day. To those who took an interest in the historical details, the procession was one of great interest. The leading personages were admirably represented. Although the details of costume, arms, etc., had been carefully thought out, and were in point of fact as nearly historically accurate as was possible, a section of the onlookers regarded the procession as merely a grotesque display. On the whole, however, the local committee had reason to look back with much satisfaction on their successful enterprise.

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The Old Schools and Universities in Scotland

IT would be an interesting problem to analyze the secret of the fascination which Scottish history has been found to exercise on the minds of all thoughtful students. Much must be allowed to the violent political changes, which more frequently than in the history of other countries from time to time altered the whole course of Scottish development. The War of Independence, the Reformation, the Union with England,—each of these marks a definite turning-point involving catastrophic changes such as are rarely to be met in the more orderly development of the southern kingdom, and such changes as these can never occur without producing men who, sharing the influence of two periods, must for all time present elements of mystery to the historian.

Nor is the fascination of the irreconcilable to be found merely in the characters of the men who have played an outstanding part in the history of our country. The student of Scottish history, in any of its aspects, is constantly being confronted by apparent contradictions of the most violent kind. That Scotland should be liberal in politics and intolerant in religion was the paradox which attracted the vigorous mind of Buckle: that Scotland should be liberal in politics and conservative in its instincts has in recent

[1] Essay awarded the One Hundred Guineas Prize offered by Dr. J. P. Steele of Florence in connection with the Celebration of the Five Hundredth Anniversary of the Foundation of St. Andrews University. The competition was open to all graduates of Scottish Universities, and the subject of the essay was described as Scotland's Debt of Gratitude to her Parish Schools, her Grammar Schools, and her Universities.

times repeatedly figured in the columns of the daily press as a paradox worthy of consideration. Yet there is an even more curious contradiction which has been noted by most careful observers. Scarcely any country in Europe presents so continuous a history of extreme poverty as Scotland. This is, perhaps, the most outstanding feature in Scottish economic history from earliest times, through a long troubled history when devastation was a necessary accompaniment of incessant warfare, until the end of the eighteenth century, when Fletcher of Saltoun estimated that a fifth of the population lived in a state of beggary. The records of the various burghs and of the Privy Council reveal to us a country in which starvation was not merely the occasional result of a bad harvest or the consequences of war, but the normal condition of affairs. For long periods hunger was the daily companion of the greater part of the population, and the country at large was terrorized by the troops of beggars who wandered about seeking to extort by fear what they could not obtain by compassion.

Yet this country, so signally deficient in the necessaries of life, was the country which has had the clearest conception of the value of education and the importance of learning. The remarkable Act of 1496, whatever view may be taken of the objects of its provisions, was at least in intention a compulsory education Act, and shows that in educational matters the Parliament of Scotland was centuries in advance of the legislators of other countries. The great scheme of education drawn up in the *Book of Discipline*, though never carried into effect, represented the common ideals of both the religious parties which divided the Scottish nation at the time of the Reformation. These ideals, involving the establishment of a school in every parish, were never lost sight of, and the Act of 1696, which secured this end, gave Scotland an educational system which made her peasantry the best informed in Europe. That these lofty ideals should have been entertained in material circumstances so sordid and so depressing is one of the most remarkable facts in Scottish history, and one of the most creditable to the Scottish people. 'I know not,' wrote Dr. Johnson, who was never too favourable a critic of matters relating to Scotland,—'I know not whether it be not peculiar to the Scots to have attained the liberal without the manual arts, to have excelled in ornamental knowledge and to have wanted not only the elegancies but the conveniencies of common life.'

It is in the common schools of a country that the ordinary

citizens are equipped for the battle of life: it is in the higher schools and colleges that the future leaders of a nation receive the training which qualifies them for their position of trust and responsibility. To comment on the important part played by the educational system in the formation of national character would, therefore, be to insist on the obvious. Yet what would otherwise be a platitude ceases to be so in the case of Scotland when considered in the light of the peculiarity noted by Dr. Johnson. Had Scotland until the middle of the eighteenth century been without learning and without any educational system worthy of the name, the fact would not have appeared remarkable. The historian could have pointed in extenuation to the insecurity caused by incessant warfare within and without the kingdom, and to the poverty which might reasonably have been expected to extinguish all love of knowledge and all lofty ideals of education. Yet, in point of fact, in this, one of the most important departments of national life, Scotland, instead of being backward, has been immeasurably in advance of other nations. In a country placed in circumstances so unfavourable, the development of an efficient educational system must have demanded on the part of the nation at large a much greater sacrifice than was necessary elsewhere. In the minds of Scotsmen education must have been more prominent, and learning must have been more appreciated for its own sake. Great, then, as has been the influence on other countries of their educational systems, it is only to be expected that in the case of Scotland, the influence of her schools and colleges has been even greater, and that our country to-day is under a deeper debt of gratitude to her scholastic institutions than other countries are.

It is not the object of this paper to trace in any detail the history of the schools and universities of Scotland or to give a connected account of the various Acts of Parliament or of the Privy Council establishing or extending the scope of her educational system. It may, however, be convenient at this stage to consider as briefly as possible the nature of the Scottish educational system as it existed from earliest times, before showing in what way the leading features of that system have left their mark on the Scottish nation.

Briefly speaking, the educational institutions of Scotland may be divided into three classes: the parish schools, the grammar schools, and the universities. Historically, the system in its main features can be traced to the period of the domination of

the Roman Catholic Church, to which in educational matters Scotland owes much. The origin of the parish schools is a matter of some obscurity, but it is clear that from a very early time the parish priests either acted as schoolmasters in their parishes, or else, in certain cases, supervised a younger ecclesiastic to whom these duties were assigned. Such parish schools, it is unnecessary to say, did not exist everywhere, yet it is certain that before the Reformation they existed in considerable numbers throughout the country.

The scheme of educational reform associated with the name of Knox, which is to be found in the *Book of Discipline*, did not then, in proposing the establishment of a school in each parish, break with the traditions of the past; it merely sought to render more perfect a system already in existence. Adverse circumstances, however, proved too strong for the Reformers, and the realization of this part of their dreams was left to a later generation. By the Act of the Privy Council of 1633, and more definitely by the Act of Parliament of 1696, it was finally enacted that a school should be established in each parish. This last-mentioned Act completed a long process of development, and although it was not possible in every parish to give effect to its provisions, yet in general, as a result of this measure, parish schools did exist throughout the country and brought within the reach of all the possibility of an elementary education.

The grammar schools are also in their origin the offspring of the Roman Catholic Church. It was customary in the various cathedrals and abbeys to have schools intended in the first place for the training of boys and young men for the offices of the Church. These were naturally situated in towns of considerable size and importance, and as they offered advantages in education superior to what could be obtained elsewhere, it was, perhaps, inevitable that the sons of townsmen should in time be admitted as outside pupils. Through the growth of this element, the municipal authority gradually acquired a certain measure of control over these schools, and in the earlier history of these institutions there are numerous cases of disputed authority between the ecclesiastical and the secular powers. In the upheaval attending the Reformation, these cathedral and abbey schools, as well as the collegiate schools, which also had originally depended on the great ecclesiastical houses, naturally passed under the control of the various town councils. These bodies, in their new capacity as patrons of learning, showed themselves in all

cases zealous on behalf of the schools which had passed under their charge, and in very many burghs where there was no school with the ecclesiastical origin indicated, the town council at a later date took steps to establish academies or seminaries.

To the influence of the Roman Catholic Church, or at least of Roman Catholic ecclesiastics, is also to be attributed the foundation of three of the four Scottish universities. The large numbers of Scottish students at Oxford, and the more celebrated continental universities, proved at an early date that the establishment of a university in Scotland was urgently required. The foundation of St. Andrews, the first of the three Catholic universities, was effected in 1411-12 by Bishop Wardlaw, and was intended to provide Scottish students with the advantages of a higher education in their own country. In 1450 the University of Glasgow was founded, through the efforts of Bishop Turnbull, on the model of the University of Bologna, and in 1494 Bishop Elphinstone succeeded in obtaining a bull for the establishment of a university in Aberdeen, expressly founded for the purpose of humanizing the highlands where 'rude men, ignorant of letters were still to be found.' The University of Edinburgh alone, established after the Reformation, has a different and more humble origin. Founded in 1583 by the town council, it was for many years merely 'the town's college,' and only acquired the rank of a university as the result of a vague process of expansion and development. With four universities, Scotland was amply furnished with the means of providing a higher education,—indeed, it may reasonably be held that a country with so small a population as Scotland could not well maintain so many. Yet no one who has considered the part played by the Scottish universities will regret that they have been so numerous. If, perhaps, from the point of view of the universities themselves, the fact is to be deplored, the relatively large number of universities in Scotland has, nevertheless, produced effects, to be noted later, which have indubitably been for the advantage of the nation.

What then does Scotland owe to these various parts in her educational system? The first and most obvious test of efficiency is to enquire how far the educational system of Scotland has achieved the end for which schools and colleges are ostensibly founded,—in other words, how far has it been successful in promoting learning, and in keeping alive in our country the true spirit of culture and of scholarship? It is impossible in a few

words to answer this question adequately, since in Scotland, as in all countries, the seats of learning have had their seasons of stagnation and their periods of prosperity. There have been times when the universities cannot be said to have played that part in the national life which should rightly have fallen to them; there have, on the other hand, been times when our universities have rightly occupied a position of distinction among the leading European universities. In considering the Scottish educational system purely from the point of view of the work done by it as an instrument for the dissemination of knowledge, it will be possible to proceed only by way of illustration, indicating almost at random the work which has at various times and in various ways been accomplished.

It is necessarily difficult to appreciate the work done by the parish schools, since our knowledge of what was actually taught in them is, until a comparatively recent stage in their development, very vague in its nature. Latin, taught from the text-books of the grammarians, Donatus and Despauter, was the chief subject in the curriculum of the elementary schools, as a knowledge of that language was the key to all other knowledge in the Middle Ages. Yet, if we cannot know directly, it can at least be inferred that the parish schools, even from a very early date, accomplished a great educational work. These schools were the basis of the whole educational system, and the vast number of distinguished Scottish scholars, who from the time of Duns Scotus thronged the universities of Europe, is a clear proof that in Scotland there was sufficient opportunity of acquiring the beginnings of learning.

Our knowledge of the curricula of studies followed in the grammar schools is more complete, and it is evident that in many ways the range of subjects taught in our schools to-day is less extended than it was some hundreds of years ago. In the middle of the sixteenth century the boys attending the Grammar School at Aberdeen were forbidden to speak any language other than Latin, Greek, Hebrew, French and Gaelic, and the scholars had been sufficiently accomplished to receive James V. in 1540 with orations in Greek and Latin. About this time Greek was also taught in the Grammar School at Montrose by the famous French scholar, Pierre de Marsilliers, and Hebrew as well as Greek was taught in the school at Perth by John Row in the next century.

Moreover, it is clear that the scholars acquired no mere perfunctory knowledge of the classics in the burgh schools, but

that, in the Latin writers at least, they obtained a wide and liberal education. Amongst the classical writers studied at Glasgow Grammar School towards the end of the sixteenth century, we find the names of Cicero, Terence, Ovid, Vergil, Horace, Sallust and Caesar, and in addition the *Psalms* of Buchanan and the *Dialogues* of Erasmus were also read. In the High School at Edinburgh the curriculum in 1640 comprised Cicero, Terence, Ovid, Buchanan, Vergil, Sallust and Lucan, while at a later date, in 1710, the highest class studied Terence, Vergil, Lucan, Horace, Juvenal, Cicero, Livy, Florus, Sallust, Suetonius and the *Psalms* of Buchanan. The range of reading in Aberdeen Grammar School was equally wide, and it is clear that throughout the country, in all the schools of which these may be taken as types, a classical training was given which must have disseminated throughout Scotland a very extensive knowledge of the best Latin authors. To this very thorough foundation, and to the custom of speaking only in Latin, rigorously enforced in all schools and universities, is doubtless to be ascribed the eminence in Latin scholarship which so long distinguished the countrymen of George Buchanan.

It is, however, the universities of a country which are the chief instruments in the dissemination of knowledge, since the students of to-day are the teachers of others to-morrow: to the universities must also necessarily fall the leadership in all matters of philosophic thought or scientific enquiry. No attempt can be made here to estimate accurately the nature of the work accomplished by the Scottish universities in this respect, but some indication of the greatness of the work which they have achieved, viewed solely as educational institutions, may be obtained by a brief reference to some of the more brilliant periods in their history.

The system of teaching in force in all the Scottish universities until the eighteenth century was carried on by regents as opposed to professors, that is to say, the students of each year were entrusted to a regent who carried them through the entire course. Such a system necessarily made it impossible for the teachers to become specialists in any department of learning, but this objection was a minor one in an age when it was still possible for the scholar to take all knowledge to be his province. It had, however, counterbalancing advantages, inasmuch as it was possible for a man of genius to leave the imprint of his personality on his students to an extent scarcely possible under the professorial

system. It is, however, only fair to judge of any system by its best achievements, and to realize what the regenting system of teaching could, and in fact did, accomplish for Scotland, it is only necessary to consider the case of Glasgow soon after the Reformation. Scotland's second university had about the middle of the sixteenth century passed into a period of eclipse, from which it was rescued by the efforts of the Regent Morton. The teaching of Andrew Melville, the chief restorer of the western university, inaugurated a bright period in the history of Scottish learning, and deservedly conferred on his university a European reputation. His teaching represented a vast advance on the somewhat barren scholastic philosophy of the Middle Ages, and those students who were privileged to read with him, acquired in the course of their studies, an extensive knowledge of classical literature, regarded from the standpoint of the new learning, which was modifying the views of the educated classes of Europe.

Let his nephew, James Melville, give his account of the work that was being done in Glasgow University in the last quarter of the sixteenth century.—'Sa falling to wark with a few number of capable heirars, sic as might be instructars of uthers therefter, he teatched them the Greik grammer, the Dialectic of Ramus, the Rhetoric of Taleus with the practise thereof in Greik and Latin authors, namlie, Homer, Hesiod, Phocilides, Theognides, Pythagoras, Isocrates, Pindarus, Virgill, Horace, Theocritus etc. From that he enterit to the Mathematiks and teatched the Elements of Euclid, the Arithmetic and Geometrie of Ramus, the Geographie of Dyonisius, the Tables of Honter, the Astrologie of Aratus. From that to the Morall Philosophie: he teatched the Ethiks of Aristotle, the Offices of Cicero, Aristotle de Virtutibus, Cicero's Paradoxes and Tusculanes Aristotle's Polytics, and certean of Platoes Dialogues. From that to the Naturall Philosophie; he teatched the buiks of the Physics, De Ortu, De Coelo, etc., also of Plato and Fernelius. With this he joyned the Historie with the twa lights thereof, Chronologie and Chirographie, out of Sleidan, Menarthes, and Melanchthon. And all this, by and attoure his awin ordinar profession, the holie tonges and Theologie. He teachit the Hebrew grammer, first schortlie, and syne more accuratlie; therefter the Caldaic and Syriac dialects with the practise thereof in the Psalmes and Warks of Solomon, David, Ezra, and Epistles to the Galates. He past throw the haill Comoun Places of Theologie

verie exactlie and accuratlie ; also throw all the Auld and New Testament. And all this in the space of sax yeirs during the quhilk he teatchit everie day customablie twyse, Sabothe and uther day ; with an ordinar conference with sic as war present efter denner and supper.'... 'Finalie,' adds James Melville, 'I dare say there was na place in Europe comparable to Glasgow for guid letters during these yeirs for a plentifull and guid chepe mercat of all kynd of langages, artes, and sciences.'

This description has been quoted at some length, as the impression which it gives of the work done by the Scottish universities towards the end of the sixteenth century is more vivid than would be conveyed by any general discussion of the university system which then existed. The influence on the country of such a 'plentifull and guid chepe mercat' of knowledge need not be emphasized. The teaching of Melville in Glasgow, and later in St. Andrews, must have supplied a body of men, imbued with the spirit of the new learning, who later as ministers and teachers, perpetuated the influence of their master through the pulpits and parish schools of their country.

The work done by the universities in Scotland may also be conveniently illustrated by reference to the history of Aberdeen. The university in that town started its career under most promising auspices, having for its first principal the historian Boece, and counting among its first teachers the great grammarian, John Vaus. It is clear from various sources that it was at once frequented by large numbers of students, and that within forty years of its foundation it had already acquired a very considerable reputation. At the Reformation the university was 'purged' by the removal of those teachers who were not in sympathy with the dominant ecclesiastical party. The first principal of the reformed university was Alexander Arbuthnot, a man who is known to have been in intimate communication with Andrew Melville. As they discussed together the question of university reform in Glasgow and Aberdeen, it may reasonably be inferred that he introduced into Aberdeen that new spirit of learning which was then conferring on Glasgow so high a reputation.

Throughout the seventeenth century, Aberdeen University continued to play a very large part in the intellectual life of the country. Under the influence of Bishop Forbes, the university tended to become a seat of theological learning, and the body of erudite men known as the Aberdeen doctors,

while playing a great part in the ecclesiastical disputes in connection with the Solemn League and Covenant, also maintained the reputation of their town as a centre of literary and intellectual activity. Throughout the seventeenth century the influence of the many distinguished men who taught in the university, conferred on Aberdeen a pre-eminence in all the finer arts which attracted the favourable notice of such disinterested observers as Clarendon and Burnet.

A further illustration of the intellectual work accomplished by the universities in Scotland may be obtained by reference to the conditions obtaining in the eighteenth century. The beginning of the century witnessed a period of intellectual stagnation, which, however, was not peculiar to Scotland. Adam Smith's description of the barrenness of the teaching in the English universities at this period, is one of the best known passages of *The Wealth of Nations*, and need only be mentioned here as indicating that the decline of the Scottish universities in the first part of the eighteenth century was not due to any causes peculiarly affecting Scotland, but was the result of a wide-spread intellectual reaction which marked the age of common sense throughout Europe.

What, however, is noteworthy, is the fact that the great awakening came to the Scottish universities at a time when the universities of England were still suffering from intellectual torpor. One of the greatest periods of Scottish intellectual activity was inaugurated by the lectures on philosophy delivered in Glasgow by Francis Hutcheson, and the dawn of the new spirit was further marked by the appointment, in 1751, of Adam Smith, whose lectures on philosophy contained the outline not only of his *Theory of the Moral Sentiments* but also of *The Wealth of Nations*. A university which, in addition to such names as these, counted among its professors such men as Reid in philosophy, and Cullen and Black in science, not merely did much for Scotland but benefited the whole world by its contributions to the advancement of learning.

Nor was the prosperity of Glasgow at this time exceptional among the Scottish universities. The Gregorys who lectured in Edinburgh, and Maclaurin as professor, first in Aberdeen and later in Edinburgh, are among the most distinguished names in the history of mathematics. It is, perhaps, worthy of special mention that David Gregory lectured in Edinburgh on the Newtonian philosophy many years before it was accepted in

Cambridge, and that indeed it was by his efforts that the *Principia* was brought to the notice of English mathematicians. Nor, in mentioning the University of Edinburgh in the eighteenth century, is it possible to pass over in silence the great names of the Monros, who will forever be remembered in connection with the foundation and rapid expansion of the medical school, which has ever since been so prominent a feature in the academic life of Edinburgh. In rationalizing medical science and freeing it from a heritage of superstition, the Medical School of Edinburgh did much even in its earliest days to advance that department of learning which, more than any other, is immediately and directly beneficent to suffering humanity. The lead which Edinburgh obtained in this respect through the greatness of her eighteenth-century teachers has never been wholly lost, and to-day, of the medical men practising throughout the empire, an abnormally large proportion have received their training in one or other of the medical schools of Scotland.

I have made no attempt in the preceding paragraphs to give any connected account of the influence of the Scottish universities as seats of learning, nor have I endeavoured to form a dazzling enumeration of the many great men whose learning and literature have accumulated the prestige of the academic bodies with which they were connected. I have merely endeavoured to show by somewhat disjointed references to the history of the various universities at different stages of their development that they have not failed in the first and most obvious duty falling to a university. They have maintained a high standard of learning: they have contributed their share to the advancement of human knowledge. They have influenced the literary taste of the country; they have contributed to philosophic speculation; they have aided in scientific discovery. And, while assisting in the search for truth, they have not forgotten that it is the duty of a university to impart to each successive generation the accumulated learning, the culture and the ideals of the past. Notwithstanding some periods when learning has been neglected, and the lecture rooms of our colleges have been but poorly attended, the homely words of James Melville regarding a brilliant period in the history of one of the universities may with justice be applied to the life of the Scottish universities as a whole. They have been pre-eminently 'guid chepe mercats' of knowledge.

The chief end of education, however, is not merely the acquisition of knowledge. Montaigne was justified in commenting on

the ineptitude of a system of education which aimed, not at goodness and wisdom, but at knowledge only, which taught not virtue and prudence, but the derivation and the etymology of these words. Thus, in estimating the debt of gratitude which Scotland owes to her educational institutions, there are more important matters to be considered than the standard of learning maintained throughout the country. Much as Scotland owes in this respect to her schools and colleges, even greater is her indebtedness when the indirect effects of her educational system are considered in the political, social, and religious life of the country, and above all in the character of the people. In the remainder of this paper an attempt will be made to suggest the nature of some of these indirect effects of the Scottish educational system.

One of the most obvious peculiarities of the academic life of Scotland, as contrasted with that of England, is to be found in the nature of the universities which were organized on continental and not on English models. The point may not at first sight appear of importance in connection with the subject under discussion, but the consequences of this fact were not without considerable influence on the development of Scottish life. Even before the foundation of the first Scottish university, Scottish students frequented continental universities in large numbers, and the establishment of seats of higher learning in Scotland in no way diminished during the sixteenth and seventeenth centuries the steady stream of scholars studying and teaching in all the leading universities of Europe.

All the great Scottish scholars of the period passed a considerable part of their life thus wandering from university to university, in many cases even filling the post of principal. The intimate connection existing between the Scottish universities and the models on which they were founded fostered on the part of Scottish scholars this tendency to give the best years of their life to teaching in foreign schools. This is not the place to give an account of any of the leading men who took part in this curious intellectual emigration, but it is difficult to repress all mention of men like John Cameron, who in the early seventeenth century taught successively in Glasgow, Bergerac, Sedan, Paris, Bordeaux, Geneva, Heidelberg, Saumur and Montauban, or Thomas Dempster, who moved about the universities of France, England, Spain and Italy. What is, however, of importance in the present connection is to note some of the consequences which

may not unreasonably be attributed to the somewhat accidental fact that the Scottish universities, being founded on continental models, facilitated intellectual intercourse between Scotland and the chief seats of learning abroad.

In the first place,—a fact of importance in view of the abject abiding poverty of Scotland—a greater opportunity of playing an honourable part in the world's work was opened to our countrymen. Instead of being restricted to the narrow confines of their native land, they became citizens of the world admitted to the highest places in the academic institutions of Europe. In the second place, it enormously enhanced the reputation of Scotland in the minds of scholars and statesmen abroad. A country like Scotland, remote in situation, limited in area, and without resources, would not ordinarily have figured largely in the minds of continental nations. That Scotland occupied a position in their thoughts out of all proportion to her political importance was chiefly the work of this large body of wandering teachers, in whom patriotism was intensified by exile. And thirdly, the peculiarity we have noted in the Scottish universities brought Scotland under the full influence of the development of European thought, and gave to Scotsmen internationally a wider outlook than would otherwise have been possible.

The effects of this can be traced in many ways. In nearly all matters of thought Scotland has sided with the Continent rather than with England,—Scottish philosophy, for instance, has been uniformly akin to German rather than to English speculation. This influence also is to be traced in less abstract matters, in the habits of thought which distinguish the nation. The long vacation in the Scottish universities has hitherto had one excellent result in that it has enabled each year a considerable number of students to maintain the old custom of studying abroad, and the tradition has been productive of good not only in the attitude of foreign opinion towards Scotland, but in the character of the Scottish people themselves.

No one who has attended a foreign university can have failed to realize that in the minds of the educated classes abroad a very real line is drawn between Scotsmen and Englishmen. Whether the distinction is justified is at present immaterial, that it exists cannot be questioned. The Scotsman is held to be less assertive of his nationality, more considerate of the feelings of those among whom he is living,—in a word he is more diplomatic. Nor need we scruple to trace this instinctive diplomacy in part

to the fact that for centuries it has been the custom of educated Scotsmen to spend a considerable period of their life abroad in study at the most receptive stage of their career. In short, the close relation between the universities of Scotland and the Continent has contributed to create abroad a friendly sentiment towards our country, while at the same time it has given our countrymen a cosmopolitan character in apparent contradiction to the remoteness of Scotland from other states.

I have placed this point first among the indirect effects of the Scottish educational system not on account of its intrinsic importance, but because it has been more frequently overlooked than some other consequences which have become the subject of commonplace observation in commenting on the Scottish character. The leading characteristic of the Scottish people has undoubtedly at all times been a love of freedom and a certain reasonable sense of equality, based, however, on a sense of common manhood rather than on the empty sentimentalities of the French Revolution. This has always been a distinguishing mark of the Scottish people, and it has always been one of the dominant notes of Scottish literature.

It is not without significance that the highest expression of the nobility of freedom in the English language is to be found in the works of Barbour, and that the words which the English-speaking races have by universal consent accepted as the best expression of the brotherhood of man are taken from the poetry of Burns. To attribute this characteristic wholly to the educational system in force in Scotland would be a misinterpretation of history. The acute sense of liberty in the Scottish mind is doubtless to be traced in large measure to the political history of the country at the end of the thirteenth and the beginning of the fourteenth century. Perhaps also, in a sense, the history of Scottish liberty is a verification of the theory of Machiavelli, that the strongest foundation of the freedom of the state is to be sought for in the poverty of the citizens. Yet this at least may be asserted that the Scottish educational system did much to develop and make permanent that sense of equality which has been the underlying moving force in Scottish freedom. No system could have been devised more calculated to foster a democratic spirit. In the schools and in the universities there was no room for distinction of classes: there was only one training alike for rich and poor.

The catholicity of the parish school is not a matter which

admits of easy proof, but in the case of the grammar schools there is abundant evidence that the children of the poor were educated with the children of the most important citizens in the district. Thus, on the one hand, there are numerous instances of the efforts made by the town councils to throw open to all the benefits of the grammar school by reducing the fees in the case of poor children, or in many cases totally exempting their parents from all payments. On the other hand, we have had preserved in connection with certain riots which took place in Edinburgh High School in 1587, and in Aberdeen Grammar School in 1610, lists of the chief offenders who had been guilty of holding the school against the master. In each case the list obviously contains the names of a very large number of boys, who were the sons either of distinguished citizens or of leading land proprietors in the neighbouring counties.

Such a system of education in the elementary schools inevitably tended to smooth down class distinctions. On the one hand, the upper classes could not assume an attitude of superiority towards those who, earlier in life, had been their schoolfellows: on the other, any tendency to servility in the poorer classes was checked by the fact that they had at the outset of their life ranked as the equals of their social superiors, if only under the rod of the same master. The method of speech of the Knoxes and the Melvilles of the Reformation has frequently been the subject of comment. Yet, if properly considered, their tone was neither insolent nor disrespectful; it was but the natural expression of the spokesmen of a nation who from their earliest childhood had been taught the equality of mankind, and who realized instinctively that all service ranks the same with God. This, so far as Scotland was concerned, was the sentiment on which was founded the opposition to the excessive claims of the Stuarts. The principle of equality at the root of our educational system was utterly subversive of any claim to subjection resting on divine right.

No people, it has been said with more uncharity than lack of truth, were ever less loyal to their kings than the Scots, and the reason is to be found, partly in the fact that the Scottish nation was deficient in that ignorance which Montesquieu noted as the presupposition of extreme obedience, but even more in the fact that this deep-rooted instinctive sense of their individual worth was fundamentally opposed to a rigorous obedience to any external authority. Thus that divine right on which the Stuarts

rested their kingship was but a common quality of the Scottish nation. They shared with James his divine kingship in the form of a divine right of manhood, which, as history shows, could be easily transformed into, and indeed at times necessarily became, a divine right of rebellion. Without the help of Scotland at critical periods during the opening years of the great war, England could hardly have maintained her struggle for liberty against the Stuarts, and thus England too owes much to that Scottish sense of equality which was encouraged by the system of education in the parish and grammar schools.

The catholicity of the parish and grammar schools in being the schools of the whole nation and not of a class has its counterpart in the catholicity of the universities. In all countries in the Middle Ages, the universities were open to, and were frequented by, students of the poorest classes. Yet the Scottish universities pre-eminently opened their doors to the very poor, and they have, further, this very honourable distinction of having maintained until to-day, as a practical working system, the mediaeval idea that a university is a place which may be frequented by the poorest. No one who has been a student in a Scottish university can have any difficulty in recalling numerous cases of students who were obliged to support themselves in various ways while following their classes, and who during the summer vacations returned to the plough or the fishing-boat.

The step from the secondary or grammar school to the university has never presented any serious obstacle in Scotland, and thus it has always been a more easy matter in our country than elsewhere for men of the lowest rank to rise to the highest position in the state. It is a commonplace, that an enormous majority of the men whose memory we cherish with most gratitude in the history of our country have risen from very obscure origins. To this also is to be attributed another fact which has frequently been inadequately explained. When we reflect on the very meagre population of Scotland in the eighteenth and early nineteenth century, it is impossible at first to suppress astonishment at the number of men of the first eminence, whom our country produced in philosophy, literature and science during that period. The obvious and patriotic explanation is to attribute this to some occult intellectual superiority which our countrymen have enjoyed compared with the inhabitants of less favoured states. Yet no such question-begging explanation is necessary. In all countries, the great majority of the people live

in comparative poverty, and, so far as we know, potential genius is distributed almost equally throughout the various ranks of society. Whenever, then, there is anything of the nature of a poverty bar to the rise of natural ability, an enormous proportion of the possible genius of the country is necessarily deprived of all possible fruition. This enormous waste,—this tragedy of the 'mute inglorious Milton'—is the problem with which education everywhere has to grapple, and where the bar of poverty has been so successfully removed as it has been in Scotland, it is only natural that the number of great men produced should be proportionately much larger than in other countries.

The efficiency of the Scottish universities as an instrument for the education of all classes was much increased by the somewhat accidental circumstance that owing to want of supervision they increased in number to four. The three pre-Reformation universities were founded by the efforts of bishops interested in the chief towns of their diocese. Edinburgh University was founded by the zeal of the town council, moved by the advantage which a college would be to their town. The later universities were thus founded without consideration of existing similar institutions in the country. There can be no doubt that from the academic point of view the number was greater than a country with the population of Scotland could afford to support. Had Scotland been contented with one university at St. Andrews, or at most with two in St. Andrews and Glasgow, the development of higher education in Scotland might have followed an entirely different course.

In this case the Scottish zeal for education somewhat overshot itself, and the result was undoubtedly detrimental to the universities themselves. Had the efforts devoted to the foundation of the later universities been directed to the better maintenance of those already existing, the universities of Scotland, living in greater opulence, might have developed some of the features characteristic of Oxford and Cambridge. Such a course might have avoided some of the drawbacks which in times of intellectual stagnation have marked our academic life. One of the least creditable features in the history of our universities is the jealousy which has at times marked their attitude to the grammar schools. Professors, struggling to live on a miserable pittance eked out by scanty fees, were naturally averse from any course which might reduce the number of their students. Thus at times they agitated against the teaching in schools of subjects which they regarded

as properly their own; thus also students, however ignorant or inefficient, were encouraged to attend the university regardless of their ability to profit by or understand the lectures.

Thus the excessive number of the universities had a tendency to depress the standard of teaching and to throw on to the professors work, essentially preparatory in its nature, which should properly have been undertaken by the grammar schools. That this tendency made itself felt during the less brilliant periods of the universities is indubitable. Scotland having four universities, and having room for at most two, it was inevitable that her universities should to a certain extent be reduced to doing the work of higher schools, and in so far as they did so they were necessarily prevented from devoting themselves to the higher aims of a university.

There is, however, another side to this question. If the universities lost through their excessive numbers, the nation as a whole gained. The poverty of the highest seats of learning was in this respect an advantage, as they were thereby better qualified to discharge their functions as the universities of a poor country. Nor was it wholly disadvantageous to the country at large that to a certain extent the causes which have been noted tended to depress the level of the teaching of certain subjects in the universities. The passage of students from the grammar schools, and indeed from the parish schools, to the universities was thereby greatly facilitated. Thus by their number the Scottish universities may have been debarred from playing that part in the social life of the country which has been so long a distinguishing feature of Oxford and Cambridge, but this has been more than compensated for by the fact that they were thereby compelled to discharge more humble duties, more in accordance with the needs of the country. The excessive number of our universities has been one of the chief causes which have made university education so accessible even to the poorest in Scotland.

As a result of such a university system Scotland has necessarily had this peculiarity, that a very large proportion of what are known as the educated classes have always been men who have risen from the ranks. In virtue of this they have possessed an instinctive sympathy with the people which has enabled them to exercise a greater influence than this class has had elsewhere. To this as much as to any other cause is to be ascribed the extraordinary influence—the tyranny, to use the word of one school

of historians—of the Scottish Church in the seventeenth and eighteenth centuries, and, indeed, in large measure until to-day. The Scottish clergy have possessed so much power over the people largely in virtue of the fact that the vast majority of them belonged to the people, and they could, therefore, understand and influence their congregations as no body of clergy drawn from a higher social position could have done. To ascribe this influence of the Church to its Presbyterian form of government is not wholly sufficient. The ultimate problems of history, like the ultimate problems of science, are insoluble, and this explanation merely leads to the question of the causes which predisposed the Scottish mind in favour of Presbyterianism. The reaction of religion and politics may explain much, but there is always an unexplained residuum left, since it is impossible to analyze, experiment with, and account for the mind and the will of a nation.

Adam Smith, who never fails to be suggestive in his treatment of history, has much to say that is of interest in explanation of the influence of the Scottish clergy. Not to Presbyterianism as such, but to the mediocrity of benefice resulting therefrom, does he ascribe the power of the Church of Scotland. 'Nothing but exemplary morals,' he says, 'can give dignity to a man of small fortune. . . . In his own conduct therefore he is obliged to follow that system of morals which the common people respect the most. . . . The common people look upon him with that kindness with which we naturally regard one who approaches somewhat to our own condition but who, we think, ought to be in a higher. Their kindness naturally provokes his kindness. . . . He does not even despise the prejudices of people who are disposed to be so favourable to him, and never treats them with those contemptuous and arrogant airs which we so often meet with in the proud dignitaries of opulent and well endowed Churches.'

As a criticism of Presbyterianism Adam Smith's statement is admirable; yet as applied to Scotland it is inadequate. The Scottish clergy moulded their conduct on the system which the common people most respected, because they themselves were of the common people. They did not approach *somewhat* the common people; they belonged to them by instincts which education could not eradicate. They did not despise the prejudices of the common people, because at one time they had shared, and indeed never wholly lost these prejudices. The influence of the Church in Scotland from the sixteenth to the

eighteenth century, which is one of the most far-reaching facts in Scottish history, is thus to be ascribed not to the consequences arising from the moderate stipends of the clergy, but to the intense natural sympathy which the clergy had with the people in virtue of their own humble origin. This peculiarity, as has been shown, was the direct result of the educational system of our country.

To this dominance of the Scottish Church is also usually ascribed the religious elements which are so prominent in the Scottish character. Yet the various educational institutions of Scotland were themselves powerful factors working in this direction. In the first place, the religious origin of the various classes of schools, and of three out of the four universities is, in this connection, a fact of great importance. It gave from the first a religious bent to Scottish education which it has only lost within the memory of those still living. The schools were church schools, and the intimate connection which existed between them and the Church was one of the features in our educational system which survived the catastrophic changes of the Reformation. The influence of the Church was exercised by the visitations of the Presbytery, an idea which is to be found in outline in the *Book of Discipline*. Moreover, the religious end of education was kept very consciously in view by those who directed the educational policy of the country.

It is impossible to read the various Acts of Parliament dealing with education, the frequent references to education in the records of the Privy Council, or the numerous entries relating to schools in the minutes of the town councils, without being impressed by the fact that the promotion of true religion was held to be the chief end of all education. Hence it is not surprising that religious instruction figured largely in the schools. The importance of this department of knowledge was indeed carried so far as to make the Sabbath the most arduous day in school life. The day of rest brought no respite to the hard-worked master or his pupils. The school met as usual on that day, and although *Donatus* may have been put aside, the study of Buchanan's *Psalms* and Calvin's *Catechism* may have been as trying a task to the youthful mind. Where it was possible a part of the gallery of the church was reserved for the scholars, who at sermon time were conducted there by the master. But even this was part of the day's work. The eye of the master was upon them to detect the idle and the irreverent, and in the afternoon they were

examined upon the notes which they had taken during the service, and catechized upon the doctrine which they had heard preached. Indeed in some places the pupils, if they did not supplant the minister were at least promoted to assist him in the religious instruction of 'common ignorant people and servants.' For this purpose two students were delegated to repeat the Shorter Catechism in church between services, the one asking the question and the other giving the answer. This or a similar practice was not uncommon in various burgh schools throughout the seventeenth and eighteenth centuries.

Such a rigorous religious training as this has left a deep mark on the Scottish mind and character. The emphasis thrown on dogmatic theology in the instruction of even the youngest children—the Shorter Catechism being repeated publicly in some schools once every week—tended to produce a people with strong religious feelings of a somewhat narrow and dogmatic type. The Scots became, indeed, not so much a religious as a theological people, eager to argue on abstruse points of doctrine and to confute an opponent by Biblical quotation or reference to the Westminster divines. I do not mean to assert that the religious or theological bent of the Scottish people was the result of the religious education given in the schools. It would, indeed, be truer to regard this very severe religious training as the expression of the power exercised by the Church in Scotland, which has already been considered in an earlier part of this essay. But what is at least incontestable is that the work done by the schools confirmed from generation to generation the ascendancy of the Church by implanting in each race of scholars this theological and religious tendency on which the power of the Church so much depended.

To the schools, then, we may in large measure attribute the strength of the religious elements in the Scottish character. Closely connected with this is a certain tendency to abstract reasoning and abstruse argument. Scottish religion was nothing if not dogmatic : the Shorter Catechism became the chief corner-stone of religion. Doctrinal preaching was the principal feature in the Church service, and the discussion of the sermon was the foremost intellectual occupation of the people from week to week. 'We were indeed amazed,' wrote Burnet, 'to see a poor commonalty so capable to argue on points of government, and on the bounds to be set to the powers of princes in matters of religion. Upon all these topics they had texts of scripture at hand and were ready with their answers to any thing that was

said to them. This measure of knowledge was spread even among the meanest of them, their cottagers and their servants.'

This argumentative tendency is undoubtedly to be traced in large measure to the training received in the schools, where the scholars at an early age were furnished with the weapons of theological controversy. Moreover, the schools aimed deliberately at producing an argumentative type of mind. Disputes or debates between the scholars constituted a common form of intellectual exercise. Every scholar in the school, according to one of the regulations governing the Aberdeen Grammar School, was to have an antagonist 'who may be as equal as can be for stirring up emulation.' A type of mind peculiarly adapted for abstract and deductive reasoning was thus developed. That the great Scotsmen of the eighteenth century were all deductive in their methods while the Englishmen of the same period were inductive, is one of the peculiarities in Scottish history which Buckle ascribes to the dominance of the Church. This, however, is not the whole explanation : the tendency to deductive reasoning which figures so largely in the Scottish character was not merely a fortuitous development, but was an end deliberately aimed at by the dogmatic teaching of the elementary schools, and the training in controversial methods, which was so prominent a feature in the grammar schools and colleges.

There is another aspect of the character of the Scottish people which it is necessary to mention in connection with the educational system of our country,—I refer to that combination of industry, perseverance and economy on which the success of Scotsmen in so large measure depends. The training received in the Scottish schools was in every way a stern one, and chief among the lessons taught the Scottish student was the supremely important one of the necessity of labour and endurance. In the schools and colleges teaching began at a surprisingly early hour, in most cases at six o'clock, and the unfortunate parish schoolmaster was frequently required to teach for ten hours a day during a working day of twelve hours. When it is considered that in many rural districts the scholars had to come long distances in all kinds of weather, and that the intervals during the day were not sufficient to allow them to return home, it will be realized that the most elementary schools furnished a hard discipline for the battle of life. The influence of the universities also made itself felt in this direction. It has been said that the universities were accessible to all, yet for the poor, and they were the large majority, a university

education could only be gained by considerable effort and sacrifice. It was for most a life of privation and of hard work, only possible by the exercise of rigid economy.

This, indeed, is the peculiar feature of all Scottish education, that so great results were obtained at so little money cost. Throughout the whole of the eighteenth century, the parish schoolmasters received a salary apart from various perquisites of just over £11. The professors in the universities received salaries as ridiculously small. This mark of poverty and of hardship can be traced in everything relating to education in Scotland. Not improbably the extraordinary importance attached to education in Scotland from very early times was in part connected with the poverty of the country, since the schools and colleges opened a career to many to whom the trade of their fathers held out no prospect but starvation. Education, in fact, opened a door for the surplus population who were ever pressing on the very limited means of subsistence which the country offered. Yet in such a country the academic life was itself necessarily a life of hardship calculated to emphasize all the lessons of perseverance, industry and economy which his environment was impressing on every Scotsman in the struggle for life. In this respect, indeed, the schools and colleges merely taught in a more intensive form what all our countrymen were learning under what Rousseau called the 'education of things.' But in most countries these lessons have not been taught to the educated classes, and nowhere have they been taught so emphatically to the common people.

These qualities account in large measure for the success in all departments of life which has so pre-eminently distinguished Scotsmen, since the Union opened to them a larger sphere for their activities,—a success which has sometimes excited admiration, at other times malicious envy. The pages of the *North Britain*, with its keen satire and biting invective, show more clearly than any sober statement could have done the part which our countrymen were then playing in the affairs of the United Kingdom. Underneath all the favouritism and backstair influence of which Wilkes complains, it is probable that one of the chief reasons for the Scottish emigration to England is to be found in the fact that at the time of the Union the Scottish people had the advantages of a superior educational system which enabled them to reap the benefits of the opportunities which the Union offered. To refer to any instances in which the qualities mentioned have enabled Scotsmen to achieve success is unnecessary, as countless

instances in the biographies of our great countrymen will occur to every one.

It may, however, be of interest to consider two cases in which these qualities have been shown by the common people who have thereby achieved success where others have failed. The first is referred to by Dean Swift in connection with certain settlements in Down and Antrim. 'These people,' he writes, 'by their extreme parsimony, wonderful dexterity in dealing and firm adherence to one another, soon grow into wealth from the smallest beginnings, never are rooted out where they once fix and increase daily by new supplies.... I have done all in my power on some land of my own to preserve two or three English fellows in their neighbourhood tho' one of them,' adds the satirist, 'thought he had sufficiently made his Court by turning Presbyterian.' The other instance is a matter of recent history. No county in England suffered so severely as Essex from the agricultural depression following 1875. Farmers everywhere were ruined, and the land was rapidly going out of cultivation. I quote from a recent volume on the position of agriculture, the account of the restoration of the prosperity of Essex. 'Far away from Essex in the dairy districts of Ayrshire, and especially in the neighbourhood of Kilmarnock, lived a sturdy race of farmers, who also had troubles of their own to bear. They were unspoiled by prosperity; they were thrifty and hardworking, and they had great force of character; but there was this drawback to their position: there were too many occupants of the Ayrshire hive, and the time had come for a swarming off of some of them in another direction.... So a few adventurous spirits went as an advance-guard to look into the situation for themselves, and the reports they made to their friends at home were so favourable that more and still more followed. Before long there was a regular migration from Ayrshire to Essex until the county began to be almost over-run with Scotsmen.' It is unnecessary to give any account of the means by which the Scottish farmers prospered in Essex; it is sufficient to say that they restored prosperity to a county which in the words of Mr. Pratt, the author quoted, 'the Englishmen were deserting as though it were only a "Slough of Despond."'

These two instances may appear to have but slight connection with the subject of this essay, yet they are in fact very relevant. I have endeavoured to show that education in Scotland developed

qualities of industry and parsimony, which have contributed largely to the success of Scotsmen in the struggle of life. The success of great men depends, however, on so many accidents of birth, education, and opportunity that no enumeration of Scotsmen, whose success has depended on the qualities I have mentioned, would offer so convincing a demonstration of the true secrets of our countrymen's success, as is furnished by these examples in which our unlettered hinds have overcome difficulties where others have failed.

There are many other points to which reference might be made in illustration of the influence which the Scottish educational system has had on our country. I have only referred incidentally to the history of Scottish literature: to show, in detail, in what way it has been the product of our schools and colleges would be a task of much interest, but would unfortunately be beyond the limits of this paper. I have not mentioned the excellent system of Scottish jurisprudence which contrasted strangely with the unfavourable material conditions of our country. The comparative leniency of the penal code, the procedure regarding debtors, the equality of the sexes in matters of divorce —to take only three obvious and striking features of Scottish law—reveal a wide sense of humanity and justice in the legislation of Scotland at the time of the Union, which in two of the cases mentioned has not yet been reached in England. The respect for legal knowledge is a common feature throughout the history of Scottish thought, and it is noteworthy that the ostensible object of the first great Education Act of 1496 was that the sons of men of substance might have knowledge of the law. That the purpose of this Act was realized in Scottish history is clear from the testimony of Blackstone, who, in lamenting in his *Commentaries* the ignorance of jurisprudence on the part of his countrymen, remarks that, 'in the northern part of our island . . . it is difficult to meet with a person of liberal education who is destitute of a competent knowledge in that science which is to be the guardian of his natural rights and the rule of his civil conduct.' To one other interesting question in regard to the influence of the educational system on Scotland, it is only possible to allude. The wealth of plaintive melody and folk-song is one of the greatest and most cherished possessions of our people. The composers of most of our songs are unknown, but it is not unreasonable to connect this wealth of simple melody with the important position which the teaching of music formerly

had in our educational system, as exemplified in the 'sang-schools' which were founded in all burghs of any importance.

These, and other points, might be emphasized in illustration of the debt which Scotland owes to her scholastic institutions. Enough has, however, been said to indicate what the nature of that obligation has been. Briefly, the influence of the educational system on the Scottish nation may be traced in three directions. In the first place, Scotland has through her schools and universities become a country in which education has been maintained at a high standard, and in which the general level of intelligence and the widespread diffusion of knowledge have been remarkable in all ranks of society. Secondly, a certain type of mind, which may broadly be described as democratic, has been produced resting on a sense of equality and the intrinsic worth of manhood. And as the principle of authority in politics has a tendency to the formation of a rigid and exclusive nationalism, so the principle of democracy is akin to cosmopolitanism. This tendency has not been absent in the development of the Scottish mind, and it has been shown that in the Scottish intellect was developed a certain instinctive sympathy with the thought and aspirations of other European states, which, however, in no way undermined Scottish patriotism. Thirdly, the Scottish educational system has developed not merely a type of mind: it has aided in the formation of a type of character. It has helped to give Scotsmen their strong sense of religion; it has tended to make them economical, industrious, and persevering.

In all these ways, the schools and universities of Scotland contributed their share to the production in the Scottish people of those qualities by virtue of which Scotsmen have been enabled to play so large a part in the world's history. Nor is it desirable in considering this question to look at it merely from the point of view of Scotland. It is difficult to exaggerate the benefits which the United Kingdom has derived from being formed out of the Union of peoples with different national characters, different ideals and different modes of thought. The richness and variety of our national life has thereby been increased enormously. That Scotsmen have contributed their share to the strength and the intellect of the United Kingdom, and have borne their part in the government of the empire, is one of our greatest debts to our schools and colleges.

ALEXANDER GRAY.

On the Early Northumbrian Poem, 'A Vision of the Cross of Christ'[1]

THE mystic splendour of this old poem seems to have inspired the scholars—and they are not few—whose attention it has hitherto attracted, with a kind of awe of approaching it in a realistic spirit. Kemble, who was the first to translate it, passed over a host of difficult passages with a eulogy on its *poetical beauty* and *fancy*.[2] Dietrich, who declares the poet *ad dictionem aenigmaticam propensus*, was induced by its general similarity to Cynewulf's *Elene* to ascribe it to that writer, and argued a close connection between it and the epilogue to the *Elene*. With that it got drawn into the eddy of the Cynewulf Romance, so that even Sweet pronounced it a *portion of the epilogue to the 'Elene.'*[3] In view of the discourses uttered by the cross of wood, of the gold and gems that bedeck it, of the wet blood with which it is still besprinkled, it was certainly natural enough not always to expect complete lucidity and a well-defined poetic purpose throughout the poem.

In addition, the circumstance—in itself fortunate—that we know it in two distinct versions, has hitherto rather confused than advanced investigation of the poem. In the Vercelli Manuscript it appears complete, 156 lines in all, and is written in the late West Saxon dialect usually employed by scribes of its period (late tenth century). The other version is in the older spelling, but contains only four separate groups of lines from the body of the poem, carved in pure Northumbrian dialect on the Ruthwell Cross. Moreover, these lines are incomplete in themselves, partly in metrical confusion, and in one passage even the sense takes a somewhat different turn.[4]

[1] Translated, and revised, from the Transactions of the *Berliner Akademie der Wissenschaften*, 1905.—Bibliography in Brandl's *Ags. Literaturgeschichte*, 1908, p. 91 f. Trans. by Dr. Charles Macpherson, M.A. (Edin.).

[2] *Archæologia*, xxx. p. 32.

[3] *Oldest English Texts*, p. 125.

[4] *Tô þām æþelinge* Verc. 58, *æþþilæ til ânum* Ruthw. Cr.

There was a third difficulty. At the end of the incision on the Ruthwell Cross Stephens[1] made out the words *Kadmon mæ fauæþo*, and from that time the belief found ground that the authorship of the poem must be attributed to Cædmon the hymn-writer, so familiar to us from the pages of Bede. So that for a quarter of a century it was an open choice between the two chief representatives of early Anglo-Saxon, between Cædmon in the second half of the seventh century and Cynewulf in the second half of the eighth. At length Vietor, as the result of a scrupulous and personal examination of the Ruthwell Cross, was able to explode the 'Cædmon' theory. On his rubbing of the stone all that remained of Stephens' *Kadmon* was the *d*.[2]

On the other hand, there is of late a tendency to relegate the stone to a much later period—to the ninth or even the tenth century. Archæologists conclude this from its ornamentation, and Prof. Cook has shown that the archaic inflexions, on which so much stress was laid in fixing the age of the Cross, also occur sporadically in Northumbrian manuscripts of the late tenth century.[3] As a matter of fact, this particular dialect did retain for an astonishing length of time a whole series of sounds and inflexions which the others had long since abandoned. The patent objection, however, is: Could such a mass of archaisms have got compressed into such narrow compass? Only sixteen lines, some of them mutilated, are preserved on the Ruthwell Cross, and they show a consistent Early Northumbrian dialect. At the very least a particularly ancient stock of written forms must have lain at bottom.

In view of all these circumstances, our best course is: first, to examine closely the subject-matter and purpose of the poem; then, availing ourselves of linguistic criteria, to mark off, within as narrow limits as possible, place and period of its origin; and, finally, to keep our eyes open for some event in the ecclesiastical life of that place and period which may have evoked a rapturous, or, as it is better termed in this case, a poetico-admonitory mood in the poet.

In the first part (lines 1-26), the poet recounts in the first person how he beheld the Cross at midnight. On the one hand it was invested with radiance, adorned with gold and gems, gazed

[1] *Old North. Runic Monuments*, 1868, ii. 405 ff.

[2] *Die northumb. Runensteine*, 1895, p. 12.

[3] *Publ. of the Mod. Lang. Assoc. of America*, xvii. pp. 367 ff.

upon by the angels and the saints and all the tribes of the earth; on the other, it still bore the traces of the Redeemer's agony—on the right side it was bloody, *beswyled mid swâtes gange.* One moment the poet saw it in jewelled array, the next stained with gore. Thus, it is not a symbolical cross of victory, such as appeared to Constantine, that he has in view, nor is it a mere fragment of the Cross, but the actual Cross of Jesus in its entirety, as it is worshipped separate from the Redeemer in heaven and on earth.

In the second part (transitional lines 26 f., thereafter lines 28-121), the Cross itself relates its destiny. As a tree it was felled in the forest, dragged to the hill-top, and there planted firmly in the earth. As if it were a thing of life, it began to quiver when it felt about it the Redeemer's embrace. Like a champion, it longed to strike down His foes, yet must all the time stand fast and still. Only after the death of Jesus was it allowed to incline itself in sorrow to the men who took down the body. Then it was buried along with the crosses of the thieves in the earth, only to be later found by friends, who decked it in gold and silver. 'Now the day has come,' it goes on, 'when men worship me far and wide throughout the world. Since the Son of God has suffered on me, I am imbued with virtue,[1] and have power to heal whoso standeth in awe of me. Me hath God honoured before all trees beside, even as Mary before all women. Declare this vision to the sons of men. None need fear at the Day of Judgment that bears this symbol in his breast. Through the Cross let every soul strive to attain the Kingdom of Heaven!' Evidently the poet's purpose is a summons to worship the True Cross of Jesus with confidence, universally and in public, which had hitherto not been done as it ought.

In the third and last part it is again the poet that speaks. He rejoices that he can now take refuge under the Cross[2] and do it homage—through his poem—'more than all men else.' He yields himself to the Cross as a vassal to his lord. Once he had powerful friends—they have passed away to the Shadowy Land before him. Now he hopes that the Cross of Jesus he has seen in the vision may lead him to them in Heaven. On that showing he makes himself out a priest, the scion of a noble house, who now desires to provide in his own person, with all the emphasis he may, the first example of the worship he preaches.

[1] *þrymfæst*, l. 84. [2] *þone sigebêam sêcan.*

That a consistent and practical intention permeates the poem is unmistakable. The author writes it out of no purely subjective mood; his being forlorn and weary of life is only mentioned as an accessory circumstance, above which the vision itself uplifts him. Neither does he write with any regard to an earlier poem: no reference of such a nature is to be found. He obeys, simply and solely, a command of the Cross of Jesus to proclaim its presence and power to heal, to spread its worship abroad. The purpose is on the face of it a liturgical one.

To enable us to fix the date of its composition, the best criterion at our disposal is the presence or absence of the definite article before a weak adjective with substantive.[1] That this test is absolutely reliable, even in the case of small variations in the percentages, is not contended. We may put it to the proof, however, by applying it to the few Anglo-Saxon writings earlier than Alfred, the age of which we know from other sources. These would be: *Guthlac A*, composed by one who had spoken personally with men who knew that saint (*mort.* 714)—composed, therefore, about 750 A.D.; and the undoubted works of Cynewulf, who, as he had discarded the old spelling Cyniwulf, must be placed after the middle of the eighth century[2]; but, on the other hand, a considerable time before the middle of the ninth, when the Early Anglian civilisation fell a prey to the Danes. Following the example of Barnouw, I here give in parallel columns an enumeration of the cases in these four poems where the weak adjective with substantive is found without or with the definite article. In so doing, however, I take into account not the individual instances, but the phrases:

	Without article	Percentage	With article	Percentage
Guthlac A, -	6	12.5	42	87.5
Cynewulf's *Juliana*,	3	10.0	27	90.0
„ *Christ* (*II.*),	3	9.7	28	90.3
„ *Elene*,	9	12.0	66	88.0

That is, roughly speaking, about the proportion we should have to expect. Of course it would be too subtle to regard *Elene* as the oldest work of Cynewulf on the mere ground that it has a few articles less in proportion than the *Juliana* or the *Christ*. Further, the Anglo-Saxon metre was elastic enough

[1] Cf. Lichtenheld, *Zeitschrift für deutsches Altertum*, xvi. pp. 325 ff.; Groth, *Composition der Exodus*, 1883; Mürkens, *Bonner Beitr.* ii. pp. 105 ff.; and especially Barnouw, *Krit. Untersuchung nach dem Gebrauch des bestimmten Artikels*, 1902.

[2] Cf. Sievers, *Anglia*, xiii. p. 1 ff.

to render feasible the insertion of the article by later scribes; a clear instance of such insertion may be seen in *Azarius* 42, 59, as compared with *Daniel* 326, 342. Thus we have always to reckon with the possibility of such alteration. But, when all is allowed for, between all these poems and our *Vision* there comes a sharp and definite line of cleavage, which is no uncertain index of their different dates of composition:

	Without article	Percentage	With article	Percentage
The Vision, -	5	33.3	10	66.6

Oldest of all is the state of matters in *Exodus* and *Beowulf*:

	Without article	Percentage	With article	Percentage
Exodus, - -	14	58.3	10	41.6
Beowulf, - -	65	83.3	13	16.6

So that, as *Beowulf*, on account of the Christian elements it contains, cannot be dated earlier than the middle of the seventh century, one has good grounds for assigning the *Vision* to about the beginning of the eighth century.

So much for the *date* of composition. As for the *place*, nothing can be urged against Northumberland, to which the incision in pure Northumbrian on the Ruthwell Cross naturally directs us. In addition, there was the fixed home of Cædmon and of his school of religious poets, of which Bede relates in 731: *alii post illum in gente Anglorum religiosa poemata facere temtabant.*[1]

Now we have to inquire, what events touching on the veneration of the Holy Cross took place in the Church of Northumberland about the date assigned?

It was in Jerusalem, where the Sacred Cross was dug up in the reign of Constantine, at the dedication of the Church of the Holy Sepulchre (14 September, 335), that the *adoratio crucis* by kiss and genuflexion first came into being. According to the legend, as it had by an act of healing distinguished itself from the crosses of the thieves, and as it had remained for centuries intact in the earth, it was reputed miraculous. Starting from the consideration that it had absorbed some of Christ's blood, it was argued that it partook both of the human and of the divine nature of the Son of God, and thus it came to be regarded as a kind of sacred personality. It was set with gold and jewels, and, as a special reminiscence of the Saviour's blood, a receptacle, containing balm of rare fragrance, was placed within it: *desuper ex auro cum gemmis,*

[1] *Hist. Eccl.* iv. 24.

intus cavam habens confectionem ex balsamo satis bene olente, as the *Ordo Romanus* has it. Bishop Paulinus of Nola[1] taught as accepted doctrine in his day that the Jerusalem Cross was *in materia insensata, vim vivam habens*.[2] In more general terms John Chrysostom[3] waxes eloquent on its power to break the might of the Evil One and set open again the gates of Paradise, and on its predestined return in glory on the Day of Judgment.[4]

This liturgical worship of the Crucifix reached Constantinople at the beginning of the fifth century, simultaneously with a large fragment of the True Cross. There was observed every year a public ceremony, lasting three days, which the Emperor himself was wont to open by kissing the Cross. Here again provision was made for drops of sweet-smelling balsam, which should be exuded from the wood, and no matter how small a drop chanced to fall on a sick person, he was instantly healed. Such is the account given by the shipwrecked Arculfus to Adamnan, Abbot of Iona,[5] who gave the narrative a place in his *De locis sanctis* (iii. 3), whence it was soon after transcribed by Bede for his book of the same name.[6]

In the Western Church the appearance of the *adoratio crucis* as a special feature of the divine worship dates from the end of the sixth century, our authorities being the *Sacramentarium* of Gelasianus, the *Sacramentarium* and the *Antiphonarius* of Gregory the Great, and the *Ordo Romanus*. The ceremony was here performed with the aid of symbolic crosses and on Good Friday, and has to this day maintained its place in the special ritual for that day. It is worth our while to consider the Ritual of Gregory in some detail, the more so on account of the exceptional reverence with which he was regarded throughout all England as the founder of the missionary movement among the Anglo-Saxons. After a few prefatory prayers and lessons, two priests of high rank set *corpus Christi, quod pridie remansit*, on the altar, where a cross is standing. Then the Pope paces reverently to the altar, *adorans crucem Domini;* whereupon the bishops and all the congregation follow suit. Hymns and psalms follow, more especially the one attributed to Venantius Fortunatus,[7] *Pange, lingua, gloriosi proelium certaminis*, where the Cross is invoked as tree and person in one :

[1] *Mort.* 431. [2] *Epist.* 31 *ad Sever.* [3] *Mort.* 407.

[4] *Opp.* ed. Montfaucon, 1818 ff., especially iii. 826. [5] *Mort.* 704.

[6] *De locis sanctis*, cap. 20 ; cf. *Itinera Hierosol.* ed. Tobler and Molinier, i. pp. 194 f., 232 f.

[7] *Mort.* 600.

Crux fidelis, inter omnes arbor una nobilis:
Nulla talem silva profert fronde, flore, germine;
Dulce lignum, dulce clavo, dulce pondus sustinens.

Flecte ramos, arbor alta, tensa laxa viscera,
Et vigor lentescat ille quem dedit nativitas,
Ut superni membra regis mite tendas stipite.
Hallelujah. Gloria. Benedictio.

Conceptions of this nature, which in the course of the sixth century became the common property of the educated clergy, also underlie our Anglo-Saxon poem and provide us with the best commentary thereon. The poem owes its mysticism not to Keltic, but to Graeco-oriental sources. In uniting the contradictory ideas of a cross, inanimate wood, adorned with jewels and smirched with blood, and of a living person, the poem contained nothing either new or extraordinary for the churchmen of that day. If the poet set such incompatible conceptions crudely side by side and then rioted in repetitions of them (as, for instance, that the 'Tree of Victory' tells its story out of its own mouth), he evidently tended to the fashionable manner of the Riddle, which was in full blossom throughout England during the seventh and the eighth centuries. Tatwine of Canterbury[1] and Bonifatius composed each a Latin enigma directly *De cruce Christi*—so admirably did the subject lend itself to ingenious play of wit.

In 701, however, a new event *did* occur, and it was known and noticed in Northumberland. In that year, for the first time, we hear that in the Roman Church as well as in Constantinople a fragment of the True Cross was exposed for public veneration instead of the symbolic crosses previously employed. This came to pass in Rome through the agency of the Pope himself, and caused great popular excitement. Sergius I., a Syrian by birth, had a vision, which directed him to an obscure corner of St. Peter's, where an old silver capsule was lying, tarnished and forgotten. He approached the spot and, after due prayer, having removed the seal from the capsule, he found therein, protected by a cushion and four pieces of metal and studded with gems, an exceptionally large fragment of the True Cross (*ineffabilem portionem verae crucis*). Ever since, this relic was once a year, on the day of the elevation of the Cross in the church of San Giovanni Lateran, to be kissed and adored *pro salute humani generis* by the whole Christian people, as related in the *Liber pontificalis* for the year mentioned above.[2]

[1] *Mort.* 734. [2] Ed. Duchesne, 1886, i. 374; Mommsen, 1898, i. 213.

Such interest did the news of this find excite in the North of England that Bede has reproduced the account of the *Liber pontificalis* almost literally and with but trifling omissions in his Universal History *De sex aetatibus saeculi*. There we read under the year 701: *Papa Sergius in sacrario B. Petri apostoli capsam argenteam quae in angulo obscurissimo diutissime jacuerat, et in ea crucem diversis ac preciosis lapidibus adornatam, Domine revelante, reperit. De qua tractis IV petalis quibus gemmae inclusae erant mirae magnitudinis portionem ligni salutiferi Dominicae crucis interius repositam inspexit; quae ex tempore illo annis omnibus in Basilica Salvatoris quae appellata Constantiniana die exaltationis ejus ab omni occulatur et adoratur populo.* In order to comprehend the interest of Bede, one has but to reflect on the significance of Sergius' most opportune discovery. It set the Latin Church, in all that regarded the possession of an exceptionally prized source of grace, on an equal footing with the Greek; it imparted to the worship of the Cross, which had up till then been in the main symbolic, a more concrete character; and, above all, it called into being the Festival of the Elevation of the Cross. As Ceolfrid, Abbot of Wearmouth, was in Rome in this same year 701,[1] we may suppose that he was not behindhand in spreading the sensational tidings on his return to his Northumberland home. Now, as from that time on, the worship of the Cross in Northumberland received no further impulse, I should like to see in the sensational discovery of 701 *the* probable incentive to the composition of the poem. The poet wished to take his share in explaining the new Festival, and aid in its propagation.

Of the subsequent destiny of the fragment discovered by Sergius we know nothing. There were many pious frauds. True, Maphaeus Vegius, who in the popedom of Eugene IV (1431/49) compiled a four-volume history *De rebus antiquis memorabilibus Basilicae S. Petri Romae*, adds to the narrative of the *Liber pontificalis*, which in everything else he follows very closely, a new and striking particular.[2] According to his version of the story, Sergius also found in the capsule a document testifying to the genuineness of the fragment discovered (*veri ligni S. Crucis—sicut additae ibi literae significabant*). But in that case, what would have been the significance of the vision that led Pope Sergius to the discovery? How should such a treasure have been forgotten? And why was such a piece of evidence not

[1] Cf. *Regesta pontificum* ed. Lipsius, 1885, p. 245.

[2] Cf. the Bollandist ed., Antwerp 1718, Lib. i. cap 4, No. 36.

mentioned in the first official report? Plainly enough, we owe the addition to a rationalistic turn of thought in the person of Vegius. The custom of exposing the Relic is mentioned in Vegius in the past tense (*ostendebatur*); that is to say, it had been even then discontinued. As the place where it was kept he regards the Vatican (*unde plane gloriosior videtur nunc Vaticanus pretioso hujus crucis*). However, when Stephen Borgia, Secretary of the Propaganda fidei, compiled with a scholar's care his quarto volume *De cruce vaticana ex dono Justini Augusti*, which he published at Rome in 1779, the precious relic had vanished. The fragment of a crucifix that Borgia in his perplexity wished to take for it was quite tiny and had a totally different setting.

To return to our poem. After studying the foreign elements of which it is made up, it is a real pleasure to note the rich blend of Germanic vassalage that tinges its lines throughout, and by means of which the poet evidently sought to bring home to his Northumbrian compatriots his otherwise exceedingly exotic subject. Not only is Christ's work of redemption depicted as a battle, with the 'young hero' sinking to earth in the weariness of death, but everything that the Cross suffers—its being felled in the forest and dragged to the hilltop, its being pierced with nails as with arrows,[1] its being spattered with blood and sunk into the earth—is made to appear the doing of adversaries. God is the gentle Leader of the Host, the Cross His faithful retainer that longs to vanquish His foes. The poet himself is to make the Cross his patron,[2] and we are told that it behoves every Christian to be a fearless warrior,[3] so that his guerdon may be 'the Joy of Heroes[4] in the heavenly abode.' These are of course conceptions with which the later Christian Epic continued to operate long thereafter. But when at the end of the poem the Deathwail[5] is raised for Christ, the young hero fallen in glory, and when his followers chant the lay in sorrow before they take leave of the body,[6] we have a singularly archaic touch. Nowhere else save in *Beowulf* is the custom mentioned; Cynewulf and his contemporaries have long forgotten it. From this point of view we are the rather confirmed in the impression that to date the poem as of the beginning of the eighth century involves no undue straining of the facts.

ALOIS BRANDL.

[1] *Strælum.* [2] *Mîn munabyrd is geriht tô þære rôde*, l. 130.
[3] l. 113 f. [4] *Drêam.* [5] *Sorhlêoð.* [6] l. 67 ff.

Ragna-rök and Orkney

I.

THE title of this paper, 'Ragna-rök,' is used in its original sense—the *Norse* history of the gods and the world.[1]

All that we know about Norse mythology is derived almost entirely from two literary sources variously called:

(1) The Elder Edda, or Poetic Edda, or Sæmundar Edda, or The Edda, and

(2) The Younger Edda, or Prose Edda, or Snorra Edda, or Edda.

The name 'Edda' originally belonged to (2), and when the MS. of (1) turned up it was straightway labelled 'Sæmundar Edda,' it having been previously surmised that Sæmund the wise had compiled some such work.[2] But (1) is now also called 'The Edda' *par excellence*, in contra-distinction to (2) which is styled 'Snorra Edda.' As, however, Vigfússon and others cite (2) as 'Edda,' it will be obvious that 'Edda' as a reference must give rise to misunderstanding. To avoid confusion, these two works and all early Norse mythological poetry and prose might be aptly described as (1) *Ragna-ljóð* or *-lays*, literally, gods' lays, or lays about the gods and the world, and (2) *Ragna-saga*, gods' story, or story about the gods and the world.

We know that Snorri wrote Ragna-saga, but nothing is known for certain of the authorship or place of composition of Ragna-lays, where they were current or by whom and where they were

[1] O.D., s.v. *Rök*, 3 (p. 507). [2] C.P.B., I. xxxiv.; S.S., I. clxxxiii-iv.

N.B.—Abbreviations of works cited: C.P.B., *Corpus Poeticum Boreale*, Oxford, 2 vols. S.S., *Sturlunga Saga*, Oxford, 2 vols. O.S., *Orkneyinga Saga*, Rolls edition, text and translation; the translation is quoted by page. O-L.M., *Old-Lore Miscellany of Orkney*, etc., Viking Club. L., Ragna Lays (*Poetic Edda*); S., Ragna Saga (*Prose Edda*); T., *Thulor* in S.; O.D., Oxford *Icelandic-English Dictionary*; J., Dr. J. Jakobsen's *Etymologisk Ordbog over det Norrøne sprog paa Shetland* (A-Liver); Jd., J. Jakobsen's *The Dialect and Place-Names of Shetland*; Jss., J. Jakobsen's *Shetlandsøernes Stednavne*; E., T. Edmondston's *Etymological Glossary of the Orkney and Shetland Dialect*; E.D.D., *English Dialect Dictionary*.

taken down in writing. From internal evidence, Vigfússon was of opinion that the lays could not have been composed in Iceland or Norway, and that probably their home was to be looked for in Orkney, the Western Islands, Ireland or the north of England.[1]

The characteristics pointing to a western origin are briefly: (1) grammatical, *e.g.* 'h' in a few instances dropped before 'l' and 'r' in the oldest copy, probably made by an Icelander, which may be the remnant of the archetype, an Orkney one;[2] (2) words foreign to Icelandic prose; (3) words of Celtic origin and others with meanings different to those attached to them in Iceland;[3] and (4) descriptions of Norway, Denmark, and Germany as viewed from abroad.

This paper is intended as a commentary on both the Eddas, based on Orkney records, dialect, traditions, etc., and forms a contribution to the subject of 'The Home of the Edda.' For the sake of brevity, the old Norse earldom of Orkney, Shetland, Caithness, and Sutherland will be referred to simply as 'Orkney,' but the mass of the evidence is derived from Orkney and Shetland, especially the latter.

II.

The oldest MS. of the lays is Codex Regius (R) which came to light in 1642.[4] It is dated by Vigfússon as *circa* 1230,[5] and he was of opinion that it was copied by an Icelander from an Orkney archetype of *circa* 1150,[6] which might have been taken down in writing by an Icelander in Iceland or Orkney to the dictation of an Orkneyinger.[7] He was further of opinion (1) that the lays date from 950-1100 and that they could not possibly be earlier than the ninth century,[8] (2) that they would be fresh in the memory of the people down till *circa* 1100,[9] and (3) that they were fading from mind and becoming corrupted at the time they were taken down, *circa* 1150.[10]

Snorri Sturlason, the compiler of Ragna-saga, which he undoubtedly derived from Ragna-lays and other lays, flourished 1178-1240.[11] The oldest MSS. of his work are (1) Codex

[1] S.S., I. clxxxvi., cxciii.
[2] C.P.B., I. xlii.; S.S., I. cxciii.
[3] C.P.B., I. lviii., lxiii.
[4] C.P.B., I. xxxiii.
[5] C.P.B., I. lxxi.; S.S., I. ccxii.
[6] C.P.B., I. xlii., lxxii.; S.S., I. ccx.
[7] C.P.B., I. lxxiii.; S.S., I. cxcii.
[8] C.P.B., I. lvii.; S.S., I. ccx.
[9] C.P.B., I. lxxii.
[10] C.P.B., I. lxxii., lxxiv. f.n.; S.S.,I. ccx.
[11] C.P.B., I. c.

Wormianus (W), *circa* 1320-30, which made its reappearance in 1609,[1] and (2) Codex Regius (r), *circa* 1290, which reappeared in 1640.[2]

There is another important MS., AM. 748 A., *circa* 1280, which contains the lays and the saga.[3]

III.

We should bear in mind that Orkney was the earliest viking colony, where old institutions and old forms of place-names took root, flourished, and survived. The odal system of land-holding became firmly established in Orkney, whereas, by the later time that Iceland was settled, that system had become antiquated and did not find a place in the polity of the latter country. In Orkney we also find such old forms of Norse place-names as *vin* and *angr*,[4] which are not to be found in Iceland. We should therefore expect the Norse religious beliefs to have similarly taken a firmer hold in Orkney and to have survived longer there than in Iceland. The influence of the pre-viking Christian inhabitants of Orkney, whom the colonists would have found there, and of the neighbouring Scottish Christians must also be taken into account as an important factor in a critical study of the lays.

The first nominal Norse convert to Christianity in Orkney was Earl Sigurd, who, in 995, chose baptism to death at the hands of King Olaf.[5] The bishopric of Orkney was not founded until about 1047-1064.[6]

The important part played by Orkney and Shetland in the western influence on Norwegian civilization has evoked from Professor Alexander Bugge the opinion that these islands could be called the Cyprus and Crete of northern culture.[7]

It must also be remembered that the vikings of Orkney were far-travelled and made frequent expeditions to Russia, Spain, Jerusalem, Rome, and other foreign countries.[8]

All expectations of finding any remnants of the lays still current in Orkney is out of the question, seeing that the insular Norse dialect, called Norn, has given place to English since 1468, when the islands were pledged by Norway to Scotland in security for the dowry of the Princess Margaret, the queen of King James III.

[1] C.P.B., I. xlv.; S.S., I. ccxii. [2] C.P.B., I. xxxv., xlvi.; S.S., I. ccxii.
[3] C.P.B., I. xliii. [4] Jss.; O.D. [5] O.S., 16, 337. [6] O.S., 59.
[7] *Vesterlandenes Indflydelse paa Nordboernes*, by A. Bugge, p. 401.
[8] O.S. *passim*.

The insular code of Norse laws, the *Lawbook*, disappeared *circa* 1600, since when, with the exception of some odal land-rights, Scottish law has taken its place.

The Norse dialect continued longer in Shetland, where we find legal documents in that tongue as late as 1627,[1] and a Norse ballad recited in 1834.[2] Orkney, from its proximity to Scotland, and being the seat of government (latterly held by a Scottish line of earls, the St. Clairs), naturally adopted the English language much earlier. The last known Norse document in Orkney is the complaint by its Commons *circa* 1426.[3] The Norse dialect, however, survived in secluded places in Orkney until the eighteenth century, when it is related that one of the lays was recited there.[4]

Notwithstanding that all Norse ballads have perforce disappeared with the dialect, still we have a rich store of scientific data preserved in place-names and in thousands of surviving dialect words which are now being explored by Dr. Jakob Jakobsen, data much more reliable than folklore, which latter can be introduced from literary sources and widely spread with remarkable rapidity.

IV.

Indications of location in the lays are few. In one instance we have: 'We broidered on our broidery how Sigar and Siggeir fought south in Fife (Fivi.')[5] Here is a clear indication of Orkney, north of Fife. Even if *Fivi* is a later gloss on a possible original *Fión*, it nevertheless points to the locality where this lay was current at the time it was taken down in writing. Vigfússon looked upon the life depicted in this particular tapestry lay as not corresponding with what we know of Denmark in the ninth and tenth centuries.[6]

As regards the reference to tapestry, it recalls an incident in the life of Earl Rögnvald in Orkney. In 1148 two Icelandic skalds were his guests in Orkney. It fell out one day about Yule that men were looking at the hangings, then the earl said to one of the skalds: 'Make thou a song about the behaviour of

[1] *The Celtic and Scandinavian Antiquities of Scotland*, by Gilbert Goudie, p. 131.

[2] *MS. Journal of an Expedition to Shetland*, in 1834, by Dr. Edward Charlton, p. 130. Extracts are now being printed in O-L.M.

[3] *Dipl. Norveg.*, ii. p. 514.

[4] *Memoirs of the Life of Sir Walter Scott*, 1837, vol. iii. p. 190.

[5] C.P.B., I. 318. [6] C.P.B., I. lxii.

that man who is there on the hanging, and have thou thy song sung when I have ended my song; and mind and have none of those words in thy song that I have in my song.'[1] It is thus proved that tapestry was in use in Orkney in the twelfth century, scarcely a hundred years after the probable date of the composition of the above tapestry lay. Harp-playing, which also occurs in the lays,[2] is also in keeping with Orkney life, since we find this same Earl Rögnvald priding himself, *circa* 1116: 'Either stands at my behest, sweep of harp or burst of song.'[3]

In Ragna-saga the Everlasting Battle is localized in Hoy, in Orkney.[4] Fenja and Menja of the Grótta Söngr or Mill Song have been deposited in the Pentland Firth to grind salt to make the sea salt.[5] The scene of 'The Fatal Sisters' is laid in Caithness *circa* 1014.[6]

V.

Let us now glance at Orkney poets and authors, and their Icelandic correspondents and collaborators.

It is historically true that Orkney was a literary and poetical centre from the first; that the lays were known there, that there was constant communication with Iceland, and that at the time the lays are supposed to have been taken down, an earl-poet and a bishop-poet were busy at literary work in collaboration with Icelandic poets resident in Orkney.

Torf-Einarr, Earl of Orkney, *circa* 880-900, brother of Hrolf, the founder of Normandy, was a distinguished poet whose name has been commemorated by Snorri in 'Torf-Einarr metre' (Torf-Einars-hátt), the name of one of the metres in Háttatal.[7] Here we see that at the very foundation of the earldom its chief was a renowned writer of verse.

Arnór Jarlaskald, 1011-1080, called 'Earls' Poet' because he composed poems about the Orkney Earls Thorfinn and Rögnvald, in one of these poems made a quotation from Völuspá, one of the lays, showing that this lay was then known in Orkney.[8] A knowledge of Völuspá, a lay which shows Christian influence,

[1] O.S., 158. [2] C.P.B., I. lx. [3] O.S., 97.

[4] *The Younger Edda*, translated by R. B. Anderson, p. 218; S.S., I. clxxxvi.

[5] S.S., I. clxxxvi.; C.P.B., I. 184; *Sagá Book* of the Viking Club, vi. 296; O-L.M., iii. 142.

[6] O-L.M., iii. 78. [7] O-L.M., i. 70.

[8] C.P.B., I. lxxvii.; II. 197; I. 193; O.S., 60.

means a knowledge of the whole system of Norse mythology, as it gives a complete history of the gods, which can be best understood after a study of all the lays.

Bjarni Gullbráar-skald, an Icelander, was in Orkney and made verses there in 1046.[1] A nameless Orkney skald has one of his extempore verses recorded which he sang, in 1137, in answer to Earl Rögnvald.[2]

Earl and Saint Rögnvald, *circa* 1100-1158, founder of St. Magnus' Cathedral, was a prolific poet and a great traveller and warrior. He lived at the very time that the lays are supposed to have been taken down by an Icelander to the dictation of an Orkneyman; and what do we find? In 1139-43 he composed Háttalykill or Key to Metres along with Hall, an Icelandic skald, in which he shows a knowledge of the Helgi lays.[3] Besides Orkney skalds, the following Icelandic poets were in Orkney in the court of Earl Rögnvald: Hall Thórarinsson, 1139-1148;[4] Eric, *circa* 1139-1148;[5] Armod, 1148-1153;[6] Oddi the little Glumsson, 1148-1153;[7] Thorbjörn Svarti, 1148-1153;[8] and Bótolf Begla, 1154, a resident.[9]

Bishop Bjarni Kolbeinson, known as 'The Skald,' 1150-1223, an Orkneyman, was author of Jómsvíkingadrápa and probably of Málsháttakvæði and the Orkneyinga Saga.[10] Dr. Jón Stefánsson has shown that he made his court one of the literary and political centres of the time. There was close friendship between him and the leading chieftains in Iceland, especially the Oddi family. Icelandic skalds were frequently his guests on their voyages to Norway. Munch has suggested that Bjarni and Sæmund no doubt lent each other some of their literary treasures, and Snorri would be conversant with these. Snorri quotes the Orkney Saga which he must have got directly or indirectly from Bjarni, perhaps through Sæmund. It is well known that Snorri in Háttatal imitated the Háttalykill of Earl Rögnvald. The bishop was also a contemporary of, and acquainted with, his King Sverrir.[11]

King Sverrir of Norway, who was born in the Faroes and visited Orkney and the Western Islands, quoted the lays in Norway in 1183-84, regarding which Vigfússon says: 'We have his speeches from his own report, so that it is not necessary to

[1] O.S., 49. [2] O.S., 129. [3] C.P.B., I. lxxvii.; O.S., 145.
[4] O.S., 144, 145. [5] O.S., 141. [6] O.S., 157, 163, 178.
[7] O.S., 158, 159, 165, 171, 178. [8] O.S., 159, 178, 340. [9] O.S., 198, 199.
[10] O-L.M., i. 43-47, 65-71; C.P.B., II. 363, 301. [11] O-L.M., i. 43 *et seq.*

believe that the snatches he cites were as familiar to his hearers as they were to him.'[1]

In Iceland the *first* skald was Egil Skallagrímsson, *circa* 900-982.

While Iceland was the land of saga, Orkney was the home of metre,[2] which found an imitator in the great Snorri himself.[3]

If the rulers of Orkney were poets, it goes without saying that verse-making—a characteristic of the vikings—would have been fashionable among their subjects, of which we have proof in their saga.[4]

VI.

It will here suffice to give a few of the *poetic words* which are common to the Eddas and to the Shetland dialect of to-day, in which they are used chiefly as lucky or tabu names at sea. The significant fact should be noted that some of these words only occur in the Eddas and in the Shetland dialect. Such words are indicated below by a prefixed asterisk.

EDDAS.	MEANING IN O.D. UNLESS OTHERWISE STATED.	SHETLAND DIALECT.
Lögr (L., T.)	*the sea*	Ljoag, *the sea* (Jd., 24)
Marr[5] (L., S., T.)	*the sea*	Maar, *the sea* (Jd., 24)
Áll (T.)	*the sea*	Hollost [Ál-Vöst], *the sea* (J.)
Vöst (T.)	*the sea*	
Dúfa[6] (T.)	*a wave*	Däi, *a wave* (J.)[7]
Far (T.)	*a ship*	Far, *a ship* (J.)
Rakki (T.)	*ring of sail-yard*	Rakki, *ring of sail-yard* (E.; E.D.D.)
Byrði (T.)	*board*, i.e. *side of a ship*	Birdin, *bottom planks of a boat* (J.)
*Drjóni (T.)	*an ox*	Dronjer, *a cow* (J.) Droina, *a cow* (O-L.M., iii. 169)
*Grímr (T.)	*a he-goat*	Grǿmek, *a ram* (J.)
Fagra-hvel (L., T.)	*the sun*	Feger, Feg, Foger, *the sun* (J.)

[1] C.P.B., I. lxxvii. 31, 314; *Sverrissaga*, translated by J. Sephton, p. 212.

[2] C.P.B., I. cxciii. [3] O-L.M., i. 45. [4] O.S., 129.

[5] In modern usage this word only remains in compounds. O.D.

[6] Also the name of one of the daughters of Rán. O.D.

[7] See also O-L.M., iii. 39, where it is derived by Jakobsen from *dýja*, to shake, and by the writer from *dýfa*, to dip, which is allied to *dúfa*, a wave. Magnússon expresses his conviction that *dýja* originally does *not* mean 'to shake,' but is the same word as Engl. *dye*, which, again, is related to *dýfa*.

EDDAS.	MEANING IN O.D. UNLESS OTHERWISE STATED.	SHETLAND DIALECT.
Glámr (T.)	*the moon*	Glom, Glomer, *the moon* (J.)
Hlýrn (T.)	*? 'poetically a certain time of day, the exact meaning is uncertain'*	Lin, *to grow dusk* (J.)[1]
Gríma (L., T.)	*night*	Grims, *end of twilight, beginning of dawn* (J.) Grimlins [? Grímu-hlýrn,] *ditto.* (Orkney dialect)
Róta[2] (T.)	*sleet and storm*	Röd, *mist and wet* (O-L.M., iii. 41)
Gráði (T.)	*a breeze*	Gro, *a breeze* (J.; O-L.M., iii. 39)
Gol (T.)	*a breeze*	Gol, *a breeze* (J.)
*Glæðr (T.)	*fire*	Gludder, *fire* (O-L.M., iii. 39)
Grána (O.D.)	*grey mare*	Groga, *grey mare or cow* (J.)
Gráni[3] (O.D.)	*grey horse*	Grogi, *grey horse* (O-L.M., ii. 168)
Korpr (T.)	*a raven*	Korp, *to screech hoarsely as a raven* (J.)
Doðr-kvisa (T.)	*a kind of bird*	Dirri-du, *stormy petrel* (J.)[4]
Snæfugl (T.)	*snow-bunting*	Snafool, *snow-bunting* (E.; O-L.M., ii. 170)
Hrot-gás (T.)	*barnacle goose*	Rood-goose (O-L.M., ii. 170; E.)
Sæðingr (T.)	*gull*	Saithe-fool, *gull* (O-L.M., ii. 170)
Hegri (L., T.)	*heron*	Hegri, *heron* (J.; O-L.M., ii. 170)
Korki[5] (T.)	*oats*	Korka, *oats* (J.)
Brennir (T.)	*fire*	Brennir, *fire* (J.)
Funi (L., T.)	*fire*	Finna, Finni, Fona, *fire* (J.)

Note.—The words quoted from O-L.M. are from contributions by Mrs. Jessie M. E. Saxby and the Rev. John Spence.

[1] Dr. Jakobsen derives *lin* from O.N. *linna*, to cease. Can *lin* be derived from *hlýrn*, and explain its meaning ?

[2] Also the name of a goddess who sends storm and rain. O.D.

[3] The mythological horse of Sigurð Fafnis-bana is probably to be pronounced thus, not Grani. O.D. Grani is given in T. in the list of names of horses. If T. is of Shetland origin, may not *Grogi* be the lineal representative of Grani.

[4] Jakobsen derives *dirri* from *doðr* and *du* from *dúfa*, a dove. The name *doðr-kvisa*, which may be interpreted as *the foreboder* of *numbness* or *deadness*, would be an appropriate name for the stormy petrel. This hitherto unknown 'kind of bird' whose name alone appears in the *Thulor* of Snorra Edda—the *Thulor* which Vigfússon supposed to have been compiled in Orkney—may now possibly be identified by means of the Shetland dialect of to-day, in which this name *Dirri-du* alone appears to survive.

[5] A Gaelic word, *coirce*, *corca*, oats. O.D.; J.

EDDAS.	MEANING IN O.D. UNLESS OTHERWISE STATED.	SHETLAND DIALECT.
Salr[1] (L.)	*a hall*	Salur, *ben-end or best room in an Orkney and Shetland cottage*
Tún (L.)	*farm premises*[2]	Tún, *farm premises*
Tá[3] (L.)	*house stance* (C.P.B., I. lix.)	Tow-male, *house stance in Orkney*

VII.

As already pointed out the change of language from Norse to English has completely obliterated all Norse ballads and folk-music, and has undoubtedly brought to an end many traditions, customs and much folk-lore. However, the few remnants which have been rescued lead us to believe that very many ballads and traditions of the old mythology must have existed.

In 1774 Mr. Low took down the Hildina ballad, which was recited to him in Norse by an inhabitant of Foula,[4] whose son continued to recite it in 1834.[5] This ballad is undoubtedly founded on the lays.

Sir Walter Scott relates that 'The Fatal Sisters' (Darraðaljóð) was recited in Norse in North Ronaldsey in Orkney in the eighteenth century, the title of this lay was rendered in English by the reciters as 'The Enchantresses.'[6]

Dr. Karl Blind placed on record the discovery of Odinic songs (in English) in Shetland, translated relics of the Hávamál.[7]

An echo of the Grótta Söngr is still to be found in Orkney, where Grotti Finnie (Fenja) and Lukie Minnie (Menja) still grind the salt mill in the Pentland Firth, supplying a remarkable corroboration of Snorri's prose introduction to the lay in which

[1] This word with its compounds is obsolete in old prose writers, and only used in poets. O.D. See also C.P.B., I. lviii. where it is stated that the word is not found in Icelandic prose.

[2] In Iceland it refers to enclosed infield. C.P.B., I. lix.; O.D.

[3] Tá, unknown in Iceland. C.P.B., I. lix. 329.

[4] *A Tour through the Islands of Orkney and Schetland*, by George Low, p. 108. O-L.M., 211.

[5] *MS. Journal of an Expedition to Shetland*, in 1834, by Dr. Edward Charleton, p. 130.

[6] *Memoirs of the Life of Sir Walter Scott*, 1837, vol. iii. p. 190.

[7] *Nineteenth Century*, 1879, p. 1093. See also C.P.B., I. lxxiv.

he states that Fenja and Menja were ultimately doomed to grind salt for the sea on Grótti in a svelgr, the Swelchie of the Pentland Firth.[1] Moreover, the existing names of the parts of a Shetland quern have at last given us the clue to the hitherto inexplicable kenning, 'liðr-meldr' in the Hamlet verses.[2] *Liðr* is the name of a part of a Shetland mill, and as the name of a part can, in a kenning, be used for the whole, hence *liðr-meldr* means *mill-meal.* Fenja and Menja say: 'Léttom steinom,' let us lighten the stones.[3] If a Shetlander of to-day, engaged in grinding corn in a hand-mill, were asked to lighten the stones he would immediately do so by raising the 'lightening tree,' and thereby grind coarser meal. To grind out a host of warriors, as Fenja and Menja did, even out of a giant's mill, would require, even poetically speaking, some considerable 'lightening' of the stones. The name of Grótti, the mythological hand-mill, is still preserved in the name of the nave of the lower stone of an Orkney quern.[4]

Vigfússon ridiculed the possibility of Dr. Karl Blind's Odinic song in English being a direct translated descendant from Eddic times.[5] But the genuineness of this waif gains credibility when considered in conjunction with the other data brought together in this paper. If Vigfússon had had these facts placed before him there can be little doubt that he would have been otherwise convinced, more especially as the body of this evidence goes to prove his contention that the lays were current and probably taken down in Orkney.[6]

VIII.

To sum up:

(1) It has been suggested that the lays were current in Orkney in the eleventh century, and we find that they were quoted there in 1064 and known there in 1139.

(2) It has been suggested that the lays were taken down in the twelfth century by an Icelander to the dictation of an Orkneyman in Iceland or Orkney, and we find that Earl Rögnvald, a prolific and distinguished poet, who had a

[1] *Saga Book*, Viking Club, vi. 296.
[2] C.P.B., II. 54-5.
[3] O-L.M., iii. 147.
[4] O-L.M., iii. 253.
[5] C.P.B., I. lxxiv. Professor W. P. Ker, in *On the History of the Ballads, 1100-1500*, writes: 'It is possible for themes of the early centuries to come through all the changes of languages and poetical taste.'
[6] S.S., I. cxcii. cxciii. etc.

knowledge of the lays, was busy at work in Orkney in collaboration with Icelandic skalds, 1139-58, and that the Orkney bishop Bjarni, 'The Skald,' was similarly engaged with Icelandic skalds and was also in correspondence with Oddi in Iceland, 1150-1223.

(3) It has been suggested that Snorri's *Thulor*, or rhymed glossaries, were compiled in Orkney,[1] and we find that numbers of these poetic words are still in use in Shetland as tabu or sea-names, and that Snorri must have been conversant with the literary work of Bjarni, and did actually imitate the work of Earl Rögnvald.

(4) There are in Orkney (*a*) a few traditions and ballads which have survived the change of language; (*b*) the report that 'The Fatal Sisters' was recited in Norse in the eighteenth century; (*c*) the survival of the names of the two valkyries, Fenja and Menja, and the perpetuation of the name Grótti—it being worthy of notice that we are enabled by the Orkney names of parts of a hand-mill to solve a hitherto inexplicable kenning and the meaning of a doubtful passage in Snorra Edda.

(5) The scenes and *dramatis personæ* of the lays were quite familiar to the far-travelled vikings of Orkney.

While Iceland was the land of the *saga*, Orkney was the home of *metre*, which was imitated in Iceland. The fishermen of Shetland of to-day still use poetic words of the Eddas as lucky names at sea, and it is significant that some of these words only occur in the Eddas and in the Shetland dialect and nowhere else.

It is not contended that the lays were one and all composed and current in Orkney, but merely that some or all of them were current and collected there.

If Orkneyingers, in collaboration with Icelanders, in the twelfth century placed on record their mythological lays, it finds its sequel in the twentieth century when the Orkney-founded Society for Northern Research, the Viking Club, is now engaged with, among others, such a distinguished Icelandic scholar as Mr. Eiríkr Magnússon, in translating these lays into the tongue of their adoption.

Alfred W. Johnston.

[1] C.P.B., II. 422, *et seq.*

Chronicle of Lanercost[1]

THE king made ample recognition to Sir Antony and the others who arrested the earl, to wit—Sir Antony de Lucy [received] the manor of Cockermouth, Sir Richard de Denton the village of Thursby close to Carlisle, Sir Hugh de Moriceby of part of the village of Culgaythe, being the part belonging to the aforesaid Earl Andrew, Sir Hugh de Lowther [. . .],[2] Richard de Salkeld the village of Great Corby.

Before Christmas came the bull of my lord Pope John XXII.—*Cum inter nonnullos*, wherein he pronounced it to be erroneous and heretical to affirm obstinately that our Lord Jesus Christ and his apostles possessed no private property even in common, since this is expressly contrary to Scripture; and likewise that consequently it is heretical to affirm obstinately that the Lord Jesus Christ and his apostles had no legal right to those things which Holy Scripture testifies that they possessed, but only actual use of them, and that they had not the right to sell or give away those things, or of themselves acquiring other things, which aforesaid things Holy Scripture testifies to their having done, because such use of them would have been illegal. Friar Michael, Minister General, appealed against this finding of the Pope, wherefore the Pope had him arrested, as is explained below, in the year 1328. A.D. 1323.

In the same year, about the feast of the Ascension of the Lord[3] Sir Aymer de Valence, Earl of Pembroke, and Sir Hugh Despenser the younger, with four other official personages, came to Newcastle-on-Tyne on the part of the King of England; and on the part of the King of Scotland came my lord Bishop of S. Andrews and Sir Thomas Randolph, Earl of Moray, and four other duly authorised persons, to treat for peace between the kingdoms, or, at least, for a prolonged truce, and, by God's will,

[1] See *Scottish Historical Review*, vi. 13, 174, 281, 383; vii. 56, 160, 271, 377; viii. 22, 159, 276, 377; ix. 69.

[2] Blank in original.

[3] 5th May.

they speedily agreed upon a truce for thirteen years fully reckoned. When this was made public about the feast of S. Barnabas the Apostle,[1] that truce was ratified and proclaimed in both kingdoms, on condition, however, that, because of the excommunication of the Scots, neither people should buy of or sell to the other, nor hold any intercourse with each other, nor even go from one kingdom to the other without special letters of conduct. For the granting of such letters and licenses three notable persons for England and three persons for Scotland were appointed on the marches of the aforesaid kingdoms, and patrols were set on the marches to watch lest anyone should cross the march in any other manner.

With the bull of Pope John, whereof mention was made in the preceding year, came four other bulls from the same; one revoking the decision conveyed in that Decretal—*Exiit quod seminat*, lest anyone should twist it into different and injurious meanings, and that none might disparage the rule or state of the Minorite Friars. Another, beginning *Cum ad conditorem canonum*, lays down that none can have simple usufruct without legal right of user, because use cannot be separated from possession in things consumed in the using. The third is lengthy, beginning *Quia quarumdam*, wherein it is laid down that the Pope can decree and do all the aforesaid things, and the arguments of those who declare he cannot are dealt with. There is a fourth, wherein it is ordered that the four preceding bulls be read in the schools in like manner as the other letters decretal.

A.D. 1324.

The new King of France[2] invaded Gascony and other lands of the King of England beyond the sea, because the King of England would not go and pay him the due and accustomed homage for the lands which he held in that kingdom. So the King of England sent his brother-german, my lord Edmund, Earl of Kent, to Gascony with an army for the defence of his lands.

On the feast of All Saints in the same year died my lord Bishop Prebendary of Carlisle at the manor of Rose; in place of whom my lord William de Ermyn was elected by the canons on the morrow of Epiphany following;[3] but the election did not take effect, because Master John de Rose, a south-countryman, was consecrated Bishop of Carlisle by the Pope in the Curia on the first Sunday in Lent.

The Pope excommunicated my lord Louis, the Duke of Bavaria's son, who had been elected Emperor; but Louis formally

[1] 11th June. [2] Charles IV. [3] 7th January, 1324-5.

summoned [the Pope] to a council, undertaking to prove that he was a heretic—aye, an arch-heretic, that is a prince and doctor of heretics; and through the clergy whom he had with him he answered all the arguments which the Pope put forward on his part. A.D. 1325. Now the clergy and people of all Germany and Italy drew more each day to the Emperor's side, and unanimously approved of his election, and crowned him, first with the iron crown at Milan,[1] secondly with the silver crown at Aachen, and thirdly he was crowned afterwards with the golden crown in the city of Rome, having been very honourably received by the Romans. Many battles were fought between the Pope's army and the Emperor's, but the Pope's side was generally beaten.[2]

In the same year the King of England sent his consort the queen to her brother, the King of France, hoping that, by God's help, peace might be established between himself and the King of France through her, according to her promise. But the queen had a secret motive for desiring to cross over to France; for Hugh Despenser the younger, the King's agent in all matters of business, was exerting himself at the Pope's court to procure divorce between the King of England and the queen, and in furtherance of this business there went to the court a certain man of religion, acting irreligiously, by name Thomas de Dunheved, with an appointed colleague, and a certain secular priest named Master Robert de Baldock. These men had even instigated the king to resume possession of the lands and rents which he had formerly bestowed upon the queen, and they allowed her only twenty shillings a day for herself and her whole court, and they took away from her her officers and body servants, so that the wife of the said Sir Hugh was appointed, as it were, guardian to the queen, and carried her seal; nor could the queen write to anybody without her knowledge; whereat my lady the queen was equally indignant and distressed, and therefore wished to visit her brother in France to seek for a remedy.

When, therefore, she had arrived there she astutely contrived that Edward, her elder son and heir of England, should cross over to his uncle, the King of France, on the plea that if he came and did homage to his uncle for Gascony and the other lands of the king beyond the sea, the King [of France] would transfer to him

[1] In 1327. From this it appears that this part of the chronicle was not written quite contemporaneously; but, as was the usual custom, compiled from information recorded in various monasteries.

[2] The Papal Court during these years was at Avignon.

all these lands from the King [of England]; and he [Prince Edward] was made Duke of Aquitaine. But when he wished to appoint his men and bailiffs in those lands to take seisin thereof, the King of England's men, who had been in possession hitherto of those lands and certain cities, would not allow it. Hence arose disagreement between the King of England's men and those of his son, the duke.

Meanwhile it was publicly rumoured in England that the Queen of England was coming to England with her son, the duke, and the army of France in ships, to avenge herself upon Sir Hugh Despenser, and upon his father, the Earl of Winchester, by whose advice the King of England had caused the Earl of Lancaster, the Queen's uncle, to be executed, and upon the said Master Robert de Baldock and upon sundry others, by whose most pernicious counsel the King of England, with his whole realm, was controlled in everything. For this reason the king ordered that all the harbours of England should be most carefully guarded.

But there were contradictory rumours in England about the queen, some declaring that she was the betrayer of the king and kingdom, others that she was acting for peace and the common welfare of the kingdom, and for the removal of evil counsellors from the king; but it is horrible to tell what was done by the aforesaid evil counsellors of the king.

Public proclamation was made in London that if [the queen] herself or her son (albeit he was heir of the realm) should enter England, they were to be arrested as enemies of the king and kingdom. Meanwhile it was said that a very large sum of money was sent to sundry nobles and leading men in France, to induce them to cause the Queen of England and her son to be arrested by craft and sent over to England. Some of them, bribed with the money, endeavoured to do this, but she was forewarned by the Count of Hainault or Hanonia and saved. Then there was a treaty made, under which her son, Duke of Aquitaine and heir of the realm of England, should marry the daughter of the aforesaid count, provided that with his army he assisted the queen and her son, the duke, to cross over to England in safety: which was duly accomplished.

A.D. 1326.

In the same year, on Wednesday next before the feast of the Dedication of the Church of S. Michael the Archangel,[1] she landed at the port of Harwich, in the east of England, with her son, the duke, and Messire Jehan, brother of the Count of

[1] 24th September.

Hainault or Hanonia, and my lord Edmund, Earl of Kent, the King of England's brother, and Sir Roger de Mortimer, a baron of the King of England, who had fled from him previously to France to save his life, and sundry others who had been exiled from England on account of the Earl of Lancaster. They had with them a small enough force (for there were not more at the outside than fifteen hundred men all told), but the Earl Marshal, the King of England's brother, joined them immediately, and my lord Henry, Earl of Leicester, brother of the executed Earl of Lancaster; and soon after the other earls and barons and the commonalty of the southern parts adhered to them. They proceeded against the king because he would not dismiss from his side Sir Hugh Despenser and Master Robert de Baldock.

Meanwhile, however, the people of London, holding in detestation the king and his party, seized my lord the Bishop of Exeter, the king's treasurer, whose exactions upon their community in the past had been excessively harsh, and who was then in London, and, dreadful to say, they beheaded him with great ferocity. Thereafter, having assembled the commonalty of the city, they violently assaulted the Tower of London, wherein were at that time the wife of the aforesaid Sir Hugh, and many State prisoners, adherents of the aforesaid Earl of Lancaster. Some townsmen within, to whom custody of the Tower had been entrusted, hearing and understanding all the aforesaid events, and seeing their fellow citizens fiercely attacking the Tower, surrendered it to them, with everything therein, both persons and property. But they appointed as warden thereof the king's younger son, my lord John of Eltham, who was in the Tower, a boy about twelve years old, for the use of his mother and brother, handing it over to him with a strong armed garrison.

Shortly afterwards Sir Hugh Despenser the elder, Earl of Winchester, was captured, and drawn at Bristol in his coat of arms (so that those arms should never again be borne in England),[1] and afterwards hanged and then beheaded. After a short interval the Earl of Arundel[2] was captured likewise. He had married the daughter of Sir Hugh the younger, and had been, with Hugh, one of the king's counsellors. He was condemned to death in secret, as it were, and afterwards beheaded. Meanwhile all who were captives and prisoners in England on account of their

[1] Having been thereby irremediably dishonoured. Nevertheless, they are borne at this day by Earl Spencer. Winchester was about 90 years old when executed.

[2] Edmund Fitzalan, Earl of Arundel (1285-1326).

adherence to the oft-mentioned Earl of Lancaster were released, and the exiles were recalled, and their lands and heritages, whereof they had been disinherited, were restored to them in full; wherefore they joined the party of the queen and her son eagerly and gladly.

During all these proceedings my lord the Earl of Leicester, Sir Roger de Mortimer, and Messire Jehan of Hainault, were pursuing with their forces the king, Sir Hugh Despenser, and Master Robert de Baldock to the west, lest they should embark there and sail across to Ireland, there to collect an army and oppress England as they had done before. Also, the aforesaid lords feared that if the king could reach Ireland he might collect an army there and cross over into Scotland, and by the help of the Scots and Irish together he might attack England. For already, alarmed at the coming to England of the French and some English with the queen, the king had been so ill-advised as to write to the Scots, freely giving up to them the land and realm of Scotland, to be held independently of any King of England, and (which was still worse) bestowed upon them with Scotland great part of the northern lands of England lying next to them, on condition that they should assist him against the queen, her son, and their confederates. But, by God's ordaining, the project of Achitophel was confounded, the king's will and purpose were hindered, nor were he and his people able to cross to Ireland, although they tried with all their might to do so.

The baffled king's following being dispersed, he wandered houseless about Wales with Hugh Despenser and Robert de Baldock, and there they were captured before the feast of S. Andrew.[1] The king was sent to Kenilworth Castle, and was there kept in close captivity. Hugh was drawn, hanged, and beheaded at Hereford; his body was divided into four parts and sent to four cities of England, and his head was suspended in London. But Baldock, being a cleric, was put to his penance in Newgate in London, and died soon after in prison.

After Christmas, by common advice of all the nobles of England, a parliament was held in London, at the beginning whereof two bishops—Winchester and Hereford—were sent to the king at Kenilworth, begging him humbly and urgently on the part of my lady the queen, of her son, the Duke of Aquitaine, and of all the earls, barons, and commonalty of the whole country assembled in London, that he would be pleased to come to the

[1] 30th November.

parliament to perform and enact with his lieges for the crown of England what ought to be done and what justice demanded. When he received this request he utterly refused to comply therewith; nay, he cursed them contemptuously, declaring that he would not come among his enemies—or rather, his traitors. The aforesaid envoys returned, therefore, and on the vigil of the octave of Epiphany[1] they entered the great hall of Westminster, where the aforesaid parliament was being held, and publicly recited the reply of the two envoys before all the clergy and people.

On the morrow, to wit, the feast of S. Hilary, the Bishop of Hereford preached, and, taking for his text that passage in Ecclesiasticus—'A foolish king shall ruin his people'—dwelt weightily upon the folly and unwisdom of the king, and upon his childish doings (if indeed they deserved to be spoken of as childish), and upon the multiple and manifold disasters that had befallen in England in his time. And all the people answered with one voice—'We will no longer have this man to reign over us.'

Then on the next day following the Bishop of Winchester preached, and, taking for his text that passage in the fourth of Kings—'My head pains me'—he explained with sorrow what a feeble head England had had for many years. The Archbishop of Canterbury preached on the third day, taking for his text—'The voice of the people is the voice of God,' and he ended by announcing to all his hearers that, by the unanimous consent of all the earls and barons, and of the archbishops and bishops, and of the whole clergy and people, King Edward was deposed from his pristine dignity, never more to reign nor to govern the people of England; and he added that all the above-mentioned, both laity and clergy, unanimously agreed that my lord Edward, his first-born son, should succeed his father in the kingdom.

When this had been done, all the chief men, with the assent of the whole community, sent formal envoys to his father at Kenilworth to renounce their homage, and to inform him that he was deposed from the royal dignity and that he should govern the people of England no more. The aforesaid envoys were two bishops, Winchester and Hereford; two earls, Lancaster and Warren; two barons, de Ros and de Courtney;[2] two abbots,

[1] 12th January 1326-7.

[2] William 3rd Baron de Ros, d. 1343, and Hugh de Courtenay afterwards 1st Earl of Devon, d. 1340. The present Baroness de Ros is 25th in descent from William, and the present Earl of Devon is directly descended from Sir Philip de Courtenay, grandson of Hugh, 1st Earl.

two priors, two justiciaries, two Preaching Friars, two Carmelite Friars. But at the instance of my lady the queen, Minorite Friars were not sent, so that they should not be bearers of such a dismal message, for he greatly loved the Minorites.[1] Then there were two knights from beyond Trent, and two from this side of Trent ; two citizens of London and two from the Cinque Ports ; so that altogether there were four-and-twenty persons appointed to bear that message.

Meanwhile public proclamation was made in the city of London that my lord Edward, son of the late king, was to be crowned at Westminster upon Sunday, being the vigil of the Purification of the Glorious Virgin,[2] and that he would there assume the diadem of the realm. Which took place with great pomp, such as befitted so great a king.

On the night of the king's coronation in London, the Scots, having already heard thereof, came in great force with ladders to Norham Castle, which is upon the March and had been very offensive to them. About sixteen of them boldly mounted the castle walls ; but Robert de Maners, warden of the castle, had been warned of their coming by a certain Scot within the castle, and, rushing suddenly upon them, killed nine or ten and took five of them alive, but severely wounded. This mishap ought to have been a sign and portent of the ills that were to befal them in the time of the new king.

Howbeit, this did not cause them [the Scots] to desist in the least from their long-standing iniquity and evil habits ; for, hearing that the King of England's son had been A.D. 1327. crowned and confirmed in the kingdom, and that his father, who had yielded to them their country free, together with a large part of the English march, had been deposed and was detained in custody, they invaded England, before the feast of S. Margaret Virgin and Martyr,[3] in three columns, whereof one was commanded by the oft-mentioned Earl of Moray, another by Sir James of Douglas, and the third by the Earl of Mar,[4] who for many years previously had been educated at the King of England's court, but had returned to Scotland after the capture of the king, hoping to rescue him from captivity and restore him

[1] *Quia Minores multum amabat* ; it is not clear whether it was the hapless king or the queen who loved the Minorites.

[2] 1st February 1326-7.

[3] 20th July. [4] Donald, 8th Earl of Mar in the ancient line (1300 ?—1332).

to his kingdom, as formerly, by the help of the Scots and of certain adherents whom the deposed king still had in England. My lord Robert de Brus, who had become leprous, did not invade England on this occasion.

On hearing reports of these events, the new King of England assembled an army and advanced swiftly against the Scots in the northern parts about Castle Barnard and Stanhope Park; and as they kept to the woods and would not accept battle in the open, the young king, with extraordinary exertion, made a flank march with part of his forces in a single day to Haydon Bridge, in order to cut off their retreat to Scotland. But, as the Scots continued to hold their ground in Stanhope Park, the king marched back to their neighbourhood, and, had he attacked them at once with his army, he must have beaten them, as was commonly said by all men afterwards. Daily they lost both men and horses through lack of provender, although they had gathered some booty in the country round about; but the affair was put off for eight days in accord with the bad advice of certain chief officers of the army, the king lying all that time between the Scots and Scotland;[1] until one night the Scots, warned, it is said, by an Englishman in the king's army that the king had decided to attack them next morning, silently decamped from the park, and, marching round the king's army, held their way to Scotland; and thus it was made clear how action is endangered by delay.

One night, when they were still in the park, Sir James of Douglas, like a brave and enterprising knight, stealthily penetrated far into the king's camp with a small party, and nearly reached the king's tent; but, in returning he made known who he was, killed many who were taken by surprise, and escaped without a scratch.[2]

When the king heard that the Scots had decamped he shed tears of vexation, disbanded his army, and returned to the south; and Messire Jehan, the Count of Hainault's brother, went back with his following to his own country. But after the king's departure, the Scots assembled an army and harried almost the whole of Northumberland, except the castles, remaining there a long time. When the people of the other English marches saw this, they sent envoys to the Scots, and for a large sum of money

[1] *Inter eos et Scottos*, an obvious error for *Scotiam*.

[2] The above was known hereafter as the campaign of Weardale, remarkable, says Barbour, for two notable things never before seen, viz. (1) 'Crakis of weir,' *i.e.* artillery; (2) crests worn on the helmets of knights (*The Brus*, xiv., 168-175).

obtained from them a truce to last till the following feast of Pentecost.[1]

About the same time a certain friar of the Order of Preachers, by name Thomas of Dunheved, who had gone more than two years before with the envoys of the king, now deposed, to the court of my lord the Pope to obtain a divorce between the king and the queen, albeit he had not obtained his object, now travelled through England, not only secretly but even openly, stirring up the people of the south and north to rise for the deposed and imprisoned king and restore the kingdom to him, promising them speedy aid. But he was unable to fulfil what he promised; wherefore that foolish friar was arrested at last, thrown into prison, and died there.

The deposed king died soon after, either by a natural death or by the violence of others, and was buried at Gloucester, among the monks, on the feast of S. Thomas the Apostle,[2] and not in London among the other kings, because he was deposed from reigning.

Meanwhile ambassadors were appointed between the kingdoms of England and Scotland to arrange a temporary truce or confirm the former truce for thirteen years, or to come to any treaty for a perpetual peace if that could be done.

About Christmastide the aforesaid Messire Jehan, brother of the Count of Hainault, returned to England, bringing with him Philippa, daughter of the said count, whom the King of England married with great pomp at York shortly after, to wit, on Sunday in the vigil of the Conversion of Paul the Apostle.[3]

In the same year died the King of France without heir born of his body, just as his brother had died before him. When the King of England heard of his uncle's death without an heir, and holding himself to be the nearest rightful heir to the throne of France, fearing also, nevertheless, that the French would not admit this, but would elect somebody else of the blood (which they did immediately, to wit, the son of Charles, uncle of their deceased king), acting on the pestilent advice of his mother and Sir Roger de Mortimer (they being the chief controllers of the king, who was barely fifteen years of age), he was forced to release the Scots by his public deed from all exaction, right, claim or demand of the overlordship of the kingdom of Scotland on his part, or that of his heirs and successors in perpetuity, and from any homage to be done to the Kings of England. He

[1] 22nd May, 1328. [2] 21st December. Edward II. died on 21st September.
[3] 4th January, 1327-8.

restored to them also that piece of the Cross of Christ which the Scots call the Black Rood, and likewise a certain instrument or deed of subjection and homage to be done to the Kings of England, to which were appended the seals of all the chief men of Scotland, which they delivered, as related above, to the king's grandsire, and which, owing to the multitude of seals hanging to it, is called 'Ragman' by the Scots. But the people of London would no wise allow to be taken away from them the Stone of Scone, whereon the Kings of Scotland used to be set at their coronation at Scone. All these objects the illustrious King Edward, son of Henry, had caused to be brought away from Scotland when he reduced the Scots to his rule.

Also, the aforesaid young king gave his younger sister, my lady Joan of the Tower, in marriage to David, son of Robert de Brus, King of Scotland, he being then a boy five years old. All this was arranged by the king's mother the Queen [dowager] of England, who at that time governed the whole realm. The nuptials were solemnly celebrated at Berwick on Sunday next before the feast of S. Mary Magdalene.[1]

The King of England was not present at these nuptials, but the queen mother was there, with the king's brother and his elder sister and my lords the Bishops of Lincoln, Ely and Norwich, and the Earl of Warenne, Sir Roger de Mortimer and other English barons, and much people, besides those of Scotland, who assembled in great numbers at those nuptials. The reason, or rather the excuse, for making that remission or gratuitous concession to the Scots (to wit, that they should freely possess their kingdom and not hold it from any King of England as over-lord) was that unless the king had first made peace with the Scots, he could not have attacked the French who had disinherited him lest the Scots should invade England. A.D. 1328.

'To all Christ's faithful people who shall see these letters, Edward, by the grace of God, King of England, Lord of Ireland, Duke of Aquitaine, greeting and peace everlasting in the Lord. Whereas, we and some of our predecessors, Kings of England, have endeavoured to establish rights of rule or dominion or superiority over the realm of Scotland, whence dire conflicts of wars waged have afflicted for a long time the kingdoms of England and Scotland: we, having regard to the slaughter, disasters, crimes, destruction of churches and evils innumerable which, in the course of such wars, have repeatedly befallen the subjects of both realms, and to the wealth with which each realm, if united by the assurance of perpetual peace, might abound to their mutual advantage, thereby rendering them more secure against the hurtful efforts of those conspiring

[1] 17th July.

to rebel or to attack, whether from within or from without: We will and grant by these presents, for us, our heirs and successors whatsoever, with the common advice, assent and consent of the prelates, princes, earls and barons, and the commons of our realm in our parliament, that the kingdom of Scotland, within its own proper marches as they were held and maintained in the time of King Alexander of Scotland, last deceased, of good memory, shall belong[1] to our dearest ally and friend, the magnificient prince, Lord Robert, by God's grace illustrious King of Scotland, and to his heirs and successors, separate in all things from the kingdom of England, whole, free and undisturbed in perpetuity, without any kind of subjection, service, claim or demand. And by these presents we renounce and demit to the King of Scotland, his heirs and successors, whatsoever right we or our predecessors have put forward in any way in bygone times to the aforesaid kingdom of Scotland. And, for ourselves and our heirs and successors, we cancel wholly and utterly all obligations, conventions and compacts undertaken in whatsoever manner with our predecessors, at whatsoever times, by whatsoever kings or inhabitants, clergy or laity, of the same kingdom of Scotland concerning the subjection of the realm of Scotland and its inhabitants. And wheresoever any letters, charters, deeds or instruments may be discovered bearing upon obligations, conventions, and compacts of this nature, we will that they be deemed cancelled, invalid, of no effect and void, and of no value or moment. And for the full, peaceful and faithful observance of the foregoing, all and singular, for all time, we have given full power and special command by our other letters patent to our well-beloved and faithful Henry de Percy, our kinsman, and William de la Zouche of Ashby,[2] and to either of them to make oath upon our soul. In testimony whereof we have caused these letters patent to be executed.

'Given at York, on the first day of March, in the second year of our reign.'

The same King Edward of England granted other letters, wherein he declared that he expressly and wholly withdrew from every suit, action or prosecution arising out of processes or sentences laid by the Supreme Lord Pontiff and the Cardinal-legates, Sir Joceline the priest, and Luke the deacon, against the said Lord Robert, King of Scotland, and the inhabitants of his kingdom, and would henceforth be opposed to any renewal of the Pope's processes. In testimony whereof, *et coetera*. But it is to be observed that these notable acts were done in the sixteenth year of the king's age.

In the same year, the clergy and people of Rome, chiefly at the instigation of Louis of Bavaria (who had been elected Emperor), deposed Pope John XXII. (whose seat was then in Avignon in the kingdom of France) after the ancient manner, because they held all the cardinals who were with the Pope to be supporters of heretical wickedness, and because of divers manifest heresies which they publicly laid to his charge, and obliged themselves to prove solemnly, in writing, by time and place, whatever was charged against

[1] *Remaneat.*

[2] William, 1st Baron Zouche (1276-1352) ancestor of the 15th and present baron.

him. Then they elected a Pope (if that ought to be called an election where no cardinal was present), a certain friar of the Order of Minorites by name Peter of Corvara, who, after his election (such as it was) was called Nicholas the Fifth. And the said Lord Louis, with the whole clergy and people of Rome, decreed that thenceforward neither the said John, who was called Pope, nor his predecessor Clement, should come near the city of Rome, where was the seat of Peter, the chief of the Apostles; and further, that if any future Lord Pope should leave the city of Rome beyond two days' journey according to common computation, and not return within one month to the city or its neighbourhood, the clergy and people of Rome should be thereby entitled to elect another as Pope, and when this had been done he who should so absent himself should be straightway deposed.

In the same year Friar Michael, Minister-General of the Minorite Order, was arrested by Pope John at Avignon, and received his injunction that, upon his obedience and under pain of excommunication he should not depart from his [the Pope's] court unless by license received and not assumed. This notwithstanding, he did depart in the company of Friar Bona Gratia and Friar William of Ockham,[1] an Englishman, being supported by the aid and armed force of the Emperor and the Genoese who took him with his companions away by sea, wherefore the Pope directed letters of excommunication against them because of their flight; but [this was] after he had made proclamation under the hand of a notary public before he [Michael] should depart from the court, which proclamation, beginning *Innotescat universis Christi fidelibus*, he afterwards published throughout Italy and Germany, and it was set upon the door of S. Paul's church in London about the Feast of All Saints.

Note—that the deliverance of the Chapter General of the Minorite Friars assembled at Paris in the year of Our Lord MCCCXXVIIJ was as follows—'We declare that it is not heretical, but reasonable, catholic and faithful, to say and affirm that Christ and his apostles, following the way of perfection, had no property or private rights in special or in common.' But Pope John XXII. pronounced this deliverance to be heretical, and as the Minister-General defended it, he caused him to be arrested by the Court.

[1] *Doctor singularis et invincibilis*, born at Ockham in Surrey, c. 1275, d. 1349.

(*To be continued.*)

Reviews of Books

THE SCOTS PEERAGE. Vols. VII and VIII. Edited by Sir James Balfour Paul, C.V.O., LL.D., Lord Lyon King of Arms. Vol. VII, vi, 592; Vol. VIII, viii, 606. With numerous Illustrations. 8vo. Edinburgh: David Douglas. 1910 and 1911. 25s. net per volume.

IT is our pleasant duty to record the production of the seventh and eighth volumes of this important work, which practically brings to an end the labours of Lyon King and his coadjutors, though it is true that there is a supplementary volume containing an index still to appear—a most needful and indeed, owing to the fact that there are no cross-references, an essential addition. As it stands a man who was not intimate with the Scottish peerage might in the course of his reading find references to a Lord Glamis or a Lord Kinghorn and not know that he must turn to Vol. VIII to find an account of them under 'Strathmore.' The first volume was published in 1904, and, considering the magnitude of the field of operations, it is really wonderful that the last volume should be before us for notice only seven years later; of course such rapidity of production would have been impossible if the work had not been as it were sublet, and, in spite of the unevenness inevitably produced by the touch of so many different hands, the amount of new and valuable information collected is so great that this must remain for centuries the standard work of reference on the peerage of Scotland.

To turn to one or two of the individual articles, we observe under 'Ruthven of Freeland' that Mr. A. Francis Steuart deals more gently than some that have gone before him with the assumption of this Barony after the death of the second lord, and he does not emphasize the 'strange and anomalous order' in which the title was assumed, nor does he point out that the assumption ceased for six months after the death in 1722 of the lady who styled herself sometimes Baroness Ruthven, and sometimes more modestly Mrs. Jean Ruthven. But Mr. J. H. Stevenson and Mr. J. H. Round have so fully stated in the pages of this *Review* their conflicting views as to this Barony that we leave the thorny subject without further remark.

From misprints the book is commendably free, and any one who has had to do with work of the kind will know how difficult it is to avoid them. We have detected one in the chapter on 'Rutherford,' p. 376, five lines from the bottom of the text, '1659' should be '1569.' By the way, Rothesay Herald tells us that the first Lord Rutherford was so created 19th

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STAIR

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

January, 1661, and G. E. C. in *Complete Peerage* says that the event took place on the 10th, neither give any authority. The difference is not important, but we have merely the contradictory *ipse dixit* of these two pundits. Many, who care not either for peerages or genealogies, will be interested to learn from Rothesay that the original of 'The Bride of Lammermoor' was compelled to break her engagement to the third Lord Rutherford, with the disastrous consequences which Sir Walter Scott so graphically describes.

The interesting and valuable article on 'Rothes' is from 'the vanished hand' of John Anderson, and Vol. VIII opens with a warm tribute from Lyon to the help which this kindly man and able genealogist has rendered in the production; Scotland has not ceased to mourn his loss before England finds itself the poorer for that of G. E. C. What this latter did even for Scottish genealogy, of which he claimed no special knowledge, is shown by the frequent references to *Complete Peerage* in the notes to the pages under review.

In our opinion Mr. Anderson will be found to have successfully disposed of the story to which wide currency has been given by Riddell, G. E. C. and others that George, fourth Earl of Rothes, sandwiched in remarriage with his first and divorced wife between his third and his last marriages. The only real evidence for such remarriage is that Margaret, the first wife is (? politely) called *Comitissa de Rothes* in a Royal Charter to her personally, in which the earl has no place; for the statement that Robert, youngest son of the earl by the said Margaret, was born about 1541, which, if true, would prove either the earl's remarriage, or Robert's illegitimacy, is demonstrably false. Though the precise date of death of the earl's third wife, and of his marriage with the last wife are unknown, yet the fact that the former event took place after August, 1541, and the latter before April, 1543, makes the remarriage with Margaret Crichton exceedingly improbable.

In Vol. VIII the short article by Keith W. Murray deserves honourable mention; like the pill in the American advertisement, 'it does not go fooling about but attends strictly to business,' and gives several new and precise details as to marriage, death and burial of the (Murray) Earls of Tullibardine.

Turning to the article on 'Tweeddale' by the Marquess of Ruvigny, as we are informed in *Complete Peerage* that the first wife '*d.* at Bothaws 21, and was bur. there 29 Aug. 1625,' it seems a pity not to have consulted that well-known work, when the comparatively vague statement that 'she died before 19 January, 1627,' could have been improved. Why also, on p. 449, does the Marquess call the second wife of the first Viscount of Kingston, *Margaret* Douglas? when the writer of the article 'Kingston' in Vol. V and, as far as we know, all other authorities call her *Elizabeth*. Why too, on the same page, does he say that Elizabeth, wife of William Hay of Drummelzier, was da. and *heir* of the first Viscount of Kingston, when that viscount left two sons, both of whom succeeded in turn to the viscountcy? These errors, however, if errors they be, are few and unimportant amid so much that is both new and true (a rare com-

bination), and, knowing the vitreous character of our own residence, we are not disposed to start stone-throwing.

'Wemyss' is an excellent article for which J. A. at the foot is alone sufficient guarantee. Alas! that these initials will be seen no more. 'Wigtown' by Rothesay Herald, and 'Winton' by Col. the Hon. Robert Boyle both mark a decided advance on all previous accounts, and the standard of the last volume is, we really think, higher than that of the earlier ones.

In conclusion we heartily congratulate Sir James Balfour Paul on the successful accomplishment of his arduous task.

VICARY GIBBS.

THE SOVEREIGNTY OF THE SEA: AN HISTORICAL ACCOUNT OF THE CLAIMS OF ENGLAND TO THE DOMINION OF THE BRITISH SEAS, AND OF THE EVOLUTION OF TERRITORIAL WATERS; WITH SPECIAL REFERENCE TO THE RIGHTS OF FISHING AND THE NAVAL SALUTE. By Thomas Wemyss Fulton, Lecturer on the Scientific Study of Fishery Problems, the University of Aberdeen. Pp. xxvi, 799. With many Illustrations. 8vo. Edinburgh: William Blackwood & Sons. 1911. 25s. net.

THE two parts of unequal length into which this important book is divided have a closer connection than at first sight appears, though neither of them perhaps justifies its picturesque title. The claims of this country to dominion in the high seas, which are traced in the first part, were connected with the question of fisheries, and, though they are now quite obsolete, it is fishery rights that give an increasing international importance to those claims of territorial property in maritime belts of strictly limited extent which are their modern survivals. In the course of his duties as lecturer at Aberdeen University on the Scientific Study of Fishery Problems, Mr. Fulton naturally turned his attention to the historical claims in relation to exclusive rights of fishery, but soon found that fishery rights by no means exhausted the claims to dominion in the British seas. The first part of his book is the result of his prolonged research into those periods of our history when these claims were made and developed, and under the Stuarts led to war with the Dutch. If it is purely a historical investigation, the second, while dealing also with the detailed history of a more recent period, has an immediate and practical interest, for it gives an account of the claims made by modern maritime states to territorial property in the adjacent seas. Of this part it may be said at once that it contains by far the best account in English of the development of territorial waters and of the rights claimed in them by modern maritime states in regard to fisheries. It cannot fail to be indispensable to the Government officials who have to concern themselves with the frequent international controversies on this topic.

From the time of John until the battle of Trafalgar demonstrated her supremacy at sea, England claimed the homage of the flag in seas which varied always in the direction of increased extent. But though not peculiar to England (for it was made at certain times by France and even Holland) it was tenaciously enforced by the English Government, and at most periods



SUTHERLAND

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

was acquiesced in by foreign powers. Any foreign vessel, public or private, was held bound on encountering a king's ship to strike her flag and furl her topsail and come under the lee. Under the Stuarts it was asserted in vindication of England's territorial property in the English seas, but Mr. Fulton plausibly suggests that originally it had no such basis. Rather it was a measure of policy in relation to piracy, a measure of great effectiveness when vessels carried but one mast and furling their single sail laid them at the mercy of the visiting cruiser.

But the English common law knew no such claim to territorial property in the sea as the Stuarts made. Unlike Venice, Genoa, or the Scandinavian powers, England had never exacted tribute from foreign vessels for the use of her seas, partly no doubt from their geographical configuration, which differs so markedly from those of Continental powers. The claim to territorial property came with James I., and disappeared with his dynasty. And it was borrowed from Scotland, where from early times the Crown had claimed exclusive fishery rights not merely in the lochs, but in the open seas 'within a land-kenning,' viz. the distance within which the land could be discerned at sea (on a clear day?) from a mast-head.

The change of policy, too, was made piecemeal. The famous delineation of the King's Chambers, which James I. instructed a jury of Trinity House to make in 1604, was ordered for the single purpose of preserving the neutrality of England in the war then raging between the United Provinces and Spain, from which James had withdrawn himself. Moreover, as it related solely to the coasts of England, it was a moderate claim, for it comprised only the waters within an imaginary line drawn from headland to headland round a coast which is not remarkable for deep indentations. The proclamation was aimed at the Dutch, who drew immense wealth from the fisheries in British waters, and the licence referred to in the end of it seems to have been suggested by the 'assize-herring' of Scots law, since it was in the Hebrides that the Dutch had one of their most successful fisheries. But on 6 May, 1609, James took the further step of issuing a proclamation claiming exclusive fishing rights along the whole of the British and Irish coasts, and prohibiting foreigners from fishing on such coast without yearly licence first had and paid for. In the hands of James' successors the claims to sovereignty implied in the proclamation led to extravagant developments as to the extent of the British seas, and finally to three wars with Holland. But the proclamation itself was the first move in the new struggle with that country for maritime and commercial supremacy, for the fisheries, since they were the main cause of the wealth of the United Provinces, were a natural object of attack to a rival like England.

Of the great extent of these fisheries, and of the English schemes for establishing national enterprises on the same model, Mr. Fulton gives a wealth of interesting information from contemporary Dutch and English sources. Some of the latter go minutely into ways and means, and calculate precisely the assured profit to individuals and the indirect gains to the nation. But no success attended such enterprises as were eventually established, and, as Mr. Fulton shrewdly remarks, it was the gradual

development of the Scots herring-boat which in the end wrested this fishing from the Dutch.

But if James has the credit of initiating a new policy, it bore little fruit in his reign. The Dutch Government naturally protested, contending that liberty of fishing had been secured by the *Intercursus magnus* made with the Duke of Burgundy in 1496; their ambassadors temporised, and the fishermen did not pay. For James was forcible-feeble in collecting the licence duty, 'sending a scarcely armed and half-dismantled pinnace among the busses, with a lawyer on board, to ask the tribute in fair and gentle terms, and, if refused, "to take out instruments on the said refusal."' Under Charles I. the policy changed. The exaction of tribute from Dutch fishermen, though it was the purpose to which he devoted his three ship-money fleets, was but an incident in the extravagant claims which he made to territorial property in the British seas. The Dutch, in the negotiations which followed, succeeded by evasion, fair speaking, and delay in avoiding an explicit acknowledgment of the king's new claim to dominion, and the tax itself was hardly a greater source of revenue than under James. For Mr. Fulton, by production of an original document, destroys a fable which has long been current among historical writers, and has found its way into English text-books on international law. He shows conclusively that the amount collected in 1632 by Northampton as 'acknowledgment money' from the Dutch fishermen for licence to fish in British waters amounted not to the £30,000 of the historians, but to the beggarly sum of £501 15s. 2d., for which the original return, with its curious variety of coinage, is reproduced in facsimile at p. 310.

Much space is devoted to a minute account of the negotiations with the Dutch, into the details of which it is impossible to follow the author, but the reader will find for every statement, chapter and verse given in the contemporary authorities, both English and Dutch, a storehouse of accurate information on a topic not hitherto treated on the same scale.

From the diplomatists, the dispute drifted to the lawyers, and the famous controversy as to the freedom of the sea, in which Grotius and Selden were the protagonists, occupied public attention during the seventeenth century. Of this controversy Mr. Fulton gives an uncommonly good account, and draws attention to the part played in it by William Welwood, professor of Civil Law in St. Andrews, who was the first to reply to Grotius in his *Abridgment of all Sea-Lawes* (1613), and who had the honour of being the only advocate of the English claims to whom Grotius himself made a rejoinder. Welwood's book is excessively rare, and it is interesting to learn from Mr. Fulton that he was the first author to insist on the principle now universally accepted, 'that the inhabitants of a country had a primary and exclusive right to the fisheries along their coasts—that the usufruct of the adjacent sea belonged to them, and that one of the main reasons why that portion of the sea should pertain to the neighbouring state was the risk of the exhaustion of its fisheries from promiscuous use.'

Under the Commonwealth the claim to the homage of the flag was made with all the old vigour and in a specified area wider than ever before. In James' time it had been exacted in the Channel only, but it was now

extended to all seas subject to the jurisdiction of England, Scotland, and Ireland. Refusal to accord it was the reason for the successful attack made by Blake on Tromp on 19th May, 1652, which led to the first Dutch war.

For the extent of water claimed at this and earlier times the reader must be referred to Mr. Fulton's interesting paper, and he will be surprised at the vague meaning attached to the seas of England, which in the course of centuries were gradually extended from the English Channel to the whole waters washing our eastern and southern coasts between Finisterre and van Stadland in Norway, with an entirely undefined extent on the western side of the islands.

In modern times these extravagant claims to territorial property in the high seas have disappeared. The last of their kind was the claim to ownership of the Behring Sea which the United States, founding on a Russian ukase of 1823, put forward and abandoned in the Behring Sea Arbitration of 1893. Modern claims are much more modest. They are confined to a maritime belt of limited extent claimed as a necessary adjunct to a coast for the protection of a maritime state. They appear to be a survival of the ancient claims, and yet they have an independent origin. Commonly known as the three-mile-limit, which is universally adopted for the purposes of neutrality, it is neither in law a rule binding on all states for all purposes, nor is it adequate either for the purposes of neutrality or fishery preservation. It is at best a working rule consciously made towards the end of the eighteenth century as applying a principle which would now permit of extension to at least three times that limit. The principle is that stated by Bynkershoek in *De Dominio Maris* (1703): '*potestatem terrae finiri, ubi finitur armorum vis*,' but, as Mr. Fulton points out, it had been advanced nearly a century earlier, and probably at the suggestion of Grotius, by the Dutch Embassy, when combating James' claim to the assize herring.

It was the United States Government in 1793—that famous year in the development of the law of neutrality—that first tentatively turned into a working rule the principle of making the maritime belt depend on the range of cannon, for three miles was then the utmost range of gun-shot. Into English jurisprudence it was introduced from the Continent by Lord Stowell in the prize cases of 'The Twee Gebroeders' and 'The Anna' at the beginning of the next century. Since then it has been universally adopted as a minimum limit both by international common law and convention—at least for the purposes of neutrality. But even for that purpose the immense increase in cannon range has made it entirely inadequate, though the adoption of an extended limit might impose onerous duties on neutral states in defending their neutrality. For the preservation of sea fisheries, with which it originally had nothing to do, the modern perfection of steam trawling has shown it to have notable defects. By the Paris Resolutions of the Institut de Droit International of 1894 and by those of the International Law Association of the following year, scientific opinion has on two occasions formally expressed itself in favour of an extension to six miles.

Mr. Fulton has given an admirable account of the Fishery Conventions in which the three-mile limit has been adopted with an arbitrary extension

to ten miles in the case of bays. The judicial decisions relating to bays not covered by convention, notably the important Moray Firth Case of 1906, are given in detail, and the debates in Parliament on the abandonment of that decision by the executive Government are admirably summarised. As already mentioned, his complete account of the fishery limits claimed by modern states is, we believe, unique in an English work. His views on the over-fishing of the North Sea are important, and he strongly advocates international measures for the preservation of the spawning beds. In this he reminds us that the trawlers themselves in 1890 were so impressed by the need for protecting the North Sea from depletion that the larger companies agreed by a self-denying ordinance to refrain from fishing in a defined area off the coast of Germany and Denmark extending to no less than fifteen hundred miles. The competition of 'single boaters' who were not parties to the agreement led to general infringement. Since then the heads of the trawling industry have changed their minds on the subject. Driven by the depletion of the North Sea to send their boats to distant waters—*e.g.* to Agadir in the south and the White Sea in the north —they are now more concerned to insist on the three-mile limit as binding on all nations and on their right to trawl everywhere up to that limit. That their contention is vain Mr. Fulton shows, we think, conclusively. A rule cannot be held to be binding where European states such as Spain, Portugal, Norway and Sweden, with a coast-line of over 4000 miles, have always claimed exclusive fishery rights within a greater limit than three miles.

We have given but an indication of the wealth of valuable information contained in this excellent book, on which many years' work has been expended, and which does honour alike to the author and his University.

A special word of praise is due to the illustrations to both sections; the charts in the second, showing foreign reserved areas are particularly valuable.

A. H. Charteris.

The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720. Volume III. By William Robert Scott, M.A., D.Phil., Litt.D. Pp. xii, 563. Royal 8vo. Cambridge: University Press. 1911. 18s. net.

In this volume Dr. Scott completes Part II. of his history of joint-stock companies to 1720. Volume II. dealt with companies for trading, colonising, fishing, etc., while Volume III. is concerned with those formed for promoting commerce at home. Scotland is represented principally by manufacturing companies, of which a number were formed after the passing of the Acts of 1641, 1661, 1681, which gradually established a system of industrial protection. The greater number were founded after the Act of 1681 had been passed, and were for diverse purposes—for the manufacture of cloth, wool-cards, glass, soap, sugar, linen, paper, gunpowder, etc. One of the best known is the New Mills Cloth Manufactory, whose Minutes have already been edited by Dr. Scott. The Union brought a removal of protection, and many of the companies collapsed. It is interesting to note

that, though the Glasgow Sugar Houses were the most important survivors, the sugar trade had had fewer privileges than most of the companies which failed. Scotland's greatest undertaking, the Darien Company, was described in the earlier volume, but we have here the history of the Bank of Scotland, constituted by Act of Parliament in 1695, a few weeks later than the Darien Company, to the disgust of Paterson, who said that the bank act 'would not be of any matter of good to us, nor to those who have it.' The competition of the trading company, which began to circulate notes, was at first a drawback to the bank, and it was also affected by the financial chaos at the time of the Darien collapse. Fortunately none of the wild schemes for relieving the financial stringency—large issues of paper, land credit project, etc.—were adopted, and the bank, though forced to suspend payment in 1704, did not fall. It also survived a suspension of payments in 1715.

The Bank of England, founded in 1694, was of greater political importance than the Scottish institution. Dr. Scott shows the necessity of some independent financial institution to finance the Government, instead of the State having to borrow from trading companies, greatly to the detriment of commerce. This need became more obvious and pressing after the Revolution, when money had to be raised for William's wars. Various proposals were made to the Government, by Paterson and Chamberlain amongst others. Chamberlain wanted to issue inconvertible paper currency based on landed security, but Paterson's scheme appealed more to the monied Whigs and was accepted. Although the pressure of the Government for money tried the Bank severely in its early years it survived several crises, and stood firm in the great collapse of 1720, when its stock did not fall below 130.

Dr. Scott's chapters on the South Sea Company are detailed and interesting. Like the Bank it had an intimate connection with State finance. The Government was always in need of money, and in 1711 attempted to raise funds, not by borrowing from the companies, as it did from the Bank and East India Company, but by incorporating the owners of existing loans as a company for trading to the South Seas with certain privileges, receiving stock in exchange for the Government securities which they held. Thus the company acquired a capital of over ten millions, which was not and could not all be employed in trade. Therefore, following the example of Law in France, the directors offered to convert Government liabilities amounting to about thirty millions into its stock. The working out of the scheme is very involved, the more so as there are two histories, that of the facts as they appeared to the public at the time, and the secret history known to a very few then, but since brought to light by investigation. As Dr. Scott points out, it is unjust for us to judge the investors by what we know now, as many of these facts were concealed at the time. He is careful to give separate accounts, first of the public, then of the secret history. He shows how the market was manipulated until the stock rose at one time to 1050.

But the inflation of the South Sea stock roused a spirit of speculation, many companies were formed, a hundred and ninety between September,

1719, and September, 1720, for every conceivable object. This, and the fact that the South Sea directors had lent more money than they had, affected the market unfavourably. The South Sea stock fell 300 in three weeks; their banking company, the Sword Blade Company, suspended payment. A Parliamentary inquiry was ordered, and the conduct of the directors and of certain prominent politicians was investigated and condemned. Dr. Scott thinks that although there were great losses the nation was to be congratulated on escaping the greater evils which came upon France, and which would have overtaken England had the company been able, as was once intended, to control the entire financial operations of the country. Dr. Scott gives a diagram showing the comparative prices of South Sea, Bank of England and East India stock from May to September, 1720. He adds a useful account of the finances of the Crown and nation, particularly detailed for the Elizabethan period, with tabular statements for her reign and for several years in the seventeenth century.

Both the volumes which Dr. Scott has published will be most useful as books of reference, and the student as well as the general reader will welcome the remaining volume, which is to deal with the general development of the joint-stock system. THEODORA KEITH.

THE GREAT DAYS OF NORTHUMBRIA. By J. Travis Mills, M.A. Pp. vi, 214. With one map. Crown 8vo. London: Longmans, Green & Co. 1911. 4s. 6d. net.

THIS book is an expansion of two lectures delivered at the Cambridge University extension meeting held at York in August of last year. A third lecture has been added to give a more general survey of the subject.

During the period chosen for illustration the Celt was vainly struggling against the growing power and domination of a superior race; the Roman mission under Paulinus, had come, had prospered for a time, and Northumbria, the most northerly of the kingdoms of the Heptarchy, after accepting Christianity with enthusiasm, had sunk back into heathenism. Again a great revival was to take place, but this time the missionary effort was to come from Ireland instead of Rome, its religious issues were to be complicated and obscured by personal interests and fierce racial animosities, and more than half of the seventh century was to pass before the final triumph of the banner of the Cross over that of Woden was completed.

The vicissitudes of the Northumbrian kingdom in this time of stress and battle are recounted in a graphic and picturesque fashion, and the book is a welcome addition to the literature on the subject already in existence. The headings of the three lectures are respectively 'Politics, Religion and Learning,' but their subject matter is better indicated by their sub-titles, 'Three great Northumbrian Kings, two great Northumbrian Churchmen and two great Northumbrian Scholars.' Edwin, Oswald and Oswy are the three great kings whose varying fortunes are described in the first lecture, but the interest is chiefly centred in the fight at Winwidfield, where the deaths of Edwin and Oswald were avenged by the defeat and death of their

destroyer, Penda of Mercia, the fierce old heathen king who was the last champion of the gods of the Valhalla. The author, while 'claiming little credit for originality,' ventures to put forth a fresh theory as to the oft-disputed site of the battle. It is based upon a suggestion made by Dr. Whitaker that the river Went or Wynt, a tributary of the Don, is the Winwaed instead of the Aire, and the point where the Ermine street crosses it is chosen as being the 'Winwidfield' of the old chronicles. A recent writer on the subject, the late Cadwallader J. Bates, in his history of Northumberland, and more fully in an interesting paper in *Archaeologia Aeliana*, Vol. xix, suggests a tributary of the Tweed as being the Winwaed, and gives Florence of Worcester and the Mailross Chronicle as authorities for calling Lothian 'provincia Loidis,' citing also confirmatory evidence from Symeon of Durham. Freeman pronounces Wingfield to be Winwidfield, and Winmore near Leeds is the spot indicated by the Northumbrian traditions and generally accepted as the scene of the great battle. 'Who shall decide when doctors disagree?'

The two great churchmen of the second lecture are Wilfrid and Cuthbert, and the latter receives the kinder and more sympathetic treatment, Wilfrid being alluded to as 'the very superior young man who was now the spokesman of Rome at Whitby.' 'Tactlessness, conceit, personal ambition and love of display' are among the eighteen reasons for Wilfrid's misfortunes that the author has discovered but has not enumerated.

A personal experience from the second lecture may be quoted. 'Some years ago in the Abbey Church at Hexham, I descended the steps which lead down into the crypt and gazed at its carved stones. In the dimmest and remotest corner my companion held up his candle,—"Here is something, I think, that will interest you," and sure enough it was the same partially erased inscription to the Emperors Caracalla and Geta which I had read on the arch of Severus! Perhaps nothing has ever brought more closely home to myself the vast extent of that dominion which from the Forum and the Palatine stretched forth its arms across continent and sea to dictate what should or should not be inscribed on the stones of a Northumbrian moor.' During recent alterations in Hexham Abbey another portion of the inscribed stone alluded to has been discovered in the old foundations at the west end of the nave, and with the subsequent finding of the eastern apse, has enabled a measurement of the exact length of Wilfrid's great church to be obtained.

The third lecture commences with a generous and charmingly written appreciation of Bede, and its last fifty-seven pages consist chiefly of a glorification of the schoolmaster in the person of Alcuin, who left his own country to become the 'Minister of Education' of Charlemagne.

For the use of students an index would have been a valuable addition to the book, and it may be noted that the author accepts without question Mr. Green's 'Aidan caught the Northumbrian burr,' although recent research seems to show the burr to have been a comparatively modern acquisition.

An allusion to 'Lindisfarne' as 'girt with basaltic rock' probably refers rather to the Inner Farne which was St. Cuthbert's lonely home for so

many years, as it cannot be taken to correctly describe the long, low-lying sand dunes of Holy Island.

J. P. Gibson.

Ireland under the Normans (1169-1216). By Goddard Henry Orpen. Vol. I. 400 pp.; Vol. II. 344 pp. 8vo. Oxford : Clarendon Press. 1911. 21s. net.

It is not too much to say of these two important volumes that they lay for the first time the foundations of Irish History on a sound scientific basis. Mr. Orpen, it is true, does not attempt more than the briefest sketch of the purely Celtic Ireland that preceded the advent of the Anglo-Norman adventurers, and has left unexplained much that we should like to learn about tanistry, early conceptions of land-ownership, and many other topics. It was only with the coming of the Normans, however, that the unification of Ireland, and with it the beginnings of a consecutive national history, became possible. The Norman genius for concentration gradually transformed into a semblance of order the atomism and anarchy inherent in the older Celtic tribal customs. In twelfth-century Ireland, even more than in eleventh-century England, unity was achieved at the cost of foreign conquest.

Mr. Orpen's purpose is to lay bare the causes of the Anglo-Norman intervention in Ireland, to set in chronological sequence the incidents of their settlement there, to explain the introduction of feudal tenure, the original distribution and subsequent transmissions of fiefs, and the effects of Norman predominance on the original inhabitants and on the economic prosperity of the Island as a whole.

His enterprise has involved protracted and profound research ; but there can be no doubt that the importance of the task justified the labour, while the manner of its accomplishment proves that it could not have fallen into better hands. Records, chronicles and other original sources have been ransacked with exhaustive thoroughness, and Mr. Orpen also shows a mastery of recent discussions on most of the topics treated even incidentally. His results, which place the beginnings of Irish history in a new and clearer light, are given to the public with a lucidity, sense of perspective, literary ability and human interest which do not always characterize works of original research.

Mr. Orpen writes as a seeker after truth, never as a partisan ; but he does not hesitate to draw the inferences clearly implied in the evidence he has impartially collected. His main conclusion is that hitherto the evil effects of the Anglo-Norman occupation have been exaggerated, the good effects minimized. Celtic Ireland, in spite of the persistent belief in a golden age, was in reality a constant prey to tribal jealousy ; and the resultant internecine warfare was only suppressed by the vigorous Norman rule. Even in the half-century covered by these studies the country had come to enjoy a measure of peace and commercial prosperity unknown before.

Upon some controversial topics, such as the Bull *Laudabiliter* and the precise meaning of John's feudal title of *Dominus Hiberniae*, Mr. Orpen has

emphatic opinions which carry conviction even when he attacks the arguments of authorities of the first rank. Mr. Round, for example, will require to reconsider his position on the *Laudabiliter* controversy ; while M. Meyer, the learned editor of the *History of William the Marshal*, Miss Norgate and Sir James Ramsay will find their conclusions supplemented or corrected on many important points. The subject of 'motes' and early fortifications forms ground that Mr. Orpen is admitted to have made peculiarly his own ; and the large portions of his two volumes devoted to this subject are of peculiar value to experts.

Many minute points of interest to scholars will be found to reward a close perusal : a graphic light is thrown, for example, on the activity of the medieval Chancery by the recorded fact that Henry II., on his expedition to Ireland in October, 1171, took with him 1,000 lbs. of wax for the sealing of his charters. It is curious to note that Mr. Orpen, with such items of information before him, still speaks of King John 'signing' the Great Charter—an illustration of the power of persistence inherent in familiar phrases. Some reference might have been made to the researches of Miss Bateson in connexion with the confusion between the laws of Bristol and the laws of Breteuil as models for the privileges of Norman boroughs.

The value of Mr. Orpen's researches is by no means confined to students of Irish history—to whom they are indispensable. By throwing light on the conduct and character of men like King John and William Marshall, who have profoundly affected the history of both Islands, he has indirectly made a valuable contribution to English history as well ; while the detailed study of the action of the Normans in a field hitherto unexplored increases our admiration for the organizing genius of that wonderful race of born administrators.

Wm. S. McKechnie.

Romano-British Buildings and Earthworks. By John Ward, F.S.A. Pp. xii, 319. With numerous Illustrations by the Author. 8vo. London : Methuen & Co. 1911. 7s. 6d. net.

The Roman Era in Britain. By John Ward, F.S.A. Pp. xii, 289. With seventy-six Illustrations by the Author. 8vo. London : Methuen & Co. 1911. 7s. 6d. net.

Mr. John Ward is favourably known to students of Roman Britain for the well-directed activity he displayed some years ago in promoting and recording the excavation of the Roman fort at Gellygaer.

The first of the two volumes now before us is worthy of the reputation he then earned. It is not always happily proportioned ; the chapters on 'Temples, Shrines, and Churches,' for instance, and on 'Decorated Mosaic Pavements,' each occupy more space than is devoted to the Wall of Hadrian. Further, lucidity and definiteness of outline are sometimes sacrificed to the mere accumulation of detail. Still, when regard is had to the difficulty of the task, the performance may fairly be described as creditable, in spite of a certain narrowness of archaeological outlook. The numerous plans of forts and houses are a particularly useful feature. When

the book reaches a second edition, which it may very well do, opportunity will doubtless be taken to bring it more up to date so far as Scotland is concerned, and to remove inaccuracies of statement. It is not true, for example, that the rampart of the Antonine Wall is still visible for 'most of the distance' from sea to sea (p. 113), nor was it at Castlecary that *lilia* were discovered (p. 31). And the expression 'basilical house' might with advantage be reconsidered. There are also a few misprints to be corrected. We may note 'Cannelkirk' for 'Channelkirk' on p. 10, and again on p. 14, 'Camelodunum' for 'Camulodunum' on p. 45, 'Corriden' for 'Carriden' on p. 113, and 'Kinnel' for 'Kinneil' on p. 118. On the whole, however, the proofs have been carefully seen to, although 'Basilica of Ulpia' (p. 216 and p. 219) has an ugly look. The map of Roman Britain at the end does not include the Forth and Clyde isthmus.

We wish we were able to commend the author's other venture as warmly. As it is, we can only say that *The Roman Era in Britain* seems to us bad in design and faulty in execution. There is no attempt at a historical sketch ; and the plea of want of space, which is put forward in the Preface, cannot be accepted as a valid excuse for the omission, seeing that the companion volume is thirty pages longer. The chapters on 'Religions' and on 'Coins and Roman Britain' are vapid and pointless. That on 'Locks and Keys,' on the other hand, is good, being probably the best thing Mr. Ward has to offer us here. At the same time its very fulness tends to throw into stronger relief the inexplicable absence of any allusion to the soldiery or their equipment. Pottery and fibulae are treated at considerable length, though without the firmness and sureness of grasp that only comparative knowledge can give. For the rest, the least unsatisfactory sections are those which are abridged from *Romano-British Buildings and Earthworks*.

Everywhere footnotes citing the authorities used should have been much more frequent. Readers familiar with the literature of the subject will recognize Mr. Ward's sources readily enough. Others—and it is, of course, mainly they whom he must be presumed to be addressing—will fail to find the bibliography a very helpful guide. It is characteristic that it should mention Hogarth's *Authority and Archaeology*, the connection of which with Roman-Britain is of the slenderest, and should yet ignore the existence of *Archaeologia Aeliana*. Incidentally it attributes the whole of the *Corpus Inscriptionum Latinarum* to 'Hubner' (*sic*). In the body of the book mistakes on matters of detail abound beyond belief. Inscriptions are sometimes sadly mutilated (p. 37, p. 103, p. 106, and p. 132). Misprints like 'an arabesques,' 'guillochs' (both on p. 130), 'centurian' (p. 134), 'essuary' (p. 150), and 'moenad' (p. 188) are inexcusable. Proper names fare specially badly. 'Cautopites' for 'Cautopates,' 'Seltocenia' for 'Setlocenia,' and 'Veradechthis' for 'Viradechthis' (pp. 108 and 109) are comparatively venial, albeit they tell their own tale. But what are we to say of 'Verolamium' (p. 8 and p. 32), 'Clevum' (p. 8 and p. 33), 'Osirus' (p. 13), 'Saalberg' (p. 61), and 'Carrawberg' (p. 106) ? Or of such Latin as '*Fortuna Conservatorix*' (p. 102), '*Legio Sex*' for 'the Sixth Legion' (p. 132), '*regulus*' for 'foot-

rule' (p. 218), and '*poculi*' for 'cups' (p. 160)? On p. 168 'BIBE VINAS' actually appears as a typical convivial inscription! The drawings, not a few of which figure also in *Romano-British Buildings and Earthworks*, are again good, and the index is competently done. GEORGE MACDONALD.

THE AWAKENING OF SCOTLAND: A HISTORY FROM 1747 TO 1797. By William Law Mathieson. Pp. xiv, 303. 8vo. Glasgow: James MacLehose & Sons. 1911. 10s. 6d. net.

OUR single adverse criticism on Mr. Mathieson's book may be stated in a sentence. It is so good that we want more of it. The scale on which he has written (about three hundred pages to fifty years) is liberal as modern books go, but the subject is so largely unknown, and the author's powers of exposition are so great, that a more detailed treatment would be welcome. It is, as he says, necessary in dealing with the political history of the last half of the eighteenth century 'to pursue its ramifications into British, or even into English, history'; but this very necessity is an additional argument for extended treatment, for English historians have not bestowed their space upon the pursuit of 'ramifications' into Scottish history, and there is still a large quantity of hitherto unused material. We are not convinced that Mr. Mathieson could have added 'little of importance' to the 'vivid, humorous, and picturesque account' of the daily life of the people by the late Mr. Henry Grey Graham; for that book (good as it is) has the defects of its qualities, and the picture it draws requires some serious modifications. We must be content for the present with what Mr. Mathieson has given us, but we hope that, as he pursues his task, he will allow himself greater scope.

The book, as it stands, does not suffer, as in less capable hands it might have suffered, from compression, for Mr. Mathieson's appreciation of the historical perspective does not fail him, and his book is well planned and well written. His account of the attitude of Scottish representatives at Westminster from the fall of Walpole to the fall of Bute is interesting and suggestive, as is also his study of Scottish opinion on the American War and on the No-Popery agitation. The real subject of the book is reached in the third chapter, 'The Political Awakening,' beginning with the reform movement of the early years of Pitt's ministry, and developing into the trials for sedition, which were the most important features of domestic history from 1793 to 1797.

Mr. Mathieson is always more at home in dealing with ecclesiastical questions than with political movements, and his best chapters are those entitled 'Ecclesiastical Politics' and 'The Noontide of Moderatism.' Sentences like 'The latitudinarianism of Leighton and Scougal, of Nairn and Charteris, was a passion rather than an opinion,' recall the suggestiveness of Mr. Mathieson's earlier books, and his brief summary of the decline of Moderatism is admirable. 'The old Moderates,' he says, 'looked with repugnance on patronage as an intrusion of secular, if not of political, influence into the spiritual domain, and they shrank from the harshness and oppression which its exercise involved. The new Moderates, themselves a product of this system, were humanists rather than divines, citizens

rather than Churchmen; and, anxious as they were to eliminate the theocratic element, they had no scruple in enforcing a statute which at the worst could but swell the ranks of tolerated dissent.' It was an error which has many parallels in ecclesiastical history, and not even the literary glory of the later period of Moderatism could secure its predominance. 'The sun of righteousness,' says Mr. Mathieson in an amusing passage, 'had, it seems, set; but that luminary in Scotland has always emitted more heat than light; and during those hours of darkness, whose coolness was welcome to a sleepless industry, it must have been consoling to see the literary firmament illumined with so many brilliant stars.' The glory remains, and the twentieth century will probably appreciate, more justly than did the nineteenth, the greatness of the noontide of Moderatism. Its humanism was overpowered, 'not from any inherent defect, but because it sought to do for the people what the people claimed the right to do for themselves,' concludes Mr. Mathieson, deftly connecting the coming revolutions in politics and in religion.

The closing chapter of his book deals with Material Progress, and it is an excellent, if somewhat rapid, sketch of a topic which will bulk more largely in the later volumes of this useful and valuable book.

ROBERT S. RAIT.

THE FAIRY-FAITH IN CELTIC COUNTRIES. By W. Y. Evans Wentz. Pp. xxviii, 324. 8vo. London: Henry Frowde. 1911. 12s. 6d. net.

THE literary history of this interesting book is decidedly curious. In 1909 Mr. Wentz presented the fruit of his researches in the four chief Celtic countries to the Faculty of Letters of the University of Rennes, Brittany, for the Degree of Docteur-ès-Lettres. He then widened his studies to include all Celtic countries, and submitted the amended treatise to the Board of the Faculty of Natural Science of Oxford University for the Research Degree of Bachelor of Science, which was duly granted. He has now, as we understand it, recast the whole work, and in particular added to the philosophical side of the inquiry a statement of views which readers of Mr. M'Dougall's remarkable work on *Body and Mind* would recognize at once as probably due to Mr. M'Dougall's influence, even had not the author's obligations been explicitly acknowledged in the Preface.

What a long way we have travelled in Folk-lore! Beginning with scraps and curious odds and ends, we have passed on to treatises on the history of the development of culture and religion, and at last in Mr. Wentz's book we have a study of religion as it now is or may be, and of our hopes of a future life, based on folk-lore. For the fairies, as Mr. Wentz knows them, are the inhabitants of the actual but unseen world, 'those whom the ancients called gods, genii, daemons, and shades; Christianity—angels, saints, demons, and souls of the dead; and uncivilized tribes—gods, demons, and spirits of ancestors.'

'To the gods, man is a being in a lower kingdom of evolution. According to the complete Celtic belief, the gods can and do enter the human world for the specific purposes of teaching men how to advance most rapidly toward the higher kingdom. In other words, all the great

teachers, *e.g.* Jesus, Buddha, Zoroaster, and many others, in different ages and among various races, whose teachings are extant, are, according to a belief yet held by educated and mystical Celts, divine beings who in inconceivably past ages were men, but who are now gods, able at will to incarnate into our world. . . . The stating of this mystical corollary makes the exposition of the Fairy Faith complete, at least in outline.'

A great deal depends on what the author means by 'the complete Celtic belief,' and we take it that his own work is certainly the most comprehensive book on the subject. He has not only read very widely, he has lived among the Celtic peoples of Scotland, Ireland, Wales, Brittany, the Isle of Man, and Cornwall. His book is the result of first-hand investigation for years, and there is force in his contention that 'books are too often written out of other books and too seldom from the life of man.' His contributions to Celtic folk-lore are original, numerous, and valuable, although what he considers 'evidence' is not always what others would think entirely deserving of that term, and in Mr. Wentz's case, as in the case of other enthusiasts, what he starts out to find he has no difficulty in finding. One fancies Mr. David MacRitchie might have some pertinent remarks to make on the wholesale destruction of his Pygmy Theory. Mr Wentz's book is steeped in mysticism, and sometimes one's head whirls with his explanations of very shadowy and elusive folk-beliefs; but the work of a new, a capable, and an enthusiastic student always deserves and will always receive the welcome which is its right. Mr. Wentz can desire nothing more heartily than the searching criticism which his treatment of a difficult theme invites and requires.

William George Black.

Old English Libraries: The Making, Collection, and Use of Books during the Middle Ages. By Ernest A. Savage. Pp. xvi, 298. With fifty-two Illustrations. Demy 8vo. London: Methuen & Co., Ltd. 1911. 7s. 6d. net.

Mr. Savage is already well known in the field of bibliography, and a new book by him is welcome, as certain to contain much that is interesting to all, and new to most, of his readers. In spite of his modest estimate of his own success, he is to be congratulated on having attained his aim 'to throw a useful sidelight on literary history, and to introduce some human interest into the study of bibliography.' One demurs, perhaps, to the implied suggestion that hitherto such interest has been entirely lacking. On the contrary, few can take up this study without becoming aware, sooner or later, of the eager life and interest that is represented by the musty old catalogues—one of the earliest known in England is in the form of a panegyrical poem on his books by Alcuin of York; and the fierce prejudice and passion evidenced in the destruction of certain valuable collections is only too sadly full of human interest. Even in the matter of mere bookbinding the picturesque or terrible is not wanting; whether one looks at the monks of St. Bertin, hunting the deer for material wherewith to cover their books; or at the tanners of Meudon, dressing the skins of murdered aristocrats for that same purpose.

Anyhow, this story of the early English libraries is most fascinating both in subject and in treatment, and Mr. Savage has given in clear and attractive form a sketch of their gradual growth, from the little parcel of nine volumes brought to Canterbury by St. Augustine to the comparatively extensive collection of Syon Monastery, Isleworth, which contained over 1400 volumes at the beginning of the sixteenth century. His period restricts him to libraries of manuscripts, and not the least interesting part of his account is that which describes the method adapted in the transcribing of those most in demand. One is accustomed to think of work in those early days as being much more individual than that of the present time—as indeed it mostly was—but the business of copying popular manuscripts seems to have been as mechanical, and as subdivided, as factory labour.

Libraries in the middle ages were generally treated with great reverence, and the rules, at least, for their preservation and use, were precise and definite. The Scots House at Nürnberg had by 1418 reduced its library to two volumes; but carelessness like this was very exceptional, and books were rather regarded as sacred treasures not to be handled carelessly. Lanfranc's Rule included a provision that no new book should be issued to a reader unless he could show a satisfactory knowledge of the one he returned; and this might be commended to the notice of all Library Committees, as likely to reduce greatly the work of a modern library.

It is curious to note how librarians of all ages have been faced with the same difficulties, for neither chains nor vigorous anathemas seem to have been any more effective in those days than fines or black lists in our own. So long as the books were chained, regulations for readers were simple enough—no wet clothing, or ink, or knife, or dagger allowed—and free access presented no difficulties. But when it came to volumes being lent out of the building (a practice supposed to have been first introduced by the Carthusians), then troubles began, and lawsuits which were frequently fruitless.

The facts concerning medieval libraries ought to be known by all book-lovers, showing as they do the gradual growth of that appreciation of books, which in our days has risen to such heights that they have become practically necessities of life; and Mr. Savage has told the story so well that there is no labour involved in acquiring the information presented in such attractive form. His volume contains many and varied sidelights on the subject, all valuable, but too many to be touched on here. One word, however, must be said in commendation of the excellent appendices; more especially of A, which contains prices given for books and materials for bookbinding during the 14th, 15th, and 16th centuries; and C, with a chronological list of the early libraries.

P. J. Anderson.

New Historical Atlas for Students. By Ramsay Muir, M.A., Professor of Modern History in the University of Liverpool. Pp. xiv, 62. With 65 Plates containing 154 Coloured Maps and Diagrams, and an Introduction illustrated by 43 Maps. Demy 8vo. London: George Philip & Son. 1911. 9s. net.

To the student of history, whatever special period or branch he may be interested in, a good historical atlas is of course an absolutely essential

requisite; but most teachers must have often found themselves at a loss to recommend an atlas which both fulfils the requirements of the student and is at the same time of moderate price. The cost of the *Clarendon Press Atlas* puts it out of the question, and even Schrader's *Atlas de Geographie Historique* is beyond reach of the majority of students, while Gardiner's *Student's Historical Atlas* hardly gives one enough even for English history.

The happy medium seems, however, to be reached in Messrs. Philip's *New Historical Atlas for Students*, which has been put together by Professor Ramsay Muir of Liverpool. After trying this atlas with one's pupils one can say unhesitatingly that it gives just what is wanted at a quite moderate price. Indeed it gives full measure and overflowing, for there is a most admirable Introduction, illustrated by over 40 maps and plans, which really gives as good an outline of the history of the world as one could want. The plates, of which there are over 60, are divided into four groups: General Maps of Europe; the Growth of the Principal States of Europe; the British Isles; the Europeanisation of the World. They are full and clear, not overloaded with detail, and not using colours between which only a colour specialist can distinguish. There are quite a number which one has not met elsewhere. For example, No. 58 gives South America in the nineteenth century to illustrate the establishment of the independent states; No 64*b* shows Cape Colony before and after the Great Trek; No. 44*a* gives an industrial map of England in 1701, contrasted with 44*b*, Industrial England in 1901, a contrast of which everyone is of course aware, but which is made extraordinarily vivid by the way in which the two plates are set opposite each other. Considerable stress is laid upon physical geography as the basis of the study of historical geography, and the maps designed to illustrate this aspect are excellently adapted to their purpose. Professor Muir asks for criticisms or suggestions, but there are very few things to criticize, and the only suggestion we should feel disposed to make is that, before the next edition, the plan of Trafalgar (p. 49) should be altered. There is a great controversy raging now about the formation in which Nelson attacked, and one hesitates before pronouncing a definite view; but one would unhesitatingly declare that Collingwood's attack at any rate was not delivered as the plan indicates. C. T. Atkinson.

Mary Tudor, Queen of France. By Mary Croom Brown. With twelve Illustrations. Pp. x, 280. 8vo. London: Methuen & Co. 10s. 6d. net.

We can imagine a reader even of the *Scottish Historical Review* pausing to ask himself the question, Who was Mary Tudor, Queen of France? For the subject of this excellent biography did not, during her life, really occupy a prominent place, and her reign as queen lasted for little more than two months. She was the youngest daughter of Henry VII., consequently the sister of Margaret Tudor of Scotland, and grand-aunt of that other Mary, also a widowed queen of France, of whom somewhat more is known.

There seems to have been a little dubiety as to the date of her birth, which, however, the authoress is satisfied was 18th March, 1495. Although a Tudor, and sister of Henry VIII., she was not quite so

frequently married as the index to this volume would imply. She was only betrothed, never married, to Charles of Castile, although the marriage very nearly came off; and the appendix contains some interesting papers relating to the preparations for it. There were merely suggestions of nuptials with the Dukes of Savoy and Loraine. Her actual husbands were two, Louis XII. of France and Charles Brandon, Duke of Suffolk, the latter alone the object of her affections.

It was state policy which brought about an engagement with the Prince of Castile, and subsequently, this being broken off, sent her over to France to act practically as nurse to a dying king. The prospect held out to her of being soon in a position to carry out her own desires was speedily realized, and she married Suffolk, first after a private fashion, and later openly. The Duke had also been married before, nor was he exactly a widower, so that Mary's subsequent career was not free from troubles.

But she ceased to be a mere pawn in the political game, and that was always something. She died while still under forty, in 1533.

We feel pretty sure that everything that is known about this long-forgotten princess, except perhaps the year in which she died, is to be found in this present volume. It is well written, and exhibits considerable evidence of research. The portraits which it contains of the principal actors in this drama are all excellent. W. G. Scott Moncreiff.

The Battle of Flodden and the Raids of 1513. By Lieut.-Col. the Hon. Fitzwilliam Elliot. Pp. xi, 228. With four maps. Crown 8vo. Edinburgh : Andrew Elliot. 1911. 5s. net.

This is the third of Colonel Elliot's well-informed and carefully reasoned contributions to Border history. Dismissing for the time from his mind the views of later historians, he has based his history of the battle upon these of Halle, Holinshed, and other contemporaries, and turning to account his local and military knowledge, has arrived at conclusions which, if not exactly startling, are at least novel and well worthy of consideration.

These may be enumerated as follows. First, on the evening, or in the early morning preceding the battle, the Scots army abandoned Flodden Hill, and had for their front the Till from, say, the eastern foot of Flodden Hill to Sandyford,—hence it was from this position, and not from the hill, that the Scots advanced to the battlefield. Secondly, that the whole English army, detachments alone excepted, crossed the river Till at Twizel. Thirdly, Colonel Elliot completely exonerates Lord Home from blame in the Scottish disaster, claiming to prove that in the circumstances the Borderers under him could not have accomplished more than they did. Fourthly, he denies that the Highlanders on the east flank were surprised by Stanley, whose attack, he maintains, being directed upon *their* flank, rendered necessary a charge of front—in the course of which difficult operation they lost their formation and became disordered. He adds that, even so, they were not defeated until after the Scottish centre had fallen back.

These then are some—I believe the chief—of Colonel Elliot's 'new lights' on Flodden, based, as I have said, upon the narratives of the

authorities cited above and upon those of the Scottish historians, Pitscottie, Leslie and Buchanan, supplemented by the curious French report of the battle, signed by Thomas Howard, the Lord Admiral, and a further account of the battle, written shortly after it, and almost identical with that of Halle. The author's views on the English raids following the battle are based solely and sufficiently on the English official correspondence, which shows that the Scottish Borderers still remained able to hold their own, whilst reasons are also given for believing that no English raid of importance occurred after that led by Dacre on November 10th, 1513, in which the English suffered a severe defeat.

Such is a very brief summary of the conclusions arrived at in this interesting monograph, in so far as they differ from those of previous historians. To say off-hand that we accept them would as yet be premature. It may be that Colonel Elliot, so faithful and laborious in his collation of authorities, has yet to learn something of the relative or comparative value of their testimony. But, be this as it may, he has written a book which no enquirer interested in the battle of Flodden—or, for that matter, in the history of Scotland—can afford to neglect. I am glad to observe that he announces the forthcoming publication of a further volume, which will deal with military events on the Borders in 1522 and 1523.

GEORGE DOUGLAS.

FEDERATIONS AND UNIONS WITHIN THE BRITISH EMPIRE. By Hugh Edward Egerton, Beit Professor of Colonial History, Fellow of All Souls College, Oxford. Pp. 302. 8vo. Oxford : Clarendon Press. 1911. 8s. 6d. net.

PROFESSOR EGERTON has here collected together various documents and statutes dealing with federations and unions established at various times within the British Dominions. The first attempt was made by the New England Colonies in 1643, but the success of this confederation was not great, and other plans which were formed by Penn and Franklin were never put into execution. The later American Union is outside the scope of the book, which is, moreover, strictly Colonial, and does not attempt to deal with the unions within the British Isles.

The Acts for the government of Canada, Australia, and South Africa are given, as well as the Privy Council Report of 1849 on the constitution then proposed for Australia. There are full notes on all these documents, and in an introduction Professor Egerton has given an historical summary of the events which led up to the various attempts at union. In this he has shown the causes which promoted or militated against the different movements, such as external pressure or trade necessities on the one hand, and mutual jealousies and dread of the Mother Country's interference upon the other. In every case there were special local considerations which influenced events, and the author explains the reasons for the slowness or rapidity with which consolidation took place in different colonies, and for the predominance of the idea of union or of federation in each. An interesting comparison of the three great Colonial constitutions concludes this section of the book.

Professor Egerton has put together in handy form information which is

not only of importance to the student, but should prove attractive, particularly at a time of constitutional change, to all who are interested in public affairs.

A. CUNNINGHAM.

NOTES ON PICTURES IN THE ROYAL COLLECTIONS. Collected and Edited by Lionel Cust, M.V.O., Keeper and Surveyor of the King's Works of Art. Pp. 93. Small folio, with 42 illustrations. London: Chatto & Windus. 1911. 12s. 6d. net.

THIS book contains a number of articles which have appeared from time to time in that scholarly journal of painting and the graphic arts in general, *The Burlington Magazine*. The majority are from the pen of Mr. Lionel Cust himself, but several other authors are represented, notably Mr. Langton Douglas, Miss Charlotte Stopes, and Mr. Roger E. Fry. In some instances these essays deal with fairly well-worn themes, yet many are concerned with recondite matter, and a good example is an article by Miss Stopes, 'Daniel Mytens in England.' With the aid of numerous documents in the Audit Office, the authoress furnishes a detailed account of the work done by this portrait-painter for James VI., Prince Henry, and Charles I.; and considering the worth of Mytens' pictures, and the fact that comparatively little has been written about him, these particulars are necessarily of considerable value to scholars of Stuart history.

Mr. Cust's own contributions to the volume are all excellent, particularly those which treat of Vandyke. A certain amount of mystery encircles this artist, for some of his canvases went through strange vicissitudes after the execution of Charles I., while others have been repeatedly copied; and, accordingly, the definite information here given on the subject is of moment. In one paper the author relates the history of the triple portrait of Charles, which was originally painted to assist the Italian sculptor Bernini in doing a bust of the king—a work ultimately destroyed in the fire at Whitehall in 1697; while in another article he treats of Vandyke's different equestrian portraits of Charles, and therein he shows that, though the picture at Windsor is certainly the work purely and only of the great Flemish painter, that in the Prado is in all probability merely a copy, while the various editions in private collections have little claim to authenticity, and were mostly done long after Vandyke's death. In a further article Mr. Cust writes of the Vandyke commonly known as 'The Great Piece,' that is to say, the huge portrait of King Charles and Henrietta, with their two eldest children, which now hangs at Windsor. By the aid of internal and external evidence, the writer evinces that this work, also, may be accepted as really from Vandyke's brush; but he opines that, in all probability, the canvas was enlarged by stitching during the eighteenth century; while, as regards the various copies or replicas of the picture, he shows that none of these are genuine Vandykes, unless possibly that belonging to the Duke of Richmond and Gordon.

Other interesting articles by Mr. Cust are on an altarpiece by Fabriano, on certain portraits by Antonio Moro, and on a picture variously attributed to Titian and Giorgione. In all he writes the author uses a style which is lucid, distinguished, and sometimes eloquent.

W. G. BLAIKIE MURDOCH.

GRAHAME OF CLAVERHOUSE, VISCOUNT DUNDEE. By Michael Barrington. Pp. xv, 448. With Portraits and Maps. Large 4to. London: Martin Secker. 1911. 30s. net.

SURELY, after all, the fates of history have been kind to Dundee. The heated and unsparing denunciations of his enemies with the equally heated and unsparing laudations of his friends, have contrived to throw into strong relief a personality without any great positive claims to distinction.

In the histories 'the Whig dogs' have generally had the best of it; the biographers have thus been thrown into an attitude of defence. Of late the balance has been getting more rightly adjusted, so that Mr. Barrington's heightened pleading sounds a bit old-fashioned. But, as the estimates approximate on the central facts, Claverhouse curiously dwindles, until we seem to see what he really was—a capable, honest, rather narrow man, strangely limited in political foresight and understanding, successful in a brief military campaign on lines set for him by his circumstances, and utterly loyal to the principles he could grasp, involving a cause with which, as Mr. Barrington admits, 'few now feel much sympathy' (p. 319). There is no attempt to deny the fact that the triumph of James and his gallant champion would have been contrary to the best interests of the country. We 'may be satisfied that for our ultimate prosperity the wiping out of the Stuart kings was an inevitable act in the great national drama' (p. 375). At the best then he was a good man in a bad cause; but loyalty to a person, and that person James II., cannot be held to transcend loyalty to the commonweal, and, if in this case it did, the fact is of some bearing upon the character in question.

The truth seems to be that Dundee was unable to see either deeply enough or widely enough to realise the great issues at stake, just as he was unable to realise the heaviness of the odds against any chance of success. This comes out very clearly in the letters he wrote from Lochaber to bring out men like Cluny, before he started on the final stage of his campaign. The tone and contents of these disconcert even the sympathetic biographer. Professor Terry has said of that to Strathnaver (July 15), which is typical, 'Dundee's assurance was incorrigible or consummately feigned.' Mr. Barrington writes, 'That Dundee was at heart as serene as he outwardly appeared is improbable' (p. 317). The hypothesis that he was deliberately seeking to deceive his correspondents is not consistent with Dundee's habit of mind, and I leave it to others. I prefer the more obvious conclusion that when he wrote to Cluny, in (perhaps) his last letter, 'All the world will be with us, blessed be God,' he really believed what he said. The supposed 'irony' of Dundee's letters (p. 320) is usually read into them. If Dundee was 'a worldly and ambitious man' (p. 203), as Mr. Barrington says, there is no need to appeal to any more subtle quality to explain what he says to Macleod, 'He (James) promises, not only to me, but to all that will join, such marks of favour as after ages shall see what honour and advantage there is in being loyal' (p. 307). I do not think 'worldly' a proper epithet; something more generous would be preferable.

But the 'romantic leaning' (p. vi.) is the most dangerous sort of bias in history, whether it leans towards the hero or the villain. It is this that

makes Mr. Barrington speak of Dundee's early duties as 'often uncongenial' (p. vi.). In what sense? His dealings with the Whigs may have meant 'toil,' of course, but it would be to wrong Claverhouse to suppose that he was acting against his convictions, or that, with his political principles, he did not believe the measures he undertook to be thoroughly necessary. He was not a cruel man, not cruel in the sense in which Dalziel and Johnstone of Westerhall were, but he was callous, as a soldier might be, and as a man of his temperament, and a firm Episcopalian, would be in rooting out the 'plague of Presbytery.' And the John Brown incident, upon which something still remains to be said, is not settled by a reference to the Abjuration Oath, or Mr. Lang would not have written that it 'seems beyond palliation' (*History*, III., p. 386). The treatment of the anti-Covenanter phase is, indeed, the least satisfactory part of the book, not because it does not seek to be fair, but because it is superficial. Thus it was not an 'Act of Parliament' which enjoined the Abjuration Oath (p. 147), but an Act of the Privy Council, followed by a series of Instructions and Proclamations which must be read therewith. So, too, Mr. Barrington does not wish to linger over the position of Dundee during the years of James's rule (p. 180), but surely they have an important light on his guiding star of 'loyalty.' The king's ambition was too much even for the Lord-Advocate, with whom Claverhouse has been coupled in Covenanting nomenclature, but Claverhouse gave no sign of dissent. Would his 'loyalty' have stood the test of a full-blooded Catholic reaction? From his letters one would judge not; but then has 'loyalty' its limits? And was he only pretending to be 'serene' when he expressed his conviction that James intended no wrong to the national religion, or that the alleged danger to Protestantism was merely a 'pretext of rebellion' (p. 306).

It is on the military portion of Dundee's career that Mr. Barrington lays chief emphasis, but here again one catches the note of exaggeration. Dundee played the guerilla game quite well, as anyone with soldierly instincts would do. But he cannot be said to have 'beguiled Mackay and his forces to Inverness' (p. 256); they were chasing him. His raid on Perth with seventy horsemen and his retiral from the town of Dundee was a good sporting move; but how is it comparable with the two raids of the American War of Secession, involving the use of men and artillery, the cutting of railways and other lines of communication, and the destruction of vast quantities of stores, besides the moral result? He 'swiftly and relentlessly hunted' Mackay down Strathspey (p. 297), but it is a 'retreat' when Mackay turns the hunting the other way. Killiecrankie is an overestimated affair. But to Mr. Barrington, Claverhouse, 'like Montrose, was spiritual ancestor to some of our best present types of military leaders' (p. 378). Finally, James's downfall is traced to English dislike of the Stuart and Scottish devotion to a French alliance (pp. 375-6). On this ground Dundee is credited with upholding a 'provincial cause' (p. 178). But James I. had leanings wholly towards Spain, while his son fought against France, and the English Cromwell preferred a French alliance. Charles II. and James took to France for personal and religious reasons.

But for those who prefer a Dundee in the heroic vein Mr. Barrington's handsome volume is admirably suited. It is well put together, and is equipped with full references and some excellent appendices. Mr. Barrington accepts the disputed letter after Killiecrankie, as against Professor Terry, whose new setting of the battle also he refuses. The chronologies are most useful, and, though the last word on Dundee has not yet been said, the work is a capable contribution to 'the other side,' if sides are still to be taken. W. M. MACKENZIE.

THE PAGEANT OF THE BRUCE. By Sir George Douglas, Bart. Pp. 87. 16mo. Glasgow: James MacLehose & Sons, 1911. 1s. net.

THOMAS THE RHYMER. By W. Macneile Dixon, Professor of English Literature in the University, Glasgow. Pp. 37. 16mo. Glasgow: James MacLehose & Sons, 1911. 1s. net.

ONE of the most interesting of the enterprises of the recent Scottish National Exhibition was the production of a series of stage representations of notable episodes in Scottish annals. The original intention was to present these as spectacular displays, but this was modified by the circumstance of their production upon an indoor stage, and the pageants developed into something more nearly resembling dramas; hence the name that was given them, of 'pageant plays.' The historical motive, however, remained unchanged. As performed in the theatre, the two pageant plays under review had the disadvantage of depending rather upon their words than their action. In both cases the speeches were apt to be somewhat longer than is desirable when the movement of the characters on an actual stage has to be considered. But these characteristics, which were drawbacks on the stage, render the respective productions all the more interesting in printed form.

The *Bruce*, in blank verse, is as stately and well-conceived as might be expected of its subject and its author. Its five scenes deal respectively with the death of Comyn, the enthronement of Bruce at Scone, the Shaveldores, or the king and his little court as wanderers among the hills, the king as a vagrant in Arran, and the vigil of St. John on the eve of Bannockburn. Of these the Shaveldores is the finest scene; some charming songs are introduced, and the parting of Bruce and his queen touches a very real and tender note of pathos. Among the many deft and apt devices throughout the play the author must be complimented on a telling use of rhyme where that use becomes serviceable to heighten the effect of the dialogue; and humour here and there acts as a relief to the import of the more momentous passages. The little book is full of fine things, and Sir George Douglas must be congratulated on having given a picture of the hero-king, his character and the outstanding episodes of his life, as admirable as it is true and inspiring.

In *Thomas the Rhymer* Professor Dixon has departed altogether from a Scottish motive for his play. It is indeed rather Greek than Scottish. The author has not availed himself of any of the many legends of True Thomas which might have been turned to dramatic account, and his

central figure is a poet who might have had his haunt on the slopes of Parnassus even more appropriately than on the side of the Eildon Hills. But the production is an exquisite piece of work, full of the finest poetic imagery and charm. There are scores of lines, such as—

> 'Summer's winged flower, the painted butterfly,'

or Thomas's description of the fields of home as

> 'More beautiful by custom made than vales
> Of asphodel beneath a cloudless noon'—

which must linger long with haunting charm in the memory. The story counts for little—indeed there is little story in the piece; but the reader is drawn on, from passage to passage and scene to scene, by the sheer magic of the imagery and the verse. Professor Dixon's *Thomas the Rhymer* is, in short, among the finest examples of a poetic idyll.

GEORGE EYRE-TODD.

SIX TOWN CHRONICLES OF ENGLAND. Now printed for the first time, with an introduction and notes. By Ralph Flenley. 8vo. Pp. 208. Oxford : Clarendon Press. 1911. 7s. 6d. net.

THE value of what may be called the city type of chronological register of public events, savouring more of diary than history, is abundantly illustrated in the six examples edited by Mr. Flenley, and is critically and formally proved by his very able introductory dissertation.

Five of the chronicles are of London production, and the sixth is from King's Lynn. All are of the fifteenth to sixteenth centuries, and, while differing greatly in tone and in quality of record, alike incorporate a multitude of facts grouped under the years of office of sheriffs or mayors. These facts having often only the slenderest relation to each other, the variety is so much the more.

One of the London chronicles, that of Robert Bale, stands distinguished above the others by its systematic narrative and generally accurate dates, but the whole six make a miscellany of interest and importance. The combined literary and historical grasp of the editor gives us welcome promise of accomplished work in the medieval province. He contrasts the continental local annalists with their much tardier English successors. He puts the developing chronicle into relation with the early translations, the newer inspirations of patriotism, and the impetus to criticism and literature that accompanied the triumphs of English seamanship. Not in vain does he bespeak acknowledgment for the virtue of these town chroniclers, were it only for their putting men (to use Holinshed's phrase) 'in mind not to forget their native country's praise.' No such shrewd estimate of the quality of Fabyan, Polydore Vergil, and Edward Hall has ever been written before : it is refreshing to find them getting their due at last, not as crude phenomena, but as successive reflections of the growing aspirations of their age towards English history. The works here edited follow the type of Fabyan : they have as little of Vergil's aping of philosophical scope, as of the rhetoric—sometimes gorgeous—of Hall. As contemporary annals they

are of great subsidiary worth, even for affairs of Scotland and the Scots. Indeed, there is one vexed question of Scottish chronology on which the present writer now almost inclines to accept Bale's word (viz., on the year in which the battle of Sark was fought), though it negatives some inferences and a contention for 1449 which have received weighty countenance, and are supported by direct citations of other chronicles. Under the year 1448 Bale writes:

Item the moneth of septembre the king rode to York at which tyme the Scottes had issued into the English marches and brent and dyd moch harme and afterward as cowardes knowyng of the kynges comyng stale home ageyn and ffled into Scotland and after them issued a greet power into the land of Englisshemen of the marches and brent and slewe in Scotland and wolde have distroied that land but they wer reconntred and comaunded by the king to ceas and soo cam ageyn. And than the Scots of sotell ymaginacion rosen ageyn. And than Sir Henre percy and many other Gentiles pursued upon theym and sodenly they wer betrapped and taken in a mire ground, which was a greet hevynes to the king and a grevous hurt to this land. And a noon after, the Erle of Salesbury brent greet part of the marches of Scotland and toke many prisoners and greet store of their catell.

At any rate the confused chronology of Anglo-Scottish relations of the period centring in the battle of Sark, and the Lincluden conference on Border law and regulation, gains data appreciably by this chronicle of Robert Bale, described as a notary, judge and citizen of London, flourishing in 1461, although Mr. Flenley has been unable to verify the notice of him given by John Bale in his *Scriptorum Catalogus*.

Another of the records edited has a description of Flodden, with a list of the slain, virtually identical with that given in Hall's *Chronicle*, but it differs from other authorities in saying that King James's body was carried to the Carthusian house (probably Easby), near Richmond, 'where it still lies unburied.' The latest allusion to Scotland is in a Lynn chronicle which under the year 1542, records—

on saynt mychelmes day the scots was over throwen, also harowld of yngland was slayne by rebels.

The disaster of Solway Moss really occurred, however, on 24th November; Somerset Herald was murdered at Dunbar while returning to England.

Even these few extracts will show that Scotland shares in the benefits of these minor chronicles, and in the advantages of Mr. Flenley's editorial enterprise. One may hope that there are still other annalists for him to edit. With John Stow, last and greatest of London chroniclers, the type of such annals in civic form practically came to an end; but that before it passed away it had rendered signal service to national, equally with city, history, Mr. Flenley's specimens alone would handsomely prove.

GEO. NEILSON.

ANTIQVARISK TIDSKRIFT FÖR SVERIGE. Vol. XVIII.

THE volume before us is largely the work of Dr. Knut Stjerna, whose death in 1909 is a loss to Swedish archaeology. His *Contribution to the History of the Colonization of Bornholm in the Iron Age*, is of more than local

interest; it is an excellent example of those comparative methods of archaeological study which have nowhere produced more interesting results than in Scandinavia. Bornholm possesses an extraordinary wealth of prehistoric material; its numerous cemeteries of the Iron Age extend from the Hallstatt period to the end of the heathen times. These have been carefully investigated and grouped chronologically, and from their sites the movements of population within the island can be traced, while a comparison of ornaments and other finds affords evidence of the relations of the inhabitants with Southern lands. In Bornholm, as in the other Baltic islands of Gotland and Oland, we can trace the influence of the wars and migrations which agitated Europe during the early centuries of our era on the traffic and the arts of the people. In the La Tène period the island stood in close relation with Eastern Pomerania and the country between the Vistula and Oder, but in the third century provincial Roman products came to it through the Elbe region and Holstein. A couple of centuries later the southern traffic shifted further east, and with it came the stream of Byzantine gold which brought such extraordinary treasures to the Scandinavian north. During the period of the great migrations there are evidences of connections with Hungary along the line of the Vistula until the middle of the sixth century, when these relations broke off, and the stream of Byzantine solidi ceased.

The cemeteries begin to indicate a displacement of population about the year A.D. 300; the graves are fewer in number, the contents less rich. A great and general emigration seems to have taken place during the fourth century, in which the people, probably of Burgundian race, joined with their racial kin on the Continent in a movement southward. This movement, which was probably accelerated by pressure from the Slav races further east, appears to have continued till about the year 550. At that period entirely new conditions arose in Bornholm. It forms a distinct dividing line in the character of its antiquities. The old burial traditions were lost, and the knowledge of the presence of the older graves. Everything indicates the coming of a new race of inhabitants, a people whose Scandinavian origin is clearly shown by the similarity of their ornaments with those in vogue in Gotland, Oland, and Southern Sweden. The evolution of these ornaments, which is fully illustrated, forms an interesting feature of the paper.

A second contribution by Dr. Stjerna examines the burial customs described in the poem of Beowulf in their bearing upon the chronology and the scene of the poem. The description of the burial of Beowulf is obviously reminiscent of that of a real king. The dead hero was laid on a funeral pyre of logs, upon a promontory high above the sea; beside him were placed his weapons. When the fire was extinguished, the people built above the pyre a mighty howe—high, so that the seafarers should know it as Beowulf's grave howe, as from far they passed in their ships across the mists of the billows. In this they cast treasures from the dragon's hoard and covered it with an earthen mound. Such a mound is the Odin's howe at old Upsala, opened in 1876. This great tumulus had been placed upon a natural elevation of the ground; in the middle lay a circular mass

of stones, covering in part the site of the funeral pyre. On the level of the pyre had been placed an urn covered with a thin slab of stone which contained human bones, as also bones of domestic animals. In the urn and around it lay remains of many ornaments which had been more or less destroyed by the flames. The Odin's howe must have formed the last resting place of some King of the Svea. The character of the ornaments which had been laid with the body on the pyre indicate that its date can be fixed at the end of the fifth century. It was precisely in that century that the stream of gold from the south carried its richest treasure towards Southern Sweden. Beowulf's grave mound and his golden treasure combine to indicate that he belonged to this period. The home of his people must have lain in Southern Sweden; perhaps upon some high ness in Oland was raised the howe of this Gothic King.

Antiqvarisk Tidskrift, Vol. XIX, is devoted to Stone Age studies. Herr Schnittger writes on prehistoric flint workings and deposits in Skåne, while in his last paper Dr. Stjerna takes a wide survey of the earlier Stone Age antiquities in Scandinavia prior to the epoch of stone cists (hållkisttiden).

Fornvännen, 1910. In addition to a number of papers chiefly of local interest, this publication contains the usual catalogue of additions to the National Historical Museum, Stockholm, for the year. Numerous finds are described and illustrated; one of the most interesting of these is a polished flint celt from a moss at Dagstorpe in Skåne, which is still fixed in its bone shaft formed by the tibia of an elk. JAMES CURLE.

NORTH UIST: ITS ARCHAEOLOGY AND TOPOGRAPHY. With Notes upon the Early History of the Outer Hebrides. By Erskine Beveridge, LL.D. Pp. xxvi, 348. 4to. With many Illustrations. Edinburgh: William Brown. 1911. 30s. net.

DURING a visit of some weeks' duration last year to the Island of South Uist it often occurred to me what a pity it was that no competent authority had so far recorded the numerous and varied antiquities that met one on every side. Whilst these thoughts were passing through my mind in South Uist, North Uist was fortunate in engaging the attention of one of its proprietors, whose work, now issued to the public, shows the firm hold which that most interesting district had acquired on his affections. Some idea may be gained of the great number of archaeological remains from the following list: three earth-houses of a variety of which but one single example has hitherto been known, and six or seven others, eighty-six duns or prehistoric forts of which seventy are island forts, each provided with a causeway from the neighbouring shore, five brochs, four or five stone circles and eighteen or twenty chambered cairns, including the interesting structures known locally as 'barps'—and all this within an area of little more than eleven miles. Each of these sites has been described in considerable detail, and all the information regarding them has been recorded with such accuracy by the author that little can be added by way of comment.

In his scholarly chapter on place-names, Mr. Beveridge has the following quotation: 'About seventy years ago the islands (Heisker) were well

covered with good pasturage, with machirs or sandhills of considerable height. At half-tide all the islands except Shillay and Stockay, were connected as at present, by a sandy beach, and they were inhabited by eighteen families, besides cottars, who were enabled to feed 1000 head of cattle, sheep, etc. About ten years after, without any apparent cause, the whole of the surface of the islands was denuded of soil and grass, except two very small portions at each end. The inhabitants were consequently obliged to leave, and for nearly fifteen years the islands were uninhabitable, except by one family, and a channel of six or eight feet was scoured out on each side of Shevenish island.' Similar results have been known in South Uist, and in some cases admit of easy explanation. The machir or sand-hill is covered with a coating of rough grass or 'bent,' edible by horses and cattle, and invaluable as binding the sand together and withholding it from being blown on to the better arable land. The greedy crofter, however, wishing to improve nature, ploughs up the machir and plants potatoes, of which it will yield a moderate crop the first year. But when the storms of winter come, there is nothing on the newly ploughed land to bind the sand, with the result that it is carried away, not only leaving patches, bare of all vegetation, but covering up land that before was of the best.

The detailed account of the excavation of a fourteen-chambered earth-house proves the care which Mr. Beveridge spent upon such work. His description, with plans and photographs, is deserving of all praise. He justly remarks that these sites are subject to so many contingencies that 'it becomes necessary to examine and record every detail at the time.' The remains of human habitation must indeed be disappearing at a great rate, for an old residenter in South Uist, when presenting me with seven pins of bone and three of copper—all prettily worked—apologised that he had not more to give at the time, he was getting old and could not find them upon the machir as easily as in his youth.

The same idea is suggested in many places in the chapter on Pre-Reformation Chapels and other Ecclesiastical Remains—a chapter which contains all the information that earlier writers had been able to collect, along with much personal research. In no other portion of the book is it more manifest how fast the relics of bygone times are disappearing from the land. To take one example, which refers to Martin's description of Vallay: 'It hath three Chappels, One Dedicated to St. Ulton and another to the Virgin Mary. There are Two Crosses of Stone, each of them about 7 foot long, and a foot and a half broad. There is a little Font on an Altar, being a big Stone, round in like of a Cannon Ball, and having in the upper end a little Vacuity capable of two Spoonfuls of water; below the Chappels there is a flat thin Stone, called Brownie's Stone,' etc. Concerning this Mr. Beveridge remarks: 'Of the Altar and Font, as also the two crosses described by Martin, no trace could be found, although we are informed that one of the crosses was taken to Argyllshire within recent times.'

The chapter of ninety pages on the Duns or Pre-Historic Forts is in reality a complete treatise on the subject, whilst the sixty-four illustrations

bring home to the lazily disposed all the characteristics of a class of structure often very difficult of access. In this volume, as in other of Mr. Beveridge's works, the views are perfect as photographs, whilst they are given in such profusion that one wonders how the weather of Uist, traditionally so bad, permitted such results to be obtained.

The last chapter might more appropriately have been entitled, 'Manners and Customs,' being exclusively devoted to this subject, and dealing with practices, all of them survivals of a very early period. This, however, is but a small matter. The general impression on reading the book through is that North Uist has found an able historian, and has itself provided him with a vast field of most interesting matter. The work has been so ably and so thoroughly carried out that one cannot fail to wish, however great the labour of bringing out such a work may be, that Mr. Beveridge will not fear to undertake a corresponding volume for South Uist and its smaller neighbours. FRED. ODO BLUNDELL.

GARIBALDI AND THE MAKING OF ITALY. By George Macaulay Trevelyan. Pp. xi, 374. 8vo. London : Longmans, Green & Co. 1911.

IN this volume Mr. Trevelyan devotes himself to the activities of Garibaldi during the period from May, 1860, to the following November, when, after witnessing the investiture of Victor Emmanuel in Naples, he retired quietly to Caprera, from a stage which was crowded with strange figures with whom he had nothing in common, and whose points of view he could not grasp.

In his first volume Mr. Trevelyan dealt with a tragic episode, and in his second with an isolated struggle and triumph ; but when Garibaldi crossed the Straits of Messina after his capture of Palermo, the field of his activities was enormously enlarged, and ceased to be suited to the somewhat arbitrary and abstract treatment which Mr. Trevelyan adopted in his narratives of the Defence of the Roman Republic and the Sicilian expedition. The result is that in the last five chapters of this volume in particular, the reader is conscious of a certain loosening of grip on the part of the author, whose strong political sympathies and antipathies thrust themselves forward. But up to this point the narrative has all the rapid movement and emotional simplicity which characterised the previous volumes.

The elaborate lists of authorities in the three volumes will be of permanent value to students, and one would be tempted to urge Mr. Trevelyan to publish a supplementary volume containing the texts of recollections and notes of conversations which his industry has collected, were it not that he has so fully extracted their substance that the field is probably exhausted. No reader can place the third red volume beside its two predecessors on his shelves without asking himself what position they will ultimately take in the historical literature of their subject and period. Their qualities and their limitations recall the work of Prescott in a very different field. DAVID BAIRD SMITH.

CAESAR'S CONQUEST OF GAUL. By T. Rice Holmes, Hon. Litt.D. Second Edition, revised throughout and largely rewritten. Pp. xl, 872. With twelve Illustrations. 8vo. With Maps and Plans. Oxford: Clarendon Press. 1911. 24s. net.

DR. RICE HOLMES is to be congratulated on the fact that a second edition of his masterly work has already been called for. It is but seldom that the merits of a learned book are so promptly and so universally recognized. He is doubly to be congratulated on the thorough and successful manner in which he has carried through the task of revision, for to the zeal and energy that can add, he has joined the courage that can subtract.

We have tested the new edition at various points, and have everywhere found substantial improvement. The narrative, for instance, though it has been lengthened by nearly forty pages, has gained materially in vividness and interest. Formerly it suffered here and there from the effect of compression. Now it can be read from beginning to end with unalloyed pleasure. A corresponding advance is to be noted in the second and more important portion of the volume. Since 1889 a certain amount of fresh information has come to light, and a certain number of new theories have been advanced. The fresh information has been duly taken account of; the new theories have been critically examined. But this is not by any means all. Each separate article has been most carefully scrutinized in the light of a decade of reflection. Where it seemed to lack lucidity or completeness, it has been clarified and expanded. Where it proved to be more elaborate than circumstances now require, it has been remorselessly abbreviated, if it has not been altogether excised.

The general result is, as we have already indicated, extremely satisfactory. As an exhaustive commentary on the subject-matter of one of the great books of the world, the *Conquest of Gaul* should have a place on the shelves of every scholar and man of letters. To all serious students of Roman history it is simply indispensable. GEORGE MACDONALD.

SAINT CECILIA'S HALL IN THE NIDDRY WYND: A Chapter in the History of the Music of the Past in Edinburgh. By David Fraser Harris, M.D., C.M., B.Sc. (Lond.), F.R.S.E. Second edition. Pp. xv, 303. Edinburgh and London: Oliphant, Anderson and Ferrier. 1911. 2s. 6d. net.

THIS book is written with more enthusiasm than discrimination. The first fifty pages are devoted to the description of an old Hall in Edinburgh: the remainder consists of notices of musicians who performed there, of musicians whose music was performed there, and of members of society in Edinburgh in the eighteenth century who *probably* attended the concerts.

The description of the Hall is confused and confusing: it is not possible to obtain a clear idea of what the author means without a personal visit to the locality. The second portion is built on 'must have been,' 'almost certainly' was, and similar phrases. This is not history.

Dr. Harris has been at great pains to collect and record much valuable information. The book is well printed, and has numerous clear and uncommon illustrations. But it is a book to dip into: not one to digest.

It is to be regretted that a subject so interesting in itself, which has inspired so much enthusiasm, has not been presented to the public in a more readable form.

WILLIAM GEMMELL.

GOTHIC ARCHITECTURE IN ENGLAND AND FRANCE. By George Herbert West, D.D., A.R.I.B.A. Pp. xxxii, 337. With numerous Illustrations, Glossary, and Tables. Post 8vo. London: G. Bell & Sons. 1911. 6s. net.

THIS book affords an excellent example of the proper use of comparative analogy as applied to the study of Gothic architecture in the two great countries of Europe in which, from a common stock, and during successive centuries of cultivation, it flowered to greatest perfection. The Chauvinist theory that the style is essentially French in origin and development, and the work in England and elsewhere but a second-hand copy or translation (witness the proposition by Mons. Corroyer in his *L'Architecture Gothique* that for that designation a sufficient and more accurate substitute would be 'French Mediaeval Architecture') is shown to be an entirely false reading of art and history.

Not that Dr. West's book is controversial in style. More satisfactory in every respect, while not less convincing, is the method adopted, which is that of a careful and sympathetic analysis, constructional and historical, of the widely differing results produced in both countries, and in the several districts of each, during the rise, climax, and decline of church architecture from the twelfth to the fifteenth century, and that under the influences of racial character, communal or monastic direction, individual requirements, and building materials available. Plan, construction, and ornament are each reviewed in detail so far as is possible in a book of modest dimensions, and abundantly illustrated with photographs and drawings to the number of over two hundred.

There is room for regret that the work contains no reference to the notable works of the period produced in Scotland, not only as regards the abbeys and cathedrals of the thirteenth and fourteenth centuries, worthy as they are to rank with their compeers in the south, but also the particular development of Scottish Gothic during the fifteenth century. This development is of special interest in relation to the subject dealt with, in that it shows intermingled the influence of both the English and French renderings of the style on the work of a people neighbouring to both these countries, and sharing in some degree in the special characteristics of each of them.

Despite occasional slips, the literary style is clear and eminently readable, and with the assistance, where required, of the useful glossary appended, the 'lay' reader will have no difficulty in following the author's careful analysis of architectural principles and methods. The work in general shows not only a close acquaintance with the vast number of buildings described, but a wide reading on the subject.

ALEXANDER N. PATERSON.

MEDIAEVAL EUROPE : A TEXT-BOOK OF EUROPEAN HISTORY, 1095-1254. By Kenneth Bell. Pp. 269. With 5 Maps. Oxford : Clarendon Press. 1911.

THIS is a text-book of unusual spirit and style, in which there are fresh ideas and new standpoints. Europe in the making is likened to America after its discovery and under process of colonisation. Communal privilege as it grew up is treated as giving collectively to a town a sort of baronial status—a position of equality with the feudal aristocracy. Under this influence the Italian republics became practically independent and absorbed the aristocracy, while in France the feudal aristocracy considerably absorbed the towns. The influence of the Lombard League in the struggle between pope and emperor exemplifies the power of the Italian cities. Henry the Lion (of Bavaria), creation rival and opponent of the Emperor Frederick Barbarossa, although often reckoned the true German hero, is historically not so, for in his overthrow, the defeat of a rebellious duke, Barbarossa was mightily making for German unity. Barbarossa and the English Henry II. stand out in Mr. Bell's pages as two great kingly figures of Europe, ranking alongside the great papal figure of Innocent III. Yet the Lombard League showed a municipal federation victorious over the greatest secular prince of the twelfth century.

Mr. Bell's crisp vigour of diction informs his opinions also, and his engaging yet tempered enthusiasm for Barbarossa does not blind him to the many other great personalities and forces—military, secular, legal, and ecclesiastical—filling the crowded century and a half which are the text of his compact and purposeful treatise.

THE CAMBRIDGE MODERN HISTORY. Vol. XIII. Genealogical Tables and Lists and General Index. Pp. viii, 643. Royal 8vo. Cambridge : The University Press. 1911. 16s. net.

THIS volume is very welcome. It contains, besides a very elaborate index to the twelve volumes of the *Cambridge Modern History*, a series of Genealogical Tables and lists of sovereign families, and of elected potentates of certain noble houses. It also has lists of chief ministers of great states, and governors of important dependencies in colonies within the period covered by the *Cambridge Modern History*; in addition there are various other lists dealing with British Parliaments, congresses and Imperial Diets, and conferences and leagues and alliances. The volume bears evidence of great care in compilation, and is a worthy completion of a great enterprise.

HANDBOOK TO THE CITY AND UNIVERSITY OF ST. ANDREWS. By James Maitland Anderson, University Librarian. Pp. x, 116. With Plan and 27 Plates. St. Andrews : Henderson & Son, University Press. 1911.

OUR columns attest the medieval learning and research Mr. Maitland Anderson has brought to bear on the early period of St. Andrews University. No one has a better title than he to tell the story of its foundation and development, in conjunction with the still older story of the burgh and cathedral. Why is it that so often in the biography of institutions the

youth-time, the period of origin and growth, seems more fascinating than the age of mature attainment? Certainly this is truer in institutional than personal biography, and not less true at St. Andrews than elsewhere.

The sketch is written purposely for the quincentenary, and with a plain design to be understanded of the people. Divested of technicalities, the narrative gains in interest and force by simplicity, and we have read again with sympathy and something of the quincentenary spirit the narrative of the rise and progress of the University from the still unchartered lectureships, which started in 1410, under the impulse of a necessity of education induced by the rupture of educational relations with Oxford in consequence of the Schism. The sanctions of kings and popes soon followed, but the stages of advance were long and slow before the College of St. Mary, added in 1539 to the earlier colleges of St. John, St. Salvator, and St. Leonard, may be said to have completed the framework of the pre-Reformation University. The first two centuries outvie the last three in historical attraction, but the sketch, whether touching the ancient or the modern St. Andrews, is throughout sympathetic and concisely informing.

THE BYZANTINE EMPIRE : THE REARGUARD OF EUROPEAN CIVILIZATION. By Edward Foord. Pp. xii, 432. With many Illustrations and Maps. Demy 8vo. London : Adam & Charles Black. 1911. 7s. 6d. net.

THE author avows that his book is an attempt to fill a want, 'a short popular history of the Later Roman Empire.' We are not quite sure, however, that his work entirely fills it. It is the author's style that is chiefly responsible for this doubt, for his facts are well marshalled and his reading considerable, but in the short space he has been allowed (409 pages) for the long period he covers, he would need to have weighed his words much more carefully and to have dealt with vital facts only.

On the other hand, the progress of events, the interminable *volte-face* of iconodule and iconoclast, conquest and repulse, is quite well set forth. The Byzantine Empire's place in history forms a good chapter also, and the author contrasts its composition very favourably with that of the contemporary government of the Saracen Khalifate, and this is most likely, although he does not say so, justified by the fact that many of its institutions survived under the Turkish regime. We recommend a revision of this work, and then we shall have a really useful book.

THE CORRESPONDENCE OF JONATHAN SWIFT, D.D. Vol. II. Edited by F. Elrington Bell, Litt.D. Pp. xvii, 424. With four illustrations. Demy 8vo. London : G. Bell & Sons, Ltd. 1911. 10s. 6d. net.

WE are glad to see the second volume of this important work to which we have already called the attention of all admirers of Swift (*S.H.R.* viii, 312). It need only be said that this second volume is edited with the same care as the first, and contains a large number of hitherto-unprinted letters from the Dartmouth MSS., the British Museum, the Portland MSS., and other sources.

THE CELTIC INSCRIPTIONS OF GAUL: ADDITIONS AND CORRECTIONS. By Sir John H. Rhŷs. Pp. 100. With eight Plates. Royal 8vo. From the Proceedings of the British Academy. Oxford: The Clarendon Press. 1911. 10s. 6d. net.

THE present paper supplements, and in some points corrects, Sir John Rhŷs's previous communications on this subject to the British Academy. The few Celtic inscriptions that have survived are so fragmentary that the task of interpretation is one of enormous difficulty. For the most part they are in the Greek alphabet, and the majority of them appear to be merely brief sequences of more or less enigmatic proper names.

Sir John attacks the various problems with characteristic courage, learning, and ingenuity, and also—what is no less admirable—with a frank recognition that the odds in favour of his being wrong in any given case are by no means inconsiderable. That way progress lies, and we are sure that no one will give a heartier welcome than Sir John himself to any solutions that are likely to prove more permanently acceptable than his own.

Among the notes here collected the chief human interest attaches to those that deal with the ancient calendar, known as the Coligny Calendar, from the place where the bronze fragments in which it is inscribed were dug up.

JOACHIM MURAT, MARSHAL OF FRANCE AND KING OF NAPLES. By A. Hilliard Atteridge. Pp. ix, 304. With Illustrations and Maps. 8vo. London: Methuen & Co., Ltd. 1911. 10s. 6d. net.

THIS biography, although somewhat too full of unnecessary words, is interesting as a new study of one of Napoleon's 'creations.' The whole work shows how difficult it is to credit that Joachim Murat, brilliant soldier that he was, would have risen to anything like the position he afterwards held, had it not been for the favour and influence of his Imperial brother-in-law. We trace in this book Murat's rise from the people, first by the stepping stone of the seminary, then by the ladder of the army; and it is interesting to note that in the days of The Terror he sheltered himself from the charge of 'Aristocracy' by pointing out that his father, the old inn-keeper, was a '*travailleur*.'

In this account of his early life we get many instances of his real affection for his family, and it is pleasing to think that his mother saw him in full glory when, in 1803, he revisited La Bastide. The author does not excuse Murat from his share in the murder of the Duc d'Enghien, and wishes that he had withstood Napoleon, but Murat's facile southern nature, vain, greedy, generous, and emotional, soon got over the shock, and perhaps the most interesting part of the book—for the military campaigns can be read as well elsewhere—is Murat's extraordinary behaviour when he became Grand-Duke of Berg, and imagined himself a sovereign beyond the power of Napoleon.

The Neapolitan portion of his life is well told also, although more might have been said about his relations with his wife, and the connection between her acts and the tragedy of Pizzo. There is some information in this book about Murat's nephews and nieces (one of whom became Princess Hohenzollern-Sigmaringen, and ancestress of many Royal houses)

difficult to get elsewhere, and the work is on the whole well done. We must, however, take exception to the forms of French names the author uses at times, and condemn 'De Polignac' and 'De Rivière'; and we wish that the book had been illustrated by better pictures.

THE PUBLIC LIFE OF JOSEPH DUDLEY. A STUDY OF THE COLONIAL POLICY OF THE STUARTS IN NEW ENGLAND, 1660-1715. By Everett Kimball, Ph.D. Pp. viii, 239. Demy 8vo. London: Longmans, Green & Co. 1911. 9s.

THIS is a careful study of the career of one of the later Governors of Massachusetts. The writer has viewed Dudley chiefly as an English official charged with the execution of the English policy who, though very savagely attacked by his enemies, has not hitherto had his defence very seriously attempted. He does not palliate his subject's self-seeking and tortuous ways, but he shows the difficulties Dudley laboured under, the intrigues of his enemies, his success in England (1693-1702), his strong hand as Governor of the Colony, and finally how he triumphed over his enemies. Dudley is hardly a heroic or a sympathetic hero, but he was no doubt 'a strong man' of considerable use to the mother country, and so worthy to be the central subject of this studious work on the colonial policy of the Stuarts in New England.

LYRA HISTORICA. POEMS OF BRITISH HISTORY, A.D. 61-1910. Selected by M. E. Windsor and J. Turral, with preface by J. C. Smith. Part I. A.D. 61-1381, pp. 64; Part II. 1388-1641, pp. 63; Part III. 1644-1910, pp. 96. Sm. 8vo. Oxford: Clarendon Press. 1911. Price (the three parts together), 2s.

DESIGNED for school use and to develop the historic sense among the rising generation this grouping of short poems embodies a wise and attractive conception. An anthology, showing in song the record of British achievement; it gives prominence to the more modern pieces available as a poetic register rather than to the contemporary or ancient testimonies. Shakespeare is largely quoted; there is one passage from Marlow; but the glories of the antique lyre are left out in the cold with the single exception of the Scottish octette preserved by Wyntoun on the death of Alexander III.

Perhaps it is an old fashioned impression that a work named *Lyra Historica* should have found room for at least fragments of writers like Robert of Brunne, Minot, Barbour, Chaucer, Dunbar, Skelton and Spenser. We hope also that the next historical anthologist will present us with some better memory of Elizabethan exploits on the Spanish main than a bloodless and blameless ballad of Longfellow's composing. And shall we pardon him if he forgets a snatch of *Hudibras*? But the entire brigade can never be at the muster, and—antiquary grumblings apart—the present little collection is capitally representative. Even youth will find it full of old friends from battle-pieces of Scott and Macaulay to Newbolt's 'Drake's Drum' and Kipling's 'Recessional.' The use of schools is not ill provided for: would that we had the like, on a greater scale, for historical scholars.

ABERDEENSHIRE. By Alex. Mackie. With Maps, Diagrams and Illustrations. Pp. x, 198. Sm. 8vo. Cambridge University Press. 1911. 1s. 6d.

THIS latest volume in the Cambridge County Geographies, by its intelligent, historical topography and sensible presentment of salient facts on the ethnology industries and antiquities of a great county, as well as by its lavish interpretative maps and pictures, does at least approximate justice to the scenic attractions and characteristic achievements of Aberdeenshire. Sketching the natural history, agricultural, fishing and industrial development, antiquities and architecture, and glancing at the biographical 'roll of honour,' it concludes with a few pages of compact alphabetical gazetteer.

The account of the origin of the shire scarcely appreciates the true position of sheriffdoms in Scotland, which have never been shown to be districts 'ruled by a Count'; but it supports the view that Aberdeenshire was a combination of two 'counties,' Buchan and Mar, representing the territories of these two earldoms.

In the chapter entitled 'History of the County' there is told the story of Bruce's overthrow of the Comyn interest by the battle near Inverury in 1308, while Harlaw in 1411 is interpreted in the orthodox sense as the extinction of certain recrudescent Highland ambitions. Although perhaps the force of ecclesiastical influence is insufficiently traced in its persistence, the episcopal and royalist sympathy of the district in the seventeenth century is noted alongside of the complete decline of this feeling as an active political motive by 1745. Both the individuality and the dialect of the inhabitants are described very well, although exception may be taken to recognising 'Scots wha hae' as a characteristic dialect phrase anywhere. Mr. Mackie writes with spirit, judgment and care.

Mr. John C. Gibson has revised, extended, and reprinted a newspaper article by him on *Henry Wardlaw, Founder of Saint Andrews University* (4to, pp. 19), in which are usefully assembled such biographical particulars as can be gleaned from record and chronicle. The bishop came of a good border stock: he was *vir clari sanguinis*, and nephew of Cardinal Wardlaw, bishop of Glasgow. His career, decorated with pluralities, indicates powerful social and political influences at the back of his tact and learning as aids to advancement.

His preferment to the bishopric of St. Andrews by Pope Benedict XIII. appears to have been an unpopular surprise, but his fine character and his public capacity quickly won him welcome and reputation, lifted to a unique height in 1410 by his securing the foundation of the first university in Scotland. (A century later John Major, wise after the event, as usual, wondered in his querulous way that the thing had never occurred to any prelate before!)

The bishop once made a remarkable speech, which Mr. Gibson prints in Bellenden's translation, on the mischief and venom that accrue to young men from superfluity of meats and drinks. The date given is 1430, which must be a mistake, for in Boece's original Latin of the discourse it is assigned to the parliament held at Perth about the time of the crowning of Henry

VI. at Paris. As that ceremony took place in December, 1431, the Perth parliament at which the bishop fulminated against luxury must have been that of 15–16 October, 1431, the enactments of which received the royal sanction in May following.

Unusual controversial interest attaches to the little article *The Builder of the Roman Wall*, of which Mr. J. P. Gibson and Mr. F. Gerald Simpson have sent us an off-print from the Proceedings of the Newcastle Antiquaries. Giving the results of excavation of High House Milecastle and Three Turrets near Birdoswald, it presents a dilemma to Professor Haverfield by its crucial fact or proposition that the pottery found in the milecastle and turrets immediately west of Birdoswald (north of and away from the fragment of turf-wall) closely corresponds in its early second century type with that found in other places along the Wall where, according to the hypothesis, the *murus* had replaced an original turf wall on the same site. 'To accept the turf wall theory now,' says this incisive argument, 'would imply that this pottery, so definitely assigned to the earlier part of the second century by results obtained from widely scattered British and Continental sites, was in common use in and later than 208 A.D. In view of such evidence, so strongly confirmed by that of the coins, we can only conclude that this portion of the Wall of Stone was the work of Hadrian.'

Corstopitum: Report on the Excavations in 1910 (4to, pp. 125), is an off-print from the *Archaeologia Aeliana* of an excellent group of articles by Mr. R. H. Forster, Mr. W. H. Knowles, Professor Haverfield, Mr. H. H. E. Craster, Professor A. Meek and Mr. R. A. H. Gray. It is a very systematic and wholly satisfactory account of the digging done in 1910, and is handsomely equipped with a large plan and a great many illustrations. These include the fine altar to Jupiter Dolichenus and to Brigantia, various views of buildings, etc., pieces of wood (one of them a tent-peg), bronze buttons, studs, and ornaments, about a score of fibulae, scabbard tips, pieces of scale armour, pins, fine bits of Samian and grey barbotine ware (the last including a companion figure to the 'Harry Lauder' found in 1909), and a selection of bones.

Mr. Craster, dealing with the coins, compares them with those recovered at Newstead. He remarks on the indications that Newstead was unoccupied *circa* 100–140 A.D., and points out that the coins found at Corbridge raised no such suggestion for Corstopitum. While the year's operations gave no such windfall as the gold coins which have equally gratified and tantalized the explorers in 1911, and while the reporters are chary of general historical inferences from their work, the yield of 1910, now handsomely recorded, has well repaid the steady archaeological effort which produced it.

The volume from which the report is an off-print is the *Archaeologia Aeliana*, edited by R. Blair. Third series. Volume VII. (4to. Pp. xl, 392. With many Plates and Illustrations. Newcastle-upon-Tyne: Reid & Co. 1911.) Besides the report it contains articles (1) on Thomas Wandles and Patrick Wait, two stirring seventeenth century parsons of county Durham, by Dr. H. E. Savage, Dean of Lichfield; (2) on north country deeds

from Burton Agnes, by Mr. William Brown; (3) on the hearth and chimney tax at Newcastle in 1665, by Mr. Richard Welford; (4) on the struggle between merchant and craft gilds there in 1515, by Dr. F. W. Dendy; (5) concerning Ilderton and the three Middletons, by Mr. J. Crawford Hodgson; and (6) on Durham seals, by that venerable and veteran archaeologist, Canon Greenwell, being a first section, consisting of no fewer than 828 items, exactly described, and in 142 instances photographically reproduced.

Needless to say, all this means that Mr. Blair has had the editing of a mass of good work. The first article makes reference to the Scots in the Bishop's war, and their 'ridiculously easy victory at Newburn in August 1640,' after which they held Newcastle for a year. Mr. Brown's documents include a letter from Aymer de Valence to the *triours* (choosers) of two wapentakes in the East Riding of Yorkshire, warning them of news 'that the Scots, enemies of our lord the King are mustering to come in all the force they can to burn and destroy the land of Northumberland,' and requiring them to have their men-at-arms and foot at Morpeth on 9th September, so as to 'check the malice of the aforesaid enemies.' The date is 26 August [1315]. Probably the rumour of invasion was a false alarm.

Mr. Welford's story of the agitation against the tax on 'fire-hearths' is a reminder that the interest of eminently domestic politics is no discovery of the twentieth century. Dr. Denby parallels the antagonism of merchant and craftsman in Newcastle by the example of Scottish burghs. At Newcastle, in 1515, the craft fellowship banded themselves against the mayor and aldermen, using the ominous words, 'We have as good men now as they were that slew and killed their mayor before.' Overtures of arbitration failed. A petition went to the king alleging the right of the mercers to buy and sell all wares. The artificers replied that they also had that liberty. A Star Chamber commission decided in favour of the merchants. Pleadings and depositions printed show interesting testimonies as to trading practices.

Mr. Hodgson, though chiefly concerned with pedigree and property descent, is in the thick of border history with the Ildertons, Middletons, and Rutherfords, notorious among whom was Gilbert de Middleton, who robbed the cardinals and was executed for rebellion in 1316. As for the catalogue of Durham seals, with its precision and science (for which, no doubt, some little of the merit is due to the collation by Mr. C. H. Blair), it is a mine of north country armorial sigillary record. The list embraces a series of Balliol, Brus, and Cumyn seals. The reproductions are well done. But what interests most in the paper is its proof that the motto prefixed about time antiquating antiquity suffers glorious exception in Canon Greenwell, still modern in spite of time.

Two Voices: Verses in Scots and English; by Stewart A. Robertson (8vo. Pp. viii, 123. MacLehose: 1911. Price 4s. net), will afford gratification to lovers of minor verse by its various reflection of the earnest Scottish spirit in moods both grave and gay. 'A Sermon in Yarrow' happily blends the two. Lines dedicated to Stratford, Dryburgh, and Kirk

Alloway are pleasant homage to the immortals. Drummond too has his sonnet:

> 'And thus thy fame shall Time's strong sieges brave
> While Esk runs on, in hearing of thy grave.'

Stirling is with Mr. Robertson an abiding inspiration, yet his love of Scotland moves him still more, and touches his verse with an emotion which the Scottish reader cannot fail to share.

Shearer's Illustrated Historical Handbook to Stirling, Stirling Castle and Neighbourhood (8vo. Pp. viii, 148. Stirling: Shearer & Son. 1s. net) may be heartily commended for useful and relevant sketches of buildings, monuments and relics, and for plans of the town, the castle, the field of Bannockburn, etc. It contains a great deal of general information about a deeply interesting district. The chronological list of notable events is a capital idea capable of very great improvement in execution.

The King's Knot is accounted for by elaborate theories in which no room is found for the one historical fact—that Knot meant a garden laid out with ornamental paths.

The account of Bannockburn appears to be that of Sir Evelyn Wood, written in 1872; it does not seem to have been revised under the more modern lights.

Mr. John E. Shearer has issued a second edition of his *Fact and Fiction in the Story of Bannockburn* (Pp. xix, 128. Stirling: R. S. Shearer & Son. 1911. 1s.). The same author's *The Battle of Dunblane Revised* (Pp. 28. Same publishers. Price, 6d.) is first an unpersuasive appeal to change the name of Sheriffmuir (the title the battle received in 1715 and has maintained ever since); second, an argument about its precise site, and, third, a plea that Rob Roy, despite observations of some historians and ballad makers of the time upon his presence and masterly inactivity, did not really arrive on the field until the battle was over. As to the site the dispute is a dispute of nothing: according to the Earl of Mar's despatches, the engagement took place 'on the end of the Sheriffmuir,' which is surely distinct enough. As to Rob Roy we may well try with Mr. Shearer to give him the benefit of the doubt, leaving the contrary position to be maintained by those whom it may concern.

The Dutch Republic and the American Revolution, by Friedrich Edler (8vo, pp. 252. Baltimore: The Johns Hopkins Press. 1911), is a fully informed study of the policy of the Dutch towards Great Britain during the war with the revolted colonies. Professedly neutral, Holland nevertheless for a time supplied the Americans with gunpowder and arms, and her sympathies throughout were anti-British. Her refusal to lend the Scots' Brigade to Britain was significant of her attitude, and at last war was declared by Britain upon her in 1780. In 1783 she followed in the wake of France in making a treaty of commerce recognising American independence, but, after the peace of 1784 with Britain, it became evident that Dutch interests had suffered severely through the countenance shown to America. Indeed, Dr. Edler has ample ground for his final proposition

that the United Provinces of Holland must 'be considered the real and only victims of the American Revolution.'

Morven, an anonymous novel (Cr. 8vo. Pp. 177. Gleaner Bookroom, Huntingdon, Quebec), is a realistic romance of the settlement hardships and adventures of Hebridean emigrants to Canada in 1770.

Political Unions, by Herbert A. L. Fisher (8vo. Pp. 31. Oxford: Clarendon Press. 1911. 1s. net) was the Creighton lecture delivered in the University of London in November. Surveying the historical unions, *e.g.* of Norway and Sweden, Holland and Belgium, Spain and Portugal, England and Scotland, England and Ireland, and comparing them with the cases of the United States, of Canada, of Australia, and lastly and chiefly, of South Africa, Mr. Fisher, out of the conflict of conditions which make or mar successful union, deduces the necessity of a foundation not upon conquest but upon consent. He describes very graphically the making of the South African constitution, and declares that the minutes of the Convention which framed it are more instructive and important than any other body of political literature, with the exception of the Acts of the first assembly of revolutionary France. He points out that, as compared with other colonial and federative constitutions, the grant of national as opposed to provincial authority to the parliament and government reaches its climax in South Africa.

The second Warton lecture on English Poetry is by Professor Couthorpe on *The Connexion between Ancient and Modern Romance.* It has been reprinted from the *Proceedings* of the British Academy (Pp. 16. London: Frowde. 1s.). Its chief propositions are that Greek literary models must have influenced the trouvères, and that there was certainly virtue in Madame de Staël's popularizing of 'classic' as ancient Greek and Roman, and 'romantic' as connected with the traditions of chivalry. The one essential link of his first argument is a passage of parallel from the *Roman de Cliget*, stated to have been imitated from the Greek, and that passage is unfortunately not quoted.

The Clarendon Press *Kenilworth*, edited by A. D. Innes, with 47 illustrations (Pp. xii, 568. Price, 2s.), is provided with an introduction explaining the liberties of chronology which Sir Walter took in the romance, and is elucidated by 27 pp. of sound glossarial and historical notes. A loose sentence in the preface makes Mary Stuart the instigator of 'Protestant' plots against the throne of Elizabeth, but otherwise Mr. Innes duly places the novel in its time, and distinguishes between the fact and fancy of its incidents in relation to the meridian of 1575. The notes do not extend the references of Scott himself for the Kenilworth entertainments of that year made use of as setting for the tale. A paragraph, too, might have been well bestowed on the alchemist, as doubtless a transfer or at least an 'influence' from Ben Jonson.

To the same series, price 2s. each, Mr. Henry Frowde adds Scott's *Fair Maid of Perth* (cr. 8vo, pp. xxiv, 522, with 34 illustrations) and *Peveril of the Peak* (pp. xlviii, 658, with 30 illustrations). They are well-executed

reprints with text and apparatus complete. Scott wins his own welcome always, and loses nothing of attraction in this latest form.

We have received David Jayne Hill's *World Organization as affected by the nature of the Modern State*, one of the Columbia University Lectures (Columbia University Press, New York. Pp. ix, 214. Demy 8vo. 1911. 6s. 6d. net). *Papers on Inter-Racial Problems*, consisting of very interesting communications on racial topics made to the First Universal Races Congress held at the University of London in July, 1911. These, which range from 'The Problem of Race Equality' to 'The Press as an Instrument of Peace,' are edited by the Hon. Organizer, G. Spiller (P. S. King & Son, London. Pp. xlvi, 485. 8vo. 1911. 7s. 6d. net).

Aberdeen University Library Bulletin. No. I. October, 1911 (pp. 111), initiates an enterprise of the Library Committee, who propose to issue a Bulletin each October, January, and April of the academic term, giving classified lists of books acquired, with occasional reports and bibliographic notes. The new publication is handsome, systematic and clear, and will be a guiding light to many a book-committee.

Its merits reflect the bibliographical knowledge and experience of the editor, Dr. P. J. Anderson, whose learning, both as antiquary and as University librarian, is honoured wherever Aberdeen sends her records or her sons.

Vol. II, No. 6, of the *Publications of the Clan Lindsay Society*, Edinburgh, 1911, edited for the Board of Management by John Lindsay, M.D., has a considerable paper on the Lindsays of Fairgirth, in the Stewartry of Kirkcudbright, by the editor. It begins with an unfortunate error in stating that the Lordship of Galloway was granted to the Douglases by Robert II., instead of David II. The paper however collects much valuable material both about Fairgirth, in Southwick parish, and about Auchenskeoch, an adjacent property. The fragmentary ruin of Auchenskeoch tower is shewn in a sketch by Dr. Lindsay, who, in a second paper, deals shortly with the office of royal falconer, held by one of the Lindsays of Auchenskeoch from 1529. These publications give signs of promise for Scots history from the Clan Lindsay Society.

Mr. George Turner has reprinted from the *Stirling Journal* his paper, read last year to the Stirling Natural History and Archaeological Society, on *The Ancient Iron Industry of Stirlingshire and Neighbourhood* (pp. 20). It gives an intelligent account of iron-working on the Forth, beginning with the dubious evidences from prehistoric or unrecorded slag-heaps and the like, and tracing from the fourteenth century the definite story of the industry down to present times. The Carron Works naturally fill the chief place in the record, which we trust Mr. Turner will supplement by continued studies on this neglected and rather difficult subject.

Bibliotheca Celtica (8vo. Pp. viii, 123. Aberystwyth. 1910), the first of an annual series projected by the National Library of Wales, is a register of publications relating to Wales and the Celtic peoples and languages for the

year 1909. Authors, publishers and printers are invited to contribute information for these useful bibliographical lists in future years.

The Queen Margaret College Reading Union's *Year Book* 1911 consists chiefly of a lecture by Professor J. L. Morison, entitled 'The Scottish Highlander.' It is a noteworthy and eloquent estimate of the Highlandman, a fine tribute, not without a certain wistful emotion, to the Highland virtues, and a reluctant acknowledgment of a central lack of practical efficiencies needed to keep the Highlands abreast of the age. Hence the conclusion—'the days of the proud old Highland realm in Scotland are almost over, and Britain is the poorer for it.' A working bibliography is appended, which is itself a succinct appreciation of the general literature of and about the Scottish Gael.

Most important of the articles in the *English Historical Review* for October is that of Professor Tout on 'Firearms in England in the Fourteenth Century,' including an appendix of extracts about gunpowder and artillery of various kinds from 1334 to 1399. It should go far to dispel the lingering doubt there was about the use of guns at Crecy, vouched for by Giovanni Villani, who died in 1348, as well as by French chroniclers of the time. The evidence of their employment just after Crecy, at the siege of Calais in 1346, is amply confirmed by the extracts.

Professor Haskins completes his striking comparisons and examination of relationships between England and Sicily in the twelfth century, establishing many obvious and many more subtle links of connection in the administrations. Dr. J. H. Round skilfully unearths not only the personal pedigree but the hidden story of the sergeanty of the Weigher of the Exchequer, tracking both back to the Conqueror's time.

Other papers deal with the 'Great Fear,' the panic of 1789, in Touraine; with a piece of an Abingdon Chronicle, till now inedited; with fresh texts of the thirty-seven conclusions of the Lollards, and with a legend of the Emperor Sigismund's visit to England in 1416. Professor Firth prints documents about Cromwell and Sir Henry Vane, which strongly tend to negative charges made in Ludlow's *Memoirs* against the Protector of personal oppression of Vane.

Notes and Queries for Somerset and Dorset (June and September) contains in its never-failing store of manuscript matter part of an index to the *Secretum* of Abbot Walter de Monington of Glastonbury (1341-74). In it, under the heading 'De Servicio Regis,' there are these entries:

'Quietclamancia domini Iohannis de Bellocampo de l. marcis pro servicio domini regis in Socie.

'Litera comitis marescalli de servicio Scocie.

'Item litera vicecomitis Dorset' de recepcione Scotorum et condicione eorum usque Abbotisburi de precepto regis facta abbati.'

We may hazard the comment that the last entry must refer to Thomas son of William de la Rynde and Henry son of Thomas of Eton, Scots hostages for Berwick-on-Tweed, ordered to be transferred from Glastonbury to Abbotsbury on 20 April, 1339 (*Foedera*, ii, 1079: Bain's *Calendar*, iii, No. 1308). For *condicione* ought one not to read *conductione*? Perhaps one

of the learned editors, Rev. F. W. Weaver or Rev. C. H. Mayo, could throw further light on these entries in the *Secretum*, or oblige with a supplementary transcript. Of course there had been very active military operations by the English in Scotland between 1336 and 1339, which the *servicium Scocie* no doubt denotes.

The Rutland Magazine (July) has a lecture on Oakham Castle by Mr. A. Hamilton Thompson, who incidentally discusses the famous horse-shoe custom of Oakham, and illustrates the subject with recent examples, including the shoe contributed by 'Baron Kelhead Viscount Drumlanrig 1894.' On the origin of the custom Mr. Hamilton falls back on the opinion given long ago by Mr. Hartshorne. 'He, looking at various documents of Edward I.'s reign, found there was a money payment charged by the bailiff of Oakham for the passage of vehicles through the town. The giving of the horse-shoe may have arisen from the commutation of the money paid for carriages, or even more probably it may have been simply a custom paid by noblemen riding on horseback through the town.' This does not go far to solve the problem of this curious differential tax, charged only on noble visitors riding into Oakham.

Old Lore Miscellany (July) has a brisk account by Mr. A. Francis Steuart of the adventurous career of Gilbert Balfour, of Westray, companion of John Knox in the galleys in 1547, a plotter and man without God (as Knox styled him) all his life, and at last executed by King John of Sweden in 1576.

The number for October shews an increasing tendency, not to be encouraged, towards place-name etymology, a quest apt to lead to small enduring result. The Rev. D. Beaton gives some account of the church records of Canisbay in Caithness, but his extracts are meagre. The ministers of Caithness in 1650 took the royalist side and were 'deposed by the Generall Assemblie of the Kirk for their complyance with James Grahame excommunicate in his rebellion and shedding the blood of the countrie.'

In the *Modern Language Review* (October) Dr. L. E. Kastner proves that much of Drummond of Hawthornden's poetry is felicitous translation from Tasso, varied by minor adaptations from Luigi Groto, Lodovico Paterno, and Valerio Belli.

The Anglo-Russian Literary Society's Proceedings (February, March, April, 1911) contain a paper on Scots in Russia by Mr. A. Francis Steuart, who collects the names and records the acts of a good many Scottish military and medical sub-celebrities who made their careers in Russia, including General Carmichael and General Patrick Gordon, Admiral John Elphinstone, and Doctors James Mounsey and John Rogerson.

In the *Juridical Review* for October Mr. Arthur Betts has a not very perspicuous paper on 'Co-heiresses,' in the matter of carrying the Great Gold Spur at the coronation. The writer might have found Scottish material of relevant collateral interest and pungency in John Riddell's

Scottish Peerages, Appx. No. viii., wherein our acrid but profound peerage lawyer pointed out the iniquities of Alexander Sinclair, Esq., 'in compiling and concocting his *Dissertation*' (*upon Heirs-Male*).

The October number of the *Berks, Bucks and Oxon. Archaeological Journal* has the usual store of epitaphs and records, among the latter an interesting manorial survey of Windsor in 1387.

The Home Counties Magazine (September), in its profusion of matters archaeological concerning the south-eastern shires, deals with some general themes of interest, such as the Northmen in the Thames, and extracts from church records of Kent, Surrey, and the capital. An autobiography of one Michael Lane describes his mother as a daughter of Michael Impey, brother of Macaulay's Sir Elijah Impey, and as 'descended from the clan of Fraser in Scotland, and Lord Lovat (who was beheaded for rebellion ... before I was born) was her first cousin.'

Scotia for Lammas has a note on the numbers who fought at Harlaw by Mr. Evan M. Barron, on Hamilton of Bangor by Mr. J. G. Hamilton-Grierson, and on the Otterburn memorial at Southdean. It has plates of the new chapel of the Order of the Thistle in St. Giles, one shewing the beautiful carved woodwork of the stalls.

Scotia for Martinmas expresses its great self-satisfaction in bringing to a close its first series of 'five handsome volumes.' Legitimately priding itself on its pictorial enrichments, it continues to justify the tribute thus paid to the artistic contributions by reproducing H. C. P. Macgoun's expressive 'Little Naturalist,' a charming Scottish interior. A historical paper by Mr. C. F. M. Maclachlan, is half-commentary on, half-extract from, the Privy Council Register, and of course throws lively and striking vernacular side-lights on the sixteenth century.

The Gallovidian (published quarterly by Maxwell & Son, Dumfries, illustrated, price 6d.), in its autumn number, presents its customary variety of biography, poetry, and picturesque topography.

The American Historical Review (Oct.) opens with a paper on the underlying imperial purpose of Augustus in the composition of the *Res Gestae* and the inscription of the monument at Ancyra. British institutions furnish two themes, one the significance of the concentration of juries under John in July, 1213, and the other the constitution and functional operations of the Board of Trade, with especial reference to the American plantations. The latter essay, by Mary P. Clarke, will be welcomed equally for the detailed sketch of the institution and its working, from its beginning in the spring of 1696 down to 1730, and for the notice of its multifarious tasks of colonial administration. The judgment in the well-known Dred Scott slavery case, in 1857, which so greatly disappointed the hopes of emancipation and helped to precipitate the ultimate crisis, is subjected to a searching and hostile scrutiny by Mr. E. S. Corwin, who points out its political motives, and declares it 'a gross abuse of trust' which shattered the reputation of the court pronouncing it. Probably, however, the most striking

article in the number is one in which Mr. Richard Krauel prints, for the first time, a letter of Prince Henry of Prussia, brother of Frederick the Great, in 1787, placing finally beyond doubt the fact that when the American Constitution was a-making he was approached through General Steuben and an ex-president of Congress on behalf of a considerable party in America, with a view to his becoming head of a monarchical state. His preliminary answer, now published, is purely tentative, and there were evidently possibilities until the 'Prussian scheme' received its quietus a month or two later, when the Convention of Philadelphia adopted a federal constitution for the republic.

A communication by Mr. David W. Parker is particularly full of information of all kinds about the equipment and internal condition of the still youthful States in 1808. It gives the text of an important series of secret reports made to British Government authorities by John Howe, a very able journalist and king's printer of Nova Scotia, after extended journeys and enquiries into the attitude and preparation of the States towards Great Britain when the countries were at acute variance, though still at peace.

The October number of the *Iowa Journal of History and Politics* contains a translation of a very singular Dutch pamphlet of 1848, *Eene Stem uit Pella* (A voice from Pella), by the preacher H. P. Scholte, being a narrative of the settlement of Hollander emigrants in Iowa at Pella. Reading like an emigration agent's advertisement with a sermon running through it, the paper has the further interest of reflecting contemporary conditions on religious freedom in Holland.

Maryland Historical Magazine (September), published at Baltimore by the Maryland Historical Society, contains excellent material, much of it original. Letters of a Maryland merchant in 1750 are edited by Mr. L. C. Wroth. Land Notes, 1634-55, shew very many transactions, settlements, and transmissions. Documents printed include correspondence about the Key-Evans duel with pistols in 1671, when the two 'met and fired at each other, but without Damage or hurt to either party.'

Included also are letters of October-November, 1859, regarding designs 'by certain misguided and fanatical persons' to make an excursion into Virginia 'for the purpose of attempting to rescue from the custody of the law the parties concerned in the late treasonable outrage at Harper's Ferry,' *i.e.* the famous John Brown raid. The Governor calls for help to keep order, especially 'on the day appointed for the execution of the Criminal Brown.'

Missouri Historical Society Collections, Vol. III, No. 3, published by the Society at St. Louis, begins with the Hon. G. A. Finkelnburg's sketch of St. Louis under France, 1764-70, Spain, 1770-1804, and the United States, since their acquisition of it, along with a vast territory in the west, under the treaty of 1803 with Napoleon. Mr. Walter B. Douglas traces the adventurous career, between 1798 and 1811, of Manuel Lisa, a pioneer fur-trader and voyageur on the Mississippi and Missouri.

We welcome No. 1 Bulletin of the Department of History and of Political and Economic Science in Queen's University, Kingston, Ontario, Canada. It is *The Colonial Policy of Chatham*, by Professor W. L. Grant of Queen's University (Pp. 16. Kingston: The Jackson Press), who is a little rude to Professor Von Ruville, Chatham's biographer (in calling him 'a German plantigrade'!), as well as to George III. (the 'half-insane ploughman'!), and who thinks that through the 'mist' of Chatham's rhetoric in 1775-78 there loomed ideas of a federal union with the American Colonies. There is sturdy Scoto-Canadian stuff in this energetic inaugural essay.

The *Revue d'Histoire Ecclésiastique* (April last) contained an article on the literary sources for the history of Christian origins in Sweden, and another on the 'transformation' of worship in England under Edward VI., including a special study of the Zwinglian and Calvinistic influences. A critique, dealing with the work of M. Joseph Faurey on the marriage law of the French Calvinists, shows interesting lines of parallel to the positions in Scotland after the Reformation, as shown recently in our pages (*S.H.R.* ix. 10).

In the *Revue Historique* (Sept.–Oct.) M. Marion presents numerous illustrations of oppressive and essentially wrongful administration of the laws against emigration during the Terror. He shows good reason for denouncing as arbitrary, dangerous, and terrible these laws, which lent themselves so readily to abuse through motives of cupidity, feud, and partisan feeling. M. Hauser begins editing a translation from the very rare text of the *Acta Tumultuum Gallicanorum*, a Roman Catholic narrative of the three first wars of religion, covering the years 1559–69. Such records from the orthodox side in France were few. Mary Queen of Scots comes in for mention in the first instalment as the honour of her sex, who, on her return to Scotland, had undergone a thousand adversities, even to the extent of being imprisoned by her subjects. 'But,' concludes the passage, 'woman though she was, she knew to show all the zeal of the house of Guise for religion and constancy.'

The Nov.-Dec. issue begins an important paper on the Gallican crisis of 1551, discussing the policy of Henry II. of France, following on the election of Pope Julius III., as affecting the designs of Charles V. Another incomplete contribution concerns the constitutional movement in Prussia, 1840-47. A further instalment of the *Acta Tumultuum* contains grave charges of ferocity against the Huguenots. New documentary matter is brought to light on the career of Dominique de Gourgues, famous for his exploit in 1567-68, when, *gentilhomme catholique* though he was, he avenged the massacre by the Spaniards of French Protestant colonists in Florida by a counter-massacre in the Spanish settlement. His will, made in 1582, is now printed.

In the *Archiv für das Studium der neueren Sprachen und Literaturen* for October there is reprinted Mr. Frank Miller's paper, read to the antiquaries of Dumfries, on 'Kinmont Willie.' Mr. Miller is on the side of the angels in siding with Mr. Lang, and against Col. Elliot, on the question of Scott's share in this brave and stirring ballad.

Communications and Replies

BISHOP WARDLAW AND THE GREY FRIARS. The rise of the two great Mendicant Orders of the Grey and the Black Friars in the early years of the thirteenth century may be said to have saved the Church from complete disaster, and naturally there existed between the two organisations, for a period of at least two centuries, a strong bond of sympathy and friendship. The *Acta* of the Chapters General of the Grey Friars are not extant, but in those of the Black Friars instructions are repeatedly issued for the due exercise of the rites of hospitality to those of their Franciscan brethren[1] who chanced to be in the neighbourhood of their priories. On the other hand, the Grey Friars, after the death of St. Francis, recognised from the practice of their rivals the advantage, if not actual necessity, of learning as an effective weapon in their fight against ignorance and vice; and although little is known regarding the details of their educational system, it was from among their ranks that many of the most distinguished scholars in pre-Reformation times arose. The functions allotted to each of the Orders were separate and distinct; but both maintained an equally close connection with all the leading Universities in Europe.

The Black Friars crossed the Tweed in 1230, and entered the town of Berwick, in the outskirts of which they founded their first priory. Thence they seem, without loss of time, to have pushed northward to Edinburgh, and gradually from that centre established priories in all the leading burghs. A mission of the Grey Friars reached Berwick in 1231, and erected a friary among their friends the poor in the slums of that burgh, which, in these days, was the most prosperous and probably the largest town in the country. Their subsequent movements, however, were slow, owing to the desire, from their friendship towards their rivals, not to establish themselves in any place where Dominican priories were to be found. While, therefore, they founded a priory at Haddington, they passed over both Edinburgh and St. Andrews, and in this way Dundee became their most northerly limit. It is on record that the Bishop of Moray,[2] *c.* 1284, strongly urged their acceptance of a friary in his city of Elgin, but the gift, from a sense of loyalty to their Dominican brethren, was refused. The same reason prevented the latter from imposing their presence in Dumfries, where, *c.*

[1] Of course cases of friction and quarrelling did occur; but these were discountenanced by the respective Chapters General.

[2] *Reg. Episc. Moraviensis*, p. 281; *Scottish Grey Friars*, i. 361.

1262, the Grey Friars had erected a house; and they accordingly transferred their services to the burgh of Wigtown.

Now, when Bishop Henry Wardlaw, in the beginning of the fifteenth century, founded the University at his episcopal city of St. Andrews, there existed within that royal burgh a priory of Black Friars, with its schools and coterie of men of learning; and, with the object of further increasing the classical atmosphere round his new University, he resolved to call in the aid of the Grey Friars. The fact is briefly noted under the year 1466 in Luke Wadding's *Annales Minorum*,[1] and referred to in my work on the Scottish Grey Friars.[2] In the *Annales* there is a reference to a page of the *Regesta* in which all Bulls are recorded, and there can be no question that a 'Bull of Erection' must have been issued. My learned friend, Dr. Maitland Thomson, whose researches in the Papal Records at the Vatican as well as among our native muniments are well known, has discovered the original entry in the MS. Register of Petitions[3] to the Pope on which the Bull was founded, and a copy is herewith appended. It will be seen that the deed proceeds on the narrative that Bishop Henry, from his singular regard to the Conventual branch of the Grey Friars, had granted them a certain place called Betleon in the city of St. Andrews, on which a friary had been erected, and duly occupied for a period of 'forty years and more, as they presently possess the same.' The Provincial Vicar and his friars, thereupon, petitioned his Holiness to confirm the grant and absolve the friars from any breach of the apostolic statutes. The Petition was confirmed by Pope Paul II. on 14th March, 1465-6; but owing to some errors in transcription, the document was re-recorded and re-confirmed seven days later, when the name Betleon was altered to Bethlehem. That Bishop Wardlaw, for the reason already mentioned, desired the presence in St. Andrews of the Conventual Grey Friars, and that he offered them a site for a friary, there is every reason to believe; but of the further allegation that a Conventual friary had actually been erected and in occupation for a period of forty years and more, there exists considerable doubt. It is to be remembered that, so far as is known, not a scrap of evidence in support of such a contention is to be found either in our native or even in the extant Franciscan records; while an extensive and close examination of all the *Bullaria* has failed to discover a single reference to such a friary. Then, when we turn to the Petition itself, we find that the signature of the Conventual Vicar is wanting, and that the deed is undated. From internal evidence, it must have been written shortly before its confirmation in 1466; whereas, under the *Cum ex eo*[4] of Boniface VIII., the friars were strictly forbidden to accept any site for a friary, unless the consent of the *Curia* had been previously obtained. Penalties, no

[1] xiii. 390. [2] i. 57.

[3] Dr. Maitland Thomson explains in a letter that this is a voluminous record of about twenty volumes *per annum*; that it is 'extended' in different handwritings from the finest copper-plate to the verge of illegibility; and that the grammar is often puzzling.

[4] *Bull. Franc.* iv. 424, No. 105.

doubt, were often remitted in cases where the Petition had been lodged before the completion of the buildings. The Petition now printed cannot, therefore, be that originally sent by the Conventual Vicar; and it is possible to identify it as simply an office document drawn up by the officials of the Papal Chancery for the purposes of confirmation under the following circumstances.

As will be readily understood, the amount of work annually transacted in the office of the Chancery was enormous, with the result that it remained at all times in a state of arrear, extending, with the exception of specially favoured cases, to a period of several years. Consequently, on receipt of the original Petition by the Vicar, the document was, like other office business, pigeon-holed until the fitting opportunity for attention should arrive, and there it must have lain unnoticed until the year 1466. Immediately on discovery, an office copy embodying the contents of the original was drawn up for confirmation. But by this time a new body of Grey Friars—the Observants—had been introduced into St. Andrews by Bishop Kennedy, and it was their presence that misled the officials into the statement that a Conventual friary had been erected and occupied for 'forty years and more, as they presently possess the same.' Of course the Bull depended entirely on the petition for the details, and, in this respect, both documents form one transaction. Unfortunately, as I learn from Dr. Maitland Thomson, the volume of the *Regesta* has disappeared—probably carried off by the French in the time of Napoleon—and this fact may account for the non-appearance of the Bull in any of the printed *Bullaria*. There still remains the disturbing factor that no reference, native or foreign, to the friary in question, has yet been published. It is possible that, in these days of keen historical research, some reference may turn up; but on the whole I am inclined to the opinion that the place known as Bethlehem in the city of St. Andrews still remained, in the year 1466, untenanted by the Conventual Grey Friars, and that the generous intentions of Bishop Wardlaw had, through the delay—nearly fifty years—in the issue of the 'Bull of Erection' been frustrated.

W. Moir Bryce.

APPENDIX.

Beatissime Pater, Olim bone memorie Henricus Episcopus Sanctiandree propter singularem devotionem quam ad ordinem fratrum minorum gerebat tunc vicario Scotie ejusdem ordinis concessit quendam locum de Betleon nuncupatum in civitate Sanctiandree pro usu et habitatione fratrum ejusdem ordinis, per ipsum et pro tempore existentem vicarium deputandorum et eligendorum construi et edificari facere posse concessit facultatem, cujus concessionis pretextu dictus locus per fratres religiosos conventuales dicti ordinis constructus et edificatus ac per quadraginta annos et ultra possessus extitit pacifice et quiete prout adhuc possidetur de presenti. Supplicatur igitur humiliter sanctitati vestre pro parte vicarii et fratrum dicti ordinis regni Scotie quatenus concessionem hujusmodi ac inde secuta quecunque rata et grata habentes illa cum suppletione defectuum quorumcunque in illis forsan intervenientium auctoritate apostolica confirmare et approbare et nichilominus locum predictum cujus fructus etc. solum in elemosinis consistunt eidem ordini de novo concedere et pro perpetua habitatione fratrum dicti ordinis

donare dignemini de gratia speciali, constitutis et ordine apostolicis necnon ordinis predicti statutis etc. ac aliis in contrarium facientibus non obstantibus quibuscunque, cum clausulis oportunis.

Concessum ut petitur in presentia domini nostri Pape, *Tirason.*

Et cum nova donatione etc. Concessum, *Tirason.*

Datum Rome apud Sanctum Marcum pridie Idus Martii anno secundo (1465-6).

[*Register of Petitions to the Pope*, vol. 585, fol. 11 verso (Paul II.).]

Another petition with only slight verbal differences from the above. For *Betleon* it reads *Bethelem.*

The conclusion is as follows :—Fiat ut petitur. P. Et cum nova donatione, fiat cum consensu presentis ordinarii. P. Et quod litere gratis ubique de mandato sanctitatis vestre expediantur non obstante quacunque prohibitione, etc. Fiat ubique. P.

Datum Rome apud Sanctum Marcum duodecimo Kalendas Aprilis anno secundo. [*Idem*, fol. 100.]

In reading Mr. Bryce's book on the *Scottish Grey Friars*, I was struck by his mention of a Papal Bull cited in the *Annales Minorum*, which seemed to refer to a Franciscan House in Scotland not alluded to elsewhere. Failing to find the Bull, I searched for and found the Petition on which the Bull proceeded, and which Mr. Bryce now publishes. For that, and especially for his commentary, he deserves the thanks of all who are interested in the subject. His account of the relations between Black Friars and Grey Friars is most interesting, and serves to correct hasty inferences from what we have heard of strenuous controversy between Thomist and Scotist. Dante was right when he put the praises of St. Francis into the mouth of a Dominican, and those of St. Dominic into the mouth of a Franciscan. Moreover, Mr. Bryce's suggestion that Bishop Wardlaw's object in founding (or wishing to found) a Greyfriars' House at St. Andrews was to strengthen his new University, is not only plausible but luminous, and to my mind carries conviction.

But how comes it that we have no further information about this house? For it cannot be identified with the House of Observantine Franciscans founded at a later date; indeed the Petition expressly calls it a House of *Conventual* Friars. Mr. Bryce's view is that the Bishop's project did not take effect. Now what he tells us of the understanding between Dominicans and Franciscans, that they should abstain from occupying the same ground, is not conclusive on the point; for he himself points to one exception to the rule—both Orders had Houses at Berwick-on-Tweed. And at St. Andrews I conceive that the presence of a colony of Franciscans would have meant not rivalry with the Dominicans but desire to cooperate in the good work of fostering learning in the new University. And, while by no means denying that the Papal chancery, like other chanceries, was capable of wearisome delay, I have difficulty in admitting Mr. Bryce's postulated delay of a whole generation between the framing of a Petition and its being dealt with—analogy ought to be cited for this. As for the silence of record, that is conclusive against the continuance of the House of Conventuals up to the Reformation; but is it conclusive against its having come into being, and existed for some years? That depends on the wealth or poverty of

extant records likely to refer to the House. On that Mr. Bryce's experience is valuable, but I should like to see what other competent scholars think; specially what Mr. Maitland Anderson thinks.

Supposing that the silence of record between Bishop Wardlaw's gift and the date of the Petition is not proof positive that the House never came into existence, there is another theory which seems capable of accounting for the known facts. The Observantine Franciscans settled in St. Andrews on ground granted to them (so we learn from the Great Seal Register) by Bishop Kennedy and his successor, Bishop Grahame. As to the date, we have no trustworthy evidence—Aberdeen is the only early Observantine settlement which can be dated by record. But Bishop Kennedy died probably in May 1465, and Bishop Grahame's Provision was in November of that year. The Petition, and (according to the *Annales*) the subsequently issued Bull, are dated in March next following. Suppose, then, that the Observantines were desirous to found a House, while the Conventuals possessed one, built in Bishop Wardlaw's time, but not prospering, perhaps indeed not occupied. It might naturally be arranged that the Conventuals should resign their House into the hands of the Bishop, who thereupon granted it to the Observantines. Bishop Kennedy dying immediately afterwards, the arrangements would be left for his successor to complete. No Franciscans could by their rules accept a House without Papal license. The Observantines had such license, by the Bull of 1463 which Mr. Bryce reprints in his book. But the Conventuals had not obtained any license, so there was, so to speak, a flaw in the title, which could only be put right by Papal absolution such as the Petition asks for, and the lost Bull granted. This conjecture is given for what it is worth. Can the locality of 'Bethlehem' be fixed by any St. Andrews topographer?

As to the loss of the Bull, a word of explanation may be useful. The Registers of the Dataria (now officially styled the Lateran Regesta) were carried off to Paris by Napoleon. On his fall, a great part (the greater part as I am informed) had disappeared. What remained was sent back to Rome by the Prince Regent (afterwards George IV.) at his own expense; whereby (as I am informed) he greatly improved his prospects for the other world. And in this world, I suppose we have here the explanation of the fact that George IV.'s portrait by Sir Thomas Lawrence is the (sole) representative of British art in the Vatican Picture Gallery.

J. Maitland Thomson.

THE FINN-MEN (*S.H.R.* viii. 32, 442-444). Since the appearance of my note on this subject, I have obtained additional information of a very interesting nature, which, it can hardly be doubted, relates to the Finn-Men and their kayaks.

In the Anthropological Museum, Marischal College, Aberdeen, there is a well-preserved specimen of a kayak, which was acquired two centuries ago under peculiar circumstances. Its history is given by Francis Douglas in his *General Description of the East Coast of Scotland, from Edinburgh to Cullen* (Paisley, 1782). At the time of Douglas's visit to Aberdeen the kayak was preserved in the Library of Marischal College, along with other

curiosities, and he thus refers to it in giving a summary of the objects that specially attracted his attention :

'A Canoe taken at sea, with an Indian man in it, about the beginning of this century. He was brought alive to Aberdeen, but died soon after his arrival, and could give no account of himself. He is supposed to have come from the Labradore coast, and to have lost his way at sea. The canoe is covered with fish skins, curiously stretched upon slight timbers very securely joined together. The upper part of it is about twenty inches broad at the centre, and runs off gradually to a point at both ends. Where broadest there is a circular hole, just large enough for the man to sit in, round which there is a kind of girth, about a foot high, to which he fixed himself, probably, when he did not use his oar, or padle ; which, when he chose it, he stuck into some lists of skin, tied round the canoe, but slack enough to let in the padle and some other aukward utensils which were found stuck there. The canoe is about eighteen feet long, and slopes on both sides, but the bottom is flat for three or four inches in the middle and gradually sharpens as it approaches the extremities till it ends in a point.'

It will be noticed that the scene of the capture of the kayak and its occupant is not clearly indicated by Douglas. 'Taken at sea' is vague enough. The general impression conveyed, however, is that the locality was somewhere off the British coasts. The unwritten belief which has been handed down with the canoe in Aberdeen is that the capture took place in the North Sea, not far from Aberdeen. This is very likely, in view of the fact that at the period in question the Orkney Islands were frequently visited by kayak-using 'Finn-men.' That the captive taken to Aberdeen was one of these people seems obvious. Douglas calls him 'an Indian man,' but the term 'Indian' was applied in a very general way in the seventeenth and eighteenth centuries. It did not necessarily denote a person of very dark complexion. Thus, the Eskimos were at one time spoken of as 'Esquimaux Indians.' The Orkney kayak-man, whose canoe was preserved in the Royal College of Physicians of Edinburgh in 1696,[1] is referred to as a 'barbarous man' in the minute-book of the Physicians. The two terms were almost interchangeable.

Admitting that the Aberdeen kayak was found in British waters, as seems probable, we have to consider the pregnant fact that, about the end of the seventeenth century, no less than three kayaks, used in the seas around our islands, were preserved in Scotland. Two of these were taken in Orkney waters, one being preserved in the church of Burray and the other in the Physicians' Hall in Edinburgh. The third was preserved in Marischal College, Aberdeen, where it now is.

There is one other detail in the Aberdeen account to which some reference must be made, even in a brief notice. This is the statement that the captive 'could give no account of himself.' The reason is not specified. He may have been too ill to speak coherently, or his language may have been uncomprehended by his captors. As the Finn-Men were known as 'Finns' in Shetland, and as 'Finn' connotes 'Lapp' among Norse people (as the true Shetlanders are), it will be readily seen that a man who could

[1] S.H.R. *loc. cit.*

only speak Lapp would be unintelligible to the ordinary Aberdonian. On the other hand, Shetland tradition speaks of the Finns as quite conversant with Shetlandic speech; while Orkney tradition asserts that the Finn women travelled about Caithness, Orkney, and Shetland, associating with the people of these districts.

These are not the only matters deserving of consideration. Something might be said, for example, of the 'aukward utensils' found in the straps of the canoe, and still to be seen in Marischal College. But such questions can be discussed on another occasion. It may be added that Professor Reid of Aberdeen, who confirms the general correctness of the measurements given by Douglas, reports the weight of the kayak to be thirty-four pounds.

DAVID MACRITCHIE.

THE SCOTTISH EXHIBITION[1] OF 1911, though far too large a subject for adequate notice in these columns, was too significant an expression of the national feeling for national history to admit of its being allowed to go without at least a passing review. We have taken advantage of the co-operation of several exhibitors and participators in the historical side of the enterprise to draw up a short composite article on various aspects of the Exhibition considered not only as a means to an end, in the institution of a chair of Scots History in Glasgow University, but also as a unique contribution to Scots History itself. No one who glances at the Catalogue can doubt the value of the collection temporarily housed in the Palace of History, or its testimony to the abiding spirit of the Scottish people. That the response thus made to the appeal for an endowed chair has to all appearance been handsomely answered, we must attribute to the continuance unimpaired, if not on the contrary strengthened by the passage of time, of the attribute of old asserted by Bartholomew Anglicus to belong to the Scottish race, that they 'delight in their own.' The popularity of the Exhibition may be taken as the latest demonstration of the characteristic.

Whether, on the other hand, the historical value of the Exhibition in its display of objects, paintings, and writings was of the highest possible quality, need not be regarded as an ungracious question. The loan collection was an experiment: the sectional committees were not all alike experienced masters of their subject; much of the material was volunteered for exhibition: still choicer exhibits, it can hardly be doubted, might have been procured. In short, to conclude that there might have been less overlapping and a more perfect representation is not a querulous criticism uttered too late; it is a word of advice in season for the organizers of the next analogous display, in that better Scotland which a chair of history is to help to rear.

Professor Glaister and the various conveners and sub-committees of sections may look back with gratification upon their work. In view of its magnitude, they will not object to any strictures of its imperfections as a

[1] *Scottish Exhibition of National History, Art, and Industry, Glasgow* (1911), *Palace of History Catalogue of Exhibits*. Two volumes. 8vo. Pp. xiii, 1162. With illustrations. Glasgow: Dalross, Limited. 1911. 10s. 6d. net.

national expression or of the inevitable percentage of error in the Catalogue which, with official permanence, registers the impression left by so many things seen in so peculiarly interesting a conjunction. Some of these errors are disquieting, such as the assignment to James I. of a letter (Netherlands Section, Case 7, Number 1, facsimile facing page 212) obviously signed by James IV. and dated 1489. But the critic, remembering the pressure against time under which the Catalogue was produced, will not wonder that some mistakes escaped the eye of the general editor of a work of 1100 pages by over a score of contributors.

The Prehistoric room compelled attention by its number of typical exhibits and the originality of its chronological classification, as did the select Roman remains by their superb illustration of Roman life on the Wall of Antoninus Pius. The Medieval and Burghal documents, the Portraits, the Ecclesiastical relics and literature, the Domestic and old-town antiquities, the Military accoutrements, the implements of Sport, the Burns section, and the French, Swedish, Dutch, and Norse representation of the Scot abroad, each by their wealth of expressive exhibits, had their votaries with preferences and exclusions. It would be invidious to pretend to determine the order of historic priority: it will be possible here only to glance at a very few aspects of the great collection.

Of all existing institutions none has such a past as the Church, and there was the double advantage of a great collection to be its reliquary, and a large bibliography to be its record. On this subject Mr. F. C. Eeles writes:

THE ECCLESIASTICAL EXHIBITS at Kelvingrove fell naturally into two sections—objects and books. Of what was actually there, it will be enough to allude very briefly to the really wonderful collection of bells, plate, tokens, alms dishes, collecting ladles, and pieces of church woodwork. In the bells the Celtic period was more than worthily represented. Seldom if ever have so many Celtic quadrate bells been seen together. Of actual church bells of mediaeval and later date there was a really admirable show. Even in England with its thousands upon thousands of bells there has never been the like. There was the beautiful little fourteenth century bell from Anwoth, which the *profanum vulgus* pointed out as a relic of Samuel Rutherfurd, oblivious of Rutherfurd's own books in a neighbouring case. There was the splendid mediaeval bell from Bo'ness, and the fragments of the famous 'Auld Lowrie' from Aberdeen, cast at Middelburg in 1634. Beside a series of 'deid-bells' from all over Scotland there were token punches and moulds, hour glasses and their brackets, and brackets for baptismal basins. A curious iron candlestick found at Rothesay, perhaps mediaeval, and two fragments of altar slabs with incised consecration crosses, deserve special mention.

The books would almost demand separate treatment. In former exhibitions a few mediaeval church MSS. and much Covenanting literature have been shown more than once. Here, however, the whole of Scottish ecclesiastical literature down to 1800 has been fully and worthily exhibited. Not the works of the Covenanters only, but those of their descendants, the Cameronians and Seceders, were displayed with great fulness. And we

believe that the literature of the anti-Covenanting party, especially of Episcopalian Aberdeen, was exhibited for the first time. Certainly the literature of their descendants, the eighteenth century non-juring Episcopalians, has never been shown before, and for the first time the whole liturgical history of Scotland has been unfolded in detail from a facsimile of the Book of Deer downwards. Several hitherto undiscovered mediaeval fragments turned up, one of a thirteenth century Glasgow book. The excessively rare Latin translation of the First Prayer Book made by Alexander Ales of St. Andrews was there, and an edition of 'Knox's Liturgy,' of which experts did not seem able to trace the existence. The 1637 Prayer Book, inaccurately called 'Laud's,' was there, with other service books, to show its real liturgical affinities, the 1620 Ordinal (one of two known copies), and the finest series that has ever been shown of the numerous editions of the Scottish Communion Office, which was gradually moulded into its present shape at the time when the Penal Laws had reduced Scottish Episcopalians to Sir Walter Scott's 'shadow of a shade.' Among kindred books were several liturgical MSS. by learned eighteenth century Episcopalians that were unknown even to liturgical experts.

The hymn books and the catechisms left something to be desired, and the small group of pamphlets relating to the controversies of the Relief Church were absent. Otherwise the ecclesiastical literature could scarcely have been more complete.

It is true enough to say that such an exhibition of ecclesiastical exhibits was never seen in Scotland before. But it is equally true to say that there were serious deficiencies. Scotland shares with perhaps Norway the unenviable distinction of being the part of Europe poorest in ecclesiastical remains of the past. This at least is the common opinion, and it is not without foundation. Care ought to have been taken not to exaggerate the nakedness of the land in this respect, and a great mistake was made in not keeping all the ecclesiastical things together. The plate and the pewter ought to have been beside the bells and the woodwork, and all liturgical MSS. might have been shown together. The Covenants and the Covenanting flags ought to have been near the long series of Covenanting printed books, and Tullochgorum's gown and prayer book need not have been so far from the other relics of northern Episcopacy.

But most serious was the lack of proper representation of the remains of Celtic Christianity. The student of early Scotland, after passing through the extraordinarily full series of exhibits representing the Stone, the Bronze, and the Iron Ages, came to an abrupt stop when he left the Prehistoric Gallery. All the early structures like brochs and lake dwellings were represented in model and in plan, and by objects found in connexion with them. The Viking period too was explained, and that not only by Scottish remains, but by kindred relics from Norway. But the student looked in vain for models and plans of the early West Highland churches: Teampull Rona, Teampull Sula-sgeir, Egilshay, Eilean Naomh, were not there; there were no plans of the buildings in Iona, no models or photographs of the round towers of Brechin and Abernethy.

If Scotland be poor in ecclesiastical remains of mediaeval art she has a

rich and unique possession in the extraordinary series of symbol-bearing stones found throughout the Pictish district, fascinating because of the mystery which still surrounds them, and forming a strange link between Paganism and Christianity in the north-east. Yet these were not illustrated. There was just one rubbing of a stone at Dyce, hung in the Prehistoric Section, to show the symbols side by side with the cross, with one or two pictures in another part of the building. There was a remarkable cross-sculptured gravestone boulder from an island in the Aberdeenshire Dee, like St. Columba's Pillow at Iona, but that was all.

The Celtic Christianity of Scotland came from Ireland, and outside Pictland it could have been admirably illustrated from Irish sources. If the Viking period needed a Norwegian section to illustrate it, surely the Celtic church needed an Irish section. The usefulness and also the possible richness of such a section are obvious.

The art of Celtic times lingered on in the West Highlands not only in such things as targes, but also upon a fine series of monumental slabs. These again were unrepresented except by a few pictures of Islay stones. In the east of Scotland later ages produced monumental slabs of another kind, sometimes brought from Holland, sometimes manufactured locally. Again, with one exception there were neither photographs nor rubbings. Scottish brasses can be counted on the fingers of one hand, yet none were represented.

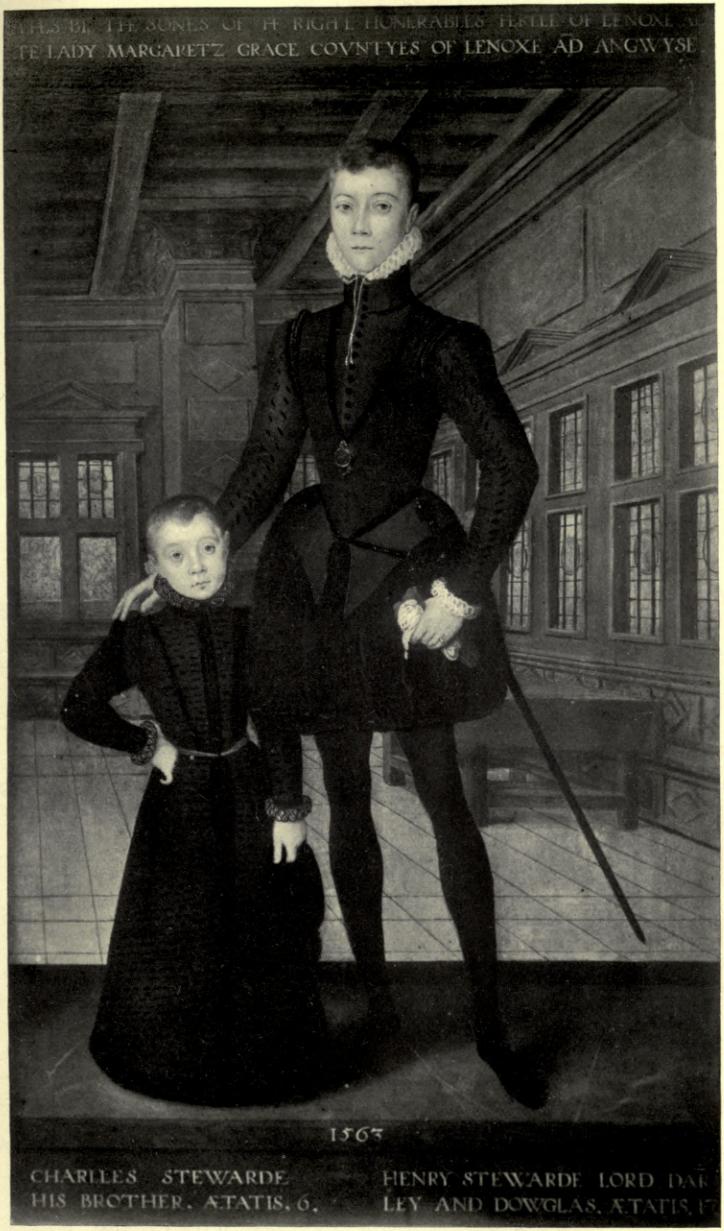
The writer has been perfectly candid, even if at his own expense as convener of the section. In his defence he would say this much: (1) Space was far too limited, and the Exhibition ought to have been in 1912; (2) the Celtic remains and the Celtic mediaeval monuments fell between two stools; the work of the architectural section and of the ecclesiastical section was not sufficiently clearly defined. Want of space was responsible for another omission. To make up for the destruction of all mediaeval church vestments and nearly all church ornaments, it was at one time intended to provide a series of figures vested in reproductions of the dress of each grade of the ministry at all times of their ministration, and a model Gothic altar, showing its furniture and arrangement.

The writer has laid perhaps too much stress on the omissions. Looking at it all round, it must be said that notwithstanding the faults that have been freely admitted, the ecclesiastical part of the Exhibition was far in advance of anything of the kind that has hitherto been attempted in Scotland.

With reference to *THE SCOTTISH PORTRAITS* Mr. James L. Caw contributes these observations:—

While it cannot be said that the collection of portraits of notable Scotsmen and women prior to 1830-40 was in any real sense complete, or that it added quality to the knowledge of those who have devoted special attention to Scottish Historical Portraiture, it can be claimed at least that the series of portraits brought together in the Historical Section of the Exhibition recently held in Glasgow presented an exceedingly interesting résumé of the field dealt with, and Grangerised the 'Palace of History' in an exceptionally handsome way.

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DARNLEY AND HIS BROTHER

Although the Scottish National Portrait Gallery contains a highly important general collection, and the colleges and learned societies possess many portraits of people distinguished in special walks of life, a large proportion of the most interesting portraits of Scottish celebrities remain in private hands. And as these are widely scattered, the task of locating them, which is preliminary of course to any scheme of selection, is great. Moreover, even when that has been done, it is frequently impossible to obtain on loan the particular portrait desired. If certain owners are willing and some anxious to lend, others are reluctant or excuse themselves upon pretexts that no committee can overcome. In such circumstances one ought not perhaps to expect too much from a loan collection, and, everything considered, the Glasgow portraits formed a series which it would be difficult to excel. The refusal of certain individuals and societies to lend the most important, or perhaps the only portrait extant of some notable Scot, no doubt deprived the collection of considerable interest and much educational value, but conspicuous blanks were comparatively few, for the committee seem to have tried to remedy such deficiencies by obtaining, when they could, inferior originals, or, in some cases, copies.

On the other hand there was evident, here and there, a slackness in accepting portraits of people of very minor importance, except in the estimation of the families to which they belonged, and in exhibiting others with little or no claim to be reliable likenesses of the distinguished personages whose names they bore. To indicate which the latter were would be invidious, and, as they were few in number and somewhat obvious, perhaps unnecessary; but careful comparison with authentic portraits would have sufficed to discredit some, while others were at once out of court from discrepancies in costume which made them impossible. As regards artistic authenticity there was also considerable dubiety, and there were, but one need not say where, a few instances of glaringly improbable attribution. But while approximate accuracy in this direction is desirable, it is not only difficult to obtain but inadvisable in a general loan collection which owes its existence to the liberality of collectors.

In view of the difficulties involved and the genuine success attained, these criticisms may seem unnecessary, but the possibility of their being remedied on future occasions, even if a counsel of perfection, may at least be hinted at.

Excellent though it was in intention and in execution, there is a relevant and practical objection that might be made to the section of the catalogue devoted to the portraits. Primarily intended to interest the general visitor in the personages represented, and, through them, to stimulate an interest in Scottish history, its declared object was accomplished admirably, and the biographical notices were at once excellent in style and packed with information of an interesting, instructive, and frequently racy character. With this, however, there could easily have been combined much information of lasting value to students and collectors. Occasionally a note draws attention to some feature in a portrait or in its costume, and in so doing suggests that an extension of that treatment would have been useful both during the exhibition and afterwards. Finally, the absence of an index to the per-

sonages and artists represented, and the omission of any description of the portraits and of their dimensions, render the elaborate volume much less valuable for reference than it might have been.

When one remembers the crowded state of the 'Palace of History,' and the clamantly competing claims of its many sections, there is little but praise to bestow upon the way in which the Portrait collection was displayed. The arrangement adopted was chronological. This in itself was excellent, but the group system adopted within the general disposition added greatly not only to the interest of the gradual unfolding of Scottish history thus obtained, but to the vital significance of each historical epoch. The contrast of type given in the portraits of the leaders of parties in any particular crisis, or the variety of appearance so succinctly brought out by hanging together the portraits of the chief workers in some special department of intellectual activity, added enormously to the interest of a large and mixed collection of a kind of picture which, from its very character, is apt to be a little monotonous to most people.

The *HISTORICAL DOCUMENTS*, etc., formed a truly catholic representation of the written sources for the national annals. Probably its most distinguishing feature was the extent to which the burghal muniments of the country were for the first time gathered to a focus for inspection under lucid arrangement by Mr. Robert Renwick. Doubtless never before was there occasion to assemble so many crown charters to burghs, some of which, such as the Ayr and Perth charters of William the Lion, those of Alexander II. to Stirling, and Alexander III. to Elgin, the Rutherglen, Dundee and Edinburgh charters of Robert I., and the numerous grants of Stewart Kings to Montrose, Rothesay, Banff, Kirkcudbright, Lauder and Inverkeithing, as well as Glasgow, are in themselves, with radical differences underlying superficial sameness, an outline of the fortunes, not only of the burghs but of the kingdom. In piquancy, the flamboyant claim made by an inquest at Tain in 1439 to have had their privileges conceded by Malcolm Canmore may gratify the pride of the modern townsmen, and kindle the envy of burghs of less antique pretension.

And the charters were accompanied by other records, in the fullest sense autobiographical, such as the fragment of a Montrose council minute-book of 1455, the magnificent folio from Dunfermline in 1487, and the protocol books of Inverkeithing, North Berwick and Kirkcaldy, close packed memorials of local property and pedigree. Burgess tickets formed another burghal type very fully represented, among them being some containing, as Mr. Renwick pointed out, 'the controversial burgess oath' given for example in extenso in the burgess ticket of that celebrated citizen of Edinburgh, 'Allan Ramsay, periwigmaker.'

An exhibit honoured with a central position of popular cynosure was the Wallace letter addressed to the Hanse Communes of Lubeck and Hamburg. Its exhibition gave opportunities for recovery of new facts, and certain criticisms upon the document evoked conclusions of new precision on the occasion when it was granted. An objection was stated to the letter that it bore to be granted on 11 October, 1297, whereas—

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PRINCE CHARLES EDWARD

according to the verdict of a jury in 1300—Andrew of Moray had been killed at the Battle of Stirling Bridge a month before. The phrase used by Fordun, however, that Moray 'fell, wounded' (*cecidit vulneratus*) in the battle is so specific and precise, when considered alongside of the continuance of his name as associate leader, that it leaves no reasonable doubt that though mortally wounded at the battle on 11 September, 1297, he was still alive on 11 October when the letter was granted at Haddington in his and Wallace's joint names. On 11 October, Wallace and the Scots army were on the march for the invasion of England; Haddington of course lay directly on the route they took, for on the 18th they crossed the Tweed in the Berwick region; and on 7 November the protection granted at Hexham to the canons there still ran in the conjunct names. The seals attached to the Lubeck letter add interest to the episode of its granting. While the seal proper is a reduced form of that of the Scottish guardians, the counterseal shews the unexpected feature of a drawn bow with an arrow. The legend is somewhat defaced, but we may expect its decipherment to increase our knowledge of the official organization of the Scots army under Wallace.

Temptations to linger and digress are innumerable, but must be resisted save to mention the gratification many derived from seeing the deathbed letter of Bruce on 11 May, 1329, relative to the burial of his heart at Melrose, a few inches apart from the charter to Edinburgh seventeen days later in date, to which James of Douglas was a witness.

A parliament roll of 1344 was a fresh document for the history of the earldom of Strathearn. We are glad to announce that Dr. Maitland Thomson is to edit it for this *Review*.

The exhibited documents were better calculated to shew monastic and burghal origins than to trace the course of Scottish feudalism. No one could fail to be struck by the foundation charters of Melrose and Inchaffray, the great charter of Holyrood, and the grants of Monkland to Newbattle Abbey and of Eskdale to Melrose. There were no deeds of equal importance either for constitutional history or for great secular fiefs, and few, if any, to disclose the old basis of military service, the mysteries of the 'old extent,' or the varieties of tenure in western seaboard shires or in the Isles. There was not a single Chartulary. Except for Barbour's *Bruce* and Wyntoun's *Cronykil* there was little representation of the Scottish chronicles. Grateful for much the historical student yet cannot help grumbling for more.

In the *DOMESTIC SECTION*, as elsewhere in the 'Palace of History,' says Dr. William Gemmell, an assiduous worker in the field of household activities, 'the gratifying feature was an interest in the exhibits which amounted almost to enthusiasm. The simple and homely nature of many of these appealed to the crowds of country visitors; the ploughs and early agricultural implements, the cruisies and the stone cruisie-moulds seldom failed to stir enquiry and comment. The primitive methods and means of spinning and weaving, the making of cloth and tartans in particular, the devisement of lace by bobbin and pillow, the fringe-loom, and the machine for goffering ruffs, are examples of less conspicuous

industries of the home that seldom passed unnoticed. The cases which illustrated Baking and Brewing, arts once practised in every Scottish household, and the whole great display of domestic table utensils, presented ideas new to many. On every hand, from the first moment the "Palace" was opened, the desire was to see and to learn and to profit by the learning.

'It was originally intended to have a series of interiors, each correctly furnished, which would show in picturesque form the chamber of the noble, the hall of the laird, and the cot of the peasant, but space could not be found for these.

'There can be no doubt that the Domestic Section, no less than others, played its part in creating a desire for a better understanding of what the national life was in the earlier days of Scottish history.'

The *PREHISTORIC SECTION*, writes Professor T. H. Bryce, presented some notable features. In the first place, it greatly exceeded in variety and interest any similar temporary collection hitherto brought together. It was no mere miscellaneous assortment of objects, but a carefully consorted museum with a definite scientific purpose. The space was too limited for an adequate presentation of the large number of exhibits, or for the full development of the ideas underlying the show, but in a general way the visitor was conducted through the different phases of the progress of human culture in prehistoric Scotland, while in each special department the objects were so arranged as to demonstrate the gradual advances made in their manufacture.

The section thus had considerable educative value, and furnished, so far as space and means permitted, an example of what such a collection should be. Mr. Ludovic M'Lennan Mann, as convener of the section, himself furnished by far the greater number of the exhibits from his extraordinarily varied and comprehensive private collection, and archaeologists owed to him a unique opportunity for viewing these, as well as many valuable and interesting articles gathered out of the smaller local museums and private hoards from all parts of the country. It is especially from this point of view that such a temporary exhibition is of value, in respect that occasion is given for the bringing together of treasures hidden away in small public or private collections. It is seldom that the science of archaeology is furthered by the spirit of private collecting, which frequently results in irreparable loss, and always lays a heavy load of responsibility on the collector, but here the knowledge and enthusiasm of Mr. Mann put the material placed at his disposal to an excellent use. The archaeologist left the section with feelings of regret that the exhibit was of a temporary nature, and with the desire strong in him that it could be kept together until all was put on permanent record in proper scientific form.

The hall was hung round with large charts which formed the key of the general arrangement. The charts represented sixteen periods into which Mr. Mann, apparently from unpublished data, divides prehistoric times. The wisdom of expressing these periods in terms of years may be doubted, and the scientific mind desiderated *chapter and verse* for some of the statements, but, this apart, the charts served their purpose of showing in a simple way to the uninitiated the sequence of the prehistoric epochs and

the character of each. It is not possible to enter, in a brief statement such as this, on the details of the various cases of exhibits. Among the stone age relics the collection of rechipped flints formed an interesting feature, about which the archaeologist would desire to hear more. The chambered cairn period is represented by a model of a chambered cairn by Mr. J. A. Balfour, and by some vessels of pottery from the Campbeltown Museum which were described in the *Proceedings* of the Society of Antiquaries of Scotland of the year 1902, and an interesting comparison was instituted between them and the remnants of some vessels from a domestic site in Wigtownshire.

The evolution of the axe-head from the flat stone axe of the stone period through all the phases up to the socketed celt of the late bronze period was demonstrated by an interesting and carefully selected series. Not only were the bronze age weapons and implements fully illustrated, but various moulds were exhibited by means of which they were cast. The very fine collection of stone balls must also be noticed, and also a very fine lot of jet beads, as well as others of coloured glass and amber.

In addition to the very large collections of weapons, tools, and ornaments of all kinds belonging to the different epochs, a popular and valuable feature of the exhibition was the restoration of various interments. An ingeniously contrived case showed a section of the Stevenson cairn, and the cinerary urns filled with burnt bones were seen exposed in their original positions. Restorations of inhumed burials were also successfully exhibited, showing exactly how the remains were found in each. The design of these latter exhibits was the demonstration of the different forms of interment in the prehistoric period. It is to be remembered that the sequence of cultural phases can only be established by data provided by the grave goods deposited with the dead, and that a peculiar form of disposing of their dead characterised the people of the different epochs. The restored interments formed, therefore, the complement of the rest of the collection.

It may confidently be asserted that an hour spent in the Gallery revealed more of the unwritten story of the remote past of Scotland to the visitor than many volumes. It was with this object that the exhibition was projected and arranged, and if it has stimulated interest in the science of archaeology it has fulfilled a worthy and valuable purpose.

Unfortunately, there is no space for even the most perfunctory notice of other departments. Professor Glaister's 'Foreword' to the Catalogue will itself prove the extensive range of the Historical Committee's labours and the measure of their achievement in seeking 'to bring together within one Exhibition building as complete an exposition of Scottish historical objects as possible.' We have had to leave untouched whole subjects like Literature and Printing, Heraldry and Seals, Swords, Firearms and Dirks, Old Scots Economics, Norse relics and sagas, and the miscellany of contributions French Swedish and Dutch, Celtic MSS. and the contribution of the Clachan to Highland history, old burghal relics and remains of incorporated crafts and trades, Early Medicine, Book-plates, Scots banknotes, sport, silver, pewter, coins and beggars' badges, and memorials of Scottish travellers. We regret particularly to have to neglect Burns and Scott, the

documents of the Covenant time, and the extraordinary series of Jacobite pictures and pamphlets, including many prints that gloated over Culloden, and caricatures that mocked the doom of Fraser of Lovat.

A concluding word must congratulate the organizers of the Exhibition on the marked popular and patriotic success which it deservedly won, and on the comprehensive remembrance of it which their bulky and profusely illustrated Catalogue enshrines. Scotland is the better for thus really seeing herself in archaic miniature. The Scottish Exhibition of 1911 is now a happy memory. Three things, more or less from it, there are to be earnestly hoped and wrought for: (1) that ere long we may see a like collection (even a better) again, (2) that we shall see it in that permanent Scottish Museum of the West which Glasgow has hitherto forgotten to provide, and (3) that the coming professor in Glasgow University will find the Museum an invaluable adjunct for his tasks in Scots History and Literature.

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A Roll of the Scottish Parliament, 1344

IN Scotland, as in England, the records of parliament, like those of the Great Seal, were anciently entered on rolls. The Great Seal Register continued to be so kept till James I.'s return from captivity in 1424; thereafter it is in book form, like the French *Trésor des Chartes*. Whether the form of the register of parliament was changed at the same time, we do not know; we can only say that the extant register, which begins in 1466, is in book form. Of the earlier proceedings of our parliament our knowledge comes almost entirely from non-official MSS.; at the beginning of Thomas Thomson's term of office as Depute Clerk Register, it was derived wholly from such sources. But his researches, and the interest in the national archives which his researches rekindled, brought to light many documents previously unknown, and among others, six rolls of parliament, the earliest of 1292, the latest of 1389. Some of these were found among the writs of the then Earl of Haddington, and by his generosity were restored to the nation; the others I have failed to trace back. They may have come from other private repositories, or they may have been lying hidden among unarranged papers at the Register House.

A few years ago Mr. J. G. Munro, of Messrs. Baxter & Burnett, Edinburgh, found among the papers of a client a number of ancient documents, and among them the roll of parliament, now for the first time made accessible in print. By his permission it was shown at the Scottish Historical Exhibition, held in Glasgow in 1911, and it is at present on deposit in the

Register House. It is much smaller than the other six, containing indeed only the record of one legal process, and two short memoranda relating to other matters. Moreover, while the other rolls are cut square at top and bottom, this roll is tapered to a point at the top as if for filing; a form familiar to students of the records of England, but not, I understand, the usual form of the rolls of the English parliament.

The proceedings recorded are part of those of the parliament which met at Scone on 7th June, 1344. The folio Acts include one act of this parliament, viz., a decreet relative to the Bishop of Aberdeen's right to second teinds, pronounced on 8th June. That was presumably the second day of the parliament—here we have what was done on the third day, that is, 9th June, or some subsequent day.

Of Malise, eighth Earl of Strathearn, whose trial for treason occupies most of the roll, little is known. The English Close Rolls show that Edward Baliol, during his brief tenure of power in Scotland,[1] conferred the earldom of Strathearn on John de Warenne, Earl of Surrey, that early in 1334 Earl Malise was endeavouring to recover it, and that Edward III. exhorted his vassal to maintain Warenne in possession. The English king seems to have believed that the grant to Warenne followed on Malise's forfeiture; the present record shows, corroborating Robertson's Index, that it followed on Malise's resignation, which was the act of alleged treason for which he was indicted. The assize acquitted him of treason, but affirmed the validity of the resignation which he had so speedily repented. From other sources we know that the earldom had four months previous to his trial been conferred on one of David II.'s most important adherents, Sir Maurice Moray, who is styled Earl of Strathearn in this very roll; and this may suffice to explain why Malise could not recover possession. But the transaction is not easy to understand. Possibly a corrupt sentence from a late fifteenth century MS., printed in the folio Acts (i. 736), may afford the explanation. It runs as follows: 'Quia unusquisque duo habet custodire solerter puta linguam suam et sigillum suum et cavere cui sigilli sui custodiam deputabit prout accidit domino quondam Malisio Stratherin per quondam Robertum Broise regem Scocie primum de eodem nomine.' It is suggested that Robert Bruce

[1] Warenne styles himself Earl of Strathearn, 27th February, 1332-3 (*Cal. of Patent Rolls*, 1330-1334, p. 555). Edward Baliol was crowned 24th September, 1332, and fled to England 16th December following.

is here put by mistake for David II.; and that we are to understand that the resignation in favour of Warenne was made under Earl Malise's seal, though not with his knowledge or consent, and that for the act of the custodier of his seal he was held civilly, but not criminally, responsible.

Malise was Earl of Caithness and Orkney as well as of Strathearn; the two former earldoms, which he inherited from his great-grandmother, he retained. Some ten days before his trial he had granted to William, Earl of Ross (who here appears as one of his procurators), the marriage of one of his daughters, whom he nominated to succeed him in the earldom of Caithness.

The assize who tried the issue consisted, it will be seen, of nineteen persons. As is well known, the number of the old Scots jury was not fixed; it was seldom fewer than nine, or more than twenty-one. As a rule the number was odd, but there are exceptions, if we can trust the records. Trial by jury in parliament was quite usual, both in civil and criminal cases, both in Scotland and in England. In Scotland I have noticed no case later than the fifteenth century; undefended cases of treason were sometimes decided by parliament on *ex parte* evidence in the sixteenth. But trial in the justiciary court had become the rule.

The remaining items are brief, and may be briefly dealt with. If the Earl of Moray could have made good a claim to a hereditary justiciarship, he would have anticipated a much later state of things. For though justiciars of fee are mentioned in a MS. of John Baliol's time, printed in Vol. ii. of the *Miscellany of the Scottish History Society*, there is no instance, so far as I know, of a justiciarship passing direct from father to son before the sixteenth century; and it was and is quite possible to hold either an office or an estate in fee without holding it in heritage. The final paragraph relates to the blood feud which arose from the treacherous seizure and murder of Sir Alexander Ramsay by Sir William Douglas of Liddesdale. The new-found record in this case corroborates the old familiar legend, though not in all its harrowing details.

J. Maitland Thomson.

TEXT.

Parliamento tento apud Sconam die Lune/septimo videlicet die Junii anno Domini millesimo trecentesimo quadra[gesimo] quarto cum con-

TRANSLATION.

Parliament held at Scone on Monday 7 June 1344 with continuation of days, the most excellent prince lord David by the grace of God king

tinuacione dierum/sedente in solio sedis magestatis/excellentissimo principe domino Dau[id Dei] gracia rege Scottorum illustri.

Memorandum · quod tercio die eiusdem parliamenti · coram domino rege et vniuersis proceribus regni · calu[m]pniatus fuit Malisius nuper comes de Straheryn per Robertum Mautalent · loquelam dicti domini regis proferentem de felonia et prodicione · videlicet quod idem Malisius · non vi aut metu ductus nec errore lapsus · set mera et spontanea voluntate sua · comitatum de Straheryn · per fustum et baculum in manus Edwardi de Balliolo · sursum reddidit racione cuiusdam contractus initi inter ipsum Malisium et dominum Johannem comitem de Warennia · dicti domini regis mortalem inimicum · in derogacionem regie maiestatis · omni iuris clameo · dicti comitatus · pro se et heredibus suis · in perpetuum renunciando · et prosequcionem suam · de dicto comitatu · decetero penitus declamando. Comparens que idem Malisius · per episcopum Rossensem · Willelmum comitem Rossie · et alios plures · experte consultus · posuit loquelam suam · super Willelmum de Melgdrum · cum correctione persone sue et consilii sui · petens identidem a dicto domino rege · quod idem Willelmus de Melgdrum admitteretur · ad loquelam suam proferendam · qua licencia petita · pariter et optenta · idem Willelmus exposuit/nomine dicti Malisii · quod idem Malisius de eodem crimine · coram domino Roberto senescallo Scocie · tunc locum tenente dicti domini regis per totum regnum · alias passus fuit assisam · et quod per eamdem assisam idem Malisius · de eodem crimine expers inuentus fuit/pariter et inmunis. Qua allegacione audita · [et diuersis] allegacionibus · ex parte domini regis in contrarium opposi-

of Scots sitting on the throne of the seat of majesty.

Be it remembered that on the third day of the said parliament, in presence of our lord the king and all the nobles of the realm, Malise late earl of Strathearn was accused by Robert Maitland pleading our said lord the king's cause of felony and treason, namely, to wit, that the said Malise, not induced by force or fear nor in error but of his own free will, had resigned the earldom of Strathearn by staff and baton into the hands of Edward Baliol, by reason of a contract between said Malise and the lord John earl of Warenne our said lord the king's mortal enemy, in prejudice of the king's majesty, renouncing all claim of law to said earldom for himself and his heirs for ever, and utterly disclaiming his pursuit of said earldom thenceforth. And the said Malise, compearing by the bishop of Ross, William earl of Ross and several others, ripely advised, entrusted his cause to William Meldrum under correction by himself and his council, at the same time praying our said lord the king that the said William might be admitted to plead his cause. Which leave having been sought and obtained, the said William declared in said Malise's name, that said Malise had already tholed an assise on the same charge in presence of Sir Robert stewart of Scotland, then lieutenant of our said lord the king over the whole realm, and that by said assise the said Malise had been found not guilty but innocent of said charge. Which allegation heard, and divers allegations on our lord the king's part set against it, it was decreed that the cause should be decided by

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tis · decretum fuit · dictam causam determinari per assisam. Dominus vero rex · iussit [assisam] vocari · comites videlicet · barones · milites et liberetenentes · quorum nomina particulariter scripta sunt in dorso rotuli · in qua quidem assisa dictus Malisius de felonia et prodicione · per recordacionem eiusdem assise inuentus est fidelis · set tamen veredictum eiusdem assise tale fuit · quod idem Malisius reddiderit dictum comitatum · in manus dicti Edwardi de Balliolo · racione contractus · antedicti. Vnde facto recordo in forma predicta · iudicatum fuit · et pro iudicio redditum · in parliamento ibidem tento · quod idem comitatus dicto domino regi remaneat · pro voluntate sua possidendus.

an assise. So our lord the king commanded an assise to be summoned, to wit the earls, barons, knights and freeholders whose names are particularly set down on the back of this roll. By which assise the said Malise was found by their verdict innocent of felony and treason; but the testimony of said assise was, that said Malise had surrendered said earldom into the hands of Edward Baliol by reason of the foresaid contract. Which verdict having been thus given, in the form aforesaid, it was deemed, and given for doom, in parliament there held, that the said earldom should remain to our said lord the king, to be possessed at his will.

Memorandum · quod coram prelatis et proceribus regni in pleno parliamento · tento ibidem · dominus Johannes Ranulfi comes Morauie dominus vallis Ana[ndie et] Mannie · confitebatur · se/nullum ius habere/in officio iusticiarie · ex parte boreali maris Scocie · per viam hereditariam/ set pro dicto officio optinendo posu[it se] in voluntate/domini regis.

Be it remembered that in presence of the prelates and nobles of the realm in full parliament, held there, Sir John Randolph earl of Moray lord of Annandale and Man confessed that he had no right to the office of justiciar benorth the Firth of Forth by way of heritage, but for obtaining said office put himself in our lord the king's will.

(Verso)

Assisa vocata super prodicione domini Malisij qui se dicit comitem de Stratherne ad inquirendum si dictus Malisius resignauerit dictum comitatum domino Johanni comiti de Warennia · an non

In primis · dominus Duncanus comes de ffyf

Dominus Malcolmus comes de Wygtone

Dominus Johannes de Graham comes de Menetethe

Dominus Johannes de Maxwelle

Dominus Thomas Boyde

Dominus Willelmus de Leuyngstoun

(Reverse)

The assise summoned anent the treason of Sir Malise who calls himself earl of Strathearn, to inquire whether said Malise resigned said earldom to Sir John earl of Warenne or no. In the first place Sir Duncan earl of Fife, etc.

Dominus Johannes de Crauforde
Dominus Andreas de Duglas
Dominus Willelmus de Ramesay
Dominus Dauid de Wemys
Dominus Hugo de Eglintoun
Dominus Dauid de Berklay
Dominus Alanus de Cathkert
Dominus Robertus de Meygners
Dominus Alexander de Cragy
Dominus Michael Scot
Michael de Muncur
Willelmus Sympil
Joachim de Kynbuk

Isti sunt plegij · pro totali parentela quondam Alexandri de Ramesay · et vniuersis sibi adherentibus · quod dominus Willelmus de Douglas dominus vallis de Lydel · tota que eius parentela · et omnes homines sui ac sibi adherentes vniuersi · indempnes erunt et sine quacumque offensa · pro eis · a die Saboti duodecimo die Junii anni gracie etc. quadragesimi quarti vsque ad nonum diem proximum post festum Beati Laurencii martiris proximo futurum · ipso die incluso · scilicet dominus Duncanus comes de Fyf · dominus Mauricius comes de Straheryn · dominus Willelmus comes Suthyrlandie *dominus Willelmus de Cunyngham.*[1] Et isti sunt plegij · pro dicto domino Willelmo de Douglas · tota que eius parentela · omnibus que suis hominibus ac sibi adherentibus vniuersis · quod totalis parentela predicti quondam Alexandri · omnes que homines sui ac sibi adherentes vniuersi · modo consimili pro ipsis omnibus vsque ad diem predictum · sine quacumque offensa indempnes pariter et inmunes · videlicet dominus Robertus senescallus Scocie · dominus Patricius comes Marchie · et dominus Malcolmus de Wygtoun.

These are cautioners for the whole kindred of the deceased Alexander Ramsay and all their adherents, that Sir William Douglas lord of Liddesdale and his whole kindred and all his men and adherents shall be scatheless and offenceless for their parts from Saturday 12 June 1344 to the ninth day next after the feast of St. Laurence the martyr next to come, the said day included, to wit Sir Duncan earl of Fife, Sir Maurice earl of Strathearn, Sir William earl of Sutherland, Sir William Cuninghame. And these are cautioners for the said Sir William Douglas and his whole kindred and all his men and adherents, that the whole kindred of the said deceased Alexander and all their men and adherents shall in like manner for all their parts [be] until the foresaid day offenceless, scatheless and immune, to wit Sir Robert stewart of Scotland, Sir Patrick earl of March and Sir Malcolm (earl) of Wigton.

[1] Added on margin.

The Monuments of Caithness

AS all knowledge, however special and novel once, empties at last in a curt paragraph into a dictionary, so the labour of generations of antiquaries tends to condense into a catalogue of national antiquities. Once an archaeological type is determined a descriptive word is enough to mark its characteristic: men call it a horned cairn or a broch, an earth-house or a hut-circle: the rest is merely to register the place where each of the type is found, the number of examples and the condition in which they exist. The summation comes to be matter of arithmetic, with new light therefrom in the evidence thus gained as to particular and distinctive indications in different districts. Enquiry rapidly passes from the dwelling or the article to the inhabitant or user. When the evidences of an archaeological area are assembled it is found that the whole is much more than the sum of the parts. It is no paradox to say that archaeologically two and two make a good deal more than four. A whole hinterland of helpful suggestion is at the back of the facts, and not infrequently the potentialities, the speculative possibilities, are more inspiring than the facts themselves. In great measure archaeological remains are in a double sense mere foundations. The surviving structure serves its greatest purpose as the base for that reconstruction of the past which some people call archaeology and others call history.

Two processes run parallel. One set of specialists dig and explore, describe and assort their finds, and tentatively register results. Another set collect and sum up the data and the arguments: the antiquities group themselves in classes; inventory is made possible; inventory is made. Mr. James Curle and his work on Newstead illustrate the first process: Mr. Alexander O. Curle, by his new volume for the Historical Monuments Commission, illustrates the second. Whoever sees their work—the more striking as the quite diverse achievements of two brothers—must see also their promise—an inspiriting and cheerful pro-

spect of advance not only in the scientific knowledge of Scottish antiquities but also in the arts of archaeological interpretation.

Responsive to the modern spirit in its aim and method, the Historical Monuments Commission essays a great task of archaeological survey and synthesis, under the mature and sympathetic chairmanship of Sir Herbert Maxwell, whose variety of learning and antiquarian experience directly equipped him for a position demanding tact and judgment no less than knowledge. The corresponding but earlier Historical Manuscripts Commission had published and continues to publish stores of new material of surprising wealth and charm—'spoils of time,' which, but for the Commission, might long have remained secreted in musty charter-chests. That Commission revealed to the public an almost limitless treasury of document and memoir in family archives, which may be reckoned the private monuments of the provinces. National annals are thus superbly supplemented by local records.

It is part of the same movement as is at present reflected in the conspicuous cultivation of county histories for savants and county geographies for schools. A healthy decentralisation of research is the necessary condition and accompaniment of any successful central enterprise towards garnering for national and general knowledge the fruits of local studies. Topographical aspects of history have always stood well in the balance as against dynastic and political aspects: they present a larger field of episode and economic illustration: the sense of the nation is best canvassed in the detail of popular action in the county, the city, the burgh, or the parish, where history is seen in men's hearths and homes. Camden's *Britannia*, perhaps the greatest and certainly the most influential early work of topographical history achieved in Great Britain, was a series of glorified county gazetteers. Its only Scottish comrade worthy of the name, George Chalmers's *Caledonia* was the same. But the *Caledonia* would have been impossible had it not been for Sinclair's *Statistical Account*, wherein no small part was devoted to lists of parochial antiquities, in which we see manifest the idea, now carried to an infinitely higher pitch of precision in the reports and inventories of Sir Herbert Maxwell's Commission.

Perhaps some day too we shall know how far the influence of a great living antiquary, Dr. Joseph Anderson, has been operative through the example set (as the complement of his lifelong pursuit of the theme) by the Society of Antiquaries in the



majestic tome, *The Early Christian Monuments of Scotland*, at once collective, descriptive, analytic, and pictorial, of one outstanding type of national relics. What that work sought to do for a class of remains is now being attempted for the whole early historical monuments of the country. The lines on which the Commission began with Berwickshire, under supposed restrictions from the Treasury, were happily found capable of considerable freedom of expansion when Sutherland was dealt with, and in the 'Third Report and Inventory,' treating of Caithness, the equipment of maps, plans, and illustrations is on a scale liberal enough to give the volume a pictorial attraction well suited to supplement the archaeology to the distinctness of which indeed the sketches and plates are indispensable aids.[1]

Sutherland, with its vast area of 1880 square miles, sparsely populated, mountainous, and barren, yielded less, or at any rate less interesting, results of archaeological survey than Caithness, with its 712 square miles of area, which, although boggy and waste enough in the interior, carry even there a far larger proportion of remains of human life and habitation than are found in Sutherland. Still more signally is that superiority shown on the coast line. In Sutherland, west of Strathnaver, remains of any kind were excessively few, while the wild and deeply indented coast line from the Kyle of Tongue round to Loch Inver contributed scarce more than a dozen items to the inventory. In Caithness, on the other hand, the shore is prolific of ancient sites, and is, although not the exclusive by any means, yet the distinctive locality of the broch. In the interior, while the brochs are far fewer than they are on the coast, they are not relatively to other structures in any materially smaller proportion. Inland structures, whether in Caithness or Sutherland, almost universally follow the rivers. In both—Sutherland with 67 examples and Caithness with more than twice as many—the broch, with its seaward outlook, is a determinant problem both of archaeology and history.

Caithness, thus marked as the head-seat of a structural type, unfortunately offers in its records, whether inscriptions, charters, or chronicles, whether misty tradition or still mistier legend, no effectual help towards the history of the time of and before the brochs. The province certainly found its place pretty early in

[1] *Royal Commission on Ancient and Historical Monuments. Third Report and Inventory of Monuments and Constructions in the County of Caithness.* With 63 Plates and 60 Illustrations in text. Pp. liii, 204. London: H.M. Stationery Office. 1911. 7s. 6d. net.

authentic writings, such as the *Landnamabok*, but it looms, as usual, larger and vaguer in legendary and romantic sources of information, which, although utterly beyond trust, yet cannot be ignored; such as Geoffrey of Monmouth's *History of the Britons*, and the cycle of literature which had its imagination nourished by that most wonderful of early quasi-historical inspirations. Geoffrey[1] declares that the Pictish King Roderick, having landed in the north part of Britain, was defeated and slain by Marius, King of Britain (son of Arviragus), who gave to the defeated followers of Roderick that part of Albany to inhabit which is called Caithness, a province, it is added, which had long been deserted, uncultivated, and without inhabitants. Even before Geoffrey's time, Nennius had described Britain as extending from Totness to Caithness.[2] This contrast with Totness (in Devonshire) was carried into literature by Geoffrey, who assigns Totness as the landing place first of Brutus and afterwards of Vespasian. Totness stood for the southmost point of Britain, Caithness for the northmost.

'Ele commence en Cotenois,
E si fenist en Catenois,'

said Geoffrey's translator, Wace, according to his French editor, the well-known scholar, Le Roux de Lincy, who did not notice that Cotenois (Totenois) was an error for Totness. Henry of Huntingdon lent historical countenance to a connexion of the two places by a great road which began in Caithness and ended at Totness. The latter point was certainly near the terminus of the south-western line of the Roman road, which, traversing Southern Scotland from the Forth, passed through Catterick, in Yorkshire, to Lincoln, and there—as the Fosse-way—branched off to Exeter almost in a straight line, to reach the sea-way a few miles further on at Totness,[3] if indeed it did not actually terminate there. But it requires some imaginative engineering to complete the line by a protraction from the Forth, at any rate beyond Ardoch, to Caithness, which an old Norse author fitly enough styled 'the promontory of Scotland.' In much the same way it became a sort of Ultima Thule in romance. Law, too, so recognised it. The limits of English and Scottish jurisdiction for the March laws[4] were between 'Toteneys' and 'Catenes.'

Great as is the contrast of northern Scotland and southern

[1] Lib. iv. cap. 17. [2] *Monumenta Britannica*, 54.

[3] *Monumenta Britannica*, see map of Britannia Romana there.

[4] *Acts Parl. Scot.*, i. 414, red ink paging.

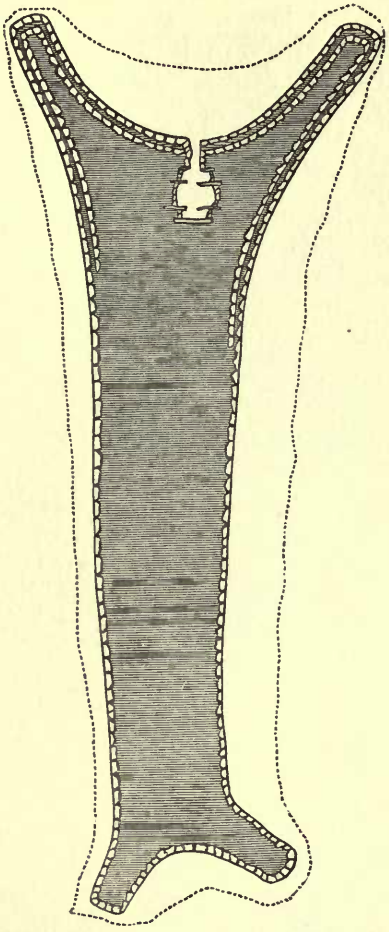
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BROCH, OUSEDALE BURN, PARISH OF LATHERON

Seen from inside

England there is scarcely less within Scotland itself. Between the central border counties of Roxburgh, Dumfries and Kirkcudbright on the one hand, and the very north of Scotland

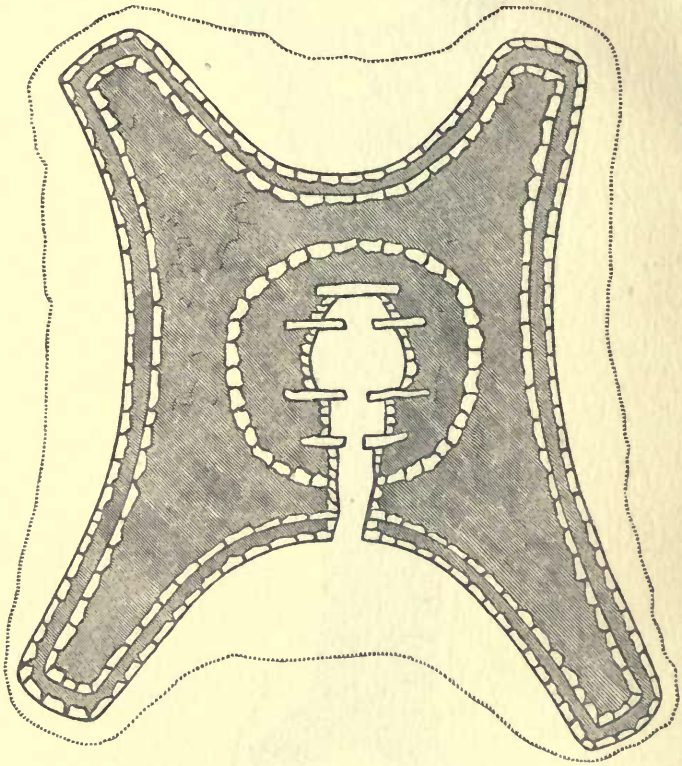


GROUND-PLAN OF HORNED, LONG CAIRN, YARROWS.

on the other, an extreme archaeological distinction holds. In the north while brochs abound there are no camps or entrenched forts, either rectangular or curvilinear. In the central border, while camps and forts are everywhere, the brochs do not exist.[1]

[1] The archaeological ensemble, however, for the stone and bronze periods is the same for the whole West coast from Wigtown to Caithness, and suggests a division line not so much between South and North as between East and West of a line from Wigtown to Caithness.

Striking as the distinction is it is strangely disappointing to find that it has as yet given no help to history. It is lamentable to note how dense are shadow and mist over the past of the North, anterior to 1100. No ancient writing expands or even explains the fact of the broch. Archaeology for the most part has substantially to find its own interpretations. Sometimes the process begins with a catalogue. In Caithness the catalogue is



GROUND-PLAN OF HORNED, ROUND CAIRN, ORMIEGILL.

admirable. It is astonishing how greatly knowledge is increased by even a mere hand-list of cognate structures or objects. They reflect light upon each other, and their inter-relationships, as well as their external connections, offer a constant series of new opportunities to determine the period to which the particular examples belong. Dates are obtained only from the associations in which the specimens are found. Structural remains in Caithness lend themselves significantly to archaeological classification and to a sort of outline chronology. Mr. Curle's inventory aptly



GALLERIED DWELLING, WAGMORE RIGG, PARISH OF LATHERON

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sums itself up in a clear and satisfactory introduction, tracing the evolution of these remains in the long passage of time and change from the sepulchres of neolithic man through the stone circles of the Bronze Age, the later brochs so decisively typical of the county, and the earth houses and galleried dwellings of the Iron Age, down to forts and castles which range from the eleventh to the seventeenth centuries. It is prehistoric Scotland in miniature. The neolithic cairn-graves, in which incineration appears to have preceded inhumation, are of three main types: (1) horned cairns, numbering 15; (2) unhorned long cairns, 7 in number; and (3) round cairns, numbering 38. The size and complexity of these chambered tombs are appealed to as evincing a power of combination and a subjection to discipline, as well as an engineering capacity of no mean order.

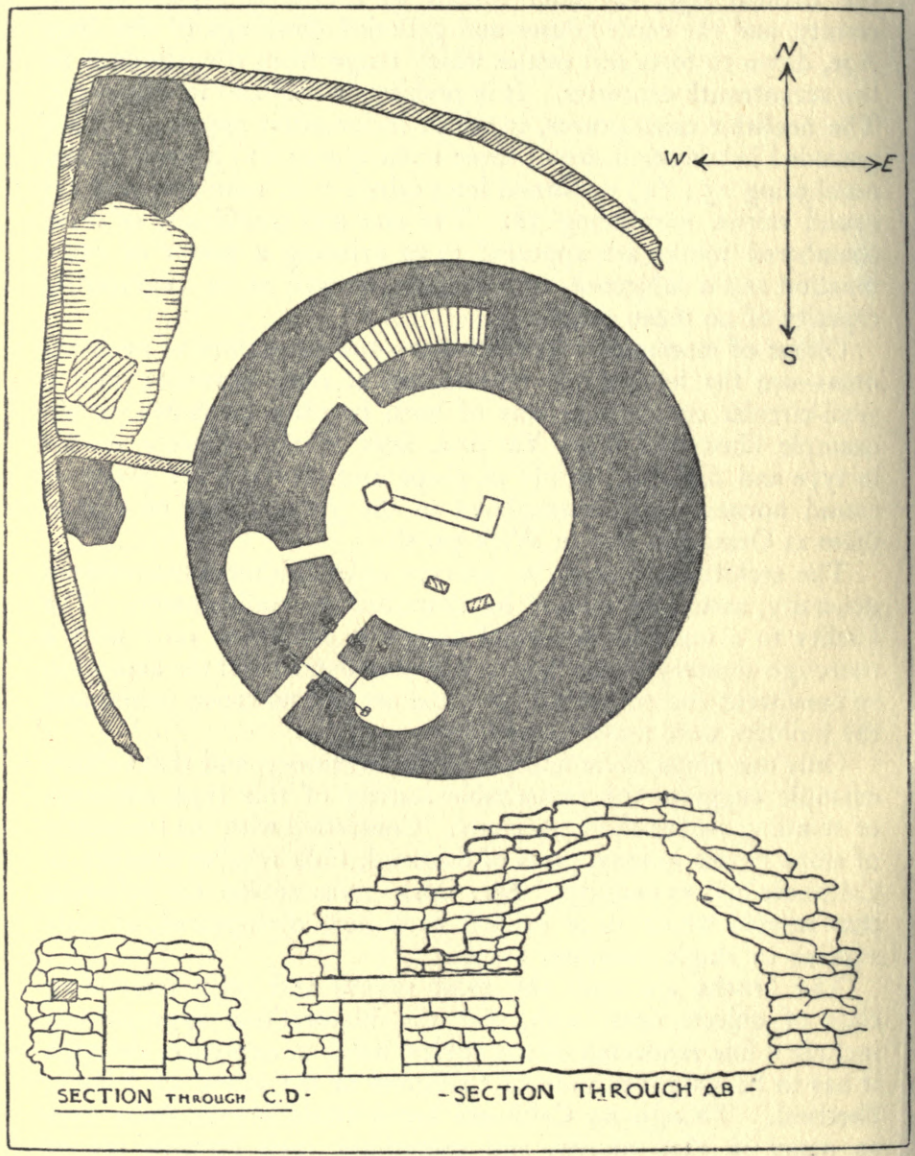
Oldest of monuments in Caithness—the sepulchres of neolithic man—are the long cairns terminating at each extremity with a semi-circular concavity, a sort of horn in plan, as shown in the example illustrated from Yarrows, near Wick. Closely similar in type and differing mainly in shape and size are the short or round horned cairns exemplified in the ground plan of one of them at Ormiegill, also in Wick parish.

The architectural sense in this type as in Caithness monuments generally, assuredly cannot be described as rudimentary. The fidelity to a uniform structural design is consistent only with a thorough mastery of the type; it is puzzling to find the execution so consistent and so perfect, as if the art had no crude period and the builders were never apprentices.

Only one stone circle appears in the inventory, and that solitary example suggests the remarkable scarcity of this type, although of standing stones there are many. Contrasted with the frequency of stone circles in most parts of Scotland, their relative absence in Caithness invites enquiry. Mr. Curle gives reason for believing that several which once existed have now disappeared, or only survive in single standing stones.

The brochs are both the most typical and most interesting class of objects dealt with, and the illustrations appropriately include a fine rendering of the noblest broch in existence, although it has to be sought outside of Caithness in the island of Mousa, Shetland. Though no Caithness broch rivals Mousa, there were so many in that county, and sometimes their remains are so considerable, that the great attention Mr. Curle devoted to them has been well repaid. His success in search for unrecorded

examples sufficiently appears in the fact that while in 1870 the known number was 79, the survey now raises the figure to 145. Valuable place-name hints appear in the observations that often



GROUND-PLAN, WITH SECTION, OF BROCH AT OUSEDALE BURN, PARISH OF LATHERON.



CASTLE OF OLD WICK

the grass-covered hillock under which a ruined broch lies is locally named 'tulloch,' and that the cave-like appearance of the galleried and chiefly underground dwellings earned for them the Gaelic title of 'uamh' or 'uamhag,' now Anglicized in several instances into 'wag.' The broch is thirled to Scotland, and though its range is from Orkney and Shetland to Berwickshire, examples are by far the most numerous in the northern shires. When first built and when last inhabited Mr. Curle reports to be alike unknown. A century of growing knowledge and increasingly critical research and discussion has not yet definitely solved the mystery of the broch. Mousa, mentioned in two sagas, is the only broch that has found a place in history. Archaeology, however, is steadily marshalling the data that some day will make the dark places plain. It is a high problem—Mr. Gilbert Goudie, who has himself contributed to its discussion, owns it a bewildering problem—but it cannot much longer baffle attack; the unity of structure is so marked as to be compatible only with a unity of time, and a distinctly advanced purpose and defensive design. One very good example figured in plan and section is that from Ousedale Burn, in the parish of Latheron. Its structural features are well brought out in the plate, showing the entrance through the thick circular wall as seen from the interior. No progress is registered as regards the evolution of the type: again as with the horned cairns we have an art without visible beginnings. The broch is in truth a perfected thing, and Mr. Curle as its latest appraiser makes no extravagant claim for it when he says that 'no more complete adaptation of the materials available to the end desired—the construction of an impregnable dwelling—could be devised.'

Of the relics discovered in the brochs, distinctive objects like weaving-combs are, we are told, clearly characteristic of the early Iron Age, a date of origin to which not a few other fingers, with hesitation, point. Dr. Joseph Anderson is the last man one would dare to accuse of chauvinism taking the form of assigning too early an epoch to archaeological remains, but as regards brochs one doubts whether even his ironclad soul is proof against temptation when the remoteness of northern antiquity is at stake. Mr. Goudie ought on the same ground to be regarded as still more suspect. If Mr. Curle has said an incautious word it is perhaps in his too open attitude towards a pre-Roman origin for these 'Pictish towers.'

No new general conclusion is advanced regarding forts or

earth-houses, but the galleried dwelling (circular or oblong in plan, and on a dug-out site, with walls of stone in courses without mortar), of which there are nine examples all from Latheron, is an addition to archaeological types of the earth-house class. An origin late in the Iron Age is suggested for it. The galleried dwelling at Wagmore Rigg, consisting of two conjoined circles with separate entrances, gives a good general idea of this slightly differentiated species of earth-houses in which perhaps the architects of some of the brochs, triumphant over difficulties, may have sketched their plans and elevations.

It will be apparent to every reader of the 'Third Report' that the element of archaeological discovery is inseparable from the process of making the inventory. It is in this way that fresh distinctions emerge, such as the contrast now set down between the prevailing type of cairn in Sutherland, with bipartite chambers, and the tripartite-chambered-cairn now registered in Caithness. Only three cupmarked stones have been found, so that we can hardly hope for light from Caithness on the problem of cupmarks.

As regards mediaeval buildings, while there are no new departures in architectural analysis, the plates and plans of the fortresses and strong-houses of Caithness give a capital idea of th situation and character of many of these sea-board memories of feudalism. No finer suggestion of their wild, eyrie-like rock-perches could be desired than is given by the plate of the Castle of Old Wick, known as the 'Old Man of Wick,' near the landward end of a narrow promontory flanked by deep inlets or geos. Assigned to the fourteenth century, it is described as one of the oldest castles in Caithness, and the property of successive Cheynes, Sutherlands, Oliphants, Sinclairs, and Dunbars. Occupying a still giddier site on a 'stack,' or self-standing perpendicular mass of rock, is Castle Mestag, in the island of Stroma, a small keep, now reduced to a few courses of masonry covering nearly the whole summit of the stack.

Among the miscellaneous antiques the Grot Stone from Canisbay Church[1] is the sixteenth century memorial stone of the Grot family, who gave the name to John o' Groat's House, the fame of which was no doubt due to the fact of its association with the landing place of the ferry from the Orkneys. Thus John o' Groat's was once a station of necessary mark for every traveller from or to the Orcades.

The Commission bids fair to enhance its credit by the work

[1] See also the *Scottish Antiquary*, viii., pp. 52, 162; ix., p. 35.



SITE OF CASTLE MESTAG, ISLAND OF STROMA

of its energetic secretary, for whose rising reputation as an archaeologist these reports are a secured foundation. They attest the adequacy of his equipment for a national survey which requires intimate knowledge of antecedent studies, as well as a trained aptitude to observe and describe all the types of antiquities for himself, and a capacity for judgment and reserve on manifold subjects of doubt and controversy. Mr. Curle is the wary master of all the qualifications. His working bibliography shows a close preliminary study of the considerable body of literature which concerns this truly interesting northern shire. At times we could have wished that he had done more to link up his observations with those of his predecessors. Sometimes the connection has value, as when we find Brand in his *Description of Caithness*, written in 1701, recording, 'the Tradition of some Picts houses which have been here of old, the rubbish whereof is yet to be seen in the Parish of Lutheran, as a Gentleman well acquainted with the Countrey did inform me.' How well founded was the tradition Mr. Curle's inventory with no fewer than 132 Latheron items abundantly shows. But in the same paragraph Brand piques closer enquiry by mentioning how, 'in the Parish of Bower, as we passed we saw an Artificial Mount ditched about of a small circumference.' Mr. Curle's inventory of the antiquities of Bower gives no clue to the structure which Brand saw.

If the brochs are the prime archaeological problem of Caithness, the prime historical problem is the Norse impact upon the locality and its transmission. 'The Scandinavian influence,' writes Mr. Curle, 'on the topography and ethnology of the county has left its impress to a remarkable degree, though the absence of any peculiar system of tenure or of customs of Scandinavian origin such as are to be found in the neighbouring islands, tends to show that the Norwegian occupation did not imply the extirpation or eviction of the older inhabitants. The Celtic influence still remains predominant in the west and south-west, while an imaginary line drawn from the north of the Forss Water southwards to Latheron roughly divides the areas of the Celtic and Scandinavian place-names. There are in Caithness no remains of churches of distinctly Norse type, though the chapel and hospital dedicated to St. Magnus [in Halkirk parish] may originally have been of Norse construction.'

When these remarks are considered the antiquary may take heart: the last word has not yet reached the dictionary: the

inventory and report has still far to go. For on the face of the findings it is clear that archaeology has not yet effected the final junction with history, under which, while the brochs take their place in Pictish architectural chronology in some definite relation to the Roman occupation on the one hand, and to the religious monuments and symbolism on the other, the Norsemen's settlements will be distinguished from the native places they came to plunder and remained to colonize. Between Cait of the Pict and Caithness of the twelfth century, with its Norse suffix, the line is harder to draw than Henry of Huntingdon's from Totness to John o' Groat's, but there will be few points on the line which the archaeologist of the future will not find shrewdly hinted for him by Mr. Curle.

He is now at work in Galloway where the contrast with the North is acute, and provokes the spirit of speculation. Every new broch, ring-camp and mote recovered not only heightens the significance of the type and its geographical distribution, but also adds stimulus as well as material to the irrepressible quest after definite conclusions. The annals of fortification need skill to decipher. It will be curious and profoundly interesting to follow out Mr. Curle's great itinerary of antiquarian collation on which a start so auspicious has been made. Whither will it lead? Shall we after all, for instance, return to history for race-labels? declare the ring-camps generically one with the raths of Ireland, and, like them, the work of the 'Scot'? canonise the epithet 'Pictish' for the brochs? and confirm the Anglo-Norman feudalism of the motes? And shall we go yet further in accepting the witness of chronicle that each of these race movements was indeed an invasion—each still denoted and recognisable by its peculiar and imperishable mark?

GEO. NEILSON.

2521



THE GROT STONE, CANISBAY CHURCH

The Post-Reformation Elder [1]

THE Reformed Church sprang into being in Scotland with marvellous rapidity. Thanks to the statesmanlike and constructive genius of John Knox, which not even his most bitter detractors can deny, it was speedily furnished with a constitution. The details of that constitution we need not discuss here. It is sufficient to say that it was considerably different from that Presbyterian Church which was afterwards developed by Andrew Melville. Knox was no narrow-minded bigot : he was thoroughly cosmopolitan ; he kept up much of the practices of the old church ; his one care was to see the country freed from superstition and brought to habits of morality to which the people were strangers owing to the evil example of a generally careless clergy, though no doubt even in pre-Reformation days there were some quiet and unknown servants of God in her rural vicarages. But the great feature of Knox's policy was no doubt the recognition of the part the people were to play in the future government of the Church. This was quite a new departure in this country, though no doubt Knox borrowed it from Calvin, and Calvin took it from the Bohemian Church, where lay assessors to the presbyters or clergy had existed a century before his birth.

The great task to which Knox set himself was to provide spiritual instruction to a country which had renounced its allegiance to its former pastors. The extent to which he was compelled to rely on lay assistance may be gathered from the fact that the first General Assembly consisted of forty-two members, and of these forty-two only six were ministers. This was indeed a remarkable difference from the practice of the Roman Church. No doubt it was not altogether unusual in that Church for certain chosen laymen to be summoned to provincial synods, though only rarely were they accounted members, and certainly they had no votes, the *votum decisivum* being confined to bishops and abbots. Even so far back, however, as the fourth century we find laymen forming

[1] An address delivered to the Elders Union, Aberdeen, 2 November, 1911.

one part of the Church as opposed to the clergy and the general body of the people. Thus St. Augustine is found writing *dilectissimis fratribus, clero, senioribus, et universae plebi ecclesiae Hipponensis*, thus distinguishing between the cleric, the elders and the *universa plebs*. Again he mentions *Peregrinus, presbyter, et seniores Musticanae regionis*, indicating something not unlike a minister and his kirk-session.

A theory grew up in the Church, and has been held down to quite recent times by many persons, that the word presbyters includes elders; or, in other words, that all presbyters are elders, and the office-bearers of the Church are divided into two classes, teaching elders and ruling elders. This, of course, would strike at the root of all ecclesiastical orders, but really there is no foundation for it.[1]

The Westminster Assembly itself, in which the point was debated at length, never authorised the expression 'ruling elder,' which would imply that there were other classes of elders: all it says in its declaration on the form of Church government is that 'Christ who hath instituted government and governors ecclesiastical in the Church hath furnished some in his Church, besides the ministers of the Word, with gifts for government and with commission to execute the same, when called thereunto, who are to join with the minister in the government of the Church, which officers Reformed Churches commonly call elders.' The Confession of Faith too is equally guarded in its language: it knows nothing of the lay assessors as presbyters or elders; it merely says: 'As magistrates may lawfully call a synod of ministers and other fit persons to consult and advise with about matters of religion, so if magistrates be open enemies to the Church, the ministers of Christ of themselves by virtue of their office, or they *with other fit persons* upon delegation from their churches may meet together in such assemblies.' Here is a sharp delimitation drawn between ministers, that is persons ordained to preach the word, and the laymen who might be fit persons to consult.

Knox in his First Book of Discipline laid down the following rules for the election of elders:

'Men of best knowledge of God's Word, of cleanest life, men

[1] It is impossible here to go into any reasoned exposition of the subject: it is treated with most scholarly excellence by Principal Campbell, who has examined all that can be said on both sides of the question, and has come to the conclusion that the word presbyter never included those lay assessors whom we now call elders.

faithful and of most honest conversation that can be found in the Church must be nominated to be in election,[1] and the names of the same must be publicly read to the whole kirk by the minister giving them advertisement that from among these must be chosen elders and deacons. If any of the nominated be noted with public infamy he ought to be repelled, for it is not seemly that the servant of corruption should have authority to judge in the Church of God. If any man knows others of better qualities within the Church than those that be nominated let them be put in election that the Church may have the choice.'

Here then we have the beginning of the evolution of our elder. There is no qualification as to age, position or worldly estate : all that is required of him is that he be of clean life and honest conversation. Gentle or simple, if he comes up to these standards he is eligible for office or at least for nomination.

Knox goes on to detail the duties of the position.

'The elders being elected must be admonished of their office, which is to assist the minister in all public affairs of the Church, to sit in judging and deceiving causes, in giving of admonition to the licentious liver, in having of respect to the manners and conversation of all men within their charge, for by the gravity of the seniors ought the light and unbridled life of the licentious to be corrected and bridled, yea the seniors ought to take heed to the life, manners, diligence and study of their ministers.'

Such was the formidable task set to his elders by Knox. It was all they could do to overtake it, if indeed they did overtake it. The meetings of Session were held weekly, and the principal business of the Session seems to have been the consideration of somewhat squalid details of rustic amours or urban debauchery. The spectacle of a monotonous succession of morally frail creatures mounting the stool of repentance cannot have been edifying to anybody, and to sit in judgment on all the virulent language that may have been exchanged between quarrelsome neighbours must have been wearisome in the extreme.

Still we must not make the mistake of judging the proceedings of those days by the standard of our own time. Of course the Session was harsh in many cases, though no doubt they acted from the best of motives. We cannot forgive the St. Andrews Kirk Session for punishing John Downy, one of the roughest men in the town, who, meeting with a poor girl who had been betrayed

[1] Knox does not use the word 'ordained' or 'ordination.' An ordination of elders is quite a wrong expression, as elders are not 'in orders.'

and could not get her child baptised, took water and baptised it, as in certain circumstances he had quite a right to do, and upon a bystander taking exception to it, bravely answered, 'I shall tak all the plicht and perrell on my awen head': which accordingly he did, but was promptly and severely dealt with by the Session.

But though the times were harsh and coarse, we must strive to get an historic sense of them. What we think disgusting and coarse were to the inhabitants in medieval times mere commonplaces of humanity, while if they were alive now they would be shocked at many things we take as matters of course. As Stevenson remarks, 'the old manners and the old customs go sinking from grade to grade, until if some mighty emperor revisited the glimpses of the moon, he would not find any one of his way of thinking, any one he could shake hands with and talk to freely and without offence, save perhaps the porter at the end of the street or that fellow with his elbows out who loafs all day before the public-house.' On the other hand, there are many things in our day which we consider harmless enough, or at least a matter of opinion, at which the Reformers would have lifted up their hands in horror. For instance, we may or we may not approve of suffragettes, but even their greatest opponents consider them, at the worst, I fancy, with good-natured contempt, while if John Knox had had to deal with them he would probably in the first place have delated them before his Session, and then have added a bitter chapter to his Blast against the monstrous regiment of women.

However evil, squalid, and coarse the times were, the elders evidently were not very keen on sitting on cases of moral delinquency, of whatever nature they may have been. They were after all very fallible human beings themselves, and did not always escape the pains and penalties they meted out to others. In St. Andrews, for instance, one deacon was struck off for non-attendance, disobedience to the magistrates, and for being 'an evil payer of his dettes': another was declared incapable of office for the ensuing year for speaking against the magistrates, and worst of all an aged elder had to be deposed for a very grave moral offence.

But these, of course, were very exceptional cases. On the whole we may feel sure that the great majority of the elders in the early days of the church were men full of enthusiasm, and showed a laudable example to the people among whom they were placed. It is not surprising that it was sometimes found difficult to get full meetings of Session. So early

as 1561 there was a system of fines for absentees instituted in the Session of St. Andrews. If he were wholly absent from a meeting of Session the delinquent elder had to pay a shilling, if so far late that he missed the opening prayer he was mulcted in threepence, which he had also to pay if he left before the business was done. Any one swearing an oath in the Session 'unrequiret and admittat to review' was fined twopence for each fault.

The St. Andrews Kirk Session was not far from a golf links, and some of them did play golf when they should have been attending meetings of Session. This was very grievous to the graver brethren, a minute of Session was adopted to the following effect: 'The brethren understanding perfectlie that divers persons of their number the tyme of Sessioun passes to the fields, to the goufe and other exercise, and has no regard for keeping of the Sessioun conforme to the acts maid thereanent, for remeid quhairof it is ordanit that quhatsumever person or persons of the Sessioun that hereafter beis found playand, or passes to play, at the goufe or uther pastimes the tyme of Sessioun sall pay 10s. for the first fault, for the second fault 20s., for the third fault public repentence, and for the fourt fault deprivation from their offices.'

Whether or not these stringent penalties were ever actually exacted they show that the business of the Kirk Session was distasteful to many of its members. The fact was that they were expected not merely to wait until some *fama clamosa* compelled them to take action but to act as spies on the private conduct of their neighbours, and generally to assume the functions of a modern police court. Here, for instance, is a list of some of the offences which came under the cognisance of Kirk Sessions in the early years of the Reformed Church. Defamation, flyting, ungodly speaking, filthy speeches, bannery and swearing, blasphemy, 'extraordinar drinking,' 'drinking contymouslie,' suspicious company keeping, haunting evil company, mis-spending gear, night walking, keeping open house in the silence of the night, playing at durris (playing about the doors), dancing and running through the town after supper, tulzeing and ungodly behaviour, wrestling and kissing on the causeway, being troublesome to neighbours, playing at tables (draughts or backgammon) over night, cards or dice, striking, forcible abduction, fighting, bloodshed, slaughter, witchcraft.

No doubt in some cases the Session did good, and one cannot

but recognise their earnest endeavour to raise the moral tone of the people, which seems to have been low enough. But many of the faults brought under notice would have been better dealt with in a less public and more lenient way. Young men and maidens had little chance of love-making, however innocently it might be carried on. Elspeth Anderson, for instance, had to confess one day that her young man had called on her one night in Mr. John Methven's house, and that her master found her 'in the said Robert his oxtar under his cloak' and reproved them. Robert denied any injuries done by him 'and na forder being verefeit he wes ordanit to crave God's mercie, and baith were admonest nocht to commit the lyk herefter: and if he be fund doand the contrar it sal be haldin as confest fornication againis them.'

All this to our minds is an unwarrantable interference with the liberty of the subject, but we must not on that account condemn the action of the Session too hastily. They found the country in a bad state and they were merely acting upon their convictions in endeavouring to set it right. They did not perhaps take the right way but they acted up to their lights. In the sixteenth century toleration and moral suasion were principles not only not understood but practically unknown.

The fact is that the principle on which Kirk Sessions in the earlier period of the Church acted was simply that of the Confessional, viewed from the other side of the screen. Instead of the penitent voluntarily confessing his sins to the Church, the Church made it its business to find out his transgressions by means of vigorous espionage. In both cases penance was inflicted: in the Roman Church it usually took the form of the repetition of so many extra prayers (which however well intentioned were apt to become mechanical), while in the Reformed Church it consisted of the mere material penalty of the stool of repentance, monetary fines, or in some instances imprisonment in the church steeple. To the tenderer spirits this publicity of penance must have been agonising; indeed there is on record one instance of a poor fellow being driven out of his mind by the anticipation of it, while to the culprit of coarser frame it was more of a joke than otherwise.

Witchcraft was one of the offences which came under the cognisance of the elders of old time. Of course they thoroughly believed in witches, and the St. Andrews elders dealt severely with anyone consulting them, though in most cases the poor

creatures were persons who had some knowledge of simples and the use of herbs in curing disease. But of the dealings of Sessions with witches themselves we hear very little: when they suffered the extreme penalty of the law it was by the action of the civil magistrate and not by that of the Kirk Session. There does not seem to have been any demand for the services of either ministers or elders as exorcists; but there is on record an instance, as recent as 1848, in which an unsuccessful application had been made to the minister and elders of Campbeltown to rid an unfortunate parishioner who was troubled with some very evil symptoms. As they had evidently declined to move in the matter the following letter was addressed to the Moderator of the General Assembly:

Ballochintie, 21 April 1848.

To the General Assembly Moderator of Scotland.

This is a sorrowful account of a poor orphan woman native of Kintyre which had been troubled these two years with frogs in her inside, of which one yellow do. had been cast out two years ago July coming by Duncan McNab, Dr., Campbeltoun, but still troubled with them yet and Mr. McNab would have put them all out if paid for it, but Campbeltoun minister and elders of my native parish would have nothing to do with me which was cruel and murderous. To prove that I am troubled with them the following names are for a telegraph—all the following can and are willing to give their oath to verify and ascertain the truth:

John Kerr, Auchencairn
William and John McDougall } Arran.
Ann and Mary Mackinnon

They are ready whenever called to Edinburgh to verify the truth by an oath.

I hope you will take the matter to consideration and look to the poor object which will be a blessed affair. If you give word to Dr. McNab, Campbeltoun, you shall be ever in my prayers for a blessed stage in the world unknown. She took arsenic poison for a medicine which is of no effect and frightful of death. I am my lord, your most devoted humble servant Edward McCallum. Please send back word if you will do for her to Edward McCallum, Fisher, Ballochintie.

The subsequent history of this case is not known.

But we must leave such subjects and pass to other and brighter themes. There was, perhaps, no feature of such marked difference in the practices of the Ancient and the Reformed Churches as the administration of the Lord's Supper. It must have been a remarkable experience for the parishioner of old time, shortly after the Reformation, to receive communion in

both kinds, while only a few months before he had been debarred from the cup altogether. But even then it does not appear that the elders had nearly the same duties to perform in connection with the Communion as they have now. It is difficult to ascertain whether in the days of Knox and his immediate successors the people knelt while receiving the Sacrament and were given it by the hands of the minister alone, or whether they sat in their pews or at tables and had the elements brought them by the elders. Certainly in the Episcopalian times of later days the former was the practice, as Spalding expresses his surprise and horror when at Aberdeen in 1641 he saw the basin and bread lifted by ane elder and ilk man take his Sacrament with his own hand. But in the early days of the Church I expect the elements were carried to the people by the elders much in the way it is now done, as on the St. Andrews Register there are lists of elders and deacons sent to collect the tiquots, or tokens, and others to serve the tables. Indeed it is difficult to see how it could be done otherwise, as in 1593 there were more than 3000 regular communicants in the Church there.

In many cases, however, the elders had little opportunity of exercising this part of their functions, as the Sacrament of the Lord's Supper was but infrequently celebrated in many parishes. After the first fervour of the Reformation had passed away a singular apathy took possession both of pastors and people as regards this matter. In the parish of Fodderty, for example, it was stated that there had been no celebration of Communion for twelve years, while Glen Urquhart was in the same position during the whole incumbency of Mr. Duncan MacCulloch, from 1647 to 1671, and these were not exceptional instances. How different from the earlier times, when Knox recommended that Communion should be celebrated four times a year, and when there was an early celebration at four in the morning, besides another in the forenoon. But in later times it is a curious fact that Scotland seems to have oscillated between the two extremes either of having no Communion at all, or else of making it the occasion of a gathering from far and near, and an outburst of emotional piety, which in some cases degenerated into licence.

The elders had, both in early and later days, not only a solemn but also a very arduous duty to perform. The very supplying of a sufficient quantity of bread and wine to the communicants must have taxed them severely. Probably an account of the admission to the reception of the cup which the Reformed Church

gave to its members, the amount of wine consumed at Communion services was, to our eyes, quite appalling. At one Communion in Edinburgh, in 1578, twenty-six gallons of wine were consumed, costing £41 12s.: eighty years after that date the Corporation of Glasgow spent £160 for a hogshead of wine for Communion, and many similar instances might be cited. The work of the elders on Communion Sundays in the early history of the Church, and, indeed, down to comparatively recent times, must have been much more arduous than it is at present. However uplifting and solemn the Communions in olden times may have been, they were, or at least became, of inordinate length, and must have taxed the energies of the Session to the utmost. So much so that in some parishes at least the minister, elders, and other office-bearers in the congregation got a private allowance of wine, and that a liberal one, for their sustenance, though I cannot believe that it was consumed entirely on the day of Communion itself. Thus, in St. Cuthbert's, Edinburgh, in 1687, the minister got an allowance of nine pints of wine (four Scots pints were equal to a dozen bottles), the precentor two pints, the elders and deacons four pints (a comparatively modest allowance in comparison), the beadle two pints, and so on.

There were many other duties which the old-time elder had to perform that I could mention, but I must not detain you with them. The practice of Privy Censure, when all the members of Session, including the minister, had to go singly or in pairs out of the room while the rest of the brethren discussed their conduct and character, was one of the most extraordinary. It nominally gave much opportunity for plain speaking, wholesome correction, and home truths ; but, on the other hand, as each member knew that if he dealt hardly with his absent neighbour, he in his turn would have the same measure meted out to him, probably little came of it. Occasionally, no doubt, there was some mild expostulation. St. Andrew's Kirk Session, for instance, evidently groaning under the infliction of portentously long and read sermons, caused one of their ministers to be 'admonisit of multiplication of wordes in his doctrine, and that his nottes be in few wordes that the people may be mair edifiit.' But in the great majority of cases nothing censurable was found against anybody. The Kirk Session of Melrose on one occasion thought it better to proceed to their Privy Censures on a certain day, the reason given being that the next Tuesday was Galashiels Fair.

These glimpses of the first beginning of the Scottish elder

show that his duties were very different from those of the present day. They were forced upon him by exigencies of his time: they were in many respects disagreeable duties, but were none the less necessary if the people of Scotland were to be raised out of that depth of moral and spiritual degradation into which they had undoubtedly sunk. But they faced them with indomitable resolution and strenuous endeavour. They were sometimes mistaken, their methods may have been crude, and they may have attempted to drive the people rather than lead them. But the times were difficult and dangerous, and they did their duty according to their lights.

JAMES BALFOUR PAUL.

Superstition in Scotland of To-day

PROBABLY few of those who year by year visit the northern counties of Scotland have any notion of the fairy lore and superstitions which, notwithstanding our modern wholesale education, are still cherished and believed in by the natives. The isolation of the crofter communities and the mystic temperament of the Celt are probably the chief contributory causes for these survivals elsewhere relegated to the limbo of forgotten things, and as every year, with the spread of education from one source or another, they will become less vigorous, it seems desirable to place on record the following instances which have come under observation within recent years.

Flint arrow-heads of prehistoric manufacture were long regarded with awe, as the product of elfin skill; and as mysterious as their manufacture was the sudden appearances they were credited with in unexpected places such as much traversed roadways and paths. With such a supernatural attribution they were readily regarded as possessed of peculiar virtues in warding off evil and disease. In the far west of Sutherlandshire a fine barbed arrow-head was shown to the writer in 1909 by a reliable man who had acquired it from a crofter. Its former possessor had been in the habit of dipping it in the water which he gave to his cattle to drink, thus rendering them, as he believed, immune from disease.

There were exhibited at a recent exhibition a set of pebbles, three in number, consisting of an oval disc of quartzite some two inches in length, and two rounded pebbles, the largest about the size of a pigeon's egg, and covered on one side with small black stains produced by a lichen; the oval stone shows a slight hollow produced by rubbing in the centre, suggesting that it has come from some prehistoric site, possibly a grave. These stones belonged to a reputed witch, whose death occurred as recently as 1900, and were employed by her in the practice of her art. That her skill was not confined to acts of a beneficent nature, such as warding off disease from cattle, the following narrative will show.

It appears that at one time, by fair means or foul, she had captivated the affections of a swain in the village, and to him had become betrothed. Her lover, however, proved fickle, and in her place led another bride to the altar. As the happy pair emerged from the church door the disappointed one thrust herself between them and cursed her rival. It was no impotent malediction, for in five days' time the bride lay dead. In this enlightened age no retribution overtook this malicious jade; on the other hand, her reputation was henceforth firmly established, and doubtless in a superstitious community she benefited accordingly.

On calling recently at a shepherd's cottage in a southern county of Scotland the conversation turned on witchcraft and witching-stones; whereat the shepherd's wife, an old woman, whose face beamed with intelligence and good humour, produced from the high mahogany chest of drawers—an essential piece of furniture in the 'ben' room of a Scottish cottage—a number of small rounded pebbles long retained in the shepherd's family with no surviving record to account for their preservation. In all probability they too had been charm stones. On the discussion of such a suggestion the good wife related the following story.

Her mother, also the wife of a shepherd, had lived among the hills, at the head of the valley of Ettrick. One summer afternoon there came to her door an aged crone who begged a bowl of milk. As churning was in prospect, lambs to be fed, and above all milk scarce, the shepherd's wife expressed her sorrow that she could not give the dole, 'Ye'll be sorrier or nicht,' came the reply, as the woman turned on her heel and shuffled away down the hillside. When the evening milking time came the true intent of the remark was apparent, for the cow, usually a good milker, was dry. Much perplexed the shepherd's wife sought counsel of her neighbour, whose experiences were fortunately more varied than her own. Had she any sweet milk in the house, queried the latter. 'A little in the bottom of a jug.' 'Good! Pour it into a pot, set the pot on the fire, then run and cut a fresh green turf, which place on the top of the pot. This done, stick pins into the turf, as many as it will hold, and when the milk boils the cow will be herself again.' The prescribed course was faithfully followed, and long ere all the available pins were in the sod the milk boiled and the cow recovered.

One can hardly imagine a more striking anachronism than the use of the black art to upset a school board election. Yet such an occurrence actually took place in a northern county a

very few years ago. In a parish, so far north that a labourer from Banff who had migrated thither actually designated himself to the writer as 'a south countryman,' there lives a dame who has no mean reputation as being possessed of the evil eye. Let her but look with evil intent into the face of a collie dog and henceforth no sheep by haugh or hillside will be chivied by him; equally potent are the spells she can cast over the cows to stop their milk. This dame has a husband, a respectable elderly man, but stricken with years and no longer able to take an active part in local affairs. Now it happened that a school board election was imminent, at which a keen contest was expected, and it behoved the candidates to make sure of every possible vote. Accordingly this aged person was duly canvassed, and a promise of his vote received, the favoured candidate undertaking to convey him to the poll on the day of the election. The day arrived, and duly habited in his best clothes, as became such an important function, the old man awaited the promised conveyance. The morning passed without its advent, and as the hours fled onwards ominously angry grew the wife at this disregard of her husband, until, as the afternoon drew to its close, she could restrain herself no longer, and consigned the whole concern to the devil. The devil interferes in strange ways! When the votes came to be counted three of the candidates had polled seventy-five votes, and a second election was necessary. 'Ye wad hear that there was a colleesion in the voting, but ye wad-na be hearing that Mistress A—— caused the colleesion,' remarked a native of the parish on the following day.

Sailors are of all people the most superstitious, and many a person who has suffered from a rough voyage has seen some hapless parson indicated as the cause of his discomfort; but there are other creatures besides clerics who can raise the winds. On the extreme north coast a considerable amount of communication between the small crofter hamlets is carried on by a trading schooner. Now it happened that the doctor was flitting from one of these townships and had chartered the schooner for the conveyance of his household goods. Everything had been carefully stowed on board save a crate which lay on the pier containing live poultry, an important part of the establishment where supplies are not always readily procurable. But when the simple mariners learned of its contents they absolutely declined to take it on board, for why should they risk their lives by taking into their ship winged creatures that would undoubtedly raise the storm; and

so the poultry had to be sold to any one at the pierhead who would make an offer for them.

The traveller who takes the coast road along the north side of the Kyle of Sutherland will recognise the hamlet of Spinningdale by the gaunt ruins of a cotton mill standing between the high road and the shore. About half a mile above the village at the edge of a wood lie the remains of a great cairn ; most of the stones that composed it have been removed to build dykes, but one or two upright slabs spared near the centre indicate the remains of a chamber suggesting that it probably covered the ashes of some neolithic hero. The legend repeated in the neighbourhood attributes to it a very different origin. Many years ago there visited the district a plague, which in its ravages took a heavy toll of life from the poor crofters who dwelt on the haughs beside the Rhivra burn ; so in despair the survivors betook themselves to the priest to consider the best means of averting the disaster that threatened the community. No insuperable difficulty presented itself to the priest; the plague-stricken area was quite definite and within it consequently was the disease. So, following the good man's advice, the inhabitants formed themselves in a ring around it and walked inwards to a common centre, keeping of course the pestilence ever before them, till, just as they reached the final point of convergence, the pestilence in the form of a small animal vanished into the ground. Lest it should find its way to daylight once more its pursuers raised a mighty mass of stones over its retreat. One almost wishes the vandals who destroyed the cairn had let it loose again upon themselves!

Beside the banks of a noted salmon river, which meanders through brown moors and green meadows to the Northern Ocean, there lives a man who has seen the fairies. This man is aged now, but in his youth one Sunday morning, as in meditative mood he wandered by the banks of the stream, his vision was blessed by the sight of a band of little people habited in green, tripping along hand in hand in the tracks of a diminutive piper, who piped them gaily forward. Now the man who saw the little folk is no untutored rustic, whose world is contained within the bounds of his parish, but he has sojourned in the United States, where the strenuous life gives little opportunity for the cultivation of romantic fancies. Yet his faith in this vision remains as steadfast as the earth on which he stands, and should you in your ignorance of such mysteries endeavour to persuade him that his

fancy played on him a trick he will tell you that nothing to him is more sure than that he saw the fairies on that summer morning long ago.

Dotted over the richer part of the county of Caithness may be seen numerous grassy mounds, covering the remains of cairns or brochs, and known to the natives as 'tullochs' or 'Picts' houses.' Searching for the site of one of these the writer called one day at a farm to make enquiries. With that kindliness and courtesy which one hardly ever fails to meet with in country places the farmer left his occupation to help in the search. As he described the object as a 'Picts' house,' the writer treated him rashly to a few facts of modern archaeology which, however, he politely but firmly declined to believe in. 'Na, na,' he said, 'there were lots of Picts up and down Caithness in my grandfaither's time; wee unchancy folk they were, and if you spoke ill of them ye were sure to get a fall or nicht. They lived in the tullochs, and if ye paused in the darkening and listened ye could hear them away in the heart of the tulloch sharpening their knives. There was once a woman in this parish who fell in with a band of them as she was coming home at nicht, and they took her off; she wan away back to her ain folk, but she was never the same woman again.' Thinking that the farmer was not in earnest it was suggested that the school-board was responsible for the extinction of the Picts; but such a theory was received with no favour. 'Na, na,' he repeated, 'there were lots o' Picts up and down here in my grandfaither's time.'

The fairies seem to have withdrawn themselves for ever from mortal gaze, though to a favoured few the fairy music is still audible; the Picts no longer wander up and down Caithness and haunt the tullochs; even the mermaid who paid a fleeting visit to the Pentland Firth in 1809, and whose appearance is accurately recorded with a wealth of detail by credible witnesses in Henderson's *General View of the Agriculture of Caithness* (App. p. 108), seems to have left our shores never to return. But, though education has slain all these wonder-folk with the hard logic of fact, there is still a harvest of legend and lore to be garnered in Scotland by those who have the opportunity and the will to use it.

A. O. Curle.

Notes on Swedo-Scottish Families

[THE editor is indebted to Mr. John S. Samuel for these biographical and historical Notes of Scotsmen in Sweden. They were prepared by Herr Eric E. Etzel, D.Ph., Upsala, partly from information in *Anrep.: Svenska Adelns Aettartaflor*, and partly from researches in the private archives of members of the Swedish nobility, who trace their descent from Scotsmen who migrated to Sweden, for the most part during the Thirty Years' War. That prolonged struggle attracted a large number of Scottish soldiers of fortune, who at its close settled in Sweden, and afterwards made for themselves a name in its military and industrial annals. The notes—which relate to families still existing in Sweden—were primarily intended to illustrate and explain many of the relics and memorials in the Swedo-Scottish Section of the Scottish Historical Exhibition held in Glasgow, 1911; of this section Mr. Samuel was convener, and contributed largely to its success. Dr. Etzel has endeavoured to secure accuracy in these notes, but names of persons and places are inevitably liable to error, and pedigrees doubly difficult to trace, when the descendants of emigrant Scots try thus to recover the story of their ancestry.]

CLERCK. Robert Clerck lived in Scotland in the beginning of the sixteenth century, and was descended from the ancient family of Clerck of Coulli, in Forfar: he was lieutenant in Selkirk, and married to Helena Scrymgeor of the noble family of Scrymgeor of Dudhope.

His grandson, William Clerck, was born in Scotland, and in 1607 went, as captain of a regiment of Scots, to Sweden. He was married to a Scotchwoman, Malin Dunckham.

His son Hans Clerck, the elder, 1607-1679, was born in Orebro. He entered the navy, and became admiral, and adviser to the Admiralty. He was raised to the nobility in 1648. He died at Orebro, and was buried in that town, in the Church of St. Nicholas, where his coat of arms is hanging. His brother Thomas was also ennobled. He followed the profession of the law, and became häradshöfding—an office between that of a barrister and of a judge.

One of his sons, Jacob, was a major in the marines, and was killed at the

siege of Stralsund. Thomas, born in 1680, was captured at Pultava, and was kept prisoner at Solikamsk. This branch of the Swedish line of the family died out long ago.

Richard Clerck the younger was born in Scotland in 1604, and was brought to Sweden a few years later. He entered the navy, and rose to be admiral. He was ennobled in 1648, and thus founded another branch of the Swedish line of Clercks, but as he had only one son, who died unmarried, the line died out only sixty-two years after its foundation.

The third branch of this family, like the two first, originated in Scotland, but has a different coat of arms, which is, however, identical in one particular. The first of this branch was Alexander Clerck, of noble Scottish extraction. He was a goldsmith during Queen Christina's reign.

His grandson Jacob, 1668-1735, distinguished himself in the law, and was made a nobleman in 1699. Christopher, a grandson of above, was in the army and rose to be major. In 1803 he advertised in the public papers for his wife, whom he had not heard of for fourteen years. This branch has also died out.

The fourth branch was founded by Hans, a grandson of the William Clerck, the founder of the family in Sweden. He was in the navy, and rose to be admiral. He became governor in Westerbotten and Lappland in 1680, and in Calmar and Oland in 1683. He was a valorous and skilful seaman, and was in several sea-battles, amongst others in the Mediterranean against the Turks, under the command of the English Admiral Tromp. He was made a baron in 1687, and died in Arboga in 1718. He lies buried with his wife in the Klingspor tomb in Wallentuna. His line began and ended with him, for though he had twelve children, seven of them were girls, and of his five sons, four died as children, and the fifth was killed by a shot at Pultava in 1709, at the age of 25.

Lorentz, 1653-1720, son of Hans the elder, gained the rank of lieutenant-general in the army, and was created a baron in 1707. He was buried in Höreda Church in Smaland, where his coat of arms may still be seen. He had four children, two of whom were boys. Hans the elder was shot dead at Pultava, and Carl the younger died unmarried, thus ending that line of the family.

There is a noble family of Klercker which is supposed to have sprung from the same source as the Clercks. Their coat of arms is something similar. One of the members of the family, Carl Frederik of Klercker, is at present Swedish Minister at Brussels and The Hague. The present head of the family is John Echard Frederik, born 1866, a Doctor of Philosophy and author.

HAIJ. (HAY.) This ancient noble family, which is famous in several European lands, is descended from a Scottish peasant. In the year 920, in King Kenneth III.'s time, when the Danes landed on the Scottish coast, and at first had the upper hand in the battle at Loncarty, this peasant, for lack of any other weapon, took the yoke of his plough, and with two of his sons who were very strong and brave, met his flying countrymen, and forced them to return to the struggle, the result being that the Danes suffered a complete defeat. It is said that the heroic peasant, who, after

the battle, was found worn out and wounded, cried out to encourage the soldiers 'Hie! Hie!' and this exclamation, or a variation of it, afterwards became his surname, and that of his descendants. He and his sons were at once ennobled by the king, who, at the same time, gave them as much land in Carse of Cawry (Gowrie) as a falcon could fly over without resting. In Scotland the race has spread into many different branches.

The first of the family to go to Sweden was Alexander Hay, who was born in Scotland, and went to Sweden in the beginning of the seventeenth century. He became a colonel, and married a Swedish lady, Dorothea Plessan. He had three sons, the eldest of whom, Henric, 1631-1698, became Commander of Kockenhusen, and was ennobled in 1689. This Henric Haij had two sons, Henric Magnus and Carl Henric, who also entered the army and rose to be lieutenant-colonels. In 1709 they were captured at the Dnieper and taken to Tobolsk. Henric Magnus' son, Wollrath Wilhelm, also followed a millitary career and during the war in Pomerania showed bravery and skill in battle. His son Eric was the first baron, which title he received in 1815. He was a distinguished officer, rising to the rank of major-general. The present head of the family is Baron Vollrath Wilhelm, and the family estates are Onsjö and Gäddebäck in Västergötland.

MAULE AND MAULL. The ancestors of these families came from the town of Maule, eight leagues from Paris, from which they got their name. From there they came to Scotland, where they were flourishing already in the thirteenth century. One of the family became the Baron of Panmure in the Scottish King Alexander's time, between 1214 and 1249, and one of his descendants became Lord of Brechin in the year 1437, through his mother, and finally the title became Earl of Panmure, Lord of Brechin and Navarr.

John Maule of Glittne in Scotland was the father of James, who was born in Scotland, and went to Sweden about the year 1732, becoming the ancestor of the family of Maule. He was a naval captain in the East Indian service. He married a Swede, Lona Busch, and had four children, who were all ennobled in 1782. One of them, Jacob Maule, entered the East-India service, and was, for ten years, chief of the office of the Company in Canton, from which he returned to Sweden in 1781, with a considerable fortune. One of his sons, James, became a chamberlain, and held at different times several other posts of honour.

The family of Maull can be traced to a Maule who was a councillor in Kongelf, and who is believed to have afterwards come to Sweden.

His son Jacob was born in Kongelf. He became 'Chief War-Commissary' for the army in Scania in 1716, and held a high office in Gothenburg. He was ennobled in 1716, and died two years later. He had eight children, but the branch died out with that generation as not one of the eight left a child.

The present representative of the Maules is James Pilegaard, born in 1855. Several members are at present living in Sweden, including John Maule, captain in the Crown Prince's Regiment of Hussars, who lent several pictures to the Scottish Historical Exhibition, 1911.

MESTERTON. According to tradition this family owes its origin to England, whence one of its members, who had an estate in Northumberland, and had stood on the king's side during the revolt against the Stuarts, had to fly. He went first to Holland, and later on it seems that he went to Sweden, while a younger brother, who had been on Cromwell's side, took possession of the family estate. According to the family tree of the Psilanderskölds at Riddarhuset (Swedish House of Nobles), the first member of the family known in Sweden, Jacob Mesterton, was son to Archibald Mesterton, governor of Edinburgh. The above-named Jacob, 1625-1689, who went to Sweden in the middle of the seventeenth century, is named in the Marriage Register of the Church of St. Nicholas for the year 1658, and is there called 'Jacob Mästerton,' and in 1660, at Arboga, where he owned a farm, his name is found written, Jacob 'Mesterthun.' He was a merchant in Stockholm, and owned some property in different parts of Sweden.

Carl Mesterton, born in 1715, became a Theological Professor in Abo, and was a prolific author. His great-grandson, Carl Benedict, born in 1826, had a distinguished career as a Physician and Professor of Chirurgery at Upsala University. He planned a hospital at Upsala which was so practical that it served as model to several of Sweden's hospitals. He died at Upsala in 1889.

MONTGOMERY. The family of Montgommorie, Montgomerie or Montgomery, originally had its earldom and estates in the Pays d'Auge, in Normandy. It spread to England and Scotland, and the first of the family to be ennobled in Sweden was descended from a younger son of the first Earl of Eglinton. Robert Montgomery, born in Scotland in 1647, lost all his property in that country through the revolution. He married three times. By his three wives he had twenty-one children, among whom there were eight sons, of whom one named John went to Sweden.

John was born in Scotland in 1701, and was sent to a relation in Stockholm in 1720. He became the owner of the Länna Factory in Roslagen, and of several others in Norrland and Finland, and was made a nobleman in 1736. He died in Stockholm in 1764, and was buried in the Church of St. Mary. His son Robert, 1737-1798, at first entered the Swedish service, but later on left it for the French army, in which he reached the rank of captain. He then re-entered the Swedish service, in which he rose to be commander. During the time he was in the French army, he was present at the battle of Bergen, under the command of Marshal Closel, and at several other battles. He received from France a pension of 600 livres annually, as long as such pensions were paid. For being a member of the Anjala-Society he was condemned to be executed, but the sentence was reduced to loss of rank and of his orders and to imprisoment in St. Barthelemy, from which he was set free in 1793. His first wife was Anna Sibylla von Stalbourg, whom he took by force from her first husband.

One of his sons, named Josias, 1785-1825, was the first to be called Montgomery-Cederhjelm. His maternal grandfather, Baron Josias

Cederhjelm, settled the estate of Segersjö, in Nerike, on him and his heirs, on the condition that the occupier of the property and his heir should always bear the name of Cederhjelm in addition to his own family name. Josias was in the army, and was adjutant to General Baron Vegesach in the Norwegian war, and had the gold medal for bravery in the field. He bore the rank of colonel when he died at the age of forty. He was buried in the Cederhjelm vault in the Church of St. Clara in Stockholm.

Another branch of the family Montgomery in Sweden began with Jacob David Montgommerie, who was at one time major-general in Hanover, and afterwards entered the Swedish service, and became lieutenant-colonel in a German regiment of the Swedish army in Pomerania. He died in 1653.

His son, David Cristoffer, was a Swedish officer, and died 1704. He married twice, and his son 'Carl Gustaf' also entered the army. Carl Gustaf, 1690-1763, was wounded at the battle of Helsingborg, in 1710, and when in 1713, on the way to Wismar, the vessel he was in went on the rocks at Bornholm, he, with several others, was declared a Danish prisoner of war, was plundered, and taken to Copenhagen, and was there until the following June, when he was exchanged. He had five sons, all of whom were ennobled.

One of his granddaughters, Märta Christina, was celebrated for her beauty. She married a Count Douglas, and was called 'The beautiful Countess.'

Carl Johan, 1730-1805, was in the Pomeranian war, during which he fought in the battles of Guströw, Grantzow, Süssow, Schatcow, Anclam, Passewalk, and Werbelow, and was badly wounded in 1759.

David Robert, 1771-1846, went through the whole of the Finnish war 1780-90, during which time he was in the battles of Kowalla, Uttismalm, Likala, Skogsby, Walkiala, Keltis, and Nappa. In 1789 he personally saved King Gustaf III. from being taken prisoner by three Kossacks, when he was reconnoitring an outpost. For the bravery he then displayed he was named a Knight of the Order of the Sword on the spot, although he did not receive the insignia of the Order till 1801. He was ordered with his regiment to Pomerania in 1806, and was taken prisoner by the French in Lübeck. He left the service in 1811, with the rank of lieutenant-colonel.

Otto Wilhelm, 1736-1775, was in the Pomeranian war, and was present at the battles of Svinemünde, Werbelow, Passewalk, Köpenack Grimm, Demmin, and Anclam. One of his sons, Carl Christoffer, 1765-1792, died of a wound which he received at the engagement at Wärelä.

Otto Wilhelm, 1768-1837, had the gold medal for bravery on the field of battle in 1810. He was in the war in Finland, and was wounded at Hörnefors.

Gustaf Leonhard, 1772-1845, was in the navy for some time, during which he was present at the retreat from Wiborgsviken, and the sea-battle at Svensksund in 1790, after which he received the Svensksunds medal in gold.

Carl George, 1779-1847, and Fabian Hugo, 1782-1832, were accepted by the Finnish Riddarhuset (House of Nobles) as nobles.

Gustaf Adolf, born in 1791, during his youth filled several different positions, such as assistant-clerk in an office, and to a judge. Later on he proved himself a brave soldier in the Finnish war, 1808-9, during which he marched over 1200 English miles, and took part in the encounters at Putkila Koiwiste (where he captured a prisoner, and received the medal for bravery), Kuopio, Kellenjemi, Iaipale, and Idensalmi. He took part in the campaign in Westerbotten, where he was in the contests at Hörnefors and Degernäs. He was on duty as outpost when the Russians marched over Qvarken, and got his feet frozen. He was wounded several times, and because he captured a mounted Cossack, he was given his commission as lieutenant. He was in the war in Norway in 1814, and was in the conflicts at Lierskans, Medskog, Skotterrud, and Malmerberget. Later on he was in Parliament, where he worked for the high taxation of schnapps, and the abolition of number-lotteries. From 1834 to 1841 he was manager of Carlbergs Copperworks in Jämtland, where he made roads, built a church and school for the employees of the factory, and with his own money and that of others interested founded a pension-institute which bears his name. Finally he worked for several newspapers, and himself published a military paper. He translated several works, and wrote and published a history of the Finnish war, 1808-9, in recognition of which he was elected member of several native and foreign learned and literary societies.

The heads of the two branches of the family of Montgomeries now in Sweden, are Robert, a Chamberlain to the Swedish Court, born in 1851, who lives on the family estate of Segersjö, and Knut Robert Gabriel, born in 1850. He is a captain on the reserve of the Life Dragoon Regiment.

MURRAY. This Swedish family is descended from an old noble family in the county of Perth in Scotland of which a Malcolm Murray, who lived about the year 1250, was the founder. The Dukes of Athol, Earls of Dunmore, Barons Elibank, and several other noble families have this family name. In Cromwell's time one branch went to Prussia, and to this belongs the Swedish family.

Johan Murray, 1665-1721, a landowner in Prussia, had a son named Anders, 1695-1771, who was born at Memel in Prussia, and who in 1717 took a degree, answering to the English 'Master of Arts,' in Jena. He became a clergyman, and was rector in Schleisweg and Haddeby in 1725, and in 1735 went to the German church in Stockholm, where he became the priest in charge in 1738. Among other writings, he published a German homily. He died in 1771. One of his sons, Gustaf, 1747-1825, took academical degrees at Göttingen in 1768, and holy orders in 1770 at the German church in Stockholm. There he took duty, and after being ordinary Court-preacher to the king, and first Court-preacher to Duke Carl of Södermanland in 1773, and holding several other important appointments, became principal Court-preacher to the king in 1809. He

was a Commander of the Order of the North Star. He was ennobled in 1810, and became Bishop of Westeras in 1811.

The present head of the family is Carl Wilhelm Otto, born in 1836. He lives at Saltsjöbaden.

NISBETH. This Swedish family originated in Scotland, and takes its name from the property of Nisbet in Berwickshire.

William Nisbeth was born in Scotland in 1596. He went to Sweden, and became first a major and finally colonel in the Upland Foot Regiment. He died in 1660, and was buried in Old Upsala Church, where may still be seen his coat of arms. His son William entered the same regiment, and was ennobled in 1664, after proving that he was a member of the family of Nisbet in Scotland.

Carl Wilhelm, 1790-1860, became a major, and gained the gold medal for bravery and Carl XIV. Johan's medal.

Fredric Wilhelm, 1727-1798, was a prisoner during the Pomerian War for three years.

Mauritz Wilhelm, 1681-1767, was fighting at Clissow, where he was shot in the right leg; at Pultowsk, where he was shot twice; at Holofzin, where he was badly wounded; at Reschilenska, where he was shot, and at Pultava, where he was taken prisoner, and was kept at Wolodga for many years before he was released in 1722, when peace was declared.

The present head of the family in Sweden is Carl Gustaf Mathias, born in 1849. He is a civil engineer, the hereditary owner of Tisslinge, and owns other property.

SETON. The Swedish noble line of this family has included, besides the still living Baron line, two others, namely those of Seton and Dundas.

The Seton line was one of the most ancient in Scotland, and began to distinguish itself in King Malcolm Canmore's reign in 1070. One member of the family married the sister of King Robert Bruce.

The Baron line of Setons had its origin in France, and spread to Scotland when Princess Mary of Lorraine was married to King James V.

The Dundas line originated with the Earls of Northumberland.

George Seton, born 1696, in Scotland, was a student at Ehrenburg, whence he travelled to Dantzig, where he studied commerce. He went to Sweden in 1718, and settled in Stockholm, where he became a merchant. He was ennobled in 1785 at the same time as his nephew, Alexander Baron, Doctor of Law. George Seton never married, and so his line began and ended in himself. He died in 1786, and was buried in the Church of St. Maria in Stockholm.

The Baron line of Setons in Sweden began with the above-named Alexander Baron, Doctor of Law, born in Scotland in 1738. He was ennobled in Sweden in 1785, taking the name of Seton, and bought the stately house Ekolsund at Husby-Sjutolfts, of King Gustaf III. He was married to Elisabeth Angus, of Edinburgh, and had three sons, one of whom was in the navy, and was drowned near the Cape of Good Hope. He was unmarried. Another son, who had no profession, and never

married, died in 1828. Patrik, 1766-1837, his eldest son, was a Doctor of Medicine, and married a Scotchwoman, Agnes Thomson. He died at Torquay in England, leaving several children. His son and heir, Alexander, born 1806, lived on his Scotch estates.

The Dundas line of Setons in Sweden began and finished in the person of Robert Dundas, who owned the estate of Akerberg in Scania. He was ennobled in 1807, taking the name of Seton, and died without heirs.

Patrick Baron, born in 1849, is the present head of the Swedish line. He owns Ekolsund and Segersta, both in Upland, Preston in Scotland, and other properties in both countries. His wife is Beate Louise Eleonore Rosencrantz.

SINCLAIR. This family can be traced back to Woldorus, Count of Sinclaire in France, whose son William came to England.

Frank Sinclaire, afterward Sinclair, was born in Scotland, went to Sweden, and joined the army, in which he worked himself up to the rank of colonel. He was raised to the nobility in 1649. The line of Sinclairs of which he was the founder died out long ago.

John and David Sinclair, cousins of the above-named Frank, came to Sweden in 1651. David became the colonel of a regiment of cavalry. He bought the country estate of Finnekumla, and, when he was raised to the Swedish nobility, was allowed to retain the ancient coat-of-arms of his family, with the addition of a white five-leaved rose in the middle of the cross. He was shot dead by a cannon ball at the battle of Warschau, in the sight of King Carl X. Gustaf, in 1656. His son William became a general, and was raised to the rank of baron shortly before his death in 1715. Malcolm, a son of this William, 1691-1739, was taken at Pultava in 1709, when only eighteen years of age, and kept prisoner until 1722, when the war concluded. In 1739 he was on his way home from Constantinople, where he had been sent on important affairs, when he was seized and massacred by Russians, who left his body in a wood. It was afterwards taken to Stralsund and buried in the Church of St. Nicolas, where his epitaph may still be seen. His cruel death raised great indignation in Sweden, and was the subject of a romance, well known under the name of 'Malcolm Sinclairs Visa.'

One of his brothers, Henrik Gideon, was a very clever soldier, and served sometimes in France, sometimes in Sweden. He was in the campaign in Norway, during which he was present at the siege of Fredrics-hall. Owing to his changing service so often, he never reached a higher rank than captain. With the French army he took part in the war of 1733, and in 1740 was in the Finnish war, after which he returned to France, and went through the whole of the Seven Years' War. His son, Carl Gideon, born in 1730 at Stralsund, after serving in the army in France and Germany with great distinction for some years, joined the Swedish army. He showed great courage and skill in the battle at Warbourg, and was chosen to instruct the young Prince Maximilian, afterwards Kur-Furste of Pfaltz-Bajern, in the art of war. Later on, when King Gustaf III. was travelling through Zweibrück, he saw and recognized Carl Gideon, and

gave him the rank of colonel. He afterwards reached the rank of general. He died in Westmanland in Sweden in 1803. He was married to Henrietta Eckbrecht von Dürckheim, but had no children, and with him died out not only his line in Sweden, but also the chief line of the Barons Sinclair of Ninbourg and Dysart in Scotland.

Anders Sinclair was born in Scotland in 1614. He came to Sweden and became a musketeer in Colonel Robert Stuart's regiment in the Swedish army in 1635, from which time he advanced in rank until he became commander in 1678. He was raised to the Swedish nobility in 1680. In the siege of Thorn, he defended the post confided to him so valiantly that the enemy was repulsed eight times, during which he was shot in both arms and his head. He died in 1689. His son, Frans David, was a prisoner in Russia for thirteen years. He had one daughter only, and his number in the table of nobility was given to a natural son of Court Fredric Carl Sinclair, named Carl Gustaf, a major in the army, who was raised to the nobility in 1804. It is supposed that his line began and ended with himself.

Fredric Carl, born in 1723, became an ensign at the age of eighteen, after serving for three years as a volunteer at the fortifications. He was in the campaign in Finland about the year 1740, and with the permission of the authorities went to France in 1745 where he was taken prisoner by the Austrian troops, but escaped shortly after; he then took part with the French army, in the campaign at Rehnströmmen, and in 1746 in the campaign in Belgium and the siege of Namur. In 1757 he was in the war in Pomerania, during which he conducted the siege on the landside at Penemünde fort. At Löckenitz he was wounded five times. He had very much to do with the revolution of 1772. He was created a baron in 1766 and count in 1771, and in the army was general and councillor of war. He died in 1776.

The present head of the family in Sweden is Carl Gustaf Wilhelm, born in 1849. He was a captain in the Second Life-Grenadiers.

SPENS. William Spens, who was a member of a noble family in Scotland, lived in the sixteenth century. He had a son named Jacob, who was born in Scotland and went to Sweden in King Carl IX.'s reign as colonel of a regiment of English and Scotsmen. He afterwards entered the Swedish service, and became Swedish Legate or Ambassador to England in 1612. Ten years later he was created a baron, and received the barony of Orreholm. He was Aulic Councillor and general over the English and Scottish warriors in the Swedish army. In 1632 he died of a fit, which seized him when he heard the news of King Gustaf II. Adolf's death, and was buried in Riddarholms Church in Stockholm. His wife was a Scotch-woman, Margaret Forath, who afterwards married Baron Hugo Hamilton.

His son Axel, who was a major in the army, and died in the Polish War in 1656, had a son named Jacob, who became a general, and in 1712 was created a count. In 1712 and 1714 he and his wife entailed the estates of Höja and Engelholm on their second son, Carl Gustaf, because their elder son, Axel, was then a prisoner in Russia, and was not

expected to return, and the two entailed estates were not to be in the possession of one Count Spens if there were two living. Axel had been taken after the battle at Pultava in 1709, and was taken to Moscow, where he was kept a prisoner until 1722, when peace was declared. On his return to Sweden he had the command of the Observation Army at Stockholm. He died unmarried in 1745.

The head of the family is now General Count Gustaf Harald Spens, born in 1827. He has the estate of Höja, while that of Engelholm is held by Count Gabriel Spens, born in 1878.

Chronicle of Lanercost[1]

MY lord Robert de Brus, King of Scotland, died a leper; he had made for himself, however, a costly sepulchre. His son, David, a boy of six or seven years, succeeded him. He had married the sister of the King of England, as has A.D. 1329. been explained above; but he was not crowned immediately, nor anointed, although his father had obtained [authority] from the [Papal] Court for such anointing of the Kings of Scotland in future.[2]

In the same year, on the 16th day of March, my lord Edmund of Woodstock, Earl of Kent, the king's uncle and son of the late illustrious King Edward the son of Henry, was taken at Winchester as a traitor to the king, and there before many nobles of the realm acknowledged that, both by command of my lord the Pope and at the instigation of certain bishops of England, whom he named expressly, and by advice of many great men of the land, whom he also named and proved by sure tokens, and especially at the instigation of a certain preaching friar of the convent of London, to wit, Friar Thomas of Dunheved, who had told the said earl that he had raised up the devil, who asserted that my lord King Edward, lately deposed, was still alive, and at the instigation of three other friars of the aforesaid Order (to wit, Edmund, John and Richard) he intended to act, and did act with all his power, so that the said Lord Edward, the deposed king, should be released from prison and restored to the kingdom, and that for such purpose my lord the Pope and the said lord bishops and nobles aforesaid had promised him plenty of money, besides advice and aid in carrying it out.

In consequence of this confession, the said Edmund, Earl of

[1] See *Scottish Historical Review*, vi. 13, 174, 281, 383; vii. 56, 160, 271, 377; viii. 22, 159, 276, 377; ix. 69, 159.

[2] The bull conveying this right is dated at Avignon on the Ides of June, 1329. The Bishops of Glasgow and S. Andrews were directed to exact from King Robert and his successors an oath that they would preserve the immunity of the ecclesiastical order and extirpate heretics.

Kent, was condemned to death and was cruelly beheaded. Moreover, it was said that his death was procured chiefly through the agency of Sir Roger de Mortimer, Earl of March, who at that time was more than king in the kingdom, forasmuch as the queen-mother and he ruled the whole realm. The bishops, also, and the other nobles who were the Earl of Kent's advisers and promoters of the aforesaid business were severely punished. And the aforesaid Preaching Friar was delivered to perpetual imprisonment, wherein he died, as has been described above. But the marvel is that the said friar, or any other very learned person, should trust the devil, seeing that it is said by God in the holy gospel according to John that he is a liar and the father, that is the inventor, of lies. My lord Thomas de Wake, a baron and faithful subject of England and loyal to the realm,[1] and sundry other Englishmen, fearing the cruelty and tyranny of the said Earl of March, crossed over to France until such time as they should see better conditions and more peace in the realm.

In the same year the Scottish friars obtained a certain Vicar of the Minister-General and were totally separated from the friars of England.

About the feast of S. Luke the Evangelist,[2] the king held a parliament at Nottingham, whereat the said Earl of March was privily arrested by order of the king and taken thence to London, and there on the vigil of S. Andrew the Apostle next following[3] in parliament was condemned to death, and on the evening of the same day was drawn and hanged on the gallows, where he hung for three days, being afterwards taken down and buried at the Minorite Friars.[4] The charge upon which he was condemned is said to have been manifold—that he seemed to aspire to the throne—that it was said that he himself had caused the king's father to be killed, or at least had been consenting to his death—that he had procured the death of the aforesaid Earl of Kent—that it was through him and the Queen-mother that the Scots, so far as in them lay, had gained the kingdom of Scotland, free and independent of the lordship of

A.D. 1330.

[1] Ancestor of Sir Herewald Wake of Courteenhall, Northampton. The Wakes claim to be of Saxon descent, and this Thomas or his father was first summoned as a baron of Parliament in 1295.

[2] 18th October. [3] 29th November.

[4] But the king's letter is extant, directing that the body should be delivered to the widowed Countess and her son Edmund for interment with his ancestors at Wigmore.

England for ever, without having to do homage to the Kings of England, thereby causing serious detriment to the heritage of the King and Crown of England—that there was a liaison suspected between him and the lady Queen-mother, as according to public report. There was hanged also on account of the aforesaid earl one Symon of Hereford, formerly the king's justiciary.

Now the lady Queen-mother, seeing the earl's death and hearing the charge upon which he was condemned, took alarm on her own account, as was said, assumed the habit of the Sisters of the Order of S. Clare and was deprived of the towns and castles and wide lands which she possessed in England. Howbeit she enjoyed a competent and honourable sufficiency, as was becoming for the king's mother.

Meanwhile the son and heir of the Earl of Arundel, my lord Thomas le Wake, Sir Henry de Beaumont,[1] Sir Thomas de Rosslyn, Sir Fulk Fitzwarren, Sir Griffin de la Pole, and many others, who had been exiles in France, returned to England, and their lands were restored to them, with all that the king had received from these lands during the time of their exile.[2]

In the same year the new Pope came to the old one and was received to favour, on condition that he should not leave the curia, and there he remained till the day of his death, when the Pope caused him to be buried with ceremony.

In the same year a son named Edward was born to my lord King Edward the Third.

About the feast of S. Andrew[3] David, son of the late Robert de Brus, was anointed and crowned King of Scotland at Scone, and it was publicly proclaimed at his coronation that he
A.D. 1331. claimed right to the kingdom of Scotland by no hereditary succession, but in like manner as his father, by conquest alone.

In the same year died my lord Thomas Randolph, Earl of Moray, who had been appointed Guardian of Scotland until David should come of age; wherefore Donald, Earl of Mar,

[1] Ancestor of Sir George H. W. Beaumont of Coleorton Hall, Ashby-de-la-Zouch. This Henry was styled *consanguineus regis*, and was summoned as a baron of Parliament, 4th March, 1309.

[2] Some of these lands were in Scotland, over which Edward III. had resigned all claim by the Treaty of Northampton. But it was stipulated in that treaty that these lords should receive back their Scottish possessions, a condition that the Scottish Government was not in a position to fulfil. Hence all the subsequent trouble about the Disinherited Lords.

[3] 30th November.

was elected to the guardianship of Scotland, notwithstanding that he had always hitherto encouraged my lord Edward de Balliol to come to Scotland in order to gain the kingdom by his aid ; but when he found himself elected to the guardianship of the realm, he deserted Edward and adhered to the party of David.

On the feast of the Holy Martyrs Sixtus, Felicissimus and Agapetus, to wit, the sixth day of the month of August, the aforesaid Sir Edward de Balliol, son of the late Sir John of that ilk, King of Scotland (having first taken counsel A.D. 1332. privately with the King of England, and bringing with him the English who had been disinherited of their lands in Scotland, and the Frenchman, Sir Henry de Beaumont, who had married the heiress of the earldom of Buchan, and who was in England ; bringing also with him my lord the Earl of Athol,[1] who had been expelled from Scotland,[2] and the Earl of Angus[3] and the Baron of Stafford,[4] and a small force of English mercenaries) took ship and invaded Scotland in the Earl of Fife's land near the town of Kinghorn, effecting a landing where no ship had ever yet been known to land. The whole force did not exceed fifteen hundred, all told ; or, according to others, two thousand and eighty. Oh what a small number of soldiers was that for the invasion of a realm then most confident in its strength ! No sooner had they disembarked than the Earl of Fife[5] attacked them with 4000 men ; but he was quickly repulsed, many of his men being killed and the rest put to flight. So my lord Edward and his men remained there in peace without molestation that night and the following day, but on the third day they marched as far as the monastery of Dunfermline.

On the day following the feast of S. Lawrence the Martyr[6] they marched to the Water of Earn, where the Scots from the other side of the river came against them with 30,000 fighting men. But on that day they would not cross the water to the

[1] David of Strathbogie, 11th earl in the Celtic line.

[2] He is noted in Fordun (cxlvii.) as one of the disinherited lords.

[3] Gilbert de Umfraville, 4th earl in the English line.

[4] Ralph, Lord de Stafford, created Earl of Stafford in 1351. He was one of Edward III.'s ablest officers.

[5] Duncan, 10th Earl of Fife (1285-1353), who, although he often changed sides, is distinguished as having been the first to sign the famous letter to the Pope in 1320, declaring the independence of Scotland.

[6] 11th August.

English, nor would the English cross over to them; but the English, having held council, crossed the water in the night and fell upon the Scottish infantry, of whom they killed 10,000, put to flight the others unarmed, and pursued them. And when they returned in the morning light, believing that the armed men had run away in the same manner, behold! they were confronted by the Earl of Mar, Guardian of Scotland, having in his following the Earls of Fife, of Moray,[1] of Menteith,[2] of Atholl (whom the Scots had created),[3] and Sir Robert de Brus, Earl of Carrick, son of the late Sir Robert de Brus their king, but not born in wedlock.[4] They were formed in two great divisions, with twelve banners displayed on the hard ground at Gledenmore,[5] about two miles from S. John's town.[6] They began to fight at sunrise and the action lasted till high noon; but my lord Edward was strengthened by God's protection and the justice of his cause, so that the Scots were defeated chiefly by the English archers, who so blinded and wounded the faces of the first division of the Scots by an incessant discharge of arrows, that they could not support each other; so that, according to report, of that whole army, scarcely a dozen men-at-arms escaped, but that all were killed or captured, and that the number of killed and prisoners was 16,000 men. Howbeit in the first onset, when English and Scots were fighting with their spears firmly fixed against each other, the Scots drove back the English some twenty or thirty feet, when the Baron of Stafford cried out: 'Ye English! turn your shoulders instead of your breasts to the pikes.' And when they did this they repulsed the Scots immediately.

There was also much advantage in what a certain English knight said that day, who, perceiving that the fighting was very

[1] Thomas, 2nd Earl of Moray, succeeded his father on 20th July and was killed on 12th August.

[2] Murdach, 8th Earl of Menteith in the Celtic line.

[3] David of Strathbogie having been forfeited in 1314, King Robert bestowed the earldom on his brother-in-law, Sir Neil Campbell (d. c. 1316). The earl named in the text was Sir Neil's son John, who was killed next year at Halidon Hill.

[4] There is confusion here. David (afterwards King of Scots), was created Earl of Carrick previous to his marriage in 1328 to Princess Joan of England. Afterwards, in 1332 or 1333, Alexander, natural son of Edward Bruce, Earl of Carrick (brother of King Robert I.), was created Earl of Carrick and was killed soon after at Halidon Hill.

[5] Dupplin Moor. [6] Perth.

severe on both sides, cunningly cried out: 'Cheer up, Englishmen! and fight like men, for the Scots in rear have now begun to fly.' Hearing these words the English were encouraged and the Scots greatly dismayed. One most marvellous thing happened that day, such as was never seen or heard of in any previous battle, to wit, that the pile of dead was greater in height from the earth toward the sky than one whole spear length.

Thus, therefore, in this battle and in others that followed there fell vengeance upon the heads of the Scots through the Pope's excommunication for breach of the aforesaid truce, and through the excommunication by the cardinal and the Anglican Church because of the support and favour shown to Robert the Bruce after the murder of John Comyn.

My lord Edward caused all the slain aforesaid to be buried at his expense. Having, therefore obtained this truly marvellous victory aforesaid, they entered S. John's town and abode there to rest themselves.

Now on the feast of S. Francis the Confessor, to wit, the fourth day of the month of October, my lord Edward was created King of Scotland at the Abbey of Scone according to the custom of that kingdom, with much rejoicing and honour. In which solemn ceremony it is said that this miracle took place, namely, whereas there were in that place an immense multitude of men and but slight means of feeding them, God nevertheless looked down and multiplied the victuals there as he did of old in the desert, so that there was ample provision for all men.

Meanwhile the Bishop of Dunkeld came to the king's place, and undertook to bring over to the king all the bishops of Scotland, except the Bishop of S. Andrews. The Abbots of Dunfermline, of Cupar-in-Angus, of Inchaffray, of Arbroath and of Scone came to peace also; and likewise the Earl of Fife with thirteen knights, to wit, David de Graham,[1] Michael de Wemyss, David de Wemyss, Michael Scott,[2] John de Inchmartin, Alexander de Lamberton, John de Dunmore, John de Bonvile, William de Fraser, W. de Cambo, Roger de Morton, John de Laundel and Walter de Lundy. But the other chief men of Scotland who had been deserted, seeing the king in the unwalled town of S. John,[3] as it were in the heart of the kingdom with such a small force,

[1] Sir David Graham of Kincardine and Old Montrose, afterwards one of the plenipotentiaries for the release and ransom of David II. in 1357; lineal ancestor of the Duke of Montrose.

[2] Of Balwearie, ancestor of the Scotts of Ancrum, etc.

[3] Perth.

assembled in great numbers and besieged him. When the people of Galloway, whose special chieftain was the king,[1] heard this they invaded the lands of these Scots in their rear under their leader Sir Eustace de Maxwell, and thus very soon caused the siege to be raised. Upon this Earl Patrick, and the new Earl of Moray by the Scottish creation,[2] with Sir Andrew de Moray,[3] and Sir Archibald Douglas,[4] having collected an army, invaded and burnt Galloway, taking away spoil and cattle, but killing few people, because they found but few. And for this reason the Scots and the men of Galloway were long at war with each other.

Meanwhile the king strengthened and fortified S. John's town, appointing the Earl of Fife with his men as garrison there, while he with his army rode about and perambulated the country beyond the Firth of Forth, and then returned. But before he got back, the Scots, by stratagem and wiles, had captured the Earl of Fife and burnt S. John's town.

Now after the king's return and when he had arrived at Roxburgh on the feast of S. Calixtus, to wit, the fourteenth day of the month of October, he dismissed his army in the town and went himself, for the sake of greater quiet, with a small retinue, to be entertained in the Abbey of Kelso, which is on the other side of the town bridge. But when the said Sir Andrew de Moray heard this, with other knights and troops, he continually dogged the king and his people in order to harass them. They broke down the bridge between the king and his army by night, so that they might capture him with his small following in the abbey, or kill him if he would not surrender to them. But the king's army hearing of this repaired the bridge with utmost speed; and some of them, not waiting till this was done, plunged into the great river armed and mounted, swam across and pursued the flying Scots for eight miles, in which pursuit many were killed and others captured, among whom was the aforesaid Sir Andrew de Moray, Guardian of Scotland since the death of

[1] Edward Baliol inherited the lordship of Galloway through his father John and his grandmother Devorguila, daughter and co-heiress of Alan, last of the Celtic Lords of Galloway.

[2] John, 3rd and last Earl of Moray in this line, 2nd son of Thomas Randolph, 1st Earl, killed at Neville's Cross, 1346.

[3] Son of the younger Andrew de Moray (killed at Stirling in 1297) and afterwards Regent of Scotland. See Bain's *Calendar*, ii. pp. xxx.-xxxi.

[4] Regent of Scotland, youngest brother of the 'Good Sir James.' Killed at Halidon Hill, 1333.

the Earl of Mar, and a certain cruel and determined pirate called Crab, who for many years preceding had harassed the English by land and sea. Both of them were sent to the King of England that he might dispose of them according to his will.[1] Howbeit this Crab, having been granted his life by the King of England, became afterwards a most bitter persecutor of his people, because of the ingratitude of the Scots of Berwick, who, at the time of the siege of that town refused afterwards to ransom him and even killed his son. But Sir Andrew de Moray was ransomed afterwards for a large sum of money.

About the feast of S. Nicholas the Bishop,[2] the King of England held a parliament at York, to which the King of Scotland sent my lord Henry de Beaumont, Earl of Buchan, and the Earl of Atholl, and many others with them, to negociate and establish good peace and firm concord between my lord the King of England and himself; and this business, by God's ordinance, was carried to a prosperous conclusion, as will be shown anon.

But meanwhile the new young Earl of Mar (by the Scottish creation),[3] and the steward of Scotland, and Sir Archibald Douglas, having assembled a strong troop of men-at-arms on the 17th of the kalends of January, to wit, the ninth day before Christmas, came secretly early in the morning to the town of Annan, which is on the march between the two kingdoms, where the King of Scotland aforesaid was staying with the small force he kept together, intending to remain there over Christmas. They found the king and his people in bed, like those who were too confident in the safety secured through many different victories already won, and they rushed in upon them, naked and unarmed as they were and utterly unprepared for their coming, killing about one hundred of them, among whom were two noble and valiant Scots, to wit, Sir J. Moubray and Sir Walter Comyn, whose deaths were deeply lamented,[4] but the king afterwards caused them all to be buried. Meanwhile the king and most of the others made their escape, scarcely saving their persons and a few possessions which they

[1] John Crab, a Flemish engineer, served Walter the Steward well in the defence of Berwick in 1319 (see Bain's *Catalogue*, iii. 126, Maxwell's *Robert the Bruce*, pp. 266-268, Barbour's *Brus*, c. xxx.).

[2] 6th December.

[3] Thomas, 9th Earl of Mar, can have been but an infant at the time. The reference is to the Earl of Moray.

[4] Sir Henry Balliol, Edward's brother, was also among the slain.

carried with them across the water into England. Of the Scots, as was reported, about thirty were killed in the brave defence offered by the naked men aforesaid.[1]

The king therefore came to Carlisle, and there kept his Christmas in the house of the Minorite Friars, receiving money and gifts and presents which were sent to him both from the country and the town; for the community greatly loved him and his people because of the mighty confusion he caused among the Scots when he entered their land, although that confusion had now befallen himself.

At the feast of S. Stephen Protomartyr,[2] the king departed from Carlisle into Westmorland, where he was honourably received, and he stayed with my Lord de Clifford at his expense, to whom he granted Douglasdale in Scotland (which formerly had been granted to his grandfather in the time of the illustrious King Edward the son of Henry), provided that God should vouchsafe him prosperity and restoration to his kingdom. After that he stayed with his near relative the Lady de Gynes at Moorholm,[3] from whom he received gifts of money and jewels and promised that, if he should prosper, he would give her wide lands and rents in Scotland to which he was hereditarily entitled of old.

After the aforesaid overthrow of the king and his expulsion from the realm, forasmuch as Sir Archibald Douglas had been the prime mover in planning and prosecuting the said overthrow of the king (albeit that expulsion may be attributed to the Earl of Moray as being of nobler rank and more powerful) they treacherously captured my lord the Earl of Fife when he was travelling beyond the Scottish sea, because he was true to the King of Scotland and put him in prison, making Archibald guardian of the realm of Scotland.[4] In course of time, however, Archibald afterwards released the earl from prison and granted him lands beyond the Scottish sea, so that he should have the earldom.

[1] The chronicler does not here allude to an allegation made by both Hemingburgh and Walsingham, viz. that Douglas in this exploit broke a truce which he and March had made with Edward Balliol for the safety of their own lands.

[2] 26th December.

[3] This lady died in 1334, leaving extensive estates to her son William.

[4] This Archibald Douglas (there were many of that name) was the youngest brother of the good Sir James. He was known as 'The Tineman,' because he lost so many battles.

Now it is held by many people that the said overthrow and expulsion, inflicted upon the king at that time, were really to his advantage, enabling him to know what men of the realm would be faithful to him; but many of his former adherents utterly deserted him after his expulsion; whence he also learnt to be more careful in dealing with the Scots, and look better after his own safety.

On the tenth day of March following,[1] to wit, on the morrow of the Forty Holy Martyrs, being the season when, as Scripture testifieth, kings were wont to go forth to war, the King of Scotland,[2] supported by a strong armed force of English and some Scots, entered Scotland directing his march towards Berwick, and there applied himself and his army to the siege of that city, which was well fortified. My lord the Earl of Atholl, being young and warlike, raided the neighbouring country with his following and supplied the army with cattle; also the ships of England in great number brought plenty of victual, and closely maintained the blockade by sea. The Scots, seeing the king re-enter his realm with so great an army, dared not risk an engagement with him, but invaded Northumberland, slaying and burning, carrying off prey and booty, and then returned to Scotland.

Also on the twenty-second day of the aforesaid month of March, to wit, on the morrow of S. Benedict, they invaded Gillesland by way of Carlisle, slaying and burning in the same manner, carrying off cattle and booty, and on the following day they returned.

On the next day, to wit, on the vigil of the Annunciation of the Glorious Virgin, Sir Antony de Lucy, having collected a strong body of English Marchmen, entered Scotland and marched as far as twelve miles therein, burning many villages. But as he was returning on the following day with the booty he had taken, the Scottish garrison of Lochmaben attacked him near the village of Dornock at the Sand Wath, to wit, Sir Humphrey de Boys and Sir Humphrey de Jardine, knights, William Baird and William of Douglas, notorious malefactors, and about fifty others well armed, together with their followers from the whole neighbouring country. They charged with one intent and voice upon the person of Sir Antony, but, by God's help and the gallant aid of his young men, these two knights aforesaid were slain, together with four-and-twenty men-at-arms. William Baird and William

[1] 1332-3. [2] Edward Balliol.

of Douglas were captured, and all the rest fled disgracefully. No Englishmen were killed, except two gallant esquires, to wit, Thomas of Plumland and John of Ormsby, who had ever before been a thorn in the eyes of the Scots. Their bodies were straightway taken to Carlisle on horses and honourably interred. Sir Antony, however, was wounded in the foot, the eye and the hand, but he afterwards recovered well from all these wounds.[1]

On the same day of the Annunciation,[2] which was the first day of the year of our Lord MCCCXXXIIJ, the Scots were defeated in Northumberland, and likewise others near the town of A.D. 1333. Berwick. Now when the King of England heard that the Scots had thus invaded his land and done all the evils aforesaid, notwithstanding that he had not yet broken the peace and concord arranged between himself and David, son of Robert the Bruce, who had married his sister who was with him [David] in Scotland, he approached Berwick about the feast of the apostles Philip and James,[3] to make war upon the Scots in aid of his kinsman, the King of Scotland.[4] With him were his brother-german, my lord John of Eltham,[5] and many other noble earls, barons, knights, esquires, and 30,000 picked men. The King of Scotland was still maintaining the siege of the said town ; and on the octave of the Ascension of our Lord,[6] both kings delivered a violent assault with their army upon the said city ; but those within resisted so strongly, and defended themselves so manfully, by means of the strength and height of the wall (which the father of the King of England had caused to be built while the town was in his possession), that the English could not obtain entrance against them ; nevertheless, they maintained the siege without interruption. After dinner, on the fourteenth of the Kalends of August, to wit, on the vigil of S. Margaret, virgin and martyr,[7] the Scots came up in great strength (to their own destruction) in three columns towards the town of Berwick, against the two

[1] See a paper, by Mr. George Neilson, on *The Battle of Dornock*, in the *Transactions* of the Dumfries and Galloway Antiquarian Society, 1895-6, pp. 154-158.

[2] 25th March, which was New Year's Day according to the Calendar then in vogue.

[3] 1st May.

[4] The chronicler continues thus to designate Edward Balliol, although King David had never been deposed. Moreover, the kinship between the two Edwards was exceedingly remote.

[5] Second son of Edward II. and Earl of Cornwall.

[6] 20th May. [7] 19th July.

kings and their armies occupied in the siege, who, however, were forewarned and prepared against their coming. Now the Scots marching in the first division were so grievously wounded in the face and blinded by the host of English archery, just as they had been formerly at Gledenmore,[1] that they were helpless, and quickly began to turn away their faces from the arrow flights and to fall. And whereas the English, like the Scots, were arrayed in three divisions, and the King of Scotland[2] was in the rear division, so the Scots diverted their course in order that they might first meet and attack the division of him who, not without right, laid claim to the kingdom. But, as has been explained, their first division was soon thrown into confusion and routed by his [Balliol's] division before the others came into action at all. And like as the first division was routed by him [Edward Balliol], so the other two were shortly defeated in the encounter by the other English divisions. The Scots in the rear then took to flight, making use of their heels; but the English pursued them on horseback, felling the wretches as they fled in all directions with iron-shod maces. On that day it is said that among the Scots killed were seven earls, to wit, Ross,[3] Lennox,[4] Carrick,[5] Sutherland,[6] and three others:[7] twenty-seven knights banneret and 36,320 foot soldiers—fewer, however, according to some, and according to others, many more. Among them also fell Sir Archibald de Douglas, who was chiefly responsible for leading them to such a fate; and, had not night come on many more would have been killed. But of the English there fell, it is said [. . . . .][8]

Before the Scottish army arrived at Berwick a certain monk who was in their company and had listened to their deliberations exclaimed in a loud voice—'Go ye no further but let us all turn back, for I behold in the air the crucified Christ coming against you from Berwick brandishing a spear!' But they, like proud and stubborn men, trusting in their numbers, which were double

[1] Dupplin. [2] Edward Balliol. [3] Hugh, 4th Celtic Earl of Ross.

[4] Malcolm, 5th Earl of Lennox in the Celtic line. He was one of the earliest to espouse the cause of Bruce in 1306.

[5] Alexander de Brus, natural son of Edward, Earl of Carrick.

[6] Kenneth, 3rd Earl of Sutherland.

[7] The Earls of Menteith and Athol made up six: there is no record of a seventh.

[8] Blank in original.

as many as the English, hardened their hearts and would not turn back. This story was told by one of the Scots who had been knighted before that battle, and who was taken prisoner in the same and ransomed. He added that whereas before the battle there were two hundred and three newly-made knights, none escaped death but himself and four others.

Now on the day after the battle the town of Berwick was surrendered to my lord the King of England on this condition—that all its inhabitants should be safe in life and limb with all their goods, movable and immovable, subject, however, to the rights of any petitioner. Also Earl Patrick surrendered the castle of the town to my lord the King of England, on condition that he should retain his earldom as formerly, and he made oath that for ever after he would remain faithful to the king's cause. Therefore the King of England entered the town and castle and took possession of them for himself and the crown of England for all future time, together with the county of Berwick and the other four counties of Scotland next the March (to be named presently), according to the convention formerly made between him and the King of Scotland,[1] when the King of Scotland had been expelled from his kingdom, and the King of England pledged himself and his people to restore the kingdom to him; and he promised and confirmed it by a charter that he would hold the kingdom of Scotland from him, as from a Lord Paramount, in like manner as his father had held it from his [Edward III.'s] grandfather.

The king appointed my lord Henry de Percy warden of the castle and town, and Sir Thomas Gray, knight,[2] under him. He made William de Burnton Mayor of the town, who had previously been Mayor of Newcastle. The king also commanded that three justiciaries should come there, to wit, Sir William de Denholm, knight, Richard de Embleton, Mayor of Newcastle, and Adam de Bowes, to make inquest as to what Englishmen had been disinherited in the town of Berwick, and at what time, and to restore their houses and lands to them.[3]

[1] Edward Balliol. See Bain's *Calendar*, iii. pp. 200, 201.

[2] Father of the author of *Scalacronica*.

[3] All these appointments, except that of William de Burnton, may be seen in *Rotuli Scotiæ*, i. 256-7.

(*To be continued.*)

Helenore, or The Fortunate Shepherdess.[1]

THIS manuscript volume is, so far as I know, the only copy in existence in Alexander Ross's autograph of one of the finest Pastorals in the Scottish vernacular—a poem which, in the counties of Forfar, Kincardine, Aberdeen, and so along to Inverness, easily holds in public estimation a place equal, if not superior, to that held by Allan Ramsay's *Gentle Shepherd* in the Lothians and other lowland counties of Scotland. In one respect it is undoubtedly superior—as a genuine and faithful record of the habits, customs and common speech of the locality and period the poet professes to describe.

My boyhood was spent in Lochlee, only sixty years subsequent to Ross's death, and ere increased facilities of intercommunication had begun to efface manners of speech and action which helped to make the remoter nooks of Scotland noteworthy and interesting. This enabled me to verify for myself many of the vernacular peculiarities of the poem ere they passed into oblivion, and thus to understand why Jamieson, in his Scottish Dictionary, so often refers to *The Fortunate Shepherdess* as the source of many of his quotations. Dr. Alex. Murray, too, the celebrated linguist, in the venerable *Scots Magazine*, about a hundred years ago, proposed setting agoing a society for the special study of Ross's poem as a foundation for the modern vernacular Scottish tongue. Dr. Murray's early death probably prevented the carrying out of this excellent suggestion.

There are four of our comparatively modern poets who are looked upon as faithful setters forth of our real modern Scottish vernacular: Allan Ramsay, 1686–1758; Alexander Ross, 1699–1784; Robert Fergusson, 1750–1774; and Robert Burns, 1759–1796. One of our recent critics, Dr. Longmuir, the editor of by far the best and most scholarly edition of *Helenore*, himself a poet and a keen student of our language, remarks on this point, and in his opinion I entirely concur: 'There is

[1] See note by Dr. Hay Fleming on page 299.

such an elevation in the language of Ramsay as makes us feel that this is not the every-day dialect of Scottish shepherds. Fergusson, again, frequently runs into the opposite extreme, and makes his characters speak a sort of burlesque or antiquated Scotch that could not have been colloquial in the streets of Edinburgh in his day. Burns not unfrequently forgets his Scotch, and passes into unexceptionable English. We consider Ross's language as more idiomatic and characteristic than that of any of the poets we have named; we feel in reading his work that his language is neither elevated by education nor degraded by affected vulgarity or antiquity; it is, in short, the ordinary dialect of the people whom he has so successfully represented. It is remarkable that none of the authors mentioned above was an uneducated man, for Ramsay was sufficiently acquainted with Latin to imitate the Latin odes of Horace; Fergusson finished a college curriculum; Burns received a superior English education, and had acquired a smattering of French; and Ross obtained the honour of graduation as a Master of Arts.'

Thus far Dr. Longmuir. But it is not only as a dialect quarry that *Helenore* demands our attention. The poem is a true Scottish Pastoral which has commanded the favourable verdict of competent critics ever since its appearance in 1768. Blacklock, the blind poet—the foster-father of Burns—regarded it as the equal of Ramsay's *Gentle Shepherd*, and Burns not only writes of Ross as 'our true brother,' 'owre cannie,' a 'wild warlock,' acknowledging that his own beautiful vision of *Coila* had been suggested by Ross's *Scota*, in the invocation at the beginning of the poem, but says, in one of his letters: 'I will send you *The Fortunate Shepherdess* as soon as I return to Ayrshire, for there I keep it with other precious treasures. I shall send it by a careful hand, as I would not for anything it should be mislaid.' Beattie of *The Minstrel*, also a very competent critic, not only selected *Helenore* for publication, but wrote in its commendation the only known Scots poem he ever penned, in which, after much wholehearted praise of Ross, he gathers up, in one stanza, the impression made by a perusal of the poem:

> 'Oh, bonny are our greensward hows,
> Where through the birks the burny rows,
> And the bee bums, and the ox lows,
> And saft winds rustle,
> And shepherd-lads on sunny knows,
> Bla the blythe fusle!'

Even the sour-tempered but able critic Pinkerton acknowledges as to *The Fortunate Shepherdess*: 'The language and thoughts are more truly pastoral than any I have yet found in any poet save Theocritus.'

This deservedly high opinion of Ross's achievement has continued down to our time, and is crystallized by a local Lochlee poet, Duncan Michie by name, in lines engraved on a public monument, erected to Ross's memory, in the old churchyard of Lochlee, where his dust reposes, within a hundred yards of the cottage in which he spent half a century of happy and blameless life. The monument was placed in its present position about 1854, and bears the following inscription:

'Erected to the memory of Alexander Ross, A.M., schoolmaster at Lochlee, author of *Lindy and Nory*; *or*, *The Fortunate Shepherdess*, and other poems in the Scottish Dialect. Born, April, 1699; died, May, 1784.

'How finely Nature aye he paintit,
O' sense in rhyme he ne'er was stintit,
An' to the heart he always sent it,
Wi' micht an' main;
An' no ae line he e're inventit,
Need ane offen'!'

Alexander Ross was born at Torphins, 13th April, 1699, in the parish of Kincardine O'Neil, Aberdeenshire. His father, a farmer, sent him to the parish school, then taught by Peter Reid, well-known for his assiduity and success as a teacher. Young Ross profited so much that after studying Latin for about four years he gained, in November, 1714, by public competition, a bursary in Marischal College, Aberdeen, which enabled him to be a student for four sessions, and in the end to be capped M.A. in 1718. After graduation he became family tutor at Fintray House, then occupied by Sir Wm. Forbes of Craigievar, who was so well satisfied with his conduct and abilities that he assured him that, should he decide to study for the ministry, his interest would not be awanting to promote his views. This promise from a gentleman with no less than fourteen benefices in his gift was an important one; nevertheless Ross, for reasons satisfactory to himself, resolved—contrary to the then usual practice—to follow parochial teaching as his life-aim, not as a stepping-stone to the ministry. Subsequently to his engagement in Fintray House, he taught in Aboyne and Laurencekirk—at the latter place enjoying much friendly intercourse with Mr. Beattie, the father of the minstrel poet and professor—and finally in 1732,

through the interest of Alexander Gordon of Troup, he was settled in Lochlee as parochial schoolmaster, the duties of which office he discharged faithfully and efficiently till his death in 1784—the long period of fifty-six years. To these duties were added almost *ex-officio* those of session clerk and precentor. In 1730, 23rd July, he is entered in the Register of Notaries Public as Alexander Ross, son to Andrew Ross, sub-tenant in Torphins. The duties of a Notary could not have occupied much of his time in such a sequestered nook of Scotland as Lochlee then was, but it must have been very convenient to have such an official within call when needed. I have seen and read one or two documents formally executed by Ross in his legal capacity.

His school responsibilities were comparatively light. The schoolroom was only some twenty feet by sixteen, and in winter, the busiest season of the school year, was accessible to the children of only some five or six families. The dwelling-house, of a like size with the schoolroom, formed the other end of the one-storied cottage, the site of which is in the centre of wild and magnificent scenery. It was while standing here, and probably fresh from a perusal of *Helenore*, that the author of *Attic Fragments* expressed his opinion, about 1830, that the poem 'contains some of the most romantic descriptions that were ever written, and preserves traces of customs and traditions not to be found elsewhere.'

In 1726 Ross took to wife Jean, daughter of Charles Catanach, farmer in the parish of Logie Coldstone, and by her had a family of seven children—two sons, who died in childhood, and five daughters, one of whom died young, but the remaining four married and had families. Ross and his wife enjoyed fifty-three years of happy married life. Jean Catanach died in 1779, aged seventy-seven years, and five years before her husband, who manifested his abiding love for his life-long partner by erecting one of the handsomest monumental stones in the old churchyard, and engraving thereon, after the needful dates, the following lines of his own :

> 'What's mortal here Death in his right would have it,
> The Spiritual part returns to God who gave it ;
> Which both at parting did their hopes retain,
> That they in glory would unite again,
> To reap the harvest of their Faith and Love,
> And join the song of the Redeem'd above.'

Ross's marriage, probably the result of an early attachment, and attended by a life-long happy outcome, might have resulted

very differently. Jean Catanach, a grand-daughter of James Duguid, was avowedly a Roman Catholic, and, though sometimes worshipping with her husband in the Presbyterian church, Lochlee, remained a Roman Catholic all her days. Yet there was no religious domestic bickering. She made no objection to their children being trained up in Protestantism—'the result,' says Dr. Longmuir, 'perhaps of her distance from priestly interference; and partly from the pious and amiable character of her husband.'

Essentially Ross is a man of one book, in striking contrast to another Alexander Ross, but a century earlier than our Ross, though also an Aberdonian and a schoolmaster, and the author of some thirty works, *de omnibus rebus et quibusdam aliis*—the reading through of whose works was to Butler the unchallengeable proof of plodding scholarship, as in the oft-quoted lines:

> 'There was an ancient sage Philosopher,
> And he had read Alexander Ross over.'

Our Ross only published one volume. The following is the title of the first edition: '*The Fortunate Shepherdess, a Pastoral Tale; in Three Cantos, in the Scotish Dialect.* By Mr. Alexander Ross, Schoolmaster at Lochlee. To which is added a few songs by the same author. Aberdeen: Printed by and for Francis Douglas. MDCCLXVIII.'

The volume had prefixed to it a modest 'advertisement' or preface by the author, in which, after stating his object in composing the work—to set before the reading eyes in their plain and native colours a variety of incidents in country life, where one still meets sometimes with a degree of innocent simplicity and honest meaning among the lower ranks of people in remote parts, which he can hardly expect in large towns or among the higher ranks of life—he proceeds to say of the language that, though many of the phrases be broad, he has avoided gross indelicacies, and asks the reader to consider that he only represents the expressions and sentiments of plain country people, which, though they may not bear to be tried by the rules of grammar, will, he imagines, be understood by those who are conversant in the old Scottish language and our present provincial dialects. He concludes by saying that the work had lain by him for several years, that copies of the manuscript had got abroad, that one of these had fallen into the hands of a gentleman who desired it should be published; that,

being conscious that the tendency and design were moral, his objections were easily overcome, and that had he printed a list of the subscribers who had done him so much honour, he would have laid himself open to the imputation of the greatest vanity. What would we not give for that list of subscribers now?

Two years before the publication of the first edition of *Helenore* was issued Ross had to be in Aberdeen on pressing private business, and called on Beattie, who was by this time an author of a volume of poems and Professor of Moral Philosophy, and already meditating *The Minstrel or the Progress of Genius*. Beattie was delighted to meet Ross, whom he describes to Blacklock as a good humoured, social, happy old man, modest without clownishness, and lively without petulance; and who was able to speak from personal knowledge of Beattie's father in Laurencekirk, who had died while the minstrel was so young that he could hardly remember him.

The result of this intercourse was that Ross put the whole of his manuscripts into Beattie's hands for examination and selection. This eventuated in the appearance of *Helenore* and the *Songs* in 1768, and of Beattie's commendatory poem, in the *Aberdeen Journal* of June 1 in that year. Ross's preface only appears in the 1768 edition; Beattie's commendation is prefixed to all subsequent issues. The songs added to the first edition were popular in the Glen long before 1768, and being supposed on pretty good grounds to be descriptive of domestic happenings in the poet's own family retained their popularity for long; and one is not unfrequently sung even in the present day. I refer to *Wooed an' married an' a'*, which has had rather a singular history. There are three songs with similar titles and sung to the same tune, and each of them popular. Ross's song in some collections has been ascribed to a lady who certainly did not write it, and one of the other two has been given for that of Ross in the Brechin edition of his *Helenore*, with which, of course, our poet could not have had anything to do.

The first edition was very inaccurately printed. The proof-reader, if such there was in Francis Douglas's printing office, did his work very carelessly; and no proof seems to have been seen by Beattie or Ross while the work was passing through the press.

The second edition appeared in 1778, ten years after the first, very neatly printed by J. Chalmers & Co., Aberdeen, and

revised and improved with minute carefulness by the author. *Helenore* is made the principal title; Beattie's commendatory verses are prefixed without his name; Ross's explanatory advertisement is omitted—the division into cantos is dropped; words are changed and one or two lines discarded, while Bydby's Dream of the Fairy feast is interwoven, a passage which undoubtedly indicates the flood mark of Ross's poetic inspiration. The volume is closed by a short glossary. This was the last edition that passed under the author's own eye.

A third edition appeared in 1789; a fourth in 1791; a fifth in 1796; and a sixth in Edinburgh, by John Turnbull, in 1804, typographically more incorrect than any of its predecessors.

Although there were numerous other editions, nothing further of notable importance in regard to Ross's works took place for fully half a century. In 1866 appeared an edition, with life and notes by John Longmuir, LL.D. This is a faithful text from the second edition, Ross's last revision of *Helenore*, and the songs and glossary with notes of readings from the first edition. No pains has been spared in verifying and marshalling every ascertainable fact bearing on the poet and the poem. Every effort have been made both by editor and publisher to render this the definite and authoritative edition of one of Scotland's sweetest pastorals. In this aim they have admirably succeeded. I say this with the less hesitation because familiarity with Glenesk from my boyhood, its scenery, people, language, and legends, as well as having enjoyed personal intercourse with an old man, who had been one of Ross's pupils and still remembered him with reverence and affection, supplemented by lifelong study and the gradual acquisition and comparison of a fairly complete series of the various editions of *Helenore*, enabled me to furnish gladly to my lifelong friend, Dr. Longmuir, a good deal of material. I mention this solely in justification for so largely drawing on Dr. Longmuir's labours for the facts stated in this paper.

Dr. Longmuir's account of Ross's unpublished manuscripts in the Advocates' Library is important and scholarly. In all his editorial labours, I have noticed only one error requiring correction; and that arising very much from the accident of my not seeing the statement till too late for correction. In speaking of the loss of music in the Glen, and of the annual visits of John Cameron, an itinerant violinist from Deeside, maintained for half a century, Dr. Longmuir says: 'Mr.

Ross appears to have enjoyed the company of Cameron, who was a man of unblemished character, and could speak of not a few of the customs of the Highlanders that were even then beginning to disappear; such as the practice of the nearest relations leading off a solemn dance, to a plaintive melody, immediately after the death of a member of the family. Although this practice had prevailed in a district not more than sixteen miles distant from Lochlee, yet no tradition records that it was ever known in this district.' Dr. Longmuir may be right as to the absence of tradition, but singularly enough I can testify to the fact of the somewhat eerie observance taking place not only within my knowledge, but with myself as a somewhat reluctant actor. When I was in my eleventh year, a woman, very aged, poor, and friendless, died in a one-roomed cottage, about half a mile from my home in the Glen at the time. The death took place in the early morning. In the evening a number of the neighbours, old and young, met at the cottage, and to the slow music of a violin, moved in rhythmical order round the floor in front of the bed on which the veiled body was lying. How long the dance lasted I cannot say, as at the end of half an hour I slipped out, and ran home too frightened to speak of what I had seen. Dr. Longmuir gives a faithful account of the appearance of 'those neatly written home made volumes' into which Ross transcribed the corrected copies of his poems, which he occasionally read to an intelligent friend, or lent among his neighbours for their benefit or amusement. Dr. Longmuir further says concerning the three volumes of Ross's manuscripts now preserved in our Advocates' Library: 'They have been all written in a neat, round legible hand; each piece had been stitched into a cover of stout paper; and their brown colour and worn corners give sufficient evidence of their having been extensively circulated and much read. These separate pieces have been bound together in their original state.'

The autograph manuscript of *Helenore* in my possession, which I have already referred to, is a home bound quarto volume of 144 pages. It has this curious variation of the main title—'Helenore alias Norie or the Fortunate Shepherdess, evincing that wooing is oftimes (*sic*) one thing and marriage another. Rendered in the Scots Dialect.'

On the brown paper cover is written 'Mr. Forbes of Brux.' Brux was a considerable Highland lairdship on the Don in Aberdeenshire, a mile or two from Kildrummy, which had been in the

possession of a cadet of the Forbes family for several generations. Jonathan Forbes, the Laird of Brux, had been 'out' in the '45, was present at the battle of Culloden, which caused him to go into hiding where he could, and occupy himself with menial work, so as to escape the severe search made for those who had borne arms against the Government. He is said to have occupied himself a good deal in building dry stone dykes and thus improving his estate at Brux. One morning a party of soldiers suddenly surrounded him while employed in this humble work at a little distance from the mansion house, and demanded of him if the Laird was at home. He at once coolly replied, 'Yes, he certainly was in the house when I was there at breakfast a short time ago.' The soldiers hurried off at once and the Laird betook himself to a safer quarter.

Where this was it is hard to say. It might be Lochlee, where the feeling of the people was so strongly Jacobite that the Duke of Cumberland on his way north to Culloden thought it needful to send a party to burn the Episcopal church and otherwise punish the adherents of Prince Charlie. Ross's early and lifelong connection with the Forbeses would also prepare matters. The distance of Lochlee from Donside, some thirty miles by crow-flight, made it easily accessible to a Highlander, while its remoteness, its wild mountainous character, and the absence of roads at that time, rendered it as safe a hiding-place as any corner of Scotland. It was used as a refuge by others compromised by Culloden, and why not by Forbes of Brux?

This manuscript volume may be the outcome and testimony of mutual beneficial intercourse, and may possibly be the identical copy referred to by Ross in his advertisement to the 1768 edition, as having been seen by a gentleman who desired that it should be published, and had written to him to that effect. This is all the more likely as there is also written, in a contemporary hand, on the brown paper cover—'A Pastoral in the Scots Dialect belonging to Brux, 1767.'

JOHN S. GIBB.

Note.

A special interest attaches to this paper. It is the last which was written by Mr. Gibb for the Edinburgh Bibliographical Society, of which he was one of the original members. Born at Lochlee, Glenesk, on the 10th of March, 1831, where Alexander

Ross had been schoolmaster for more than half a century and where *Helenore* was written, he naturally took a deep interest both in the poet and the poem. That interest was whetted in his boyhood by his acquaintance with an old man, who had been one of Ross's pupils. As Ross was born in 1699 and Mr. Gibb lived till 1912, the three lives extended over a period of 213 years.

In many ways Mr. Gibb was a notable man. After teaching the private school at Aldbar Castle for ten years, he was appointed rector of Dalkeith Academy in 1862, and remained there until 1874, when he became treasurer of the Edinburgh and Leith Gas Co., and, after that company was taken over by the Corporation, he continued to be treasurer until August, 1910.

One of his most distinguished Dalkeith pupils has said: 'Mr. Gibb was a born teacher, and would have made an ideal headmaster of a public school, like Dr. Arnold of Rugby. He could make the dullest of lessons, even mathematics or arithmetic, interesting'; and, 'when giving a lesson on natural science or history, . . . let himself go, and his enthusiasm communicated itself to us.'

His amazing vigour, mental and physical, enabled him to discharge perfectly his onerous duties even in his eightieth year. He was long an ardent volunteer; and, to the very last, a keen golfer, an eager student, and an indefatigable book-collector. His knowledge of many classes of books was marvellous, and his library was probably the largest as well as the most varied private collection in Edinburgh. It contained many exceedingly rare items; and not a few practically unique. Some of these are well known, for no teacher, no official, no collector, ever had a more kindly nature, more unselfish disposition, or more courteous manner. The paper on *Helenore* was finished on the 5th of January; but, having been seized with a sudden illness, he was unable on the 11th to attend the meeting of the Bibliographical Society, for which it had been prepared; and he died on the following day.

D. Hay Fleming.

Reviews of Books

THE CAMBRIDGE MEDIEVAL HISTORY. Planned by J. B. Bury, edited by H. M. Gwatkin and J. P. Whitney. Vol. I. 'The Christian Roman Empire and the Foundation of the Teutonic Kingdoms.' Pp. xxiv, 754. With portfolio containing 14 maps. Royal 8vo. Cambridge: University Press. 1911. 20s. net.

THE editors of the *Cambridge Medieval History* have been able to benefit by the experience of the editors of the *Cambridge Modern History*. That important work was a literary as well as a publishing experiment, the results of which have on the whole been satisfactory. Its chief defects, the absence of footnotes and maps, the lack of criticism in its long bibliographies and of discussion in its long stretches of narrative,—would be almost fatal to a history of the middle ages. The first volume of this new book for the most part avoids these defects: some footnotes have been allowed, a neat little portfolio of sketch maps is provided, more guidance in the use of authorities is offered in the bibliographies, and the general arrangement of the book is less annalistic than the arrangement of the *Cambridge Modern History*. There is no reason, so far as we can see, why still more development on these lines should not be encouraged in the later volumes. The curious mid-Victorian ideas about the ten centuries which succeeded the Teutonic invasions are by no means dead; indeed, efforts to destroy them have frequently produced others which, if not so erroneous, distort the truth; and the general reader who will welcome the first comprehensive history of these centuries in the English language, will gladly remain ignorant of a few thousands of facts, if he can gradually learn what the Middle Ages really were like.

This brings me to one criticism on the structure of this volume. The general chapters are separated from each other; some of them, including Professor Vinogradoff's important survey of social and economic conditions of the Roman Empire in the fourth century, are packed away at the end of the book. Consequently, the reader is not led on from a political and religious survey of the Empire, through a study of social and economic conditions, to a complete view of the west of Europe before the invasions; he is hurriedly conveyed from the world of Constantine and Athanasius into the Teutonic camp, and pursues the invaders more ignorant of Gaul and Spain, almost of Britain, than they were themselves. The volume is too Teutonic. The editors have been fortunate in securing the co-operation of such experts as Dr. Martin

Bang, Dr. Ludwig Schmidt, and Dr. J. Peisker, and, as Dr. Schmidt is the chief authority upon the chronology of the invasions, and Dr. Peisker has made a bold revolution in current ideas on the Slavs and their 'Asiatic background,' we get an admirable general idea of the Teutonic and pagan world. This is all to the good; much of it will be quite new to English readers, and none the less valuable for being controvertible; but surely these useful contributions made it all the more necessary to bring together, and apply as definitely and concretely as possible, all that is known of the western provinces in the fourth century. This could not be done simply from the Roman point of view, for the provinces were more than Roman. The single chapter on a Roman province is Professor Haverfield's résumé of his and other great labours on Roman Britain, and here, as elsewhere, Professor Haverfield maintains a clear distinction between Celtic and Roman society. 'The uplands remained comparatively unaffected. . . . Some districts [of the civilised part of Britain] probably belonged to the Imperial Domains. . . . The remainder of the country, by far its largest part, was divided up, as before the Roman Conquest, among the native cantons or tribes, now organised in more or less Roman fashion. . . . It is just the system which Rome applied also to the local government of Gaul north of the Cevennes' (p. 372).

Then again, it is by no means certain that Celtic society was so static as is usually assumed; it is probable that in those parts of Europe, especially Ireland, which were unaffected by Rome, important changes took place before Celtic civilisation was overwhelmed. This side of things, so dark to all but a few scholars, will, it is to be hoped, be worked out in later volumes. In this volume, we should, I venture to think, have had a careful geographical survey of Gaul, and a chapter on Celtic origins and development by some scholar like M. Camille Jullian, complementary to the chapters by Bang and Peisker. This should have been followed by a study of the Gallo-Roman church and Gallo-Roman civilisation on the lines adopted in the general chapters by Mr. Turner and Professor Vinogradoff. As it is, this subject is only treated in a few pages by Dr. Schmidt and M. Pfister.

There is no such complete work in English as this upon the fourth and fifth centuries. Apart from the writers mentioned, Mr. Baynes and Mr. Barker have written careful and solid chapters on the eastern empire and on Italy in the fifth century, Dom Butler has an interesting chapter on Monasticism, Miss Gardner on the theological disputes of the fifth century, Professor Gwatkin, the editor, on Arianism, and Mr. Lethaby on Early Christian Art. The important chapter entrusted to the Rev. H. F. Stewart, on 'Thoughts and Ideas of the Period,' might have been made still more useful, if it had been placed earlier in the book, and written with firmer strokes on the lines, for example, of the illuminating essay in the last volume of Molinier's *Sources de l'histoire de France*. Mr. Turner's learned essay on the organisation of the church, though rather stiff, is perhaps the most useful chapter in the volume; and English students will welcome Mr. Beck's brief paper on the Teutonic

Conquest of Britain, which, by separating the early from the later history of the Anglo-Saxons, brings the invaders and their customs into touch with the invaders of Gaul and the west. Mr. Beck should have referred to the discussions by Thurneysen and others on the date of the first landings.

F. M. Powicke.

A History of French Architecture, from the Reign of Charles VIII. till the Death of Mazarin (1494-1661). By Reginald Blomfield, A.R.A., M.A., F.S.A. 2 vols. Vol. I. Pp. xxxii, 169. Vol. II. xii, 176. 4to. With many illustrations. London: G. Bell & Sons. 1911. 50s. net.

Mr. Reginald Blomfield has followed his *History of Renaissance Architecture in England* with a similar and equally admirable work on France under a title less comprehensive. It is his opinion, repeated more than once in the volumes before us, that the development of Renaissance, or as he prefers to call it Neo-classic, architecture in France is continuous, from the first impulse received from Italy at the close of the fifteenth century to the epoch ending with the French Revolution; but the subject, when followed through and beyond the reign of Louis XIV., is so vast in extent that he has been compelled to limit his survey to 1661, the year of the death of Mazarin. This date nearly corresponds with the close of the career of François Mansart, whose work represents to the author 'the high-water mark of French Neo-classic architecture in its purest form.' He is thus able to trace the development of the style up to the point when, as he says, it reached certainty and assurance, and the interest of the development resides with him in the gradual building up of architecture as an independent art with its own special means of expression. The earliest sub-period, that marked by the dominant personality of François I., was one of tentative efforts inspired by individual fancy, that resulted in a good deal of picturesque and attractive work, much of which has now perished, but that made no real contribution to the establishment of a consistent style.

In connection with this epoch Mr. Blomfield deals fully with the often-discussed questions of the architectural work of Italians in France, and with the position and operations of native building experts. Modern French writers on the art which the author says, 'has always been one of the finest expressions of French genius,' have elevated to the position of architects of original capacity certain Frenchmen who we know were employed on the characteristic buildings of the time, such as Fontainebleau and the châteaux on the Loire. Mr. Blomfield has no difficulty in showing that these men were merely master builders, who had inherited some of the older medieval traditions of good masonry, but were certainly no founders of a new architectural style. There were Italians in France, such as Serlio, and a certain Domenico di Cortona, called Il Boccador, capable of furnishing sketches and models, and it seems likely that the latter was in fact the designer of the Hôtel de Ville at Paris, reduced to ruin under the Commune. The leading spirit however, in the characteristic work of the time, was François I. himself, whose restlessness and wayward fancy expressed itself in the numerous palaces and hunting-boxes

which he was for ever calling into being. Du Cerceau indeed states definitely that the king was so well versed in building that it was hardly possible to call anyone else the architect of his palaces. The architect proper does not make his appearance till after the death of the royal amateur, when a serious and consistent worker and theorist appears on the scene in the person of Philibert de l'Orme. From this time architecture, it is pointed out, with some sets-back owing to the troubles of the latter part of the sixteenth century, pursued an upward course till it culminated in the epoch of Louis XIV. Henri IV., whose sane and enlightened patronage of the arts is contrasted with the frivolous efforts of François, contributed notably to its development. He was, Mr. Blomfield says, 'the founder of that great tradition of civic planning which has been one of the most important contributions of French architecture to civilization,' and the Place des Vosges, formerly Place Royale, is a still perfectly preserved monument of his taste and judgment.

One of the most valuable parts of Mr. Blomfield's work is his persistent assertion of the dignity of his own art, as an art with its own laws within itself independent of any adventitious aids. He is, one need hardly say, entirely opposed to the famous heresy of John Ruskin, expressed in the words 'ornamentation is the principal part of architecture . . . the highest nobility of a building does not consist in its being well built, but in its being nobly sculptured and painted.' An assertion borne on the wings of such eloquence as that of the writer just quoted flies far and is hard to overtake. We welcome therefore the re-statement of the true principles of architectural aesthetics which Mr. Blomfield has given us on more than one page of his volumes. Of Jean Bullant, whom he ranks with Goujon as 'one of the bright particular stars of French art in the sixteenth century,' he claims that 'he was the first of the Neo-classical men in France to handle architecture as an art, complete in itself, having its own technical conditions and its own peculiar ideals,' and that he 'was feeling his way to a conception of architecture as an austere and noble art with its own technique, and its own peculiar methods of giving form and reality to the imaginations of the artist.' Again, a real architect is 'capable of leaving a wall alone, and of relying for his effect on rhythm and proportion and refinement of detail,' and objects to providing 'a frame for the anecdotes of the sculptor.' 'Fine planning, fine proportion, fine scale, simplicity in phrasing, and selection in ornament, will always be essential qualities in architecture,' though 'writers of the last century conceived of architecture mainly as an affair of ornament tacked on to building.' We are grateful to the writer for these expressions of the faith that is in him, as well as for his most lucid treatment of his interesting theme. There are expressions towards the close of his second volume which suggest that he intends in a future publication to follow the further development of French Neo-classic architecture through the rest of the reign of Louis XIV. and the eighteenth century, till the final cataclysm of the Revolution, with which, he maintains, French architecture 'went bankrupt.' It needs hardly to be said that all serious students of his subject would welcome the further aid which he would thus afford to them.

The present volumes are supplied with a full *apparatus criticus* in the form of footnotes, and are of course adequately illustrated. These illustrations are partly from his own pencil drawings and partly from photographs, but in large part they consist in reproductions of old engravings that to the general reader are hardly of the same interest. The use of these is however necessary, for, as Baron Geymüller has recently pointed out, the older buildings of the epoch we are concerned with have been to a great extent swept away, and these engravings are the only record of them which remains.

G. Baldwin Brown.

British Statesmen of the Great War, 1793–1814. By the Hon. J. W. Fortescue. Being the Ford Lectures delivered to the University of Oxford, 1911. Pp. 279. 8vo. Oxford: Clarendon Press. 1911. 7s. 6d.

Mr. Fortescue has established his historical reputation by his description of battles and campaigns, and as an expounder of strategical and tactical methods and principles, but this volume makes it abundantly clear that had he devoted himself to biography he would have achieved an equally great success. It is not only in the occasional thumb-nail sketches, like the description of Francis II.'s portrait, as showing him 'sitting in an uneasy attitude upon a throne too big for him,' that Mr. Fortescue shows his gift for picking out essentials and bringing them home to his readers; he has given us finished portraits of the men of whom he is writing, which both arrest one's attention and carry conviction. He comes to his subject with the great advantage of having already written a big book on the same topic, or very much the same, and in these studies of the men who maintained the struggle against Revolutionary and Napoleonic France, he is dealing with matters with which he is exceptionally familiar.

His criticism of Pitt as a war minister is all the more severe because he writes with an intimate knowledge, not only of what Pitt tried to do and failed to do, but of other English war ministers who were no more successful, and of the causes of their failures: he has therefore a standard by which to judge fairly. He shows that Pitt's original neglect of the Army and Navy was a most important source of his inability to achieve success, and that this was accentuated by his failure to grasp the limitations of the weapons he was using. To some extent, Pitt's failures may be laid at the door of his chief confidant, Dundas, who, with all Pitt's ignorance of war and the conduct of war, had nothing of the ideals which inspired Pitt and helped him to inspire his countrymen by his example of steadfastness and continued resistance. But though misled by Dundas, Pitt cannot escape the principal burden of responsibility. His 'ignorance of human nature,' and 'the sanguine self-sufficiency which too often deterred him from seeing things aright' (p. 182) seem to have combined to prevent him from realizing that success in war is only to be achieved by careful preparation, by systematic organization, by the provision of forces, adequate in numbers and in equipment to the tasks before them, and above all, by a clear idea of what the tasks exactly are on which they are to be employed. Pitt had

no military policy, or rather his military policy consisted of a series of hastily-conceived and half-prepared ventures, many of which might have been successful had an adequate force been forthcoming, and if they had been begun in time or pursued with sufficient vigour. Presented simultaneously with three or four opportunities for effective intervention, when he had barely the means with which to utilize one effectively, Pitt tried all at once, and the result was chaos. It is not the least merit of the much undervalued statesmen who succeeded to the burden under which Pitt had collapsed, that they to a large extent shook off the legacy of Pitt's policy of 'frittering,' and concentrated their efforts on the maintenance of the war in the Peninsula, preferring one long-sustained effort to a series of spurts.

These statesmen, Perceval, Liverpool, and Castlereagh in particular, have undoubtedly been very unfairly and unjustly treated by history. Their comparative failure after 1815 to grapple with the very great difficulties which accompanied the return of peace, and which were certainly not diminished by the wild extravagances of the more advanced advocates of 'Reform,' then as always the chief check to reasonable progress, have been allowed to obscure the very great services which they rendered this country, and indeed to Europe, between 1808 and 1815. Granting for the moment that the Whig legend of 1815-1830 is in the main true, the names of these men should nevertheless be held in honour in this country, for if, as Mr. Fortescue shows, no one of them was Pitt's equal in ability and intellect, as a combination they were far more successful than Pitt had ever been. They may have been narrow-minded, but by confining their attention to one problem at a time, by attending to the war and the war only, and keeping their hands off domestic problems while there was a formidable enemy at the gates, they did achieve a real and lasting success: they ceased to rely on the efforts of paid foreigners, but saw that if England was to exercise any solid influence over the affairs of Europe, she must play an effective part in the struggle on land, and with her own troops. The elder Pitt had had to recognize this truth in the Seven Years' War, and if his son had grasped the principle and shaped his policy accordingly he would have been saved many bitter disappointments. Liverpool and his colleagues no doubt owed much to Wellington, but he in his turn owed much to them, a debt which he afterwards acknowledged in handsome terms, if at the time he was a little inclined (cf. p. 256) to underestimate their difficulties. Mr. Fortescue endeavours to hold the balance fairly between Wellington and the Government at home, and the lecture in which he does so (No. VII.) is among the best in the series. His sketch of Wellington is judicious and illuminating: he finds the Duke's character 'more complex and puzzling than is generally supposed,' and judges him to have been of a really passionate and emotional temperament, held in restraint by a mighty will power, not the cold and frigid thinking and fighting machine which most people picture. 'One has a sense of natural feelings compressed and crushed down in Wellington,' he writes, and the whole chapter makes one look forward more keenly than ever to the time when Mr. Fortescue gives us his account of Wellington's great campaigns in the Peninsula and Low Countries.

But to return to Perceval, Liverpool, and Castlereagh. Mr. Fortescue has a very good case to present, and his defence of them against the biassed criticisms of Napier and those who have followed him, can hardly fail to impress his readers with its justice. His picture of the work Castlereagh did in 1814 is most striking (p. 260). 'Thirty years ago,' he writes, 'even young Whigs were permitted to speak with subdued admiration of Castlereagh's conduct at the headquarters of the Allies in 1814'; as he shows, Canning in the same position would have been a hopeless failure from the very things in which he excelled Castlereagh, sheer cleverness and intellectual agility. Perceval, too, he does much to bring before one as a real character, and not as a mere figure on the political stage (pp. 193-196), and he points out that when there was friction between Canning and Liverpool (then Hawkesbury) in 1804, and it seemed that one of them must leave office, it was with Canning that Pitt was prepared to part. Canning, and next to him Henry Dundas, appear to the least advantage in Mr. Fortescue's pages, for with Fox he is but little concerned, since Fox was so little in office. His sketches of them are merciless, but they hit the weak points in their armour. Canning, with all his brains, was not quite a gentleman, as his behaviour to Moore and to Castlereagh himself shows, and being this was not a man to inspire confidence in colleagues or subordinates. A British general could not count on not being made a scapegoat for other people's blunders, if things went wrong when Canning was in charge. Dundas, for all his shrewdness and capacity for 'transacting business,' had the mind of an adroit political agent, he had nothing of the higher qualities needed to make a statesman. Mr. Fortescue is at his best in dissecting Dundas, his polished irony cuts deeper than any invective could, and does not leave much of a reputation to Pitt's principal colleague.

Pitt himself, as we have shown, fares somewhat badly at Mr. Fortescue's hands when the details of his work, his actual plans and their execution, are being discussed. He could not make an army; had he made one he could not have used it. But Mr. Fortescue is fully alive to Pitt's merits, and far from unsympathetic. The Pitt he draws for us with his 'inveterate prudence,' his consciousness of capacity, his burning patriotism, his ignorance of the ways of men, his resolution and tenacity, may seem somewhat of a bundle of inconsistent elements, but he was the offspring of a Pitt and a Grenville, two families with very strongly marked characteristics which Mr. Fortescue describes with great effect. One has in the picture Mr. Fortescue has drawn, a man whom it is easier to understand than any other of the many Pitts that other writers have tried to show us. The portrait may bear the stamp of the painter's strong individuality, but it is a portrait which lives, and certainly represents things which are really present in the subject.

On the events of the war, on the various expeditions and opportunities, Mr. Fortescue is full of happy suggestions. He draws attention to the curious fact that at the moment when the Revolution declared war on Monarchy, there was 'an amazing abundance of half-witted sovereigns' (p. 83). George III., the only European monarch of more than average

ability and character—for Mr. Fortescue has little difficulty in showing (p. 17 ff.) that the 'received version' as to George III. is far from good history—the only really resolute opponent of the new forces among contemporary sovereigns, was himself destined to long years of insanity. A passage of most striking character is the opening passage, in which are described the portraits in the great gallery at Windsor (pp. 1-2), and the sketches of Chatham (pp. 40-46), and of Windham (pp. 112-114), merit special mention. Of necessity, Mr. Fortescue repeats in this volume judgments and comments which will be familiar to readers of his larger work, but to some extent they gain by being compressed here, and one may hope that those to whom the details of strategy and tactics make no appeal, and who are therefore not very likely to read the volumes in which Mr. Fortescue has told the story of 1792-1802 at length, will learn the gist of the military history of England during those years from this volume. It could not be better compressed than it is in Lectures III. and IV., and one is specially grateful for the refutation (pp. 88-90) of Lord Rosebery's apparently cogent but really unsound attempt to explain away the contrast between the relative success of the Army and the Navy by declaring that the one was essentially aristocratic, the other comparatively democratic. The statement, indeed, is 'a ludicrous travesty of the truth' (p. 89), and yet it is just the kind of generalization which gets into the text-books. One can only hope that this book, which does so much to put before its readers the real facts as to a little understood but vitally important period, will be very widely read. It cannot fail to prove interesting, one would hope it will also afford instruction.

C. T. Atkinson.

The Making of the Nations: Scotland. By Robert S. Rait, Fellow and Tutor of New College, Oxford. With thirty-two full-page illustrations from original paintings and from photographs, also maps and plans. Pp. xii, 320. 8vo. London: Adam and Charles Black. 1911. 7s. 6d. net.

This is the first volume of a new series of histories which promises to be exceptionally attractive. It concerns the growth and development of the Scottish nation from the Roman invasion to the Disruption of 1843. The most important events in the making of Scotland prior to the reign of Malcolm Canmore are given due prominence in Mr. Rait's introductory chapter. Like Mr. Lang, he tilts at the theory of the English overlordship, and corrects an error in Mr. Freeman's 'honest' Anglo-Saxon Chronicle of 924, which is mainly responsible for the subsequent claims to supremacy of Norman and Plantagenet sovereigns. As Sir Archibald Lawrie has recently pointed out, what is known of Scottish history before the end of the eleventh century is derived from English and Irish chronicles and annals; the writings of Scottish writers have perished. Why, therefore, should Mr. Freeman have regarded his solitary Englishman as necessarily an unbiassed witness?

Next we come to the Anglicization of the kingdom, which had its

origin in Malcolm's marriage with the sister of Edgar Atheling, afterwards canonized as St. Margaret. She set herself to reform the Church. Though several of her children bore the names of Saxon kings of England—Edward, Edmund, Ethelred, and Edgar—Norman influences were predominant. Duncan II., Alexander I., and David I. all resided at the English court in their youth; and when the last of Malcolm's sons, David, succeeded to the throne in 1124, the feudal system became established in Scotland. Mr. Rait finds him a 'sair sanct' for the north of England; and the views which Scott expressed in *The Monastery*, that this pious monarch was not solely influenced by religious motives in his acts of munificence to the Church, are probably correct.

In his third chapter, which covers the reigns of William the Lion, Alexander II., and Alexander III. (1165-1286), the author deals with the consolidation of the kingdom and the dawning of national unity, a necessary preliminary to the War of Independence. The question of the disputed claims after the death of the Maid of Norway is clearly stated. Whilst the decision of Edward I., as Lord Paramount of Scotland, was based on the modern law of hereditary succession that the more remote descendant of an elder daughter should be preferred before the nearer descendant of a younger daughter, it obviously suited his purpose. 'The English king,' writes Mr. Rait, 'was wise as well as fair, for though Bruce had always been pro-English, Balliol was, in English opinion, "a simple creature," and simplicity was a useful quality in a vassal king.' Mr. Freeman's glorification of Edward is well known, and to say, as he does, that his conduct throughout the whole business was marked by disinterestedness displays a partial mind.

The Scottish nobility and ecclesiastics swore fealty to Edward, broke their oaths, renewed them and were readmitted to favour, but Wallace made no submission to the conqueror. That is his just title to undying fame. He first kindled the flame of patriotism, and he remains the greatest of Scotsmen. Bruce was undoubtedly a turncoat, and Mr. Rait ventures the opinion that he may have been present at Wallace's trial and death. But once crowned, all the faults of King Robert's turbulent youth were atoned for.

The reign of David II., when so many men changed sides, is a record of disaster. The expenses of the war, including the ransom of the king, proved as oppressive to the Scots as the drain on the national resources of Sweden after the defeat of Charles XII. at Pultawa. We pass on with a sense of relief to the first two kings of the House of Stewart—Robert II. and his son Robert III. (1371-1406)—a period extolled in ballad and romance. The battle of the clans on the North Inch of Perth and the tragedy of Rothesay at Falkland are treated as mere interludes. They are familiar to readers of Scott, who are likely to accept his version whatever historians may say.

It is curious to find James I. instituting a *Quo Warranto* inquiry after the English model into baronial trespasses on the Crown's prerogative, the result no doubt of his long captivity.

Mr. Rait describes the reign of James IV. as the Golden Age of medieval

Scottish history. It produced Sir Andrew Wood, the first great sea captain to defeat the English privateers in the Forth and the Tay, and William Dunbar, the most gifted of the early poets, who celebrated the king's marriage with Margaret Tudor in 'The Thistle and the Rose.' It saw the suppression of the Lordship of the Isles as a separate state claiming independent sovereignty, and it culminated in Flodden Field, more memorable than many victories for the reckless valour and splendid devotion displayed by sovereign, nobles, yeomanry, and burgesses alike. Into the maze of factions, feuds, and intrigues between the Regent Albany, the queen-mother, Angus, and Arran, in which Henry VIII. bore an ignoble part, Mr. Rait does not lead us. The minority of James V. is dreary history, and particulars can well be spared.

When this king came into his own (1528), the Reformation had begun with the burning of Patrick Hamilton at St. Andrews, but it received no encouragement from him. He was forced to rely on the ancient league with France, for he distrusted his uncle Henry and his treacherous subject Angus. We should have liked a fuller account of the policy of Cardinal Beaton, who supported the national party when many of his base countrymen were in English pay. Even Protestants can sympathise with this Roman prelate fighting a losing battle with grim determination to the end. John Knox not only trod down his enemies; he trampled on them when dead. He gives a lengthy description of Beaton's murder in his *History*, dwelling with delight on the horrible details. He writes, as he himself confesses, 'merrily,' and his comments on the affair could not be surpassed for malice and vindictiveness. His violence of speech and action does not, however, detract from the value of his work in reforming a Church obviously corrupt, though little can be said for the tolerance and moderation of Presbyterianism, as witness its claim to secular jurisdiction.

Mr. Rait has dealt adequately with the subsequent events to the Union of the Crowns, but perhaps he is too lenient to Queen Elizabeth. He thinks that if Murray had been legitimate, he would probably have been one of Scotland's greatest kings; and his comparison between him and William of Orange is novel and interesting. After the assassination of the 'Good Regent' the country was divided into two rival factions, and there are, in fact, so many cross currents in Scottish history prior to the year 1603 that the task of making the story intelligible is no easy one. That the author has succeeded in steering a straight course within the narrow limits at his disposal is due to his powers of exposition and to his literary skill.

During the contest between Church and State in the matter of Episcopacy, the policy of James contrasts favourably with that of his successor. After the rough handling which the Scottish Solomon had received from Andrew Melville when his throne was insecure, his severe treatment of that strenuous divine at the conferences in London with the English bishops is not surprising. Charles could not plead such provocation, and he had all the blindness, though unhappily in this connection not the indecision, of Louis XVI. Whilst James attempted to check the excesses of Laud, who, if much misrepresented himself, imperfectly understood the Scottish temper, Charles authorised the preparation of the new liturgy, a

step far in excess of the Five Articles of Perth. He also alienated the nobility by withholding from them the offices of state; they joined hands with the Presbyterians, and the result was the National Covenant, followed by fifty years of misery and strife.

The motives which induced Montrose to forsake the Covenanters and go over to the King have been the subject of heated discussion. Mr. S. R. Gardiner reveals him as a maker of modern Scotland. Mr. Rait accepts his views that he detested Argyll and Hamilton's usurped supremacy under Parliamentary forms, and desired 'to emancipate the life and mind of Scotland from the grinding pressure of the Presbyterian clergy, of which the greater nobles were able to make use.' Writing in the *Quarterly Review* so far back as December, 1846, Lord Mahon, who was among the first to clear the Great Marquis from undeserved calumny, was of the same opinion; for he saw no reason to distrust the truth of his own dying declaration that what principally moved him was when he 'perceived some private persons under colour of religion intent to wring the authority from the King and to seize on it for themselves.' In less than a year—September, 1644, to August, 1645—Montrose triumphed at Tippermuir, at the Bridge of Dee, at the Castle of Fyvie, at Inverlochy, at Auldearn, at Alford, and at Kilsyth, a glorious record, though his actual victories were less remarkable than the extraordinary celerity of his marches. After Philiphaugh he ceased to menace the Covenanters. Devotion to duty was Montrose's watchword. To his credit be it said, he refused the tempting offer of the Generalship of the Scots in France, for he was a proud man and loved magnificence. He returned to Scotland on a forlorn hope at the bidding of his master. Many men have died manfully on the scaffold; few have had during their last hours to endure such vile insults and abuse as his foes heaped upon him; none have borne their sufferings with greater composure and dignity. They tried, as Mr. Rait says, to make his death ignominious. They failed contemptibly, and the verdict of later generations, which he doubtless anticipated, is in his favour.

Where quotation can be suitably employed, ancient chroniclers or modern diarists are permitted to speak for themselves. To illustrate the Solemn League and the history of Scotland up to the Restoration, a number of extracts are given from the Letters and Journals of Robert Baillie, Principal of Glasgow University, a temperate Covenanter, whom Carlyle regarded as something of a Boswell and exceptionally veracious. Baillie's respect for Charles I. and his avowed affection for his son, whom he met at The Hague, is a strange trait in his character, and distinguishes him from the religious bigot. 'Let the King do what he will,' he wrote of Charles II. in reference to Episcopacy, 'he will ever get the blessings of us all.' For the period up to the Revolution of 1688, usually known as the 'Killing Time,' the principal authority is Bishop Gilbert Burnet. The faithful supporter of Dutch William admits that James VII., when as Duke of York he was mainly responsible for the administration of Scotland from 1679 to 1685, advised the bishops to proceed moderately and encouraged trade. Partisan though he was, he thus proves himself to be fair-minded. Archbishop Sharp is an historical enigma. We are struck by his saintly

features and benevolent aspect; and it is difficult to believe that this man could have been guilty of such atrocious cruelty to his late friends, especially the prisoners of Rullion Green. Justice is done to Claverhouse, if little is said of his campaigns. He was no butcher like Cumberland, but a most gallant soldier and an honourable opponent, who, in carrying out his instructions, always kept within the law. Such ardent spirits were not met with in the days of the early Stewart kings, who had few adherents noted for loyalty.

The last heading is Modern Scotland (1689-1843). The preliminaries to the Treaty of Union, the Fifteen, and the Forty-Five, admirably described as they are, suffice for one chapter, and he might well have added another dealing with the century from Culloden to the Disruption. The Augustan era, which, roughly speaking, covers the reign of George III., deserves more than bare mention in a couple of sentences. In the domain of literature and thought Irishmen have not been numerous, nor, with a few exceptions, of first-rate importance; and Wales cannot boast a single figure above mediocrity. But in the short space of sixty years, between 1760 and 1820, Scotland produced a brilliant collection of poets, philosophers, essayists, historians, and novelists, whose work profoundly influenced succeeding generations, and formed a substantial contribution to the making of the nation.

This handsome volume, with its excellent portraits and maps, will be much appreciated. It is scholarly, well informed, and notes the latest research; and, as Mr. Rait has an easy style of narrative, it will appeal to a wide class of readers. He has a happy faculty of seizing upon the salient features of the period with which he deals, and his comments on the course of events are always illuminative.

It would be impossible to produce a comprehensive history of England within the same compass. Not only is the subject vast, but the great figures of William I., Becket, Edward I., Henry VIII., Elizabeth, Cromwell, William III., Marlborough, and Wellington are shadowy and elusive. Their characters are so complex that they fail to arouse enthusiasm, for the average man, as distinct from the historical student, cannot get on intimate terms with them. Typical as they are of their age, we regard them as hard and cold personages, without a spark of romance. But it is easy to understand St. Margaret, Wallace, Bruce, the Good Douglas, James I., James IV., Montrose, Claverhouse, and Prince Charles Edward. Their fortunes may be eagerly followed, and in the hands of a competent writer always appear to bear the impress of novelty.

Mr. Freeman once complained that English people, women especially, venerated Wallace and Bruce as heroes, and ignored Edward I. as statesman and lawgiver. Did he seriously expect the Statutes of *De Donis* and *Quia Emptores* to evoke widespread interest? Despite Carlyle's rhapsody, Cromwell the Lord Protector has no hold on the affections of posterity as has Wallace the Guardian of the Kingdom, although each maintained his country's liberties and national independence. The misfortunes of Mary Queen of Scots excite sympathy; the duplicity of Queen Elizabeth alienates

it—notwithstanding the distortions of Mr. Froude. Macaulay's estimate of Dundee is not now generally accepted. If we turn to the Wars of the Roses, we find that they were the outcome of mere selfishness and greed, a dynastic contest which can hardly stimulate the imagination to-day. They did not affect the nation at large, and were confined to the feudal lords and their retainers. Not so the War of Independence, inspired as it was by noble patriotism and lofty ideals,—qualities which, it must be admitted, were not lacking in the later struggles of the Cameronians and the Jacobites.

The range of English history covers a wider, but less picturesque, field. North of the Tweed there is scarcely a lowland glen or highland pass without its own peculiar associations. In Scotland we are not troubled with the same number of perplexing questions regarding the origin and evolution of social, industrial, and political institutions. Thus its history, which, apart from baronial feuds and clan rivalships, is to a great extent concerned with religious matters, has a warm place in the hearts of the people, who care little for abstruse constitutional problems.

G. A. Sinclair.

George the Third and Charles Fox. The Concluding Part of the American Revolution. By the Right Hon. Sir G. O. Trevelyan, Bart., O.M. In 2 vols. Vol. I. pp. x, 342. With one Map. Demy 8vo. London: Longmans, Green & Co. 1912. 7s. 6d. net.

This delightful book is a continuation of two previous and separate works by the same author, *The American Revolution* and *Early History of Fox*. Of the former this and the volume still to be published form the concluding part, but we trust there is still more to follow upon Fox. The admirers of that brilliant statesman could not desire a better biographer. Sir George has made himself very familiar with the age in which Fox lived, with his haunts and companions, and is in hearty sympathy with the causes which he espoused and advocated with so much eloquence and zeal. Some may question whether the best title has been selected. There is, of course, a good deal about George III. and Fox in it, but other people and matters bulk almost as large.

It is really a social and political history of England during the period when the American War was slowly dragging along, bringing nothing but defeat and discredit to the mother country, and George was ruling according to his own perverse will, opposed at every step by the vigorous efforts of Fox.

It is at least an attractive title. These two men stood out not only in striking contrast, but they represented perhaps better than any others the two influences then fighting for the mastery in England, that which sought to preserve all the evils and corruptions of the past, and that which strove to sweep them away.

The character of George III. is certainly somewhat of a puzzle. The idea, which may perhaps linger in some minds, of a simple-minded country gentleman, pious but rather stupid, has little foundation in fact. He had an excellent head, a clear idea of what he wanted and of the best way of

getting it. His piety and domestic merits no one has questioned, but the difficulty is to see how one who was religious and possessed a conscience could carry on a consistent course of bribery and corruption, and ever be found the patron and upholder of the most dissolute and incompetent men.

The truth was that in the king's opinion Parliament was simply a nuisance which he could not get rid of, and could only mitigate by a liberal distribution of bribes and rewards. Like Charles I. he would have much preferred to reign alone, and he could only tolerate as the nominal rulers with whom he had to associate those who entirely subordinated their own wills to his. If a man showed independence he at once lost favour. Men who had minds of their own, such as Chatham and Fox, he could not away with. They were an abomination unto him. His religion probably aggravated the situation by weighing him down under a sense of kingly responsibility. But from these pages we can also learn why George, in spite of all his faults, was popular. A thorough Englishman, his public appearances were such as to call forth the enthusiasm of his people. When there was an invasion scare no one was more active than he in the inspection of dockyards and militia camps. His cool head and firm courage won him the respect of the whole nation. 'George the Third,' says our author, 'never showed to better advantage than in his character of titular chief of the fighting services. In that department of State affairs he understood his duty thoroughly, he did it gallantly, and he kept within it.'

If Fox did not come up to his sovereign's standard in private life, he at least possessed the virtue which enabled him to resist all attempts to win him over to the Court side. As the vigorous exposer of abuses and the champion of freedom, he remained the greater part of his life under the chilly shadow of opposition. Had he come over the highest pinnacle of power might have easily been reached. A king who upheld Sandwich could hardly have objected to the moral character of Fox. He was, says Sir George, 'drenched with calumny when alive, and it has been the fashion ever since, among writers of a certain class, to ignore the priceless services which he rendered to liberty and humanity, and to judge him solely by their own interpretation of his attitude with regard to the foreign policy of Great Britain. But his detractors then or now have never been able to call in question his highest title to honour. No man has denied, and no man can deny, that during all the best years of his life, Charles Fox sacrificed opportunities of power and advancement, emoluments which he sorely needed, and popularity which he keenly relished, for the sake of causes and principles incomparably dearer to him than his own interests and advantage.'

There are subjects dealt with in this volume which call for special attention, such as the country life of the aristocracy and its connection with art and literature, the story of Keppel and Palliser, with the triumphs of the former and the light which the whole incident throws upon the abuses of the age, and the sad tragedy of André.

We cannot commend the arrangement of this book. The order of time is not observed. Dates are rare. There is one, 1778, from which we never

seem to get quite away, although we are constantly being taken back to earlier periods, and again carried into the future.

The style, in many passages, recalls Macaulay.

W. G. Scott Moncrieff.

The Southern Slav Question and the Habsburg Monarchy. By R. W. Seton-Watson, D.Litt. (Oxon). Pp. xii, 463. With Map. Demy 8vo. London: Constable & Co., Ltd. 1911. 12s. 6d. net.

Advocating, as Mr. Seton-Watson does, a definite programme of reform, he writes with his eye on the future rather than on the past. If we leave aside the valuable appendices of more than one hundred pages of original documents, tables of statistics, and hitherto unpublished letters, this important treatise falls into three sections of unequal length. The first nine chapters sketch in bold outlines 'for the first time in English,' as the author justly claims (p. 335), the history of the Croat and Serb races under the sway of the House of Habsburg. This section of some 200 pages is the only part of the book that, strictly speaking, falls within the province of history. Though merely introductory to the main theme, these summaries are of undoubted value to English students of continental problems. The second and third sections treat not of remote centuries, but of burning problems of to-day and of their probable solutions.

In the chapters devoted to the Friedjung Trial and its sequels the author writes not as a historian weighing the testimony of others, but as a contemporary authority describing what he has seen and heard. The story is of thrilling interest, but is told at disproportionate length if we are to treat the whole work as an ordinary historical composition. In this section, however, Mr. Seton-Watson gives us not so much a rounded history as raw material for the use of future historians. His reports of the famous trial, in spite of undisguised sympathy for the Slav leaders, give an impression of moderation and of an earnest desire to preserve impartiality. The concluding portion of the book treats of the problems with which the future of the Habsburg dominions is bound up, and the author's confident solution may be summed up in one word—Trialism, or the substitution for the present dual monarchy of a three-fold state in which the peoples of Slav descent should enjoy in their own territory self-government in equal measure with the two races that now dominate Austrian and Hungarian destinies respectively.

Mr. Seton-Watson's valuable treatise, falling into three sections that treat respectively of the past, the present, and the future, would seem, from a purely literary standpoint, to be lacking in cohesion. Unity and colour, however, are given to the whole by the author's intense sympathy for the Croat and Serb races of southern Europe in their struggles for some measure of local autonomy and constitutional liberty.

There is an excellent map to illustrate the author's historical and political discussions, while an admirable bibliography of eight pages, giving (with brief comments) lists of the principal authorities in many languages, is sufficient evidence of the labour and scholarship that have gone to the making of a remarkable book.

Wm. S. McKechnie.

HISTORY OF SCOTLAND TO THE PRESENT TIME. By P. Hume Brown, M.A., LL.D., F.B.A. Three volumes. Vol. I. xx, 328; Vol. II. xx, 366; Vol. III. xvi, 429. 8vo. With Maps and Illustrations. Cambridge University Press. 1911. 30s. net.

IN these handsome volumes the narrative of Professor Hume Brown's original history of Scotland is continued to the present time. The main difference, therefore, between the original story of the consolidation and development of Scotland and that now presented is to be found in the additional chapters, which, taking up the thread of events where it was dropped about 1850, pursues it throughout the last half-century in the spheres of politics, religion, and education. There are, however, minor differences, due to the author's desire to introduce such additions and amplifications as have been made necessary by recent research.

What first challenges attention is the very fine collection of illustrations, which in themselves give a peculiar value to this new edition of what has become a standard work. As is well known, recent excavations at Newstead have yielded a rich harvest of memorials of the Roman occupation, and a few specimens are shown. These are the first in a series of plates of objects that illuminate various aspects of life in Scotland. The plates are particularly rich in types of ecclesiastical and other architecture; the abbeys, castles, and churches of Scotland are well represented.

The large number of photographs of men distinguished in war and politics, in literature and science, invites the reader's scrutiny, and provokes a desire to read in the lineaments here portrayed something to justify the verdicts of history. Here, for example, is Claverhouse, whose beautiful face and cold, compelling gaze seem to protest against the traditional representation of him, and here is Archibald Campbell, Marquis of Argyle, the 'host' of Dugald Dalgetty, revealed to the life. Among the moderns are Carlyle, from Whistler's painting, and Sir Walter Scott, from Saxon's. Saxon's portrait gives a vivacity to the features that one misses in the later portraits, but Lockhart assures us that in 1802 Scott looked like this; it will be found interesting to compare the reproduction given on p. 326 of Professor Hume Brown's third volume with the Tassie medallion reproduced on p. 190 of *Scottish History and Life*.

In his additional chapters the author lays particular stress on the break with the traditional theology of Scotland, and this is no doubt a notable fact in the recent history of the country; the change of attitude since the Robertson Smith case is so marked that 'heresy-hunting' is a thing of the past. The Declaratory Act and the debates on the formula of subscription to the Confession of Faith are a revelation of a loosening of old bonds. Professor Hume Brown takes note of the new zeal for social work among the churches and the decay of doctrinal preaching; he does not mention the Institutional Church, but its appearance is a sign of how the current is flowing. He contends also that the radicalism of Scotland is part of her history (cf. vol. i. p. 147) and accounts for her democratic church and school systems. By emphasising the distinct character of the Scottish nation Professor Hume Brown may claim that he has answered by anticipation a recent charge against him that he has failed to accentuate the

imitative character of Scottish medieval institutions, and has not paid sufficient regard to their English originals. He may be left to deal with this indictment and with the other charges of not making a marked discrimination between the Conventions of Estates and Parliaments (see vol. ii. p. 92, note) and falling short of severe accuracy in handling the period of Charles I. and the Commonwealth. He still holds to the view that the Picts were mainly Goidelic Celts (vol. i. p. 9); some fuller treatment of this point would have been welcome.

In its new form this *History of Scotland* is sure to be well received. It cannot be omitted from the library of any patriotic Scot or serious student of history.

A. M. Williams.

Cambridge under Queen Anne. Illustrated by Memoir of Ambrose Bonwicke and Diaries of Francis Burman and Zacharias Conrad von Uffenbach. Edited with Notes by J. E. B. Mayor, M.A., late Fellow of St. John's College and Professor of Latin in the University of Cambridge. With a Preface by Montague Rhodes James, Litt.D., Provost of King's College, Cambridge. Pp. xv, 545. Sm. 8vo. Cambridge: Published for the Cambridge Antiquarian Society by Deighton, Bell & Co. and Bowes & Bowes. 1911. 6s. net.

As Dr. James tells us in his interesting short preface, this book was projected and begun by the late Professor Mayor upwards of forty years ago. In 1870 he published the first part, the life of Ambrose Bonwicke, and printed a few copies of the remainder for private circulation. On Professor Mayor's death in 1910, the value of the work, as enriched by his notes, being fully recognised, arrangements were made on behalf of the Cambridge Antiquarian Society to have the printed sheets of the incomplete work transferred to them.

The book consists of three parts, each being accompanied by voluminous notes upon persons, places, incidents, and other matters mentioned in or arising out of the text. The editor's contribution, even in its unfinished form, is of great variety and interest, and is much larger than the original text.

The first part is a reprint of the memoir of Ambrose Bonwicke (born 1691, died 1714), written by his father, and first published in 1729. It discloses a young scholar of St. John's College, of weak constitution, fervently pious and morbidly sensitive. He brought his life to a premature close probably through asceticism and close study. Professor Mayor has annotated the life by 110 pages of notes upon such subjects as the Bonwicke family, Sturbridge fair, Burgersdijck, to name but three of the varied topics taken at random.

The second part consists of a translation of the short record of the visit to Cambridge of the Dutch professor, Frans Burman, who came to England in 1702 as chaplain of the Embassy sent from Holland to congratulate Queen Anne on her accession. It also forms the basis of a number of learned notes.

The third part contains the account of a visit to the University in 1710

by Z. C. von Uffenbach, a Doctor in Civil and Canon Law of Halle, and a celebrated collector of books and manuscripts. Dr. von Uffenbach (who was accompanied by his brother) fills his narrative with details, sometimes odd, at other times ill-natured, regarding the various colleges, their learned men, librarians and libraries, besides touching upon minor cognate matters. It thus affords ample scope for Professor Mayor's notes and illustrations. Uffenbach was evidently inclined to be critical of men and things in England, and seems seldom to lose an opportunity of saying something disparaging. He visited the University library, where he remarks, 'we could see nothing well because the librarian, Dr. Laughton (or as they pronounce it, *Laffton*), was absent, which vexed me not a little, as Dr. Ferrari highly extolled his great learning and courtesy. *Rara avis in his terris.*'

The morning of one of his last days in England was spent in packing up his books and goods in three bales to send them to Holland. 'At noon,' he tells us, 'we dined at the Blue Bell in Clare market. There a Scot, Cherbourn [Sherbourne?], of good family, well made with a very strong voice, singing a good bass, broke several double flint glasses by shouting.... He is upwards of forty years old, a loose liver and deep in debt; he speaks scotch, irish, english, dutch, german, italian, french and latin.'

As letting us see how our manners and customs struck a frankly critical and somewhat cross-grained visitor two hundred years ago, this latter part of the book is invaluable, and we owe a debt of gratitude to the Cambridge Antiquarian Society for thus placing within reach a work which reflects on every page the varied and entertaining learning of the late Professor Mayor.

JOHN EDWARDS.

L'ADMINISTRATION FINANCIÈRE DES ÉTATS DE BRETAGNE DE 1689 À 1715. Par F. Quesette. Pp. 251. 8vo. Paris: Honoré Champion. 1911. 3 fr. 50.

WITHIN recent years such *savants* as Loth and Lot have demonstrated the importance of Brittany in the spheres of philology and hagiology. M. Quesette's monograph deals with a later period and a different field, but it possesses such qualities of insight and comprehension that, taken along with the studies of M. le Moy on provincial institutions, it indicates that in the eighteenth century Brittany still deserves the attention of students of history.

Compared with the field on which M. Marcel Marion is at present working, M. Quesette's subject is a limited one, but this very limitation has enabled him to strike deeply into the general life of the province with which he is concerned. Under Richelieu, Brittany, like the other *pays d'états*, was free from much of the taxation under which the rest of France groaned, and the Breton estates acted within certain limits as an intermediary between the Crown and the inhabitants of the province, and possessed something like fiscal autonomy. M. Quesette traces, in a most illuminating manner, the development of the Estates in the sphere of financial administration from the condition of an inert and almost lifeless organism to the stage in which they became active and alive. The trans-

formation was effected under the financial pressure which marked the reign of Louis XIV., and the Estates became rejuvenated through a struggle which at first sight seemed to threaten their existence.

M. Quesette's study of a phase of the relations between the French Crown and Brittany will interest students of federal institutions, and every reader will deplore the author's untimely death. DAVID BAIRD SMITH.

SIX ROMAN LAWS. Translated with Introduction and Notes. By E. G. Hardy, M.A., D.Litt. Pp. viii, 176. 8vo. Oxford: Clarendon Press. 1911. 6s. net.

THIS scholarly little book is designed to meet the needs of a very special class of students—those reading for the school of Literae Humaniores at Oxford. The sound tradition of that school requires that preparation for it shall be based, as far as possible, on a study of the original authorities. Thus Roman history is made in all cases to rest upon a first-hand knowledge of Cicero and Tacitus, Appian and Plutarch. And from the better men something more is looked for; they are expected to make themselves acquainted with at least the more important of the epigraphic texts, in so far as these have a bearing on the story of the constitution. The most convenient of handbooks for this latter purpose is the *Fontes* of Bruns. But Bruns's collection is a good deal more extensive than is strictly necessary, while it is at the same time unprovided with those 'aids to reflection' which even the ablest of undergraduates usually finds welcome.

These are precisely the defects that Mr. Hardy has set himself to remedy. He has chosen six of the better-known laws, has rendered them into intelligible English—not always an easy task—and has supplied each with a brief introduction and a set of useful notes. There are also three Appendixes dealing with special difficulties connected with the Lex Agraria and the Lex Julia Municipalis respectively. To the elucidation of what is obscure, Mr. Hardy brings a fresh mind, abundant learning, and an independent judgment. His mastery of detail is indeed astonishing, when one remembers the physical disability from which he unfortunately suffers; his manuscript was written in Braille. It is greatly to be hoped that he will carry out his intention of producing a companion volume, and that he will include in it that most impressive of Roman inscriptions, the Monumentum Ancyranum. Meanwhile there are signs that Roman History is going to come to its own in our Scottish Universities. When it does so, teachers and students will find *Six Roman Laws* a valuable instrument.

GEORGE MACDONALD.

ACCOUNTS OF THE LORD HIGH TREASURER OF SCOTLAND. Edited by Sir James Balfour Paul. Vol. IX. A.D. 1546-1551. Pp. lxviii, 599. Royal 8vo. H.M. General Register House. 1911. 15s. net.

THE Lyon King, whose volume of the Treasurer's Accounts for 1541-46 was reviewed last year (*S.H.R.* vii, 309) now pursues his editorial task on the accounts down to the spring of 1551, setting out the text with all the care that can be desired, and prefacing the book with a sufficiently

extended survey of the period and comment on the prominent elements of finance. A central fact of the time being the battle of Pinkie, there is episode and to spare glanced at or directly recorded in the accounts. The wealth of those is such that the preface scarcely attempts as full an outline and chronological register as some readers would have found convenient. Concerning Pinkie, it points out the effort of the Scots army to get forward the artillery, 'battards, moyanis and falconnes' (which failed so badly when the hour came), the cost of munitions and the wages of gunners and pioneers, the provision made in advance for field-surgery, and the melancholy employment of 'cairttis to helpe to erd the deid folkes be the space of twa dayes.' Apparently this sad task was slackly taken in hand, for subsequently, it would seem in October, letters had to be sent to Musselburgh and Inveresk requiring the people there 'to caus be erdit the deid persounnes restande in the feildeis of Fawside.'

Somerset's movements after the battle are not traced, though there is great need for an itinerary of his army, with a few dates to help us to follow it from Leith to Home Castle, and back to England. Indeed it is not easy to reconcile the Lyon King's statement about Home Castle, as delivered to Somerset before Pinkie, with the statement of contemporaries, as well as of all modern historians, that it was besieged and taken by him after Pinkie, or with the terms of the accounts themselves. We find no mention in the preface of the fact that simultaneously with Somerset's advance on the east coast, Thomas, Lord Wharton, was making a minor expedition into Scotland on the west, with the capture and destruction of the tower of Castlemilk and the Steeple of Annan as the object.

Interesting entries relative both to the gunners for Annan Steeple and to the close warding of Castlemilk occur as items in the accounts for September 1547. An episode of the west which is passed over in the preface is the volte-face made by the Master of Maxwell, who, after pledging himself to Wharton and the English interest, was brought back to the side of Scotland and the Governor by the timely bribe of the hand of the heiress of Herries, with the result that in arrayed battle against Drumlanrig, Wharton's allies, the Maxwell party, turned round and attacked him and his English force in the field, to the confusion and fury of the English leader. There is piquancy in the allusion made in the account in January, 1548, where the Master is reported as '*than* being at the opinioun of Inglande'; it is immediately followed by frequent letters and messages to him significant of his conversion before 23 February, the day on which he fulfilled his promise to revoke his treason and 'cross again the invasion' to which he had sworn himself to Wharton. During the English occupation of Lauder in the spring of 1549, we come upon letters sent to Sir Hew Willoughby, afterwards to earn renown as an Arctic explorer.

A student of Scots literature cannot fail to observe that the troubled time was not likely to encourage the Muses. Payments even to minstrels are scarce at this period. There is, however, one interesting literary entry in February 1549:

> 'Item to Williame Lauder for making of his play and expensis maid thairupoun. xi li. v s.'

This play was a feature of the celebrations attending the marriage of Lady Barbara Hamilton, eldest daughter of Regent Arran, to Alexander Lord Gordon. The passage was noticed by David Laing, and was printed by him in 1869 in a note to Fitzedward Hall's edition of Lauder's *Office and Dewtie of Kyngis* (*E.E.T.S.* revised edition, 1869, p. xi). 'No indication is given,' said Dr. Laing, 'of the character of the Play. It was most likely a kind of pageant.' A fuller note on the subject by Laing was printed in Furnivall's edition of Lauder's *Minor Poems* (*E.E.T.S.* 1870, pp. v-viii). The item of 1549 appears to be the oldest reference to Lauder as author. Sir David Lindsay, the Lyon King poet, appears in 1548-49 as the bearer of letters to Denmark. These were no doubt in pursuance of a request for the assistance of Danish ships to protect the Scottish coast from the English as well as in furtherance of a projected treaty of free trade between Denmark and Scotland.

Another entry that from the literary standpoint piques curiosity is the grant of an escheat in 1546 to Cristine Lindsay, which raises the question of possible identity or connection with the satirical woman of the same name who has a place in the poems both of Montgomerie and of James VI. some forty years later. What is probably an allusion to Blind Harry's poem appears in 1548:

'Item, for the buke of Wallace to my lord governoures grace. xlv s.' Arran, to judge from the accounts, was no bookman, but this single transaction at least betrays his interest in patriotic literature.

As usual the accounts are rich in domestic data, especially as regards dress, such as the 'coittis and breikis' with 'reid buttonis' and 'poynttis,' the 'holland claytht' for the necks and 'ruffis' of 'sarkis' the 'taffat' for 'belt and gartains,' and the hose and shoes of velvet for the men, and the 'bonegrace' (large bonnet), the 'Franche blak' and 'dalmez' for gowns, 'worsat' and 'champlot' for kirtles and the 'welwote to begarye the kirtill' for young ladies of the court and to furnish them with 'huddis and paitlettis and uther necessaris.' Descriptions of costume contained in Lindsay's *Squire Meldrum* receive very ample illustration and confirmation. Among some curious passages explained by the Lyon King is a proclamation in 1548 against the currency of 'bagcheik grottis,' a phrase at once descriptive, patriotic, and disrespectful, applied to the broadfaced coins of Henry VIII.

A word of praise must be reserved for the glossary and index, which are so worthy a complement to the editorial expositions.

GEO. NEILSON.

ANGLO-DUTCH RIVALRY DURING THE FIRST HALF OF THE SEVENTEENTH CENTURY. By the Rev. George Edmundson, M.A. Being the Ford Lectures delivered at Oxford in 1910. Pp. 176. Demy 8vo. Oxford: Clarendon Press. 1911. 6s. net.

THE relations of the English and the Dutch throughout the seventeenth century were complicated by the fact that while religious and political interests drew them together, rivalry in trade and in maritime power caused

considerable hostility between them. This is clearly brought out by Mr. Edmundson in these lectures.

Fishing was the fundamental industry on which Dutch prosperity had been built up, they had long been free to practice it, and bitterly resented attempts of the English and Scottish to restrict their opportunities for carrying it on near the British shores. The English were becoming jealous of their success, and the constant need for money felt by the Stuart kings, as well as their naval enthusiasm, dictated a policy of imposing a toll upon foreigners for the right to fish. The English were determined to uphold a claim to sovereignty on the seas, in virtue of which they attempted to dictate terms for fishing even in Greenland or Newfoundland.

Trade rivalry in the East was another cause of discord, and the situation was further complicated by the influence of Spain upon the policy of James and Charles I., and by the internal troubles of both countries. They were continually on the verge either of war or of alliance, and the story of the long series of protracted negotiations carried on between them is well told by Mr. Edmundson. The period treated of is one of preparation for the coming struggle, ending, as it does, with the Navigation Act and the consequent outbreak of war in 1653, and the author thoroughly fulfils his object in showing how the clashing interests of the first half of the century led inevitably to the open hostility of the Cromwellian and Restoration periods.

A. Cunningham.

National Library of Wales. Catalogue of Tracts of the Civil War and Commonwealth Period, relating to Wales and the Border. Pp. x, 85. 8vo. Aberystwith. 1911. 2s. 6d. net.

It is a matter of first-rate importance that a new library should be started on right lines, and the National Library of Wales is fortunate in being guided by one who has a due appreciation of this, and of what may be done in the way of getting full value out of a great collection. Mr. Ballinger evidently has determined that its use shall not be crippled by curtailed or slipshod work. In his *Bibliotheca Celtica* for 1909 he has already made an excellent start in the development of the resources at his hand, and he seems to have introduced into bibliography some of the enthusiasm of the Celtic revival which has penetrated other departments of literature. Now he gives us a list of the Civil War tracts relating to Wales, an equally good piece of work, which should be welcome to many students.

It has become a truism that a librarian's office is not merely to guard his treasures, but also to unlock and set them forth, so that seekers after knowledge may be guided on their road, and hindered as little as may be by difficulty in finding their material. And of all guides one of the most valuable is accurate, careful cataloguing, such as the work before us. A mass of old pamphlets—in early catalogues likely to be found under a single entry 'Tracts, so many vols.'—is here classified, arranged chronologically, titled separately; and it becomes a source of history, henceforth indispensable to any who study the period which it embraces. To the historical

student the very titles of some of these quaint productions are stimulating; and the fact of their being reproduced with such fulness enables him to judge fairly well what he will find to enlighten him on any particular point—for in those days a pamphleteer apparently was sometimes beset with doubts that his reader might never get beyond the title-page, and accordingly compressed into that as much of his subject as was possible.

We find Scottish history touching the Welsh in several instances; as Aug. 3, 1648, when divers gentlemen of Wales give their instructions how 'to carry on the work and to have intelligence with the Scots and Irish,' or Aug. 25, when we hear of the Scottish lords surrendering to the Sheriff of Chester, or Aug. 1647, when an account is published of the Scots army at Hereford. The Welsh criminal flees into Scotland for refuge (March 4, 1648) and a Representation is performed before General Monk by 'an Englishman, a Welshman, and a Scotchman' (April 11, 1660).

Among bibliographers, who will best be able to appreciate this list, there may be differences of opinion as to its methods: as to the transliteration, for instance, of a capital 'V' by a lower-case 'v,' when it is certain that the printer, had he preferred the smaller letter, would have used it in the form 'u'; or as to the advisability of printing the collation in the same type as the title itself. But of the value of the work as a whole there can be no question; and many will find it an incentive to further effort on their own part, and a most excellent model for imitation.

P. J. Anderson.

In Defence of the Regalia, 1651-2. Being selections from the family papers of the Ogilvies of Barras. Edited, with introduction, by Rev. Douglas Gordon Barron, M.A., F.S.A.(Scot.). Pp. xvi, 371. With photogravure frontispiece and nine illustrations. 8vo. London: Longmans, Green & Co. 1910. 16s. net.

This is one of the most important of recent contributions to the history of Scotland in the seventeenth century. The story of the brilliant defence of Dunnottar Castle against Cromwell's forces and of the preservation of the Scottish regalia is well known, but here for the first time it is presented in an accurate form, free from legendary accretions. And here for the first time are all the available documents collected together in print. Mr. Barron is well known as an antiquary and in particular as the first living authority upon all historical matters connected with the county of Kincardine in which he lives. His introduction to the documents printed in this volume is a really masterly piece of work, in which historical insight and local knowledge are combined with a good literary style.

The eighty-eight documents relating to the regalia, and thirty miscellaneous papers, which form the bulk of the book, are chiefly, though not wholly, taken from the family papers of the Ogilvies of Barras. The editor has very properly included certain documents which have already been printed, but which are essential to the elucidation of the story.

That the romantic story of the defence of Dunnottar and the rescue of the regalia should have issued in an unseemly quarrel for subsequent

recognition is unfortunately a fact. Mr. Barron has collected all the evidence regarding it, and we think he has been successful in showing that it was initiated by the Dowager Countess Marischal in her son's interest. It also appears that Mrs. Grainger, the wife of the Kinneff minister, was not really the heroine of the rescue of the 'honours,' but a somewhat sordid individual, whose husband was rather a weak man. George Ogilvy's defence of the castle with a mere handful of men was a military achievement the ability of which was recognised even by his enemies. To his valiant stand the safety of the regalia was due in the first place. In the second place, when the castle could no longer hold out the 'honours' were certainly removed to a safer hiding-place in Kinneff Church with the assistance of the Graingers, but it would seem that the actual method of the removal was not according to the received story, the unhistorical nature of which Mr. Barron has demonstrated to the full. That story—as we may read it in histories and guide-books—tells how Mrs. Grainger, in returning from a visit to Mrs. Ogilvy at the castle, carried the crown through the English lines in her lap, the sword and sceptre being borne behind her in a head of lint by her maid. The true story appears to be that Mrs. Grainger's maid came frequently to the seaward side of the castle rock to gather dulse, and when she had become sufficiently familiar to the soldiers she carried away the regalia hidden under seaweed in her creel. The editor points out that 'it is significant that on the tombstone in Kinneff Church, where the credit of preserving the regalia is effusively ascribed to Grainger, the much more dangerous and trying part his wife is popularly represented to have played, receives no word of praise, or of acknowledgment' (p. 21).

The unworthy attempts after the Restoration to deprive George Ogilvy of the honour which was his due seem to have been the result of the Countess Marischal's attempt to use the regalia incident to cover up her disloyalty to the Royalist cause. Mr. Barron says that 'by birth and upbringing, she was, and probably continued to remain, a daughter of the Covenant.' Ogilvy had a hard struggle to get such recognition as he did receive, and he even found a rival in his old friend Grainger. Later on we find that after Ogilvy's death the Earl of Kintore attempted to wrest the credit from the Ogilvy family in favour of his own. Viewed in the light of the documents it is now easy to see the petty meanness of some of the actors in the less worthy parts of this drama.

The book is one which no student of the seventeenth century in the north of Scotland can afford to be without.

F. C. Eeles.

A History of England. By C. R. L. Fletcher and Rudyard Kipling. With Pictures by Henry Ford. Small 4to. Pp. 250. Oxford: Clarendon Press. 1911. 7s. 6d. net.

In the days when history is becoming increasingly complicated and scientific it is refreshing to find a book written for young people in a simple and straightforward manner. The authors, however, have not treated their

subject in a merely superficial way. The chief merit of the work is that views are expressed clearly and fairly, which are the outcome of wide reading and of mature deliberation; so that boys and girls are given a useful digest of their country's history, racily written and on the whole accurate. The puzzling characters of Henry VIII., Elizabeth and Charles I. are admirably presented, while the sentence, 'He cared for but one thing on earth, to smash King Louis of France,' is a terse and true explanation of the actions of William III.

The few mistakes that occur in the book are not of a serious nature. One of these is that Edward III.'s claim to the French crown would have been a good one by English law. An elder branch of the family, however, the House of Navarre, would have succeeded before the English line, had the Salic Law not been observed in France. Another slight oversight is the date 1708 in place of 1707 for the Union of the Parliaments of England and Scotland. Again, on one of the maps Halidon Hill is placed south instead of north of Berwick. It was not to be expected that Scottish history would bulk largely in this volume, but considering that the book is written for 'all boys and girls who are interested in the story of Great Britain and her Empire,' the affairs of the northern kingdom might perhaps have been given more room.

The verses scattered throughout the volume are calculated to arouse the patriotism of youthful readers. The finely-executed illustrations are valuable as giving as far as possible an accurate representation of the dress and armour of the different periods.

E. Stair-Kerr.

Colonel St. Paul of Ewart, Soldier and Diplomat. Edited by George G. Butler. 2 Vols. Vol. I., pp. cxciv, 320; Vol. II., pp. 483. With Portraits and Maps. Demy 8vo. London: St. Catherine Press. 1911. 21s. net.

In recording the life of his wife's ancestor, a desirable idea in the main, the editor has done it in these two handsome and well-illustrated volumes in the most bewildering way. The first portion of his work deals with the biography of Colonel Horace St. Paul, who was created in 1759 a count of the Empire. This part is very difficult to understand, owing to the chaotic manner in which it is set forth; but we learn that the subject was born in 1729 (that fact has to be searched for carefully), and that he was outlawed for fleeing the country after killing a man (a quaint account of the quarrel is given, which shows that the duel was caused by a lady and her snuff-box) in a duel in 1751.

After being kindly received in France by the Duc de Penthièvre, whose sporting tastes agreed with his own, he later went to the Low Countries, and became aide-de-camp to Prince Charles of Lorraine. In 1759-60 he followed Marshal Daun, and served with much honour in the Austrian army. His father's death in 1762 turned his eyes homeward, and he, through his friend Lord Stormont, the British ambassador, received a pardon for the fatal duel in 1765, and later became a diplomat as Secretary to the Embassy in Paris. His diplomatic career lasted until 1777. After his

retirement he lived in England, mainly in Northumberland, at Ewart, at peace, except when disturbed by the rumours of the French invasion, until his death in 1812.

We have gleaned all this with some difficulty from the tangled web the editor gives us, a web where Colonel St. Paul and his friends are interwoven in a very difficult manner. The diplomatic correspondence which follows in either volume is printed *verbatim*, and will be of value to the patient student, who will need to do his own researches. It is a pity that so much work has been bestowed with so little method, for the care taken in preparing the book (though we can scarcely pardon the curious remark, on page lviii, about the parentage of Lord Glenbervie, which is really quite well known) has been very considerable, and it might have made, being drawn from original sources, a much more readable work on French and English relations during the eighteenth century.

A. Francis Steuart.

England under the Hanoverians (1714-1815). By C. Grant Robertson, Fellow of All Souls, Tutor in History to Magdalen College, Oxford. Being Vol. VI. of A History of England. In seven volumes. Edited by Charles Oman, M.A., Fellow of All Souls' College, Oxford. Pp. xix. 555. Demy 8vo. With seven Maps. London: Methuen & Co. 10s. 6d. net.

It may be said at once that this is a disappointing book. It will scarcely enhance the reputation of editor or publishers, and the author justly anticipates the dissatisfaction of his readers. It is difficult to believe that the editor has given himself the trouble to read the work through. To cite all the errors in grammar, the faulty punctuation, the mistakes and inconsistencies in spelling, discrepancy in date between text and margin, and instances of confused and inaccurate statement, of such a sort that an exact construction of the sentence makes the author say the opposite of what he must be supposed to mean, would require more than the whole space allotted to this article. Such blemishes are so numerous as to be, not accidental but, characteristic. Over and over again the puzzled reader is compelled to 'try back.' But the time and the guesswork required for decipherment of an Oxyrhynchus papyrus are grudged to a modern English history. Parts of the book are written sometimes with laboured turgidity, sometimes with a vehemence in expletives difficult to reconcile with soberness of judgment, sometimes with an affected preciosity which omits or misuses the inferior parts of speech, sometimes with a lack of precision and even a confusion of statement not merely troublesome, but exasperating, to the reader. Sometimes the author appears to have transferred contracted memoranda from his note-book unextended to the text. To take two or three from innumerable instances of inexactness in his style: he says 'the latter' when he means 'the last'; he speaks of a hypothesis 'at variance with other well-established facts'; of three things as 'both'; he uses 'as' for 'but' and 'over' for 'of'; he says Soult 'lost 10,000 casualties' at Roncesvalles; that the disabilities of the Roman Catholics

were 'a need' of Ireland; and that Pitt's blindness to the necessity of reform was 'an omission' in the Government's programme.

These and their like, however, are not the only surprising phenomena in the book. The author uses expressions new in literature, and hardly justified as innovations by peculiar propriety or fitness. Thus, for example, he describes George III. as 'queering the cards'; and a loan as 'souped amongst' the supporters of the Ministry.

But if his lack of precision is diversified by bad taste, his slipshod grammar is matched by blunders in geography, and these by carelessness in narration. The $3\frac{1}{2}$ by $4\frac{1}{2}$ inches map of the Peninsula in the volume, diminutive and inadequate as it is, is still large enough to have kept him from an unfortunate distortion of Napier's *History*, in which he not only misapplies Napier's words, but in place of correcting Napier's blunder, transfers Ciudad Rodrigo from the interior of Spain to the interior of Portugal. His account of the burning of the *Gaspee* (p. 258) is unfair because it omits all mention of the provocation. On page 460 he says that the *Chesapeake* was cannonaded by the *Shannon* till she surrendered. That is not so. Every schoolboy knows that she was carried by boarding. Those readers who know *Holy Willie's Prayer* may be surprised to learn (on page 345) that that sanctimonious lay was a starting-point of the Industrial (or was it the French? for the text is here, as so often elsewhere, obscure) Revolution. He tells us that the family of Duncan Forbes founded the Scottish whisky distilleries, and thus not only shortens the career of these institutions by several centuries, but deprives the monasteries of part of their glory.

The story which is the subject of the book has often been told of late. Error in the main facts was hardly possible. Accuracy in details, and clear English throughout, were to be reasonably demanded. Their so frequent default destroys confidence in the whole work. Yet much of the author's narrative and much of his commentary are excellent. He exhibits wide knowledge, fertility in ideas, and access to the best sources. He can examine and compare the forces at work, and set forth their direction and effects. He can vividly realise characters and situations, he can describe with eloquence and sympathy, and he can make his story admirably clear and informing. Why then is so large a part of the book unworthy of his powers?

The editor of the series of which the volume forms a part explains that it is intended to supply something between a school manual and a minute monograph. The happy mean has been fixed at 500 pages per dynasty. Normans and Angevins, Tudors, Stuarts and Hanoverians must each be drawn out or diminished to fit this Procrustes' bed. The author confesses in his first sentence that his task is beyond him. Yet he does not wisely economise the space at his disposal. There are passages needlessly inflated, as well as others unsuccessfully contracted, passages of invective overloaded to weakness with adjectives, and scores of *obiter dicta* in the shape of abstract propositions superfluous to the tale. But he complains that he has not been permitted to embody his history as he conceived it. He describes a large part of his work as 'syncopated' (literally, 'knocked together'), a

treatment, he says, 'required by the exigencies of space.' He says 1000 pages, instead of 500, would have been too few for him. This does not explain, still less justify, the shortcomings of his curiously unequal work, but it may suggest the spirit which made them possible. Collaborative history in which writer and editor cannot arrange space and mode to their common satisfaction will not be recommended by this venture. The author complacently exonerates both editor and proof-reader from responsibility. In this discharge, however, the reader will not willingly concur. There are many omissions from the Index, but it too may have suffered syncopation.

ANDREW MARSHALL.

THE FIRST ENGLISH LIFE OF KING HENRY THE FIFTH: written in 1513 by an Anonymous Author known commonly as the Translator of Livius. Edited by Charles Lethbridge Kingsford, M.A. With Introduction, Annotations, and Glossary. Pp. lvi. 212. Demy 8vo. Oxford: Clarendon Press. 1911. 8s. 6d. net.

MR. KINGSFORD has rendered valuable service to historical scholarship in following up his article on 'Early Biographies of Henry V.' (*English Historical Review*, 1910) by editing and printing for the first time the work of the Translator of Livius discussed and described in that article, and hitherto known only by references and quotations in the sixteenth century chroniclers. Harpsfield, Holinshed, and Stow all refer to and in some cases quote freely from this anonymous Translator, but the possible existence of the actual translation has been unnoticed or overlooked, as Mr. Kingsford says, until he recently discovered it in the Bodleian Library, in an excellent manuscript of the early seventeenth century, bound in a folio volume with other historical transcripts made about 1610 for Sir Peter Manwood, a Kentish antiquary; and when the text of this was already in print, he found another copy in the British Museum, differing in many details, and slightly later in date, but evidently from the same original.

This first English Life of Henry V. is extremely interesting for a variety of reasons. The original author, Titus Livius Forojuliensis (so named in Hearne's edition of his work), otherwise Tito Livio da Forli, wrote his Latin *Vita Henrici Quinti* about the middle of the fifteenth century from information supplied by his patron, Humphrey of Gloucester—but the especial interest of the Translator's *Life* is that it might almost be called an original work: the author added so much important fresh material and wove it together with a skill that is almost unexpected at a time when historical biography in English was practically an unknown quantity. He dedicates his work to Henry VIII., and internal evidence places the date of its composition in 1513, curiously, just about the time that More was engaged on his *Richard III.*

The language and style of the Translator may best be summed up in Mr. Kingsford's own words: 'What harshness of diction appears is due rather to the pains of one who had to labour with an imperfect instrument than to the clumsiness of the workman. The author's mastery seems to

have increased as his work progressed. . . . Had it been his good fortune to have his work printed, he might justly have been esteemed one of the pioneers of English prose in the sixteenth century.'

The original passages are of great interest and importance, inasmuch as they supplied the chroniclers with much of their most lively and characteristic material for the life of King Henry; which in turn gave Shakspere information, not merely through the *Famous Victories*, but direct, as Mr. Kingsford proves, from Stow and Holinshed. So that the Translator's work is as it were an ancestor (and perhaps the principal one) of the play and of all the modern concepts of Henry's character; and, moreover, carries back and substantiates an entire group of legends as far as the middle of the fifteenth century. The interpolations in the Translator's *Life* are derived from Enguerrant de Monstrelet, the *Policronicon*, a version of the *Brut*, and lastly and chiefly, the report of the fourth Earl of Ormond, who, born in 1392, was intimately acquainted with the Court of Henry V., and held many important offices during his reign. The Earl's accounts of various episodes, now fully obtained through the Translator's quotations, go to prove points that have hitherto been regarded with suspicion by modern historians as resting only on John Stow's evidence. There are nine distinct passages from Ormond, all adding materially to the interest of the narrative and the development of Henry's character; as for instance the stories of his riotous youth, the visit of St. Vincent Ferrier to his camp before Caen, and the romantic episode of the Sire de Barbasan. It may be noted that they all extend and verify the court legends as distinct from the city tales (such as the Chief Justice story) with which Ormond might naturally be less well acquainted; and also that the Translator's *Life* does nothing to deprive Shakspere of full responsibility for the creation of Falstaff.

Mr. Kingsford's scholarly Introduction is of very great interest in elucidating and amplifying the carefully edited text.

MARY LOVE.

DAT ARNAMAGNÆNSKE HAANDSKRIFT 81 a Fol. (Skálholtsbók yngsta) indeholdende Sverris saga, Böglunga sögur, Hákonar saga Hákonarsonar. Udgivet af Den Norske Historiske Kildeskrift-Kommission ved A. Kjær. Kristiania (1st and 2nd parts). 1910.

AKTSTYKKER TIL DE NORSKE STÆNDERMÖDERS HISTORIE. 1548-1661. Dr. Oscar Alb. Johnsen. (1st part.) Kristiania, 1910.

THE former of these issues are two volumes from the Arnamagnæan Collection of MSS. at Copenhagen, and include the Sverri, Böglunga and Hákon Hákonar Sagas, which are of recognised value in the historical, or semi-historical literature of Iceland. The Saga stories, commemorating for most part the doings of the heroic age of the tenth and eleventh centuries, appear to have been first committed to writing in Iceland, in the then current language of the North (*Norœna tunga*) in the twelfth and thirteenth centuries. All the first MSS. having perished, it is to the care

of Arni Magnusson (1663-1730) that scholars are indebted for most of those which are preserved. He managed to secure all that could be found, on paper or vellum, in Iceland, and had them conveyed to Denmark; and it is from that great Collection that most of the Sagas as now known, in the original text, as here, or in translations, have been procured.

It is mostly by Danish scholars that this priceless vernacular literature of ancient Iceland has been exploited; and of this there may be quoted, as monumental evidence, the twelve volumes issued at Copenhagen, under the title of *Fornmanna Sögur*, in 1825-1837. But the origin of Saga composition may be attributed mainly to hereditary and traditional influences from Norway, the land from which the Icelanders of the ninth century voluntarily exiled themselves; and Professor P. A. Munch, of Christiania, in the earlier part of last century, followed by such other Norwegian scholars as Professors Sophus and Alexander Bugge and others, have devoted much attention to the publication and elucidation of Saga literature.

This is being vigorously followed up by the National Manuscript Commission of Norway, who have already published, and are now in the process of publishing, from this original source, and from other quarters, a variety of early matter, in Saga and general historical literature, of which the present issues, clearly printed and carefully edited by Herr A. Kjær, form part.

The second work quoted at the head of this notice is also published at Christiania, under the same auspices, under the editorship of Dr. Oscar Alb. Johnsen. Its personal memorials and records of district meetings, under royal or delegated authorities, are important contributions to the understanding of contemporary life in Norway at a much later stage than the date of the Saga stories, namely in the sixteenth and seventeenth centuries.

The labours of this Norwegian Commission in these and kindred publications are of the utmost value to all who are interested in the history and literature of Iceland and Scandinavia, and deserve very hearty commendation.

GILBERT GOUDIE.

ÆLDRE NORSKE SPROGMINDER. Udgivne a Den norske historiske kildeskriftcommission. I. and II. Kristiania. 1911.

THE contents of these booklets, now printed for the first time, with Herr Torleiv Hannaas as editor, are made available under the auspices of the Manuscript Commission, by whom the preceding items have been issued. The first part consists mainly of sayings and proverbs (*maellære og ordtøke*) from the district of West Agder in Norway from the first half of the seventeenth century; the second part is a collection of old word-forms from Robyggjelag in West Telemark from the close of the sixteenth century.

Both collections are from manuscripts preserved in the Royal Library at Copenhagen, and are significant illustrations of the distribution of dialect variations in Norway at the dates given, and of the gradual process of the

welding of the whole into the present-day speech, which still retains its variations in the diverse Amts into which the country is divided. They at the same time give unmistakeable indications of racial and linguistic community of origin in the Scandinavian peninsula and on this side of the North Sea. A very few instances, closely allied to our Scottish forms, may suffice in illustration of this:

Brendt baarn ræest elden (Burnt bairns dread the fire).

Dæ æ ej guld som glimrer (It is not all gold that glitters).

Gud helper den sæg siþl vil helpe (God helps them that will help themselves).

Blaand, a mixture of milk and water, a favourite beverage under the same name to this day in Shetland.

Sveine-trþini (the snout of swine), still in common use in Shetland.

Ollum mannum so thetta bref sio ell hþria qvedi Gu o sina (To all men who this letter see or hear [the subscriber sends] God's grace and his own, etc.). This is the introductory language of contemporaneous legal documents in Shetland.

These publications deserve to be welcomed as contributions to departments of comparative philology in which students in this country ought to be interested not less than in Norway. Not only the similarity to our own, in language and idiom, of these old sayings, recorded in Norway three hundred years ago, is noteworthy, but equally so is their antiquity as here disclosed. Have we coeval, or more ancient, notices of these homely sayings in our own Scottish literature?

GILBERT GOUDIE.

LIVES OF THE HANOVERIAN QUEENS OF ENGLAND. By Alice Drayton Greenwood. Volume II. Pp. xiii, 439. With Illustrations. 8vo. London: G. Bell & Sons, Ltd. 1911. 10s. 6d. net.

THIS volume, which concludes the work Miss Alice Greenwood has done in continuation of Agnes Strickland's *magnum opus*, contains biographies of Charlotte of Mecklenburg-Strelitz, queen of George III.; Caroline of Brunswick, queen of George IV.; and Adelaide of Saxe-Meiningen, queen of William IV. Viewed as literature, the book does not call for any enthusiastic praise; but, viewed strictly as historical writing, it is an honest piece of journeyman work. The authoress has not utilised any hitherto unknown documents, but, on the other hand, she has taken great pains in ransacking the familiar sources of information, and accordingly her lives of the three last Hanoverian queens are the fullest and most adequate which have been written up till now.

It were superfluous to write at length in reference to the studies of queens Charlotte and Caroline, for the matter the writer there sets forth is of course already fairly widely known. But, with the exception of Mr. Lewis Melville's recent production, *The Sailor King*, comparatively little has been said heretofore concerning the reign of William IV., and so we turn with interest and expectation to the concluding section of Miss Greenwood's book. And in her life of Queen Adelaide—even more notably,

perhaps, than in her other biographies—the authoress combines personal detail with political fact in a distinctly happy fashion, contriving throughout to avoid giving undue prominence to either of these elements, yet at the same time never waiving anything of vital importance. Dealing fully with the domestic side of her theme, she furnishes also numerous sidelights on the outstanding events of William's time, notably the passing of the Reform Bill; while incidentally she illuminates the king's own character and actions, paying due attention to his relations with the navy.

Like its predecessor, the volume has a trustworthy index. The three illustrations are well reproduced in photogravure, and it is a pleasure to note that an example of Allan Ramsay figures as frontispiece.

HISTORICAL PORTRAITS, 1600-1700. The Lives by H. B. Butler and C. R. L. Fletcher. The Portraits chosen by Emery Walker. With an Introduction by C. F. Bell. Pp. 328. 4to. Oxford: Clarendon Press. 1911. 10s. 6d. net.

THIS is an excellent volume. We have already (*S.H.R.* vi. 401) called attention to the value of the first volume of the series—that from 1400 A.D. to 1600 A.D.—and students will give a hearty welcome to this second instalment. The volume contains 132 portraits (many of them full size plates), and their selection by Mr. Emery Walker is a guarantee that all that can be done, has been done, to ensure that they are authentic. Included in the number are James VI., the Duke of Lauderdale, Claverhouse, Montrose, and other Scottish portaits; while of special interest are the engravings of literary men of the seventeenth century—including Bacon, Isaac Walton, Jonson, Herrick, Milton, Pepys, Bunyan, Locke, Dryden, Addison, and Swift. The biographical sketches by Mr. Butler and Mr. Fletcher are short and to the point.

We look forward with interest to future issues of this very valuable collection.

THE BOOK OF THE OLD EDINBURGH CLUB, Vol. III. Pp. x, 264, 35. With 32 illustrations. 4to. Edinburgh: printed by T. & A. Constable for the Members of the Club. Issued 1911.

THE Old Edinburgh Club has already made a name for itself by the excellence of its publications, and we have given (*S.H.R.* vii. 99, viii. 423) a cordial welcome to its two first volumes. The new issue contains very interesting material, including papers on the *Armorial Bearings of the City of Edinburgh*, by Sir J. Balfour Paul; *The Black Friars of Edinburgh*, by Mr. Moir Bryce, and a very racy paper by Mr. Cockburn on *The Friday Club and other Social Clubs in Edinburgh*. While the pictures it gives of the hours of relaxation of the leaders in law and literature are drawn with very humorous lines, no student of social life in the capital in the early years of the nineteenth century can afford to neglect this paper.

Other papers are on *Sculptured Stones*, on *Parliament Square*, and on *Lady Stair's House*, and there are many useful illustrations and plans.

Annual Report of the American Historical Association for the Year 1908. In Two Volumes. Vol. II. (1). Diplomatic Correspondence of the Republic of Texas. Part II. Vol. II. (2). Part III. Pp. 1617. 8vo. Washington: Government Printing Office. 1911.

This is an elaborate and almost exhaustive edition of the Diplomatic Correspondence of Texas from the time of its independence, wrung by revolt from Mexico in 1836, down to 1845, when it was to cease to be a Republic and to become one of the United States. The editor was Professor George P. Garrison, whose much regretted death in 1910 left to others the task of seeing the great collection of manuscript through the press. As an independent power Texas sought recognition, not only from the United States, but from France and Great Britain. An envoy, General Pinckney Henderson, was sent in 1837 to negotiate the matter, and his letters to Lord Palmerston, then British Foreign Secretary, and to Count Molé, then the French Foreign Secretary, reviewing the course of the struggle with Mexico, are the opening documents of a long course of despatches exchanged both with France and Britain.

Hardly less interesting, though much less extensive, is the correspondence with Spain, Prussia, and the Netherlands, while a specially curious and almost archaic suggestion arises from the approaches made to, and treaty adjusted with, the Hanseatic Republics of Lubeck, Bremen, and Hamburg. Professor Garrison's labours have been faithfully carried to editorial completion by three ladies, who have credit by the care with which the text is brought to light in these two weighty tomes which are the diplomatic reliquiae of Texas as a separate Republic.

A Hundred Years of History from Record and Chronicle, 1216-1327. By Hilda Johnstone. 8vo. Pp. xv, 292. London: Longmans, Green & Co. 5s. net.

An assistant lecturer in Manchester University, Miss Johnstone has put this little book together partly for her classes and partly to acquaint a few general readers with the raw material of history, plainly translated but without other annotation or editorial process except the briefest introduction and an outline chronology. Wendover, Matthew Paris, Hemingburgh, the *Vita Edwardi II.*, and Baker of Swinbroke are the chief annalists extracted from for the reigns of three kings. There is thus little deviation from the distinctly trodden path of English chronicle, as the narratives selected are typical and often canonical versions. They have been chosen for their general interest and accuracy. Iniquities of the Scots, such as those of 'a certain robber, William Wallace by name,' at Stirling, and of Bruce at Byland, figure in the excerpts, which dovetail into each other as a vigorous, continuous, entertaining story, in which the rise of parliament is a theme not the less interesting because merely incidental, as for the most part it appeared to contemporaries. Passages checked we have found carefully rendered. While specialists might have preferred more variety of less known authors, and a slightly larger representation of charters and items from public accounts, etc., Miss Johnstone has better attained her aim by

avoiding the more recondite sources, dealing instead mainly with orthodox authorities. She has used them to good purpose, and has managed to echo the liveliest note of the time in her 'hundred years of history.'

INDEX TO THE CONTENTS OF THE COLE MANUSCRIPTS IN THE BRITISH MUSEUM. By George J. Gray. 8vo. Pp. vii, 170. Cambridge: Bowes & Bowes. 1912. 15s. net.

WILLIAM COLE, antiquary of Cambridge, *floruit* 1714-1782, voluminously collected, transcribed, and annotated, acquired an invaluable store of information about Cambridge and vicinity, and bequeathed his collections, about a hundred folio volumes, to the British Museum. By the aid of a small body of subscribers Mr. Gray's index is published, and of course wonderfully facilitates reference. While centring on Cambridge, the material embraces much matter remote from that meridian, *e.g.* 'Scotch Nation, epigrams upon'; 'Scotland: Verses on the tumultuous sedition in, 1639.' Cole's portrait in the frontispiece shows him sturdy, bewigged, and bright-eyed, worthy of remembrance and of Mr. Gray's index.

SCOTLAND UNDER JAMES IV. By Eric Stair-Kerr. Pp. 153. Crown 8vo. Paisley: Alex. Gardner. 1911. 2s. 6d. net

THIS little book gives an account of one prosperous period of the history of Scotland before the Reformation. The author's estimate of the powers of James IV. is a high one. He contends that in his reign Scotland took a high place in politics abroad, while at home the Highlands were peaceful, the power of the Galloway 'clans' broken, and something approaching a Scottish navy was established; that the king was, while he dealt somewhat despotically with the Church, prodigal in granting her lands, and though devout was yet, in the case of the Lollards of Kyle, liberal.

He, however, has to admit that the continual expenditure of the court, and the ever-increasing taxation, would have led to the loss of the devotion of the people had not this been changed by the great calamity of Flodden. The author gives a short chapter on the contemporary 'Makars' of the reign, which will be read with pleasure. In regard to the prosperity of Scotland in the time of James IV., we think he relies a little too much on the account of Ayala, which is all painted in rose colour. More might have been said about the queen and the influence of her English followers in the ten years during which she was queen-consort.

Flintshire: Its History and its Records, by Professor T. F. Tout (8vo. Pp. 38. Price 5s.), an address delivered to the newly founded Flintshire Historical Society, clearly indicates the lines on which local studies and centralised research can with the most advantage combine their efforts. It is an essay of marked interest as tracing a very curious stage in the shiring of Wales, by which, under a statute of 1284, the new county of Flint was partly carved out of Cheshire and partly made up of scattered fragments of conquest won from Llywelyn's principality. Its relationship to Chester however was so peculiar and the jurisdiction exercised in that city through the justices and chamberlain remained so long as to warrant the claim in

substance sustained so late as 1569, 'that the county of Flint pertained to the county palatine of Chester.'

The discussion of this old dependence of a county in Wales on an English shire leads Professor Tout to remark on the fact that certain Welsh records have recently been sent down from London to the Welsh National Library at Aberystwyth, and to put forward the plea that in like manner the Flintshire records should go back to Chester, and those of the duchy of Lancaster to Lancashire. He appeals to the *archives departmentales* of France as a precedent for imitation. Obviously this is a point of home rule on which Scottish historical students ought to be alert. Professor Tout refers to the origin of the palatinate as the commanding problem of Cheshire-Flintshire history and is not hopeful of its solution.

He is more adventurous regarding the 'Clwydian' type of West Flintshire churches remarkable for their double parallel naves. Finding that this type prevails in Dominican churches in Toulouse and the Garonne valley, he remembered the early Dominican dominance, radiating from Rhuddlan and St. Asaph, and has formed a hypothesis that the double naved churches of the Vale of Clwyd may be footprints of Dominican influence. The essay, though short, is packed with fact, theorem, and purpose, and well fitted to stimulate parallel study of county origins. Points in the story of Flintshire relative to Chester have analogy in that of the Stewartry of Kirkcudbright towards Dumfries.

From the Camden Society there come two very variously interesting volumes. First there is the *Camden Miscellany*, Vol. XII. (4to. Pp. x, 296. London: Offices of the Society, Gray's Inn, 1910), containing (1) two London Chronicles from the collection of John Stow, (2) a Life of Sir John Digby, 1605-1645 (written before 1665), (3) Iter Bellicosum, being a drummer, Adam Wheeler's, account of the campaign of Sedgemoor in 1685, and (4) Common Rights at Cottenham and Stretham in Cambridgeshire, being a series of papers, articles of agreement, judgments, affidavits, and orders as to common and pasture rights, edited by Archdeacon William Cunningham from originals dated between 1596 and 1639.

Most interesting of these contents are the two London chronicles in the skilled editorial hands of Mr. C. L. Kingsford, whose knowledge of the annalists of the capital has been so well demonstrated by previous editings of the like sort. The period covered, 1523-1564, was full of incident, and although most of the facts registered were utilized by Stow for his *Summary of English Chronicles*, first published in 1565, a careful collation has brought out many significant omissions and variations on Stow's part from his source now published—suppressions probably in some measure resulting from his known anti-Protestant sympathies.

Pinkie escapes notice altogether, but an entry of the year 1547 reads:

'This yere the kynges ship named the Menyon did take a grete Spaynysh shyp in the naro sease mannyd weth Scott & halff ladyn with costly goods.'

The peace of 1550 is mentioned as 'including ye Scotes,' and in 1551 the visit of the dowager Mary of Guise is the subject of a paragraph:

'Note also yat uppon ffryday beynge ye vjth daye of November ye Quene of Scottes rode through Chepesyde with a greate companye of Englishemen waytynge on her, after she had lyen iiij dayes in ye byshope of London's palace besyde Paules churche.'

War breaking out again in 1557, we read apparently under date 1558 of an important naval exploit:

'In the begynyng of July, iii shipes of this citye comyng from Andwarp ladin with riche marchandise were takyn by Scottes and Frenchemen, whiche were estemyd to be better worth than 20,000 li.'

These meagre passages serve at least to eke out a little our Scottish annals, and in like fashion we recover something from the Digby biography, which bears the flamboyant title of *Hector Britannicus*. Digby is not likened to the Trojan hero only; a poem declares:

'I might Horatius Cocles have hym nam'd
Who gainst Porsenna's Army single stood
On Tibers Bridge for which Act hee is famed:
So almost sole our brave Sir John made good
The Horse and Foots retreat against y^{e} Scot
At Newborne fight which ne're shall bee forgot.'

The prose record tells a wonderful story of Digby's valour at Newburn fight on the Tyne, near Newcastle, (28 August, 1640). The flight of other bodies of horse had left 'Sir John with his single troop engaged against the whole Army of the Scottish horse to undergoe the unequall shock of the overpowering Ennemy advancing in a firme and united body.' Mounted on 'Sylverside'—a steed of mettle worthy to carry any hero—Sir John was unhelmeted and the horse badly wounded, and the Scots pressed furiously upon him, 'but' (says the pious and laudatory biographer) 'God vouchsafed to bee his helmet and overshadowed his head wonderfully with the heavenly shield of his holy protection in this day of battaile for neither by sword carbine nor pistol which pell-mell were brandished and discharged at his bare head and came so near that his face glowed with the heat of the fire issuing from them was hee either hurt or touched.' But his horse fell dead, and the valiant Sir John was 'environed by the enemy and became their war-like prisoner,' grateful, however, to the 'coronell' and other commanders for the 'singular respect civilitie and courtesie' with which he was treated during his imprisonment in Newcastle. (Spalding's *History of the Troubles* notices his capture.)

As he was being led into the Scottish quarters an incident happened, the record whereof has its entertaining side:

'hee saw in the way one of his footmen lying on the ground with his face downeward. *There lies* saith hee, *dead, one who living was my man.* At whose voice the servant joyfully starting up was unmeasurably glad for his maisters life whome hee conceaved also dead though sorrowfull for his captivity, wherein he was licenced by the Scots to waite upon hym as formerly.'

Flippancy must doubtless be avoided by historical critics, but can one resist asking whether that serving man's explanation was any better than Falstaff's at the battle of Shrewsbury?

The other Camden Society publication is *Despatches from Paris*, 1784-1790. Volume II. (1788-1790). Edited by Oscar Browning. (4to. Pp. 337. London. 1910). It completes the work, of which the first volume was noticed in 1910 (*S.H.R.* vii. 423). Mr. Browning was then seriously ill, and his recovery happily enables him to accompany the second half of his text with the preface to the whole. The chief interest he finds in the selection of embassy correspondence lies in its indications that Pitt (however differently interpreted by other authors) had a passionate desire for peace with France, in spite of the fate which was to identify him as above all a war minister, and to make him die a victim of Austerlitz. Deeply interesting it is to follow the course of culminating and explosive events during the crisis of 1788-90.

When, on 14 July, 1789, the Bastille fell, it was so direct a consequence of the general revolt that the circumstances attending it, although labelled 'extraordinary,' evoke less surprise than might have been looked for in the calm and elaborate descriptive despatch of 16 July, with a postscript written at 11 p.m. The Duke of Dorset, the ambassador, was, however, profoundly apprehensive. 'The regularity,' he wrote, 'and determined conduct of the populace upon the present occasion exceeds all belief and the execration of the Nobility is universal amongst the lower order of people.'

Maryland under the Commonwealth. A Chronicle of the Year 1649-1658, by Bernard C. Steiner (8vo. Pp. vii, 178. Baltimore: The Johns Hopkins Press. 1911). This Johns Hopkins University study in historical and political science has all the interest of a chapter of religious and political struggle across the Atlantic in the Commonwealth time. Maryland was a proprietary colony of successive Calverts, Lords Baltimore, a Roman Catholic family. The Puritan Commonwealth in England appointed a Protestant governor in 1649. The situation was difficult: the opposed religious interests and views of colonial administration especially as regards an oath of allegiance or fidelity to the proprietor were irreconcilable: a parliamentary commission was appointed in 1651: the governor was deposed and the proprietary government overthrown: in 1654 there was civil war over the oath of fidelity resulting in Puritan victory; but the Puritan ascendency was short lived, and in 1657 the proprietary government was restored. It was a triumph for Lord Baltimore due, says a Maryland historian, to 'the justice of his cause and his wisdom, constancy and patience.' When we turn to the brief notes of Carlyle on Cromwell's letters, Nos. 199, and 203, relative to this matter, and compare them with Dr. Steiner's elaborate and heavily-referenced study, we can the better appreciate the present advance of American local history and its conquest of fact from transatlantic archives. The volume is a painstaking exposition of the policy and government under Baltimore, the revolution effected by the over-zealous parliamentary commissioners, and the reaction in favour of the original administration.

Monsieur A. Mounier has had the goodness to send us the first part of his *Silhouettes des Quatre Derniers Chevaliers Dauphinois Au xvi^e Siècle*—

Bayard, Arces, Montbrun, et des Adrets. (Pp. 41. Grenoble: E. de Vallée et Cie.) Dedicated 'A l'honneur du Dauphiné,' this sketch of the 'perfect knight' Bayard and of the 'white knight,' Antoine d'Arces, best known to Scots history as De la Bastie or Bautie, has its particular interest in this country from its notice of the latter, a gallant tilter and soldier, the unfortunate wielder of regency authority in Scotland under the Duke of Albany, destined to a savage death by the blood feud of the Humes in 1517. The family chateau at Meylan was called la Bâtie, doubtless from some ancestral medieval fortlet. From this d'Arces took his familiar appellation. For his career in Scotland in 1502-08 we can from Sir David Lindsay and Hume of Godscroft, Tytler and Francisque Michel, get far fuller particulars than from M. Mounier, but we follow with advantage M. Mounier's description of his knight errantry and adventures, or misadventures rather (for he was made prisoner at both places), in the French service at Treviglio and Padua in 1509. These were unlucky preludes of his unlucky return to Scotland in 1517. But there is one continental episode recorded by Sir David Lindsay which might repay M. Mounier's examination. In *Squire Meldrum*, Sir David Lindsay tells of De la Bastie's finding the squire (William Meldrum of Cleish and Binnis) mauled by Stirling of Keir, and how the French knight expressed his keen regret that he had not arrived in time to share the fray:

'Wald God that I had bene with thee,
As thow in France was anis with me
Into the land of Picardy
Quhair Inglismen had great invy
To have me slane sa thay intendit
Bot manfullie thow me defendit
And valyeanlie did save my lyfe;
Was never man with sword nor knyfe
Nocht Hercules I dar weill say
That ever faucht better for ane day
Defendand me within ane stound
Thow dang seir Sutheroun to the ground.'

Historie of Squyer Meldrum, ll. 1395-1406.

Perhaps in the second part of his Dauphinois study, M. Mounier may be able to verify the actuality of De la Bastie's service against the English in Picardy, if not of his rescue by the stout laird of Binns, whose 'historie' by Lindsay, however embellished poetically, was certainly no fiction. To elucidate this will be a double tribute—to the French knight's biography, and to the Scottish poet who put his alleged speech into verses, which gave Squire Meldrum so hearty a lift.

The *Tenth Annual Report*, for the year 1910-11, of the Carnegie Trust contains a record of the work done by beneficiaries, including those in the departments of Literature and History. Professor Hume Brown as reporter commends the publications thus assisted as permanent contributions to history, doing credit to the Trust. New subjects of assisted study for

1911-12 include Scots naval history, a catalogue of medieval manuscripts, charters of Inverness, records of sea-fisheries, and themes of Celtic folk-lore and Scottish dialect.

The Annual Report of the American Historical Association for the year 1909 (Royal 8vo. Pp. 812. Washington, 1911), is a solid, not to say ponderous, tome of matter chiefly concerning the materials of history, but containing several actual historical studies as well. Of these latter the one of most general interest is that on Bismarck by Guy S. Ford, who treats the great Chancellor's memoirs as needing scrutiny almost as jealously sceptical as that necessary for Napoleon's. The *Gedanken und Erinnerungen* are, he says, 'to be used with more caution than most memoir literature,' and he quotes with approval Busch's remark about his master that 'he was not qualified to be a historian.'

Julius Goebel, studying the German element in American history, outlines the elements required to ascertain the cultural status of the German immigrants in various generations in order to determine their contribution to American civilization.

H. T. Colenbrander, similarly examining the Dutch element, and Miss Ruth Putnam on the same subject, alike present a great deal more of definite and interesting fact to support their common conclusion that both old Dutch and new Dutch ingredients have been 'marvelously vital' in the mixture of American thought and political theory.

Reports on the historical societies of Great Britain, Holland, France, and Spain give a tolerably full survey of these organizations.

A large section is devoted to a series of papers on the 'Lessons' of British, German, Italian, Dutch, Spanish, and Swedish archives, followed by extensive reports on the archives of Illinois from 1790 by Professor Alvord and T. C. Pease, and of New Mexico from 1621 by Professor John H. Vaughan. Miss Grace G. Griffin's 'Bibliography of writings on American history published in 1909,' by its 250 pages well displays the ardour with which the American is now editing his records and exploiting his ancestry and annals.

The whole volume is a guarantee of the living force of historical research and criticism in America, and is such a year-book of these studies as compels admiration both of its spirit and its industry.

From different quarters there issue quite a series of studies of arms. Not only have we Professor Tout's paper in the *English Historical Review*, collecting the passages relative to early artillery in England, but we have a no less careful essay by Mr. R. Coltman Clephan on *The Ordnance of the Fourteenth and Fifteenth Centuries* (Cr. 8vo. Pp. 49–138 reprint from the *Archaeological Journal*. London: Hunt Barnard & Co. 1911.), and we have also in the Tudor and Stuart Library a handsome reproduction of Gaya's *Traité des Armes*, 1678, edited by Charles Ffoulkes (8vo. Pp. xxxvi, 172. Clarendon Press. 1911. 5s. net.) in which a captain of Louis XIV. dealt with the arms and firearms, artillery and military instruments of his time, and illustrated them with excellently explanatory plates.

Elsewhere appears a short notice of Professor Tout's calendar of gunpowder entries in the public records.

Mr. Clephan's paper resumes his earlier studies of the 'handgun' (noticed in *S.H.R.* vii, 206), and has special value in that it gathers evidence from Europe, reproduces early pictures to support his citations of early documents, and presents drawings and photographs of ancient pieces of ordnance which have survived. Thus combined the proofs serve to bring out important facts in the evolution of cannon.

In 1326 an Oxford manuscript contains the earliest known picture of a cannon on a four-legged stand, with a bolt or 'garrot' as the missile, set in the mouth and neck of the bottle-like explosive engine. Next year we have Barbour's record of 'crackys of war' used by Edward III. in his campaign against the Scots. Numerous continental records mention 'vasa,' 'scolpi' or 'sclopita,' 'canons,' 'pot de fer à traire garros à feu' between 1331 and 1339, by which time the institution was fully established. 'Garrots' were at first the usual missiles. Between 1359 and 1369 the guns on record are of bronze, copper, and brass, and from 1364 stone comes to be the prevalent projectile. The 'tiller' of the early bombard was its wooden bed or stand. Before the end of the fifteenth century 'great' guns were being made, sometimes breechloaders, and there was already a considerable variety of lighter weapons. Large pieces of the Mons Meg type came into vogue in the fifteenth century, Meg herself being estimated as of about 1460. Corresponding weapons in Holland bore the corresponding names 'Dulle Griete' (Mad Meg) and 'Holle Griete' (Bonny Meg). Both Meg and Griete are contractions of Margaret.

But we have pillaged Mr. Clephan enough: his pages are tempting, enlivened as they are with jewels of early criticism such as the statement of De Commines that in spite of all the guns at the battle of Fornovo he did not believe the artillery on both sides put together had killed ten men! Mr. Clephan has amassed a really extraordinary amount of information concerning the development of ordnance, the very names of which, such as steinbüchsen, schirmbüchsen, crapaudeaux, passe-volants, espingardes, veuglaires, carbotannes, escopettes, feldschlange, and todenorgel, would make a curious glossary. Few ideas of to-day are without antique premonition, and the fact holds about guns and gun-carriages. Even the mitrailleuse had a very business-like prototype in the 'orgelgeschütz,' with no fewer than sixty-three barrels. Some references to Scottish artillery under James IV. would now admit of supplement, but we note with interest and gratitude—though not without that modest diffidence so characteristic of our country—Mr. Clephan's conclusion that 'guns were being cast in Scotland earlier than any recorded in England.'

From Mr. Clephan's most instructive and valuable critical compilation we pass to the crude treatise which Louis de Gaya, Sieur de Tréville, composed in 1678, and to which Mr. Ffoulkes has prefixed an introduction warmly and deservedly commended in a word of preface by that distinguished authority on arms, Viscount Dillon. The treatise is a sort of *catalogue raisonné* of the sword, bayonet, musket, pistol, carbine, pike, partizan, halbert, buckler, shield, bomb, grenade, ordnance tackle of all

kinds, petard, and belier (or ram), of the oriflamme and other banners, and finally of the drum, trumpet, and other instruments of military music. A hand-glossary prefixed is of assistance, and there is a summary bibliography. Gaya is often in error about historical fact, for the story of arms is always obscure. His remark on the two-hand sword or 'espadon' is odd. He says he never saw it used except in the Netherlands, where the ramparts of all the towns were stocked with them every six paces, with a like supply of maces. But he adds that in spite of their apparently fierce purpose these weapons were only put there *pour l'embellissement de leurs parapets.*

Gaya states that bombs were not used in France until 1635. Mr. Ffoulkes shows, however, that the invention, at least in embryo, goes back beyond the year 1472, when Valturius describes brazen balls filled with powder. As for red-hot shot, which Gaya calls 'boulets rouges,' Mr. Ffoulkes finds history for them as far back as 1575, while Mr. Clephan makes them a full century earlier, at the siege of Oudenarde in 1452. Gunpowder subjects are all of high general interest, and Professor Tout, Mr. Clephan, and Mr. Ffoulkes each make such meritorious additions to the growing pile of recovered fact as materially sharpen the points and heighten the attractions of the discussion.

In the January number of the *English Historical Review* Mr. W. H. Stevenson carefully edits a number of eleventh-century-English fragments—prayers, list of sureties, surveys of land. The late Mr. F. H. M. Parker sets in parallel the forest laws and the stories of the death of William Rufus, and supports Voltaire's scepticism about the New Forest tradition. Mr. J. F. Chance discusses the Charlottenburg treaty made with Frederick William I. in 1723. Professor Haskins contributes a note on the abacus in its connexion with English exchequer accounting. Dr. Holland Rose prints diplomatic letters preceding the rupture with France in 1793.

In the *Oxford and Cambridge Review* for January Mr. L. F. Salzmann, writing on 'Medieval Byways—Those in Authority,' gives telling examples of administrative oppression and the social disturbance ensuing. His objection to England of the middle ages as 'merrie,' however, is a relative question, which the instances of brutality hardly answer. They could all be paralleled by modern cases: the police court is a bad barometer for mirth.

The Modern Language Review for January deals with the text of Dante's letters, with Donne's sermons and poetry, and with Shelley's prose romances.

Old Lore Miscellany for January is strong on Shetland folk-lore, Shetland wrecks, Ewan MacDonald's *Faclair Gàidlig* or new Gaelic Dictionary, and on Orkney surnames and the old Orkney township.

In *The American Historical Review* for January Professor C. R. Beazley reviews the achievement of Prince Henry (the Navigator) of Portugal, whose greatness of conception and power of colonial organization he establishes by most telling citations from contemporary documents of political and commercial history. Mr. R. C. H. Catterall describes the proceedings

of Sir George Downing in the Netherlands in the capture of three of the regicides of Charles I. at Delft in 1662 and carrying them off—much against the grain of Dutch feeling—to England, where they were executed as traitors. The event, says the writer, 'certainly left every one engaged in the capture to suffer the contempt of that and succeeding ages.'

A second series of the secret reports of John Howe deals like the first with the attitude and suspected preparations of the United States as against Britain in 1808. Apparently there was a good deal of confident talk of a militant section. They said they could 'take the British Provinces of Canada, Nova Scotia, and New Brunswick.' The reporter adds: 'It is amusing to hear them talk here of the extreme facility with which they can possess themselves of the British Provinces.' Howe himself thought differently on that head. In his opinion, however, the people had no great wish for war. In fact, there was no war until 1812.

In the *Revue Historique* (Jan.-Feb.) Mademoiselle Inna Lubimenko traces, with a creditable modicum of research, the enterprises of English merchants in Russia in the sixteenth century inaugurated by the adventurous voyage of Willoughby and Chancellor in 1553. Jenkinson's mission in 1557 considerably secured the prospects of the English 'Merchant Adventurers' promoting those schemes, which were pursued with great tenacity and some triumph over difficulties. The published records of the 'Eastland Company' would have furnished important parallel sources of information. A concluding section of the *Acta tumultuum Gallicanorum* describes, with the exultation natural to the victorious faction, the battle of Moncontour in 1569. The writer rejoices with exceeding joy in the overthrow of the German contingent, whom he lectures unmercifully for their failure from their ancient virtue, and for their cruelty, and 'passion of pillage, worse than that of the Turks'! He crows over the capture of the large guns of the Huguenots, which they had dubbed *chasse-messe*, but which their captors renamed *chasse-prêche*. M. Bémont contributes a well-informed survey of recent work in British history, specially noticing for Scotland the writings of Sir Archibald Lawrie, the late Bishop Dowden, Professor Hume Brown, Professor Herkless, and Mr. Hannay, Dr. G. Henderson, Dr. W. L. Mathieson, and Miss Keith. His criticisms are praise.

In the *Bulletins de la Société des Antiquaires de l'Ouest* (1910, trimestres 2, 3, 4; 1911, trimestre 1) subjects include the great levy of 300,000 men in Vienne in 1793, a biography of Jean du Verger, 1581-1643, abbé of Saint-Cyran, and a notice of Jacques de Brézé, grand seneschal of Normandy, who married a daughter of Charles VII. and Agnes Sorel, and killed her for unfaithfulness.

There is also a brisk critical discussion of the site of the battle of Vouillé, A.D. 507, placed by Gregory of Tours *in campo Vogladense decimo ab urbe Pectava milliario*. Even in France the sites of early battle are still themes of combat. In the present instance Vouillé (Vouglé), fourteen kilometres north-west of Poitiers, appears to hold the field of the victory of Clovis, in which the Visigoths were finally overthrown and Alaric fell. It would never do for a battlefield like that to get adrift again.

Notes and Queries

CATHERINE, MARCHIONESS OF CARNARVON? Catherine, second daughter of Lionel (Murray), third Earl of DYSART[s.], is stated in *Complete Peerage*, *Scots Peerage*, and as far as I know by all authorities to have married, 1st September, 1724, John, styled Marquess of CARNARVON, who was heir apparent of James, first Duke of CHANDOS. This John was born in 1703, and was therefore twenty-one at the date of his marriage. Catherine was third child of her parents, who were married very shortly after 4th May, 1680, so she appears at the date of her marriage to have been aged about forty. As she was not an heiress, it seems *primâ facie* improbable that a Duke's eldest son, aged twenty-one, would have married a woman so much older than himself. If any of your readers can throw any light upon the matter, or can furnish me with any proof of the marriage, or even with the date of Catherine's birth, I should be very glad to have the information for the second edition of the *Complete Peerage*, which I am editing.

VICARY GIBBS.

12 Upper Belgrave Street, S.W.

AN OLD TIREE RENTAL OF THE YEAR 1662 (now in the Argyll Charter Chest). Some years ago the Editor of the *Transactions* of the Iona Club printed an old Rental of the Bishoprick of the Isles, and drew attention to the expression a 'Teirung' as a land measurement which occurs only once in the Rental, and he asked if anyone could throw light on the matter. So far as I know no light has been shed hitherto upon it, but the following Tiree Rentall is of the highest interest, as it settles not only what a Tirung was, but also clears up the extent of the maill or malie, which by some has been supposed to be a Norse measure of land. Briefly, a Tirung is a 6 mark land, and was divided into 48 malies or 20 penny lands. Ti ee was clearly the winter resort of the MacLeans and of their chief, and he had free quarters for himself there all winter and for his retinue, who, it is herein stated, were never less than a hundred. The falconers had also free quarters and lambs for the hawks, and the whole island paid a sail and hair tackle to a galley. The weaving of some kind of coarse linen was in vogue, as a tribute of 60 elnes was levied from the island weavers. But the Rental, of which the following is a *verbatim transcript*, shall speak for itself.

Memorial Rentall of Tirie as the samen wes in use to pey when it wes fullie set.

A Tirŭng is a 6 merkland and is divydit into 48 malies or 20 pennylands.						
The extent of Tirie is 20 tirungs or 120 merkland and 5 shillings more.						
Tirie was in use to pey when it wes fullie set each tirung of money rent the soume of £160 inde for 20 tirungs of modern rent, - - - - -	£3200	0	0	£3240	0	0
The milne did pey, - - - - -	0040	0	0			
Item everie tirung did pey of victuall 40 bolls meall beares, malt equallie each boll containing 5 firluts of Linlithgow measure inde of victuall upon 20 tirungs 800 bolles, at £5 6s per boll is, - - - - - -	£4266	13	4	£4266	13	4
Item each tirŭng a mertimes cow, -	6	13	4	£2333	6	8
Item a whitsonday cow and calfe -	10	00	0			
Item 12 stone cheese at 2 merks per stone, - - - - - - -	16	00	0			
Item 12 quarts butter at 2 merks per quart, - - - - - - -	16	00	0			
Item 16 wedders, - - - - -	16	00	0			
Item 4 dussan of pultrie with eggs, -	8	00	0			
Item 6 bolls horse corne, strae and groomes meat free, - - - -	12	00	0			
Item each malzie 4 loads of peats is £102 one each tirung at 3sh 4d per load, - - - - - -	32	00	0			
West Tirie of Linning 30 elnes East Tirie of Linning 30 elnes } 60 elnes,	20	0	0	£0086	13	4
Everie weaver payed a merk and were ordnarlie four scoir set to the chamberlaine for, - - - - -	26	13	0			
Whole Tirie peyed a saill and hair taikle to a galey, - - - - -	40	0	0			
The Falconers had free quarters and Lambes' etc for the haulks.						
And Tirie wes wont to quarter all the gentlemen men that waited on McLean all winter not under a 100.						
This rentall is besyds the teinds ipsa Corpora.						

NIALL D. CAMPBELL.

FROM THE BURGH CHARTER ROOM, HADDINGTON.

'January 4, 1529. ... personaliter constituti honorabilis et circumspecti viri David Lindsay nomine et ex parte Leonis Regis Armorum, Johannes Meldrum alias Marchmond heraldus. Johannes Diksoun alias Ross et Petrus Thomsoun alias Iley heraldi ex una et Dominus Robertus Bachok capellanus Altaris Bte. Virginis Marie infra ecclesiam parochialem de Falkirk ab altera partibus. quiquidem Dominus Robertus non vi aut metu ductus nec errore lapsus, sed ex sua pura libera et spontanea voluntate pro certis causis rationabilibus animum suum, ut asseruit, monens, fecit constituit creavit et solempniter ordinavit, prout tenor presentis instrumenti facit constituit creat et solempniter ordinat prefatum Leonem Armorum Regem et reliquos heraldos Regni Scotie, presentes et futures veros legitimos et indubitatos patrones Capellanie sue per ipsum Dominum Robertum infra Insulam Sancti Michaelis Archangeli in ecclesiam parochialem predictam fundatae, dans et concedens dictus Dominus constituens prefatis Leoni et heraldis patronis predictis aut tribus eorumdem conjunctim, prefato Leone uno eorum existente si infra regnum pro tempore exteterit.... &c. &c.'

The above Notarial Instrument is on a grant by Sir Robert Bachok of the patronage of the Altarage, founded by him in the Aisle of St. Michael in the parish church of Falkirk, in favour of the Lion King of Arms and the Heralds. Three of the Heralds form a quorum to present, the Lion, if one were in office, being essential.

The Heralds, with the Macers, were patrons of St. Blaseus' altar in St. Giles, Edinburgh. William Meldrum, from whose protocol book in the Burgh Charter Room, Haddington, I copied the deed was, I suspect, a brother of Marchmond Herald mentioned above.

'27 January 1556. Thomas Reid hes maid constitut and ordanit and be thir presentis makis constitutis and ordanis Johne Hoppryngill brother germane to George Hoppringill of Wranghayme his cessionar and assignay in and to ye uptakin of ye soum of iij^{c} merkis mony of yis realm or of ane steding of aucht oxin tiltht with ye haill plennissing yairof at ye modificatioun of Johne Cokburn umquhile of Ormistoun and George Browne of Colstoun promittit to him faythfullie be James Cokburn of Langtoun for ye delivering and hayme brynging of ye said James out of Ingland at ye raid of Solenmoss he beand tayne prisoner be Inglishmen yan, gevand grantand &c his full power &c to call and persue ye said James for non full fyllin of his said promise before quhatsumevir juge or jugis unto ye obtening yairof &c.'

The above Thomas Reid was parish clerk of Melrose, and on the same day he granted his parish clerkship with all its dewties, &c., to said John Hoppryngill, on condition of his renouncing it in his favour again on Reid's return 'out of utheris partis to quhilkis he is passand.' This deed throws a sidelight on the unfortunate Raid of Solway Moss in November, 1542. It is copied from Steven's *Protocol Book* (folio 164B) in the Burgh Charter Room, Haddington.

J. G. Wallace-James.

JOHN HOME'S EPIGRAM. Lockhart in his *Life of Sir Walter Scott*, chapter xli., says:

'Port he considered as physic: he never willingly swallowed more than one glass of it, and was sure to anathematise a second, if offered, by repeating John Home's epigram:

> '"Bold and erect the Caledonian stood,
> Old was his mutton, and his claret good;
> Let him drink port, the English statesman cried—
> He drank the poison, and his spirit died."'

Where does this quotation come from? I should be glad to have a reference to any poem of Home's in which it appeared.

GEORGE MACKAY.

JOHNE OF ARINTRACHE—A KNAPDALE QUERY. A curious and hitherto unnoticed item regarding one of the many Gillespick Campbells who were Lords of Lochow appears in two old Inventories of Lord Lorne's writs made in 1633. It runs as follows:

'Number 127. Item, auld writ on parchment grantit be one Johne of Arincrauche Lord of Knapadaill to ane Gilleaspeck Campbell Lord of Lochahaw of the Lands of Arincraw and ane number of pennylandis without a dait.'

In the other old Inventory it is entered thus:

'Item ane writt on parchment grantit be one Jon of Arintrache, Lord of Cnapadaill to ane Gilleaspock Campbell, Lord of Lochachow of ze landis of Arnetra and ane noumber of pennylandis without a dait.'

Can the granter be identical with John of Menteth, Lord of Knapdaill and Arran, who on the Vigil of S. Andrew, 1353, granted to Archibald Cambell, Lord of Lochaw, the pennyland within which Castle Suyne was situated, the lands of Apenad, the two pennylands of Danna called Barmore, the three pennylands of Ulva, the lands of Dalechalicha, Skondenze, Dreissag in Knapdaill with power of appointing and dismissing sheriffs, and if condemned to death 'with power to cause hang them upon ane gallous' (Argyll Inventory)?

I regret to say that I cannot find the original of the first mentioned item, and in the Inventory of the ninth Earl's writs made in 1680 it is not even entered, in which the Knapdaill writs begin with the 1353 Charter.

Where also is Arintrache or Arnetra (apparently formed from the Gaelic *Airidh-na-traigh*), as I can find no such place in old maps of Knapdale, within whose bounds, however, it need not necessarily be? Could it possibly be meant for Arran of the peaks (*nà-cruaich*)? The letters *t* and *c* are often confused by copyists.

28 Clarges Street, W. NIALL D. CAMPBELL.

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Student Life in St. Andrews before 1450 A.D.

So far as we read of Student Life in connection with the early Colleges—and it is there we have the most reliable and definite information—it was modelled on that of the cloister. We find the observance of fasts and festivals along with, and sometimes rather than, the pursuit of literature and the culture of the intellect. It is significant that at St. Leonard's College, St. Andrews, down to 1698, 'there seems reason for saying that appointments by the Crown were generally made out of consideration for the spiritual needs of the Church rather than the intellectual wants of the College.'[1] But there was a period in Scottish University history prior to the foundation of the Colleges. St. Salvator's, the first Scottish College, was founded in 1450 by James Kennedy, and it is the period between 1410 and 1450 with which we are at present concerned.

The reproduction of medieval student life in general is rightly regarded as a somewhat severe strain upon the historical imagination. Perhaps even more so is it true of that life in Scotland in pre-College days. Our information is so scanty that one is at first tempted to call it prehistoric. General conceptions can be obtained from well-established facts at contemporary Universities—these are indeed of the utmost value for the understanding of a time when there was among the learned in Europe a camaraderie that has not been surpassed.[2] The collections of Student

[1] Herkless and Hannay, *The College of St. Leonard's*, p 34.

[2] Rashdall's vol. on *Universities of Europe in the Middle Ages* is indispensable. For student life, see vol. ii. pp. 593-712.

Letters[1] are also of some importance; whether real or imaginary they reflect the conditions of the age in which they were composed, telling, *e.g.* of the accidents that may befall one on the way to a seat of learning, of the clamant need of money on arrival there for books and parchments, for clothing, bedding, etc. But for obvious reasons we read little in these letters of the wilder side of University life; indeed, if we were to judge him by his own account the medieval student in general was a model of industry and good behaviour. For particular information as to Scotland we must look to contemporary Scottish records, and above all to the records of St. Andrews, the seat of the oldest Scottish University and the principal seat of learning in Scotland prior to the Reformation; and here we have the *Acta Facultatis Arcium* (still unfortunately in manuscript), the collections of early Statuta,[2] and occasional references in the University Commissions' Reports. Still with all this we feel the want of an authentic record of the daily life of a student in the early times, and we should have been grateful for an account like that of James Melville for the Reformation period, and of the scholar of St. John's, Cambridge, concerning whom we are told exactly when he rose out of bed, how much of the day was devoted to study and what kind of study, what he had to eat—how he was content with 'a penye pyece of byefe amongest iiii havyng a fewe porage made of the brothe of the same byefe with salt and otemell, and nothynge els' for his dinner—and how he warmed himself by walking or running about for half an hour before going to bed because there was no hearth or stove to warm his feet.[3]

At first, and for a considerable time afterwards, as we might expect, special buildings were not available for the reception of the St. Andrews student, let alone provision for collegiate residence; lectures were delivered wherever it was convenient to meet. As a consequence many 'schools' sprang up, and it was found necessary as early as 1414, *i.e.* within two or three years of the University's foundation, to enact statutes for their regulation. The intention was 'quod omnes studentes in artibus viverent collegialiter.'[4] It was required, *e.g.* that no schools were to be

[1] See Chas. Haskins's instructive article in *Amer. Hist. Rev.* vol. iii. pp. 203-29.

[2] R. K. Hannay, *The Statutes of the Faculty of Arts and the Faculty of Theology at the Period of the Reformation* [St. Ands. Univ. Publications, No. vii.], 1910.

[3] Thomas Lever's *Sermons* (1550), Arber's English Reprints, p. 122.

[4] *Votiva Tabella* (1911), p. 36.

conducted in the Faculty of Arts unless 'per modum communitatis, aule, vel pedagogii sub cotidiano regimine et custodia magistrorum'; that no 'extra commensales,' or 'Martineti,' as they were otherwise called, be admitted to these schools with the exception of poor students and the sons of burgesses; and that no master was to receive the scholar of another master without first giving him satisfaction.[1] It thus appears that masters were to exercise personal supervision over scholars, that special provision was to be made in favour of poor students to whom the expense of living with a master would doubtless be prohibitive, and also in favour of the sons of citizens who were under the guardianship of their parents. According to Thurot, pedagogies had become very numerous on the Continent before the close of the fourteenth century.[2] The pedagogies at St. Andrews were forbidden in 1429, as discords and scandals had arisen in these rival establishments. The prohibition was, however, evaded, and in 1432 the Dean of the Faculty of Arts was required to visit the various houses once a week and ascertain if the discipline and teaching were satisfactory.[3] Finally, in 1460, it was resolved that in future there should be only one pedagogy. We find, therefore, that generally speaking considerable provision was made for the personal supervision of the Scottish student in the very earliest days. Notwithstanding this, we learn also that very considerable license was allowed to him; indeed, the laxity of house discipline was at times so pronounced that we can only account for it by the rivalry existing between the different pedagogies, each of which was naturally anxious to secure as many of the students as possible.

It will be observed, also, that thus early have we come across the Poor Scholar to whom we look for much of the poetry and heroism of student life, who has always figured largely in Scottish education, and for whom special provision has always been made. It is interesting to learn from the *Acta* under date 1444 that remission of fees was granted in favour of four poor men, who, however, were taken bound to pay back when they were able to do so.[4] One is not wholly left to conjecture as to how such

[1] Hannay, pp. 3-6.

[2] *L'enseignement dans l'Univ. de Paris*, p. 92 ff.

[3] J. Maitland Anderson in *Scott. Hist. Rev.* iii. p. 312.

[4] Principal Sir Jas. Donaldson, *University Addresses* (1911), p. 520; and Rashdall, p. 658 n. 1.

students were to meet the necessary charges of lodging and food and University dues, and what menial services they could perform in return for benefactions without loss of academic caste. Mr. Risk assures us that a necessitous student of Harvard of the present day can employ himself from reading gas-meters to waiting at table in the hall, like the ancient servitor of Oxford and Cambridge, without any sense of inferiority.[1] In a less exacting age than this, when even gentle youths were habitually brought up as pages to bishops and abbots, few tasks would be too humble for a poorer student—the office of 'luminator' was a highly respectable one—and opportunities would not be wanting to enable an ambitious youth to eke out his slender stock. For him begging, at all events, was no disgrace. The example of the Friars had made it comparatively respectable, and all that the Scottish Parliament of the time could do was to attempt to regulate matters.[2] Many a man who would have been ashamed to dig was not ashamed to beg.[3] The Chancellor's Court at Oxford, on 13th July, 1461, made the interesting entry that Denis Burnell and John Brown, poor scholars at Aristotle Hall, had officially sealed letters testimonial permitting them to beg ('ad petendum eleemosynam'), and this does not appear to have been exceptional

[1] *America at College* (1908), pp. 29-31.

[2] Cf. *Acts Parl. Scot.* vol. ii. 36(9), 49(17), etc.

[3] The Goliards sang:

> No one, none shall wander forth
> Fasting from the table;
> If thou'rt poor, from south and north
> Beg as thou art able!
>
> J. A. Symonds, *Wine, Women, and Song*, p. 46.

And their petition was:

> Literature and knowledge I
> Fain would still be earning,
> Were it not that want of pelf
> Makes me cease from learning.
>
> Do., p. 50.

It was not till 1574 that 'vagabundis scollaris of the vniuersities of sanct androis glasgow and abirdene' were included in the Act against 'strang and ydle beggaris' who on conviction were to be 'scurgeit and burnt throw the girssell of the rycht eare with ane het Irne of the compass of ane Inche about,' and who were to suffer the pains of death as thieves if at the end of sixty days they fell again into their 'ydill and vagabound trade of lyff.' It is important to note, however, it is expressly stated that these rigorous measures were not to be applicable to such students as were 'licensit be the Dene of facultie of the vniuersitie to ask almous.'—*Scott. Act. Parl.* vol. iii. 86-9; re-enacted in 1579.

at any University of the time.[1] Again, to support a scholar at the University, or to help him on a smaller scale by giving him something at the door in return for a prayer or two, was a recognised work of charity in the medieval world.[2] It is to be hoped that not many of them could make the confession which R. L. Stevenson puts in the mouth of Villon: 'I am a poor student of Arts of this University. I know some Latin and a good deal of vice. I can make chansons, ballads, lais, virelais and roundels, and I am very fond of wine.' While the poor scholar was never awanting in the Scottish Universities the students in pre-Reformation Scotland were for the most part drawn from the clergy and the lairds, with an occasional sprinkling of the sons of the nobility and of burgesses and artisans.

A journey[3] to the Scottish seat of learning in the first half of the fifteenth century was an event of some importance, not unattended by risk to life and limb, though the legislation of James I. had happily for a short time ensured unusual peace and security. But Bower, referring to the following reign, could only cry out, 'Woe unto us miserable wretches, exposed to all manner of rapine and injury, how can we endure to live?'[4] Self-preservation, therefore, made travelling in company practically a necessity. It does not require a very vivid imagination to picture the eager youths on their way, the well-to-do on horseback accompanied by servants and retainers, the poorer on foot and carrying little beyond what the wants of a day demanded, and all of them armed; the stoppages by the way at inns, which were for the most part comfortless; the quaint talk and occasional song and story to beguile the tedium of a lengthened journey; the frequent alarms or actual conflicts with highwaymen; the welcome and good cheer furnished by the monks; and the safe arrival at the destination at last.

Having arrived, our bejant can now enter upon the main business of his coming. He is liable to be visited by some touting master or one of his students anxious to secure the newcomer for his 'school.' That custom, prevalent at other University centres, early manifested itself at St. Andrews; by statute in June, 1416, the masters, regent and non-regent, bound themselves

[1] Giles, *Undergraduate of the Middle Ages* (1891), p. 10.

[2] Cf. Rashdall, pp. 657-8.

[3] Cf. generally, Hume Brown, *Early Travellers in Scotland* (1891) and *Acts Parl. Scot.* for reigns of James I. and II.

[4] *Scotichronicon*, vol. ii. p. 512.

not to 'procure' students by entreaties, bribes, promises or threats.[1] 'In the matter of lectures,' says Rashdall, speaking generally, 'a trial was respectfully solicited with all the accommodating obsequiousness of a modern tradesman.'[2]

To whatever 'school' our student might attach himself there is one essential by way of equipment. As all lectures were delivered in Latin, he must be able to read and write that language with a fair degree of readiness if he was to benefit from the prelections of his instructors. To speak Latin and to understand it when spoken was the common acquisition of the schools of the period; even in the thirteenth and fourteenth centuries, and we may say down to the seventeenth, it was a living language among the learned in Scotland. The Schools Commission in their Third Report (1867) state that 'schools for Latin, to which were subsequently added Lecture schools for English, existed in the chief towns of Scotland from a very early period.'[3] Regarding the purity of the Latinity as spoken, it is generally agreed that it was not of a high order, and proficiency naturally varied with the individual. From that as well as from other causes many, indeed, would leave the University with about the same amount of scholarship as they had when they entered it.

What kind of instruction was obtainable? In 1419 the books specified for license, which seemed to have been the minimum required, are minuted. No distinction is made between 'ordinary' and 'extraordinary' books, and no further information is given as to requirements till we come to the Reformation period. The list is as follows:—*Logic*—The Vetus Ars; Topics (four books); Prior Analytics; Elenchi. *Philosophy*—Physics (eight books); De Generatione et Corruptione; De Coelo et Mundo; De Sensu et Sensato; De Somno et Vigilia; De Memoria et Reminiscentia; Metaphysics (librum metaphisice vel quod audiat eundem); Tractatus de Sphera; De Perspectiva (si legatur); Geometry (first book); Meteorics (three first books); De Anima (three books); some libri morales, especially the Ethics. (The books here given are according to the order and specification in the minute.)[4]

The student's study for the day being done, he is more or less at liberty to spend the remainder of his time as he will. One of his first and most vivid experiences will be to face the ordeal of 'Initiation.' In medieval times student initiation seems to have

[1] Cf. Hannay, pp. 4-6.
[2] Rashdall, vol. ii. p. 606.
[3] Vol. i. pp. 1, 2.
[4] Hannay, pp. 11, 12.

been universally prevalent, and it was a custom of such a nature that no academical prohibition or regulation could wholly put it down. The usual form it took in German Universities was the ceremony of 'dishorning.' The bejant was dressed up in a cap with horns and long ears to resemble a wild beast. With a variety of ceremony the horns and ears were cut off, the student's nose was held to the grindstone while the handle was turned, his hair was combed and cut, his nails were pared, his face was painted, and he had rubbed into his skin or he was made to swallow a mixture of salt and wine. In France, on the other hand, the bejant was represented as a criminal who had to undergo trial at the hands of his fellow-students; he was admitted to the fraternity only on his making expiation for the supposed crime by fine or otherwise, such as 'per captionem librorum.' We have no information as to the form of initiation in vogue at the English Universities in medieval times.[1] Whether the method in Scotland was dishorning, criminal trial, or otherwise, it may be regarded as certain that the bejant had to face some form of badgering; hoaxing and bullying would be followed by welcome to the brotherhood, and finally a feast would be provided at his own expense, which was not infrequently a serious inroad upon the savings of many years' pinching. Within the last decade a St. Andrews bejant was treated somewhat similarly to that indicated above—the hair was taken off one side of the head!—but repressive measures were at once adopted by the authorities and the practice has apparently been seldom repeated.[2] It is still customary at St. Andrews for a bejant to give a packet of raisins to the first senior who demands it on 'raisin-day,' as it is called; this must be regarded as a survival of the ancient Bejaunia.

As to his leisure time. Naturally much must have depended upon his age, his disposition, and his upbringing. We can dismiss the sombre, ideal youth, who in all ages lives the stern, laborious life, and whose only 'dissipations' are of a religious nature—pious processions, masses, and University sermons—he is not the typical student of any age. It is with the typical student we are concerned, the man of many interests to whom there are joys outside a lecture-room or a tabernacle, and whose existence cannot yet be summed up in 'chapel, work, dinner; dinner, work, chapel.' Nor are we considering that part of the sixteenth

[1] Cf. Rashdall, vol. ii. pp. 628-36.

[2] This winter a bejant is said to have been condemned to be ducked in the Swilcan Burn for 'crimes' committed by his sister, now an M.A.!

century whose theological teaching embraced a general prohibition of all 'profane games, immodest runnings, and horrid shoutings'; the early fifteenth century was more natural and healthy than that.

For even the most studiously inclined, Reading must have been somewhat of a luxury when few books were available, and most of them very expensive. It appears that 'as early as January 17, 1415, the Faculty of Arts resolved that £5 should be sent to Paris to purchase books of the text of Aristotle and commentaries on logic and philosophy. But on May 21 of the same year this resolution was rescinded.'[1] The minute of 1439 speaks plaintively of *librorum paucitas* among other things; and the poor student for the most part would require to write out his own books at the dictation of the master. It is not till 13th August, 1456, that we have the nucleus of the University Library, when, at a meeting of the Faculty of Arts held in the Pedagogy, it was agreed to make the necessary provision, and various donations of books are recorded in the Faculty Register. Most, if not all, of the 'houses' would have some literature. Besides the classics, it was now possible to have even the product of native talent in such works as those of Thomas the Rhymer, Barbour, Fordun, Wyntoun, and James I. The comparative lack of reading material was a difficulty that beset the path of the studious in all the preceding centuries, and for a considerable time after the period under consideration. The scarcity of books was not without its compensations; there was still the contact of mind with mind engaged in discussion on the same problems—'disputation' was indeed an essential and characteristic feature in early University education—resulting in mental acuteness and resourcefulness, which form after all one of the main ends of a University training, and were a *raison d'être* for the very existence of a University.

As for Plays, the Miracles and Mysteries formed an outlet for dramatic display;[2] while the Abbot of Unreason began to appear in Scotland in the first half of the fifteenth century. Music and musical instruments of a simple nature were not awanting,[3] and student poems of uncertain antiquity have come down to us,

[1] J. Maitland Anderson in *Votiva Tabella*, pp. 93-4. The first volume was presented to the Library by Alan Cant, Chancellor of St. Andrews, who gave 'unum notabilem librum, scilicet, magnorum moralium cum diversis aliis voluminibus in illo libro.'

[2] Cf. Rashdall, vol. ii. pp. 674-5.

[3] Bower (p. 505) says that James I. sang well, and played on the tabor, bagpipe, psaltery, organ, flute, harp, trumpet, and shepherd's reed.

some grave, some gay, some sacred, and some profane, embracing the magnificent Gaudeamus—the song-creed of the undergraduate.[1] The reckless spirit of the time is well reflected in Dunbar's Goliardic poem :[2]

'I will na priestis for me sing
Dies illa, Dies ire ;
Na zit na bellis for me ring
Sicut semper solet fieri,
Bot a bag pipe to play a spryng,
Et unum ale wosp ante me.
In stayd of baneris for to bring
Quatuor lagenas cervisie,
Within the graif to set sic thing
In modum crucis juxta me
To fle the fendis, than hardely sing
De terra plasmasti me.'

In the Middle Ages generally there was a lack of organised amusement, however, more particularly of an intellectual character. It is with jousts, hawking, and cockfighting the people were mostly familiar. In such ways the sporting instincts of our student could find expression. We may take it, perhaps, that jousts were rather big undertakings for the ordinary University youth while in session; yet at Cambridge about this time there was much loss of life among the students from tilting, and it was found very hard to get the king's command obeyed which forbade that sport within four miles of the town. The famous contest between the Burgundian knight Jacques de Lalain and Sir James Douglas at Stirling in 1449 would be certain to excite speculation, excitement, and emulation among the youth of the University.[3] We have some definite information about hawking and cockfighting. The *Acta* expressly tell us that the students were allowed to go out a-hawking on condition that they went in their own clothes and not in 'dissolute habiliments borrowed from lay cavaliers.' And at the Festival of St. Nicholas, the patron saint of the *Grammatici*, over whom control seems to have been exercised by the Faculty of Arts from the beginning, we learn that while two or three days were permitted for cockfighting, it was expressly forbidden that a fortnight or three weeks be spent 'in procuratione gallorum.' We may perhaps regard this limited permission as an instance of

[1] Cf. generally Symonds, *Wine, Women, and Song.*

[2] 'Testament of Maister Andro Kennedy,' Dunbar's *Poems*, ed. by Schipper, p. 215.

[3] *Early Travellers*, pp. 30-8.

the inability of the authorities to put down a sport of which they might disapprove and which they therefore attempted to regulate.[1]

An amusement perhaps of a less harmful kind in connection with the *Grammatici* was the burlesque quasi-religious festival of the Holy Innocents, in which the Boy-Bishop figures. A boy, dressed in full bishop's robes, with mitre and crosier, and attended by comrades as priests, made a circuit of the town blessing the people; his authority usually lasted from the 6th to the 28th December, and differed according to the locality. The custom was prohibited in 1431 by the Council of Basel, but it was not finally abolished in England till the reign of Elizabeth. References to the ceremony are made in the *Acta*. The Faculty required that the Feast of the *Grammatici* should no longer be celebrated in December, but in summer, on 9th May, *i.e.* the day of the translation of St. Nicholas; and the collecting of money from house to house as the saint passed with his boy-bishop from the castle to the monastery was forbidden. We have no description of the Feast of St. Nicholas as celebrated by the Faculty. But it was required that 'there was to be no bringing in of May in guise: on Twelfth-day, going to the church and returning, all must wear their proper garb, and the King of the Bean alone was to be dressed up.'[2]

Apart from numerous Scots Acts for the people in general, certain restrictions as to Dress were made applicable to students in the earliest times. A regulation in the *Acta*, apparently of June 6, 1416 (the year is awanting), forbade 'incepturi in artibus' to have 'sotulares rostratos nec laqueatos nec fenestratos'; nor were they to put on 'supertunicale scissum in lateribus.' Among the early Statuta of the University we read: 'Item ad decorem Academicae pertinere creditum est, quod tamen imperatum non fuit, ut adolescentes, in publicis comitiis, in aede sacra, foro et locis celebrioribus incedant veste talari et dimissa, non cincta. Postea damnatus fuit abusus excisarum vestium, et cordularum de cervicibus pendentium, consultumque ne his vestibus adolescentes assuescerent.'[3] It appears also that the Faculty of Arts even increased its finances to some extent by exacting small sums from those students to whom there was granted the privilege

[1] Cockfighting, as a pastime, continued customary among certain classes until comparatively recent times.

[2] Hannay, p. 18.

[3] 1826-30 Commission Report, *Evidence*, p. 235.

of appearing at congregations in secular costume.[1] In the College days the regulations as to dress are very minute.

If to amusements such as these above described we add chess, and the somewhat commoner ones of walking, running, leaping, fencing, wrestling, throwing the hammer, putting the stone, 'fute-ball,' and dancing with the 'most honourable and elegant daughters' of the local magnates, and, I fear we must add, drinking and gambling, we have pretty nearly exhausted the round of the students' diversions in that period. But at least two out-door amusements remain to be more particularly referred to, viz. Archery and Golf. These are purposely classed together, for the reason that the Scottish Legislature found it necessary to fulminate statutes repeatedly against golf among other pastimes as being unprofitable, interfering with the more important accomplishment of archery and the military efficiency of the people in general. It was in March, 1457, that Parliament 'decreted and ordained that wappinschawingeis be halden be the Lordis and Baronis spirituale and temporale foure times in the zeir, and that Fute-ball and Golf be utterly cryit doune and nocht useit; and that the bowe-merkis be maid at ilk paroche Kirk a pair of buttis, and schuttin be useit ilk Sunday.'[2] Clearly the game of golf had taken a firm hold at that date, otherwise there would be no occasion that it should be 'cryit doune.' So far as we know the history of St. Andrews Links, that does not take us further back than 1552, when Archbishop Hamilton acknowledged the license granted to him by the city of St. Andrews to plant and plenish cuniggis (or rabbits) in them; but this document is not conclusive as to the date when the Links became city property, or as to the uses to which they were put.[3] For several centuries now they have afforded unrivalled opportunities for golf.[4]

As to Archery, which it was the especial care of the Government of the country to foster for offensive and defensive purposes, it is clear from frequent enactments, including the above, that the people were not allowed to remain ignorant or unskilful in the use of the bow, and in later days there was an Archery Club

[1] Hannay, p. 21.

[2] *Acts Parl. Scot.* ii. p. 48(6).

[3] Hay Fleming, *Historical Notes and Extracts concerning the Links of St. Andrews, 1552-1893.*

[4] The blue ribbon of Amateur Golf has been twice gained by a student of St. Andrews, first by Peter Corsar Anderson in 1893, when a student of Divinity, and second by Arthur Gordon Barry in 1905, when a student of Arts and Science, and on both occasions on the Prestwick Golf Course.

among the students, the medals of which are still in the possession of the University. We see that the Sundays were to be utilised for shooting purposes. At Leipzig and Nantes the Sundays were utilised for lectures or disputations, though that was exceptional.[1]

Thus in various ways the life of the early student might be a more or less joyous and healthy one ; and if asked to abandon his University career, even to marry a lady of many attractions, he might answer, like the student of Siena, that he deemed it foolish to desert the cause of learning for the sake of a woman, 'for one may always get a wife, but science once lost can never be recovered.'[2]

But there is also another side to the picture. Students of all ages have had a reputation among the laity for general uproarious behaviour, yet the number who deserved this reputation may be regarded as an insignificant fraction of the whole. In one particular we may think the modern student more fortunate than his pre-Reformation brother ; tobacco was a comparatively late importation, and it is possible to blame much of the license of the medieval student to the lack of nicotine ! In the course of his dealings with the citizens, as deal he must, and in the pursuit of his amusements, or even of his studies, he not infrequently came into contact with the townspeople. The antipathy between town and gown is immemorial and perennial, though we hear of nothing so terrible in Scotland as the Oxford dispute in 1208, or the bloody encounter in Paris in 1229. Still it is not without reason that a concordia had to be made between the University and the Priory as early as 1422,[3] and again between the University and town authorities under Bishop Kennedy in 1444, in which the duties, privileges, and jurisdictions of the parties were carefully defined.[4] Possibly, however, in the whole history of the relations of these two authorities the most bitter and prolonged controversy was at the end of the seventeenth century, when a suppost of the University named Balmanno had belaboured a townsman with a club stick to such purpose that 'he left him for deid'; this gave rise to years of litigation, the parties ultimately ending where they began, and agreeing to recognise each other's jurisdiction.

Struggles between students of the different 'houses' were also not unknown, for the pedagogies were rivals, and officials as well

[1] Rashdall, p. 674 n. 5.

[2] Guido Faba, *Parliamenti ed Epistole*, 16-19.

[3] 1826-30 Commission Report, *Evidence*, p. 234.

[4] *Ibid.* pp. 176-8.

as students were occasionally involved in actual participation. The disputes in 1457 and 1460, as well as the still more famous one 1470, fall outside the period under consideration. Doubtless events like these added zest to life in the imagination of hot-blooded youth; but there is a day of reckoning with the authorities. It is certain that birching was not unknown in the Universities generally, and St. Andrews was no exception. In the University's reply to the 1826-30 Commissioners there is this significant remark with reference to laws enacted even in the days of the Colleges: 'In the most ancient there is the nearest approach to the spirit of Draco—corporal punishment is prescribed for the disorders noticed' in certain of the regulations, such as swearing or scaling College walls.[1] Again, the Lord Primate empowered the Principal of St. Leonard's College as late as 1687 to 'punish transgressors, either corporally or by pecuniall mulcts.'[2] Further, the early statutes contain severe strictures as to those guilty as 'noctu-vagi,' etc., with a gradation of punishment up to expulsion, according to the nature of the offence.[3]

It would appear that comparatively few graduated in the early days, for various reasons, among them being the difficulty about *lectura*, and in 1419 more than a third of the licentiates in Arts seem to have avoided the master's degree. In the following year Bishop Wardlaw licensed four men presented to him without examination. Indeed, it looks as if the distinction was mainly confined to those who were specially recommended by the regents, for while the *Acta* contain no instance of actual rejection, we find that under date 1441 'decanus facultatis ut moris est secundum formam statutorum inquisivit a regentibus an noverint aliquos bacalarios ydoneos ad examen anno presente, ad quod respondatur negative.' If we can believe Mr. Rouse Ball's statement in his *History of Mathematics*, Paul Nicolas, a Slavonian, was the first student on record to be 'ploughed' at any University; this was at Paris in 1426.

To the ordinarily constituted mind it is a day of rejoicing when a career is crowned with success; and as at the present day, so in the early years, there was feasting when one was made a bachelor, and again there was feasting when he became a master. Even this also required regulation, until in 1467 it was found necessary 'to restrict expenses at the bachelor's feast to 40s. and at the

[1] 1826-30 Commission Report, *Evidence*, p. 286.

[2] *Ibid.* pp. 214-15. [3] *Ibid.* p. 235.

master's to £4, though a young man of birth who was *egregie beneficiatus* might obtain permission to make his graduation memorable for festivity.'[1] It was required by statute that each examiner should receive a *duplex birretum*, worth at least 4s. 6d.; besides which there were customary *gratitudines* to the vice-Chancellor and the examiners. Guests at the act were presented with gloves, which were required to be of good material. It would be difficult to think of a more extraordinary expression of delight than that of a successful inception at Bologna thus described by Buoncompugno, 'Sing unto the Lord a new song, praise him with stringed instruments and organs, rejoice upon the bright-sounding cymbals, for your son has held a glorious disputation which was attended by a great number of teachers and scholars. He answered all questions without a mistake, and no one could prevail against his arguments. Moreover he celebrated a famous banquet at which both rich and poor were honoured as never before.'[2]

One obligation at least remains for the successful youth. The only provision for teaching made by the ancient constitution of the Universities of Europe was that masters came under an obligation to teach, if called upon, for a period of two years; and this matter of post-graduate *lectura* was a vexed question at St. Andrews from time to time. It was difficult to induce masters to undertake regency, and as there was not a sufficient number of lecturers at the 'schools' in 1439, a regulation was adopted imposing a fine on those who neglected this duty; but by 1455 the omission of *lectura* by new masters as well as failure to pay the fine had become a matter of course.

This duty done, the student was free to enter upon his life's work, and wherever he may have gone he doubtless carried with him pleasing memories of his sojourn in the 'city by the sea.'

James Robb.

[1] Hannay, p. 37. [2] *Munich Cod. Lat.* 23499, f. 6 v.

Ballad on the Anticipated Birth of an Heir to Queen Mary, 1554

THIS ballad is preserved in MS. amongst the Pepys Collection of Ballads in Magdalene College, Cambridge. It does not appear in any of the published collections of ballads, nor is it, to the best of my knowledge, referred to by any historian. The rejoicings for the reported birth of a prince in April, 1555, are mentioned by Strype (*Memorials*, III. i. 343, ed. 1822), Froude (*History of England*, v. 517, ed. 1875), and other writers, but this ballad is of earlier date, and evidently refers to the rejoicings at the news of the Queen's conception. A memorandum which follows the ballad in the Pepys volume runs as follows :

> 'Extract of a Letter from Mr. Michael Bull, M.A., Fellow of Bennet Coll., Camb. of the 12th of June 1701 to Mr. Humphry Wanley, relating to the foregoing Ballad.

'I have according to your desire copyed out the Ballad, and with all the exactness I could. There is no picture in it; nor anything wrott in Capital or Roman Letters, but all printed in the old English Letter. I have spelt it and pointed it, just as it is printed.

'There is pasted on the Backside of this Ballad, a printed copy of a Letter sent from the Councel to the Bp. of London, to sing Te Deum for her Majtie's being wth child. If a copy of it will be usefull to you, I shall send it you assoon as I know it.'

This note fixes the approximate date of the ballad. The *Te Deum* at St. Paul's, in consequence of the Council's letter to Bishop Bonner, was sung on Wednesday, November 28, 1554 (Wriothesley, *Chronicle*, ii. 123; Stow, *Chronicle*, ed. 1631, p. 625; Strype, III. i. 324).

C. H. FIRTH.

THE BALLAD OF JOY,

UPON THE PUBLICATION OF

Q. MARY, WIFE OF KING PHILIP,

HER BEING WITH CHILD;

Anno Dom^ni^ 15.

Now singe, now springe, our care is exiled,
Oure vertuous Quene, is quickned with child.

Nowe englande is happie, and happie in dede,
That god of his goodnes, dothe pspir[1] here sede:
Therefore let us praie, it was never more nede,
God prosper her highnes, god send her good sped.

How manie good people, were long in dispaire,
That this letel england, shold lacke a right heire:
But nowe the swet marigold, springeth so fayre,
That England triumpheth, without anie care.

How manie greate thraldomes, in englane were seene,
Before that her highnes, was publyshed quene:
The bewtye of englãde, was banyshed clene,
With wringing, and wrongynge, & sorrowes betwen.

And yet synce her highnes, was planted in peace,
Her subjects were dubtful, of her highnes increse:
But nowe the recõfort, their murmour doth cease,
They have their owne wyshynge, their woes doo release.

And suche as envied, the matche and the make
And in their proceedinges, stoode styffe as a stake:
Are now reconciled, their malis doth slake,
And all men are willinge, theyr partes for to take.

Our doutes be dyssolued, our fancies contented,
The mariage is joyfull, that many lamented:
And suche as enuied, like foles have repented,
The Errours and Terrours, that they have invented.

But God dothe worke, more wonders then this,
For he is Auther, and Father, of blysse:
He is the defender, his workinge it is,
And where he dothe favoure, they fare not amys.

Therefore let us praye, to the father of myght
To prosper her highnes, and shelde her in ryghte:
With joye to deliver, that when she is lighte,
Both she and her people, maie joye without flight.

[1] Prosper.

God prossper her highnes, in every thinge,
Her noble spouse, our fortunate kynge:
And that noble blossome, that is planted to springe,
Amen swete Jesus, we hartelye singe.

Blysse thou swete Jesus, our comforters three,
Oure Kynge, our Quene, our Prince that shal be:
That they three as one, or one as all three,
Maye governe thy people, to the plesure of the.

Imprinted at London in Lumbarde strete at the
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WYLLYAM RYDDAELL.

A Ballad Illustrating the Bishops Wars

SINCE the publication of the paper entitled 'Ballads on the Bishops Wars,' which was in 1906 (*Scottish Historical Review*, iii. 257), I came across another on the same subject. It is contained in volume two of the Luttrell collection of 'Humorous Political Historical and Miscellaneous Ballads' in the British Museum (No. 31). No ballad of the period seems to me so well to reflect the feelings inspired by the alliance of the English and Scottish nations against the government of Charles I. It shows the temper which produced the league of 1643. As it does not appear to have been reprinted it deserves to be made more accessible.

The use of the phrase 'Jock of broad Scotland' to personify Scotland is curious. In Masson's *Life of Milton* (v. 92) there is another example of the name, but there it is applied to a beggar —'Alexander Agnew, commonly called Jock of Broad Scotland,' —who was hanged for blasphemy on 21st May, 1656.

C. H. FIRTH.

A New Carroll compyled by a Burgesse of Perth, to be sung at Easter next 1641, which is the next great episcopall feast after Christmass: to be sung to the tune of Gra-mercie good Scot.

When Jock of broad Scotland went south to complain
That Prelats-and-pick-thanks this land had ov'rgane
He came unto Tweed, Heaven favoured him so,
The waters soon fell, and so let him go

That without great trouble his foot came to land
Where *Jack* of fair England took *Jock* by the hand.

Jack bade him beware there were knaves in the way
That would meet him and kill him, at least make a fray
But *Jock* went on with a bag full of bloes
He had ay two for one to give to his foes
With a club and a cudgell whomever he fand;
Yet *Jack* of fair England took *Jock* by the hand.

But Jock being wearie he took him to rest,
The winter being cold, where the fire was best:
He sent his complaint, to him who commands,
It was found to be just, with all his demands;
How the prelat and pick-thank had joyned in a band;
Yet *Jack* of fair England took *Jock* by the hand.

They banded to put both the body and saull
Of the poore Scot at home in a terrible thrall
By loosing the bands of the Kirk and the State
Conforming to Rome their Imperiall seate
Where beast after beast hath still had command,
Yet *Jack* of fair England hath took *Jock* by the hand.

The Scot had a good and an honourable cause,
For still he protested to live by the lawes
And that made his courage both courteous and keene
Although that his purse was sober and meane
By begging or stealing he sure could not stand,
But *Jack* of fair England hath took *Jock* by the hand.

Jack told him so long as his cause was so good
He should neither want money nor fewell nor food
Untill it were clearly both? heard and discust (Badly rubbed.)
And prelats and pick thanks both dung to the dust
Be merrie good Scot, they shall both understand
That *Jack* of fair England hath thee by the hand.

When *Jock* did send home, he wrote it for news
That England warr'd Ireland in wearing of trewes:
For Ireland but weares them on their nether parts
But England on both their heads and their hearts.
Let Scotland and Ireland praise God in a band
That *Jack* of fair England took *Jock* by the hand.

And also he wrote, that made Scots to dance,
That England for manners warr'd the kingdome of France
For still they were giving, God knows what they got,
Yet they said and they sang grand mercie good Scot
French manners, an sword, and an idoll we fand
For purity and peace, *Jack* took *Jock* by the hand.

Now good Scot returne, thy prelates are gone
As beasts to their dens; thy pick-thanks each one
Are all to the rout, and have quat their cause:
Take them home with thy self, and after thy Laws
Sit and judge the false traitours that joynd in a band
For *Jack* of fair England hath thee by the hand.

Come heere good Scot as a friend when thou will,
Goe camp with thy friends in Ireland thy fill;
Keep order at home, serve GOD and thy Prince,
Thy Kirk and thy Counterey are setled from hence:
It shall be proclaim'd through many a land,
That *Jack* of fair England took *Jock* by the hand.

When *Jack* of fair England hath to do with a man,
Let *Jock* of broad Scotland advertis'd be than
For *Jock* shall be ready when *Jack* hath to do
With his club and his cudgell and his wallet too.
Till the whoore be hunted by sea and by land,
It's for God and the King, Jack and Jock joineth hand.

FINIS

John Bruce, Historiographer

1745–1826

DURING the time when Henry Dundas was the chief henchman of the younger Pitt, it was good to be a Scotsman, and especially a Scotsman who had the means of being useful to the Ministry. Most of the patronage of the Government was in the hands of Dundas, and he used it steadily as a means of securing political support for the party. From 1784 to 1801, moreover, he was first a member and then President of the Board of Control, enjoying in the latter capacity—as a courtesy, though not as a right—a considerable share in the patronage of appointments to the East India Company's service; and this was used in the same way. Scotland was Dundas's chief concern, for England was already converted to the cause. Regularly, therefore, nominations for writerships and cadetships sped northwards to doubtful constituencies; and as a consequence, season after season the batch of recruits for India was largely made up of youths hailing from across the Tweed; until, as one disgusted Englishman remarked, a cry of 'I say, Grant,' outside the Secretariat at Calcutta would bring a dozen of red heads out of the windows. These Scotsmen—to say nothing of an earlier generation of military officers who had gladly sold their swords to John Company—brought many others to the land of mohurs; and even to-day the proportion of Scottish names, alike in the service and in the mercantile community of India, is considerable. Not that this infusion was in any sense a bad thing; on the contrary, Anglo-Indian history would be very different if the names of Malcolm, Munro, Elphinstone, Mackintosh, Duncan, Grant, Ochterlony, Burnes—to mention but a few—had never been included in its pages. The Scotsman carried to India the national energy and the national conscientiousness; and both countries were benefited thereby.

Among the Scotsmen thus recruited was John Bruce. He owed his appointment as the East India Company's Historiographer to

the good offices of Dundas, who in this way remunerated services rendered to himself and to the Ministry of which he formed a part. Undoubtedly, the appointment was in some senses a job; but it was one for which there was a good deal to be said, and we must confess that Bruce did his best to earn the salary that was paid to him in that capacity, just as he was the first Keeper of the English State Papers to make his post an effective and useful one instead of a mere sinecure.

Of Bruce's early life we know but little. He was born in 1745, and was the heir male of the ancient family of Bruce of Earlshall; though the ancestral estates had passed by marriage into another family, and all that he inherited from his father was the small property of Grangehill, near Kinghorn in Fifeshire. Young Bruce was sent to Edinburgh University, where he distinguished himself so greatly that in 1774 he was made Professor of Logic. His lectures in that capacity attracted much attention; and he repeated this success when he took at short notice the place of Adam Fergusson as Professor of Moral Philosophy.[1] On the double series of lectures thus delivered were based his earliest published works, namely, one on the principles of philosophy, which went through three editions in five years, and *The Elements of the Science of Ethics*, issued in 1786.

Bruce appears to have been first brought into contact with Dundas (to whom, by the way, he was distantly related) by becoming tutor to that statesman's only son Robert (a future President of the India Board). His services in this respect were rewarded by the grant, to him and another jointly, of the reversion of the post of King's Printer and Stationer in Scotland—an office which, however, did not fall in for about fifteen years. Soon there occurred an opportunity of making himself useful to Dundas in a fresh capacity. The time was approaching when the Government must decide whether or not to propose the renewal of the exclusive privileges of the East India Company, and both the supporters and the opponents of that body had already taken the field. Dundas, though he was not yet President, was by far the most influential member of the India Board, and it was to him that Pitt looked for guidance in the matter. The duty now (1790) entrusted to Bruce was to prepare for Dundas's use a detailed

[1] Among his pupils was Walter Scott, who writes in his fragment of autobiography: 'I made some progress in Ethics under Professor John Bruce, and was selected, as one of his students whose progress he approved, to read an essay before Principal Robertson.'

digest of the various proposals which had been made for the future regulation of Indian affairs, and to provide him with any further information he might require on the subject; in short, he was to 'devil' for Dundas in the Indian controversy. The task was one well suited to Bruce's capacity, and he entered upon it with his usual energy. He seems to have planned an extensive report upon the subject, which was to be divided into three sections. The first was to sketch the general history of India down to the time of writing; the second to give a special account of the operations of the East India Company from its inception to the year 1790; and the third was to analyse the various plans suggested for the future administration of the dependency. It was a heavy piece of work to undertake in addition to other labours, and it is not surprising to find that the first section was only partially completed, while the second had to be left for later treatment. The third, as being most urgent, received the greatest amount of attention, and it was completed and printed in 1793 (by order of the India Board) under the title of *Historical View of Plans for the Government of British India*. The author's name was not given; and as late as 1810 James Mill, writing in the *Edinburgh Review*, either was, or pretended to be, in doubt whether the work was not written by Dundas himself.

It was probably in connexion with these researches that Bruce's attention was drawn to the unsatisfactory state of the State Paper Office at Whitehall. The post of Keeper had been held from 1773 by an ex-diplomatist, Sir Stanier Porten (uncle of Edward Gibbon), but he seems to have treated it as a sinecure, and, although three commissioners had been appointed in 1764 to arrange and digest certain classes of records, little real progress had been made. Porten had died in June, 1789, and his post was now vacant. A letter among the Dropmore MSS.[1] shows that Dundas was on the look-out for some suitable appointment for his protégé; and it was possibly on his prompting that Bruce, in October, 1792, submitted a series of suggestions for rendering the office more efficient and for calendaring certain series of documents, including those relating to the East Indies and to other dependencies of the Crown. The result was seen in Bruce's appointment to be Keeper of the State Papers, with effect from July 5, 1792. The post was one of honour rather than of emolument, for the salary remained at £160 per annum (the figure fixed in 1661), and

[1] *Fourteenth Report of the Hist. MSS. Commission*, Appendix, part v. p. 306.

was subject to deductions for taxes, fees, etc., amounting to over £27 yearly; while no provision was made for any clerical assistance. Bruce, however, did not rest until matters were put upon a more satisfactory footing. He drew up a series of regulations and a scheme for a more suitable establishment, and pressed these upon the ministry. After considerable delay—Pitt himself mislaid the royal warrant at Walmer and a fresh one had to be prepared—these were sanctioned by a warrant of March 4, 1800; and they remained in force until 1854, when the State Papers were transferred to the Public Record Office. By the new arrangement Bruce's salary was raised to £500 per annum, and he was provided with a deputy and the necessary clerks. His post had already been confirmed to him for life, by letters patent of September 23, 1799, possibly as some compensation for his having refused the post of Consul at Hamburg, which had been offered to him by Grenville in the previous year and was worth £600 a year.[1]

It was the aim of the new Keeper to utilize the archives under his charge in bringing the experience of the past to bear upon the problems of the present; and he succeeded rather too well for his own comfort. Pitt and Dundas had discovered his merits as a digesting machine, with the result that, whenever a subject at once complicated and important came before them, Bruce was applied to as a matter of course. Thus the capture of the Cape of Good Hope, Ceylon, and other Dutch settlements in the East (1795) raised the question whether these possessions should be governed directly by the Crown or through the East India Company; whereupon Bruce prepared under instructions two reports on the history of the Cape and the Dutch Islands—a task which, as he said, necessitated his 'wading through heavy Dutch authors and still heavier Dutch papers,' and occupied him for a considerable part of the years 1796-97. At the same period he produced a *Review of the Events and Treaties which established the Balance of Power in Europe and the Balance of Trade in favour of Great Britain*, which was printed in 1796. About two years later, when the country took alarm at French threats of invasion, he reported on

[1] The particulars here given of Bruce's connexion with the State Paper Office are taken from Mr. W. N. Sainsbury's account of that office, printed as an appendix to the *Thirtieth Report of the Deputy Keeper of the Records* (1869). It may be added that Bruce was in no way related to another John Bruce (1802-69), who had much to do with the public records as author of several calendars of the Domestic State Papers, and Treasurer and Director of the Camden Society.

the arrangements made for the defence of the kingdom at the time of the Spanish Armada;[1] while in 1801 he submitted a further report on the precautions adopted at the time of previous French schemes of invasion. The projected union of Ireland with Great Britain led to a fresh call upon his energies, inasmuch as ministers desired a full account of the measures taken at the time of the union of Scotland and England. And all this was in addition to the labours he had undertaken for the East India Company, his connexion with which we must now examine.

This takes us back to the middle of 1793, when Bruce's *Historical View* had just been printed, and the Company's exclusive privileges, thanks to Dundas, were on the point of being extended for another twenty years. The minister may well have thought that some small return was due to him, especially if it took the form of a provision for Bruce, who had already worked hard in the Company's interests. As we have seen, Bruce's post at the State Paper Office brought him at this time only £160 a year, and was terminable at His Majesty's pleasure; and this was but a poor substitute for the life professorship at Edinburgh which he had surrendered at Dundas's suggestion. Moreover, it is evident from the letter already mentioned (p. 368) that as early as August, 1792, the latter had in mind the possibility of employing Bruce to investigate the records lying at the East India House. Accordingly he now proposed to the Directors that they should create for Bruce the post of Historiographer to the Company—an employment familiar enough to a Scotsman, for there was then (and still is) an official Historiographer at Edinburgh. The motion, however, proved unpalatable to the Directors, and they countered it in a very ingenious manner. They represented that practically the post already existed and was filled by a distinguished writer, since for over twenty years they had been paying £400 per annum to Robert Orme, the author of *The Military Transactions of the British Nation in Indostan*, to enable him to continue his historical studies. However, Dundas was not easily moved when once he had made up his mind; and so a compromise was reached, by which Bruce was given the reversion of the post, with £100 a year meanwhile. The actual date of this arrangement was July 10, 1793. In the establishment lists of the time Orme and Bruce are bracketed together as joint Historiographers.

Though his salary from the Company was little more than nominal and he had plenty of other demands upon his time, Bruce

[1] On this work Pitt is said to have grounded some of his measures of defence.

set to work at once to justify his appointment. He had still at heart the completion of the general history of Indian affairs he had already sketched out ; and his letterbook (now at the India Office) shows how indefatigable he was in applying to everyone (especially the officials in India) who could afford him assistance in procuring materials. It was while waiting to see the result of his first appeal that he compiled and presented to the Company a detailed history of the recent negotiations on the renewal of the charter—a work which was printed in 1811, when the period for which the Company's privileges had been extended was approaching its termination. He also prepared for Dundas an elaborate report upon the various plans proposed for the organization of the military forces in India.

The response to Bruce's appeal for assistance from India was on the whole disappointing. Certain individual officers forwarded him valuable reports on matters within their cognizance ; while in the Bombay Presidency, thanks to the interest shown by Governor Duncan, a committee was appointed which provided him with a quantity of useful materials. But, although Bruce persuaded the Company to send out (May, 1797) official instructions on the point, in other parts of India his demands were practically ignored. Further discouragement was afforded by the death in November, 1796, of his brother, Colonel Robert Bruce, of the Bengal Artillery, who had lent most zealous assistance to his projects. We are not surprised, therefore, to find that he turned his attention for some time to other matters.

The death of Orme in January, 1801, left Bruce sole Historiographer, and raised his salary to £400 per annum. He was now about 55 years of age ; and probably he had begun to recognize that, considering his duties at the State Paper Office, it would be wise to concentrate his attention upon that section of his proposed work which was to deal with the history of the Company, full materials for which were now at his disposal. After some delay the Directors were induced (May, 1803) to allow him the use of certain rooms at the East India House and to sanction the engagement of a clerk to make extracts for him from their records. Four years later, Robert Lemon, Bruce's indefatigable assistant at the State Paper Office, was employed by the Company for the same purpose (in addition to his official duties) ; and in August, 1810, another clerk was added to the staff.

On the heavy task he had thus set himself, Bruce laboured resolutely until 1810. His work was done in his own house at

Knightsbridge;[1] and there he and Lemon worked diligently evening after evening, sometimes until eleven o'clock, occasionally devoting Sunday to the same task. At a later date Bruce declared that the work entailed the perusal and abstracting of more than thirty thousand documents, besides printed works; but probably he included in the total the letters which were examined by his India House staff but not epitomized for his use. An examination of the references given in the work shows that, as regards the Company's records, he confined himself almost entirely to the letters received from the East and the Company's replies, and that he made little use of the valuable series of Court Minutes. On the other hand, the documents at the State Paper Office bearing upon India seem to have been fully utilized.

As already mentioned, the original intention had been to carry the history down to the year 1790; but the desire to have at least part published in time for the renewed negotiations on the charter led Bruce to pause when he had reached the union of the two rival Companies in 1708. In June, 1810, he announced its completion to this point, and in the same year the work was published in three volumes at the Company's expense under the title of *Annals of the Honourable East India Company*. The copyrights of this and of his account of the charter negotiations of 1793 were made over to the Directors, who seem also to have received the sale proceeds. They were not ungrateful, for in August, 1812, they voted Bruce, in return for his literary labours, an honorarium of £1000.

The *Annals* became at once the standard work upon its subject, and it is still far from obsolete. That it has defects cannot be denied. For these the form adopted was partly responsible. When Lord Hailes's *Annals of Scotland* appeared, Dr. Johnson wrote to Boswell: 'It is in our language, I think, a new mode of history, which tells all that is wanted and, I suppose, all that is known, without laboured splendour of language or affected subtlety of conjecture.' Bruce would probably have been glad to hear the same remark applied to his work; and indeed it describes very fairly what we may suppose to have been his idea in adopting the same form. However, most readers prefer a lively narrative to a dry enumeration, year by year, of what the historian judges to be the leading facts he finds in the materials before him. No doubt Bruce provides us with a painstaking analysis of the abstracts made for him by his clerks; but the

[1] No. 9 Brompton Grove, now replaced by Ovington Square.

result is too obviously a mere summary of events in which (one suspects) he really felt little interest and which he deemed of no very special importance to his own generation. Nor does he make any pretence at impartiality. It goes without saying that in a work produced under such auspices he is a thoroughgoing advocate of the Company, and condemns all who came into conflict with that body;[1] while in his preface he hints an expectation that this survey of the past will induce Parliament to continue unchanged the exclusive privileges of the Company, instead of giving way to 'exploded, or to specious, but hazardous, theories of commerce.' In this result, at all events, he was disappointed.

The compilation of the *Annals* was not the only work undertaken for the Company at this period. About 1805 Bruce began an elaborate *Review of the Political and Military Annals of the Honourable East India Company*, which was to extend from the year 1744 to the renewal of the charter in 1793. Apparently this did not get beyond 1761, and it was never printed; but Bruce's own copy, extending to 1320 pages, is now among the India Office records.[2]

On the title-page of the *Annals* Bruce was able to append to his name not only F.R.S., but also M.P. He had been elected for the small Cornish borough of Mitchell in February, 1809, and he retained his seat until the summer of 1814, when he retired on the ground of ill-health. The chief events of his Parliamentary career were his brief tenure of office as Secretary to the Board of Control (March-August, 1812) and his speech in Committee on the India Bill. This was printed in 1813. According to an obituary notice in the *Gentleman's Magazine*,[3] he held also the appointment of Latin Secretary to the Privy Council. He certainly prepared Latin versions of letters sent to the Emperor of China in 1804, 1810, and 1811, and also of a royal letter addressed to the King of Abyssinia in 1808. These will be found in the letter book already mentioned.

As we have seen, the *Annals* had been brought to a close earlier than had been intended. After the publication of the three volumes, Bruce set to work on a further instalment, which was to extend to 1748, or possibly to 1763. He did not, however, get very far. Age was beginning to tell upon him, and first a

[1] The corrective was supplied by Bruce's compatriot, James Mill, whose history (begun about four years before, but not finished until several years after, the *Annals*) errs in the opposite direction.

[2] *Home Miscellaneous*, vol. 91 A.

[3] Vol. xcvi. part ii. p. 87.

dislocated leg and then rheumatism laid him up for some time. Meanwhile the Company, smarting under the partial loss of its privileges, had inaugurated a campaign of retrenchment at the East India House; and in the spring of 1816 the Committee of Accounts and Warehouses turned its attention to the Historiographer's Department. Bruce had then been absent for fifteen months, and Lemon had to undertake the defence, in the course of which he admitted that the other two clerks, whose hours were only from ten till three, were practically uncontrolled, as he himself was unable, owing to his duties at the State Paper Office, to do more than look in two or three times a week. He seems, however, to have satisfied the Committee, for the only change then made was that his two colleagues were required to attend from nine till four, in consideration of which their salaries (and his) were raised to £2 per week. In the following year the matter came up again, this time before the Committee of Correspondence; and at the end of March, 1817, it was rather summarily decided to abolish the department of the Historiographer and transfer the work to the Librarian's department. Bruce, who was at Bath and had not then received a letter announcing what was proposed, wrote at once in great indignation to protest against the 'unmerited degradation' of being placed in subordination to the Librarian. The Directors, however, were inexorable; and he therefore addressed a memorial to them, applying to be pensioned, and asking at the same time for a declaration that his literary work had met with their approval. Both requests were granted: he was given a retiring allowance of two-thirds of his salary, while 'his zealous and faithful services' were acknowledged in handsome terms. Even this did not pacify him, and he made an attempt to induce the Board of Control to interfere, but in vain. A further source of annoyance was that the Directors had induced his assistant, Lemon, to resign his post at the State Paper Office in order to give his whole time to the India House records; in this case, however, Bruce had the victory, for he succeeded in persuading Lord Sidmouth to offer Lemon an increased salary, whereupon the latter withdrew his resignation.

Having so efficient a deputy at the State Paper Office, and being now well over seventy, Bruce seems to have withdrawn from all literary work. He retired to his estates in Scotland, where he spent his time in making improvements, including the repairing of the remains of the old palace of Falkland. In

such congenial pursuits the years sped rapidly away; and he died tranquilly at his seat of Nuthill on April 16, 1826, being then in his eighty-second year. The *Gentleman's Magazine*, in an anonymous obituary from which we have already drawn, gives a pleasant, if somewhat high-flown, eulogy of his attainments and character; and with a citation of this we take our leave of him: 'Mr. Bruce's intellectual powers were of the very highest order. He was equally distinguished as an accurate historian and an elegant scholar. The extent, the variety, and the correctness of his general information was astonishing.... In the more vigorous period of his life he was eminently distinguished by that qualification which is so rarely to be met with, in which great knowledge is combined with a shrewdness and pleasing urbanity of manners which rendered his communications agreeable to everyone. His conversational powers were captivating in the extreme, and his sallies of innocent humour and flashes of wit were irresistibly entertaining.'

W. Foster.

A Secret Agent of James VI[1]

JAMES VI. was, after he attained to years of discretion, dominated by one absorbing purpose,—the determination to succeed Elizabeth upon the throne of England. His ambition led him into many strange and almost inexplicable actions, for the age was not one of straightforward diplomacy, and he himself was even more crooked than the majority of the men with whom he dealt. All that can be said for the king is that his dissembling was to some extent forced upon him; his case was desperate, for it was not only a question of gaining England, but also of keeping Scotland, and on both issues he faced the same foe, mighty Spain, whose Catholicism was rivalled only by her ambition.

Well did James know what would be his fate if Philip's resources were equal to his desires. According to Camden[2] he said to Sir Robert Sidney as early as 1588: 'I expect no other courtesie of the Spaniard, then such as Polyphemus promised to Ulysses (to wit,) that he would devoure him the last of all his fellowes.' When it is remembered that, as the king was well aware, his own nobles took Spanish money and hoped for Spanish troops, it becomes plain that James had no easy task even to maintain his position at home.

The succession to the English throne was a matter still more complicated, for there was no direct heir, and a large section of the population, still Catholic in sympathy, looked forward to reunion with the Church of Rome as soon as Elizabeth was dead. Naturally it was to crusading Spain that these English Catholics turned their eyes, and the 'enterprise of England' occupied the

[1] *Balcarres MSS.* vol. vi. Nos. 27, 28, 29, 30, 40, 41, 42, 43, 44.

Some of these documents were printed by Maidment in *Analecta Scotica*, vol. i. pp. 328-335.

[2] Camden, Book iii. p. 287 in Darcie's translation of 1625. While James was by no means so honest as he pretended in the matter of his dealings with Parma, his whole attitude during the year of the Armada evinces a sincere fear of Spain.

thoughts of Philip long after the great Armada had failed. With Spain hostile, the Scottish claimant would have had his hands full enough, but his difficulties were increased by the fact that England was only doubtfully friendly. Elizabeth gave him, it is true, a grudging pension, but James, as an alien, was not liked by the English people, nor was he, till late in the day, in touch with the dominant faction at court.[1]

England, it was plain, would not drop like a ripe pear into the lap of the expectant Scot; action of some sort was necessary, but the line of that action was hard to determine. Against the might of either Spain or England force was out of the question, and James fell back on craft. His policy was to make friends with the stronger party, obviously, but while the fierce conflict raged undecided it was essential to keep open both doors. As long as he received his English pension and maintained good relations with Elizabeth he preferred to appear in public as the 'Protestant successor'; but that did not prevent the cunning king from making, in private, strenuous attempts to gain the support of Catholic Europe. Begirt by intriguing nobles and the unrivalled 'Secret Service' of England, James was led to use many curious agents and undignified methods. The one quality which commands respect is an admirable persistence.

Most of James' underhand dealings were discovered in his own day by the indefatigable English spies; others have been fully revealed by the light of modern discovery; but as yet little has been written of a strange, or rather grotesque, scheme which occupied the royal mind in the autumn of 1596. It was to all appearance quite abortive, but it is both interesting and historically important. In the year 1596 everything seemed to point towards some compromise with Rome. The Octavians were in power, and they, even at the time, were suspected of Catholic tendencies; certainly they belonged to the party of the Queen, herself of doubtful religion, and most of them came of families little devoted to Protestantism. The secretary was John Lindsay of Menmure, whose brother Walter, under the name of Don Balthasar, was deep in the counsels of Philip and his priests. The state of affairs at home, then, was distinctly favourable to the old religion, and the story of 'Poury Ogilvy' may be adduced as evidence that some attempt was actually being made to gain recognition from the Catholic powers. Of this matter, however,

[1] At first James corresponded with Essex. It was only after that nobleman's death that he got into touch with the powerful Cecil clique.

though much has been written,[1] little is really known. All that is certain is that Ogilvy dealt in Flanders, Venice,[2] Florence, Rome and Spain, and that he claimed to have a commission from the Scottish king, which James denied on August 3rd, 1596.[3] About a fortnight later, however, the king's sanguine spirit was planning a fresh manœuvre, as appears from a letter[4] which he sent the secretary (Lindsay) on August 19th :

'Secretaire, I have sent this frenshe man unto you, that ye maye conferr with him. I trust ye shall finde maire stuffe in him nor kythis outuardlie; eftir conference with him ye maye haiste his dispatche as ye and he sall agree upon. I ame uerrie far deceaved gif his hairt be not inclynd to serue me in all that he can, thairfore ye sall do weill to encourage him in his goode intention : fair ueill.

JAMES R.'

The 'frenshe man,' as appears from other documents,[5] was a certain M. de la Jessé, a Gascon gentleman who had occupied various posts of minor importance in the households of some of the French nobility, and the nature of his good intention appears in a document endorsed : 'Pour M. de la Jessé. Memoriall anent his Imployments.'[6] The Frenchman is to conduct some negotiation for his majesty so as to secure '*amitie, forces, ou argent pour le secourir en l'affaire d'Angleterre*,' and it becomes apparent that the main thing is to win over the French king, who will probably be very unwilling to act on James' behalf;

'veu le malcontentement qu'il a de sa Ma.te, le peu de moyen qu'il a de se maintenir luy mesme, la probabilité qu'il ne sou-

[1] Birch, in his *Memorials of Queen Elizabeth*, pp. 407-421, tells the whole story. T. Graves Law, in the *Miscellany of the Scottish History Society*, vol. i. pp. 1-70, gives additional documents. The *State Papers* (Scotland: Elizabeth) contain information on this subject under the dates July 13 and August 3, 1596.

[2] The Spanish ambassador believed Ogilvy had been there, but Sir Wm. Keith could not bring the Venetian government to admit that any Scottish envoy had dealt with them. Maidment : *Letters and Papers of the Reign of James VI. and I.* p. 9.

[3] *State Papers* (Scotland: Elizabeth), vol. lix. 19, 20.

[4] *Balcarres MSS.* vol. vi. No. 27.

[5] *Balcarres MSS.* vol. vi. No. 29. 'Minute of M^r. de Jesse's Letters of Estate.' 'a franche gentilman of the prouince of gascayne, sumtyme gouernor of the pages of the defunct quene of navarre, and eftir counseillor and servitour of the chambre of umq^ll our maist hono^le oncle the duik of Aniou . . . and presentlie counseillor and maister of requeistis of madame, the onlie sister of the king of france.'

[6] *Balcarres MSS.* vol. vi. No. 40.

haittera jamais l'union de ces deux Royaumes, la difficulté de l'induyre a bander contre l'angleterre non obstant que sa Mate. l'en voudroit presser, ce que sa Ma.te, ne pourroyt faire pour le present. Avec le peu de sagesse que nous seroyt de faire ligue sans necessite, avec la france et angleterre contre le roy d'espainge.'

Here was an errand for a stray literary adventurer! It appears, however, that the secretary was by no means convinced of the advisability of entrusting so heavy a commission to an agent of whom so little was known, and riper consideration brought James into agreement with his trusty servant, for on 6th September he wrote:[1]

'Secretaire, I finde youre advyce agrees iuste with my awin opinion concerning our quintessencit frenche mannis dispatche; for I thinke it aneuch he haue generall lettirs in his recommendation to als manie as he plesis and yone discourse of my title[2] to be blawin abroade be him alwayes. Ye sall do uell to haiste als sone as ye can to meete me in Falkelande and delaye your ansoure geving him quhill our meeting. fairwell.

JAMES R.'

The reason for Lindsay's suspicion becomes at once apparent when it is discovered that M. de la Jessé demanded in return for his services not only letters of credit to most of the potentates in north-west Europe, but also a 'letter of estate' appointing him 'Historiographe' to the king. Copies of these letters of credit still survive,[3] for the most part in duplicate.[4] One set is very possibly in de la Jessé's own hand, and in this case each letter has been most drastically amended; the other group of these 'missives desyrit by M[r] de la Jessé' is a copy (I think by Lindsay) of the French models prior to their correction. Here no deletions have been made, but many passages, especially those which set forth the great merits of the ambassador, have been heavily underlined by the remorseless critic—not without purpose, as will appear. The extant letters are directed as follows: To the King of France, to Madame de France, to Messieurs de Guyse, to the Emperor, to several princes of the empire, to several English nobles, to the

[1] *Balcarres MSS.* vol. vi. No. 28.

[2] Tytler, vol. iv. p. 266 (ed. 1882), says this discourse was written by Elphinstone. I do not know on what authority.

[3] *Balcarres MSS.* vol. vi. Nos. 43 and 44.

[4] The letter to the Bishop of Glasgow survives only in *Balcarres MSS.* vol. vi. No. 43 (Lindsay's copy). The bishop is of course James Beaton, who represented Scotland in Paris.

Bishop of Glasgow, to the marshals of France, to Messieurs Vilars et Joyeuse, and to the Sieur du Plessis. They are all in French, though a marginal note explains that the missives to the Emperor and the princes of the empire are to be put into Latin. Of the first two letters there are no fewer than three copies,[1] for they were written out in a big clear hand, probably by some clerk whose French was not very strong, but there is no proof that the king signed any of them and that they were ever entrusted to M. de la Jessé.

These various missives are not of superlative interest. The general sense is to recommend M. de la Jessé very cordially, and to beg the recipient to be generous to him if he apply for help '*mesmes pour son particulier*,'[2] but some of the special modifications introduced suggest the most childish diplomacy. The king of France is reminded of the 'auld alliance'; the marshals of France are told that the king loves brave men, the nobles of the empire that he respects honourable allies. A special heading is provided for a letter to the Earl of Essex, congratulating him on his success at Cadiz. The Guises are appealed to on account of common blood, du Plessis on the ground of a common religion. The emendations to the letters, however, are both interesting and amusing. In some, that to the Emperor and the English nobles, for example, a laconic '*point du tout*' is written in the margin and the whole is crossed out. In every case the abundant praise of the messenger is reduced, all reference to a far-reaching negotiation is suppressed, and his mission is stated in the vaguest possible terms. In the clerkly copy of the letter to the French king[3] reference is made to certain definite articles of a *Mémoire*[4] which the ambassador has, and to which James expects a reply, but there is no proof that the letter was dispatched in this form, and no other missive contains anything nearly as definite.[5] Special care, too, was taken to delete any passage which asserted that the bearer occupied a post at the Scottish court, and it is very plain that although M. de la Jessé wished to be known in Europe as the Historiographer-Royal of Scotland, Secretary Lindsay was quite determined that he should enjoy no such distinction. Thus

[1] These clerkly copies are *Balcarres MSS.* vol. vi. Nos. 40 and 41.

[2] For example, in the letter to 'M^rs^ Vilars et Joyeuse.'

[3] *Balcarres MSS.* vol. vi. No. 41.

[4] Evidently the *Mémoire* already quoted. *Balcarres MSS.* vol. vi. No. 40.

[5] The corrections are in a hand very like that of the king himself, who may have looked over them before he dispatched the letter of September 6th.

the 'Minute of M^r de Jessé's letters of estate,' though it exists in two copies,[1] contains blanks in all the important places (*e.g.* the amount of the salary and the fund from which it was to be drawn are not filled in). It was apparently never signed by the king,[2] and did not pass the Privy Seal.[3] It is therefore probable that the 'quintessencit frenche man' never obtained his reward.

On October 11th Lindsay sent the various missives, or rather fair copies of them, to the king, together with an extraordinary epistle from himself, which reveals clearly his own view of M. de la Jessé and his errand. It begins in Scots, and breaks off into a sarcastic attack upon the would-be historiographer, written in French, and composed for the most part of the self-laudatory passages which had been deleted from the ambassador's own draft of his letters of credit. The reason of the careful underlining now becomes apparent: the secretary was noting the most flamboyant phrases for his own use.

Lindsay begins[4] by saying that David Moisie[5] will give to the king M. de la Jessé's letters, amended, according to his majesty's wish, 'in sik thinges quherin they debordit anent his awin praise'; he warns James that the Frenchman is very anxious to have his own letters delivered[6] to the king, with intention to dispute the alterations. The secretary explains that he has drawn up the 'letters of estate' in the form of a signature[7] which must pass the seals, and that this too greatly annoyed de la Jessé, whose main concern was to be appointed historiographer. This, hoped Lindsay, could never happen, for no council would appoint him historian of Scotland, with a yearly pension, 'never hauing sein oni historie of his awin countrey vrytin be him,' nor would it be agreed to give him 'ane vther zearlie pension pour avoir

[1] *Balcarres MSS.* vol. vi. No. 29 in Scots, No. 44 in French. The Scots copy is printed in the *Analecta Scotica*, p. 330.

[2] Tytler, vol. iv. p. 266 (ed. 1882), states that De la Jessé was actually appointed.

[3] I can find no trace of the appointment in the *Register of the Privy Seal* (MS.), and naturally one looks in vain in the printed *Register of the Great Seal.*

[4] *Balcarres MSS.* vol. vi. No. 30. *Analecta Scotica*, p. 334.

[5] The author of the *Memoirs.*

[6] This may be held to show that de la Jessé's copies had never been seen by the king, but the alterations do not seem to me to be in Lindsay's hand, but in the king's; and if James had not seen them how could the secretary say that they were amended according to the royal command?

[7] On 'passing the seals,' see Livingstone, *Guide to the Public Records of Scotland*, pp. 155-156.

[1] fort pratiqué les Royaumes de france, angleterre lescosse et dennemark ensemble les potentats et seigneurs de maintes princes d'almaigne, pays Bas et lorraine avec une soigneuse devotion.[1] Et pour ce qu'il faut user de ses mots il me semble, [2] aprez avoir souventefois gousté et escouté ses discours peu fructueus et de tout vulgaires, il vaudroyt mieux offencer en general la suffiçance de ses pareils et signamment sa preudhomie,[2] sa judicieuse suffiçance,[3] [4] ses merites et son scavoir,[4] sa dexterité,[5] [6] sa probité et oculaire suffiçance,[6] et [7] ne donner point de relasche a ses muses grandes amyes de vostre Ma^te^,[7] que de luy donner tant de pensions et l'imployer en choses politikes avec le dangier de l'honte d'avoir employé un tel qui peut estre est estimé estre fol et avoir les quintes.' [8]

The writer goes on to point out that M. de la Jessé's letters are still fifteen in number, despite the fact that several have been withdrawn. He urges the king to give him these letters closed[9] together with 100 crowns, and let him go at once, remitting the 'letters of estate' to the council in the ordinary way. This seems to be the last known of M. de la Jessé, and in the absence of evidence it seems reasonable to conclude that the sarcasms of Lindsay took effect, and that the king's fantastical scheme, if not entirely abandoned, was at least greatly narrowed in content. The idea of sending a self-satisfied poet[10] round the courts of Europe to proclaim James' title is so grotesque, and the additional notion of rewarding him with the office of Historiographer so ridiculous, that one is tempted to dismiss the whole story with a laugh.

But, for all its absurdity, it has its serious side. It shows, in the first place, that the king was willing to employ the most unlikely ambassadors, and is in this way supplementary to exist-

[1] This passage is taken wholesale from the letter to Messieurs Vilars et Joyeuse.

[2] A take-off of the letter to Madame.

[3] From the letter to the French marshals.

[4] From the letter to Madame.

[5] From the letter to M^rs.^ Vilars et Joyeuse.

[6] From the letter to the sieur du Plessis.

[7] A take-off of the letter to the Bishop of Glasgow.

[8] The king had called the Frenchman quintessencit. Quintes sometimes meant a cough. Perhaps M. de la Jessé was afflicted with a cough. It may merely mean that he was capricious.

[9] This seems to show that Lindsay was enclosing fair copies at this time; in that case the king's corrections must have been made earlier.

[10] He was a poet (see the letter to the 'Seigneurs Angloys').

ing narratives. It establishes a slight presumption in favour of agents (like Ogilvy of Poury) who stated that they had been commissioned by James to negotiate abroad, but who were utterly disowned by the Scottish sovereign. The affair of M. de la Jessé reveals the king's love of the unofficial negotiator.

It reveals, too, the great design which was at the bottom of James' heart, and to which he reverted again and again—the idea of forming a vast league to secure his succession to the English throne and to defeat Spain. This was the age of leagues, real and imaginary, and James was quite on a level with the other monarchs of his age in his belief in the value of a huge confederacy. About the time of the fall of Arran he had spoken of a great Protestant League,[1] and soon after his return from Denmark he had actually sent ambassadors to various German princes.[2] What is more, the necessity of uniting even with Roman Catholic powers against Spain was fully realised by at least one Scotsman, the Master of Gray, whose summing up of Philip's designs is a very able piece of work.[3]

The idea of a vast anti-Spanish league, then, is not in itself an absurdity, and it is necessary to look very closely at de la Jessé's letters. Though there is no hint of the king's changing his religion, many of these missives are directed to Catholic princes, but it will be noticed that no attempt whatever is made to deal with Spain. James probably had no great hope of *active* assistance from the powers to whom he applied, but it may not be too much to assert that his idea was to 'blaw about' his title amongst states which, however loyal to Rome,[4] felt a real dread of Spanish ambition; fortunately there is other evidence which gives to this interpretation of the royal design some additional weight—in Italy, too, the king was working against Spain.

In the year 1596 Sir William Keith was at Venice[5] on behalf of the Scottish monarch, acting, as so many of James' agents had to act, with credentials which could be used only in private.[6] He

[1] Tytler (ed. 1882), vol. iv. pp. 106-107.

[2] Tytler (ed. 1882), vol. iv. p. 176.

[3] *Papers of the Master of Gray* (Bannatyne), pp. 169-182. James, however, was more deeply involved in the Spanish plots than Gray stated.

[4] The king, of course, was holding out hopes of his conversion to Catholicism.

[5] *Balcarres MSS.* vol. vi. Nos. 17, 18, 19, 20. Printed (with a few errors) by Maidment in *Letters and Papers of the Reign of James VI. and I.* pp. 8, 13, 20, and 22.

[6] Maidment, p. 9; Keith to King James from Venice, Feb. 4, 1596.

was instructed to gain the good-will of the seignory, with a view to the great crisis which must follow Elizabeth's death, and when the Venetian government had given a general assurance of friendship, Keith received orders[1] to explain that Spain was the universal foe, and that it was the universal interest to check her ambition. The envoy, who was provided with a number of blanks, also sounded the 'Duke of Florence,'[2] and found that he too was weary of Spanish overweeningness. It is of importance to notice that at later dates James is still found dealing with both these states, and that there was actually a scheme for marrying James' son to the daughter of the Duke;[3] but these matters scarcely concern us at the moment.

For us it is possibly not without significance that the Master of Gray thought of visiting Italy at this very time. On September 17, 1596, Bowes heard that he had applied for leave to go abroad,[4] and there are still extant two letters of recommendation, written by the king on his behalf, and dated from Falkland on September 9th. One is to the Duke of Parma[5] and the other to the Duke of Florence,[6] and both merely explain that Patrick, Master of Gray, is going abroad for the sake of his health, and ask that he may be kindly treated in Italy. Fair copies of these two letters are still in Edinburgh, and this, coupled with the fact that the Master of Gray was certainly at Holyrood on January 6th, 1597,[7] makes it improbable that this journey was ever

[1] Maidment, p. 20; Keith's Instructions, Nov. 1596.

[2] Maidment, p. 15; Keith to Thomas Foulis from Padua, Aug. 15, 1596.

[3] These negotiations with Florence are mentioned by Lord Hailes in the *Secret Correspondence of Sir Robert Cecil*, pp. 112, 113. Sir Michael Balfour of Burlie was the agent employed, and his main object seems to have been to procure money, which the duke would not advance, as he doubted if the marriage would ever take effect. Burlie's negotiations did not escape the sharp eyes of the English intelligencers. Cf. *Cal. S.P. Dom. Eliz.* cclxxi. 88; cclxxii. 52; and cclxxxi. 60. The dates are between 1599 and August, 1601. The 'Duke of Florence' is, of course, Ferdinand, Grand-Duke of Tuscany.

As for the negotiations with Venice, they appear to have progressed well, for later Sir Anthony Shirley assured James that the Venetians, to oblige him, had greatly restricted their trade with England. This, thought Shirley, was a good thing, as it would make the English discontented and weaker; thus James would not only be more welcome as 'a means of alteration,' but he would be able to deal with England without the assistance of Spain (*Secret Correspondence of Sir Robert Cecil*, pp. 155-156).

[4] *Cal. S.P.* (*Scotland: Elizabeth*), lix. 40.

[5] *Balcarres MSS.* vol. vi. No. 21. [6] *Balcarres MSS.* vol. vi. No. 22.

[7] *Register of the Privy Council, Scotland*, vol. v. p. 357.

undertaken.[1] But whether this venture was made or not, it is incontestable that a Maitland of Lethington[2] was working in Italy on James' behalf in 1596, and when all the evidence is added together, it becomes plain that James laid considerable stress on this portion of his foreign policy. All these negotiations have been regarded by some[3] as mere examples of the king's megalomania, but the succession to the English crown was really a question of European importance, and apart from any financial advantage he might obtain, the Scottish monarch was well advised in using on his own behalf the Italian jealousy of Philip's too great authority.

The best proof that James' attack was well directed lies in the obvious disquiet of the Spaniards themselves. Ogilvy of Poury, whatever were his credentials, was known by the Duke of Sessa[4] to have trafficked in Venice and Florence, and the ambassador's great anxiety to persuade the soi-disant envoy that James would find no help in Italy is most marked. Sessa was at pains to hurry Ogilvy into Spain as soon as possible, and took credit for having done so. The explanation is that Spanish arrogance had alienated all Italy, including the Pope himself, who, as Sessa was fain to confess to Philip, shared the opinion of Sixtus V. 'that it can not be denied that the Spaniards are catholics, but they believe there are no other Christians in the world but themselves.' Clement VIII., in fact, was only too willing to snatch at a chance of converting Scotland without recourse to the arms of Spain, and the result was a long series of negotiations between James and himself, in the course of which

[1] It is true that in both letters clerical errors have required correction, but the extant copies were probably meant to be the actual ones entrusted to Gray. At a later date there is talk of Gray going to Rome (*vide Cal. S.P. Dom. Eliz.* vol. cclxxiv. 97 : April 7-17, 1600). This was in the spring of 1600, and in the autumn we find Gray warning Cardinal Borghese that James' negotiations at Rome have been discovered by the English government (*Papers of the Master of Gray*, Bannatyne, p. 187). But by October, 1600, Gray himself was in the pay of England, and he was so slippery a gentleman that we cannot hold James responsible for all that he did. The extant letters of credit, however, show that in 1596 he still enjoyed the royal favour.

[2] M'Crie, *Life of Andrew Melville*, vol. ii. p. 528 [ed. 1819].

[3] Maidment, p. 11.

[4] Sessa was Philip's agent at Rome. His correspondence with his royal master of January and February, 1596, was intercepted by the French and given to King James. The English government got it quickly from Scotland, if not from another source as well. The letters have been published more than once. *E.g.* Birch, *Memoirs of Queen Elizabeth*, vol. i. pp 409 *et seq.*

he was led to believe that the Scottish king might possibly be converted, and would certainly grant toleration.[1]

It was, therefore, no idle policy which James pursued when he tried to separate Spain from the other Catholic powers in Italy, and what he did in that land he was willing to do all over Europe. Hence comes it that he entertained extravagant notions about the utility of de la Jessé. That particular secret agent does appear to have been somewhat of an imbecile, but the general plan itself was worthy of a statesman. The king's idea was to 'blaw about' his title, to check Spain,[2] and to win to his side the Roman Catholic but anti-Spanish[3] powers of Europe. From these allies he probably hoped for no direct assistance; they would help him well enough if, in their fear of Spain, they hindered the projects of his mighty rival. However unworthy were James' methods, his general design was not ill-devised; neither was it altogether new. For the greatest of the Roman Catholic and anti-Spanish powers was France, Scotland's friend by the tradition of centuries. In the 'Memoriall' anent employing de la Jessé to deal with Henry IV. appear the glimmerings of a true policy, and it is possible that the accession to the English throne was finally determined when the wise French king decided, reluctantly perhaps, but absolutely, that the choice lay between James and a Spanish nominee, and that France must therefore give her entire support to her ancient ally.[4]

J. D. Mackie.

[1] These negotiations between James and Clement VIII. have long been discussed. A. O. Meyer's *Clemens VIII. und Jakob I. von England*, contains ample proof of their reality.

[2] The title was to be 'blawn about' in opposition to the book of 'Doleman' or Parsons setting forth the Spanish claim.

[3] The fact that Ogilvy went to Spain at all may militate against this theory. But possibly he did not go willingly, possibly he had not the king's commission, and even according to his own story Spain was a 'pis-aller.' On August 3, 1596, James denied to Bowes that Ogilvy had from him any commission to Spain, and the 'Memorials presented to Philip' (from James) by Ogilvy are, as they stand, very suspicious. James could never have described his father as Earl of Lennox. Cf. T. G. Law in the *Miscellany of the Scottish History Society*, p. 33.

[4] See a letter from Henry IV. to Cardinal d'Ossat, his representative at Rome, December 24th, 1601. *Lettres du Cardinal d'Ossat*, v. 390 (ed. 1732). D'Ossat had been tempted by a scheme for ousting Spain by putting in a Catholic competitor in the shape of Cardinal Farnese, who might marry Arabella Stuart. Henry said the scheme was futile.

San Viano: A Scottish Saint

THE mountains of Carrara, which yield the famous marble, set a serried rampart between the sea-plain on the west and the high valley of the Serchio on the east, to which they give an Alpine beauty quite uncommon in Tuscany. It is in this valley—the Garfagnana—and among the crags of these wild hills, that Viano, the Scottish Saint, has his seat and cult, not far from the little mountain village of Vagli di Sopra.

Ten years ago, an Italian friend and I set out on a walking tour of a few days, which should carry us from the sea at Forte dei Marmi by a mountain pass to the Garfagnana and to Lucca. Our road led through Serravezza in its gorge, then past the quarries of the Cipollaia, to a long tunnel under the hill, beyond which we found Arni and the path to the pass of *La Sella*, at a height of some 3600 feet above the sea. The day was cloudy at first, with bursts of rain, but when we reached the pass the clouds lifted, showing the great mass of the Tamburo on the left, while in front, to the eastward, the Garfagnana valley lay broad and deep and green under a golden sun.

As we came down the first steep slopes we noticed, northward under the high cliffs of the Tamburo, a whiter spot that meant a building. In so wild a place the thing seemed strange, and I put a question to the wandering man who knew the country and had attached himself to us in the quality of a guide. 'That,' he answered, 'is the Chapel of the Scottish Saint.' From this guide, and, next morning, from the Sacristan of San Lorenzo di Vagli, I had the details which form the following

LEGEND OF SAN VIANO

Like San Pellegrino—whose church, much frequented in summer pilgrimage, stands in full view of Vagli, but some fifteen miles away, among the hills on the east of the Garfagnana—San Viano was a man of Celtic blood, a wanderer into Italy from the North. A woman accompanied him—his wife in one account, his sister in

another—and the pair settled down at Vagli, where Viano worked on the land and his companion kept house for both.

But Viano was no common colonist; he was holy, and a sign of this sanctity soon appeared which reminds us of Pagan days and the far-off cult practised in prehistoric Crete; the birds gave it by perching on his plough, and the doves confirmed it when in a pair, snow-white as his soul, they came to sit on the saint's shoulders as he worked.

The woman, his companion, thought him mad, and would have driven the birds away. Thus came the crisis that led Viano to forsake the world. He renounced her, saying, 'Thou art unworthy'; and, leaving her company and the haunts of men, took to the cliffs of the Tamburo as if his birds had lent him their wings. Here, in a cave, he spent the rest of his life, a complete hermit till his death.

Of that hidden life only the shepherds knew, seeing Viano from time to time, and from an awful distance; so that, when at last he was seen no more, it was the shepherds who brought the news of his death to Vagli. The men of the village desired to have in their keeping so holy a body, and built, not without pains, a path by which they might reach the inaccessible cave where it lay. By this road San Viano was at length brought down to the village church, but next day the body was gone; it had flown, as in life, to the cave in the cliff.

So they built a wall there, turning the cave into a chapel, and thus the use began which still carries the people of the district in pilgrimage thither twice a year, on the 22nd May and the 22nd September.

It is added that his own countrymen, the Scots, disputed the possession of San Viano's body with the men of Vagli, and that a compromise was come to. The body was carried back to Scotland, but the head, embalmed in spices, remained in the cave-chapel above Vagli. It is said to have been brought down in later times to San Lorenzo, the village church, where, however, it is not now to be found, nor can any one say what has become of it.

We slept at Vagli di Sopra, and, in the early morning, calling the Sacristan of San Lorenzo, we set out in his company for the chapel. For about half a mile we retraced our steps of the day before, then left the road, taking a mule-path which led up the steep slopes of the Tamburo on the right. In about an hour we had reached the sanctuary. The position it occupies is magnificent; set under high cliffs of limestone and marble, with

a wide outlook over Vagli to the Serchio valley and its distant bounding hills, where San Pellegrino has his seat.

On the way up, the Sacristan pointed out the flowers of the mountain thistle, very silvery and abundant on these high slopes. 'These,' said he, 'were the food of the saint, and, look you, each one turns still towards San Pellegrino; it is the salutation of the one Scottish saint to the other, for San Viano and San Pellegrino were fellow-countrymen.' Here we have a pure local legend; for, in spite of pains taken, I could not find that the Sacristan had ever heard of the thistle as our national flower.

At the last turn in the path before reaching the chapel, we saw a large stone with several incised crosses, at least one *patée* and evidently ancient. In the next ravine to the right there is a spring which flows through three holes in the rock. It is said that San Viano made these with thumb and fingers, as for the first time he climbed to his cave; that the water sprang as he lifted his hand from the rock, and that this fountain furnished his only drink, as the thistles were his only meat, while he lived in the mountain.

I have called his hermitage a cave, but at our nearer view it seemed rather a shelf deeply weathered out under the cliff, at a corner where it hangs over the valley at a great height. Simple walls of rough stone have sufficed to turn part of this hollow into a chapel, where the rising floor, the roof, and one whole side are of the living rock. The altar wall lies westward, and in it is a door which leads out upon the unoccupied part of the shelf. Just here we found the very corner of the cliff, and saw how the shelf turns the angle to run some way further till it dies upon a final projection of the rock. I suppose that the oratory of San Viano lay at this end, and that the chapel enclosed the site of his dwelling.

It remains for others to pursue the matter further, and, if possible, to identify the Celtic saints in question. As to San Pellegrino, traditionally the wandering son of a 'King Richard of Scotland,' the Bollandists (August 1st) treat as spurious the ancient account of his life contained in a MS. (880. 6) of the *Biblioteca Governativa* at Lucca. 'Viano' seems likely to be an Italian rendering of the Celtic Fian. Both saints probably belonged to the movement associated with the greater name of Columbanus. This, it will be remembered, had a chief seat at Bobbio, not far from the Garfagnana, and counted San Frediano, Bishop of the more closely neighbouring Lucca, as one of its most eminent representatives.

Florence. J. Wood Brown.

Chronicle of Lanercost[1]

WHEN these matters had been settled satisfactorily, the king returned to England about the feast of S. Lawrence,[2] and the aforesaid justiciaries coming to Berwick, performed the duties assigned to them ; but, whereas the clergy of the town had given great offence to the king during the siege, all the clergy of Scottish birth were expelled according to his instructions, and English clergy brought in to replace them.[3]

Note, that when the Scottish friars had to leave the convent of Berwick and two English friars were introduced, the Scots provided them with good cheer ; and while some of them entertained them at dinner with talk, others broke open the wardrobe, collected all the books, chalices and vestments, packed them in silken and other wrappings, and carried them off, declaring that all these had been gifts from my lord Earl Patrick.[4]

Now it must not pass without mention how, before warlike operations were undertaken against Berwick, an offer was made to David, son of my lord Robert de Brus, whom the Scots had anointed as their king, that he might come in safety to the King of Scotland[5] to renounce the kingdom in his favour, whereupon he [Edward] would straightway grant him all the lands in Scotland which his father or grandfather had at any time possessed in Scotland. But he [David], being a boy of about nine years, acting on the advice of his council, utterly refused that offer, and,

[1] See *Scottish Historical Review*, vi. 13, 174, 281, 383 ; vii. 56, 160, 271, 377 ; viii. 22, 159, 276, 377 ; ix. 69, 159, 278.

[2] 10th August.

[3] The writs expelling the Scottish friars are printed in *Rotuli Scotiæ*, i. 258.

[4] Ninth Earl of Dunbar, and second or fourth Earl of March (1282-1360). During his sixty years' tenure of the earldom he changed sides very often, giving shelter to Edward II. in his flight from Bannockburn ; but the invasion of Scotland in 1334, when the English did not spare his own lands, finally sent him over to the cause of Scotland.

[5] Edward Balliol.

after the aforesaid battle, hearing sinister rumours about disaster to the Scots, betook himself with his people to Dunbarton castle as a secret place of safety.

Meanwhile, on the morrow of the octave of the Nativity of the Glorious Virgin,[1] the King of Scotland[2] held a parliament at S. John's town[3] in Scotland, wherein he utterly revoked and quashed all the deeds and grants of my lord Robert de Brus, who had forced himself treacherously and violently upon the throne, ordaining and commanding that all that he [Robert] had granted away should be restored to such of the original and true heirs who had not borne arms against him in the aforesaid wars. [To the widows of those who][4] had fought and been killed he did not give their terce, but charitably and graciously granted them a fifth part only, on condition that they should not marry again except by his special license or command.

In the same year died Master John de Ross, Bishop of Carlisle, who was taken away for burial in the south of England, whereof he was a native. Sir John of Kirkby, canon regular of Carlisle, succeeded him in the bishopric.

Also in winter of the same year died my lord Louis de Beaumont, Bishop of Durham, and was buried there in the monk's choir under a great, remarkable and beautiful stone. In his place the monks of Durham elected one of their confraternity, Sir Robert of Greystanes, a man in every respect worthy of such a dignity and a doctor of sacred theology. When he came before the king and besought his grace for the baronies and lands belonging to the bishopric, the king received him graciously enough; but in the end replied that he had sent his own clerk, Master Richard de Bury,[5] Doctor in Theology, to the court of my lord the Pope upon certain important affairs of the realm, and that among other things he had requested him that Richard might be made Bishop of Durham; but, in the event of his not obtaining what he asked from the Pope, then he would willingly grant him [Robert] all the grace he craved.

This reply notwithstanding, that monk went before his Archbishop of York, was consecrated by him, was afterwards installed, received the submission of the clergy of the diocese, and performed other acts pertaining to the office of bishop.

[1] 17th September. [2] Edward Balliol. [3] Perth. [4] Hiatus in original.

[5] Richard Aungerville (1281-1345), better known as Richard de Bury, a great scholar and patron of learning, author of *Philobiblon*. At the dissolution of the monasteries, some of his books went to the Bodleian and others to Balliol College.

After this, the aforesaid Master Richard returned from the Pope's court bringing with him to England a bull wherein it was set forth that the Pope had granted him the bishopric of Durham, and that he might be consecrated by any bishop whom he should choose. And consecrated he was in England, but not by the Archbishop of York. Thus were there two bishops consecrated for one bishopric; but one of them, to wit the monk, shortly after went the way of all flesh; whereby Master Richard remained as Bishop of Durham, and held a most solemn festival on the day of his installation, to wit, the fifth day of June in the year 1334. My lord the King of England was present, also the Queen, my lord King Edward of Scotland, two English earls, to wit, the king's brother the Earl of Cornwall and the Earl of Warenne, four Scottish earls, the Archbishop of York, the Bishop of Carlisle and a great multitude of clergy and people.

A.D. 1334.

On the nineteenth day of the said month, to wit, on the feast of the Holy Martyrs Gervase and Prothasius, the King of Scotland came to Newcastle-on-Tyne, accompanied by the Earls of Atholl,[1] Dunbar, Mar[2] and Buchan, and there in presence of the two English earls aforesaid, four Scottish earls, the archbishop, the aforesaid bishops and an almost innumerable multitude of clergy and people, the same Edward de Balliol, King of Scotland, performed his homage to my lord Edward the Third, King of England, in token of holding the kingdom of Scotland from him as Lord Paramount, and so from his heirs and successors for all time. And whereas the same King of England had assisted him in reclaiming and possessing his said realm of Scotland, whence for a season he had been expelled by the Scots, and had supplied large funds [for that purpose], the King of Scotland ceded to him the five counties of Scotland which are nearest to the English March, to wit, the counties of Berwick and Roxburgh, Peebles and Dumfries, the town of Haddington, the town of Jedburgh with its castle, and the forests of Selkirk, Ettrick and Jedworth, so that all these should be separated from the crown of Scotland and annexed to the crown of England in perpetuity.[3] Thus there

[1] David of Strathbogie, 11th Celtic Earl of Atholl (1309-1335).

[2] Thomas, 9th Earl of Mar in the Celtic line, son of the Regent, must have been a small boy in 1332, for he was still a minor when his mother died in 1347-8 and Edward III. appointed his stepfather, William Carsewell, to be his guardian (*Rot. Scot.* i. 708).

[3] In the deed of surrender Dumfries and Linlithgow are included (*Fœdera*, 12th June, 1334).

remained to the King of Scotland on this side of the Scottish sea [1] nothing but the other five counties, to wit, Ayr, Dunbarton, Lanark, Stirling, and Wigtown in Galloway beyond the Cree. All these aforesaid things were publicly confirmed by oath, script and sufficient witnesses, and after they had been duly settled, the king returned to England.

Howbeit after a short lapse of time, to wit, about the feast of S. Mary Magdalene,[2] the Earl of Moray newly created by the Scots, the Steward of Scotland, Lawrence of Abernethy and William de Douglas, who had been taken by the English earlier and ransomed, having gathered a great force of Scots, raised rebellion against the king,[3] and violently attacked the Galwegians who adhered faithfully to him. Also they attacked others of Scotland who dwelt in the aforesaid five counties subject at that time to the King of England, and levied tribute from them. Also a certain knight of Galloway, Dugald de Macdouall, who had always hitherto supported the King of Scotland's party,[4] was persuaded for love of his newly-wedded wife to raise the Galwegians beyond the Cree against the king and against others on this side [of the Cree],[5] who offered strong resistance; and thus they mutually destroyed each other.

About the same time came the Lord of Brittany to England, to render his homage to my lord the King of England for the earldom of Richmond after the death of John of Brittany, earl of the said town.

Meanwhile David, whom the Scots had formerly anointed as their king, and who had remained in the strong castle of Dunbarton, betook himself to France, and did homage to the King of France, so that he should hold his realm from him as from a Lord Paramount, on condition that he should assist him in recovering his kingdom from the aforesaid Kings of England and Scotland. Rumour of this being spread through Scotland, the number of Scots in rebellion against their king[6] increased daily, so much so that before the feast of S. Michael,[7] nearly the

[1] The Firth of Forth. [2] 22nd July. [3] Edward Balliol.

[4] And who soon returned to it, as appears from a deed printed in *Rotuli Scotiæ*, i. 608, showing that Macdouall had rejoined the English party in May, 1341.

[5] The river Cree (Gaelic, *Criche*, a boundary) divided Eastern Galloway (now the Stewartry of Kirkcudbright) from Western Galloway or Wigtownshire. The people of Eastern Galloway adhered to the Balliols, whose principal messuage was at Buittle.

[6] Edward Balliol. [7] 29th September.

whole of Scotland rose and drove the king to Berwick, which belonged to the King of England. Even the Earl of Atholl, who had borne the chief part in bringing the King of Scotland to his kingdom, now deserted him, and the Earl of Dunbar did the same to the King of England, to whom he was bound by oath.[1] Then the whole of Scotland rose as one man, except the Galwegians on this side of Cree and except the Earl of Buchan, who was not of Scottish birth and whom they kept in captivity. When the King of England heard this, he called parliament together in London, arranged for an expedition against Scotland, and before the feast of All Saints[2] arrived with an army at Newcastle-on-Tyne, where he remained until the feast of the holy Martyr and Virgin Katharine.[3] Then he entered Scotland, coming to Roxburgh, where he repaired the castle, which had been dismantled, as his headquarters.

On the fourth day of December of the same year Pope John XXII. died at Avignon, to wit, in the eighth year from his creation. A certain monk Albur[4] succeeded him in the pontificate, and was named my lord Benedict XII. Now my lord John, his predecessor, had determined many questions during his lifetime and had affirmed certain doctrines not in accord with all the opinions of the doctors nor, apparently, consonant with the Catholic faith, especially in declaring that souls that had passed through purgatory could not behold God face to face before the day of judgment. Wherefore in presence of the cardinals before his death he publicly revoked that saying, and all those things which he had said, pronounced or determined which did not savour of the truth, and by a bull under his hand. . . .[5]

On the third day after Christmas next following the King of England searched the forest of Ettrick with his men ; but the Scots did not dare to give him battle, keeping themselves in hiding. Wherefore my lord the King of England sent the King of Scotland, who was with him there, and the Earl of Warwick and the Earl of Oxford with their people, and certain barons and knights with all their people, to Carlisle, in order to protect that western district from the Scots. But on their march they turned

[1] The cession of Scottish territory was too much for the stomachs of these gentlemen.

[2] 1st November. [3] 25th November.

[4] A Cistercian ; sometimes called 'the White Cardinal.'

[5] *Nonnulla desunt.* This was the bull *Benedictus Deus*, defining the beautiful vision, declaring that the faithful departed do see God face to face before the re-union of soul and body.

aside to Peebles and those parts to hunt the Earl of Moray and other Scots who they were informed were thereabouts. Howbeit these [Scots] took to flight, so the English burnt and wasted everything on their march, and arrived thus at Carlisle.

After the Epiphany of our Lord[1] the forces of the counties of Lancaster, Westmorland and Cumberland assembled by command of the King of England at Carlisle under the King of Scotland[2] and the earls and barons of England who were there; whence they all marched together into Scotland, destroying such towns and other property as they came upon, because the inhabitants had fled, and afterwards the King of Scotland returned to Carlisle.

Meanwhile the King of England, hearing that some of his subjects were holding meetings in secret as if they were plotting rebellion against him, returned to England with a very small following disguised as traders, in order to ascertain the truth; and in a short time all matters were peacefully settled by God's help.

About the feast of S. Matthew the Apostle[3] the King of France's envoys came to the King of England to negotiate some treaty of peace with the Scots; but they did not fare very successfully in their mission.

[*There is inserted here an instrument in Norman French, given under the hand of Edward III., 1st March, 1335, setting forth the terms upon which Edward Balliol was to hold the kingdom of Scotland under the King of England as Lord Paramount.*]

In the same year, after the death of Pope John XXII., there were affixed to the door of the church of Minorite Friars in Avignon four placards, two greater and two less, no doubt by Friar Michael of Cesona and his adherents; which Michael the said Pope John had removed from the office of Minister-General of the Order of Minorites and had excommunicated. The title of the greater placards was—'The Appeal of Friar Michael of Cesona against James of Caturco to the Catholic Pope next to be created.' And the title of the two lesser placards was—'Declaration that Friar Gerard Odo[4] is not Minister-General of the Order of Minorites'; for it was the person formerly known as James of Caturco whom the Order appointed to be Minister-General, in compliance with the will of the said Pope John.[5]

[1] 6th January, 1334-5.
[2] Edward Balliol.
[3] 24th February, 1334-5.
[4] Called in French Gerard Eude.
[5] This bitter dispute is told at length in L. Wadding's *Annales Minorum*, ad ann. 1328-1334.

On the feast of the Ascension of the Lord[1] the King of England held his parliament at York, and made arrangements for his expedition against Scotland. Thus about the A.D. 1335. feast of the Nativity of S. John the Baptist,[2] he came with his army to Newcastle-on-Tyne, whither came to him the King of Scotland[3] from Carlisle with his people, and there it was arranged that the King of England, his brother the Earl of Cornwall, the Earl of Warwick, the Earl of Lancaster, the Earl of Lincoln, the Earl of Hereford, with all their retinues, and the Count Juliers from over the sea (who had married the sister of the Queen of England and had come to support the king with a splendid following), should march to Carlisle and there enter Scotland on the twelfth day of the month of July. But the King of Scotland,[3] the Earl of Warenne, the Earl of Arundel, and my lord Henry de Percy, a very wealthy baron, all being near of kin to the King of Scotland, were to remain with their retinues at Berwick and to enter Scotland in like manner on the aforesaid day. This was carried out as it had been arranged. Each king entered Scotland by a different route; nor did they find anyone so bold as to resist the force of either of them. Wherefore they freely marched through all the land on this side of the Forth and beyond it, burning, laying waste, and carrying off spoil and booty. Some of them, especially the Welsh, spared neither the clergy nor their monasteries, plundering regulars and seculars impartially. Also the seamen of Newcastle burnt a great part of the town of Dundee, with the dormitory and schools of the Minorite Friars, carrying away their great bell; and they burnt one friar who formerly had been a knight, a man of wholly pure and holy life. The bell they exposed for sale at Newcastle, where it was bought by the Preaching Friars of Newcastle for ten marks, although one party had no right to sell it and the other none to buy.

Meanwhile my lord Guy Count of Nemours beyond the sea, kinsman of my lady the Queen of England, came to England with seven or eight knights and one hundred men-at-arms, to assist the King of England against the Scots, although the king did not stand in the smallest need of his assistance. Passing through England to join the king at Berwick, which was in possession of the King of England, he took certain English guides to show him the way. But while he was on the march towards

[1] 25th May. [2] 24th June.
[3] Edward Balliol.

Edinburgh, the Earls of Moray and Dunbar and William Douglas,[1] having been informed of the coming of the aforesaid count, waylaid him in ambush with a strong force, attacking him twice or thrice in the same day. But he and his party made a manful defence, and arrived at Edinburgh on the same day after a march of many miles. There, however, they surrendered, it is said, through want of provender. But when the Scots learnt that he was the Count of Nemours, through whose country they had often to pass in travelling to lands across the sea, they held neither him nor his knights nor his men-at-arms to ransom, but allowed him to return free to England with all his men, exacting, however, from him a solemn oath that neither he nor his people would ever bear arms against the Scots. But they made prisoners of all the English who were with him, and killed some of them. The Earl of Dunbar and William Douglas escorted them back to England, but the Earl of Moray and his men returned after these events.

It came to pass by chance that the English garrison of Roxburgh undertook a plundering expedition into these parts; hearing of which, the Earl of Moray, being in the neighbourhood with his force, attacked them vigorously. But they made manful defence and defeated him, taking him a prisoner to England, and so at last he was brought to Nottingham. The English cared but little for the capture of the Count of Nemours, considering it a mighty piece of presumption that he should have dared to enter Scotland in time of war with so slender a force.

While these things were happening, the King of France and the King of Bohemia had fitted out seven hundred and fifteen ships to harass the southern parts of England with armed parties in the cause of the oft-mentioned David de Brus, who had done homage for the kingdom of Scotland to the King of France, in order that the King of England, hearing that his country was invaded by foreigners in the south, should desist from molesting the Scots in the north.

The aforesaid ships appeared first off the town of Southampton, eight of them seizing the harbour, while the men in two ships invaded the dry land, burning two unimportant villages on the

[1] Son of Sir James Douglas of Lothian. Born about 1300, he became chiefly instrumental in recovering the ceded counties for King David. He was known as 'the Knight of Liddesdale' and 'the Flower of Chivalry,' and was killed in 1353 by William 1st Earl of Douglas, who detected him in treasonable negotiation with the English.

coast. But the people of that district, forewarned of their coming, got between them and their ships, and their seamen captured those who remained in the two ships. The other six ships took to the open sea in flight, nor was any more seen in those parts of all the aforesaid ships, save one, which, having 300 armed men on board, made the land near Portsmouth and did some burning on the shore, but of all these men not one got back to his own country.

At last the Scots, feeling themselves beaten and wholly unable to resist the kings, came in to peace about the feast of the Assumption of the Glorious Virgin ;[1] the Earl of Atholl[2] being among the first at the instance and by persuasion of the earl,[3] whose daughter he had married. Howbeit, Patrick of Dunbar, the Earl of Ross,[4] Sir Andrew de Moray (a wealthy baron), and Maurice of the same [name], William de Douglas, William de Keith,[5] and some other nobles of Scotland with their retainers, did not come into the peace, but, assembling many others, committed much injury upon those who had accepted peace. The Lord's day next before the feast of S. Andrew the Apostle[6] was appointed at their own request as the day for coming into peace, if they were willing, but very few presented themselves. Indeed, while the Earl of Atholl was occupied in besieging Kildrummie Castle beyond the Scottish sea in the cause of the King of Scotland,[7] the aforesaid Earls of Dunbar and Ross marched upon him with all those who adhered to their party, in order to force him to raise the aforesaid siege, and an encounter took place between them. In the end, many Scots who were with the Earl of Atholl having taken to flight, either through panic or treachery, the earl himself was killed together with a few others who remained in the field with him to the end.[8] William de Douglas, who was one of the chief actors in this affair, was made Earl of Atholl by the Scots.[9]

The King of Scotland[10] remained during the whole of that

[1] 15th August. [2] David of Strathbogie, last of the Celtic Earls of Atholl.

[3] He married Katherine, daughter of Sir Henry de Beaumont, titular Earl of Buchan.

[4] William, 5th Earl of Ross and Lord of Skye, d. 1372.

[5] Second son of Sir Robert de Keith, who commanded the Scottish horse at Bannockburn.

[6] 26th November. [7] Edward Balliol. [8] Cf. Bain's *Cal. Doc. Scot.* iii. 1221.

[9] Douglas, who conveyed the earldom to Robert Stewart (afterwards Robert II.) in 1341, does not seem to have ever assumed the title.

[10] Edward Balliol.

winter season with his people at *Elande*, in England, because he did not yet possess in Scotland any castle or town wherein he could dwell in safety. But the King of England remained in the north, and kept his Christmas at Newcastle-on-Tyne. But soon after the Epiphany of the Lord,[1] being much grieved because of the death of the aforesaid earl [of Atholl], he issued summons for the assembling of an army to quell the said earls and their power. But in the meantime there came to the King of England at Berwick envoys from the Pope and my lord the King of France to arrange some kind of peace or a temporary truce. The English army was assembled, when, by consent of the king and the King of Scotland,[2] a truce was struck between the kingdoms until the middle of Lent,[3] when there should be a parliament in London, certain articles and demands having been drawn up, whereby peace might be restored if the parties could come to agreement in the meantime; if not, then the war should be renewed. This truce was struck about the Purification of the Glorious Virgin;[4] the first and most important demand being on the part of the Scots, that there should be a fresh investigation by learned and impartial men of both realms as to who had the strongest claim to the kingdom of Scotland—to wit, Edward de Balliol or David son of Robert de Brus, or whether David should succeed Edward in the kingdom if he [Edward] should not have an heir born of his body. It had been adjudged, however, after manifold and long controversy among the people and clergy that the inheritance of the kingdom of Scotland went to Sir John de Balliol, the father of Edward, because he was descended from the elder sister (as has been explained above in the year of our Lord 1292), notwithstanding that Sir Robert de Brus was the senior in equal degree from the line as the Lady Devorguilla, mother of the aforesaid John de Balliol, and Sir Robert was male heir in that female [line], because neither in England nor Scotland doth the inheritance of the kingdom run according to the laws of the Empire.

During this parliament the aforesaid Maurice de Moray by treachery slew Sir Godfrey de Ross, a Scottish knight, the King of Scotland's[5] sheriff of Ayr and Lanark, because he had killed his brother in fair fight. Wherefore in the said parliament no terms of peace were arranged, owing to the pride of the Scottish partisans.

[1] 6th January, 1336.
[2] Edward Balliol.
[3] 10th March, 1336.
[4] 2nd February, 1336.
[5] Edward Balliol.

At Christmas in the same year, my lord Philip, son and heir of the King of Aragon, and brother of Lady Sanxia, Queen of Sicily, took the habit of a Minorite Friar in the convent of Naples, with great solemnity, my lord Robert, King of Sicily, preaching in the mass of his (Philip's) taking the habit, and the lady Queen Sanxia serving at table. Mention is made above (1292) about the admission of the King of Aragon and other kings and sons of kings to the same Order.[1]

Before the feast of Ascension the king sent the said King of Scotland[2] to Scotland, and with him sundry earls, to wit, Lancaster, Warwick, Oxford and Angus, and barons and an army; but he himself remained in the south. Meanwhile the Scottish knight, Sir John de Stirling, the King of England's governor of Edinburgh Castle, hearing that the Earls of Dunbar, Fife and Sutherland were besieging with an army the castle of Cupar in Fife (in the hands of the King of England and the King of Scotland), beyond the Scottish sea, took with him forty men-at-arms of the garrison of his castle and eighty archers and other men, crossed the firth secretly, set fire one morning to a couple of villages near the aforesaid castle, and suddenly attacked those who were besieging the castle. When they saw the neighbouring villages in flames, a body of men charging fiercely upon them, and those in the castle making a sortie, they took to instant flight, abandoning their siege engines, arms, stores, and all that they had; for they thought that the aforesaid English earls, of whose approach they had been well informed, had suddenly arrived with their army. Sir John hotly pursued them with his party, reinforced by those in the castle, killing those whom he could catch, and driving the others away. Afterwards he returned, seized their baggage, and burnt their engines. After this successful exploit, he marched back to Edinburgh.

A.D. 1336.

Throughout all these transactions the King of France was fitting out warships and preparing an army of his own kingdom, besides the King of Bohemia and his mercenary troops, with stores and arms, in aid of the Scots against their true and rightful king, my lord Edward de Balliol, and against his kinsman the King of England, who was his ally and defender, supporting him in all ways, and this because David, son of the late Sir Robert de Brus, had done homage to him [King Philip] as holding his kingdom (if he could obtain it) from him as Lord Paramount. This

[1] No such mention is made in the chronicle as it has come to us.

[2] Edward Balliol.

action of the King of France was not concealed from the King of England; wherefore, as, although young, he was able and warlike, he sent word inviting them to come freely, if they would, to land in England, and allotted to them a space of four-and-twenty miles wherein to rest their forces unmolested until the day of battle should be fixed, after which each should abide by the fortune which should befal him. But whereas the king [of England] is lord of the sea, possessing far more ships than all other Christian princes, the seamen of England undertook on peril of their heads that, if the foreigners made good a landing, they should never afterwards enjoy the use of a single one of their ships; wherefore the king should do his best against them on land, because at sea they would never afterwards return to their own country in their ships. And the sailors most vigilantly watched all approaches by sea.

Soon after Pentecost[1] the King of Scotland[2] entered Scotland, crossed the Scottish sea to the town of S. John (which is called by another name Perth), which he found to have been burnt by the Scots, because they dared not await his coming there. But he repaired it with his troops, surrounding it with a solid mud wall and a deep ditch as the headquarters of the English.

About the feast of St. Barnabas the Apostle[3] the King of England, who hitherto had been waiting in the south to see whether any French ships should happen to land in those parts, came to Newcastle with a very small following, boldly entered Scotland with them, not without danger, and reached Perth. Having waited there for a short time, he took part of the army and marched beyond the Scottish mountains, burning Aberdeen and other towns, taking spoil and destroying the crops which were then nearly ripe for harvest, trampling them down with horses and troops, nor did he meet with any resistance.

About the Ad Vincula of S. Peter[4] the king's brother, my lord John of Eltham, Earl of Cornwall, came from the south with the men of Yorkshire, whom the men of Northumberland went to reinforce, and likewise Sir Antony de Lucy with the men of Cumberland and Westmoreland, and they all marched together into Carrick and the western parts of Scotland which were not in the king's peace, laying them waste as much as they could, burning and carrying away splendid spoil, but the people of the country fled before them. Howbeit William de Douglas hovered craftily on the skirts of the English army, inflicting upon it all the injury he could; but the army quickly marched back with

[1] 19th May. [2] Edward Balliol. [3] 11th June. [4] 1st August.

the plunder to its own country, the Earl of Cornwall taking his column to Perth to meet the king, who had just come back from beyond the mountains. Nevertheless the king did not remain long in Perth, but, having dismissed the King of Scotland[1] and his people, marched with a detachment of his army to Stirling in the west country, where in place of the ruined castle he caused a fort to be built—a pele, as it is called in English. But whereas he had spent a great deal, not only upon the army under his command, but also upon the King of Scotland's army, which he maintained entirely at his own expense, therefore he commanded a council or parliament[2] to be held at Nottingham in order that he might demand an aid for recovering both past and future expenditure from all the people of his realm. In which council or parliament there was granted to him the fifteenth penny from the community of the country, and a tenth from the cities, the boroughs and the clergy, during six years to come, providing that what was due by the clergy might be discharged by the payment within a year to come of one mark on every sack of wool.

Meanwhile, sad to say, the said Earl of Cornwall died at Perth within the octave of the Nativity of the Glorious Virgin,[3] and was carried to England for burial.

The king, taking account of what was the common opinion of experienced men, that the land of Scotland could never be conquered unless in winter, marched with his army to Bothwell Castle and those western parts about the feast of S. Luke the Evangelist.[4] When the men of those parts heard of his sudden and unexpected coming, not being strong enough to resist him they submitted to his peace, more through fear than for love. He received them to peace, repaired the said castle which the Scots had formerly destroyed and abandoned, and he left a garrison there. Howbeit William de Douglas, hovering about the army with his following, killed some of the king's men from time to time.

Meanwhile the Baron of Stafford, a very accomplished soldier, marching with his following to join the king, passed through Douglasdale, which had not come into peace, and carried away much spoil therefrom.

[1] Edward Balliol.

[2] The chronicler seems doubtful what was the exact nature of this assembly, whereof the proceedings were not entered in the Parliamentary Roll.

[3] 15th September. [4] 18th October.

The King of England returned to England before Christmas, and the King of Scotland[1] remained throughout the winter at Perth with an extremely modest following.

At the beginning of Lent[2] following the king held his parliament in London, at which six new earls were created in addition to the old ones, to wit, Sir Henry, son of the Earl of Lancaster, was made Earl of Derby; Sir Hugh de Audley Earl of Gloucester; Sir William de Bohun, brother germane of the Earl of Hereford [became] Earl of Northampton; Sir William de Montagu Earl of Salisbury; Sir William de Clinton Earl of Huntingdon; Sir Robert de Ufford Earl of Suffolk; and Sir Edward,[3] elder son of the king, was made Duke of Cornwall, which since the time of the Britons never had been a dukedom, but only an earldom.

Now the Scots, being aware that the King of England and the nobles of the country were in distant parts, assembled and besieged Bothwell Castle which the king had lately repaired; and because the aforesaid Sir Robert de Ufford, to whom, as well as to the warden, that castle had been committed by the king, was absent at the time, the castle quickly surrendered to the Scots upon these terms, that all those therein should be secure in life, limb and all their possessions, and receive a safe-conduct to England: all which was done.

Also at that time the Scots seized several towns and fortresses in the land of Fife, and thereafter once more destroyed the wretched Galwegians on this side of Cree like beasts, because they adhered so firmly to their lord King Edward de Balliol.

It was also decided in the aforesaid parliament of London that, whereas the King of France had taken and occupied certain of the King of England's towns and castles in Gascony, especially the province of Guienne, one army should be sent to Gascony and another to Scotland, at a suitable time, and that the king should remain in England. My lord William Montagu, Earl of Salisbury, was appointed to command the expedition to Gascony, with certain earls as arranged; and my lord the Earl of Warwick was appointed to command the expedition to Scotland, representing the person of my lord the King of England, and with him marched all the nobles between Trent and Scotland.

[1] Edward Balliol. [2] 5th March, 1337.

[3] The Black Prince, who was then but six years old. The Prince of Wales still bears the title of Duke of Cornwall.

After Easter,[1] however, the King of England sent for the King of Scotland,[2] who came to him in England for reasons to be explained presently.

In the same year Friar Peter, Patriarch of Jerusalem, the Pope's legate to the Holy Land to negotiate with the Sultan for restoration of the Holy Land to the Christians, reported thus—that the Sultan with the assent of all his people was prepared to restore to the Christians the whole of the Holy Land and whatsoever they had at any time possessed oversea which was known to appertain to the spiritual power, and this gratuitously and without payment of any kind, so that they [the Christians] might have possession of the Lord's sepulchre, and the stable, and all the oversea churches, with oblations, tithes, and all rights belonging to them, and that their prelates should exercise spiritual authority in them, according to the custom in churches, and that they should hold and dispose of these and all the other holy places at their will, and might solemnly celebrate the divine office in them with open doors, administer to their people the sacraments and all sacramental rites and ecclesiastical sepulture, and freely preach the Word of God in churches and cemeteries, make wills, build houses without defences round the holy places, rebuild, add to and construct afresh ruined churches in any place. But that neither prayers nor price, fear nor favour would induce him to give up the kingdom of Jerusalem—neither the city nor any town, castle, house, field, garden, gate, nor a foot of ground which he or his predecessors had hitherto taken from the Christians, so far as pertaineth to the temporality, jurisdiction, dominion, property, expenditure or revenue. But it pleaseth him that all Christians who wish to do so should come to the Holy Land and to all his dominion freely to travel and trade, to go, to stay or to return, and that pilgrims should be free from all tribute. Also he is willing reasonably to abate the tax upon traders, so that they may not be oppressed, but rather encouraged. All the aforesaid grants he offereth upon this condition, that my lord the Pope shall revoke all the sentences and writings promulgated against merchants going thither to trade. And thus he concedeth all the aforesaid [points] from his own free will and not ours.

Now about the feast of the Lord's Ascension,[3] the Scots, seeing that they had captured Bothwell Castle, assembled
A.D. 1337. in great numbers and laid siege to Stirling Castle; but met there with a stout defence. The King of England, being

[1] 31st March, 1337. [2] Edward Balliol. [3] 29th May.

occupied in distant parts, when he heard of that siege, hastened at high speed by day and night to Stirling Castle, believing that the Scots would offer him battle. But when the Scots heard of this, they raised the siege and would not meet him, wherefore he returned immediately to England.

About the same time Sir Eustace de Maxwell, a knight of Galloway and lord of Carlaverock Castle, false to the faith and allegiance which he owed to my lord the King of England, went over to the Scottish side (notwithstanding that the King of England had just provided him with a large sum of money, flour and wine for the greater security of his castle) and caused the Galwegians on this side of Cree to rise against the king, using similar authority to that which he had formerly employed for the king.[1]

Dunbar Castle[2] at that time was still in the hands of Earl Patrick, having been neither besieged nor taken by the English. The whole of the surrounding district of Lothian, although it was then in the King of England's peace, paid each week one mark to those within the castle, more, it is thought, out of fear lest it should be forced from them than from love. Also Dunbarton Castle was still in the hands of the Scots, and a few small towns.

About the feast of SS. Peter and Paul[3] three Scottish knights who had been with the King of Scotland[4] came to England; to wit, Sir Geoffrey, Sir Alexander and Sir Roger de Mowbray, and were arrested and imprisoned; for they were accused of having endeavoured their utmost to persuade the King of Scotland to break faith and allegiance to the King of England, and to put his trust in the Scots, regardless of the homage he had done to the king. The King of Scotland affirmed that this was so, making this grave accusation against them, and announced it to the King of England when he came to England.

When the king heard that Sir Eustace de Maxwell had joined the Scots, he gave his castle[5] to the Lord of Gillesland, who, having assembled a force of English, invaded Galloway and burnt his [Maxwell's] lands, driving off cattle, wherefore the Scots

[1] Or perhaps 'serving the king the same baseness as he had practised before.' *De consimili servitio servierat regi ante.*

[2] *Comes de Dunbar* in Stevenson's edition ought obviously to read *Castrum de Dunbar.*

[3] 29th June.

[4] Edward Balliol.

[5] Carlaverock, which, however, is not in Galloway, but in Nithsdale.

retaliated by invading England in force by way of Arthuret. On the third day, before the feast of S. Lawrence,[1] marching towards the east, they burnt about twenty villages, taking prisoners and an immense number of cattle; but, having met with some opposition from the men-at-arms who were in Carlisle and the surrounding country, and having lost some of their men, they returned on the same day into Scotland.

About the feast of the Assumption of the Glorious Virgin,[2] two Scottish ships returning from France were taken at sea by the English, wherein were my lord Bishop of Glasgow, many ladies, soldiers and arms and 30,000 pounds of silver, besides charters, conventions and indentures which had been concluded between the King of France and the Scots. The men were either killed or drowned in the sea; but my lord Bishop of Glasgow[3] and some of the said ladies, refusing through excessive vexation to eat or drink or accept any consolation, died at sea before reaching the land and their bodies were buried at Whitsand in England. The other things which were in the ships were preserved for disposal by my lord the king.

Now in the beginning of September, when the Scots were reaping their harvest, my lord the Earl of Warwick, representing in all respects the person of the King of England and maintaining his state, invaded Scotland by way of Berwick, with the barons, knights, esquires, and troops drawn from all places on this [north] side of Trent. At the same time the noble baron Sir Thomas Wake, lord of Liddel, my lord de Clifford, and my lord of Gillesland, invaded Scotland by way of Carlisle, together with my lord Bishop of Carlisle, taking with them the men of two counties, to wit, Westmorland and Cumberland. Within two days they formed a junction with the Earl of Warwick's army, as had been previously arranged between them; and so they marched together into Teviotdale, Moffatdale, and Nithsdale, driving off cattle and burning houses and corn, which had then been stored in the barns; but they killed few men, indeed they found hardly any. But Sir Antony de Lucy, taking with him a detachment of the army, turned aside into Galloway—killing, plundering, laying waste all that he could find to the best of his power, returning afterwards to the main body. And whereas, because of the excessive rain and flooded rivers, they could not advance into Douglas-

[1] 7th August. [2] 15th August.

[3] John de Wischard, consecrated in 1325, not to be confounded with Bishop Robert Wischard, the strenuous supporter of Robert Bruce.

dale and to Ayr and those parts as had been intended, on the twelfth day they all returned to Carlisle.[1] On that occasion the King of Scotland[2] remained in England and was not with them.

Five days later, however, hearing that the Scots had led an expedition to the east in order to plunder Coquetdale and Redesdale, they marched together against them ; but they lingered too long, for the Scots had re-entered their own land before they could overtake them. Howbeit the Scots lifted but few cattle, because the people had been forewarned of their coming, and had removed their cattle to distant parts. But they did some burning, and would have done much more had not the Earl of Angus, lord of Redesdale,[3] offered them bold resistance with his small force.

About the middle of October the Scots invaded England again by way of Carlisle, and on the first day marched round that town towards the east, showing off before the town in three bands, on the chance of any one or more daring to come out and engage them. But whereas there was not in the town at that time sufficient troops to oppose such a strong force, some archers and a few others went out to harass them in the field. Of these they made no account, but marched round the town, and, having burnt the hospital of S. Nicolas in the suburbs, they went off the same day to the manor of Rose, because they held my lord Bishop of Carlisle, who owned that manor, in utmost hatred through his having marched against them in war, as has been described above. Therefore they destroyed that place, and everything else on their march, with fire. But in that first night of their coming into England, Sir Antony de Lucy beat up their quarters and severely harassed them. Next day, however, the Scots burnt the villages throughout Allerdale, and detached part of their force against Copeland to lift cattle. But on the third day, to wit on the vigil of S. Luke,[4] the noble barons, Lord de Percy and Lord de Nevill, came to the relief of the district with their following of men-at-arms ; although, as described above, they came too late, although

[1] The chronicler refrains from attributing the floods to the direct interposition of the Almighty in favour of the Scots, as undoubtedly he would have done if a Scottish invasion of England had been cut short in like manner.

[2] Edward Balliol.

[3] Gilbert de Umfraville, 4th Earl of Angus in the English line. He inherited the title from his great-grandfather, a powerful Northumbrian baron, who married Matilda, Countess of Angus in her own right, in 1243.

[4] 17th October.

the leading men had written to them to move with speed, because the Scots had sent their booty and wounded men before them into Scotland, the armed troops following soon after. For they had lost a great number of their men, among whom the brother of William de Douglas[1] was taken alive and brought to Carlisle Castle. Howbeit it had been commonly, but secretly, reported for a long time that a certain noble in the north country was unduly favourable to the Scottish side, and that he did on that occasion, as on other occasions, inform them beforehand at what time they might safely invade England with their army, and afterwards sent them word when they should leave it. Which, if it be true, may God make known to king and country these cunning traitors.

About the feast of All Saints the Scots mustered and laid siege to Edinburgh Castle, in the absence of Sir John de Stirling, warden of that castle. Hearing this, my lord Bishop of Carlisle and Sir Rafe de Dacre, lord of Gillesland, assembled the forces of the counties Westmorland and Cumberland, to relieve that siege, and at Roxburgh there joined them my lord the King of Scotland[2] and Sir Antony de Lucy with their forces which they had brought from Berwick, and so they marched together to Edinburgh, broke up the siege, put the Scots to flight, and re-established Sir John de Stirling, by birth a Scot, for the safer custody of the King of England's castle. Somewhat later, however, when he went forth with his people from the castle to take some booty, he was captured by William de Douglas and taken to Dunbarton Castle, as will be shown presently.

Now after the aforesaid feast of All Saints the King of England sent ambassadors to France to arrange peace with the King of France, offering to the said king for free possession of the land of Guienne, just as he held the other parts of Gascony, that his elder son, the heir of England, should take a wife from the King of France's family, whom that king should accordingly give him in marriage, and that the King of France should possess the land of Gascony with all its revenues for seven years, and after seven years should restore it without dispute to the King of England, as formerly. Further, that the King of England should accompany the King of France, with one thousand men-at-arms, to the Holy Land against the Saracens. These, I say, were the conditions offered by the King of England to the said king, but that proud and avaricious person rejected them all, wherefore

[1] The Knight of Liddesdale. [2] Edward Balliol.

the King of England prepared to fight him, hiring and making alliance with the following nobles oversea as his mercenaries, to wit, my lord the Emperor Louis, who was then King of Germany and Duke of Bavaria, and had married the Queen of England's sister, and was at dire enmity with the King of France; *item*, the Duke of Brabant, son of the King of England's maternal aunt; *item*, the Count of Hainault, the queen's brother-german; *item*, the Count of Guelders, who had married the King of England's sister; *item*, the Count of Julers, the Queen of England's uncle; *item*, the Archbishop of Cologne; *item*, the Count of Trèves;[1] *item*, the Dauphin de Vienne; *item*, my lord William de Chalons; *item*, my Lord de Faukemounde. The emperor had 50,000 helmed men under arms, the Duke of Brabant 15,000, the Count of Guelders 20,000, the Count of Hainault 15,000, the Count of Julers 5,000, the Archbishop of Cologne 4,000, the Bishop of Trèves 2,000, the Dauphin of Vienne and my lord William de Chalons 15,000, my lord de Faukemounde 3,000; in all, 129,000 helmed men.

The Count of Artois-Arras, whom the King of France had expelled from his country and of whose lands he had taken possession, was in England at that time under protection of the king, who treated him courteously in all respects.

The King of England sent to the aforesaid lords across the sea my lord William de Bohun Earl of Northampton, the Earl of Huntingdon, and the Earl of Suffolk, with 15,000 men-at-arms, archers and spearmen. Also he sent the Bishop of Lincoln with 14,000 sacks of wool to defray the wages of the troops for the meantime. Afterwards there were granted to him in the next parliament in London 20,000 sacks of wool of the English merchants for the fitting out and supporting his war. He himself purchased from the English merchants one sack out of every two sacks of prime wool for half a mark, and inferior wool at less price and value; for he was obliged to spend an almost incalculable sum for the maintenance of so great an army. Thus it was said that he spent a thousand marks a day, according to others two thousand pounds.

It so happened that my lord William aforesaid and the other earls with the army, encountered in their voyage over sea eighty French ships, which they captured and disposed of at will. The

[1] *Sic* in Stevenson's edition, but further on he is referred to as Bishop of Trèves. In fact he was Archbishop, and, as Chancellor of Burgundy, was one of the Electors of the Empire.

brother of the Count of Flanders was found in these ships and taken to the King of England, who received him with so much honour, setting him free, that peace was made between England and Flanders. But when they arrived in a certain town of Flanders, they found armed men who gave them battle, but were soon put to flight by the English archers. Then they raised the surrounding district to fight our people, but some of them were again put to flight, and some took shelter in a certain church; and because, trusting in the strength of the place, they refused to surrender, the English set the church afire, and they were burnt in the church.

After Christmas two cardinals came to England, sent by my lord the Pope to the King of England in order by God's grace to make peace between him and the King of France.[1] They had first been to the King of France and had heard all that he desired. Therefore the King of England commanded that all the archbishops, bishops and nobles of the country should be summoned to a parliament in London, which was to begin on the morrow of the Purification of the Glorious Virgin.[2] But meanwhile, pending whatever might happen about the said peace, he sent my lord William de Montagu Earl of Salisbury, the Earl of Gloucester, the Earl of Derby, three barons, de Percy, de Nevill and de Stafford, and the Earl of Redesdale, with 20,000 men, to the King of Scotland[3] in Scotland, commanding them to besiege closely and effectively the castle of Dunbar—the castle of Earl Patrick, traitor alike to himself and the kingdom—because it was irksome and oppressive to the whole district of Lothian, as has been explained above.

[1] The bull with which they were provided is set forth in Raynaldi, A.D. 1337, § 15.

[2] 3rd Feb., 1338.

[3] Edward Balliol.

(*To be continued.*)

Reviews of Books

THE BISHOPS OF SCOTLAND, BEING NOTES ON THE LIVES OF ALL THE BISHOPS, UNDER EACH OF THE SEES, PRIOR TO THE REFORMATION. By the late Right Rev. John Dowden, D.D., LL.D., Bishop of Edinburgh. Edited by J. Maitland Thomson, LL.D. 8vo. Pp. xxx, 472. Glasgow: James MacLehose & Sons. 1912. 12s. 6d. net.

IT is more than a century and a half since Bishop Robert Keith compiled his 'Large New Catalogue of the Bishops' of Scotland, to which several generations of students have been indebted as a book of reference in the ecclesiastical department of Scottish history. In the early part of the last century, Dr. Michael Russell, sometime Bishop of Glasgow, issued a new edition of Keith's work, in which, as Bishop Dowden humorously remarks, 'he corrected some errors of Keith and imported some new errors of his own.' The tide has often ebbed and flowed on the coasts of Scotland since Keith laid the foundations on which Bishop Dowden has raised such a noble structure. It was characteristic of the late amiable prelate that he should have recognised the labours of his predecessor. For Keith's generation and opportunities, he says, the Catalogue is a wonderful testimony to the diligence of his researches among the manuscript sources of information.

Bishop Dowden, of course, approached his task with opportunities more favourable than those of Keith. Our knowledge of Scottish and Papal record has recently made advances which the elder Bishop could not have anticipated. Not one of the least pleasant features of Bishop Dowden's work is the handsome recognition of the labours of those who have enabled him to collect the materials embodied in the present volume. In addition to easiness of access to the printed and manuscript sources, modern methods, which may be truly classed as scientific, have enlarged our chances of reaching something akin to accuracy. There is always the risk of failure in the fagged brain or the overstrained eye, but in dealing with vast masses of undigested evidence, reasonable care can attain to an excellence of which the present generation of students may be proud. In this respect one may have no hesitation in placing Bishop Dowden's *Bishops of Scotland* among the books of reference, which will maintain its position in the ecclesiastical history of Scotland as a work of permanent value. It will take an honourable place in the estimation of scholars, worthy of comparison with the work of his illustrious friend, Bishop Stubbs of Oxford, whose *Registrum Sacrum Anglicanum* has been the

delight and instruction of ecclesiastical students in England for many years.

If Scotland has followed the example of England with such conspicuous success, may we not look to the sister island for a similar work? It is a curious irony that an Irish scholar, domiciled in Scotland, should shed lustre on Scottish ecclesiastical studies, but that no scholar has yet arisen on Irish soil to take up the work of Sir James Ware, and do for Ireland what has been done by Stubbs for England and by Dowden for Scotland. Until this omission has been supplied there will be a gap in the episcopal succession of the United Kingdom, and an important chapter wanting in the department of ecclesiastical biography and exact chronology.

Had Bishop Dowden's life been prolonged, there is little doubt that he would have completed the episcopal succession in all the Sees to his own day, as he had done in a few, and that he would also have attempted catalogues, after the manner of Bishop Stubbs, for the nebulous period before the Anglicization of the Church of Scotland under Malcolm Canmore and his immediate successors. As things have happened, the period of his inquiry was mainly confined to the territorial episcopate prior to the Reformation. The medieval period the Bishop had made his own: in it, so far as ecclesiastical Scotland was concerned, he had few equals and no superiors in the extent and accuracy of his knowledge at first hand. The result of his labours, pursued under the disturbing pressure of his professional duties, is now in the hands of students, and it is safe to say that he has left them a legacy which will be appreciated by successive generations for its trustworthy guidance in the unravelment of historical difficulties.

The reviewer, knowing his author's accomplishments, has natural hesitation in attempting to test a work of this kind. But it may be stated that in several instances, ranging over half a dozen of the Sees, the succession of bishops has been submitted to the ordeal of English evidences, in the hope that an individual episcopate might be antedated or prolonged for a few years beyond the limit stated in the text. The sparseness of discovery gave little inducement to continue the quest. There was little to be gleaned where Bishop Dowden had reaped.

It was with some anxiety that we turned to the early succession in the bishopric of the Isles, of which the episcopal see is called Sodor, as described in an early thirteenth century charter, the most ambiguous of all the Sees in connexion with the Scottish Church. It seems a pity that Bishop Dowden omitted to explain the authority for the election of the bishops of this See by the abbot and convent of Furness in Lancashire. There are three charters among the records of the Duchy of Lancaster which connote the origin of the custom, the earliest of which was issued by King Olaf of Man, conferring the privilege on the Lancastrian monks. The charter was afterwards confirmed by his successors, Kings Guthred and Reynold, and at a later period recognised by Pope Celestine III. Though there still remain some obscurities that need exposition, Bishop Dowden has undoubtedly the balance of evidence on his side when he places two bishops of the name of Nicholas as the immediate successors of

Michael in the early years of the thirteenth century. Other charters of the Duchy, unnoticed by the author, help to establish the differentiation, but it is a matter of doubt that Dr. Oliver, on whom the Bishop relies, is an unimpeachable witness in his report of the supporting evidence.

As so little is known of Bishop Gamaliel of the Isles, it may be mentioned that 'domino G. episcopo' is the first witness to one of King Guthred's charters to the priory of St. Bees in Cumberland. The ambiguity which hangs over the latter years of Bishop Mark's pontificate is to some extent relieved by his presence at Russin, where he issued a charter, to which his seal is appended, on the morrow of the Circumcision in the 24th year of his consecration. If his consecration can be dated from 1275, it would seem that the papal intercession with Edward I. for his release from custody in 1299 had been successful. On the Wednesday next after the feast of the Purification, 1301-2, he was again at Russin where he witnessed a charter of that abbey. The seals of several of the Scottish bishops are in a fair state of preservation among the Duchy charters.

Few posthumous works have been so fortunate in their editor. Not only have the author's references been verified, but supplementary notes have been added to strengthen or elucidate the narrative. In the arrangement of the Sees, the order of Keith has been followed. The index has been compiled in generous sympathy with record students. Mr. Maitland Thomson does not claim finality for the work: he is as modest of his own skill as was his author; but as human things go, the association of two such scholars in a common task has placed us very near it.

JAMES WILSON.

THE CONSTITUTIONAL HISTORY OF ENGLAND SINCE THE ACCESSION OF GEORGE THE THIRD. By the Right. Hon. Sir Thomas Erskine May (Lord Farnborough). Edited and continued to 1911 by Francis Holland. Three Volumes. Vol. I. Pp. xvi, 468; Vol. II. xiii, 441; Vol. III. xvii, 398. 8vo. London: Longmans, Green & Co. 1912. 42s. 6d. net.

THE LAW AND CUSTOM OF THE CONSTITUTION. (Vol. I. PARLIAMENT.) By Sir William R. Anson, Bart. Fourth Edition. Re-issue revised. Pp. xxxiv, 404. 8vo. Oxford: Clarendon Press. 1911. 12s. 6d. net.

THE preparation for the press of a new edition of Sir Thomas Erskine May's useful if somewhat uninspiring *Constitutional History of England* has fallen to competent hands. That well-known work, first published in 1861, covered the developments of exactly one hundred years from the accession of George III. Mr. Francis Holland has left its substance practically unaltered, contenting himself with adding a few judicious and modestly-worded editorial footnotes, where these were absolutely called for.

To the two volumes thus formed, Mr. Holland has added a third entirely of his own workmanship, treating in due proportion of the half-century that lies between 1860 and the present day. Of this it may be said at once that it is entirely worthy of its predecessors, and ought to be as widely useful as a book of reference. Mr. Holland has modelled himself alike in historical

method and in political tone on his master. Readers will find here the same mild and broad-minded Whig attitude towards constitutional problems; and they will find the new volume divided, like the old ones, analytically into separate compartments, each of which tells connectedly the story of one isolated topic from beginning to end of the period under review.

Admirably clear and judicious summaries are given in seven successive chapters of 'Parliamentary Reform,' 'Party,' 'The Home Rule Movement,' 'Religion and the State,' 'Local Government,' 'Reform in the Civil Service, the Army and the Judicature,' and 'The Self-governing Colonies,' while a final chapter is devoted to the Parliament Bill. Mr. Holland's sympathetic statement of the position of both parties towards these highly controversial topics may be confidently recommended to men of all political parties who honestly desire to get to the heart of things. His Whig bias is almost invariably kept well under control.

Considered, however, as an exhaustive treatment of constitutional history, Mr. Holland's contribution shares some of the limitations of the work he continues. Many topics, and, indeed, whole aspects of constitutional development are entirely absent from his survey. He gives us rather a chronicle of the matters of constitutional interest that happened to engage the attention of Parliament, than a complete constitutional history. The legal and philosophical aspects of the subject are comparatively neglected in a work that treats of the relations of the organs of government to each other, rather than of the rights and obligations of individual citizens. Nothing is said, for example, of the Taff Vale decision, or of the Trade Disputes Act; nothing of the important series of cases concerning the rights of public meeting. To say this, however, implies no condemnation of Mr. Holland's treatment of a vast and many-sided subject; for, perhaps, no one book has ever yet been written that did equal justice to the various aspects, legal, historical, and philosophical, of constitutional development in Great Britain.

Criticism might be directed to a few points of detail; in one place, (p. 221) Mr. Holland almost suggests that toleration towards religious minorities logically involves the principle of disestablishment; while (p. 232) the abolition of School Boards is spoken of in general terms, without the necessary reservation on behalf of Scotland. It is somewhat remarkable that while the exact words are given of various resolutions relative to the passing of the Parliament Act, the text of that statute is omitted. These are trivial points, which do not seriously detract from the substantial merits of Mr. Holland's valuable contribution to one aspect of constitutional history, and that an important one.

The new edition of Sir William Anson's treatise on Parliament, forming the first volume of his standard work on *The Law and Custom of the Constitution* repairs one of the omissions that have just been pointed out in Mr. Holland's history: the full text of the Parliament Act has been inserted between the Preface and the Introductory Chapter. Almost the only alterations from the fourth edition (that of 1909) are those caused by the innovations of that statute; and the work is rightly described as a reissue.

A few paragraphs are devoted to the new situation created by the payment of members; but nothing is said on the method adopted by the House of Commons to bring about this important departure from earlier Parliamentary traditions.

WM. S. MCKECHNIE.

THE REGISTER OF THE PRIVY COUNCIL OF SCOTLAND. Edited by P. Hume Brown, M.A., LL.D., Historiographer Royal. Third Series. Vol. IV. A.D. 1673-1676. Pp. xlvi, 808. 8vo. H.M. General Register House, Edinburgh. 1911. 15s. net.

THE preceding volume (noticed *S.H.R.* viii. 297) shewed the administration of Scotland under the Earl of Lauderdale passing through stages of gradually increasing stringency in the suppression of conventicles and 'outed' ministers towards the culmination, which is drawing grimly near at the end of the present volume. The screw is being steadily applied, all sorts of Acts against religious freedom are being enforced, and on the face of the record the repression is achieving a moderate success. There appear to be fewer 'invasions' of the conforming clergy, the Archbishop is not to be murdered for two or three years yet, and Bothwell Bridge is not yet within the range of practical prophecy. It is the time indicated in Andrew Marvell's Historical Poem when his muse 'does on giant Lauderdale reflect,' thus:

> This haughty monster with his ugly claws
> First tempered poison to destroy our laws
> Declares the council's edicts are beyond
> The most authentic statutes of the land;
> Sets up in Scotland *à la mode de France*,
> Taxes excise and armies does advance.
> This Saracen his country's freedom broke
> To bring upon their necks the heavier yoke.

The three years dealt with are flatter than those that precede and still flatter than those that are to follow, it is the artificial calm that hides the gathering force of coming explosion.

Professor Hume Brown's introduction begins by lucidly and persuasively grouping the thirty-one measures taken against recusants with the conclusion that the mere tale of them is enough to prove their abortiveness for effectual stamping out of nonconformity. Then he passes to the social condition of the country in its 'peccant parts' (the Borders and the Highlands), the general signs of growing commercial activity, the attention paid to road making and maintenance, the transportation of vagrants and criminals, the diminution of witchcraft charges, and the denunciation of duelling, which had for a time been a recrudescent abuse.

The towns were not altogether at peace meanwhile. The women of Edinburgh in 1674 made a demonstration in favour of a 'gospell ministry,' and insulted Rothes, the Chancellor, 'calling him Judas and traitor.' There was a riot in Hawick in 1673 about the jurisdiction over the fairs and markets. In 1675 Dundee impugned unsuccessfully the pretensions of a feudal jurisdiction over sheepstealers. In 1676 Perth had a first-class tumult, with forehammers and halberts, over the election of provost. We hear of

gipsies troubling the land, treated as aliens, and disposed of by expulsion order. Glasgow comes into the introduction in connection with the purchase by the provost and others in 1676 of a 48-gun ship, the *Providence*, for Gibraltar bound, 'in order to the managing of a forraine trade' during a peace 'betwixt his Majesty and the Turk.'

The text is scrupulously rendered and rubricated, and the index, filling 124 double-columned pages, gives admirable apparatus of reference. A closing sentence genially acknowledges the aid of the Rev. Henry Paton in the preparation of the volume. The facts that make for general political and social conclusions are selected for prefatory remark by the editor with the skill acquired by long experience, and are presented with characteristic moderation and accuracy. The combustible element is left to accumulate against a future which cannot be long delayed. Amongst them was the very curious conflict with the Crown which arose in 1675 in consequence of the action of a number of advocates of good standing who maintained and supported a right of appeal to Parliament from the Lords of Session—a claim which Lauderdale regarded as dangerous, and the king visited with 'his royeall dislyk and displeasur,' with the result that the offenders were disbarred and banished, not to come within twelve miles of Edinburgh, unless they made submission.

The episode is in every way remarkable as an index of the temper of the time, although the 'outed advocates' were perhaps scarcely so persistent and heroic in their resistance as the outed ministers. Constitutionally the affair is of the first interest, inasmuch as the very expedient which Charles II. condemned as a factious and treasonable practice was destined to become in the following century the foundation of the House of Lords' jurisdiction in Scottish appeals, notwithstanding the terms of the Act of Union. It was in 1675 probably a phase of the very question which at the time was disturbing the peace of the English Parliament too. A House of Lords' case directed against a member of the House of Commons was appealed to the latter, and was voted a breach of privilege. This feature, however, was not a factor in the Scottish case, which was rested on the broadest ground of the superiority of Parliament to the Lords of Session. There is a ring of fine constitutional vigour in the plea that 'the Parliament consisting of the King and three estates of Parliament are unto the Lords absolute and (*absit verbis blasphemiæ*) in a manner omnipotent, whose breath may dissolve and annihilat the Session and whose statutes are indispensible lawes and rules for the Lords to walk be in the administration of justice.' Our constitutional historians have before them in the incident and the arguments as now appearing in plenary report, a body of first-class matter for a chapter yet unwritten. Hitherto it seems to have mainly found its interest with the legal annalists. The action of the Crown on the occasion was expressly condemned by the Convention Parliament in 1689.

As a chronicle, the Register, as usual, is stuffed with interesting social facts. A ship is 'expected in the western seas with knappell pot-ashes and uther materialls' for the soapwork at Glasgow, as well as with white peas, loaded apparently at Dantzic. A slander case at Kirkcudbright shews how the minister was threatened that 'he should be hanged ouer the steeple,'

and was vilified by 'placatts and paschalls most disgracefully'—the latter an interesting continuation of a continental tradition of placards and pasquinades. Dutch recruiting in Scotland had to be checked. Vagabonds continued to be deported to Virginia. There is oddly frequent mention of charter-chests resorted to for evidence of title, with one still older variant in the bodily carrying off to Ireland of a register of sasines for Ayrshire.

A romantic tale is told of one Andrew M'Cairter, who, in the year 1666, 'being a very young boy at the schooll of Damellingtoune in the shyre of Air did rune away from the schooll and follow those who were risen in armes and were defeat at Pentland and out of a chyldish fear and apprehension did rune away to Newcastle after the said defeat'—whence he fled to Holland, there learning to spin tobacco, and thence returning to 'sett up the said trade at Leith.' These are examples of the Scots historical miscellany which this Register is. Literature is a negligible quantity, yet there is a quaint taste of it in the strange wandering letters of J. Menzies, who (albeit there is more than a trace of knavery about him which perhaps accounts for his being exiled in the Barbadoes) was a maker of phrases, and had some riming traffic with the muses.

He quotes one of his own pieces containing the line

'Time is my keeper and each place a jail.'

A gloss to the verse explains that 'Time' meant three years, and 'each place' meant 'the whole island for none can goe out of it'—a quite adequate reason for styling it a gaol. In spite of his tribulations and the deplored lack of the 'testificat' (which he greatly needs and even considers the expediency of forging) he overflows with friendship and literary enthusiasm. He 'will not,' he tells us, 'forgett to dally with the Pinks of Apollos Garden.'

GEO. NEILSON.

ALCUIN CLUB COLLECTIONS, XIX. ILLUSTRATIONS OF THE LITURGY. Being thirteen drawings of the celebration of the Holy Communion in a parish church, by Clement O. Skilbeck. With notes descriptive and explanatory, and an Introduction on 'The Present Opportunity,' by Percy Dearmer, D.D. Pp. viii, 86, with frontispiece and plan. S.R. 8vo. London: A. R. Mowbray & Co. 1911. 4s. 6d. net.

THIS is a book of much more interest to the liturgiologist than to the historical student. It is primarily intended to guide the Anglican clergy, whether English, American or Scottish, in certain practical matters relating to the service of Holy Communion. There is a certain Scottish interest in the fact that a large number of usages traditional among the old Episcopalians of the north are here suggested for actual practice both with the modern Scots Episcopal Liturgy, and also with the American rite which is derived from it. It is scarcely within our province to criticise a book of this kind, but we may perhaps be allowed to say that all the historical and liturgical references appear to be scrupulously accurate, which is more than can be said of the older type of book intended to help the Anglican clergy.

Mr. Skilbeck's drawings are diagrammatic, but exceedingly clear. The

simplicity and restfulness of all that is represented seems very attractive, and as far as we can judge there is a happy adaptation of ancient forms to modern requirements. The combination of an essentially modern outlook with deep historical knowledge and artistic insight in Dr. Dearmer's introduction and notes are what we have learned to expect from him. Architects who have to design Episcopal churches will find the elaborate plan of a modern church, with all the necessary vestries and fittings, of great practical use.

F. C. Eeles.

The Early Chronicles relating to Scotland, being the Rhind Lectures in Archaeology for 1912. By the Right Hon. Sir Herbert Maxwell, Bart. Pp. xiii, 261. 8vo. Glasgow : James MacLehose & Sons. 1912. 10s net.

To the Rhind lecturers in Archaeology we are indebted for some valuable volumes which offer side-lights upon Scottish history. The present series will take a high place, both because of the interest of the subject, and the skill and grace with which it has been presented.

In looking over the table of contents one sees at once how much we owe to monkish chroniclers. It is not surprising, seeing that we are dealing with periods in which the art of writing was practically confined to the ranks of the clergy ; while the ample leisure of the monastic life left time not only for the illumination of missals, but for the recording of current events, or the editing (not always in a satisfactory way), of the works of an earlier race of scribes. These chronicles are, to quote Sir Herbert Maxwell, 'fragmentary, they are often tedious, and they are never impartial ; most of these monkish writers had their own axes to grind, theological or political.' When they acted as editors they took liberties which are much to be regretted, as when Abbot Ailred of Revaulx undertook the task, in dealing with the biography of S. Ninian, 'of rescuing from a rustic style, as from darkness, and of bringing forth into the clear light of Latin diction the life of this most illustrious man, a life which has been told by my predecessors faithfully indeed, but in too barbarous a style.' 'What price,' says the lecturer, 'would we not now willingly pay for the privilege of perusing the original before Abbot Ailred had purged it of its precious local colour and turned it into a mere farrago of myth and miracle.'

But the earliest historians who touch upon Scotland, and give us glimpses of the land, were neither monks nor Scots, but foreigners and pagans. The first authentic chronicle is to be found in the *Vita Agricolae* of Tacitus, and it is to his pen that we owe the famous account of the battle of Granpius or Graupius fought between the Romans and Caledonians, and the site of which has led to conflicts of another sort waged between enthusiastic antiquaries. The battle itself is at least more authentic than the speeches attributed to the commanders. But it is surprising to find that the Caledonians from the mountains made use of chariots, and one is tempted to think that Tacitus has supplied these as well as the orations. The changed attitude of the Romans to the people of this country, by whatever name called, is well illustrated by the two walls which have still left their traces. In Hadrian's time the idea seems to have been simply to keep Scotland out

and rest content with what lay south of the Tweed. But Antoninus took in practically the lowlands, and built his wall in the very face of the northern highlands.

The earlier continental writers had curious notions both of the situation and the character of Scotland. The chart of Ptolemy had given it such a twist that it lay at right angles to England, the Mull of Galloway being the most northern and Cape Wrath the most eastern part of the country. Procopius clothed it with a mystery, suggesting lands in which it was the fate of Sindbad to travel. The only fact this author had got hold of was the Roman wall, on one side of which he placed all that man could desire, and on the other (the Scottish), all that was deadly and to be avoided. Even Samuel Johnson could not have had a worse impression of our country. Where Procopius found the tradition, that the souls of the departed are always conducted to this place, we know not, but as no living man could stand it, it was only in this way that it could be peopled.

To its nearer neighbours Scotland was better known. It became the landing ground of hordes of Saxons and Danes, and the local tribes had not only to fight each other, but defend their shores against foreign invaders. The story of our early history is one of constant conflicts, of the rise and fall of the tide of civilisation, of the triumphs of barbarians. It is somewhat confused reading. One gets puzzled over the limits of the tribal kingdoms, and amongst the Caledonians, Picts and Scots, the Brythonic and Cymric divisions of Celts. As Sir Herbert Maxwell remarks, this confusion and the overlapping of names occur whenever civilisation encounters barbarism, and he takes an illustration from the South African wars waged in succession against the Kaffre, the Zulu, and the Matabele, practically the same or sections of the same race.

Amidst all this tumult, ever since the arrival of S. Ninian about 400 A.D., there was held up the banner of the Cross, and it is to the biographers of the various missionary saints that we owe nearly all the information we possess. Our author thinks highly of Bede, who 'commands confidence at once by singular impartiality, a quality most rare in the writings of clerics of the early Church.' Bede was about the earliest of the chroniclers, as distinguished from the biographers. Amongst these writers it would be difficult to find one of Scottish birth, and by them Scotland is dealt with not exclusively, but as part of a larger area. Bede was a monk of Jarrow, Nennius and Gildas were Welsh, Adamnan an Irishman. Sir Herbert Maxwell points out that prior to the latter half of the twelfth century there is but one example of annals, the life of S. Columba, written in Scotland. This fact he is inclined to attribute, not to any lack of industry amongst Scottish monks, but to the disappearance of our records, taken by Edward I. to England, and to the devastation of our monasteries both before and at the time of the Reformation.

In the earlier centuries Scotland probably attracted more attention in England than it came to do at a much later date. The very boundaries of the two kingdoms were uncertain. English kings and archbishops made claims over it, and Scottish kings had English titles. Thus the Chronicle of S. Mary of Huntingdon is a 'useful source of information as to Scottish

affairs in the twelfth century owing to the earldom of Huntingdon being an appanage of the Scottish royal family.' The Chronicle of Lanercost, now appearing as a translation in this *Review*, affords a good illustration of the interest shown in our affairs by English writers in the reign of the Edwards. Scotland attracted attention then, just as Ireland does at present, because of its political importance.

But we had also our Scottish chroniclers There is a fragment attributed to a monk of Holyrood, and the Chronicle of Melrose; there is John of Fordun and Bower, abbot of Inchcolm. These are, it is true, late amongst early writers. We owe a great deal to this body of laborious men of whatever nationality they may have been. Much which they give us as fact is pure fiction, much rests upon very doubtful authority, but without their chronicles centuries of our past history would remain an absolute blank. These patient monks well deserve to have their names and works brought before this generation by so competent a writer as Sir Herbert Maxwell.

W. G. Scott Moncrieff.

The Wardlaws in Scotland. A History of the Wardlaws of Wilton and Torrie and their Cadets. By John C. Gibson. Pp. xxxvi, 318. 4to. Edinburgh: William Brown. 1912. 21s. net.

The Wardlaw family is named by Boece and others as one of those which came to Scotland from England in the time of Malcolm Canmore; and there is said to have been a family history composed in 1345 by Walter Wardlaw, Rector of the University of Paris, afterwards Bishop of Glasgow and Cardinal, which traced the pedigree from a Saxon who settled in England in the sixth century. This document, if it ever existed,[1] was doubtless designed for foreign consumption. But the Cardinal, and his nephew Bishop Henry, the founder of our oldest University, might well procure for a less honourable race than the Wardlaws the right to rank as one of our historical families. Mr. Gibson has not succeeded in tracing the surname further back than the last years of the thirteenth century in England, and in Scotland their annals begin with a charter of Robert I. Twenty branches are dealt with, and a list of unaffiliated Wardlaws is given besides. In every family record that aims at completeness the undistinguished must necessarily be in an overwhelming majority. For the non-expert reader the matter is excellently summed up in the twenty-one pages of introduction, and he who knows how can pick out many plums out of the solid mass of information which forms the body of the book. To the genealogist the volume is a mine of information, and a model of clearness and accuracy.

The specialities are, first the full account of the chief family of the name, which is convincingly shown to have been seated at Wilton in Teviotdale for the first century of its record history, and to have acquired its broad acres in Fife by marriage with the heiress of the De Valoniis family early in the fifteenth century. The other is the section which traces back the ancestry of the Wardlaws of Pitreavie, baronets since 1631, who bear the arms of Torrie by grant from the Lyon Office about 1672. Mr. Gibson

[1] The Cardinal's taste for genealogy appears from Fordun, who received from him the pedigree of the Scottish Kings.

argues very plausibly that the propinquity is real, and that the first baronet was grandson of the third son of John Wardlaw of Torrie, who died 1557; but he has to point out that Pitreavie could not be the representative of Torrie in 1672, for descendants of the first baronet's elder brother subsisted down to the last years of the eighteenth century, and may not impossibly subsist still. In the Abden section there is a tale of a fine family quarrel; and in the Killernie section a scandalous instance of abuse of position by a Restoration judge—no 'kinless loon' was my Lord Harcarse!

In his genealogies it would be hard indeed to catch Mr. Gibson at fault. But he has sometimes to deal with details outside that province, and there he occasionally gives the carping critic a chance. At p. 3 King Robert's charter to Henry de Wardlaw is dated 'about 1306,' when the King was hardly in a position to keep a chancery, and when the grantee, if the tradition that he had been of the Comyn party is correct, is most unlikely to have adhered to the Red Comyn's murderer. It was only the 'crowning mercy' of Bannockburn which prevailed with such as Wardlaw to accept the Bruce as the national leader. And the Roll in which the grant is preserved does not, I think, contain any charter earlier than 1315. At p. 26 a set of Latin verses is described as 'anagrammatic,' meaning acrostic. At p. 32 witnesses are said to have *signed* charters of the fourteenth century. At p. 15 the blunder of a papal chancery clerk, Frederesolk for Fetteresso, is unnecessarily reproduced. At p. 41 it is correctly pointed out that there is a mistake in the peerages about the marriage of the first Lord Home with the heiress of Landells; her surname was Lauder, and she was not daughter but granddaughter of the last Landells. But Mr. Gibson has failed to see that the husband of Marion Lauder was not the first Lord Home's father but the first Lord himself. All our Peerage writers except Crawfurd go wrong at this point in making two generations of one. Lastly, the statement on p. 119 that Pitreavie was 'an old Wardlaw possession' will hardly stand. Sir Henry Wardlaw's title flowed from the magistrates of Edinburgh, coming in place of the chaplainry of St. Nicholas in St Giles' church, to which the lands were gifted by one Roger Hog not later than about 1360, when his grant was confirmed by David II. The name Pitreavie, probably the same place, occurs also in the lists of the lands composing the barony of Rosyth, far down into the eighteenth century at any rate; but the baron of Rosyth cannot have had possession, nor transferred possession to Wardlaw, in 1435-36, when the chaplain was already drawing his stipend from the lands: some right of superiority, or of redemption of a wadset, may have been claimed, but from the record of a lawsuit in 1484 (pointed out to me by Mr. Gibson himself) it appears that Rosyth had nothing to produce in support of such claim. Possibly he founded upon the occurrence of the name in his titles, which could not avail him against the chaplain's immemorial possession following on a charter. But these minute errors, were they much more numerous than they are, in no way detract from the value of the work.

The illustrations, and the whole get up of the book, are admirable, and serve to make it, apart from its intrinsic merits, a very desirable possession.

J. Maitland Thomson.

A Tragedy of the Reformation. By David Cuthbertson. With eight facsimiles. Pp. 66. Demy 8vo. Edinburgh: Oliphant, Anderson & Ferrier. 1912. 5s. net.

This book consists mainly of a history of the three printed copies of Servetus's *Christianismi Restitutio* which are known to be extant. One of these copies is in the National Library at Paris; another is in the Imperial and Royal Library at Vienna; while the third is one of the treasures of Edinburgh University Library. The Edinburgh copy is imperfect, the title-page, the index and the first sixteen pages of the text being awanting. In room of the missing pages of printed matter, sixteen pages of manuscript —apparently in a handwriting belonging to the sixteenth century—have been inserted. It has been discovered that these manuscript pages are not transcripts of the missing printed pages, but are in reality transcripts of the corresponding pages in the original draft of the *Christianismi Restitutio.*

A copy of this draft which had been sent to Calvin by the author of the book in 1546, for 'his judgment upon it,' was produced against Servetus when he was tried at Geneva. Mr. Cuthbertson considers it probable that the printed copy of the *Christianismi Restitutio* now in Edinburgh University Library is the one from which Calvin tore 'half of the first quire . . . containing the title, the index and the beginning of the said book,' when he furnished the authorities of Vienne, through William Trie, with evidence against Servetus; and that the transcriptions in the Edinburgh copy were taken from the manuscript possessed by Calvin.

Mr. Cuthbertson devotes some pages to a discussion of the relations between Calvin and the author of the *Christianismi Restitutio.* Few will agree with him that the Reformer 'did not wish the death penalty inflicted' on Servetus. As Principal T. M. Lindsay says in his *History of the Reformation*, 'Calvin certainly believed that the execution of the anti-Trinitarian was right.' The truth is that Calvin recognised the great danger of the undoing of his work by the propagation of anti-Trinitarian opinions among the Protestants, and was determined at all hazards to check that propagation. Most of the Reformers seem to have thought that he deserved credit for bringing a dangerous heretic to justice. Luther, who had affirmed that false doctors should not be put to death, was in his grave; but Melanchthon and Beza both expressed approval of the execution.

A Tragedy of the Reformation is worthy of the attention of all who are interested in the life and writings of Servetus. Its value is enhanced by some well-executed facsimiles of letters by Calvin and pages of the *Christianismi Restitutio.*

Frank Miller.

Guilelmus Neubrigensis Ein pragmatischer Geschichtsschreiber des zwolften Jahrhunderts. Von Dr. Rudolf Jahncke. Pp. 160. 8vo. A. Marcus and E. Webers Verlag in Bonn. 1912.

This is the first of a new series—Jenaer Historische Arbeiten, edited by A. Cartellieri and W. Judeich—and is a critical examination of the sources of William of Newburgh, and an attempt to define his special position among early historians. His *Historia* appears to have been written in

1198-99. As is well known, this chronicler took a pronounced stand against Geoffrey of Monmouth in regard to King Arthur, so that his History possesses, in addition to its value for the late twelfth century, the importance attaching to a very early deliverance impugning as fable the Arthurian story of Geoffrey, which—William notwithstanding—made such a conquest of the literary mind of its own and the succeeding century that some scholars regard it as, all things considered, the most powerful influence exerted upon English romance.

The Arthurian bearing does not elude Dr. Jahncke's attention, but he scarcely lays full hold of the problem in such a manner as to settle the qualms of some consciences over the unsolved puzzle, the political sense and object of the pseudo-chronicle which William of Newburgh assailed with such contempt and rancour. William's place amongst English historians gains not a little by this industrious German study which systematically treats of the design and spirit of the *Historia*, its date, sources, and style, and its standpoints—secular, religious, patriotic, and philosophical. The estimate, based on a painstaking analysis, places William very high among those who developed critical method and the rationalistic and almost modern attitude towards miracles and prodigies. His general freedom from credulity is, however, less remarkable than his steady effort to link the succession of events by historical causation—a bent of mind to which much of his acuteness of observation and the pertinence of his conclusions must assuredly be traced. While Dr. Jahncke is not the discoverer of these virtues of William, he has greatly added to the body of data and to the precision of inferences drawn by his predecessors in the enquiry, such as Pauli, Miss Norgate, and others. Dr. James Gairdner's approbation of William's 'great judgment and commonsense'[1] may be added to the verdicts reviewed. Miss Norgate's chronology suffers in details from the criticisms in Dr. Jahncke's appendix on the problem of the date when the chronicle was written, while the positions taken up by Dr. Richard Howlett, the Rolls series editor of the *Historia*, are for the most part confirmed.

Dr. Jahncke's work is a highly meritorious monograph, whether considered in itself or as the inauguration of a new and ambitious scheme of historical publications.

GEO. NEILSON.

THE FIRST AMERICAN CIVIL WAR. FIRST PERIOD, 1775-1778. With Chapters on The Continental or Revolutionary Army and on The Forces of the Crown. By Henry Belcher, Rector of S. Michael-in-Lewes, Sussex. With Illustrations and Maps. 2 vols. Vol. I. pp. xxiv, 350. Vol. II. pp. viii, 364. London: Macmillan & Co., Ltd. 1911. 21s. net.

THE American War of Independence, or, as Mr. Belcher prefers to call it, The First American Civil War, lasted—from the skirmish at Lexington on 19th April, 1775, till Washington's proclamation of 19th April, 1783,—exactly eight years. Of these this history deals with only two and a

[1] *Early Chroniclers of Europe*: *England* (S.P.C.K.), p. 194.

half, as it carries the story no farther than the British capitulation at Saratoga on 16th October, 1777. The author's design, however, as he states in his preface, was 'to reproduce in outline the local and material conditions of the time, and to depict the moral and social background of the struggle,' and this he has essayed to do without carrying the story to its close. Thus, about half of the first volume is devoted to 'Precedent and Concomitant Conditions' and 'The Storm Centre, Boston,' and nearly one-third of the whole work to an account of the forces employed on both sides. Mr. Belcher is deeply interested in the soldier, and indeed dedicates his book to the memory of the men, British and American, who perished 'amidst the neglect or obloquy of their fellow-citizens.' His chapters on the Revolutionary army and the forces of the Crown are full of interesting information, though much of it is ill-digested, unarranged and redundant.

The author is quite frankly a partisan. For him, as for Squire Western, a Whig is a rebel. In his eyes all respectable Americans, with one exception, George Washington, were loyalists, and the colonial 'patriot' a detestable, canting, hypocritical, law-breaking, smuggling, cruel ruffian. He describes his book, which gives a lively picture of the times and people, as 'a very untraditional view of the troubles in the Atlantic colonies.' He says that the traditional conceptions about the First American Civil War are due to the inventions of Whig historians. Men 'like Byron and Wordsworth cursed British victories,' while 'whitewash for all American patriots, jet and japan for the Ministry, and especially for the portrait of the King, constitute the simple elements of the Whig historical palette.'

From this criticism of rival historians it may be expected that Mr. Belcher's history will be found not only untraditional but entertaining. It certainly is so. It is written with vivacity, confidence and force, and with no small ability and erudition. As exact history, however, it is not only untraditional, it is unfortunately also unreliable; and, besides being too often inaccurate, it is sometimes even self-contradictory. It has many needless repetitions, and the order of events is frequently in exasperating confusion.

The author has been permitted to use some extracts from papers in the possession of the representatives of General Thomas Gage, who was Governor in Boston when the war began, including a letter from a spy in the revolutionary camp at the time of the siege of that town. His other sources are not exclusive. His book is plentifully sprinkled with passages quoted from writers contemporary with the author himself. And the author, with magnanimous, if unusual, partiality, does not disdain to embody in his history, as authoritative, passages from the works of the Whig historians whom he so heartily denounces. For his part, Mr. Belcher ransacks, not only the chronicles of the period, but those of previous generations, and even previous centuries, for his own 'jet and japan,' wherewith to tinge the features of the colonists. Mr. Belcher's method too often suggests the Man with the Muck Rake. He can believe no good of the colonials. In the so-called 'massacre' of 1770, British soldiers shot some civilians in a Boston street. Boston and all New England were

roused to fury. The soldiers were tried for murder, but they found the two ablest of the colonial barristers to defend them, a colonial jury to acquit them, and a colonial judge who, in the face of public opinion, declared the verdict just. Mr. Belcher is 'amazed' to find English writers citing the acquittal as a mark of the impartiality of the American bar and bench. He suggests that the jury were bought, and offers an authority. But the reader who turns to that authority will find that it directly contradicts Mr. Belcher. A few pages later he professes to quote a handbill reproduced in facsimile in Justin Winsor's collection. It contrasts the British service unfavourably with the colonial, and he says it was distributed '*all the time the British troops were in Boston*,' to induce them to desert. He misdates the document and garbles its words. The British troops were in Boston five years before the war began, and the handbill's most prominent reference is to the battle of Bunker's Hill. Winsor rightly places it in October, 1775.

The author's prejudice is so vigorous, and his sense for accuracy so inconstant that no reader will do well to rely on his unsupported statements, and even these must be received, as has been shown, with all the 'caution' which he recommends for Bancroft and Trevelyan. Many of his confident assertions are based on evidence too slender to support them, and he does not hesitate to hazard a convenient conjecture on one page and unconsciously repeat it for fact on the next.

The *leit-motiv* of the piece is the black ingratitude of the colonies to the mother-country. England, it would seem, had driven France from their borders, and had conquered for them 'all America between the 30th and 46th parallels,' in a struggle in which it had been tacitly resolved to 'let Great Britain do the requisite fighting and supply the requisite funds.' The ungrateful dogs refused to help the mother-country by submission to taxation. The 'traditional' version is different, and Mr. Belcher has not shaken its credit. It persists in presenting for consideration a colonial point of view, from which many colonists—exiles, quakers, presbyterians, Irishmen, Germans, convicts, redemptioners and kidnapped servants, regarded England as a stepmother rather than a mother. They saw her driving out the French, not for her children, but for herself, that she might have colonies from which *she* might be enriched; not sons set up in business, but servants working to supply her wants; saw her laying selfish restrictions on trade all in her own favour. In the war the colonies had supplied half the men and paid them, for here, as elsewhere, Mr. Belcher's accuracy is sacrificed to his prejudice. He would seem to prescribe a higher standard of public virtue for the Americans than for their cousins at home. The 'patriots' failed to honour King George. But the author himself relates that at home His Majesty could rarely pass through the streets without being insulted.

The Revolution in the reign of George III. was not confined to the colonies. Men were contending in England too for liberty against prerogative. The British were striving to regain the freedom they had lost since the Restoration, as the Americans were striving to preserve the freedom they had always possessed. There was much common feeling.

Mr. Belcher reviles the Whig officers who refused to fight against their American cousins, with whose cause they sympathised. But he gives away his case when he adds that men of lower rank who should have followed their example would have been flogged or shot, and when he tells how the Common Council of London hailed young Lord Effingham as a true Englishman for throwing up his commission on his regiment being ordered to America.

George III. was determined to 'be a king,' and to make his American subjects obedient. Mr. Belcher says, 'The King and his Ministry were backed by the opinion of the whole country, so far as national opinion was then represented in the House of Commons.' If this is not the *suggestio falsi*, it is at least the *suppressio veri*, for he should, but does not, go on to tell that the king owed his support in Parliament to the purchase with the nation's money of a solid block of greedy placemen, high and low, and was opposed by the really patriotic and the disinterested. The country was not then articulate politically. Where it was not ignorant it was in opposition or indifferent. Liberty on neither side of the Atlantic meant in the eighteenth century that large toleration to which we have now grown accustomed. It was not to set up freedom of conscience that the Puritan went into exile; it was to impose his own conscience. And a good proportion of the signers of the Declaration of Independence were of that Scoto-Irish breed, by no means extinct, who were lately and happily described by Lord Rosebery[1] as, without exception, the toughest, the most dominant, the most irrepressible race that exists in the universe at this moment. Mr. Belcher finds them peculiarly obnoxious—in America.

Mr. Belcher, in spite of his fluent irresponsibility, is often an entertaining narrator. His book is frequently diverting, and his sketches of character are sometimes neat, pointed and felicitous. ANDREW MARSHALL.

THE ABBOT'S HOUSE AT WESTMINSTER. By J. Armitage Robinson, D.D., Dean of Wells. Pp. x, 84. With Plans and Illustrations. 8vo. Cambridge: University Press. 1911. 5s. net.

IN this volume, being No. 4 of the series of *Notes and Documents relating to Westminster Abbey*, the author continues his fruitful labours upon the records of the Abbey and its builders. A collection of writs and notices elucidating the history of the Abbot's house from its beginning as a *camera* at the end of the eleventh century down to the middle of the eighteenth century, forms the latter and larger part of the book. To these illustrative documents and notes Dean Robinson has prefixed three chapters dealing with (1) the Abbot's *camera* in the Norman Monastery, (2) the work of Abbot Litlyngton, and (3) subsequent developments. What the author modestly calls 'a courageous attempt at a plan of those portions of the buildings which adjoin the Abbot's house' adds much to the value of the work. This useful plan is placed in a pocket at the end of the book.

Abbot Nicholas Litlyngton in the latter half of the fourteenth century

[1] At Edinburgh, 1st Nov., 1911.

was the outstanding builder of what John Flete calls 'the abbot's place,' and the Abbey is in the happy position of possessing a great part of these ancient buildings, altered and adapted, it is true, but still with their main features intact at this day. Besides being a great builder, this abbot was a keen sportsman, and among several entries in his account-rolls relating to his chapel, occurs the following: 1367-8, 'And for one falcon of wax bought to be offered for a sick falcon . . . vj^{d}'! Dr. Robinson's indication of this as the most remarkable entry in these rolls is probably just, but possibly the abbot was unaware at the time of the purchase made in this case by some superstitious falconer.

The Dean of Wells has given in this volume further proof of his learning as a record scholar, as also of his pious reverence and affection for the venerable Abbey of Westminster.

JOHN EDWARDS.

THE REAL CAPTAIN CLEVELAND. By Allan Fea. Pp. 256. With Illustrations. Demy 8vo. London: Martin Secker. 1911. 8s. 6d. net.

MR. FEA has in this book revived the story of John Gow, the pirate, whose career gave to Sir Walter Scott the idea of 'Captain Cleveland' in *The Pirate*, and as he has got together a considerable amount of new and curious material, this must be considered worth doing. He proves that Gow, though brought up in Orkney, was born on the other side of the Pentland Firth in 1697. His early career as a pirate, which began in 1724, is gleaned from a rare tract by Daniel Defoe, and the tale of his delinquencies on the high seas makes interesting reading. It was in 1725 that he took his pirate ship to Orkney, was fêted there, had love adventures (the author trusts rather too much to hearsay about this period), until the felonious habits of his crew and some robberies raised suspicion against him, and he fell a victim to the trap laid for him by James Fea, Younger of Clestrain (sometimes wrongly called by the writer 'the Laird' or 'the Master of Carrick'), was taken prisoner by stratagem, sent to London, and there duly hanged.

The author has gone into the subject with zeal (we wish we could say with equal care), and has reproduced many objects of interest associated with the life of the pirate or his captor for our instruction. He has also given a considerable portion of the book to the little known history of the family of Fea of Clestrain and its cadets, the accuracy of which will have to be tested by later experts in Orcadian genealogy. Mr. Fea, in our opinion, does not sift the traditions he collects with sufficient care. He says a certain amount on the Jacobitism of the Feas, and this leads him to a long 'side-light on the Stuarts,' narrating the claims of the 'Counts d'Albanie' for the vague reason that their father (whom they alleged was a son of Prince Charlie) was brought over from Italy by a lady who 'is said to have been a Miss Fea, who for a time after her arrival is said to have lived at "Wood Hall" in or near York.' With this very interesting information, he couples the statement that 'Charles acknowledged one at least of his natural children, Louisa, Countess of Albany, who died in 1824,' confounding Charles's daughter Charlotte,

Duchess of Albany, with his titular queen. This ought surely to be corrected in future editions. So should 'Rendall' for Kendall on p. 244, 'Finstorm' for Finstown in the Preface, and above all the illiterate form 'The Rev. Wilson' for the Rev. John Wilson on page 226.

A. Francis Steuart.

South Leith Records, compiled from the Parish Registers for the Years 1588 to 1700, and from other Original Sources, by D. Robertson, LL.B., S.S.C., Leith, Session Clerk. Pp. 222. With six illustrations. 4to. Edinburgh: Andrew Elliot. 1911. 3s. 6d. net.

The Parish Church of South Leith has occupied a prominent position in the history of the ancient burgh of Leith. The church dates back to the year 1483, when it was erected, under the name of St. Mary's Chapel, as a subordinate chapel to the Parish Church of Restalrig; and, in 1609, it was ordained to be the 'paroch Kirk of Leith,' to which all the inhabitants of Restalrig were ordered to attend. This handsome volume, the result of much patient labour and research, has been compiled by Mr. D. Robertson as a memento of the tercentenary of its existence as a separate parish church.

Mr. Robertson has divided his book into two parts. The first consists of long and valuable extracts from the kirk-session records, dating from the year 1588 down to December, 1700; and, secondly, of a compilation of local events in the form of a 'Chronicle,' from which the history of the church itself may be adduced. As the editor remarks, these extracts from the records 'enable one to follow the deliberations of successive generations of ministers and elders, bailies and incorporations, concerning the church and churchyard, the schools, the poor, the errant men and women of the parish, the religious and social evolution of the people. From the extracts now published it may be possible to reconstruct, in outline at least, some of the troubles which engaged the thoughts of former generations, and to stir the dust upon controversies long forgotten.'

Of special importance are the minutes dealing with the Covenant, the great plague of 1645, and the invasion of Cromwell. Much information is detailed regarding the then treatment of the plague, which has not hitherto been published. During the first six years of the Cromwellian period the church was utilised by the Ironsides as a magazine for arms and stores. At the Revolution the Episcopalian minister retained possession of the church until August, 1692, when he was forcibly ejected by the bailies of Leith.

The 'Chronicle' which Mr. Robertson has appended has been brought down to the coronation service of George V. It contains a vast amount of information relating to the church and its district; but unfortunately Mr. Robertson has omitted to quote the original sources whence his extracts have been taken. It is to be regretted that, in view of the labour bestowed upon his compilation, the editor has not seen his way to convert his notes into a comprehensive story of such an interesting and historical church.

W. Moir Bryce.

THE EJECTED OF 1662 IN CUMBERLAND AND WESTMORLAND: THEIR PREDECESSORS AND SUCCESSORS. By B. Nightingale, M.A. Two volumes. Vol. I. pp. xxiv, 777; II. pp. 713. Demy 8vo. Manchester: University Press. 1911. 28s. net.

THE rise of Nonconformity in Cumberland and Westmorland in the middle of the seventeenth century has received sympathetic treatment in the exhaustive survey of these excellent volumes. The author has brought to his task an extensive acquaintance with the original sources, an intelligent appreciation of ecclesiastical problems, and a wide grasp of the causes which produced the civil upheaval known as the Commonwealth. Though Nonconformity was not so vital or so prevalent in the north-western as in the neighbouring counties of England, the same forces were at work, and it was just as needful to narrate the story of its rise and early growth in Cumberland and Westmorland as in other places where it attained to greater religious influence. The impartial reader will have nothing but commendation for Mr. Nightingale's treatment of this period: he is a scholar of broad sympathies, desirous to be accurate, fair in holding the balance between opposing theories, and prudent in drawing conclusions when the evidences are ambiguous. No student can claim to know the ecclesiastical history of the two counties till he has mastered these interesting volumes.

One feature of Mr. Nightingale's work deserves special notice. He has not been content to summarize his evidences in narrative form: he has done much better by reproducing the documents in their entirety and indicating the official sources where they can be consulted. This happy idiosyncrasy has given enduring merit to his work. But it was not to be expected that the author should tap every source. Two incidents in the period under review, overlooked by the author, may be mentioned as symbolical of the movements which lay at the root of early Nonconformity, one of which amply justifies its existence, while the other rather exhibits the seamy side of the ecclesiastical system that preceded it.

Timothy Roberts, a Westmorland minister, of whose sufferings Calamy has drawn a pathetic picture, was one of the saints of early Nonconformity in that county. Several months before St. Bartholomew's Day a warrant was issued for his arrest by the civil authorities, on the plea that he had refused to read and make use of the Book of Common Prayer, and to administer sacrament in Barton Church. The warrant, signed by two justices of the peace, is dated 17th March, 1661-2. When the whirligig of political fortune restored the Cavalier justices to the place of power, the administration of law was of small consideration when dealing with a representative of the old system. The unbending convictions of ministers like Roberts, and their unlawful persecution, of which his case is a specimen, may be taken as the principal causes of early Nonconformity and spread a halo over its cradle.

The other instance alluded to, though no reflection on Nonconformity, for it had not yet risen, illustrates in some measure the undesirable side of ecclesiastical administration under the Commonwealth. Thomas Warwick was admitted to the vicarage of Aspatria before the fall of Episcopacy, but

he had difficulty in maintaining his position when things changed. A rival had impleaded him at the assizes of Carlisle, but was nonsuited. It was then that intrigue began. No less a personage than Sir Arthur Hesilrig wrote (22nd August, 1656) to the judge on circuit that the case was coming on again at the forthcoming assizes, and reminded him that his 'friend and relation' was the purchaser of the benefice from the State, adding that 'if y^e^ title be not good, y^e^ Commonwealth as well as he will haue y^e^ losse.' The sequel of this extraordinary attempt to corrupt the fountain of justice awaits further exposition.

JAMES WILSON.

CODE OF CANONS OF THE EPISCOPAL CHURCH IN SCOTLAND AS AMENDED, ADOPTED, AND ENACTED BY A PROVINCIAL SYNOD HOLDEN AT EDINBURGH IN THE YEAR OF OUR LORD, 1911. Pp. xxvi, 154. 8vo. Edinburgh: R. Grant & Son. 1911. 3s. 6d. net.

THIS newly revised code of canons of the Episcopal Church is the result of some ten years of hard work. It is of great interest to the student of ecclesiastical law and administration. While the groundwork of the code is largely what may be called the common law of Christendom, this is more often understood than stated, and the greater part of the book is occupied by matter more or less peculiar to Scotland, some of it of recent date, some dating back to the eighteenth century, when the germ of the present collection first appeared in the form of six canons passed by a synod at Edinburgh in 1724, and marking the first stage in the organisation of Episcopalians in Scotland after they were disestablished and disorganised by the Revolution. To the present code there has been prefixed an admirable historical introduction, giving the details of its historical development since the Revolution period, and including a good deal of matter not easily found elsewhere.

THE SCOTTISH LITURGY FOR THE CELEBRATION OF THE HOLY EUCHARIST AND ADMINISTRATION OF HOLY COMMUNION, COMMONLY CALLED THE SCOTTISH COMMUNION OFFICE. Cambridge: at the University Press. 1912.

ALTHOUGH the Scottish Communion Office used by the Episcopal Church, more especially in the north of Scotland, has been used with but little variation in form since 1764, there has never been an edition of standard authority as regards *minutiae* at all comparable to the English 'Book Annexed' or other liturgical standards. Such a text has now been provided, and the opportunity has also been taken to make some slight revision and a few additions, especially of variable parts. The Scottish Communion Office has had a long and interesting history. Ever since one of its most important features first appeared in the ill-fated book of 1637, it has been the chief representative of the various attempts made to produce a liturgy in modern form based structurally upon primitive and Eastern models, such as the early liturgy known by the name of St. James. Laud's attempt to force the English book upon Scotland was frustrated, and the 1637 book owes most of its characteristic features to the Scottish bishops Maxwell and Wedderburn. Its fatuous introduction and its immediate disuse are well known.

But early in the eighteenth century the Scottish Episcopalians, encouraged by the learned liturgical scholars among the English non-jurors, began to revive the Communion service from it, instead of going on with the use of that in the English Prayer Book which some had introduced in Queen Anne's time. In 1722, probably in Aberdeen, the first now known of a series of reprints of the 1637 Communion Service appeared, and, under the influence of Dr. Rattray, revisions and alterations were made to bring it into nearer accord with the early Christian formularies and with the liturgies of the East. Had the learned non-jurors a free hand they would probably have abandoned it in favour of a more direct adaptation of primitive forms. There is evidence for this in MSS. as yet unpublished.

What the late Dr. Dowden in his *Annotated Scottish Communion Office* (1884) called the *textus receptus* of it, appeared in Edinburgh in 1764 under the editorship of Bishops Falconer and Robert Forbes, and it was this form of it which, through Bishop Seabury, became the parent of the communion service in the American Book of Common Prayer. Dr. Abernethy Drummond and the Rev. George Hay Forbes subsequently made attempts at further revision, but these were abortive, and the old form of 1764, associated as it was with the struggles of the days of the Penal Laws, held its ground against them, and it is only now that we see an authorised revision of it,—a revision which is, after all, extremely conservative. We have refrained from anything in the way of more strictly liturgical criticism as being beyond our province in this place, and have contented ourselves with a few remarks on the historical place and connections of this new edition of the Scottish Liturgy.

With this we must notice *Permissible Additions to and Deviations from the Service Books of the Scottish Church as canonically sanctioned.* (Cambridge University Press, 1912.) This contains variations from the Book of Common Prayer for use in the Episcopal Church, some of which are new, while others, such as part of the Confirmation Service, have long been matter of Scottish custom and tradition. This and the Scottish Liturgy are now published in more than one size, either separately or together, and we understand that a complete edition of the Book of Common Prayer for Scottish use is in preparation, in which both the Scots Communion Office and the rest of the new matter will be included in their proper places.

The liturgical reader may be referred for more information to a tract which appeared last year, *Prayer Book Revision in Scotland: the proposed additions to and deviations from the Book of Common Prayer and the revised text of the Scottish Communion Office explained and discussed from the liturgical standpoint.* (Dumfries, *Scottish Chronicle* Office.) This contains a good deal of historical information and a full liturgical discussion of the questions involved.

F. C. Eeles.

The Royal Fishery Companies of the Seventeenth Century. By John R. Elder, M.A. Pp. vi, 136. Dy. 8vo. Glasgow: MacLehose. 1912. 5s. net.

This excellent little book treats of the rise, development and ultimate failure of the Fishery Companies established under Royal patronage—

indeed on Royal initiative—in Britain during the seventeenth century as a move in the struggle against the supremacy of the Dutch at sea. The subject has recently been investigated by Mr. T. W. Fulton in his *Sovereignty of the Sea*, published last year, but the present book is clearly the result of independent research, though necessarily among the same state papers. And it has the merit of greater accuracy in detail than was perhaps possible in a large book covering the history of several centuries. Mr. Elder has a distinct turn for narrative, and marshals his well-documented facts with skill.

We have noted with interest one document of 1631 regarding the claim to reserved waters in the Moray Firth, which might have been of use to the law officers of the Crown in conducting the famous Moray Firth trawling prosecution in 1906. It was contended in that case that there was no historical evidence that the enormous tract of water in the Moray Firth as defined by the Sea-Fisheries (Scotland) Amendment Act, 1889, had ever before been claimed as territorial according to the law of Scotland, and though this argument was met by pointing to the claim impliedly made in the Act under construction, the Crown would doubtless have availed itself gladly of the following evidence which Mr. Elder prints at pp. 42 *et seq.*

When Charles I. took active steps in 1631 to promote a Joint National Fishery with headquarters in the Lewis, to be open to English and Scots alike, he encountered the jealous opposition of the Scottish burghs as regards the waters which they sought to have reserved to Scots fishermen. Complete exclusion of foreign fishermen was at first claimed in a maritime belt of fourteen miles in the open sea on all the coasts of Scotland and within all lochs, bays and firths, but in the negotiations this was modified to a claim to 'the firths of Lothiane, Murrey and Dumbartane,' in which Moray Firth was referred to as 'betuix Buchannase in Buchan and Dungisbieheid in Caithness.' A little earlier the Lords of the Privy Council had suggested a reserved area in which a more particular description of the Moray Firth was made, viz.:

'From Buchannesse, north-west and be north to Dungisbieheid in Caithnes. Comprehending therein the coast of Banff and Murrey, upon the south side Murrey Firth, and the coast of Rosse, Sutherland and one part of Caithnes upon the north *and* 14 *myles without the course from the said Buchannesse to the said Dungisbieheid.*'

The King, as it happened, refused to concede reserved waters in this area, but it is of interest to know that in a quasi-international dispute the Moray Firth was described by one of the parties in terms all but identical with those used in the Imperial Statute of 1889, which empowers the Fishery Board to prohibit by byelaw the methods of beam and other trawling within an imaginary line drawn from Kinnaird Point in Aberdeenshire to Duncansbyhead in Caithness. The legal value of this evidence would have been greater had the claim been established. That it was made at least tends to show what the Scots regarded as territorial waters in 1631.

A. H. Charteris.

THE IMPORTANCE OF THE REIGN OF QUEEN ANNE IN ENGLISH CHURCH HISTORY. The Gladstone Memorial Essay for 1911. By Frederick William Wilson. Pp. 104. Cr. 8vo. Oxford: B. H. Blackwell. 1911. 2s. 6d. net.

PROFESSOR C. W. C. OMAN, in an introduction to the Gladstone Memorial Essay for 1911, guarantees its value as a piece of original work, and the essayist's own bibliographical appendix of twenty pages, though not analytic enough, would alone afford proof that the Professor's commendation was merited. Mr. Wilson traces in the triumph of the High Church party in 1710 and their fall in 1714 the ultimate failure of an attempt to make Church interests the primary canon of policy. Church political opinion degenerated into Jacobitism, and the reaction was disastrous. At the same time, Church theology was worsted on all hands by rationalism. It was a time of anomalous changes in the public mind which made victims of Whigs and Tories in turn. The part played by Convocation fitly takes up a good deal of attention as a very significant force among the causes of the Tory collapse at Queen Anne's death. Mr. Wilson's essay evinces wide reading and high promise.

THE ABBEY OF ST. MARY, CROXDEN, STAFFORDSHIRE. A Monograph. By Charles Lynam, F.S.A. Pp. vii, 19, plates 75, appx. xix. Large 4to. London: Sprague & Co. 1911.

CONSISTING primarily of plans and sketches, and secondarily of a short history of the Cistercian abbey of Croxden, its foundation, and the Verdun family who were the founders, this stately quarto, an admirable architectural record of the beautiful ruin, offers a remarkable instance of vitality in the author—'I having,' says he in the dedication, 'been familiar with the Ruins since the year Eighteen hundred and fifty, and the Monograph is now issued in the Eighty-second year of my age.' Besides the 75 full-page plates there are two large facsimiles, one of Bertram of Verdun's foundation charter circa 1179, the other of a page of the Chronicle by William of Schepesheved, a monk of the house late in the fourteenth century. In the letterpress we have first descriptive particulars elucidating the very clear and beautiful plans, architectural drawings, pencil sketches and photographs of the remains, which are considerable. The original 'place' was dedicated in 1181. The founder died at Acre in the crusade of Richard I. in 1192. Of the abbey church, dating at latest very early in the thirteenth century, only the south transept and north wall of the cloister still stand, and are kept in countenance by late thirteenth-century walls of chapter house and dormitories, besides other more fragmentary pieces of the monastic buildings. The ruins, to which the towering south transept with its fine lancet windows and its western door give special character, are considered the most important of their class in Staffordshire.

The volume was undertaken by Mr. Lynam on the request of the Earl of Macclesfield and the North Staffordshire Field Club—a congenial task committed to a veteran architect-archaeologist of unique knowledge and the first antiquarian standing.

Following the plates Mr. Lynam presents translations of the founding

charter, of Schepesheved's chronicle so far as touching the abbey, and of the ancient list of abbots and monks. He concludes with a sketch of the Verduns from their origin in France till the time of their English representative under Henry III. The chronicle records with evident twinges of regret that in the fourteenth century the 'name Verdun was translated to Furnival' through the marriage of the Verdun heiress.

The Cistercian movement, which was at its height of force in the time of our David I., was illustrated by many noble foundations in Scotland, such as Melrose, Morebattle and Dundrennan. It had not yet spent its vigour when, in 1176, the beginnings of the foundation were made by Bertram de Verdun, whose charter three or four years later declared it to be for the soul-weal of his father and mother, of Richard de Humez, 'who brought me up,' and of himself and his wife Rohais. Richard de Humez was constable of Normandy, and was a witness to the treaty of Henry II. and our William the Lion at Falaise in 1174. To the Cistercian houses we owe a good many chronicles: in Scotland that of Melrose holds the first place both in honour and in time: that of John Smyth, a monk of Kinloss just before the Reformation, was probably the last Cistercian chronicle, except for the work of Ferrerius, continuator of Boece and historian of Kinloss abbey. Smyth's and Schepesheved's chronicles may well be compared.

A marked economy of editorial apparatus in Mr. Lynam's volume doubtless indicates a desire, appropriate in a delegated work of a county society, to avoid unnecessary critical detail as not the proper accessory of what is in substance a portfolio, with only the indispensable accompaniment of notes of architectural description and historical fact. As a portfolio it is well fitted to serve its purpose of giving an actual record of the beautiful abbey; it also proves by a thoroughly satisfying example how good it is for archaeology that there is no age of compulsory retirement for antiquaries.

A Short History of Scotland. By Andrew Lang. Pp. viii, 316. 8vo. Edinburgh: William Blackwood & Sons. 1911. 5s. net.

The irrepressible qualities of Mr. Lang go with him when he is reduced and distilled into a Short History. His deadly feuds with the Douglases and George Buchanan, and the whole tribe of the Covenant, maintain themselves in his abbreviation as they did when he was complete in four volumes. Party never dies, and unless we had the royalist standpoints firmly upheld sometimes, it is probable that we should quickly forget how narrow was the victory of Presbyterianism, and how many heroes have fallen for the side that did not please the gods.

That side oftenest pleases Mr. Lang, and his championship of lost causes displays his unfailing readiness and resource, his mastery of fence, and his gay turn for satire. Nothing he touches is ever left where he found it. He is never negligible, even when he fails to convince; but his points are all worth making, and how many he has made! No modern writer has contributed such store of fresh things for Scots history, in novel facts, standpoints, analogues and interpretations. Nobody has ever recruited so many ideas which march. There is only one Mr. Lang, and we are glad he has put so much of himself into his Short History, with its swift and vivid

narrative, its lore of unwonted citation and curious parallel, its unfailing touch of style, wit, and sarcastic sally, and its occasional fine, if only too rare, manifestations of imaginative sympathy with the actual event.

A Chronicle of the Popes, from St. Peter to Pius X. By A. E. McKilliam, M.A. Post 8vo. Pp. xii, 487. London: G. Bell & Sons, Ltd. 1912. 7s. 6d. net.

This useful compilation consists of short biographical sketches of the Popes from St. Peter to Pius X. The brief biographies are soberly written, and contain sufficient information to satisfy the general reader, for whom they are intended. The author expressly disclaims any intention of writing a history of institutions, or of dealing with her subject from the point of view of a specialist in ecclesiastical history. The reader cannot, accordingly, complain of the somewhat summary manner in which, *e.g.* the reorganization of the Curia by Sixtus V. is treated, and the work of Benedict XIV. in connection with the Roman Breviary is omitted. Some of the biographies might have been enlivened with a few concise quotations from the pungent estimates of contemporaries, such as Platina and Vespasiano da Bisticci.

David Baird Smith.

Excavation of the Roman Forts at Castleshaw. By Samuel Andrew and Major William Lees. Second Interim Report by F. A. Bruton, with Notes on the Pottery by James Curle, F.S.A. Pp. 93. With forty-five Plates. Large 8vo. Manchester: University Press. 1911. 3s. 6d. net.

The zeal to which this Report bears eloquent testimony is worthy of all praise. One can only regret that the explorers have not been rewarded by a larger measure of good fortune in their finds. Castleshaw is an interesting example of one Roman fort within another; in some respects, as Mr. Bruton long ago pointed out, it bears a striking resemblance to Raeburnfoot in Dumfriesshire. It presents one very notable structural peculiarity: there is a binding course of stone inserted in the rampart of sods that surrounds it. Apart from that, the results of the excavation have been valuable chiefly as supplying analogies, often sadly fragmentary, to what has been made familiar by occurrence elsewhere. All such analogies have been most carefully noted by Mr. Bruton, who also sketches out a plan for future work which may possibly prove more remunerative. The pottery is described by Mr. James Curle, and the Editor has two appendixes dealing with general aspects of the Roman occupation of Britain. The provision of illustrations is on the most generous scale, but the quality is not invariably first-rate.

A Short History of Europe from the Fall of the Eastern Empire to the Dissolution of the Holy Roman Empire. By Charles Sanford Terry. Pp. viii, 318. Cr. 8vo. London: Geo. Routledge & Sons. 3s. 6d. net.

This 'modern' section of European history, starting with the Renaissance and closing with the abdication of the imperial title by Francis II. of

Austria in 1806, maintains in spite of compression by its clearness and accuracy through a wilderness of dates and names, the qualities which (as indicated in *S.H.R.* viii. 314) did so much credit to his 'medieval' section. The body of knowledge it contains on times and matters so unconnected as the maritime discoveries, the Reformation and reaction, the age of Louis XIV. and the French Revolution is so surprisingly well digested that the dense and serried facts lose all their terrors. As a class book it has all the virtues of detail subordinated to perspicuous and interesting narrative of events and statement of operative causes and tendencies. It challenges the highest place as a short survey of European history down to the beginning of last century.

THE CIVIL AND ECCLESIASTICAL PARISH IN SCOTLAND. ITS ORIGIN AND DEVELOPMENT. By William George Black. Pp. 16. Glasgow: Hodge & Co. 1911.

RECENT research has made little definite addition to previous knowledge regarding the formation of parishes, and Mr. Black's studies in parochial law have naturally interested him closely in the subject. When visiting India in 1906 he was struck by the effect of missionary churches there, tending to the formation of special village settlements by Christian converts. By analogy he suggests that the same principle, or something like it, was operative in Gaul, where Christianity followed the eagles as in India it follows the Union Jack. Discussing the historical origins in Scotland, he interprets the parish as a sequel of the bishopric, and chiefly manorial in its direct sources, but reminiscent of remoter civil divisions.

FIFTH REPORT OF THE BUREAU OF ARCHIVES FOR THE PROVINCE OF ONTARIO. By Alexander Fraser, Provincial Archivist. 1908. Printed by order of the Legislative Assembly of Ontario. Royal 8vo. Pp. xxxii, 505. With plans, maps, photographs, and coloured drawings. Toronto: L. K. Cameron, Printer to the King's Most Excellent Majesty. 1909.

THIS extensive and well-appointed report sufficiently vouches the historic spirit in modern Canada. Mr. Fraser only appears in the foreground to introduce the Rev. A. E. Jones, a Jesuit father, who writes a many-sided account of 'Old Huronia'—in the region lying between Lake Huron and Lake Simcoe, Ontario—with special reference to the identification of the sites of villages and forts mentioned in the Jesuit Relations during the early seventeenth century. Our brief notice of a bulky book is written without the local knowledge necessary to do justice to so thoroughgoing, patient, and able a collection of studies by a man on the spot who has devoted thirty years to the subject. It is a great monograph on the historical geography, the place-names, the Jesuit and other records, and the general history of Huronia, and especially of the series of missions, from that of Joseph le Caron under the auspices of the famous French explorer Champlain in 1615 until 1650. In the latter year the Hurons, massacred and oppressed by the Iroquois, yielded up their ancient homeland to their

inveterate enemy, and carrying the long-suffering and persecuted but courageous and devoted fathers with them, abandoned their native territory for ever. To such a book justice cannot be done here. Its archaeological industry, in searching out the scenes of exploits which were almost as much those of pioneer frontier settlement as of pioneer Christian martyrdom, would by itself alone call for the warmest welcome. But in addition its elaborate investigation into the Jesuit muniments and correspondence, into the Huron language, and into the Huron-Iroquois annals so far as these can be pieced together from Indian and other sources, must make it—after every allowance for frequent probabilities of error—an invaluable service, timely rendered, to a history which only such strenuous journeying and research could now have so far recovered. The report is of good augury for the achievement of the archivist-historians of Canada.

HITTITE PROBLEMS AND THE EXCAVATION OF CARCHEMISH. By D. G. Hogarth, Fellow of the Academy (*Proceedings of the British Academy*, vol. v. pp. 15). London: Henry Frowde. 1s. net.

THE excavations carried out by the British Museum from 1876 to 1880 showed conclusively that the Biblical Carchemish or Assyrian Gargamis was not to be identified with the later Circesium at the mouth of the Chabor River, but lay much nearer the head-waters of the Euphrates at a point, some sixty miles N.E. of Aleppo, which now bears the Greek name of Jerablus. Work was resumed here last spring in the hope of finding a Hittite monument in cuneiform script or even a bilingual inscription. This hope was not realised, and the Hittite riddle still remains unread, but ninety new inscriptions were recovered.

These and other results of the expedition, such as the relation of the Hittite colony in Carchemish to the parent stock in Cappadocia, are described in Mr. Hogarth's paper which was read before the British Academy last December.

LIFE IN SHAKESPEARE'S ENGLAND: A BOOK OF ELIZABETHAN PROSE. Compiled by John Dover Wilson, M.A. Pp. xvi, 292. With Illustrations. Crown 8vo. Cambridge: University Press. 1911. 3s. 6d. net.

THE 'general reader' for whom this delightful book is intended may think himself very fortunate. He can, from contemporary prose quoted here, recreate the life led in the time of Shakespeare which the great writer described. No trouble has been spared and no research neglected. We can here trace the progress of a Tudor youth, first in the country, then at school and college, in London, the theatrical career, the home, and the court. Nor are the sides of literature and superstition (the latter of which played a large part) neglected. All this 'first hand' illustrative matter is from Tudor writers whose prose alone would be worth study, but whose unconscious glosses upon Shakespeare make their slightest words valuable.

War-Pictures from Clarendon. Edited by Robert Jameson Mackenzie. 8vo. Pp. 276 with 12 Portraits. Oxford: Clarendon Press. 1912. 2s. 6d. net.

The tercentenary in 1909 of Edward Hyde, Earl of Clarendon, suggested this stout volume of representative selections from his *History of the Great Rebellion*. It presents attractively the essence of the great royalist historian, especially on the military fortunes, or rather misfortunes, of the cause. But the spirit of the whole is well sampled, and the chapter estimating the 'brave bad man' Cromwell was well worthy of its inclusion. Unfortunately the introduction is for student purposes defective in bibliographical particulars, neither telling the date of writing the *History* nor its date of publication, nor even that of the edition from which the reprinting has been done, nor giving any hint that the text may need fresh scrutiny. But there are useful footnotes throughout, the index is sensible, and the portraits are capital.

How to Trace a Pedigree. By H. A. Crofton. Sm. 8vo. Pp. v, 67. London: Elliot Stock. 1911. 2s. net.

Beginners, and not a few whose beginning was long ago, will find this small manual helpful. In the few pages given to Scotland we notice some erroneous statements, *e.g.* that the Exchequer Records only date from 1474, and that till 1874 Scotsmen could not devise land by will. But withal the little book is of good counsel.

The Story of England. By Muriel O. Davis. Cr. 8vo. Pp. 320, with 16 Maps. Oxford: Clarendon Press. 3s.

This is a spirited school history, in which some apt citations of the 'ballads of the people' are cleverly utilised to lighten and brighten the narrative. Miss Davis ends her first part with Elizabeth and her second with Victoria, and focusses much attention on these two feminine reigns. International problems are fairly presented, and a patriotic glow suffuses the early regal as well as the later imperial tale. A novel and attractive idea is a map pointing out the sites of the chief Anglo-Scottish battles. A special chart shows the routes of the Jacobite marches in the '45.

The Full Recognition of Japan: being a Detailed Account of the Economic Progress of the Japanese Empire to 1911. By Robert P. Porter. Pp. xii, 789. With seven coloured maps. Med. 8vo. London: Henry Frowde. 1911. 10s. 6d. net.

This volume gives a sketch of the early history of Japan, and then proceeds to treat, with great detail, of its recent developments under various heads, such as population, education, occupations, with notes on industrial progress, labour, and wages; the navy, the army, finance, trade, commerce and shipping, agriculture, forestry, fishing, and mines. It also gives an account of each of the larger cities, and has chapters on literature, art, the drama, sports, and philanthropic work. The future historian of Japan will find it a mine of information. The student who wishes to refer to the state

of Japan within the last generation will find carefully collected statistics, and a detailed account of almost all aspects of Japanese life and activity.

In Stuart Times. By Edith L. Elias. 260 pp. With 16 illustrations. Fcap. 8vo. London: Harrap & Co. 1911. 1s. 6d.

This book is a series of character studies of various prominent figures in the Stuart period. The paper on James VI., if rather severe in its judgment of the king, serves to throw into bold relief the difficulties which James created for his succcssor in office. In dealing with the latter, Miss Elias is far less able; for she declares that Charles I. 'had no sense of his personal responsibility towards the nation'—a statement which even Macaulay would have contradicted—while she undoubtedly exaggerates the extent to which tyranny was the vogue during Charles's reign. As Mr. G. M. Trevelyan has well pointed out in *England under the Stuarts*, the Civil War hardly represented a brave nation struggling for its liberty, but was, in reality, a combat between two political parties, and a combat, moreover, in which the great bulk of the people took comparatively slight interest. At the battle of Naseby, for example, Fairfax mustered only 14,000 men, yet at this period the population of London alone was fully 400,000.

The English Puritans. By John Brown, D.D. Pp. vi, 160. Royal 16mo. Cambridge: University Press. 1910. 1s. net.

This volume is interesting and useful as a review of English Puritanism from the middle of the sixteenth century to the middle of the seventeenth, but it is not up to the level of the rest of the series. Although the writer is on the whole eminently fair, the book is written rather from the Puritan than from the neutral standpoint, and there are one or two mistakes, *e.g.* the statement about the Elizabethan Injunctions 2 and 18 on p. 18 is inaccurate and misleading. So is the statement that the 1549 Prayer Book 'took the place of the Mass' (p. 7), which is not in accordance with the contents of the book itself. The reference to Scotland on p. 80 is also inaccurate.

English Fairy Poetry. From the Origins to the Seventeenth Century. By Floris Delattra. 8vo. Pp. 235. London: Henry Frowde. 1912. 4s. net.

Something of fairy winsomeness attaches to this slender study of the little folk whose tradition Spenser, Shakespeare, Ben Jonson, Milton, and Herrick inherited from romance, ballad, and folklore. We suspect the wayward crew would object to a more ponderous bibliography, and for a popular literary survey, well-furnished with quotations of dainty verse and a hand-list of texts and some leading critical studies, Mr. Delattre's essay, printed in Bruges, is excellent in style and quality.

A trifle disturbing is the problem of the relation between Herrick's gossamer pieces about fairies and R. S.'s *Description of the King and Queene of Fayries*, printed in 1635, and W. Browne's *Britannia's Pastorals*. A reprint of R. S.'s *Description* forms welcome appendix, 'beeing very delightfull to the sense and full of mirth,' as well as helpful to source-criticism—whether of Herrick or of R. S. is the point for consideration.

Dr. P. J. Anderson has issued for the University of Aberdeen a *Subject Catalogue of the Phillips Library of Pharmacology and Therapeutics* ·615 (8vo. Pp. 240. Aberdeen: University Press. 1911), which is not only an excellent practical and well-printed guide to the contents of the library founded in Marischal College by the late Dr. C. D. F. Phillips, but is also a good illustration of the Dewey catalogue system modified to particular requirements. The works are arranged according to general subdivisions; a short index sets out all subjects, general and special; and there is a full author index.

The Home University of Modern Knowledge vigorously justifies its bold title, and continues to produce shilling volumes of the first quality in information, grasp, and freshness,

The History of England, by Professor A. F. Pollard, shines with formulae, *e.g.* about custom giving way to competition as the history of trade, about a peer being 'equal to anything,' about the superabundance of lawyers in the American States at the revolution, about the politics of anarchy, about the restriction of dukes, about the real English conquest as the submission of the minority, about the Reformation as a double revolt by the nation against Rome and the laity against priesthood. They sometimes smack of a political opinion, but even so are admirable mnemonics.

Rome, by Professor W. Warde Fowler, equally wins its place by a point of view consistently maintained towards the struggle, first for existence, then for unity, and at last for consolidation, till his story pauses on the great reign of Hadrian. It is perhaps not ours to challenge so eminent an exponent of the Roman spirit, but we cannot accept his central denial of imagination to the race. Indeed, we think his own learned and eloquent little book fully refutes the charge.

In *English Literature, Medieval*, by Prof. W. P. Ker, we are in the hands of a master whose sympathy is as keen and profound as his knowledge. To appreciate the middle ages there is needed a sense of affinity with barbarism and of revolt against the classic supremacy. Shall we hesitate to say that Prof. Ker deliberately prefers barbarism and hankers after the winds that blow over the North Sea? Romance, however, did not come so, and he has oftener to trace an evolution by the French route. Away from the romances he almost seems to enjoy himself as much by the wayside among the political ballads about Wallace and Bruce as on the high road that led to Chaucer. The alliterative group is prominent, and everywhere there are echoes of pleasant lines of earlier study—among them once more the emphatic tribute to the rounded greatness of *Troilus*, as Chaucer's sum of achievement, the poetic testament of the middle ages.

The Emeritus-Professor (8vo, pp. vi, 92. Glasgow: Published for the author by James MacLehose & Sons, 1912) is a mystification by an alleged 'George' in reminiscence of an alleged 'Professor Dennistoun,' holder of Natural Philosophy chair in 'St. Duncan's,' retired *circa* 1880, died *aetat* 76 in 1894. It is a study of a sunset, a memoir of personal intimacies with Professor William Swan of St. Andrews in his closing years. The touch of an old-world grace and something of an old-world

hero-worship, plus an old-world theology, and tempered with playful but sober-sided humour, animates this tribute. It has its sanctities as well as its zeal of affectionate memory, winning the reader's regard for the Emeritus-Professor and in hardly less degree for the loyalty of the friend and kinsman who, after eighteen years, writes him so uncommon an epitaph. Who that concealed friend is—his Christian name not George—may perhaps be gleaned from the title-page of an analogous booklet (reviewed *S.H.R.* vii. 199) in honour of Professor W. P. Dickson.

Midlothian. By Alex. M'Callum. With map, diagrams and illustrations. (Cambridge County Geographies. Pp. 208. Cambridge University Press. 1912. 1s. 6d.) We begin by challenging Mr. M'Callum's statement that a Scottish county is a 'district which was at one time under the jurisdiction of a Count.' We invite him to give his proofs that 'the sheriffdom of "Lothian" is known to have been one of the first to be constituted.' Also to give his proofs for the extraordinary proposition that the powers of the Provost of Edinburgh 'within the territory of the Sheriff of Lothian'—and therefore within the burgh itself—were abolished in 1747. We also seek his warrant for saying that since 1870 'the Sheriff of Edinburgh' exercises jurisdiction over Peebles. We fear there is some looseness of statement in these propositions, which perhaps begin by mistaking Lothian for Edinburgh, and end by mistaking Edinburgh for Lothian. Certainly there is a failure to deal fitly with the place of Lothian in institutional and national history.

We are puzzled by the declaration that in 'Scotland, as elsewhere, the earliest form of fortification was probably the earthen mound, surrounded by a wooden palisade or a turf wall.' If, as one must suppose, mound here means *motte*, we shall have to suspect that grave misconceptions lurk in archaeological chronology. A later proposition about peel-towers betrays some further unfamiliarity with an evolutionary type greatly used in the War of Independence. We are startled to learn that Mons Meg is 'the oldest cannon in Europe': there are examples more than half a century earlier.

Disburdened of this handful of protests, we are free, guardedly, to welcome Mr. M'Callum's mingling of geography and topography, of natural, marine, architectural, political, and industrial history, and above all of Edinburgh literary biography, as a remarkably handy compendium. Profuse illustrations, including much landscape and architecture 'old in story,' as well as many portraits of Midlothian's celebrities equip the little book with special pictorial attractions. Mr. M'Callum writes in a clear and interesting style, his area of information is wide and varied, and his geographico-historical hand-book of 'Midlothian' will, not only by the virtues and graces of its subject, but also by its general execution, take honourable rank in the County Series.

The Knox Club has published, with a prefatory note by Dr. Hay Fleming, *Illustrations of Antichrist's Rejoicing over the Massacre of St. Barthalomew.* Second Edition (pp. 16, price 3d.). The title is, perhaps, unnecessarily provocative, but the plates, which are reproductions of Vasari's paintings in the Vatican, are argument lurid enough, while a medal of

Gregory XIII., inscribed VGONOTTORVM STRAGES 1572, betrays equally savage triumph. A contemporary order for a procession on the occasion is represented, giving a painful ritual of thanksgiving. A fourth edition, enlarged (pp. 32, price 6d.), has additional evidences both in letterpress and illustration.

Dr. Hay Fleming has sent us an offprint of his article contributed to Mr. Moir Bryce's *History of the Old Greyfriars' Church, Edinburgh*, on 'The Subscribing of the National Covenant in 1638.' It disproves the current story that the signing took place on a tombstone in the churchyard and that it was the work of a single day.

The sermons entitled *Sunday Evenings in the College Chapel* (by Francis Greenwood Peabody. 8vo. Pp. xi, 300. London: Constable & Co. 1911. 5s. net) only warrant notice here in virtue of the last, which was preached at the 250th anniversary of the founding of Harvard College, and essays an appreciation of the Puritan spirit of the College and the ideal which rose above all limitations and under constantly expanding auspices has remained an inspiration. Another discourse is *Unity, Peace, and Charity*, a tercentenary lecture on Archbishop Leighton, by Rev. D. Butler, D.D. (8vo. Pp. 60. Edinburgh: Oliphant, Anderson & Ferrier. 1911. 1s. net). It is an eloge of a much-abused man who tried a middle course between bishop and covenant and failed. Coming from his biographer and the editor of his letters, it is a sermonette of history breathing the pious graces of its title.

The Oxford University Press has added to its series of Scott's novels *Anne of Geierstein* (Cr. 8vo. Pp. xvi, 524. Price 2s.), seldom thought of as being a sort of complement to *Quentin Durward* in that it continues to the end the story of Charles the Bold. There are 24 standard illustrations and the type is clear.

Canada and the Most Favored Nation Treaties, by Professor O. D. Skelton. (Pp. 24. Jackson Press, Kingston, Ontario), is No. 2 Historical Bulletin from Queen's University, Kingston. It traces the gradual acquisition by Canada and other colonies of power to negotiate direct with non-British powers treaties on tariffs, and it discusses varieties of mode in reciprocity. The little paper has double value: first, as a study of a phase of sovereignty under colonial conditions; and second, as a chapter on reciprocal tariffs.

The Map of the Greekless Areas of Scotland, with notes by Professor Harrower (Pp. 7. Aberdeen: University Press. 1912. 4d.) protests, perhaps a trifle overmuch, that Greek is doomed in Scotland, 'and doomed by the action of the Scotch Education Department.'

Aberdeen University Library Bulletin, No. 2, Jan. 1912, makes a useful specialty of a classified list of current serials.

The April number contains an essay by Mr. J. M. Bulloch on his ideal of a University Library: it will make some University librarians shiver. Dr. P. Giles and Dr. P. J. Anderson deal with the life and psalm-book

collecting of the late Mr. W. L. Taylor, the catalogue of whose collection of psalmody, especially in metrical versions, now in the Aberdeen University Library, is begun in this part.

A brochure entitled *Uno Stuart a Milano nel Settecento?* by Alessandro Guilini, (Milan, L. F. Cogliati, 1911), contains an account of some documents which Sig. Guilini has discovered in the Ambrosian Library there, as well as in Venice and in the library of Count Gilbert Borromeo, about a James Stuart who posed as being the grandson of Charles II. He stated that he was the son of James Stuart, a natural son of Charles II., and Teresa Corona, a person of ordinary condition of life, whom he had married in Naples in 1669. This pamphlet gives an account of the adventures of his son in Vienna and various parts of Italy, and the treatment he received from the authorities. The documents are printed as an appendix, and the author leaves it to the reader to decide whether this James Stuart was really a scion of the royal house or only an adventurer.

To the recent rather startling energy of popular publishing under the auspices of the centres of learning we owe, among other things, the shilling series of very instructive Cambridge Manuals of Science and Literature issued by the Cambridge University Press. Mr. R. S. Rait on *Life in the Medieval University* (16mo, pp. viii, 164) gives a lively and learned sketch condensing in brisk description the substance of much recent erudition garnered by Dr. Rochdall and others on the confraternities of scholarship in the middle ages.

Dr. H. B. Workman on *Methodism* (pp. v, 133), narrates the life of Wesley, traces the struggles, schisms, theology and polity of the revival system he organised, and offers an interpretation of its modern as well as historic spirit.

Mr. T. F. Henderson on *The Ballad in Literature* (pp. ix, 128) produces an essay overflowing with interest and with invitations to literary disputation. He holds the balance very fairly between Mr. Lang and Col. Elliot about the Otterburn, Auld Maitland, Kinmont Will and Jamie Telfer ballads, and Sir Walter's editorial finger in the pie. On the constitutional problems of origin and definition, Professors Child, Kitteredge and Gummere are reviewed : we could gladly have had more of Mr. Henderson himself. What *was* ballad ? A typical literary form and early convention ? Or a form in conjunction with a restricted type of narrative ? Form more than subject ? Art, frequently third class, more than tradition ?

The Clarendon Press has published at 1s. net a *Teacher's Companion* (pp. 64), by Mr. C. R. L. Fletcher, to the School History of England by him and Mr. Kipling, reviewed in *S.H.R.* ix. 324. It consists of authorities and notes.

Worthy in design and promise is the scheme of Bell's English History Source Books, edited by Mr. S. E. Wimbolt and Mr. Kenneth Bell. It is well begun by Mr. Wimbolt's compilation on *American Independence and the French Revolution*, 1760-1801 (cr. 8vo, pp. viii, 120, 1s. net), which extracts short representative pieces from contemporary materials, and thus

gives in brief outline the state of things political in England and abroad as reflected in current letters, speeches, journals and state papers. Passages selected include Pitt's letters accepting the peerage, descriptions of the tea-riots in Boston harbour, and of the Gordon 'No Popery' disturbances in London, as well as accounts of the Nore mutiny and the Battle of the Nile. The French Revolution, it is true, is rather elbowed out by home affairs. This British focus improves the collection, which has much of the effect of a diary. Events seen as they pass 'in their habit as they lived' have a vivid touch which the ablest retrospect can seldom attain.

A revised translation of *Bede's Ecclesiastical History of England*, with Introduction, Life, and Notes by A. M. Sellar, has been issued by Messrs. George Bell & Sons in their Bohn's Library. Miss Sellar admirably presents, in a short and convenient form, the substance of the views held by trustworthy authorities. She has written in a simple, direct, and interesting manner. There is an excellent map with the place names of England current in the eighth century, and there is also a copious index. The notes are full and up to date, although Miss Sellar seems unaware of the recent volume by Dr. George MacDonald on the Scottish Roman Wall, if we judge from her remark at page 24. There can hardly be a doubt that Peanfahel is Kinneil; at page 141 Wigton should be Wigtown. Altogether the volume forms a valuable handbook to the study of Bede, whose writings are of perennial interest as one of the springs or sources of the early history of England.

Bibliotheca Celtica, a Register of publications relating to Wales and the Celtic peoples and languages for the year 1910, has been issued by the National Library of Wales (Aberystwyth, 1912). This is a useful record. The number of publications in the Welsh language is surprising.

The Appendices dealing with the Eisteddfodau, and with the Welsh and Celtic Periodical Literature indicate that the Welsh language is vital to a degree very different from that of Gaelic in Scotland.

Queen's University (Kingston, Canada) History Bulletin No. 3, by Mr. James Douglas, on *The Status of Women in New England and New France*, essays to prove a higher achievement in public spirit and benevolent enterprise among seventeenth-century Frenchwomen settling in Canada than among Englishwomen of the same time in New England. The cause suggested is the Puritan revolt against chivalry, with a consequent depreciation of woman in Puritan society.

The English Historical Review (April) has one paper tracing William the Conqueror's itinerary from Hastings to London in 1066. Another explains a remarkable legal evolution in the powers of justices of peace due to an unwarranted *not* in the interpretation of an act of parliament 34 Edward III. Mr. A. G. Little records the discovery of the lost part of Roger Bacon's *Opus Tertium*. A striking diplomatic adventure is narrated, showing how the designs of France on the Balearic Islands in 1840 were frustrated by the promptitude of Mr. Newton S. Scott, then an attaché at the British Embassy at Madrid.

The Home Counties Magazine (March), besides well-illustrated local studies on Kent, Essex, and the capital, discusses origins of fairs in England.

Notes and Queries for Somerset and Dorset (March) continues printing a curious register of village tenancies and tenures in Sherborne in 1377. It also gives a reproduction, much reduced, of a remarkably informing map of the coast of Dorset, cent. xvi., showing ships, beacons, and pirates' gallows.

Somersetshire Archaeological and Natural History Society: Proceedings during the year 1911. (8vo. Part I. pp. xii, 132; Part II. pp. 169. Taunton: The Wessex Press. 1912.) This society's miscellaneous activities yield a solid annual record of local archaeology. Further progress is registered on the excavations at Glastonbury Abbey, of which there are plans and capital photographs and drawings. There is a paper by Miss H. C. Foxcroft, with interesting detail on Monmouth's half-victorious skirmish at Philip's Norton in 1685.

Berks, Bucks and Oxon Archaeological Journal (Jan.), besides church notes and brasses well reproduced, has a curious memorandum about 'blacking' (deer poaching by men with blackened faces) in Windsor Forest in 1722-23.

The Holborn Review (April) has a popular article on stone-worship and a report on recent studies in anthropology and comparative religion.

The Viking Club goes on and prospers in its variety of enterprises. Its *Old-lore Miscellany* (April) deals with the old Orkney township and with Shetland wrecks and Shetland music. Its *Caithness and Sutherland Records*, printing all sorts of deeds and writs of dates 1342-1370, in the April instalment, must ere long rank as a veritable historic cartulary of the two northern shires, alike for secular and ecclesiastical documents.

The Celtic Annual, 1912, being the Year-book of the Dundee Highland Society, is profuse in portraits, with biographies attached, including those of Dr. Douglas Hyde, Mr. W. M. Mackenzie, and 'the Tournaig bard,' Mr. Alexander Cameron.

The Scottish Standard-Bearer has an article on the Priory Church of St. Clement at Rodel, or Rowadill, in Harris, by Miss L. Copland, making praiseworthy appeal for the preservation of the beautiful but neglected fabric, with its fine sixteenth century Macleod monument of 1528.

In the *Juridical Review* (Jan.) Mr. A. H. Charteris discusses the 'defence of alien enemy' in view of the Hague Convention. Mr. G. D. Valentine supports sovereignty, not freedom, as the law of the air invaded by the flying machine. Mr. G. Stronach searches abortively for light on Lord Campbell's story of Wedderburn, Lord Loughborough's flinging his gown in the face of the Court of Session.

The American Historical Review (April) has an article by Mr. Wallace Notestein on the 'Committee of both Kingdoms,' which was formed in 1644, and brought a Scottish element into the evolution of the English

constitution by its developed resultant in the cabinet system. The Historical Association's conference in 1911 is well reported. Quit-Rents in American colonial tenure are reviewed. Discussing the famous affair of the 'Trent,' which so nearly involved a war between Britain and the United States, Prof. Charles F. Adams is severe on the diplomacy of both sides.

But perhaps of more importance than any of these is the presentment of two manuscript reports of parliamentary debates of 1766 on the American crisis. Previously published reports are meagre and quite inadequate, especially for the Lords' debate, about which the *Parliamentary History* categorically states that 'the speeches have not been any where preserved.' These deficiencies are now handsomely made good. Grey Cooper, M.P. for Rochester, took a full note of the Declaratory Act debate in the Commons, and the Earl of Hardwicke a still fuller note of the later and still more vital closed-doors discussion in the Lords on the Repeal of the Stamp Act. These reports now edited in full, the former by Prof. Hull of Cornell, and the latter by Mr. Harold Temperley of Cambridge, contain much new and striking material for the parliamentary story of the Revolution.

Missouri Historical Society Collections, vol. iii. No. 4, published by the Society at St. Louis, edits a journal of the founding of St. Louis, 1762-4, by Auguste Chouteau (1750-1829), who as a boy took part in the ascent of the river from New Orleans.

The January number of the *Iowa Journal of History and Politics* consists of Mr. Clifford Powell's history of the Iowa Code of 1851, and of Notes by the late Dr. William Jones on the Fox Indians. The Code was a constitution, and dealt with government education and law. Folklorists will find much to attract them in the story of the cosmogony, the 'four great manitous' beyond the clouds, the beliefs and practices, and the clan system and totemism of the Foxes, who once lived on the eastern border of Iowa.

In the *Revue Historique* (March-April) a remarkable study by M. Paul Fredericq on the recent Catholic historians of the Inquisition in France shows how the overwhelming body of facts marshalled by the late Dr. Henry C. Lea has, perhaps not the less quickly because of the studious avoidance of passion or denunciation, carried conviction and won approbation even among most orthodox recent historians. At first scouted and mistrusted, the masterly and impartial collection of evidence first presented by Lea in 1888 steadily made itself irresistible. Facts disarm prejudices, even of creed. M. Fredericq regards the change effected since 1888 as 'a visible scientific evolution deserving to be signalized as a precious indication of the growing triumph of historical truth.' Another notable contribution, by M. Lionel Bataillon, traces the competitive struggle between various classes of notaries from the thirteenth to the fifteenth century in France, especially in Burgundy. It was a strife of royal notaries, ducal notaries, and church notaries, in which the conjunction of judicial jurisdiction and the power of notarial appointment proved to be a combination fatal to the

clerical notarial system. The church notaries were already practically driven out of the field, when the death of Charles the Bold made the ducal notaries royal and completed the anticlerical conquest.

We note that the author is to publish a book on these *Luttes notariales* which, illustrating the laicizing of the notary, cannot fail to be an important chapter of legal history for Europe at large, to say nothing of its significance for Scotland.

The *Revue Historique* (Mai-Juin) has its cover in black borders for the death of its founder and co-editor, M. Gabriel Monod, whose busy, brilliant and influential career is sketched by M. Ch. Bemont and Ch. Pfister with affectionate yet critical appreciation. M. Bemont in this number also edits from the contemporary MS. of Hugues Cousin le Vieux extensive extracts descriptive of the troubles in England in 1553-4, following the accession of Queen Mary. Cousin, who was a quartermaster (fourrier) at the court of the Emperor Charles V., made considerable use of Sleidan, modified to the Catholic view, but has matter of his own of independent though minor value on the Catholic restoration and the suppressed insurrections.

In *Archivum Franciscanum Historicum* for July, Father Michael Bihl settles, from a document in the public archives of Ghent, the disputed date of the General Chapter of the Franciscans held at Metz. The original agreement, now published for the first time, has attached to it a fine impression of the seal of the Minister-General, John of Parma, and is dated in General Chapter at Metz, June 1254. This discovery corroborates Professor A. G. Little's conclusion in favour of 1254 as the real date arrived at from other considerations. (See Little's *De Adventu Fratrum Minorum in Anglia*, p. 127.) Photographs of the document and of the seal are appended to the article.

In the July, October, and January numbers we have from the pen of Fr. Erhard Schlund a thoroughgoing study of an early scientist and forerunner of Roger Bacon—Peter Peregrinus of Maricourt in Picardy—whose *Epistola de Magnete* is known to have been written in 1269. He seems to have been a knight, and was present, probably as a military engineer, at the siege of Luceria (now Lucera in Apulia) by Charles of Anjou in the year 1269. Among documents relating to the Claresses of Bordeaux, edited by Father F. M. Delorme, in the January issue there appears a Bull of Gregory IX. commending the nuns to the special protection of the King of England, Henry III. Its date is July 28, 1239.

The *Analecta Bollandiana* (May 1911) opens with a short memoir of the late Father Charles De Smedt, president of the Society of the Bollandists, who died upon March 5, 1911. Born in 1831 at Ghent, Father De Smedt, after having been professor at Namur, returned in 1870 from Paris to Belgium and joined the editorial staff of the *Acta Sanctorum*, becoming director-in-chief in 1882. He was a pioneer in the work of introducing critical methods into the handling of the hagiographic manuscripts dealt with by the Bollandist fathers. He retired from the active direction of the great work of his life in 1902. His memory among his colleagues and students of ecclesiastical history and biography will long be green.

Communications and Replies

JOHN HOME'S EPIGRAM (*S.H.R.* ix. 346). I cannot refer Dr. Mackay to the original reference for Home's famous epigram, occasioned by the increased duty upon French wines, whereby the wines of the Peninsula received a substantial preference.

While John Home the playwright exalted claret above every other wine, David Hume the philosopher swore by port. So vigorously did each defend his several taste that David, dying in 1776, left a codicil to his will whereby he bequeathed to John 'ten dozen of my old claret at his choice, and a single bottle of that other liquor called port. I also leave to him six dozen of port, provided that he attests under his hand, signed John Home, that he has himself alone finished that bottle at two sittings. By this concession he will at once terminate the only two differences that ever arose between us concerning temporal matters.'

Monreith. HERBERT MAXWELL.

THE CLAN MACPHERSON ABROAD (*S.H.R.* ix. 268). The MacPhersons, like the Campbells, Gordons, Hamiltons, and Douglases have wandered far afield. Prominent amongst the Scoto-Swedish families were the Fersens, the Swedish form of MacPherson.

The present representative of the family is Count Gfersen Gyldenstolpe, Major-General and Master of the Horse to H.M. the King of Sweden. The General's mother was the last member of the Fersen family in Sweden. The General supplies the following interesting account of this branch of the Clan MacPherson: 'The family is descended from the old Scottish MacPherson Clan; is, though extinct here, still existing in Prussia under the name of Versen, as well as in Russia (Baltic provinces), where they call themselves Fersens, as they did in Sweden.

'Joachim MacPherson left Scotland and went to Poland, and received afterwards for his services a land property, called Burtzlaff, situated in Pomerania (Hinter-Pommern). According to German pronunciation he took the name of Versen. One of his descendants, Conrad Versen, was already in 1604 living there, and charged with a high official appointment. Later the family separated; one branch went to Livonia (at this time a Swedish province) under the name of Fersen.

'Simon Von Fersen, of the House of Burtzlaff, and his wife, called Rolich, of the House Crolow, lived in 1650. They had two sons, Joachim, who is considered to be the ancestor of the Swedish line, and Henning, who stayed in possession of Burtzlaff.

'Joachim Volthers "gennant von Fersen" was in 1670 Governor (Heermeister) of Livonia and a knight of the "Order of the Sword." When that country came to belong to Russia, the family was introduced in the House of Nobles in the town of Riga, while another part had gone over to Sweden, where they were made counts for their gallant behaviour in the different wars during the seventeenth and eighteenth centuries. The most remarkable members were Fabian Von Fersen, Otto Vilhelm, and Hans Von Fersen (died in 1736), all distinguished general officers. The son of the latter, Axel Von Fersen, was a field marshal and a great politician. His son, Axel H. von Fersen, was distinguished for his daring attempt during the French Revolution to save the Royal family, but who were captured at Varennes. Count Axel was assassinated in 1810 during a popular tumult in the streets of Stockholm. A nephew, Count Hans von Fersen, son of his brother, was the last male member of the family, and he died in 1839. The latter's sister was married to Count Glydenstolpe, and with her the family became extinct in Sweden.'

The Count adds: 'I am in possession of a seal, which is said to have been the Scottish crest. The cat above seems similar to the crest in your letter, and the English motto is, "Touch not the cat bot a glove."' The impression of the seal is a correct representation of the MacPherson crest, armorial bearings, and motto.

The Russian branch has still a representative in the person of Colonel Count Fersen, who was aide-de-camp to the Grand Duke Vladimir during the revolutionary events in 1905. Count Fersen's armorial bearings are stated to be similar to those of Cluny.

The Prussian branch is still represented by the Count Versens.

In Holland the MacPhersons have had distinguished representatives, although their advent there was at a more recent date. After the '45 two brothers who had been out with Prince Charlie fled to that country, and settled there. Their descendants have risen to distinction in the service of Holland and Belgium, becoming barons and governors of provinces and colonies. At Bois le Duc there is a home for old gentlemen called 'Huis MacPherson,' founded by a descendant of one of the brothers, who was a governor of Limburg, and married the Baroness Von Meuwen. In the dining-room there is a large oil painting of Baron MacPherson, and the correct clan crest and motto is carved on a black marble slab over the mantelpiece. The present representative is Capt. MacPherson of the Nederlands Artillery.

A distinguished scion of the clan was General John MacPherson, who is known in Venezuelan history as the 'Illustrious procurer of the independence of Venezuela.' He was Bolivar's right-hand man, and rose to be Commander-in-Chief of the Venezuelan Army. MacPherson with a number of other Scots officers stationed in the West Indies in 1819 apparently left the British service and joined the patriots in the revolted Spanish provinces. Shortly afterwards he married Donna Mercedes Jugo, daughter of Don Diego de Jugo Y Pulgar, one of the leading and outstanding figures in the fight for independence. He died in 1854, leaving a son and daughter. The son, also named John, adopted a

military life, ultimately becoming Commander-in-Chief of the Venezuelan forces. Some years ago he was in command on the frontier during the period when there were strained relations with this country. However, he remembered his Scots ancestry, and invited the British officers to his camp and hospitably entertained them. During one of the numerous insurrectionary movements against Castro he was killed, leaving five daughters, two of them bearing such typical Scots names as Anna and Mary. The daughter of General John the first married Ramon Hernandez, whose son (the Marquis de Hernandez) was President Castro's leading opponent and rival.

D. MacPherson.

A RECIPE FOR MAKING RED WAX IN SIXTEENTH CENTURY SCOTS. The following recipe for making red wax is written in a hand of the first part of the sixteenth century upon a blank leaf at the end of a copy of *Boetius de consolatione philosophie necnon de disciplina scholarium cum commento sancti Thome.* So runs the title page; there is no colophon, but the book may have been printed at Lyons about 1510, to judge from the character of the Gothic letter and ornaments. It is now in the possession of Mr. John Orr, 74 George Street, Edinburgh.

To mak ryd wax

Tak quhit wax w^{t} terpatyne and quhyt creish y^{t} ye terpatyne be bot thryd part als mekill as ye quhit wax as ye quarter of ane pund of quhit wax tak ye thrid part of a quarter of a pund of terpataine and leist of all of ye creiche ane litill pece of ellis vle doly ane litill suip failzeand y^{t} ye creche can nothe be gottin bot ye olydolye is best

Tak ye wax w^{t} ye terpatyne and ye crethe or olye and put yame in a puder diche and set ye puder diche apon ane byrnand peit or gleid and lat it bot melt suberlye And quhen it is meltit tak vermeleon and put in amang it in ye diche and steir it weill about w^{t} ane stik and syne lat it cwill and mak it in litill pecis and gif it be our hart put in mair terpatyne ye nixt tyme and braye vermeleon weill

The book also bears the following autographs in sixteenth century hands:

Codex archibaldi vilkey et amicorum
Codex M^{r} Roberti Wilkie

F. C. Eeles.

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