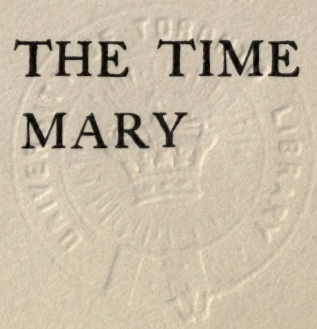


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SCOTLAND IN THE TIME OF QUEEN MARY



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SCOTLAND IN THE TIME OF QUEEN MARY

CHAPTER I

GENERAL APPEARANCE OF SCOTLAND IN THE TIME OF QUEEN MARY

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WHO can think of the times of Queen Mary without thinking of her as the central figure to whom all contemporary persons, events, and circumstances form but the setting in which she works out her destiny? It is her dramatic story that has made the sixteenth century the one period of our annals that has commanded the attention of the world. Historians, poets, and romancers of every country have striven to paint, to analyse, and to explain her character and her fortunes as a woman and a queen, with the result that no historical personage outside Scripture is better known to the world at large than Mary Stewart.

Yet it is to be remembered that the period of Mary Stewart's reign possesses a larger interest than her individual character and fortunes. In

strictest truth it may be said that it was the most momentous period in the history of the Scottish people. It saw the beginnings of a new society, the birth of new national ideals, the first distinct awakening of the nation to a sense of its own destinies. And, as a survey of the moving forces of the time amply proves, this development was not bound up with the existence of Mary Stewart. Had she never lived, Scotland must have broken with her past, must have cast off her ancient religion, and placed herself in new relations to the other countries of Christendom. What were called in her own day the "strange accidentis"¹ of her public and personal career were mere eddies in the irresistible stream which bore her people onward to fulfil "the orb of their fate."

Apart from Mary Stewart, therefore, the period of her reign presents a field of interest at once wider and more important than the incidents of her personal career. The history of no individual, however great or fascinating, is to be weighed against the interest that belongs to a people evolving the fate conditioned by its own natural forces and the changing circumstances in which these forces must be exercised.

It will be readily understood that within the limits of six lectures it is hardly possible to present a complete picture of a country and its people at any period of their history. Some process of selection, therefore, was unavoidably necessary, and it

may be as well to specify by what considerations I have been determined in the selection of the facts which I shall lay before you. In connection with the reign of Mary questions of religion and policy have been so often and so voluminously treated that it would be a work of supererogation to deal with these subjects on the present occasion. Moreover, in this temple of science, politics and religion have no fitting place; the recording angel could hardly discuss Queen Mary and John Knox and all the issues which these names suggest without troubling the serenity even of the Society of Antiquaries—a body sworn to the passionless pursuit of truth. In the choice of materials, therefore, I have been guided partly by considerations of comparative novelty and partly by regard to the spirit and aims of the Society itself. It is of the physical, the social, the economic aspects of Scotland in the time of Mary Stewart that I shall mainly speak—themes which it should be possible to handle in the driest light of reason.

In studying any period in the history of a nation a question we first naturally ask is,—What were the physical condition and aspect of the country in which its people lived their lives and performed the actions which it is the business of the historian to chronicle? In the case of a period so remote as the sixteenth century it is needless to say that the question can be answered neither so definitely nor so comprehensively as we could wish. The reason

is simple. What contemporary had such a knowledge of his native country as would have enabled him to present a picture of it as a whole which would bring it before our eyes as he might have seen it? He could not draw on his personal knowledge for his description, as the greater part of the country was a *terra incognita* to him. Locomotion in Scotland in the sixteenth century was not one of the pleasures of life; and business or some other urgent necessity were the only sufficient motives that impelled men to quit the beaten track. Strong, indeed, must have been the intelligent curiosity of any Scot who would have ventured to explore the less-known regions of his native country. Without exaggeration it may be said that a journey into Galloway or the Highlands would have been attended with as many risks as a journey into the wilds of Asia or Africa at the present day. Even in the case of England, which from the nature of its surface and from its happier circumstances was more open to general intercommunication than Scotland, the people of one part of the country had the vaguest knowledge of districts remote from their own. In the sixteenth century the inhabitants of the south of England believed that the north was peopled by a race of ogres. The words which the historian Camden, so late as 1607, uses regarding Lancashire are such as we should now employ to describe some partially-discovered region in the Dark Continent. Lanca-

shire, he says, is that part of England "beyond the mountains towards the Western Ocean." In visiting it in connection with the preparation of his *Britannia* he tells us that he did so with "a kind of dread," and deemed it prudent to invoke Divine assistance before engaging in the adventure.*

In Scotland there had as yet been no such indefatigable investigator as the antiquary, John Leland, who for a period of six years peregrinated England in search of materials to illustrate its history. At a later date than that with which we are concerned two Scotsmen travelled extensively in their native country, and each has left memorials of his observations. The one was the whimsical William Lithgow (1582-1645), who spent nineteen years in foreign travel, visited, according to his own account, every country in Europe, besides the east and the north parts of Africa, and in the course of his journeyings tramped "thirty-six thousand and odd miles." But even the far-travelled Lithgow would seem to have found locomotion in Scotland somewhat difficult, as the following remark certainly implies. It is "the ignorant presumption of blind cosmographers," he says, that has deluded people into believing that England exceeds Scotland in length, whereas, in point of fact, Scotland is the longer of the two by precisely one hundred and twenty miles. A much more serious person than Lithgow was the admirable Timothy Pont [1560 (?)-1630 (?)], who from

sheer patriotism and love of knowledge visited every corner of the mainland and islands of Scotland, and to the best of his ability made exact drawings on the spot. The maps he thus made, rescued by Sir John Scot of Scotstarvet, which eventually appeared in Blaeu's Atlas (1654), are the first adequate presentations we possess of the physical aspect of Scotland, and, though the picture they present belongs to a period subsequent to the reign of Mary, they may with some reserves be safely used for our present purpose.³

Of Scotland in the sixteenth century we have four descriptions of somewhat unequal value by the historians Hector Boece, John Major, Bishop Leslie, and George Buchanan.⁴ None of the four had a personal knowledge of the country as a whole, but each of them was familiar with certain parts of it. Buchanan, for example, knew his native Lennox, in youth had lived in Menteith and Fife, and in his later days had ample opportunities of seeing with his own eyes the whole eastern country from Stirling to the Border. Taken together, therefore, the four descriptions of Scotland by these historians give us a tolerably complete and accurate picture of Scotland in the sixteenth century.

Besides these four descriptions by native historians we have the notes of a few foreign visitors whom business or pleasure brought to a country which was then considered to be at the

ends of the earth, and where man and nature were supposed to be made after a pattern of their own.⁵ Unfortunately these visitors did not go far afield in their travels, and their observations are mainly confined to the east country. To these formal accounts by foreigners and native historians we have to add the casual references to be found in the literature as well as in the public and private documents of the period. In some respects, these are the most valuable indications of all, as they were written with no deliberate purpose of praise or fault-finding, but simply dropped from the writers' pens by the way. From these various sources, then, let us try to form some notion of the general appearance which Scotland presented in the times of Mary Stewart.

There was one peculiarity in the appearance of the country which struck all foreign visitors from Æneas Sylvius in the fifteenth century to Dr Johnson in the eighteenth—the general absence of timber in every part of the country through which they travelled. The disappearance of timber in Scotland had been a gradual process which we can trace in the successive statutes passed for its preservation. In the charters of the twelfth, the thirteenth, and the fourteenth centuries there is frequent mention of forests pertaining to the Crown, to the religious houses, and to the great feudal lords. But it is to be remembered (and the fact is sometimes forgotten) that in the mediæval

sense the term "forest" simply, meant what we now understand by a "Highland forest."⁶ From the words of the charters themselves we gather that a forest was a tract of country of varying extent, dotted with clumps of trees more or less closely planted, and with open spaces adapted either for hunting or pasture. When we read of the extensive forests existing in the reigns of David I. and his successors, therefore, we are not to infer that the country to any considerable degree abounded in timber. It would appear, indeed, that as early as the reign of David it was found necessary to provide against its wholesale destruction. Turfs and peats, as we know, were already in use in David's reign, but wood was still the principal fuel; and in the manufacture of salt—an extensive industry in Scotland from very early times—the consumption must have been a heavy drain on the most thickly-planted country. To David's reign is assigned a statute which declares that the horse and wain of anyone found cutting down trees without authority shall be escheated; and another statute of the same period imposed a heavy fine on such as did injury to green wood.⁷ A passage in the English chronicler, Knighton, however, would seem to imply that towards the close of the fourteenth century there were still parts of Scotland near the Border which formed a veritable virgin forest. Describing John of Gaunt's invasion of Scotland in 1380, Knighton declares that the English army had

to clear a line of march by cutting down the trees that blocked the way. The sound of 80,000 axes, he says, might have been heard at one and the same time, and he adds that the trees were burned as they fell.⁸ Such statements may be taken for what they are worth as the conventional phrases of historians aiming at the picturesque or at magnifying the deeds of their heroes. Æneas Sylvius, at all events, speaking of the country between Berwick and Edinburgh in the reign of James I., says that he found it "destitute" of wood;⁹ and, at a much later date (1598), an English visitor, Fynes Moryson, tells us that even in Fife, one of the most highly-cultivated districts in the Scotland of that day, "trees are so rare, as I remember not to have seen one wood."¹⁰

The testimony of these visitors is fully borne out by the evidence of legislation. In 1535, seven years before the accession of Mary, a law was passed ordaining every person, spiritual and temporal, possessed of a hundred pound land, to plant woods or orchards to the extent of three acres round their domiciles. Similar statutes had been passed since the reign of James II., but the new statute went beyond all previous ones in the stringency of its enactments. Besides his own obligation, the proprietor was to compel his tenants to plant one tree for every merk-land which they held of him. The same Parliament, which sat in 1535, imposed a heavy penalty on

all persons convicted of doing injury to green wood: for the first offence the fine was to be ten pounds Scots; for the second, twenty; for the third, death.¹¹ In the reign of Mary many of her subjects were put to serious inconvenience by a law that had recently been passed in Denmark. By this law all Danish subjects were forbidden to sell oak to Scottish traders¹²—an embargo which we know from later testimony would have put an end to house-building in Scotland. The desperate straits to which Scotland was driven for lack of timber is oddly proved by a suggestion of James VI. to his Privy Council. This sage proposal was to prohibit the exportation of Scottish timber; and the Council had to remind his Majesty that within the memory of man no timber had been exported from Scotland, and that, if foreign countries were to adopt a retaliatory policy, Scotland would have the worst of the bargain.

Writing in 1617, the year of James VI.'s visit to his native kingdom, Sir Anthony Weldon declared that Judas could not have found a tree in Scotland on which to hang himself.¹³ But this was only one of the senseless gibes of that splenetic Southron. The evidence is conclusive, indeed, that throughout the southern half of the country wood was so scarce as to give its distinctive character to the landscape. But even in the time of Mary trees were not so absolutely non-existent as Weldon would have us believe.

Successive Acts of Parliament, we have seen, had made it compulsory for landlords to rear plantations in the immediate neighbourhood of their seats; and we have the testimony of visitors that such plantations were frequently to be seen, especially in Fife and the Lothians. Of woods on a larger scale to be found in different parts of the country, also, we have conclusive evidence. In Fife, for example, there was the forest of Falkland, described as a "sylva nobilis";¹⁴ between East Lothian and Berwickshire there was a wood which is described as extending from the coast inland to a distance of three miles;¹⁵ and in Galloway there were the woods of Cree, Kenmure, and Garlies.¹⁶ According to Bishop Leslie, who speaks from personal knowledge, woods were not infrequent throughout the whole border country, and the same writer informs us that both Upper and Lower Clydesdale abounded in "fair forrests and schawis schene."¹⁷ We have further the testimony of an English traveller that considerable remains of the Ettrick Forest still existed in the times of Mary, and the same witness reports that there were "good woods" in the valley of the Dumfriesshire Esk.

If timber was scarce in the Lowlands, it could in considerable measure be supplied by the Highlands.¹⁸ The somewhat legendary Caledonian Forest of the Roman historians had indeed in great measure disappeared, and of the Tor Wood,

which, according to Bishop Leslie, extended from Callander to Lochaber,¹⁹ only a scanty remnant remained by the time of Mary, but we have definite contemporary evidence that in many parts of the Highlands there were genuine forests covering large tracts of country. There were, for example, extensive woods round Loch Ness;²⁰ there was the Royal Forest of Clunie which clothed the mountains forming the borderlands of Glenmoriston and Kintail;²¹ and so richly timbered were the shores of Loch Maree that ironworks were established there as early at least as the beginning of the seventeenth century.²² The sale of timber, indeed, which was conveyed to the nearest burghs by the rivers, waters and lochs, was already, together with the trade in cattle, one of the profitable industries of the Highlands—for, though it is mainly Highland *creaghs* that are recorded in history, much honest business was really done between the Gael and the Sassenach.²³

Besides the general absence of wood in the Lowlands there were other features in the landscape which distinguished the Scotland of the sixteenth century from the Scotland of to-day. Everywhere there were numerous mosses, lochans, and even lochs, which have long since disappeared, and the disappearance of which has materially altered the general aspect of the country. To take but one example; in Blaeu's map of Fife there are some

twenty lochs or lochans, several of them as large as the present Loch Leven, of which there is little or no trace at the present day. It was in consequence of the numerous mosses and waters in the flat country that the slopes of the hills were so generally cultivated by the Scots—a custom which the Southern visitors regarded as one of the peculiarities of our remarkable country. Long after the time of Mary an Englishman thus refers to the custom: "'Tis almost incredible," he says, "how much of the mountains they plough, where the declensions, I had almost said the precipices, are such that to our thinking it puts them to greater difficulty and charge to carry on their work than they need be at in draining the valleys."²⁴

Another peculiarity that struck the English visitor to Scotland in the latter half of the sixteenth century was the total absence of enclosures throughout the length and breadth of the country. As is well known, the term "enclosures" is one of sinister import in English history. In the economical development of England the landlords had found it profitable to turn the greater part of their estates into pasture for sheep, and these "enclosures," as they were called, inflicted widespread misery alike on the small farmers and the agricultural labourers. Of "enclosures" in this sense we hear little in connection with the Scotland of the sixteenth century. When our English visitors speak of the

absence of enclosures, they simply mean that no fences of any kind—either in the form of hedges, wooden palings, stone dykes, or ditches—were anywhere to be seen. At the period of which we are speaking such enclosures had become common in certain districts of England, and the absence of them in Scotland was one of the things that immediately struck the English visitor. As Parliamentary legislation on the subject proves, however, fences were not so absolutely unknown in Scotland²⁵ as these observers would have us believe, but the fact is indisputable that it was not till well forward in the eighteenth century that fences became general even in the most highly-cultivated districts of the Scottish Lowlands; and the historian, Major, specifies the reason. The tenants, he says, “have no permanent holdings, but hired only, or in lease for four or five years, at the pleasure of the lord of the soil; therefore do they not dare to build good houses, though stone abound; neither do they plant trees or hedges for their orchards, nor do they dung the land; and this is no small loss and damage to the whole realm.”²⁶ The disadvantages that resulted from the lack of fences, insisted on by Major, were the subject of serious consideration in contemporary England. Thus, Fitzherbert in his *Boke of Surveyinge* has these emphatic words: “If an acre of land be worth sixpence or (before) it be enclosed it will be worth eightpence when it is enclosed by reason of the composting

and dunging of the cattle, that shall go and lie upon it both day and night." 27

As has just been said, it was long after the time of Mary before Scottish agriculture profited by the example of England in the matter of a regular system of fencing. A century after John Major (1628) the facetious Lithgow has the following poetical outburst, which, of course, is as applicable to the reign of Mary as to that of Charles I., when it was actually written :—

“ Ah ! what makes now my country look so bare ;
 Thus voyd of planting, woods and forests fair,
 Hedges and ditches, parks and closed grounds,
 Trees, strips, and shaws in many fertile bounds,
 But only that the landlords set their land
 From yeare to yeare, and so from hand to hand ;
 They change and flit their tenants as they please,
 And will not give them lease, tacks, time nor ease ;

 And so the peasants cannot set nor plant
 Woods, trees, and orchards, which my valleys want.”

Almost exactly a century after Lithgow wrote this complaint, an elaborate treatise was published in Edinburgh (1729) dealing with the same question. The author simply styles himself “ A Lover of his Country,” but we know him to have been a marked person in his day—William Macintosh of Borlum. The title of his book fully explains its object, and is, moreover, a commentary on the point we are considering. He calls it *An Essay on Ways and Means to Raise Funds sufficient to Prosecute*

Inclosing the Nation and Finish in a Few Years that Useful and Glorious Design. If we accept Macintosh's statement, the "useful and glorious design" was truly in crying need of accomplishment. Our country, he says, is now "almost destitute of woods, closes, hedgerows, and forests," and again, "generally our country (is) destitute of woods, some shires entirely without a bush or a stake in it" (*sic*).²⁸ With his ingenious proposal we are not here concerned, though his book is both instructive and amusing reading, but it is to be noted that he assigns the absence of enclosures in Scotland to the same cause as Major and Lithgow—the short and precarious leases of tenants. One fact which he records, however, may be noted in passing: it was in Lothian that the practice began of fencing fields, and in Macintosh's day some proprietors in that district had enclosed the greater part of their estates.²⁹

From this description of certain features of the Scotland of Queen Mary it will be realised how widely it differed in its general aspect from the Scotland of to-day. The general absence of timber, the frequent lochs and morasses, the total lack of enclosures, producing that monotony of landscape with which we are familiar in continental countries—all this suggests a somewhat dreary picture—suggests, indeed, the *lourde Écosse*, which made such a dismal impression on Mary's gay attendants who had accompanied her from "sunny France."

But we should be greatly mistaken if we imagined the Scotland of the sixteenth century to have been in its length and breadth an unbroken waste—a land of swamps and stony wildernesses, which knew not the diligent hand of man. Even by the reign of David I. we know that the process of bringing the land under cultivation had been strenuously begun, and from his day onwards legislation and private enterprise had gone hand in hand in prosecuting the good work. As far as our materials allow, let us see how far the work had been accomplished, and so have a glimpse of another aspect of Scotland than that which we have been considering.

It was unlucky for Scotland that some of its most productive districts immediately adjoined its "old enemy of England." Sir Walter Scott makes a suggestion which may not be without foundation.³⁰ David I., he says, in planting his great religious houses near the Borders, may have been prompted by politic as well as pious motives. Cultivated lands owned by the Church might be in safer hands than in those of lay proprietors who had no immunity from religious considerations. In point of fact, however, as our annals amply prove, even while the pre-Reformation Church still endured, the English in their inroads made little distinction between secular and ecclesiastical property, and after Henry VIII.'s breach with Rome it was with added zest that they laid their hands on the belongings of the old clergy.

The records of English invasions down to near the middle of the sixteenth century amply prove what scope they had for doing mischief. Crossing the Tweed, the invading host could at once begin its work of devastation, for the Merse, though excelled in fertility by certain other parts of Scotland, was a law-abiding district, whose inhabitants had long cultivated the ways of peace. Surely in this, says Bishop Leslie, "very unlike to all the rest of the Border-men round about, who neither in peace or war can be restrained from taking the prey."³¹ In the sixteenth century, according to the testimony of an English traveller, oats and barley were abundantly grown in the Merse, and we know what havoc was wrought in these crops by the Earl of Hertford in his terrible invasion of the autumn of 1545. As the chief places in the Merse which offered further booty Leslie specially notes Duns, Langton, and Dunglas with its "fair collegiate kirk."³² If the enemy chose to enter the country by Teviotdale rather than by the Merse, a still richer spoil awaited him. He could overrun the cultivated lands of the great abbeys of Kelso, Jedburgh, and Melrose, where, besides abundant store of oats and barley, he would find sheep in such number that "they were a wonder to behold."

But it was when the invader made his way into Lothian that he could satisfy his rapacity to the full. Contemporary testimony is divided as to whether Lothian or Fife or Moray came first in

point of fertility and cultivation. Buchanan, however, who knew Lothian well, is decided in his testimony. "The district of Lothian" he says, "far excels all the rest in the cultivation of the elegancies and in the abundance of the necessaries of life."³³ Buchanan's contemporary, Bishop Leslie, was of the same mind. Lothian, he writes, "by the plentifulness of the ground, decking and apparelling of its houses and the fairness of their building, may well be called the chief of the provinces of Scotland."³⁴ The prosperous appearance of Lothian appears to have struck every visitor, foreign as well as English. It was not only that its soil was richer and more widely cultivated than elsewhere; the number and importance of its towns, and (what is specially noted) the frequency of gentlemen's and noblemen's seats gave it an air of well-being which reminded these visitors of the best districts of their own country. Each surrounded, as we have seen, by its own plantation, these abodes presented a pleasant relief to the general monotony of the landscape—certain of them being of considerable pretensions, "beautified with fair orchards and gardens." Near the capital these country-seats were specially numerous, and we have it from a French visitor, as well as from native testimony, that at the close of the sixteenth century, as many as a hundred could be counted within two leagues' distance.³⁵ The most important towns of Lothian, as specified

by contemporaries, were Dunbar, Haddington, Dalkeith, Edinburgh, and Linlithgow. Of the capital something will be said in another place, but it may be noted that the other towns of Lothian were not without certain attractions. For example, a French chronicler, who saw Dunbar in 1549, writes of that town to the following effect. The town, he says, stands "in such an excellent tract of country and [is] accommodated with so many good things which profit the life of man that, if the town were enclosed with walls, we might reckon it among the most beautiful towns in the isles of the ocean."³⁶ To the amenities of Haddington we have equally definite testimony. From an English chronicler we learn that as early as the twelfth century the fame of its orchards had gone beyond the limits of Scotland; and the French writer just quoted tells us that it was "situated in a fruitful and pleasant country,"³⁷ while an English traveller, Fynes Moryson, speaks of "the pleasant village of Haddington."³⁸

Continuing our survey, we come next to Tweeddale, which, according to Leslie, "should not be passed over in silence."³⁹ What excited Leslie's admiration in Tweeddale was the number of sheep on its hillsides and in its valleys—single sheep-owners possessing as many as five hundred or even a thousand.⁴⁰ But it was as one of the favourite royal hunting-grounds that Tweeddale was still best known in the sixteenth century. Thus we read in

Pitscottie that "the second day of June (1528) the King passed out of Edinburgh to the hunting and many of the nobles and gentlemen of Scotland with him, to the number of 12,000 men; and there passed to Meggetland, and hounded and hawked all the country and bounds."⁴¹

The district of Nithsdale was another of those fertile tracts in the south of Scotland which presented a tempting spoil for the invader. To the abundance of its harvests we have the testimony of the English chronicler, John Hardyng, who was in Scotland between 1450 and 1460, and extended his travels beyond those of any other stranger. As the result of his observations he produced a rhymed Itinerary, the object of which, he tells us, was to note "the distances and miles of the towns in Scotland, and the way how to convey an army, as well by land as water, into the chiefest parts thereof."⁴² In the execution of this task, Hardyng gives us the completest description we possess of Scotland in the fifteenth century. As his special purpose was to indicate the best routes for an invading army to follow, he limits his description mainly to those parts of the country where such a host could find material for its subsistence. What surprises us in his general view of Scotland is the extent to which the country must have been under cultivation so early as the time when Hardyng visited it. It is to be remembered, also, that Hardyng from the very object he had in view is

likely to be a truth-telling chronicler : if an English army should one day pursue the routes he indicated, it would be a matter of life and death that his information should be accurate. Of Nithsdale, of which we were speaking, Hardyng says that it abounds in good victual; and its chief town, Dumfries, he calls a "pretty town"⁴³—an opinion which is confirmed by the testimony of other authorities. According to Leslie, Dumfries was "a town, neither base nor of simple degree,"⁴⁴ and we have the word of Hector Boece (which in this connection may perhaps be taken seriously) that its manufacture of "delicate white woollen cloth" was held in great esteem by foreign merchants.⁴⁵

Of the wide district of Galloway, which then included Wigtownshire, Kirkcudbright, and the western half of Dumfriesshire, Hardyng has nothing to say; it was not a country where an English army was likely to find itself comfortable. Yet Galloway filled its own place in the general economy of the country. From Galloway and the Highlands were mainly supplied both cattle and the small ambling horses, which were usually ridden in Scotland, and which from the nature of their pace were known in France as *hobins*.⁴⁶ The wool of the Galloway sheep, also, was the most famous in the country, and, in the opinion of the far-travelled Lithgow was "nothing inferior" to that of the sheep of Biscay.⁴⁷ Buchanan names another commodity which Galloway supplied in

abundance to the nation at large. Its rivers abounded in eels, which, being caught and salted, he says, were a considerable source of profit to the Gallovidians.⁴⁸ The eel, it is to be remembered, was the fish most commonly eaten in Scotland, and in pre-Reformation times must have been consumed in enormous quantities. Since then our countrymen have come to have another opinion regarding the appetising quality of eels.

Passing north into Ayrshire, with its three ancient divisions of Carrick, Kyle, and Cunningham, we enter a country which lent itself more readily to cultivation than Galloway. Along the sea-coast, at least, there was abundant proof of an energetic and thriving community. "Kyle, that country plentiful and faire,"⁴⁹ is Hardyng's description of that district in the later half of the fifteenth century; and in the beginning of the seventeenth another English traveller has these remarks on what he saw. The town of Irvine he described as "daintily situate . . . and in a dainty, pleasant, level champaign country; excellent good corn there is near unto it, where the ground is enriched and made fruitful with sea-weeds or lime." The road from Irvine to Ayr was "a most dainty, pleasant way," and Ayr itself "a dainty, pleasant-seated town" with "much plain, rich corn land about it."⁵⁰

We have likewise interesting testimony that Clydesdale, which took in Renfrewshire and Lanarkshire, was one of the most highly cultivated

regions of Scotland. There, Hardyng tells us, is such abundance of corn and cattle that an army would find more than enough to satisfy all its wants.⁵¹ Leslie, writing in the middle of the sixteenth century and Lithgow in the beginning of the seventeenth, use almost the same language in their descriptions of Clydesdale. It is, says Lithgow, "the best mixed country for corns, meads, pasturage, woods, parks, orchards, castles, palaces, divers kinds of coal and earth fuel that our Albion produceth and may justly be named the paradise of Scotland." Later in the seventeenth century John Ray, the naturalist, bore the same testimony to the pleasantness of Clydesdale. "The country all thereabout," he says, with special reference to the neighbourhood of Hamilton, "is very pleasant and in all respects for woods, pastures, corn, etc., the best we saw in Scotland."⁵²

We need not delay over Stirlingshire—the general testimony of the time being that it rivalled Lothian in fertility and the number of its country-seats. Fife, however, we cannot pass over, as strangers and natives alike concurred in regarding it as a veritable land of Goshen. If we may believe Pitscottie, Mary of Lorraine, on her arrival in Fife in 1538, was greatly impressed by the evidences of comfort and prosperity which she saw around her. "She never saw in France," she told James V., whose queen she was about to become, "she never saw in France, nor no other country, so many good

faces in so little room as she saw that day in Scotland. For," she said, "it was shown to her in France that Scotland was but a barbarous country, destitute and void of all commodities that used to be in other countries, but now she confesses she saw the contrary, for she saw never so many fair personages of men and women and also young babes and children as she saw that day in those bounds where she had been."⁵³ Mary of Lorraine's eulogy was doubtless coloured by her own happy circumstances and by her national turn for saying pleasant things, but sober evidence shows that they need not have been so over-strained as we might think. James VI.'s picturesque simile is well known. Fife, he said, was "a grey cloth mantle with a golden fringe." An Englishman, who rode through Fife in 1598, speaks of it as "a pleasant little territory of open fields," and elsewhere he says that it "yields corn and pasture and sea-coals, as the seas no less plentifully yield (among other fish) store of oysters and shell-fishes, and this country is populous and full of noblemen's and gentlemen's dwellings, commonly compassed with little groves."⁵⁴ Half a century later (1655), we have some interesting remarks on Fife by one whose evidence is of special value. This was Thomas Tucker, a commissioner sent to Scotland by the Protectorate to settle the Excise and Customs. By the date when Tucker wrote, it should be said that Fife had fallen somewhat from

its ancient prosperity, so that we must heighten his picture when we think of the times of Mary. "For," he says, "although this be the bounds of one of the best and richest counties of Scotland, yet the goodness and riches of the country, arising more from the goodness and fertility of the soil and lands than any traffic, hath made it the residence and seat of many of the gentry of that nation, who have wholly driven out all but their tenants and peasants even to the shore side."⁵⁵ The prosperity of Fife was mainly due to three sources—to the fertility of its soil, the manufacture of salt, and the abundance of coal. Of these industries something will afterwards be said, and here it may be sufficient to note that Fife not only exported coal to foreign countries, but, according to Bishop Leslie, supplied all the east coast to the north of the Tay with that commodity.⁵⁶

If an invading army crossed the Tay, there were still many tracts of fertile country where it could find victual for the lifting. From the earliest times the Carse of Gowrie had been cultivated like a garden. There, I warrant you, says Hardyng, you will find abundance of corn and cattle and every needful commodity; and Lithgow, in his description of the Carse fairly surpasses himself. He speaks of it as "the diamond-plot of Tay, or rather the youngest sister of matchless Piedmont"—the only drawback to this earthly paradise being that its inhabitants were so uncivil that they went

by the name of the "Carles (churls) of the Carse."⁵⁷ If the invader made his way to Perth, he would find a booty which would reward him for his protracted march, since even at the close of the seventeenth century Perth was spoken of as the second city in the kingdom. "A very pretty place," a Frenchman writes in 1548; and Bishop Leslie, some thirty years later, expatiates on its bustling trade and delectable situation.⁵⁸

To the fertility of Angus and the Mearns there is concurrent testimony at least from the fifteenth century; but of all parts of the country it was Moray that had the greatest name for the fecundity of its soil and its high cultivation. When strangers came to Scotland, they were told that they must go to Moray to see what the country could produce. "So abundant is this district in corn and pasturage," writes Buchanan, "and so much beautified, as well as enriched, by fruit trees, that it may truly be pronounced the first county in Scotland;"⁵⁹ and Leslie descants with equal emphasis on its wholesome air, the absence of swamps and mosses, its extensive woods, and the variety of its products.⁶⁰

The place which the Highlands filled in the economy of the country has already been indicated, but a passage from the preamble of an Act of Privy Council, under the date 1566, will show how clearly it was recognised that Highlands and Lowlands formed the natural complement of each other. "Since it is not only needful," the passage runs,

“ that good neighbourhood and abstinence from all displeasure and invasion be observed among all the lieges, but that either of them sustain and relieve other’s necessities by the interchange of the excrescence and superfluous fruit-growing in the Highlands and Lowlands, so that necessarily markets must be kept open, etc.”⁶¹ Timber, as we have seen, was the chief commodity which the Highlands supplied to the low country. It is known to every one, runs another entry in the Privy Council Register, “ that in all times bygone the use and consuetude has been that indwellers of the Highlands have brought and conveyed timber to the burghs next adjacent, by the rivers, waters, and lochs, having their course to the same, as may be seen by St Johnston (Perth), Inverness, and divers other burghs.”⁶² As we learn from the same authority, however, this trade in timber was carried on under considerable difficulties. As the floats conveying the cargoes had occasionally to pass through the territories of successive clans, the voyage was apt to be a veritable running of the gauntlet. From the Act just quoted, for example, we learn that Fraser of Lovat refused to allow the men of Glengarry to convey timber to Inverness—for which he was duly called to account by the Council, though apparently to little purpose.

The rearing of cattle, also, was a general industry in the Highlands, and in that commodity they did an active trade with the neighbouring lowland towns.

“The Highlanders,” writes an early English traveller, “are not without considerable quantities of corn, yet have not enough to satisfy their numbers, and therefore yearly come down with their cattle of which they have greater plenty, and so traffic with the Lowlanders for such proportions of oats and barley as their families or necessities call for.”⁶³ From these data it will be seen that the relations between Highland and Lowland were not, as we are apt to imagine, solely confined to cattle-lifting, on the one hand, and blackmail, on the other. As far back as history carries us, we find a regular commercial intercourse between the two regions, and each deriving mutual benefit from the other.

The Western Islands did not play such a prominent part during the reign of Mary as during the reigns of her immediate predecessors. It so happens, however, that we know more of the general appearance of these islands at the period with which we are dealing than of any other part of the kingdom. A few words regarding them, therefore, may fitly conclude this general survey of the country. Our authority is Donald Monro, who held the office of High Dean of the Western Islands under the pre-Reformation Church. In 1549 he made a pastoral visitation of the Islands, and wrote a “Description” of nearly two hundred of them, specifying their size, the nature of their soil, the number of their churches, and the occupa-

tions of their inhabitants. From what he says of a few of the larger islands we may form some notion of them as a whole; and it will be seen that their present inhabitants might be justified in regarding the sixteenth century as the golden age of their country.⁶⁴

Speaking of Bute, Monro describes it as an island eight miles long by four broad, very fertile, especially for oats, and possessing two castles and two parish churches. Jura possessed a fine deer forest, was well cultivated along the coast, and abounded in "noble colts." Islay was "fertile, fruitful, and full of natural grassing, with many great deer, many woods, with fair games of hunting beside every town." Mull is described as "a great rough isle, but not the less fertile and fruitful." It was well clad with wood, and afforded excellent hunting, was noted for the size and number of its martens, and possessed three castles and seven parish churches. Iona was "fertile and fruitful of corn and store, and good for fishing." In Skye there were twelve parish churches; the island was well peopled and cultivated; oats were specially good and plentiful; the pasture excelled that of all the other islands; and there were abundant woods and forests. Uist had five churches and was a fertile island, clad with forests on the east coast, but under cultivation on the north-west. Monro embraced even the far St Kilda in his visitation. He describes it as "abundant in corn and grass-

ing," so far as it was brought under cultivation—its sheep being the finest reared in the islands. Its inhabitants were "simple, poor people, scarce learned in any religion." Once a year the steward of M'Leod of Harris, to whom the island belonged, visited it for the purpose of baptizing the children born in the interval. On these occasions, we are told, the steward was wont to brew a vat of ale, of which men, women, and children greedily partook with immediate and disastrous consequences.

From this survey of the Scotland of Mary Stewart it will be seen that in spite of the monotony of landscape arising from the lack of all manner of fences and the general absence of timber the country by no means presented the aspect of a mere wilderness. Broadly speaking it may be said that the most fertile parts of the country now under cultivation at the present day were largely under cultivation then.⁶⁵ It would seem, indeed, that visitors from England were impressed by the fact that Scotland was emphatically a grain-producing country. As we have seen, the principal crops reared were barley and oats—the straw of which was generally used for the feeding of cattle. Peas and beans were largely grown, but little wheat. There was no lack of pasture, but, according to the sarcastic Weldon, the word *hay* was heathen Greek to the Scots—their custom being to sell such grass as was grown. Hemp was cultivated in considerable quantities, and by the middle of the seventeenth

century became the chief agricultural industry. Of hemp, we are then told, the Scots had "mighty burdens," and produced from it "the most noted and beneficial manufacture of the Kingdom."⁶⁶ Fruits had been reared from the early Middle Age in Scotland, but at first this had been mainly in connection with the religious houses. In course of time, however, orchards must have become general, as we have frequent legislation against persons who were in the habit of robbing them. Still, even in the seventeenth century, fruits were a rarity in Scotland. "As for fruit," says Weldon, "for their grandsire Adam's sake they (the Scots) never planted any,"⁶⁷ and a more friendly observer, writing in 1579, declares that of flowers or fruit there are little or none in Scotland.⁶⁸ In the course of the next century fruit-growing must have become a more general industry as is proved by the following interesting passage. "Orchards they (the Scots) have few," says the writer, who visited Scotland in 1689. "And their apples, pears, and plums are not of the best kind; their cherries are tolerably good. And they have one sort of pear, large and well-tasted, but seldom had. Wall-fruit is very rare. But of gooseberries, currants, strawberries and the like, they have of each — but growing in gentlemen's gardens, and yet from thence we sometimes meet with them in the markets of their burghs."⁶⁹

CHAPTER II

GENERAL APPEARANCE OF THE VILLAGES AND TOWNS—INTERCOMMUNICATION

HAVING described the general appearance which Scotland presented in the time of Mary, let us now glance at the villages and towns—in their case, also, specially noting the peculiarities that struck the traveller from other countries. In the year 1584 Scotland was visited by a personage who appears to have been an early specimen of the “globe-trotter.” This was Lupold von Wedel, a Pomeranian noble who, in the course of his travels, had visited Egypt, the Holy Land, the greater part of Europe, as well as England and Scotland. Von Wedel kept notes of what he saw in the course of his peregrinations, but in the case of Scotland these notes are unfortunately not so full as we could have wished. In a few words he thus gives his impression of Scottish villages in the sixteenth century. “The villages,” he says, “look very poor, the houses having stone walls not as high as a man, upon which the roofs are erected and covered with sod.”¹ Even at the present day we are familiar with Scottish villages, or, at least, parts of them, which might be described in the

words of Von Wedel, and long before his day the type had been in existence in Scotland as elsewhere. The passage of Froissart is well known in which he tells us that the Scotch country-folk made light of their houses being burnt by the English, as with six or eight poles and boughs to cover them they could build them anew.² Throughout the subsequent centuries our visitors bear similar testimony. In the fifteenth, for example, Æneas Sylvius says that "the roofs of the houses in the country are made of turf and the doors of the humbler dwellings are made of the hides of oxen."³ In the beginning of the seventeenth an English traveller, who passed a night at Langholm, gives this account of his lodging: "We laid in a poor thatched house, the walls of it being one course of stones, another of sods of earth; it had a door of wicker rods, and the spider webs hung over our heads as thick as might be in our bed."⁴ But the most exact description we possess of the abodes that composed a Scottish village is one also written by an Englishman; and, though the description was written at the close of the seventeenth century, it equally applies to the sixteenth. "The vulgar houses," this observer writes, "and what are seen in the villages, are low and feeble. Their walls are made of a few stones jumbled together with mortar to cement them, on which they set up pieces of wood meeting at the top, ridge fashion, but so ordered that there is neither sightliness nor strength; and it does not

cost much more time to erect such a cottage than to pull it down. They cover these houses with turf an inch thick, and in the shape of larger tiles which they fashion with wooden pins, and renew as often as there is occasion; and that is very frequently done. It is rare to find chimneys in these places, a small rent in the roof sufficing to convey the smoke away.”⁵ To these details it has to be added that, as in some parts of the British Isles at the present day, man and beast were frequently fellow-occupants of the same domicile, and that, if we may credit one recorder, sheep might sometimes be seen browsing on the roofs of them when these were flat and contiguous.⁶ If we picture, then, an assemblage of such cabins, huddled together as the nature of the ground permitted, each with its heap of refuse at its door, and the adjoining ways as often as not knee-deep in mud, we may have a notion of a Scottish village in the sixteenth century, and even in the more civilised parts of the country.

This picture of the ordinary habitations of the Scottish peasant does not impress us with a very high idea of his general comfort and well-being, but the truth is that they were neither better nor worse than the abodes of the same class in other countries. If Englishmen spoke contemptuously of the houses of Scottish villages, the lordly Spaniard expressed himself with equal disdain regarding those which he saw in England. It is

an Englishman, Harrison, the author of the *Description of England*, who reports the remark of a noble Spaniard who came in the train of Philip II. to the Court of Mary Tudor. "Certes," Harrison writes, "this rude kind of building made the Spaniards in Queen Mary's days wonder when they saw what large diet was used in many of these so homely cottages, insomuch that one of no small reputation amongst them said after this manner— 'These English' (quoth he) 'have their houses made of sticks and dirt, but they fare commonly so well as the king.'" ⁷ Curiously enough in the case of the Scotch agricultural classes we have testimony to a similar conjunction of wretched homes and "large diet." A French physician who was in Scotland about 1551 has this passage in his narrative of what he saw: "The country is but poor in gold and silver, but plentiful in provisions, which are as cheap as in any part of the world. They (the Scots) have plenty of corn and calves, on which account their flesh is cheap; and in my time bread was tolerably cheap;" and he adds, "that nothing is scarce here but money." ⁸

If, as these testimonies seem to indicate, the Scotch peasant was not much worse off than his English fellow, assuredly his lot compared favourably with that of his class in Germany and France. In the case of Germany the conditions out of which sprang the terrible and abortive Peasants' War in 1525 places this fact beyond question, and

the history of the French rural population from the rising of the Jacquerie in the fourteenth century to the Revolution of 1789, equally proves that they were oppressed and exploited to a degree far beyond what was ever the case in Scotland. We have just had a picture of the conditions under which the Scottish agricultural labourer lived in the reign of Mary. Let us place beside it a companion picture of his French fellow at a much later date—in the reign of the magnificent Louis XIV. — which covered the latter half of the seventeenth century. The passage in which the description occurs is a classical one in French literature, as recording with grim fidelity one aspect of the France of the Grand Monarque. Its author, La Bruyère, had made a journey into the provinces, and this is how he describes one of the sights which he saw: "One sees certain ferocious creatures, male and female, spread over the country, black, livid, and all scorched with the sun, attached to the earth which they dig and turn up with dogged pertinacity; they have an articulate voice, and when they rise to their feet they display a human countenance, and they are indeed human beings. They return at night to their caverns (*tanières*), where they live on black bread, water, and roots. They spare other men the labour of sowing, ploughing, and gathering in, in order to live, and they deserve not to lack bread which they themselves have sowed."⁹ Horrible as is the

picture here presented, it is yet accepted by French historians as literally true of the actual condition of a considerable section of the French peasantry in the reign of Louis XIV. Even the caustic Weldon, who does not spare his colours, could not find the materials for such a picture in his survey of Scotland.

On the whole, the towns of Scotland made a more favourable impression on strangers than the villages. In the case of the towns there was one peculiarity which was noted alike by visitors from England and the Continent: they were not surrounded by walls of defence. The reason given for this peculiarity by the Scots themselves was at least flattering to the national pride. In Buchanan's poem celebrating the marriage of Mary and the Dauphin of France, he notes it as one of the glories of his countrymen that their

"Good right hands their land can keep,
Nor need high walls nor fosses deep;"

and John Major gives the same explanation in his matter-of-fact way. "The Scots do not hold themselves to need walled cities," he says, "and the reason of this may be that they thus get them face to face with the enemy with no delay, and build their castles, as it were, of men."¹⁰

It is to be feared, however, that there was a less noble reason for the absence of defensive walls than that specified by Major and Buchanan. As

is abundantly proved by such Burgh Records as have been preserved, the burgesses were keenly alive to the necessity of an effective line of defence for the security of their lives and goods. They had ever to be on their guard against two sets of enemies, from whom few Scottish towns had not suffered at one time or other—the neighbouring feudal barons and “the auld enemy of England.” Accordingly, we find the burgesses ever and anon waking up to a consciousness of the insecurity of their good town, and making desperate efforts to provide the requisite defences. With this object they would impose a special law, exact the hand labour or its equivalent which was obligatory on every accredited inhabitant, and even procure the services of skilled workmen from a distance.” Curiously enough it was in the latter half of the sixteenth century that the most vigorous measures were taken for surrounding the town with effectual fortifications. From first to last, however, these efforts were intermittent and only continued under the pressure of some immediate danger. In the case of greater and smaller towns alike the same story is told. A heroic beginning would be made in the construction of a wall of such height, breadth and durability that it would equally defy the weapons of men and the tooth of time, but when the threatened danger passed, the work would drag and finally cease till another panic evoked another burst of energy. After the disaster at Flodden, as

we know, a hasty attempt was made to surround Edinburgh with a stronger line of defence than it had hitherto possessed; and all through the sixteenth century there were ever-renewed efforts to construct a wall that would effectually serve the desired purpose; yet the Town Records prove that the work was never satisfactorily accomplished.

The true reason for the absence of town walls such as existed in England and on the Continent, therefore, was not the heroic confidence of the Scots in their "good right hands," but the simple fact that their erection and maintenance was beyond the resources of the most flourishing towns. In the conditions under which the towns existed, however, some kind of excluding barrier was absolutely necessary and, indeed, obligatory for a variety of reasons. Commodities had to pay toll before they were admitted into the town; strangers had to be cross-examined before they were allowed to take up their quarters there; and some protection, however feeble, was necessary against the sudden attacks of hostile neighbouring barons. Solid, fortified walls being beyond the resources of the Scottish burghs, therefore, they had to content themselves with dykes, which, to say the truth, seem to have but inefficiently served their object. Generally they were of the most rickety construction and were constantly under repair. It was strictly forbidden to clamber over them, but the regulation was set aside by every person whose dignity or stiffness of joint

did not prevent their seeking this mode of egress from the town.¹² Usually it was not even necessary to scale the dyke, as convenient "slaps" were perforated through which mischievous urchins made their way and illicit merchandise was smuggled in and out of the burgh. The records of the different towns prove, in short, that the maintenance even of these unsatisfactory dykes was a perennial source of vexation to the successive generations of town officials.

Perhaps the best-known description of the general appearance of Scottish towns is that of Pedro de Ayala, the representative of Ferdinand and Isabella at the Court of James IV. "The houses are good," he says, "all built of hewn stone and provided with excellent doors, glass windows, and a great number of chimneys. All the furniture that is used in Italy, Spain and France is to be found in their dwellings. It has not been bought in modern times only, but inherited from preceding ages."¹³ Ayala's description of Scotland, however, must be taken with considerable reserves; he was made so much of by the King of Scots that, in his gratitude, he said the most pleasant things he could of his subjects and his kingdom. From his remarks about the houses in Scottish towns we might suppose that they rivalled those of Italy and South Germany in elegance and luxury. But a casual saying of Æneas Sylvius gives us a somewhat different impression, and, though his words apply to

the first half of the fifteenth century, they undoubtedly apply, though in less degree, to the period before us. According to Æneas a royal palace in Scotland was not comparable in comfort and luxury to the house of a Nuremberg burgher of moderate substance.¹⁴ In point of fact, considerable deduction must be made from almost every statement in Ayala's account of Scottish towns. For example, it was not strictly true that *all* the houses in Scotch towns were built of hewn stone. English travellers, indeed, were struck by the much more general use of stone in Scotland than in their own country, but what one of them says is nearer the truth than the sweeping statement of Ayala, viz., that "generally in most towns of Scotland" the houses were built of stone. In Edinburgh a common practice was to build the walls of stone and face them with timber (a practice which was considered a blemish on its general appearance);¹⁵ but long after Mary's day many houses in Edinburgh were purely wooden constructions. A visitor at the close of the seventeenth century tells us that it was only the new houses that were built of stone,¹⁶ and about the same date the Scottish Parliament specially commended the provost "for his building in stone for the greater security against fire."¹⁷ The precautions that were taken against fires, indeed, prove that wooden houses were far from infrequent in Scottish towns. Once a month it was incumbent on the magistrates to visit the houses of

their burgh and ascertain that no hemp, lint, straw, hay, heather, nor broom were in dangerous proximity ; every town had to be provided with twenty-foot ladders in number proportioned to the population ; and if a light was conveyed from one house to another it must be in a covered vessel or lantern.¹⁸

Ayala's statement that the houses in Scottish towns were generally provided with glass windows is likewise at variance with the testimony of other observers. In England, during the reign of Elizabeth, glass windows were so numerous that Lord Bacon complained of them as a nuisance. "You shall have sometimes," he says, "your houses so full of glass that we cannot tell where to come to be out of the sun or the cold." In Scotland glass was certainly not so plentiful as to occasion inconvenience. Even in the capital and long after Ayala's day glass windows were far from being universal. As late as 1636 it was noted as a blemish on the beauty of Edinburgh that there was "a want of fair glass windows, whereof few or none are to be discerned towards the street ;"¹⁹ and still later (1689) the older houses are described as having "oval windows without casements or glass," though houses recently built had "good windows modestly framed and glazed."²⁰

From such descriptions as we possess of Scottish towns in the sixteenth century it would appear that some of them have not improved with age. In the time of Mary, Dundee was "one of the

finest towns in Scotland"; Hamilton "an handsome little market town"; Linlithgow "a fair, ancient town and well built, some part of it of stone"; Montrose "a beautiful town" with "a very good harbour"; Perth "a very pretty place, pleasant and well fitted to be the site of a good town"; Aberdeen "a rich and handsome town, inhabited by an excellent people," and St Andrews "one of the best towns in Scotland," though unfortunately with neither a good harbour nor good roads.

Chief among the Scottish towns for beauty and attractiveness, however, was Glasgow, though in the reign of Mary it held but the eleventh place in the point of taxable value. Glasgow was, in truth, the only place in Scotland regarding which strangers expressed themselves with unqualified enthusiasm. In the latter half of the fifteenth century Hardyng described it as "a goodly cytee";²¹ and alike by its situation and the nobility and picturesqueness of its buildings it must have fully deserved the eulogy. To modern eyes the uncontaminated Clyde, with its adjoining meadows, and spanned by its magnificent bridge of eight arches, would have seemed a glorious adornment in itself. And the town was not unworthy of its natural advantages. Dominating its precincts was the Cathedral, venerable even in the time of Mary, and close by it the stately Bishop's Palace, while clustering round them were the houses of the thirty-two prebends, each with its garden or orchard

attached. "The very prospect of this flourishing city," writes an Englishman about the middle of the seventeenth century, when the town was not greatly altered from what it was in the time of Mary, "the very prospect of this flourishing city reminds me of the beautiful fabrics and the florid fields in England." All these flattering descriptions of Scottish towns, be it noted, are from the pens of strangers, and the inference must be that neither taste nor comfort was wholly unknown to our ancestors in the reign of Mary.

If Glasgow impressed the stranger as the most beautiful of Scottish towns, Edinburgh equally impressed them as the most striking and peculiar. By the time of Mary Edinburgh was far and away the most important place in Scotland—first in wealth, in population and political significance. It was only for about a century, however, that it had been distinctively pre-eminent among other Scottish towns. According to Froissart, at the close of the fourteenth century it was less than Tournai and Valenciennes and did not contain more than four hundred houses.²² A remark of John Major, who wrote in the beginning of the fifteenth century, may explain how it was that Edinburgh took the first place among its rivals. For about a hundred years before his day, Major tells us, the kings of Scotland almost continuously resided there; and the fact was decisive in the fortunes of the town. As the permanent residence

of the Court, it gradually became the centre where national business was transacted. At the beginning of the fifteenth century, Parliaments, and General Councils, and Conventions rarely met in Edinburgh; at its close they seldom met elsewhere. By the reign of Mary, Edinburgh had likewise become the permanent seat of the supreme Court of Law. The Court, known as the "Session," which had been set up by James I., had met at intervals in different towns of the kingdom, but the "Judicial Council," founded in 1504 by James IV., and, still more decisively, the creation of the College of Justice by James V. in 1533 made Edinburgh the headquarters of law in Scotland. Already in 1482 James III. could speak of Edinburgh as "the principal burgh in our kingdom,"²³ and by the reign of Mary, it was not only without a rival but even without a worthy second.

We have many descriptions of the appearance which Edinburgh presented in the sixteenth century, but these descriptions are for the most part based on native authorities. It may be interesting, therefore, to note the impression which the city made on the eyes of strangers who would naturally remark what specifically distinguished it from the cities of other countries. It should be said that these testimonies belong to a little later date than the reign of Mary; but the passages I shall quote undoubtedly apply to the town as it

appeared throughout the latter half of the sixteenth century.

The one feature of the city which arrested the attention of every stranger and excited their admiration was the great street that stretched then, as it does now, from the Castle to Holyrood. Its length, its spaciousness, and the cleanness of the thoroughfare struck English and Continental visitors alike as unique in their experience of cities. Their testimony on this point is so unanimous that we cannot doubt that they recorded their genuine impressions. From these testimonies it is clear that the Princes Street of to-day does not impress the stranger more vividly than the High Street with its continuations impressed the stranger of the sixteenth and seventeenth centuries. "This street," says one, "is the glory and beauty of this city;"²⁴ and another writes that Edinburgh "has no beauty except that of its great street." "So, leaving the Castle," exclaims a more enthusiastic observer, "I descended lower to the city, wherein I observed the fairest and goodliest street that ever mine eyes beheld, for I did never see or hear of a street of that length which is half an English mile from the Castle to a fair port which they call the Netherbow."²⁵ Specially noteworthy is the tribute of James Howell, one of the most widely-travelled and accomplished Englishmen of his time, who tells us that, with the exception of Palermo, he had never seen a finer street than that

of Edinburgh.²⁶ But it was not only the length of this wonderful street that impressed all strangers; its spaciousness appeared to them an equally unique characteristic. It is to be remembered that, as towns had grown up in the Middle Ages, their streets were for the most part mere narrow and dingy wynds, into which the sun never shone owing to the height of the overhanging houses. One of the most fashionable streets in Paris in the sixteenth century was the Rue St Jacques, and, as its lines are still preserved, it enables us to form some notion of the amenity of a European capital of that period. We cannot be surprised, therefore, that a French visitor, who must have been well acquainted with Paris, was astounded at the sight of the High Street of Edinburgh. "This street," he remarks, "is so wide that it seems a market-place throughout its whole extent."²⁷

Still another feature that attracted attention was the excellent paving which made locomotion pleasant both for riders and pedestrians. It is a critical Englishman who writes as follows of this creditable feature of the Scottish capital. It "is the best paved street with boulder stones (which are very great ones) that I have seen; the channels are very conveniently contrived on both sides the streets, so as there is none in the middle; but it is the broadest, largest, and fairest pavement and that entire, to go, ride, or drive upon. Here they usually walk in the middle of the street, which is a

fair, spacious, and capacious walk.”²⁸ Here, however, truth compels us to add that the admirable paving of the Edinburgh streets was not due to native skill. In the Burgh Records we read that in 1559 the Town Council invited Michel Bré, a French causeway-maker, then resident in Dunbar, to take up his abode in Edinburgh for the rest of his life and become the town paviour, and we find that in the following year Bré responded to the invitation—the arrangement being that he should remain till the causeways were “compleitlie endit and mendit.”²⁹

Besides its incomparable street, Edinburgh possessed other attractions which made it a notable city. It was situated, we are told, “in a fruitful soil and wholesome air,” and “adorned with many noblemen’s towers lying about it,” and it abounded “with many springs of sweet waters.” The immediate environs were equally appreciated: to the north and south of the city were “plain and fruitful fields of corn,” and between Arthur’s Seat and Holyrood was a “park of hares, conies and deer.”³⁰ The Castle dominating the town was likewise an object of peculiar interest, but not for the reason that raises the admiration of the modern tourist. It was not the picturesqueness of its outlines and its situation, but its appearance of impregnability that arrested the observer of the sixteenth century. “I have seen many strengths,” says one, “in Germany, the Netherlands, Spain,

and England, but they must all give place to this unconquered castle, both for strength and situation." ³¹

Such, in the eyes of strangers, were some of the pleasant features of the Scottish metropolis. But there were other sides to the picture which were equally emphasised. Regarding its inhabitants we have such unflattering remarks as the following, which native testimony, it is to be feared, goes far to confirm. This "were a most healthful place to live in, were not the inhabitants most sluttish, nasty, and slothful people. I could never pass through the hall, but I was constrained to hold my nose; their chambers, vessels, linen, and meat, nothing neat, but very slovenly; only the nobles and better sort of them brave, well-bred men and much reformed." ³² Even the street which was so much admired had serious blemishes which detracted from its general effect. What appeared specially objectionable was the fact that all the houses were faced with wooden boards, perforated with oval holes which served the purpose of windows, and that the vista of the street was broken by the wooden galleries which projected from the second storeys. "This lining with boards," we are told, "wherein are round holes shaped to the proportion of men's heads, and this encroachment into the street about two yards, is a mighty disgrace unto it, for the walls (which were the outside) are stone; so, as if this outside facing of boards were removed,

and the houses built uniform all of the same height, it were the most complete street in Christendom.”³³ The narrowness, steepness, and filthiness of the numberless wynds and closes were another grievous blot on the fair face of the city, and an ingenious observer compared it to an “ivory comb whose teeth on both sides are very foul, though the space between them is clean and sightly.”³⁴ Such was the general impression which strangers received of the capital of Scotland in the sixteenth century—an impression that it was a city by itself, unique alike in its structure and its situation.

As has already been said, Edinburgh easily held the first place among Scottish towns in the reign of Mary. The relative importance of the other towns it is difficult to determine—several of them claiming to hold the second place after the capital. At a somewhat later date the following list of “prime cities” was enumerated to an inquiring stranger: Edinburgh, St Andrews, Dundee, Aberdeen, Glasgow, Perth, Linlithgow, Ayr, Stirling, Dumbarton, Irvine, Dumfries, Haddington, Dunbar, Elgin, Banff, Inverness, and Brechin.³⁵ In point of wealth, Bishop Leslie assigns the second place to Dundee,³⁶ and as next in interest, if not in political importance, he names St Andrews, “the chief and mother city of the realm,”³⁷ the metropolitan see, the seat of the oldest and most famous university, and in Mary’s day the first of Scottish towns in its historic associations.

Glasgow, we have seen, held as yet but the eleventh place in the list.

It is impossible to determine with precision the population of the whole country or of its different towns. The population of England during the reign of Elizabeth has been estimated at about two millions and a half, and we should probably not be far from the mark in reckoning that of Scotland at about 500,000—numbers which roughly correspond to the relative populations of the two countries at the present day. Throughout the Middle Ages, in Scotland as elsewhere, the country population greatly exceeded that of the towns, but by the reign of Mary those economic developments had already begun which have been increasingly operative to the present day. From the records of the various Scottish burghs it appears that in the fifteenth and sixteenth centuries the inhabitants of the country were already flocking to the towns for employment and security, and by Mary's reign the population must have been pretty equally divided between town and country. Yet, with the exception of Edinburgh, which may have contained about 30,000 inhabitants, even the most important Scottish towns were, according to modern notions, little more than mere villages. The population of Aberdeen at the close of the sixteenth century has been reckoned at about 4000,³⁸ and regarding Glasgow we have the definite fact that in 1581 the Negative Confession of Faith was signed by 2250

persons ³⁹—who may be taken as representing almost the whole adult population.

But if the population of Scottish towns in the time of Mary cannot be exactly determined, we have at least sufficiently precise data regarding their relative wealth and national importance. From successive tables of taxation drawn up in Mary's reign, we can ascertain the contributions from the different burghs, and thus infer the resources of each. From a comparison of these tables such facts as the following clearly emerge. The four leading Scottish towns were Edinburgh, Dundee, Aberdeen, and Perth. Dundee came second, its quota of taxation being about half that of Edinburgh; and Aberdeen made an excellent third, being little behind Dundee in the amount of its contribution. At a considerable interval came Perth; and at a still greater interval the rank and file of the remaining burghs, the exact priority of which cannot be exactly determined owing to the fluctuating amounts of their contribution. St Andrews and Haddington perhaps stood next to Perth, then Cupar-Fife and Montrose, and at a lower level Stirling, Ayr, Glasgow, Brechin, Dumfries, Inverness, and Linlithgow. A difficulty in connection with the taxation-tables arises from the fact that the contributions of the burghs varied considerably on different occasions. At one time, for example, we find Montrose paying a larger quota than Cupar-Fife; at another, Cupar-Fife paying the

greater sum—variations which may be explained either by the temporary financial condition of the burgh, or by its relation to the special tax imposed. As an average example of the contributions of the leading burghs to the national expenditure, we may take the sums contributed on the occasion of the marriage of Mary to the Dauphin of France in 1557—an event in which all the burghs had an equal interest, and in connection with which, therefore, none could prefer a claim to abatement. In round numbers the sums contributed were as follows: Edinburgh, £2250; Dundee, £1265; Aberdeen, £945; Perth, £742; St Andrews, £300; Cupar-Fife and Montrose, each £270; Stirling, £252; Ayr, £237; Glasgow, £202; Dumfries, £174; Inverness, £168; Linlithgow, £150; and Haddington, £147.⁴⁰ In connection with this list it is to be noted that, leaving out Dundee, Aberdeen, and Perth, Edinburgh contributed more than the remaining ten taken together. It will be observed, also, that Haddington is at the bottom of the list, whereas in other tax-rolls it appears as fifth or sixth. But the history of Haddington immediately preceding the date of the tax in question sufficiently explains the reduced condition of its finances: its occupation by the English in 1548, the year after the Battle of Pinkie, had brought disaster to the town from which it could not have recovered by 1557, the date of Mary's marriage.

From the same contribution to the expenses of

Mary's marriage we gather what was the usual proportion of taxation borne by the burghs. In the fourteenth and fifteenth centuries this proportion had considerably varied. For example, in 1328 the burghs paid a twentieth of a general contribution levied in that year; in 1357 a fifth of the sum raised for the ransom of David II.;⁴¹ and in 1366 also a fifth of a burden imposed to meet the expenses of the same king.⁴² Thenceforward, with occasional fluctuations, a fifth became the regular contribution of the burghs towards the national expenditure. In the case of Mary's marriage the amount levied was £60,000, of which the clergy contributed a half, the barons a third, and the burghs a fifth. Curiously enough, however, in the reign of Mary's successor the proportion paid by the burghs came to be fixed at a sixth⁴³—a fact which may be variously explained either by a decline in their prosperity, by James's desire to alleviate their burdens, or by his policy of attaching them to the interests of the throne.

Having described the general appearance of town and country in the time of Mary, we may now logically consider the existing modes of intercommunication. It may be safely affirmed, however, that no accumulation of details can enable us to realise a condition of society in which locomotion was effected under such difficulties as in the sixteenth century. We can easily understand how the difficulties of moving from place to place should

retard the development of trade and commerce ; but it is not easy to realise how such conditions affected the thoughts and feelings of the people who lived under them. Take, for example, the sentiment of patriotism. In the Middle Ages, patriotism, as we know it, was an impossibility. At the present day, when an event of national importance happens, it is known all but simultaneously in every corner of the kingdom, and with one throb the heart of the nation responds to it. By the infection of common hopes and fears simultaneously realised a nation becomes a living organism alive at every point. But in the conditions under which the Scottish people lived in the sixteenth century such intensity of common emotion could not in the nature of things exist.

Throughout the Middle Ages, as is well known, the making of roads and the building of bridges were regarded as pious acts to be ranked with almsgiving and going on pilgrimage. To us the conjunction seems peculiar, but the explanation is simple. In improving or constructing a bridge or a road the good Christian was helping to save the lives and limbs of his fellow-creatures, whom business or other necessity compelled to travel from land to land or from one part of the same country to another. The dangers that beset travellers, even beyond the Middle Ages, were indeed fitted to evoke the compassion of the faithful. The state of the highways was such that it was occasion for

devout thanksgiving if the traveller accomplished his journey without damage to his horse or himself. The risks from robbers added further excitement to his progress. He had also to cross rivers spanned by bridges of such fragility that he commended his soul to heaven before venturing to cross them. By sea his perils were equally great, for, should fair winds secure him from shipwreck, the chances were many that he would not escape the pirates who swarmed the seas till at least far into the seventeenth century. To all these risks travellers were still exposed in the time of Mary.

In grants of land made in the early Middle Age it is usually specified that the liberty of *viæ* and *semitæ* goes along with them—by *viæ* being meant the highways, and by *semitæ* the bypaths. From the earliest feudal times, therefore, we are to infer that these lines of communication existed in Scotland; and the conclusion is supported by other evidence. From the charters of the great religious houses we learn that waggons were used for bringing in the crops and for transporting peats; and in the case of the Abbey of Kelso we know that foreign goods were brought to it from Berwick in similar conveyances. Other incidental references prove that there were many public roads as early as the reign of William the Lion. For example, a highway ran from Berwick to Inverness, and from Galloway through Ayr, Kyle, Carrick and Cunningham, and, passing near Lanark, “a commodious and

streicht passage way" led to Edinburgh. Long before the time of Mary, therefore, thoroughfares, such as they were, connected the leading burghs with the nearest seaports and with each other.

In Scotland the same provision was made as in other countries for the construction and maintenance of public thoroughfares. On all properties, lay and secular, was imposed the feudal obligation of the *trinoda necessitas*, which involved the maintenance of roads, bridges, and fortifications.⁴⁴ In earlier times the sheriffs, and, at a later date, the sheriffs conjoined with the justices of the peace, were charged with the duty of enforcing the obligation for the maintenance of the roads. The period of the year prescribed for the necessary repairs was between "bear seed" time and "haytime, or harvest," when tenants, cottars and their servants were expected to set to work with horses, carts, sleds, spades, shovels, picks and mattocks. The regulation breadth of the highroads was twenty feet; and they were to be so solidly constructed that "horses and carts may travel summer and winter thereupon"; and it was specially prescribed that the highways leading to parish churches and seaports should be kept in good condition.⁴⁵

These were excellent regulations, but in Scotland, as elsewhere, they were mere counsels of perfection. In England it was not till the eighteenth century that the highways were put in a tolerable condition, and throughout the fifteenth, sixteenth, and seven-

teenth centuries they were worse than they had been in the Middle Ages. At the opening of the seventeenth century the public roads were so bad in France that Henry IV. found it necessary to expend 1,000,000 livres on their improvement. In the matter of easy communication, therefore, Scotland was not much behind its neighbours, and, indeed, the ill-conditioned traveller, who has already been quoted, seems to imply that the highways of Scotland did not compare unfavourably with those of England. "The highways in Scotland," he says, "are tolerably good, which is the greatest comfort a traveller meets with among them"⁴⁶ (*sic*). It should be noted, however, that it was in summer that this traveller paid his visit.

But an extract from the Privy Council, under the date 1621, when roads were certainly not in a worse condition than in the time of Mary, will bring before us what were then "the accidents of the road." The extract is from a petition of the inhabitants of the parish of Portmoak in Kinross-shire. "The passage at the Gulleys," the petition runs, "at the west end and mouth of (Loch)Leven, being a common and ordinary passage between St Johnstone (Perth) and Edinburgh, is now so worn and decayed that it is become unpassable for men or horses, so that merchants and travellers that way are oftentimes in danger of their lives and packs, and some have perished, and sundry horses and packs have been cast away, and, if some present course be not taken

in this summer for helping, mending, and repairing of the said passage, all travelling between St Johnstone and the Ferries will cease."⁴⁷ The petitioners proceed to say that they have no more interest in preserving the road in question than others of His Majesty's lieges, but, because the road happens to be at their door, they are best acquainted with its defects, and had judged it becoming to make a proposal to the Lords of Council. The proposal was one which was frequently made at the time; the petitioners undertook to repair the road on condition that they should be licensed to levy a toll of twopence from every pedestrian and fourpence from every horseman, during eight days before and eight days after the four annual fairs held at Perth. That the state of the road at Portmoak was not exceptional is abundantly proved by the exertions found necessary to render the highways passable on the occasion of the visits of James VI. in 1617 and of Charles I. in 1633.

What has been said of the construction and maintenance of roads equally applies to bridges. It was incumbent on the neighbouring proprietors to provide and maintain them where they were found to be necessary. The building of a bridge was even a more pious work than making a road; and though the religious order, known as the "Brothers of the Bridge," who did such excellent work in France, did not penetrate into Scotland, Scottish ecclesiastics did not neglect this side of their duties. It was to

bishops that Scotland owed its most notable bridges. To mention but a few of the best known: the bridge over the Clyde at Glasgow, described in the Privy Council Register as "ane of the most remarkable monuments within the kingdom";⁴⁸ that over the Don at Aberdeen, "the brig o' Balgownie";⁴⁹ that at Guardbridge in Fife, reckoned only inferior to the two just named, and that over the Tay at Perth, all were directly or indirectly due to the pious care of Scottish bishops.⁵⁰ Even after the Reformation and indeed till the end of the eighteenth century the building and repairing of bridges was still regarded as a commendable act of public charity. For example, Mr Abraham of Crichton, provost of Dunglas, in his will made in 1565, left a hundred merks towards the repair of the bridge at Cramond, and a similar amount for the repair of the Magdalen Bridge at Musselburgh.⁵¹ But in spite of charity and the obligations of proprietors, bridges were in no better condition than the roads, as the frequent complaints to the Privy Council abundantly prove. By way of remedy the Council adopted the usual two measures, neither of which, however, had always the desired effect. They put the bridges in the hands of tacksmen, who, in return for a prescribed toll, undertook to keep them in good order; or, in the case of specially important bridges, they authorised a general appeal to the country for contributions to maintain them.

As bridges were so few and often of such

doubtful solidity, ferries were proportionately numerous, and were the object of frequent legislation. At every ferry where horses had to cross it was obligatory that the boat should be provided with a "treyn bridge" (wooden gangway) for their safe and comfortable conveyance. At all the most frequented ferries the dues were rigidly fixed by statute: at Kinghorn the charge was two pennies for the man and six pennies for the horse; at Portincraig and Queensferry, one penny for the man and two pennies for the horse.⁵² As a class the ferrymen appear to have been among the most knavish in the community, and bore the same character in England as in Scotland. In the reign of Mary (1551) a terrible statute was directed against them which implies long accumulated wrath on the part of their victims. The Act begins in these expressive terms: "Forasmuch as the Queen's Grace, my Lord Governor (the Earl of Arran), and three Estates of Parliament, having respect to the great and heavy oppressions done to the lieges of this Realm and specially by ferrymen of Kinghorn, Queensferry, and Dundee in taking of their freight from them, and that the Queen's lieges, notwithstanding the weighty charges and expenses disbursed to such ferrymen, are not served as appertain to be done,"⁵³ and the Act proceeds to specify a new rate of fares, and to threaten the loss of life and goods against any ferryman who should overcharge his passengers.

Four years later the Estates had to insist on the enforcement of this statute⁵⁴—a proof that the ferrymen had not yet wholly amended their ways.

Such being the condition of roads, bridges, and ferries the accommodation for travellers was not likely to be very luxurious. Yet from the fourteenth century the legislature did what it could to make comfortable provision for wayfarers. The following are some of the enactments by which it was sought to effect this object. All who sold bread and beer in burghs were enjoined to receive and supply the wants of travellers at the current prices (1357); in burghs and in thoroughfares hostelries were to be provided with accommodation for man and horse (1426, 1427); barons, magistrates, and others having the direction and rule of thoroughfares and hostelries were ordered to fix the prices of victuals, bread, ale, and other necessaries (1551). This last injunction must have been urgently called for, if, as we are informed, hostellers were in the habit of exacting double and triple the just price of the commodities which they supplied. In spite of legislation, however, neither in Mary's reign nor for long after were decent inns to be found in Scotland. Writing in 1598, an English writer, who travelled from Berwick to Stirling and also through Fife, declares that he "did never see nor hear that they (the Scots) have any public inns with signs hanging out." In the same sentence, however, he

pays a tribute to Scottish hospitality; "the better sort of citizens," he says, "brew ale, their usual drink, which will distemper a stranger's body, and the same citizens will entertain passengers upon acquaintance or entreaty."⁵⁵ Thomas Kirke is as caustic on Scotch inns as on everything else to be found in the country. "They have not inns," he says, "but change-houses, as they call them, poor small cottages, where you must be content to take what you find, perhaps eggs with chicks in them, and some lang cale (greens); at the better sort of them a dish of chopped chickens, which they esteem a dainty dish, and will take it unkindly if you do not eat very heartily of it. . . . Your horses must be sent to a stabler's (for the change-houses have no lodging for them) where they may feed voluptuously on straw only, for grass is not to be had, and hay is so much a stranger to them that they are scarce familiar with the name of it."⁵⁶

The same traveller states another fact which the Scottish statutes allege as a reason for the poor accommodation to be found in inns. "The Scottish gentry," he says, "commonly travel from one friend's house to another, so seldom make use of a change-house; their way is to hire a horse and a man for twopence a mile; they ride on the horse thirty or forty miles a day, and the man, who is his guide, foots it beside him and carries his luggage to boot."⁵⁷ But there was another sufficient reason for the inadequate provision for travellers.

Travellers were so few that there was no custom to meet the expenses of maintaining commodious quarters. A stranger in a Scottish town or village excited as much wonderment as would a painted Indian at the present day ; and, indeed, was regarded as an objectionable intruder who could have no good intentions. Long after the period before us, and not only in Scotland but in England, inquisitive visitors ran the risk of being ducked in the village pond or being saluted with the readiest missiles that came to hand.

The statutes relating to taverns, as distinguished from hostelries, have quite a modern character, and remind us that the troubles of modern legislators are of ancient standing. As specimens of these statutes, the following may be taken. In 1436, it was enacted that persons found drinking in taverns after nine o'clock should suffer the penalty of the law ; and in 1551, that tavern keepers should not mix new and old wine, mix wine and water, nor keep wine in their private houses, but in their vaults for sale to the lieges. The misdemeanours here denounced did not cease at the Reformation. In 1579, there was passed an Act, entitled "Discharging of markets and labouring on Sundays or playing (gambling) and drinking in time of sermon," which reminds us that in the spite of the First Book of Discipline the nation had not been transformed into a community of saints. In one of the clauses of this Act it is ordained that there

should be a fine of twenty shillings for "gaming, playing, passing to taverns and alehouses, selling of meat and drink and wilful remaining from the parish kirk in time of sermon or prayers on the Sunday"—the fines to be devoted to the relief of the poor of the parish. Yet in spite of these denunciations the keeping of taverns could not have been regarded as a disreputable profession. At least, in 1576, the General Assembly granted permission to ministers and readers to "tap aile, beer, or wine, and to keep an open tavern."⁵⁸

It has been said that travellers were few and far between in the time of Mary, but the statement needs a notable qualification. There *was* a race of wanderers, who so far from being few in number must have made up little less than a fourth or fifth of the entire population. Under the various appellations of sorners, vagabonds, masterless men, beggars, runners-about, these persons were the perennial plague of the lieges and of the legislature. Not a reign passed without ineffectual efforts to diminish or extinguish the brood. The terms of the numerous statutes directed against the hopeless tribe might lead us to believe that they were an invading host living at free quarters in an enemy's country. These strong and idle vagabonds, we learn, swarmed throughout the country—bridals and funerals being their special delight; they infested the capital itself, passing the nights "in drinking and other beastlie filthiness," and in the

day time plaguing the Privy Councillors themselves with their importunity; and finally, they lived "in all kynde of impietie—without mariage or baptisme of their barnes, to the great offence of God and reproache and scandall of the countrie."⁵⁹ An elaborate statute of the reign of James VI. (1574) recapitulates the various enactments against the unblest crew. No persons between the ages of 14 and 70 had been allowed to pursue the trade of begging, only "cruikit folk, seik folk, impotent folk and weik folk" had received a begging licence, with the provision that they should confine their operations to the parish where they were born. The penalties for the breach of these statutes reveal at once the spirit of the time and the impotence of the executive. For the first offence the offender was kept in irons till he had exhausted his own store of goods; for the second, his ears were nailed to a tree and afterwards removed—banishment following; and for the third he was hanged. It might seem that these terrors should have daunted the sturdiest beggars, but, in point of fact, the law practically remained a dead letter through the negligence of officials and through what one is glad to hear, "the preposterous pitie of the country people." The statute of James VI. went even beyond all previous ones in the severity of its exactments, but its special interest in the present connection is its list of persons who came under the common head of vagrants. The

following is this curious catalogue of persons who, like Chaucer's begging friars, swarmed through the country—

“As thick as motës in the sonnëbeam”—

jugglers; Egyptians; fortune-tellers by “physiognomy, palmistry, or other abused sciences”; able-bodied men, pretending to be out of work; minstrels; singers; tellers of tales; vagabond scholars from the universities without a begging licence from their rectors: and, finally, shipmen and mariners alleging without certificates that the ships in which they had sailed had been wrecked.⁶⁰ Such was the miscellaneous crew of “wastrels,” who made night and day hideous in the burghs and were the terror of peaceable travellers on the highways.

In connection with the social evils that have just been enumerated, it must be borne in mind that they were very far from being confined to Scotland alone. In England as well as in Scotland, there were knavish ferrymen, knavish taverners, and as great a “plague of beggars.” The “valiant” beggar figures as largely in English legislation as his brother, the “sturdy beggar” in that of Scotland. The English nursery rhyme—

“Hark, hark! the dogs do bark,
The beggars are coming to town,
Some in rags, and some on nags,
And one in a velvet gown”—

is a reminiscence of the times when in England, as

in Scotland, the race of beggars were as an invading host. English laws passed for the extinction of the tribe bear precisely the same character as the Scottish enactments that have just been noted, and were equally ineffectual in achieving their object. The English statute against vagabonds passed in the first year of Edward VI. reveals a condition of things which had happily passed away in Scotland by the same period. According to this frightful statute a servant who absented himself from his master for three days, was to be branded on the breast with a hot iron, and adjudged the slave of the person who caught him. Should he twice attempt to run away from his new master, he was to be treated as a felon. This terrible law was repealed in the same reign as that in which it was passed, but it reminds us of the fact that, while feudal slavery as an institution came to an end in Scotland as early as the fourteenth century, it persisted in England into the reign of Elizabeth.

We have seen what were the risks and discomforts of travel by land; travel by sea, also, was not to be undertaken with a light heart. Erasmus in his colloquy, entitled *Naufragium*, has given a lively description of his experiences in crossing the English Channel. The rascality of custom-house officers, the squalor aboard the boat, sea-sickness and the terror of pirates, made the crossing a veritable nightmare to haunt the memory. John

Vaus, the Aberdeen scholar, who went to Paris in 1522 to superintend the publication of a grammatical work, speaks of the journey as being attended by "the greatest risks by land and sea, and by dangers from unscrupulous pirates."⁶¹ That this was no exaggeration is abundantly proved by the records of the Scottish Privy Council, one of whose multifarious duties was to superintend the national marine. From these records it appears that during the reign of Mary and her immediate successors the coasts of Scotland literally swarmed with pirates. It is to be remembered that there was as yet no definite code of maritime law acknowledged and obeyed by the different nations. Countries might be in the strictest bonds of amity, yet the trade of piracy went on as vigorously as if they were at open war. Take, for example, this opening of an entry in the Privy Council Register for the year 1546, four years after Mary's accession: "Forasmuch as there is a peace taken and standing betwixt our Sovereign Lady and her dearest uncle, the King of England, who has written to her Grace, showing that there are certain Scottish ships in the east seas and other places, that daily take, rob, and spoil his ships and lieges of his realm passing to and fro,"⁶² etc. Entries to the same effect, it may be said, are of constant occurrence throughout the reigns of Mary and her successors. But the Scots themselves were as often the victims as the aggressors. "The Lords of Council," runs another

entry (1550), "considering the great enormities daily done to our Sovereign Lady's lieges, as well within her own waters and firths as in other places by ships of Holland, Flushing, and other Lowlands of Flanders, subjects to the Emperor, have thought expedient to license the war ships of this realm . . . to pass forth in warfare for stanching thereof."⁶³ So numerous and audacious were the freebooters, as they were called, that the Lord High Admiral came to have a standing commission to enlist such masters of ships as were willing to give their services in encountering them—the arrangement being that any loss sustained should be made up to the losers.⁶⁴ In spite of the Council's efforts, however, the freebooters continued to ply their trade with a reckless daring which made a sea voyage a veritable running of the gauntlet. Stories such as the following are of frequent occurrence in the records of the Council. Two pirate ships of West Flanders one day anchored in the roads of Leith under the guise of friendly trading-vessels. In the course of the following night they made off with a Flemish ship, and on their way out of the Firth, took several craft which were part of a merchant fleet that had just arrived from Holland.⁶⁵ About the same date we find the Council specially commending Lord Cantyre for a successful exploit against a pirate ship, which had been one of a number, we are told, "by whom His Majesty's good subjects were daily infested and their goods

spoiled.”⁶⁶ When the Earl of Bothwell, after casting his last die at Carberry, betook himself to the trade of pirate, he was but following a common and profitable calling of his time.

CHAPTER III

CONDITIONS OF SOCIETY IN THE COUNTRY—THE INTERIOR OF A TOWN

IN what has hitherto been said we have been mainly considering the general aspects of town and country in the time of Mary. Let us now take a closer glimpse of the conditions under which her subjects lived their lives, and carried through that revolution which involved such a complete breach with the past, and changed the destinies of the kingdom. It was in the towns that in the time of Mary the most intense life of the nation was concentrated; by the towns it was that the breach with the national religion was mainly effected; and it is in them that we chiefly find those indications of economic change which mark the reign of Mary as a period of transition from the Middle Age to the modern time. It is to the life of the towns, therefore, that our attention will be for the most part directed in the remaining lectures of the course. But before dealing with this main branch of our subject let us cast a glance at the conditions of life in the country, at the various classes of society who made up its inhabitants, and at any

new developments that distinguish the reign of Mary.

A mediæval writer gives the following list of the occupations of a feudal baron when he was not engaged in his usual trade of war; hunting, fishing, fencing, jousting, chess-playing, bear-baiting, receiving guests, talking with ladies, holding his court, keeping himself warm, and watching the snow fall.¹ The feudal lord of the sixteenth century still kept up most of these amusements of his ancestors, but he had acquired some other tastes and accomplishments besides. The spread of education that had followed the revival of learning had affected the nobility as well as other classes in the community. In every country the nobles had set themselves to acquire the accomplishments which had become indispensable to make a tolerable figure either in court or camp, and they had the example of kings to stimulate them. Henry VIII. was learned for a king, and, though Francis I. and James IV. were not highly instructed, they piqued themselves on being patrons of art and letters. If the great nobles were to keep pace with the times they had to acquire the arts and graces that were requisite to commend them to royal favour. A Scottish noble of the sixteenth century, and especially of its latter half, could no longer glory in the ignorance of a Bell-the-Cat, and, in point of fact, the lords who played a leading part in the reign of Mary generally possessed all the

attainments requisite for the new statecraft and diplomacy. Such were the Earls of Glencairn and Cassillis and the Lord James Stewart, all of whom had passed through the discipline of the schools. Most of them still continued to live in the grim abodes they had inherited from their fathers, but, as we shall afterwards see, they had begun to deck their apartments, to furnish their tables, and to adorn their persons in a fashion which had been unknown to their fathers. And the same change had passed over the manners of the lesser barons and gentry. In the case of those regarding whom we possess biographical details we usually find that they had received a learned education both at home and abroad. Such men as Kirkcaldy of Grange, Sir James Sandilands, and Erskine of Dun were trained in all the accomplishments that were required of the gentlemen of the period.²

To the avocations of the mediæval baron, therefore, his representative in the latter half of the sixteenth century added others of a more humane description. He collected books and read them, as did the Regent Moray.³ If his means afforded it, he studied in the Continental schools, and completed his education by an extended course of travel. But the most notable change in the upper classes was in their increasing desire for a more social life than had satisfied their fathers. Hitherto, the baron and laird had lived in stern seclusion in his paternal abode, holding intercourse with few but his im-

mediate attendants. Now, however, it became a common custom for baron and laird, and even bishop, to take up his residence in the nearest village or burgh, and settle there with his household for a considerable portion of the year. In some cases he might have a house of his own where he could make his quarters, but, as often as not, he hired lodgings for himself and his dependants, and apparently was not always strict in the settlement of his accounts. This new custom of the country magnates was not favourably regarded by the legislature. In 1581 an Act was passed denouncing it as a "great abuse contrary to the honour of the realm and different from the honest frugality of their forbears," and ordaining that "every prelate, lord, baron, and landed gentleman shall make his ordinary dwelling and residence at his own house with his family in all time coming."⁴ But this was precisely one of those statutes which in the nature of things was doomed to be futile; the obnoxious innovation which it denounced was, in truth, only the result of the expanding life of a class, which like every other was being influenced by the social developments of the time. Henceforward, and to the close of the eighteenth century, the Scottish nobles and gentry continued to keep up the custom which had thus begun, and to this custom we must partly ascribe the genial relations which subsisted between the different social orders in the country.

Passing from the upper classes to those dependent on them, we have to note an important change in the condition of their tenants, the beginning of which dates from a period considerably before the reign of Mary. John Major, writing in the opening years of the sixteenth century, has the following interesting passage: "If the landlords would let their lands in perpetuity," he says, "they might have double and treble of the profit that now comes to them, and for this reason; the country folk would then cultivate their land beyond all comparison better, would grow richer, and would build fair dwellings that should be an ornament to the country; nor would these murders take place which follow the eviction of the holder. If a landlord have let to another the holding of a quarrelsome fellow, him will the evicted man murder as if he were the landlord's bosom friend."⁵ In passing we cannot but note how history repeats itself.

It is curious that in this connection Major makes no reference to the fact that the legislature had made a serious attempt to prevail on landlords "to let their lands in perpetuity." In 1457 the Estates urged the king to show an example to other landlords by leasing his lands in feu-farm;⁶ and in 1503, about the date when Major was writing his History, the Estates passed another statute making it lawful for the king to let his lands on these terms, though on the condition that it involved no loss of rental.⁷ From this period

onward holding by feu-farm became gradually more prevalent, and by the beginning of the reign of Mary it must have been general throughout the country. Though attended by some disadvantages, the tenure by feu-farm was equally in the interest of the landlord and the tenant. The landlord received a higher rent, and, when he substituted a feu for a lease, and on every occasion when the land changed tenants, he had the right to a substantial grassum or fine from the new tenant.⁸ On the other hand, it was a loss to him that, by agreeing to a fixed rent, he could not profit by the increasing value of his land. The tenant was likewise a gainer by the new arrangement. He had to pay a higher rent, but he obtained the invaluable privilege of security of tenure. Moreover, by the arrangement of a fixed rent in produce or money, he escaped what had been a grievous burden on the farmers of the Middle Ages—the casualties of ward, marriage, and recognition, and other petty dues that had grown up under the feudal system. It was in the case of smaller holdings that the new method of tenancy did not prove an unmixed blessing. Exert themselves as they might, the poorer farmers were frequently unable to meet the double burden of increased grassums and increased rent, and were driven to surrender their holdings. On this evil, as on so many others, Sir David Lyndsay lays his finger in his "Satire of the Three Estates":—

“And now begins ane plague among them new,
That gentlemen their steadings taks in feu,
Thus maun they pay great ferme or lay their stead.”*9

From a Royal Rental Book of 1541 we learn what was considered a “model farm” at that date, and the description must equally apply to the reign of Mary, as both in England and Scotland there was little change in agricultural methods throughout the sixteenth century. From the tenant who held his land in feu-farm the following conditions were exacted. In proximity to his house he must have a large, well-furnished garden, thoroughly hedged in with hawthorn, sallows, alder, or aspen. Outside his garden, but on no account within it, he must sow a certain amount of hemp and lint. His principal crops, it is implied, were oats, barley, and wheat. For the production and maintenance of timber, there were the most precise specifications. If any woods existed on the land when the tenant entered on his occupancy, he was to see to it that these were carefully preserved and fostered. But he was not only to preserve trees, he must also propagate them. For every silver mark of land he paid he must every year plant three trees—ash, plane, or elm; for every chalder of wheat or barley, twenty trees; and for every chalder of oats ten.¹⁰

In the case of another class of tenants, who are described as those “who have separate feus by themselves,” it was prescribed that they must have

* Must give up their holding.

an "honest mansion," containing a hall, chamber, pantry and kitchen. On a scale proportioned to their rents such tenants must also provide substantially-built offices—barn, byre, and dovecot. An orchard or garden, carefully fenced and surrounded by trees, was likewise indispensable. Wherever the nature of the soil permitted, meadows were to be cultivated, and in bogs or other moist ground, alders, hazels, and willows were to be planted. Rabbit-warrens, stanks and ponds for fish were to be desired wherever they could be "gudly had."¹¹

Secure in their tenancy, therefore, all that was wanting to farmers as a class was improved husbandry which would enable them to make the most of their land. But the day was as yet far off when improved methods of tillage in Scotland were to convert the very inferiority of her soil into a stimulus for enterprise and skill. According to John Major the Scottish farmers, however, were fonder of the sword than the plough. With horse and lance they were ready on every occasion to take up their lord's quarrel, though only, Major pointedly tells us, if they were on friendly terms with him. They despised all handicrafts and thought it a disgrace that their sons should learn one. The proper training for those of their class was to take service in the house of a great lord where they would be taught how to use their weapons, and to live like their fathers before them. Accordingly, Major adds, it was the custom of the

Scottish farmer to let his servants look after his lands while he himself followed his favourite pursuits.¹²

Beneath the class of farmers were the labourers, cottars, or bondi. The condition of these is vividly described by Sir David Lyndsay in the autobiographic sketch which he puts in the mouth of the Pauper in his "Satire of the Three Estates." A mile from Tranent, in Lothian, Pauper had lived with his father, mother, wife, and children, all of whom were dependent on the labour of his own hands. A mare and three cows were the mainstay of the household. The mare, besides annually presenting them with a foal, further contributed to the family income by carrying coal and salt—the chief commodities of the neighbourhood. As Pauper tells his story, we are to infer that with these resources he contrived to make ends meet and live an honest life. But there came a series of misfortunes, which Lyndsay, with the licence of the satirist, represents as a typical case in the class to which Pauper belonged. On the death of the grandfather, in whose name the family croft was held, the laird claimed the mare as his "hyreild" and the vicar the best cow. Then came the death of the grandmother and the appropriation of the second cow by the vicar. Overwhelmed by these successive misfortunes, Pauper's wife also succumbed, and the third and last cow went the way of the rest. Shorn of all means of subsistence, Pauper

had but one course open to him—to take to the trade of beggar, in which, at least, he was well kept in countenance.

From more serious sources than the satire of Lyndsay we know that he has depicted the condition of a numerous class in his day. A horse and two or more cows and a field which he held on a precarious lease of two or three years—on these possessions the cottar depended for the sole maintenance of himself and his household. But for misfortune and the rapacity of his superiors, his condition did not compare unfavourably with that of the agricultural labourer of a much later time. It was an intolerable grievance that for a certain number of days in the year he must give forced labour on his lord's domain when his own affairs required all his hands. But, as we learn from successive statutes, it was the burden of teind that he felt as the most iniquitous oppression. It was because Pauper failed to pay his teind that the vicar made so free with his cows. And there was still another grievance connected with teinds which Lyndsay does not specify. Before the poor cottar might bring in his sheaves, his landlord, lay or spiritual, had to secure his teinds before they were removed from the ground. But, as the landlord was often dilatory, the whole crop would be left exposed to all the chances of weather, with the result that much or most of it would be spoiled beyond recovery. Frequent Acts of Parliament

were passed with the object of remedying this intolerable grievance, but, till long beyond Mary's reign, with no apparent result.¹³

Such being the condition of the poorer tillers of the soil, it was in the nature of things that many of them should already begin to look with longing eyes to the towns where life appeared to be possible on so much easier terms. By the reign of Mary there had already begun that immigration from country to town which has proceeded with such increasing ratio since her day. But the towns in the time of Mary did not throw open their gates to all and sundry ; on the contrary, the indwellers in the towns formed a close society, the entrance to which was guarded by conditions which effectually kept outsiders at arm's length. What these barriers were, we shall afterwards see, but first let us try to realise what a Scottish town in the reign of Mary was like, and so pass to a description of its inhabitants, of the daily round of duty and pleasure they followed, of their aims and aspirations, and of the principles and regulations by which their society was bound together and directed to a common purpose.

Of the Scottish towns in the latter half of the sixteenth century it may be said that, with a growing tendency to development in new directions, they were still essentially mediæval, at once in their material conditions and in the spirit which animated their civic and social life. In the extraordinary

growth of towns throughout Western Europe which had begun in the eleventh and twelfth centuries Scotland had been a partaker as well as her neighbours. By the period when that remarkable growth began Scotland was happily in a position to profit by the new forces that were impelling men to form communities for the greater security and comfort of life. By the beginning of the twelfth century, Scotland as well as England had become an integral part of Christendom, and was thus open to all the influences which determined the form and spirit of the mediæval society. The two great forces that moulded that society—feudalism and the organisation of the Church—were as powerfully operative in Scotland as in any other country. Alike in its urban and its rural life we find the same general conditions which are found in the other countries that looked to Rome as their head. In her towns we find the same general type of institutions, the same principles underlying her trade and commerce that prevailed in the other parts of Christendom. In what is about to be said of Scottish towns in the time of Mary, therefore, a state of things will be described which had its beginnings in the early Middle Age, and which in its main characteristics had been common to Western Europe for a period of not less than four centuries. In such a description it must of course be only the general type of Scottish town that we can have before us. Even under the rigid uniformity im-

posed by mediæval conceptions of society and the individual there was abundant scope for national and even local differentiation. The Scottish towns came to have peculiarities of their own, which distinguished them from similar communities in other countries, and even among the Scottish towns themselves there were variations in customs and institutions which gave to each an individuality of its own.

Let us imagine ourselves approaching a town in the time of Queen Mary, and note what we should have found most characteristic within and without its walls. We should be within the town territory when still at some distance from the town itself, for it was a peculiarity of Scottish, as distinguished from English, towns that they owned a considerable extent of land in their immediate neighbourhood.¹⁴ Various indications would inform us that we are approaching an organised centre of population. At any time between sunrise and sunset we would note the numbers of cattle and sheep browsing on the town common—the one detachment under the charge of the town cowherd, the other under that of his fellow, the shepherd, for in the case of larger communities one herd was found insufficient to look after the whole stock.¹⁵ The office of town herd was one of some responsibility. At the blast of his horn at sunrise the cattle must be ready to accompany him under the penalty of a fine.¹⁵ As no kind of fence existed, the herd had the delicate task of

piloting his charge through the surrounding fields to the common which lay beyond them. However careful he might be, accidents were bound to happen; a contumacious animal would plunge into a plot of corn and work such havoc as would seriously diminish the profit of the year's harvest. At Paisley, in 1598, it was enacted that every sheep found straying in a neighbour's corn was to be escheated to the bailies for the time being, who, we presume, paid an adequate compensation to the injured party.¹⁷ Although the pasture was common property the number of beasts allowed to graze was strictly limited, as otherwise the amount of fodder at the town's disposal would have been insufficient. At regular intervals, therefore, the herd gave in the number of his charge, and if any townsman was found to have more animals than was his right, he was proportionably fined for his breach of the law.¹⁸ It was expressly forbidden that any townsman should have cattle feeding apart from the common grazing.

Besides the sight of the town grazings there would be other signs of activity as we entered its territory. In the moss, which was likewise its common property, men and women would be at work digging and stacking peats for the general supply in the coming winter, and from a neighbouring wood we might hear the clang of the town forester's axe. It might also chance that in the town warren the rabbit-catchers would be already at their busi-

ness, for the possession of a warren was an important item in the common good of the town. If a river happened to pass near the town, we should also see that the town fishings were not a neglected industry, though as often as not they were the object of constant bickerings with some neighbouring proprietor.¹⁹

Proceeding in our approach to the town we should find ourselves in the midst of the "town acres," on the cultivation of which its inhabitants mainly depended for their subsistence, for in the time of Mary the towns were still essentially rural communities owing little to trade and mechanical industries. What these "town acres" were like may still be seen in the neighbourhood of certain towns at the present day. They consisted of narrow strips of cultivated ground separated by "balks" of unploughed turf, by which the owner could come and go in working his separate field. Originally, when the limited population of the town permitted it, each inmate had his own allotment of the common arable ground, but by the time of which we are speaking this condition of things had long passed away. As the population grew, it became impossible for every member of the community to receive an allotment; and the acres were assigned to the highest bidders. Only burghers were entitled to rent the common land, which might be variously held for a year, for a life-time, or during the will of the party—nineteen years being

a common term. The extent of land that could be leased by the individual burgher was strictly defined. At Paisley, for example, no burgher was allowed to lease more than five roods, though at Paisley, as elsewhere, the law was frequently set aside.²⁰

Sub-letting was permissible, and the allotments were constantly changing hands—often to the embarrassment of the town officials. In truth, the disposal of the “town acres” became an increasing source of trouble as the citizens grew in numbers, and it was only a question of time before the whole system would be found to be unworkable. The modes of cultivation were precisely what they had been throughout the Middle Ages. The run-rig system, by which different proprietors owned the alternate ridges of a field, was universally prevalent. Convertible husbandry by means of enclosures, which had only begun to make its appearance in England, was probably unknown in Scotland. The only manures that seem to have been in use were lime and seaweed, the latter of which excited the ridicule of the stranger.²¹

We are now at the gates of the town. For the most part all its houses were within its defences, but in some cases a few might be found outside them. What appearance the exterior of the town presented has already been suggested in the remarks regarding the general absence of walls in the towns of Scotland. If we took the trouble to walk round it, we should find that its defences consisted alter-

nately of the backs of the houses themselves, of the "head-dykes" enclosing the yards (gardens) attached to them, or, where both of these failed, a dilapidated dyke to protect the interval. Presenting ourselves at the gates, we should probably find them "auld and failzet," as were those of Edinburgh in 1557.²² Intimating our presence at the wicket attached to the main port, by which foot-passengers entered, we should as likely as not find the guardian asleep in his lodge, for the records bear ample evidence that the port-keepers were but perfunctory in the discharge of their duties. This, however, would be only the case when the town had no reason to dread the sudden attack of some declared enemy. In times of alarm we should find that due precautions had been taken to guard against treachery or surprise. At any of the ports by which we chose to enter there would be two or three watchers encased in leathern jacks, and armed with hagbut and axe, one of whom would shoulder us to the bailie of the nearest quarter, whose business it was to satisfy himself that no suspicious person should harbour in the town. Admitted through the portal we should note the apparatus for the weighing of imported commodities, the duties on which made up the petty customs that went to the common good. If any goods happened to be entering at the time, we should probably be entertained by a lively altercation between the owner and the official, who had a bad habit of overreaching the trader, and making

a favourable bargain for himself by admitting contraband goods.

Supposing it were the early morning when we put foot in the street, our ears might be greeted by the dying sounds of the "swesch" or drum, which summoned the inhabitants to their daily avocations, since, watches and private clocks being unknown, the town had to be publicly reminded of the march of time. In Aberdeen, however, the townsfolk were more pleasantly roused from their slumbers than by the unmelodious drum. In the records of that burgh we read that one John Cowper was hired "to pass every day in the morning at four hours, and every night at eight hours at even, threw all the rewis (streets) of the town playing upon the almany (German) whistle, with a servant playing on the tabour, whereby the craftsmen, their servants, and all other laborious folk, being warned and excited, may pass to their labours and from their labours, in due and convenient time."²³ It will be remembered that Montaigne's father was of opinion that children should be wakened from their sleep by the sound of sweet music; and the good people of Aberdeen would appear to have been of the same mind.

If our ears were thus pleasantly greeted, assuredly it would be otherwise with our senses of sight and smell. Except it were a Sunday morning, even the principal thoroughfare would be diversified with the middens reared to the height

of mounds from the accumulated refuse of the adjoining households. It was in vain that the town authorities denounced and penalised the objectionable custom. Every Saturday afternoon the town-crier went round with his bell to remind the indwellers that the hour was come for the removal of the heaps which by the end of the week had grown to mountains, but even this reminder was but imperfectly heeded. Besides the odour from middens there would be the exhalation from the numerous pig-sties which, even in the principal street, abutted on the fronts of the houses. Swine were indeed a source of perennial vexation to the town authorities. They could not be dispensed with, as they largely contributed to the subsistence of the inhabitants, but, in addition to the unpleasantness arising from their sties, they were the cause of more serious annoyance. They would escape from their sties, stroll about the street, overturning children, and entangling the legs of adults, with the result apparently of frequent damage to the unheeding passenger. The records of all the burghs abound with legislation against the nuisance, but its very frequency proves how little it availed. The burghal laws dwelt movingly on the perils that attended the lieges from the ambulatory habits of the swine, and insisted that, since they were a necessary evil, their owners should see that they were led about "in band"; but the trouble was too great, and in the Scottish

burghs generally, the valuable, though embarrassing animals continued to peregrinate at their pleasure.²⁴ In passing, however, it should be noted that it was not only in Scottish towns that the nuisance prevailed. In German towns every burgher kept his cattle in his house, and swine were as numerous and as domestic as in Scotland. In Leipzig in 1556 an attempt was made to suppress pig-sties in the inner part of the town, but it was not till 1645 that this very necessary reform was accomplished.²⁵

Casting our eyes around as we pass on, we should receive one general and yet vivid impression—the impression that the town as a whole was in an alarming state of dilapidation. From the records of the different burghs, it would almost seem as if the whole energies of the community were required to keep their houses from tumbling about their ears. As for public buildings—churches, tolbooths and the rest—it must often have been at the peril of their lives that the lieges ventured under their roofs. The following injunction of Queen Mary to the magistrates of Edinburgh illustrates the length to which the dilapidation, even of a public edifice, was allowed to go: “The Queen’s Majesty, understanding that the Tolbooth of the burgh of Edinburgh is ruinous, and able hastily to decay and fall down, which will be very damnable and skaithful to the people dwelling thereabout, and repairing toward the same, not

only in destruction of their houses but as great slaughter, if sundrie persons happen and chance therethrough, without hasty remedy be provided therein, therefore her highness ordains a macer to pass and charge the provost, bailies and council of the said burgh of Edinburgh to cause put workmen to the taking down of the said Tolbooth.”²⁶ In 1567, the last year of Mary’s reign, the following public structures were in such a state of disrepair that the town was forced to make a desperate effort to rehabilitate them: the causeways between Leith and Edinburgh, the pier, bulwark and harbour of Leith, and the great windows and larger part of the roof of the Kirk of St Giles.²⁷ Bad materials, bad workmanship, and the general poverty of the Scottish burghs were doubtless the causes of the ruinous condition of public and private buildings; but again we have to note that this state of things was not peculiar to Scotland. In the sixteenth century the decay of towns in England was the subject of grave alarm to her statesmen. The evidence of statutes must always be taken with some reserve, but after every legitimate abatement the following words from a statute of Henry VIII. must imply that the towns of England were in little better case than those of Scotland. “Divers and many beautiful houses of habitation,” this statute runs, “built in times past within their walls and liberties, now are fallen down and decayed, and at this day remain unre-edified, and do lie as desolate

and vacant grounds, many of them nigh adjoining to the high-streets, replenished with much uncleanness and filth, with pits, cellars, and vaults lying open and uncovered, to the great peril and danger of the inhabitants and other the King's subjects passing by the same; and some houses be very weak and feeble, ready to fall down, and therefore dangerous to pass by, to the great decay and hindrance of the said boroughs and towns."²⁸

From other statutes of the same king we gather that in nearly a hundred English towns many houses were in ruins, the streets dangerous for traffic, and that in many, the vacant spaces were repositories of filth.²⁹ As continental cities were assuredly not in more comely condition than those of England, it is evident that we must not make too much of the squalor and disrepair of the Scottish burghs in the time of Mary.

Among the more imposing buildings that would attract our attention in our imaginary stroll through any Scottish town, would be the houses of the different religious orders, the chapels dedicated to particular saints, and above all the parish church with its place of burial. We should have no difficulty in making our way into the churchyard, as in all probability the gate would be dismantled, and in any case, the enclosing wall, if there was one, would present a feeble obstacle, as apparently in every town it was in a state of chronic disrepair.³⁰ Both before and after the Reformation the church-

yard was a place of multitudinous resort, and little regard was paid to it as hallowed ground. It was the common "howff" (haunt), of all idle persons about the town—beggars especially making it their favourite quarters. The churches and churchyards, the Earl of Haddington told James VI., had before that king's beneficent reign been more frequented "for malice and mischief than for God's service,"³¹ and history fully bears out his testimony. Besides being the haunt of loafers, the churchyard was the common grazing-ground of the community. Horses, cattle, sheep, goats, and swine picked up their living among the tombs. The community was fully aware of the unseemliness of this desecration, and frequent burghal regulations were made to check it. To lessen the number of grazing creatures and at the same time to put something in the town purse, the churchyard pasture was let to the highest bidder—a proceeding not unknown in our own day.³² Or, again, a stringent law would be passed empowering the bailies to escheat the offending animal to the common good. But the churchyard was not only the haunt of loungers and the grazing-ground of bestial: it was likewise a convenient place into which superabundant refuse could readily be shot. In 1606, considerably later, therefore, than our period, this singular request was preferred to the magistrates of Aberdeen. One Alexander Davidson, a timber merchant, petitioned that he might be licensed to build a ship in the kirkyard of

the Trinity Friars on the ground that it was "the maist meit and convenient place for bigging of the said bark," as it was "filthilie abusit be middingis." "Whairanent," we further read, "the provost, baillies and counsall advysing, they fund the desire thair of verie reasonable, and grantit and gave license to the said Alex^r. Davidson to big his schip in the pairt forsaid," and to give effect to the licence they ordered all such as had middens in the prospective ship-yard to have them removed within the space of eight days.³³

The parish church was not only the centre of the religious life of the town: it was in a considerable degree the centre of its social, civic and political life as well. In its steeple (occasionally adorned with a dovecot), the most precious possessions of the community might be stored, and from its commanding elevation watch was nightly kept for the frequent fires that were the terror of the town. Since the middle of the fifteenth century it was likewise adorned with the town "horologe" or clock, for by that period clocks had found their way into Scotland, though it was at a much later date that native skill was equal to manufacturing or even repairing them. In 1535 the Tolbooth clock of Aberdeen was sent to Flanders to be put in order—the instructions being that if it were beyond mending, another should be made at the expense of the town.³⁴ At a later date (1595) in the same town we find a gunmaker employed in regulating

the two public clocks—on the Tolbooth and the parish church,³⁵ and still later (1599) it is recorded that a plumber had actually constructed an “orloge” for the common clerk’s chamber.³⁶

In the Middle Ages, as is well known, the parish church was the common meeting-place for the transaction of business, public and private. There the Corporation met to discuss the affairs of the town, and merchants and traders to arrange and conclude their bargains. In Scotland, however, by the reign of Mary, a Tolbooth, or town-hall, had been erected in most of the more important burghs, and such desecration was no longer necessary.³⁷ Yet it was long before the custom of the Middle Ages, which had sanctioned the secular use of sacred places, fell into desuetude either in England or Scotland. In England it was Archbishop Laud who first succeeded in preserving the churches from miscellaneous uses. In Scotland, though the churches ceased to be the town-halls, the intrusion of secular business in connection with divine service long persisted in spite of the better sense of the nation. To take but one example: it long continued the custom for public messengers and other officials to announce their commissions at the church doors on Sundays when service was proceeding. The result, as may be imagined, was somewhat discomposing both to the preacher and his congregation. When the officials appeared, every worshipper supposed that he might have a special

interest in the intimation about to be made, and rushed out to hear it. In 1631 the Privy Council awoke to a sense that the custom was reprehensible, and declared that it was "to the great offence of God, scandal of the Kirk, and contempt of all good order." In spite of this pious denunciation, however, the ordinance issued for the suppression of the bad custom left a fairly wide entrance for the civil magistrate. By the ordinance it was forbidden "to execute civil letters or precepts of whatsoever nature or qualitie upon ane Sabbath day except only warnings for removing and redemption of landlords, inhibition of teinds, warnings to compeir before the Commissioners for the surrenders and teinds and charges of horning which by the warrant thereof are ordained to be executed at the parish kirk."³⁸

But divine service might be more rudely interrupted than by the untimely appearance of king's messengers and other functionaries. According to the remark of the Earl of Haddington just quoted, churches were more frequented for malice and mischief than for God's service. And, in point of fact, like the "crown of the causeway," the assembling in the churches created frequent occasions for the picking of quarrels on the part of worshippers who happened to be at feud. The parties might jostle each other in the church doorway; they might be dissatisfied with the precedence assigned to them in the church itself; even the militant cock of a hat (for hats were worn in the sacred building)

would be sufficient to prompt some irascible baron or his retainer to settle his quarrel on the spot. The following incident belongs to a later period than the reign of Mary, and is but a mild specimen of the proceedings that might distract the devotion of the worshippers. One Sunday in the Church of St Giles, Crichton, laird of Frendraught, was "sitting quietly and peaceably" awaiting the beginning of the service, when a certain bishop entered and made for the laird "with ane angrie and boasteous (*sic*) countenance." Frendraught made way for the angry bishop, who raised his fist with the intention of bringing it down on Crichton's head. In his excitement, however, the bishop missed his blow, but succeeded in knocking off his intended victim's hat, and this, we are told, in "the sight of the haille people conveened in the kirk, who with great grieffe recented the scandalous profanation of their kirk upon the Lord's holie Sabbath."³⁹ But all that need be said on the subject of commotions in churches is contained in the following expressive entry in the Burgh Records of Edinburgh. "Understanding," thus the words run, "that divers contentious and wicked people have in times past made their trublances within the High Kirk of this burgh, by injuring their neighbours, drawing of swords, and shooting of pistols, and thereby abusing that place appointed chiefly (the word *chiefly* is noteworthy) for God's service. For remedy thereof ordains proclamation to be made,

commanding that no manner of persons take upon hand to make any sort of trublance by word or deed, bragging or provocation within the said Kirk."⁴⁰ From what has been said it will be clear that the parish churches of Scotland in the time of Mary were associated in the minds of her subjects with other feelings besides those of devotion.

Proceeding now to make a general acquaintance with the town, we might find that it consisted of one main street—the Hiegait—from which radiated a number of wynds, closes, and vennels of varying width and respectability. In threading our way we should have to pick our steps carefully. We have seen what obstacles were presented by the numerous dust-heaps and the roving swine, but, apart from these obstacles, the street—even the Hiegate itself—offered difficulties which necessitated cautious going. Down its whole length ran the open drain or gutter, sufficiently broad and deep to form the common sewer of the community. Thus, at Peebles there was the Dean's Gutter, so called in compliment to the Dean of the town opposite whose house it flowed.⁴¹ Nor would the street be paved in the manner which excited the admiration of strangers in the case of the High Street of Edinburgh. On the contrary there would be no paving to speak of, and here and there, there would be deep holes and troughs—either the result of the elements or the deliberate work of some citizen who had fashioned them for his own convenience, heed-

less of the necks of the unwary passengers. In short, for anyone but a townsman to walk the street at night without a guide or a lantern would be an act of rashness which could only result in broken bones.

As we look up and down the length of the street the feature that would most attract our attention would be the numerous projections from the main buildings. These projecting structures consisted either of outside stairs, such as may still be seen at the present day, or of wooden erections which composed the booths or shops of the various tradespeople. To everybody but their owner these projecting booths were a nuisance. They often encroached so far into the street as seriously to interfere with the general traffic. Moreover, as they were occasionally surmounted by stone chimneys, which their fragile structure was hardly fitted to bear, there was always the risk of their collapsing and endangering the lives of passers-by. The magistrates did their best to check the building of these "treen (wooden) schoppis," but their attempts were met by the cool defiance of the offending parties. Take, for example, this case of a contumacious saddler, who, by the way, seems to have been a person of some importance, as we hear of his visiting France, probably in connection with his trade. Here is the entry in the Edinburgh Records which relates his contumacy: "Decrees and ordains John Richardson, saddler, to remove and take down his wooden shop lately built under the stairs of his land

on the west side of Niddrie Wynd, because the same is contrary to good neighbourhood, and the King's High Street is narrowed thereby; and the said John, being personally present, answered and declared that he would not do the same, they might do as they pleased."⁴² Other owners of wooden booths might not be so plain-spoken as Mr Richardson, but they equally contrived to elude the mandate of the Council.

If we entered the house of one of these booth-keepers, we should probably find its accommodation and furnishings similar to those of Mr James Reddoch, bailie in Stirling, an inventory of whose belongings was taken in 1560—the year before Mary's return to Scotland. The inventory is so brief that it may be recited without tedium. The house consisted of four apartments—the hall which contained a counter, a form, a meat almry and a dressing stool; the mid-chamber, with a standing bed and a press; the fore-chamber with three standing beds, a chest, a form, and a little iron chimney; the upper chamber with three standing beds, two of them without bottoms.⁴³ It is only the larger articles of furniture that are here enumerated, but we can eke out the list from the possessions of another Stirling bailie of an earlier day. This bailie owned to be in possession of six pewter plates, six dishes, three saucers, two trenchers, a quart, a chopin, a chandelier, two pots, one pair of sheets, a bed, a stool, two bowls, a towel.⁴⁴ This

list, it should be said, did not comprise the whole household furniture of the second bailie, but both lists taken together may indicate the articles to which the greatest value was attached.

The house whose accommodation has just been described was of the general type to be found in Scottish towns. But, as is well known, in a Border town such as Jedburgh, and even in the Border villages, there was another type of house, constructed for a special purpose. Constantly exposed to English invasions, and unprovided with walls of defence (for even Jedburgh, so immediately exposed to English invasion, was without such protection), the inhabitants of the Border towns had to make such provision as they could for withstanding the enemy who forced his way into their streets. It was with this object that the so-called "bastel" houses were constructed on the model of the peels, which formed the strongholds of the Border lairds. The chief feature of these bastel-houses was the vault on the ground-floor, accessible only by an arched doorway, both narrow and low. Here, on the appearance of the enemy, were bestowed the women and children, and the most valuable of the occupier's goods. In the upper rooms, which could only be reached by an outside stair, the garrison made good its defence, and, as the records of Border warfare amply prove, the defence was frequently of the most desperate kind. Tearing the thatch from the roofs, the defenders would set fire

to it in the street, to stay the progress of the enemy, while from the windows they discharged such miscellaneous missiles as came to their hands. In connection with the English invasions in the opening of Mary's reign it is recorded that Jedburgh possessed six of these bastel-houses, while the village of Lessuden or St Boswells had no fewer than sixteen.⁴⁵

Continuing our walk through the town, we should not fail to mark two prominent objects to be found in every burgh—the town cross and the tron or weighing beam—the one the symbol of the spiritual, the other of the material life of the inhabitants. Coæval with the birth of the community, the cross had originally a significance which had gradually passed away through the increasing urgency of secular interests. Planted in the midst of the nascent town or village, it announced that here was a sanctuary which it would be sacrilege to profane—a necessary consecration in a time when every man's hand was against his fellow. Long before the Reformation, however, the town cross had lost its sacrosanct character, and it only retained its importance as being the central spot around which the community had grown up. Its central position made it a favourite lounging-place of idlers, and a desirable site for booths, which in some burghs, as in Edinburgh, were actually permitted by the civic authorities. The town cross had, in fact, come to be appropriated to wholly

secular uses. The wool merchant and cloth-maker made use of it as a convenient framework on which their materials might dry in the sun ; there, as the spot most exposed to the general gaze, the public offender was stuck with his paper crown ; there the fugitive criminal was publicly put to the horn, and from its steps were proclaimed the laws of the burgh and of the kingdom.

If the cross and the churchyard were the haunts of the idlers of the town, the weigh-house, containing the tron or great beam, with all the other necessary weights and measures, was the spot where its business was concentrated. The privilege of having a tron went with the privilege of holding a market which the town possessed either by special royal grant or from immemorial usage. The position of the tron was everywhere the same—in the central market-place, under the shadow of the principal church which hence received the name with which we are familiar. To the tron were brought to be weighed and measured not only home commodities, but all merchandise from foreign countries. No cargo arriving in Leith, for example, could be disposed of before it was scrutinised and appraised at the weigh-house of Edinburgh. This public scrutiny and appraisal served a double purpose, it protected the lieges from knavish traders and merchants—a very necessary precaution, if the records of the various burghs are to be trusted. But it was in the other purpose which the

tron served that lay the reason for its existence. The object of weighing and testing all the commodities that entered the town was the exaction of customs which went to the common good and thence to the pocket of the superior—king, or baron or ecclesiastic—from whom the community held its territory and derived its privileges. Considering the importance of this function of the tron, it is curious to find an arrangement which at one time or other appears to have existed in all the Scottish burghs. For a fixed sum the tron customs were let to private persons who took over from the burgh the whole business of levying them. But, as will afterwards be seen, the letting of the various sources of the town revenue was the general practice of the municipal authorities.

As the weigh-house was the centre of the trade and commerce of the town, so the Tolbooth was the centre of its civic business. Tolbooths, as has already been said, were now to be found in all the more important Scottish burghs, and, like the churches which often supplied their place in the Middle Ages, they were put to curiously miscellaneous uses. Thus, in Peebles, for lack of other accommodation, the Tolbooth served on occasion for the general school-house of the town.⁴⁶ Everywhere, also, the Tolbooth was at once the common prison and the seat of the various courts of justice. Clackmannan did not possess a Tolbooth in the time of Mary, and the result was that the

sheriff had to board the delinquents in his own house and try them in the market-place.⁴⁷ In connection with the locking-up of prisoners, a custom generally prevailed, as, for example, at Paisley and Stirling, which showed a touching confidence in human nature. The offending person was presented with the key of the Tolbooth and requested to lock the door upon himself.⁴⁸ Needless to say, as the world grew older, this confiding spirit was found to be subject to abuse. Yet as late as 1618 we find this entry in the Records of Stirling: "Abrogates and annuls that old custom which has been used in this burgh anent the warding of freemen and others in their ward within the Tolbooth thereof in open and free ward; the doors being open upon them."⁴⁹ In Edinburgh an importance belonged to the Tolbooth which it could not have elsewhere. Besides being the common prison and council-house, it was the seat of the Supreme Courts of Justice, and the occasional meeting-place of the Privy Council, of the Parliament, and even of the General Assembly of the Reformed Church. As in the case of all public edifices, there was permanent trouble in maintaining the Tolbooths in such a condition that they could be inhabited with safety. In connection with all the burghs we have the same story; now it is the steeple that is in disrepair, now the clock that adorned it, now the very frame of the whole structure. To meet the expenses of maintaining

their Tolbooths the burghs generally had recourse to the same device. Booths were erected under it and let to the highest bidder, and as the situation was a specially advantageous one for doing a good business, there was no lack of competition on the part of the rival traders.

Up to this point we have kept only to the main street of the town. But supposing it possessed only one main street, there would certainly radiate from it a variety of thoroughfares of varying spaciousness, and all possessing characteristics of their own. If we passed through the wider of these, we should discover that behind the houses in the main street there stood a succession of other houses, mostly with their gable ends towards the pathway, and with the invariable "fore-stair" as a means of access to them. Behind most of these houses, also, was the yard or garden, where were found the universal "cale" or cabbage, occasionally a little corn, bee-skeps, and even a solitary tree. All these yards were surrounded with dykes, usually in the last stage of dilapidation, as the records constantly inform us—the head-dyke of the outmost house forming, as we have seen, part of the defences of the town. Our progress through the wider thoroughfare would be a comparatively simple matter, but it was otherwise with the vennels or closes. From the earliest period in the history of the burghs, the vennels had been the torment of the municipal authorities. One of the queries to be put at the Chamberlain Ayres was

whether the vennels of various burghs were in a satisfactory condition.⁵⁰ As often as not they were so completely blocked by miscellaneous obstacles that they were practically impassable. Middens, tar barrels, stacks of heather and broom (frequent causes of fire), fore-stairs and other obtruding structures—through these manifold impediments the passenger had to make his way before he emerged in safety from his venturous passage. The magistrates did what they could to reform the state of the vennels. Thus, as early as 1437, the magistrates of Edinburgh ordered what was called the “Common Vennel” to be closed “to eschew apparent great skaith,”⁵¹ while those of Glasgow in 1574 heroically declared “all the wennellis to be simpliciter condampnit and stekit up.”⁵² But there was another inconvenience connected with the vennels which was evidently regarded with grave concern. In the event of the town being attacked the numerous passages into the main street were a serious source of weakness in defence. If the enemy made his way through the frail town dyke, he could pour his forces through the vennels and make it impossible for the defenders to concentrate their efforts in repelling them. Whenever there was the possibility of the town being attacked, therefore, the mandate went forth that every close and vennel should be built up. Whether the mandate was invariably obeyed or not it would be difficult to say. At all events, the barriers were speedily demolished, and the

vannels became the standing nuisance they ever were.

Such was the general appearance a town in the time of Queen Mary presented by day. But what of its condition under the canopy of night? Considering the general state of the streets, as it has just been described, the most brilliant illumination would certainly have been required to make it safe to traverse them after sunset. But the materials for lighting purposes were not only inadequate, they were likewise extremely dear. Candles were due as offerings to the saints, but it was only the comparatively rich who could afford to use them freely for general purposes. Yet the authorities did what they could to produce such an amount of illumination as rendered it possible to pick one's steps without some more or less painful casualty. There were stringent regulations that every trader should affix a "bowet" or small lamp to his booth, and that the fore-stairs in the closes should be similarly provided. But the frequency with which this regulation was urged proves that it was rather a counsel of perfection than a rigidly-observed law, and we may be certain that in every Scottish burgh the bowets twinkled but intermittently either on fore-stairs or booths.

But this nightly obscuration was not such a hardship as we might imagine. The majority of the inhabitants adapted themselves to circumstances by retiring to bed, and they were helped to this procedure by the rigorous law of the burgh. After ten

o'clock at night in winter every respectable person was supposed to be safely housed. If any lawful errand took him out of doors after that hour, he must carry a bowet or candle to indicate to the watch that he had no wicked intentions; should he be unprovided with a light he was to be convoyed to "the netherhole incontinent."⁵³ There were numerous reasons why the town should betake itself so early to repose. The mere difficulty of secure footing was one, but there were two others of greater urgency. Under the covert of night the peace of the town was not safe. By accident or premeditation frays would arise and blood be spilt, and the offenders, secure from identification in the darkness, could not be brought to justice. The other danger of the night was that evil-minded strangers might find their way into the town and work mischief in various ways. They might carry on illicit trade to the prejudice of the privileged traders, or, what would also sometimes happen, they might fall foul of the goods and person of some citizen who had incurred their enmity. True, the town gates were closed at nightfall, and there was the town dyke to be surmounted, but we have seen what feeble barriers these presented to any active and resolute person who was bent on making his entrance. As a general rule, therefore, after ten o'clock of a winter's night the solitude of the streets was broken only by the tramp of the watch as they went their rounds through the slumbering town.⁵⁴

CHAPTER IV

TRADE, COMMERCE, AND INDUSTRY IN THE TOWNS

HAVING described the external appearance of a Scottish town in the time of Queen Mary, let us now glance at its internal organisation, at the principles on which its common life was based, and the conditions under which the individual discharged his functions as a responsible member of the community. What was said of the external appearance of the town equally applies to its organisation: it was still essentially mediæval alike in its scope and the aims to which it was directed. As will afterwards be seen, there were various indications that the Scottish towns, like those of other countries, were gradually breaking away from the mediæval type, but in the time of Mary the modifications as yet effected left that type virtually unchanged in its most characteristic features.

As we read the town records of the time, there is one conclusion that we cannot miss—that the prime consideration in the town policy was security and self-defence. Throughout the Middle Ages this had necessarily been the first and last consideration wherever a town had sprung into being.

The security the town required was of a double nature—protection from actual violence and protection from the conflicting interests of rival neighbours. For throughout the Middle Ages, it is to be remembered, the jealousy between rival towns of the same country was more intense than the jealousy that now exists between rival nations. And, as society existed in Scotland in the latter half of the sixteenth century, this double security was still the supreme necessity for the existence and prosperity of her towns. Such, at least, was the conviction of the town authorities themselves, as a few facts will conclusively prove.

Of every candidate for citizenship it was exacted, as the first condition of his receiving it, that he should possess the full equipment of weapons and armour prescribed by the laws of the burgh. As a guarantee of his ability to meet this condition he had to appear before the Council with all his accoutrements, and give a pledge, moreover, that they were his own property. Should he fail to possess them when his services were called for, he had to pay the penalty prescribed for the delinquency.¹ Nor, in the times of which we are speaking, was the condition of military service a merely formal one. A plaintive petition by an Edinburgh burgher in 1584 brings vividly before us the onerous conditions under which the privileges of citizenship were retained. He is now seventy-one years old, he tells the Council, and for the

space of forty years "has been continually exercised and occupied in the common affairs and service of this good town, in the which service he has not only spent his time, but also therethrough has lost the greatest part of his substance, gear and heritage, by loss of which things he is not able to sustain such burden in the common charges of the good town as he was wont to do." "In respect of his good and long service," therefore, he craves that he may be exempted from "all watching, warding, wappinschawing and raids and arms." He was aware that he might legally obtain exemption from the "higher powers," but, as a good burgher, he refrained from making such an appeal and threw himself on the consideration of the Council. The Council granted the exemption, but carefully guarded itself by the statement that it was only "so far as they have power," and that the exemption held only with reference to his "own person."² Such petitions for exemption from the services required by the town were not infrequent, and in some cases the petitions went even a degree further, as, for example, when Nicholas Udart, a distinguished Edinburgh citizen of his day, craved that he might be permitted to resign his burghership on the ground that he was unable to sustain his burdens.³

If further proof were needed that security was still the anxious concern of the burghs, it is to be found in the fact already noted—that at no previous

time were they so zealous in their attempts to protect their bounds with effectual lines of defence. In the time of Mary, in short, the Scottish towns were still essentially what they had been throughout the Middle Age—communities in which the obligation on every citizen was to be a good man-at-arms in the first place, and, next, a good merchant, or trader, or craftsman.

But besides security from open violence, there was that other security which has just been noted—and which was also considered essential to the existence and prosperity of the burgh—security, namely, from the injurious rivalry of other communities. But the consideration of this point brings us face to face with the fundamental conditions under which the town dwellers had roofs over their heads, found food for their mouths, and raiment for their bodies.

Originally, it is to be remembered, the territory on which the town arose formed part of the domain of some great superior—king, or baron or ecclesiastic. For the tenements and other erections on the town territory, therefore, dues had to be paid to the superior, whoever he might be. At first each holder had paid his own fee directly to the superior from whom he held his allotment, but as the town grew in extent and population, this was found to be an inconvenient arrangement; and by the close of the fourteenth century most of the Scottish burghs and their superiors had entered into a new agreement which had long been adopted in England and

other countries. The superiors granted a perpetual feu (*firma burghi*) to the burgh on condition that they should receive a stipulated annual sum as the collective rent of all the town territory and the "subjects" that pertained to it. In the case of the king's or royal burghs this sum was directly paid to the Exchequer, and this was one of the marks of their privileged superiority. To pay this collective annual rent was thus the first and all-important consideration of every burgh; and it was indeed this consideration that determined the manner in which the community should be organised and governed. From one point of view, therefore, the town was simply a collective unit which existed to pay dues to its superior.

How, then, was the annual rent raised, and from what sources was it derived? By the conditions under which the town held its tenure, there could, of course, be no private property. All its territory and its adjuncts belonged to the superior, and were feued to the community only as a collective body. There was thus but one method open for raising the annual contribution for which the town was responsible. The Town Council, or the representative bodies that existed before Town Councils, let the town territory and its subjects to the highest bidders, who retained them on condition of paying the stipulated rent to the common purse. It was this system of letting, therefore, that in large degree determined the scope and aim of the con-

stitution of the burgh. It prescribed the functions of the various officials, regulated trade and commerce, conditioned the life of the individual townsman, and determined the relations of each burgh to its neighbours. Let us consider how this system worked, for only by so doing can we enter into the spirit and aims of any Scottish burgh of the period.

Suppose an indweller wished to have a roof over his head, he must, first, have a guarantee that he was entitled to the privilege. If he was not a freeman of the town, a freeman at least must be sponsor for him.⁴ This condition satisfied, he might present himself to the proper town official and signify his desire to become a householder. It might be that some house happened to be vacant, and then it would be allocated to him on condition of his finding a pledge that the prescribed rent would be forthcoming. It might happen, however, that others had an eye on the house in question, and, in that case, he must be prepared to bid his highest against them. If he wished to eke out his living by renting a booth to trade in, or a piece of ground to cultivate, or any other town subject, the same process must be gone through. Moreover, whatever the nature of the subject which he rented, he must be responsible for its proper maintenance during the whole term of his lease, which might vary from a year to a lifetime. By this arrangement it might appear that the town gained two

important advantages: it ensured responsible and loyal citizens, and it ensured the satisfactory condition of land and buildings alike. Rigidly definite as the law may seem, however, there is ample evidence that, like other equally stringent regulations of the time, it could be evaded with an impunity that encouraged evil-doers.

From the rents of houses and booths the town drew a considerable proportion of its revenue, but there were various other sources which further augmented it. One important item was the rent of the public mills with which almost every burgh was provided.⁵ The origin of these public mills belongs to a period prior to the existence of organised town communities—to a period when there was only an open territory directly under the authority of a single superior. On such a territory mills for grinding corn were indispensable, but the privilege of erecting them belonged to the superior alone. Only at his mills could corn be ground—the condition of using them being a fixed proportion of the material brought to the mill. When the burghs took over their territory in perpetual feu, the same arrangement was maintained—the municipality taking the place of the single superior. The mills remained public property, and nowhere else and by no other means (as, for example, by hand-mills) was any indweller in the town allowed to grind his corn. To utilise the mills as a source of revenue there was but one method open to the authorities—to let them

to the highest bidder. This might seem a convenient arrangement, as the town official had only to receive the stipulated rent from the lease-holder. In point of fact, however, the mills were a source of endless squabbling among the townsmen and of vexation to the officials. In the mills every neighbour had his "rowm" or space allotted to him, but the rowms were overcrowded, and wranglings ensued which called for the intervention of the authorities. Dishonest indwellers would surreptitiously have their victual ground without being measured, and so escape the prescribed multure; or, still more heinous offence, they would have recourse to unlicensed "out-mills," which, in spite of the law, seem to have existed everywhere. Above all, the farmers of the mills would exact more than the legal charges, or, to make the most of their lease, would not, as was incumbent on them, maintain the mills in good repair. Such were some of the troubles that arose in connection with the leasing of the mills, and continually exercised the vigilance of those responsible for the common good.⁶

Besides the mills there were various other subjects belonging to the town which were similarly leased to the highest bidders. Such were the fishings, ferries, bridges, revenues of the fairs, rabbit-warrens, booths, street-sweepings—and, in short, everything capable of making some return to the town exchequer. But this system of farming out whatever contributed to the common good

had a still wider application, which reveals to us another aspect of the economic life of the community.

Besides the rentals from the town territory and its adjuncts, the superior, whoever he might be, claimed a further contribution from its occupiers. In return for certain privileges of trade which he conferred on the town he exacted an impost on all commodities that went in and out of the town gates. In the case of the royal burghs these privileges were especially valuable, which implied that the imposts were proportionally high. To the royal burghs belonged the privilege of trading in all parts of the kingdom free of other exactions except those which were due to the Crown. Another privilege they possessed, and one that came to be keenly resented by the less favoured burghs, was the virtual monopoly of foreign trade—a monopoly of which they were not definitively deprived till the beginning of the eighteenth century. But whether the town were a royal burgh or not, for such privileges of trade as it enjoyed, it had to make good to its superior the equivalent for which these privileges had been granted. Let us see how this claim was met — taking a royal burgh in illustration as exhibiting the procedure in its fullest extent.

In the earliest period of the history of the towns, it had been the function of the chamberlain and his subordinate officials to levy directly the customs

due to the Crown. But when the town received the perpetual feu of its territory and adjuncts, a new arrangement was made both in the case of the petty customs which were levied at the town gates and in the market, and of the great customs levied on commodities shipped for foreign countries. And, first, let us take the case of petty customs, the collection of which illustrates under what conditions the home trade of the country was conducted.

The royal burghs, we have seen, had the privilege of trading in every part of the kingdom free of all imposts except those exacted by the Crown, but, in point of fact, even in the time of Mary, there was little communication of any kind, commercial or other, between the various towns of the kingdom. Each municipality was in large degree an isolated society which regarded every other with indifference or actual hostility.⁷ Of this mutual jealousy between the Scottish burghs we have an excellent illustration in an entry in the Aberdeen Records under date 1557. "The Council," this entry runs, "ordains a writing to be made and sent to the town of Dundee that they come not here with their creamery and merchandise at St Nicolas' day, because it is not fair but against the privilege and infestment of the town." On one occasion only, the entry proceeds to say, would the merchants of Dundee (and the injunction, of course, applied to every other burgh)

be permitted to do business in Aberdeen—on the occasion namely of the town fair.⁸ And in passing it may be noted that the exception in the case of the fair was the universal practice in the towns of every country; it was only while the fair lasted that the town gave open welcome to all and sundry, and the universal system of exclusive dealing gave place to unlimited free trade.

Such being the relations between the different burghs, the home trade of the country was in great degree necessarily restricted to commercial dealings between the dwellers in each burgh and between the burgh and its rural precinct. This rural precinct, as has already been said, was a peculiarity which distinguished Scottish from English burghs, and in some cases comprised a considerable extent of territory. The bounds of Edinburgh, for example, extended on the east as far as Edgubucklin Brae near Pinkie, and on the west to the Almond Water. By the terms of their charters the burghs had absolute commercial control over these districts, whose inhabitants were prohibited from selling their commodities in any other markets except those of the burghs of which they were the adjuncts.⁹ Thus the rural district and the town were mutually complementary, each supplying the needs of the other.

In the regulation of this home traffic there were two conditions that necessitated a system of fiscal arrangements, to which it was at all times found

difficult to give effect, and which finally broke down under the expansion of trade—though in Scotland at a considerably later date than in England. The one condition was the necessity under which the town lay of levying the petty customs—the equivalent of which must annually be paid to the Royal Exchequer. In levying these customs the same method was adopted by the burghs as in the case of the town tenements, mills, fishings, and other accessories. They farmed the petty customs to the highest bidders, who, we may be sure, made the best of their bargain throughout the term of their lease. This was one condition of home trade, therefore—that all commodities had to pay a fixed tariff to the farmers of the petty customs, either in the market or on leaving or entering the town.

The other condition which affected all business transactions was that fixed idea of the Middle Ages that every article had an intrinsic just price, which was not to be altered either at the caprice of the individual or by competition in the market. Originally it had been the privilege of each burgh to fix the prices of all commodities that changed hands within its own precinct, but by the reign of Mary, as we shall see, the privilege had been to a certain degree curtailed, though not to the same degree as in England. To the indignation of the Scottish burghs the Privy Council claimed the right of fixing prices, in contravention, it was maintained, of all existing statutes.¹⁰ But whether imposed by

the burgh itself or by the Privy Council, the system of fixed prices was virtually as uniform and unbroken in the time of Mary as at any period in the Middle Ages. Let us examine more closely how the somewhat complicated machinery worked.

On the appointed market days, the dweller in the country (the upland or outland man, as he was called) proceeded to the burgh with his commodities on his shoulders, or in his barrow, or in his wain. These commodities, it is to be noted, were limited to raw products, for, as we shall afterwards see, none but freemen of the burgh were allowed to practise any handicraft. He arrives at the town gate, and there pays his toll according to the nature and quantity of his goods. His toll paid, he next deposits his wares at the town cross, where officials are waiting to fix the prices at which he is to be allowed to sell them. He is now at liberty to take his place in the market—the hours and precise locality of which are strictly defined by the laws of the burgh. Nowhere else except in the market is he permitted to dispose of his goods, for publicity of sale and purchase is the only guarantee that the buyer will get what he wants at the regulation price."

Such was the procedure imposed on the dealer from the country, and equally stringent regulations bound the inhabitant of the burgh. He must buy and sell in open booth or market with only the cope of heaven above his head, and he must retail

his wares at rates rigidly fixed at stated intervals by the officials appointed for the purpose. And not only the prices of goods were precisely determined : the quality of them was under equally careful supervision. For this object officials were annually chosen whose duty it was periodically to scrutinise the various commodities offered for sale. Thus, there were ale-tasters, and wine-tasters, appraisers of bread and flesh, and of every product of the various handicrafts. If the quality of the goods did not come up to the necessary standard, they were either destroyed, or, as in the case of bad butcher meat, allocated to the lepers who always abounded in the community.

Did all this rigorous supervision ensure honest dealing on the part of buyer and seller? Human nature being what it is, it was found impossible to exact strict obedience to regulations, which were yet universally recognised as essential in the interests of the community. Everywhere — in England and the continental countries alike—these regulations were promulgated, and everywhere the experience was the same. Burghs and Parliaments passed endless laws to enforce their application, but legislation was futile against what was denounced as the inhuman conduct of self-seeking knaves. The countryman would avoid the town gates, make his way through some breach in the town dyke, and dispose of his produce at forbidden hours and in forbidden places. The town dealer would slink

out of the burgh, waylay the countryman coming to market, purchase his goods at a profitable price, and secretly dispose of them to equally dishonest buyers.¹² To these offences were given the terrible names of regrating and forestalling which are written so large, and denounced with such variety and abundance of epithet in burgh laws and Privy Council and Parliamentary records. Contravention of the regulations regarding the quality of goods was equally frequent. The producers cajoled or bribed the official inspectors, who were constantly taken to task for the perfunctory or dishonest discharge of their office. For example, it was a charge against ale-tasters that, instead of having the ale brought out into the middle of the street and there tasting it, as was their duty, they entered the ale-house and filled their own bellies.¹³

In connection with home trade the great part played by markets and fairs is one of the most striking characteristics of the time. Only the king could grant liberty of holding markets, though certain towns enjoyed the privilege by long prescription. As with all the trade arrangements of the time, markets were the objects of minute and stringent regulation. In the larger burghs every commodity was assigned a fixed place within the bounds of which they alone could be bought and sold. The hours within which the market could be held were rigidly determined—the ringing of a bell announcing when business might begin; and as a

check on dishonest dealers, the great and little beam or tron was at hand, where goods could be weighed according as they were coarse or fine.

More remarkable institutions than the markets were the great annual fairs which were held in every town of any consequence. As the name (derived from *feria*, a holiday) implies, the fairs were religious in their origin, and were usually associated with the anniversary of some saint. With their religious and commercial significance, the fairs were the most striking spectacles that the time could afford of all that was most picturesque and characteristic in their life. Take, for example, the preliminaries that attend the opening of the fair of St Denis, near Paris. On the day of its opening the entire university of Paris, with its rector at its head, proceeded in a body to St Denis, a distance of some four miles from Paris. The entire company, in full academical costume, were mounted on horseback, and marched two abreast, with ensigns flying and tabours sounding all the way. Arrived at the scene of the fair, the rector, as representative of the university, formally bought a quantity of parchment, and only when this transaction was completed might the business of the fair begin.¹⁴

Through the isolated position of Scotland its fairs did not attain the international importance of certain of the fairs of England and the Continent ; yet even in Scotland the fairs were attended by great economic and social results. They were the only

occasions, we have seen, when unrestricted trade prevailed. It was only then, also, when the whole industrial products of the country could be brought together, in this respect fulfilling the same purpose as the modern exhibition. Equally important must have been their influence in creating the common interests and obligations that are necessary before a people can become a united nation. As has been more than once said, the towns of the period, from the very conditions under which they existed, were isolated societies, regarding each other with indifference or antagonism, and with few interests beyond their petty bounds. At the annual fairs, where men gathered from all corners of the kingdom, it was brought home to them that they were members of a larger community, in the well-being of which they all had a stake, and of which their own little world was an organic part.

In the case of foreign trade the same general considerations regulated legislation as in the case of trade at home. The regulations must be such as to ensure, on the one hand, that the king should not be deprived of his customs, and on the other, that the royal burghs should not be defrauded of their monopoly.

The arrangements for the levying of the great or foreign customs were different from those adopted in the case of the petty customs. For the latter, we have seen, the town itself was responsible; but in the levying of the great customs the Crown

looked directly after its own interests. In every burgh of export, officials, known as customars, were appointed—the persons chosen being usually one or two of the leading burgesses.¹⁵ It was the duty of these customars to see that no commodities were shipped to foreign countries without the payment of the fixed tariffs, and only when the tariffs were paid did the owner receive the cocket or certificate which licensed him to proceed on his voyage.¹⁶ It was only on exports that duties were exacted, for it is an interesting fact that in Scotland till the year 1597, with the exception of harbour dues, no tariffs were levied on imported goods. In that year, however, James VI. and his advisers awoke to the fact that Scotland was the only country where this exemption prevailed, and came to the conclusion that His Majesty, as “ane free prince of ane soverane power,” had as good a right as any other potentate to custom on imports.¹⁷ Specially interesting at the present moment are the views of the Convention of Scottish Burghs on this new departure on the part of the Crown. With all the means at their command they opposed the innovation, and denounced it as “ane intollerabill custome.”¹⁸

But foreign trade had to be guarded not only in the interests of the Crown, but also in the interests of the royal burghs whose monopoly it was. In the first place, these burghs had to see that non-burgesses, though resident in the town, had no part

in such trade, and, in the second place, to exercise similar vigilance in the case of the non-privileged burghs. Let us take an example of the procedure that was adopted in either case.

At Aberdeen, in 1561, it was discovered that non-burgesses were infringing burgess privileges by directly purchasing the cargoes of ships arriving in the town port. The measure adopted to check this illegality, it may be noted, was one which we find applied in the burghs alike of England, Wales, and Ireland.¹⁹ The captain or owner of the newly-arrived vessel was to report his cargo to the town customar, who, in his turn, was to lodge information with the provost and bailies. The provost and bailies were then to proceed to the vessel and purchase the cargo, which thereafter was to be sold to such persons in the town as had the right of dealing in foreign merchandise. But this distribution was a delicate process that required precise and careful handling. The persons privileged to buy were divided into four "quarters,"²⁰ who were each in succession to have the opportunity of purchasing the cargoes of such vessels as arrived in the port. Should any of the quarters refuse to buy, they were not to have another opportunity for the space of a year. Finally, it was further decreed that any person whatever who was found to have made a direct purchase from the owner of the vessel was to be fined £10—the purchased goods being escheated to the common good.²¹

Of all the royal burghs, Edinburgh appears to have had the greatest difficulty in maintaining its privilege of foreign trade. This was due to the peculiar relation in which it stood to the town of Leith, over which it had claimed superiority since the arrangement made with Logan of Restalrig in 1398. Leith not being a free burgh, it did not possess the privilege of exporting what were known as the staple goods of the country—that is, the chief commodities out of which any profit could be made. But with the opportunities of surreptitious foreign trade so conveniently at hand, it was not to be expected that the inhabitants of Leith would scruple to evade regulations which they considered an intolerable grievance. Evasion on the one hand, therefore, and jealous vigilance on the other make up the history of the relations of the two communities to each other. Before a foreign-bound ship could leave the harbour of Leith, its owners, its skipper, and its freight were all alike subjected to the closest scrutiny by the Edinburgh authorities. Its cargo had to be shipped in presence of the Dean of Guild, one bailie, one of the Town Council, and the town clerk. Only the goods of freemen—that is, free burgesses of Edinburgh—were allowed to be shipped, and owners, skippers, and even passengers must be provided with a “ticket” from the superior burgh.²² The regulations for incoming vessels were equally stringent. On the arrival of the vessel in port its cargo was examined by deputed officials

from Edinburgh, who, after putting a value upon it, saw that it was directly transported to the Market Cross of Edinburgh, for at the harbour itself no buying or selling was permitted. Deposited at the Cross, the wares were then disposed of to freemen in the first place, and, after they were served, to unfreemen at the price that had been officially determined.²³

Under such regulations as have just been noted it might seem that the burghs were sufficiently secure against any invasion of their privileges connected with foreign trade. But there were further restrictions imposed on individuals which were an additional safeguard against illicit traffickers. By an ancient law of the Scottish burghs no merchant was allowed to leave the country without licence from the king or his chamberlain,²⁴ and the spirit of this law was still operative in the time of Mary. Before a merchant could take ship he must appear in the Tolbooth before the assembled Town Council, with whom it lay to decide whether he should sail or not. If the Council decided in his favour, it communicated its decision to the captain of the ship in which he proposed to make his voyage; but without this authorisation no captain could take any merchant as his passenger.²⁵ Another express condition attached to foreign trade was that the merchant must own half the cargo of the ship with which he sailed, or, if he did not own it himself, be the responsible factor of

others for that proportion. The object of this enactment is satisfactorily explained by the context. By the passing of certain "simple" persons into foreign countries in vile array, we are told, the country was made ridiculous in the eyes of the world. With justifiable national pride, therefore, the Town Councils of the burghs insisted that merchants trading in foreign countries should have respectable coats on their backs, and that the cargoes they exported should prove that they were men of some substance.²⁶

These various restrictions on foreign trade may at first sight seem sufficiently irrational, and even expressly fitted to check individual enterprise and the natural development of commerce. We have to remember, however, the peculiar conditions under which trade with other countries was carried on in the sixteenth century. As we have seen, the voyage of a merchant ship across the German Ocean was a veritable venture, in which the chances of miscarriage were as great as the chances of success. If the winds and waves proved favourable, there were the pirates of all nations on the vigilant watch for every ship whose cargo was worth the trouble of lifting. And not only the cargo, but the merchant himself was a valuable asset, as he could be held to ransom till his friends saw their way to disburse a round sum for his release. In engaging on a voyage, therefore, the foreign trader took at once his life and his goods in

his hands, and in these circumstances he naturally desired that his profits should be such as would compensate him for his risks. But even at the best these profits were inconsiderable, and it seemed to him that they would not be enhanced if all and sundry were permitted to do business at their will in the matter of foreign trade. Moreover, in spite of all the hard-and-fast regulations, illicit trade was carried on to an extent that in various ways brought evil repute on the country. But should unrestricted trade be made the law, these evils would be increased tenfold. Commodities would be exported which were needed at home, or might be of such inferior quality that they would ruin the credit of the nation. And, finally, if foreign trade were thrown open to all who might wish to engage in it, it would be impossible, with the machinery at the disposal of the burgh authorities, to direct and control it in their own interests and the interests of the kingdom. It was for such reasons as these that the royal burghs, with the approval of the legislature, insisted on their monopoly and were so chary of admitting to it even privileged members of their own community. Nor, it is to be remembered, were these restrictions peculiar to Scotland: in other countries the same conditions prevailed; though in them, as in some degree also in Scotland, there was a growing tendency to modify them in favour of a larger freedom.

What, we can hardly avoid asking, were the natural and artificial products, what the commodities imported and exported, which were the object of these complicated regulations with regard to foreign trade? A definite answer to the question is to be found in a paper in the charter chest of the Earl of Mar and Kellie, and about to be published by the Historical Manuscripts Commission.²⁷ In this document we have a precise enumeration of all exports and imports with the respective values of each, and thus obtain a complete view at once of the industries and of the foreign trade of the country. This report belongs to a somewhat later date than the reign of Mary, but the lists and the relative values of the commodities specified may be safely used for our present purpose.

In the first list of exports we have what are designated as "the commodities that the land yields yearly." The list is as follows:—wheat, barley and malt, oats, flour, bread, "called baikis," beef, and *aqua vitæ*. The value of the total amount of these various commodities is set down at £37,653 Scots, of which by far the largest proportion is covered by oats and barley—the value of these amounting to £25,536. Next in the catalogue of exports come hides, of which only two kinds are named—"salt hyddis" and "hairt hyddis" (deer skins). The value of these items of export was in round numbers £67,000—nearly twice the amount realised from all

the agricultural products taken together. From the earliest times one of the chief sources of the national income had been derived from the export of the skins of animals, and in the report before us we have the following list of these :—skins of sheep, shorlings, lambs, fut-falls (lambs that die as soon as they are dropped), goats, calves, roes, foxes, kids, otters, and rabbits. The total return from this class of exports was £172,000, of which £143,000 came from sheepskins. The next list of exports comprises what are called “the commodities of the land,” which are enumerated as follows :—wool, feathers, Orkney butter, lead, coals ; return £99,000, of which sum one-half was obtained from wool. Another source of national income was the riches of the sea. According to Pedro de Ayala *piscinata Scotia* was an “ancient proverb,” and the same writer tells us with some exaggeration that the fish exported from Scotland sufficed for the needs of Italy, Flanders, France, and England. Under the head of “commodities of the sea,” the following items are specified :—salmon, herring, barrelled fish, fish in peale, and fish oil, the return from the whole being £153,000, of which £100,000 came from herring.

But the list to which we turn with the greatest interest is that entitled “commodities that are made and wrought in the country.” Thirteen industries in all—this is the sum-total given of the manufactures that occupied the Scottish people

in the time of Mary. The list is as follows:— salt, cloth, plaiding, linen cloth, coarse cloth, linen yarn, knitted hose, dressed leather, gloves, leather points, sewed cushions, ticking for beds, and shoes. An analysis of the list brings out some interesting results. The annual return from the export of all these manufactures was £169,000. Cloth and plaiding brought in £59,000; salt, £39,000; linen yarn, £33,000; gloves, £12,000; and knitted hose, £11,000; bed-ticking brought £20; cushions, £172, and forty pairs of shoes at 13s. 4d. a pair, £27. It will be noted, therefore, that the three chief industries of Mary's reign, as they had been for centuries before, were the manufacture of cloth and plaiding, linen yarn, and salt.

With regard to salt, one of the sights which surprised our visitors was the multitude of salt-pans which they passed on their way to the capital. Salt was truly a national industry, equally from the number of persons it employed and from the amount of wealth it brought into the country. The principal seats of the industry were the shores of the Firth of Forth, where the juxtaposition of the coal and the sea supplied the necessary conditions for its manufacture. "All along the shore of [the] Firth," writes one visitor in somewhat broken English, "are placed, even almost to Stirling from beyond Musselburgh, salt-pans wherein a mighty proportion of salt is boiled, which cannot be estimated and guessed, because the works are not

easily to [be] numbered, which are placed all along the shore, at least thirty English miles."²⁸ To the national importance of the manufacture of salt we have a signal testimony in the opening years of the reign of Charles I., and the testimony equally applies to the reign of Mary. A proposal was submitted to Charles that the export of Scotch salt should be limited "to a small quantity saleable only to a few persons." The magistrates of Edinburgh, in the name of their own burgh and every other burgh in the country, pointed out to the Privy Council the disastrous results that would follow the adoption of such a policy, and the Council took up the matter with a due sense of its importance. In a letter to the king it reminded him that the coal and salt industries were inseparable. At that moment 10,000 persons were engaged in the working of both. Should the production of salt be largely diminished, the result must be a proportionate decrease in the output of coal. "Without the benefit of the salt," the Council wrote, "these sumptuous water-works and mines required for maintenance and winning of the coal cannot be upheld, and which being forsaken but for a month, the coal must perish never in any age to be regained." But not only the coal and salt industries would suffer; the carrying trade would be equally stricken. Half the shipping of the kingdom was employed in the export of these commodities, and it would be a deadly blow to the

prosperity of many burghs if their ships were idle. And, in conclusion, the Council earnestly besought Charles not to set his face against that "mutual freedom of trade" which his father had maintained with "princely care."²⁹

An experienced English traveller who visited Scotland at the close of the sixteenth century gives the following compendious survey of the foreign trade of Scotland at that period, and his testimony applies to times long antecedent to those of Mary. "The inhabitants of the western parts of Scotland," says this observer, "carry into Ireland and neighbouring places red and pickled herrings, sea-coal and *aqua vitæ*, with like commodities, and bring out of Ireland yarn, and cows' hides or silver. The eastern Scots carry into France coarse cloths, both linen and woollen, which be narrow and shrink in the wetting. They also carry thither wool, skins of goats, wethers, and of conies, and divers kinds of fishes, taken in the Scottish sea and near other northern islands, and after smoked, or otherwise dried and salted. And they bring from thence salt and wines; but the chief traffic of the Scots is in four places, namely, at Campvere in Zealand, whither they carry salt, the skins of wethers, otters, badgers and martens, and bring from thence corn. And at Bordeaux in France, whither they carry cloths and the same skins, and bring from thence wines, prunes, walnuts, and chestnuts. Thirdly, within the Baltic Sea, whither they carry the said

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cloths and skins, and bring thence flax, hemp, iron, pitch, and tar. And, lastly, in England, whither they carry linen cloths, yarn, and salt, and bring thence wheat, oats, beans, and like things." ³⁰

CHAPTER V

THE INHABITANTS OF THE TOWNS

HAVING described the appearance of a town in the time of Mary, and the general conditions under which its life and business were conducted, let us now glance at the community that was gathered within its precincts. In the first place it is to be remembered that, with the exception of Edinburgh, the number of indwellers, even in the more populous burghs, amounted only to a few thousands. In such a society everyone was more or less familiar with his fellow-townsmen, and as he had scarcely any interests beyond the community of which he was a member, his feelings were proportionally keen regarding all that concerned it. By the conditions of town life, as they have just been described, he was saved from the vacuity of a modern villager. The complexity of the burghal arrangements necessarily give rise to a plentiful amount of friction, while the close personal supervision, to which everyone in his own place was officially subjected, continually reminded him that he was part of a machine for the smooth working of which he had his own responsibility. If the records

of the burghs are to be trusted, we must conclude that a sixteenth-century Scottish town was a sufficiently lively place, and could on occasion be the scene of humorous and dramatic incidents which the march of civilisation has made impossible with so many other things.

In the town community there was a deep line of cleavage which divided its inhabitants into what were virtually two hostile camps. On the one hand, there were the burgesses or freemen, and, on the other, the non-burgesses or unfreemen. It was with genuine feudal class feeling that the privileged burgher regarded his less favoured fellow-townsmen, and he had good reason to cherish the sentiment. According to the laws of the burgh, though they were not infrequently broken, the unfreeman could not follow any handicraft, could not engage in any form of trade or merchandise, could not be taken into partnership by any freeman, nor be employed by him in any business capacity either at home or abroad. Shops and stalls were closed against him; in the market he could only buy within prescribed hours; and it was invidiously enacted in Edinburgh that on market-days he must take his position on the opposite side of the street from the freeman. Thus excluded from all these privileges, the unfreeman could hardly regard his favoured neighbours with fraternal feelings, and, in point of fact, the relations between the two sections of the community suggest a certain parallel to the relations

which existed between the plebeians and the patricians in ancient Rome.

But if the freeman had valuable privileges, he had also weighty responsibilities — so weighty, indeed, that he often became convinced that he had made a bad bargain in acquiring them. He had first of all to pay a considerable sum for admission, which he might not be well able to spare—though, on occasion, for special services or some other reason, the fee was not exacted. Once admitted a full burgess, all the burdens of his new position devolved upon him. He had to take his share in watching and warding—everywhere rigorously enforced; and, hardest duty of all, he had to be ready at any moment to don his jack and take up his halbert and hagbut, and march with his fellow-burgessers wherever the king might require his services. The privileged burgess had, in fact, to combine as best he could the duties of a feudal retainer with the special occupations by which he gained his bread. There was an ingenious method, indeed, by which all the privileges could be acquired without the responsibilities. The enfranchised burgess might take up his residence beyond the limits of the burgh, and thus escape the round of duties that were the co-relative of his privileges. But though burgesses of this type were to be found in connection with all the towns, they were universally regarded as equivocal citizens who had no just right to exist. It was in times of crisis,

when the calls for watching and warding were exacting, that the "out-burgher," as he was called, became the special object of distrust and dislike. Stringent laws would then be passed to the effect that all out-burgesses should at once take "stob and stake" in the town, and that thenceforward no person should be admitted to its freedom who did not undertake to discharge every obligation which that freedom involved. The very emphasis with which the out-burgher was denounced is, indeed, the strongest proof of the burdensome conditions of citizenship. Yet, in spite of legislation, the out-burgher continued to exist, perhaps because his fee was a welcome addition to the town treasury, or because persons of substance who would make creditable citizens were not so numerous in the community.

But besides this deep cleavage between burgesses and non-burgesses, there was a further subdivision in the ranks of the burgesses themselves. The freedom of the town was shared by two classes of persons, who in Scotland were in bitter and chronic antagonism. The one was the class of merchants, the other the class made up of the more or less numerous crafts that were to be found in the free burghs. In the sixteenth century the term "merchant" had the same wide application which it still possesses in Scotland. It was equally applied to small shopkeepers, and to persons engaged in foreign trade. In the earlier

history of the Scottish towns, as in the case of those of other countries, the class of merchants had formed an oligarchy which mainly controlled the business of the burgh. By the beginning of the fifteenth century, however, a new power had appeared within the Scottish burghs, which was thenceforward to be a countercheck to the ascendancy of the merchant class. By that period the various artisan crafts had attained such numbers and influence that the merchants were unable to maintain undisputed influence in the affairs of the burgh. But though the merchants had lost their former commanding position, their wealth and solidarity still enabled them to hold a preponderating influence in the community.

As in the case of all associations formed in pre-Reformation times, the interests of religion were nominally the primary object of these merchant guilds, but, in point of fact, their main concern was the jealous guardianship of the interests of the class which composed them. The powers which they possessed were certainly ample enough for this purpose. It was the brethren of the guild who put in force all those restrictions on trade and commerce which have already been described. It was the guild officials who determined the prices of all commodities, who superintended the freighting of foreign-bound ships, who mulcted all unauthorised persons who ventured to infringe the ordinances regulating the trade of the burgh.¹ To become a

guild-brother it was necessary to be a burghess, but there was a further condition which virtually made the guild a close body of merchants. A craftsman could not be admitted before he abandoned the calling by which he made his living. Thus, in Edinburgh, in 1576, we find a tailor and a surgeon both denied admission to the Guildry, till they had "refused their crafts," and "bore burden with the merchants."² Such were the exclusive privileges still tenaciously claimed by the merchant class in Scottish burghs even into the latter half of the sixteenth century. But, as we have seen, there was a rival class opposed to them which was not content to accept an oligarchy which reduced them to the condition of hewers of wood and drawers of water. The long and bitter controversy between the merchants and craftsmen was not confined to the reign of Mary, but it was then that it assumed the acute form, which forced both parties to see the necessity of a compromise, and eventually resulted in the definitive "Decreit Arbitral" of James VI. in 1583.³ The controversy is thus a distinctive chapter of Mary's reign, second in importance only to the religious revolution itself, with which, indeed, it is closely connected as an economic side of that breach with the national continuity.

As has just been said, it was in the fifteenth century that the crafts began to play a noticeable part in the national life. Crafts had, of course, existed in the towns from the beginning, but

by that period they had multiplied and specialised to such a degree that they had become an important and even formidable section of the community. In Scotland, as in England, they had already in the fifteenth century begun to excite the attention of the executive by their restless activity and by what were deemed their revolutionary tendencies. The conflicting legislation regarding them vividly shows the embarrassment of the authorities in presence of this new power in the State. In the extremity of its bewilderment Parliament within the space of three years did and undid all its legislation regarding the troublesome bodies. In 1425 it was enacted that in every craft in every burgh a "wise man" of the craft should be chosen, who, as deacon or master, should "govern and assay" all its handiwork, and see to it that no scamped goods should be foisted on the buyers by "untrue men of the crafts."⁴ It was speedily discovered that this arrangement had been a mistake—that it led to mischief by placing too much power in the hands of the deacons. In 1426, therefore, it was decreed that the deacons should possess no jurisdiction over a craft beyond a fortnightly inquiry into the skill of its members and the quality of the work which was turned out. The wages of the workmen, the price of the materials he used, and of the final article produced, were all to be fixed, not by the deacon, but by the alderman and Council of each town.⁵ But even this limitation

of the powers of the deacons was found to be inadequate. The assemblies of the crafts over which they presided were declared to "savour of conspiracy," and the office of deacon was summarily abolished.⁶ But some order had to be taken for the control of the unruly societies and for the protection of the lieges against exorbitant prices and shoddy goods. This, therefore, was the arrangement now adopted. An official, known as the Warden, was to be chosen by the Council of the burgh for every craft, his function being restricted to appraising materials and workmanship and fixing prices, with the power of imposing fines where they were necessary.⁷ As far as legislation could avail, seditious meetings of the crafts were thus decisively suppressed, but it is a speaking commentary on the powers of the executive that the law appears to have been little more than a dead letter. From a statute of 1493 we learn that the crafts were still in the habit of electing deacons and holding seditious assemblies. The words in which this statute denounces these proceedings show that it was not only the feudal barons who were the disturbers of the king's peace. "Because it is clearly understood by the King's Highness and his Three Estates," the statute begins, "that the using of deacons of men of craft in burghs is right dangerous, and, as they use the same, may be the cause of great trouble in burghs and convocation to raising of the King's lieges, etc."

From this emphatic preamble we might expect that deacons and all their doings were at length to receive their final condemnation, and it proves what a power the crafts had become that the enactment now passed was essentially of the nature of a compromise. For a year to come (it declared) deacons were to possess no powers beyond examining materials and workmanship.⁸ This impotent conclusion left things precisely as they were. The crafts continued to elect their deacons, the deacons to hold their objectionable assemblies, and the various artisans to charge exorbitant prices for their commodities.

Such were the relations of the crafts to the legislature till the reign of Mary, when a new departure took place in their history. At first it appeared as if they were to be losers in the long battle. During the regency of Mary of Lorraine, in 1555, the Act of 1427 was revived and confirmed. On the ground that the election of deacons led to dangerous courses, such as the contracting of leagues between the different burghs and between the different crafts of each burgh, it was ordained that thenceforth the office of deacon should cease to exist. Instead of deacons, officials, called Visitors, were to be chosen by the Town Council and appointed over each craft. The duties of these visitors were to be restricted to the scrutiny of materials and workmanship; they were to have no power of calling assemblies or of making laws, both

of which privileges were to reside wholly in the Town Council.⁹ Again, however, the Government found that it had taken a line which it was unable to follow. The very next year it was constrained to surrender the great point of contention. By royal proclamation it was announced that thenceforth every craft in all the burghs was to have its deacon, endowed with the "privileges, faculties, freedoms, consuetudes, and uses," which they had ever enjoyed.¹⁰

Thus the crafts had triumphed over the Crown or rather over the merchant guilds which had been mainly responsible for the action of the Crown. How was it that the crafts had been able to gain such a decisive victory over these powerful bodies? First, it is to be noted that their mere numbers made them a formidable element to reckon with in every burgh. Together with their families, and the journeymen, apprentices, and general servants dependent on them, the craftsmen, it is computed, must have composed not less than two-thirds of the entire communities in which they were found.¹¹ But mere numbers would not have given them the ascendancy they had now come to possess. The great source of their strength was that all the greater crafts were now organised societies as closely compacted and informed by as definite a purpose as the merchant guilds themselves.

It was in the latter half of the fifteenth century that the movement towards closer organisation

acquired a momentum which secured its eventual success. From all the greater crafts there came petitions to the Town Councils for charters or "seals of cause" which should constitute them incorporated bodies with powers of internal government and a legal standing in the community. The petitions placed the Town Councils in an embarrassing position. On the one hand, there was much to be said for incorporation, as with legal recognition the crafts would become directly responsible for the good conduct of their individual members. On the other hand, by becoming authorised associations their power to work mischief would be increased, and they would be enabled to cope at still greater advantage with their old enemies, the merchant guilds. But however the Town Councils might be disposed, the pressure brought to bear upon them was irresistible, and in Edinburgh before the reign of Mary, twelve crafts had gained the coveted charters—namely, the chirurgeons and barbers, hammermen, bakers, fleshers, wrights and masons, skinnners and furriers, cordwainers, tailors, weavers, dyers, bonnet-makers, and candlemakers.¹² Of the other royal burghs the same story is to be told. In most of them there had been the same prolonged struggle between the crafts and the merchant guilds ending in the same notable result—the incorporation of the crafts wrung from the Town Councils, and sealed with the sanction of the State.

This brief sketch of the relations between the

crafts and the merchants was necessary for the explanation of one of the most important developments of the reign of Mary. After the question of the national religion, if even subsidiary to that, it was undoubtedly the antagonism between these two rival sections of the community that most intensely preoccupied the public mind of Scotland. In the towns, it is to be remembered, were now gathered at least a third of the population of the country, and it was in the towns that its intelligence and enterprise were mainly concentrated. But for the support of the chief burghs of the kingdom, as we know, the Reformation could hardly have become an accomplished fact. How the towns should develop, therefore, what class of persons in them were to control their development, what principles were to prevail in the manifold life of their communities—these were questions of the first importance for the future of the country at large; and they were all involved in the issues of the great controversy between the crafts and the merchants.

In the reign of Mary the controversy mainly turned on one point, and it was a point of far-reaching importance. The crafts had gained the right of appointing their own deacons, and the most important of them were now legally accredited corporations, but the acquisition of these advantages was only means to a great end. What the crafts had set their hearts upon was a place in the Town Councils that were now to be found in all the

burghs. In their endeavours to obtain this privilege the Scottish crafts were but following the example of similar associations in every country where they existed. In the towns of Germany the struggle between the artisans and the merchants had begun as early as the thirteenth century, and in the course of the fourteenth the artisans triumphed in most of the great towns of the south. In Flanders the struggle had been specially fierce, and it was only after bloody street contests that the crafts had gained their point. In Scotland there was bitterness enough between the two contending parties, but the power of the Crown was sufficient to keep them tolerably under bit and bridle, and it was by sheer dogged persistence that the crafts at length forced their way into the Town Councils.

It is beside our present purpose to trace the origin of these Town Councils—to note how they gradually became differentiated from the earlier governing bodies, and how they at length assumed the general form which they possessed in the time of Mary. Here it is only necessary to recall the statute of 1469 which determined the mode of election that was thenceforth to be followed in all the burghs. According to this statute the old Council was to choose the new, and both together were to elect the various town officials—in the choice of whom, however, the representatives of the crafts were likewise to have a vote.¹³ Such was

the mode of electing the Town Councils which still prevailed at the accession of Mary, and it was with ever-growing dissatisfaction that the craftsmen regarded it. All through Mary's reign they never ceased to clamour for what they deemed their right to have representatives in the Councils, and they had formidable means at their disposal to enforce it. As we have seen, they had numbers and organisation on their side, and when some special occasion arose, it was always in their power to raise a tumult and stop the business of the town. When one of their number was tried by the town officials for some breach of the law, they followed the example of the great barons, and assembled in such numbers as to terrorise the judges. It was out of sheer compulsion that in 1560 the Town Council of Edinburgh took the tentative step of admitting two craftsmen into it as members of its body.¹⁴ The victory of the crafts, however, was far from being won. The Council contrived to raise so many objections against the representatives whom the crafts put forward that all through the reign of Mary the controversy proceeded with increasing rancour on both sides. The details of the struggle belongs to the history of the crafts and the merchant guilds, but for our purpose it is sufficient to note that, as far as Edinburgh is concerned, the long contest was finally closed by the definitive Decret Arbitral delivered by James VI. in 1583. By that Decret it was ordained that twelve merchants and

ten craftsmen should henceforth compose the Council, though only merchants were to be eligible to the offices of provost, bailie, dean of guild and treasurer. If a craftsman aspired to any of these offices, he must give up his craft while he held it, and even after he retired from office it was only by a special licence that he was permitted to resume his former occupation.¹⁵ As by the same date, the crafts had gained their point in most of the other leading burghs, we realise with what persistency and uniformity of purpose they had at all times and everywhere been animated in the protracted struggle.¹⁶

What was the national significance of this struggle which for fully a century preoccupied the Scottish burghs, and which they regarded as an issue of life and death for their communities? Why were the crafts so eager to obtain representatives in the Councils, and why were the merchants equally eager to frustrate their demand? The answer to these questions goes to the root at once of the social relations and the economic conditions of the time.

From the very beginning of the town life the merchants had constituted a class apart. Their wealth, their privileges, their style of living—all marked them off from the rest of the community and converted them into a caste with traditions and prejudices which were only strengthened by the growing importance of the class of artisans. This

exclusive feeling, moreover, was fostered by the general spirit of the age. According to the teaching of the mediæval Church it was by the decree of heaven that men were born in a certain order of society, and it was unnatural in any mortal to seek to emerge from it. It was on this conception of social relations that both feudalism and the ecclesiastical hierarchy were based. The subordination and interdependence of their component parts were deemed necessary to the integrity of the whole structure of society, and were consequently to be regarded as belonging to the nature of things. It was in the genuine spirit of the time, therefore, that the merchants drew a line of demarcation between themselves and the rest of the community. But, though the differentiation of classes might be the theory of Church and State alike, in actual fact no living and progressive society could be bound by such conditions. In the Church itself, in all ages, men rose from the humblest position to its highest offices; and when the spirit of feudalism was most dominant, the essential equality of men was an idea familiar to the whole of Christendom. But it was in the fourteenth and fifteenth centuries that this idea became a general and potent motive, impelling and determining the action of masses of men. In the case of Scotland it is not till the fifteenth century that we can clearly trace the democratic spirit in definite opposition to the existing order. When in that century the Scottish

crafts concentrated their action in the endeavour to obtain a share in the government of the towns, it was from a sense that they were demanding a right which was sanctioned by reason and religion alike.

Under one aspect, therefore, the struggle between the craftsmen and the merchants may be regarded as the conflict between the democratic spirit on the one hand, and the spirit of exclusive privilege on the other. That the struggle was seen in this light by both of the opposing parties is curiously illustrated in a particular instance. In 1579 a controversy arose between Perth and Dundee regarding their respective precedence among the burghs, and among the reasons which Dundee alleged in its favour was the fact that Perth had lost its standing as a burgh by admitting craftsmen into its Town Council.¹⁷

But no class of men any more than the individual has ever acted from a single motive, and in the case of the conflict between the crafts and the merchants both were certainly animated by more motives than one. Above all there was a selfish class feeling animating both which touched the well-being of the entire community of the town. There was a direct and powerful reason why the crafts should desire to strengthen their societies by all the means in their power. What they desired above all in the interest of their class was absolute control to determine the quality of the materials they used in their handiwork and to fix the prices at which the finished

materials should be sold. Their anxiety to have deacons and to receive legal incorporation was, in truth, primarily to compass this very end. But it was a fundamental principle of mediæval economics, as it was still a fundamental principle in the time of Mary, that the producer could not be safely left to set a value on his own wares. Competition and the law of supply and demand were not realised as forces that might regulate trade and protect the consumer from the rapacity of the producer. From the earliest times, therefore, the municipal authorities had claimed the prerogative of fixing prices in the interest of the whole community. When the clamour of the crafts compelled a modification of this arrangement, the result was not such as to encourage further concession. An Act of 1551, for example, begins with this expressive lament: "Forasmuch as my Lord Governor (the Regent Arran) and Three Estates of Parliament, regarding the exorbitant prices that every craftsman within burgh raises upon our Sovereign Lady's lieges in all such things as pertain to their craft, so that the prices are doubled and trebled by many of them to the great hurt of the said lieges, etc." To remedy the evil thus described the Estates had recourse to the only means of checking it which was consistent with the economic theories of the time: the provosts and bailies of the different burghs were commanded to summon the craftsmen and their deacons before them and impose "reasonable

prices" on "everything pertaining to the craftsmen."¹⁸ At a later date we have the same accusation of rapacity brought against the craftsmen by James VI. in his book of counsels to his son Henry—the *Basilicon Doron*. "The Craftes-men think," he writes, "we should be content with their worke, how bad and dear soever it be, and, if they in anything be controlled, up goeth the blew blanket."¹⁹

The great economic question of the reign of Mary, therefore, was—What authority should possess the power of fixing the prices at once of raw products and of manufactured goods? It was a question of primary importance not only for the towns, but for the entire nation, seeing it touched the first natural wants of man—bread for his mouth and raiment for his body. But from the conditions of the time, it was only in the towns that the issue could be raised, and among the towns only in the royal burghs—where alone crafts were privileged to exist. It is by this fact we must explain why the conflict between the crafts and the merchants does not fill a larger place in the history of the time. As has already been more than once said, there was but little intercourse of any kind between the different burghs. Each left its neighbour to live its own life and fight its own battles, and raised its hand only when it deemed its own interests at stake. Thus it was that though in every royal burgh the same battle raged, there was little common action

between the contending parties in the different towns.²⁰ The issue at stake, therefore, could not give rise to a collective struggle in which the whole nation would be involved and in which it would be cleft in twain by divided sympathies as in the case of the religious revolution. Yet, if common action had been possible between the different burghs, the passions evoked by the conflict between the crafts and the merchants were sufficiently violent to have kindled a general civil war. The records of the burghs themselves leave us in little doubt that the question of prices agitated the townsmen more profoundly than the question of religion. In the case of most of the towns the change of religion was attended by little commotion—the majority of all classes being of one mind as to the desirability of the change. The controversy between the crafts and the merchants, which reached its acutest stage in the reign of Mary, had lasted for more than a century and was to be protracted to a period long after her day. It was a controversy which the simplest could understand; and which directly roused the elemental instincts by which humanity is ultimately governed. Fortunately for the country, the conditions of society were precisely such as to supply the necessary check on passions which might otherwise have issued in a national conflict more violent and widespread than the conflict which arose out of religion. The question at issue between the crafts and the merchants could

not be settled in Mary's day, when men's minds were still dominated by the economic theories of the Middle Age, but in other countries, and notably in England, new economical conceptions had arisen which involved a new departure alike in the industrial and commercial development of the nations. In what relation Scotland stood to these new conceptions we shall afterwards see.

Hitherto we have been mainly engaged with the more serious concerns of the people. Let us now try to see them when relieved from the pressure of duty and when they looked about for such pleasures and enjoyments as the conditions of life offered to them.

In town and country the daily round of duty and pleasure may be said to have been determined by the circle of the sun. Between sunrise and sunset, equally in summer and winter, duty was done and pleasure enjoyed. The call of the watchman, at hours determined by the authorities, sent burgher and villager to rest at night, and summoned him to his labours in the morning. Such was the rule of life among the respectable members of all classes, but in town and village there was a considerable number of the population who were not content to pass their days in this decorous fashion. Taverns were everywhere the frequent and crowded places of resort. In spite of all the efforts of the legislature these haunts were the nightly scenes of gambling, roystering, and all manner of disorderly

ongoings. Sundays, even during time of divine service, were the days when the taverners drove their best trade, equally before and after the Reformation.²¹ We must not think, however, that these habits were peculiar to Scotland alone. Here, for example, is a description by a contemporary of the way in which the same class spent their Sundays in France: "These people pass the holy day in the tavern. There they congregate at sunrise, and often remain till midnight. There they swear, perjure themselves, blaspheme God and all the saints, shout, dispute, sing, make all kinds of riot and din, and behave like frantic madmen. They also do business there, buying, selling, making bargains . . . and accompanying each transaction with copious draughts of wine."²²

Though the respectable citizen might not take his pleasure in this ungodly fashion, his life was by no means without frequent and cheerful alleviations. By the prescription of the mediæval Church, there were, besides the Sundays, about fifty saints' days on which it was unlawful to work, and which were sacred to pleasure and devotion. At the Reformation the majority of these holidays were proscribed both on the ground of religion and political economy, but it was long before the mass of the people were persuaded to abandon their observance. Thus, as late as 1641, it was found necessary to pass an Act compelling colliers and others to work six days a week—the penalty for every

idle day being 20s., besides damages to the employers.²³

It has to be noted, however, that long before the Reformation there was everywhere a growing distaste for the amusements which had been consecrated by the Church throughout the Middle Ages. This change of feeling was due, in the first place, to the sterner views of life that had resulted from the development of trade and commerce—involving a new estimate of the value of time and money. “On the whole,” says an English historian, speaking of English town life in the fifteenth century, “it is evident that long before the Reformation, and even when as yet no Puritan principles had been imported into the matter, the gaiety of the towns was already sobered by the pressure of business and the increase of the class of distressed workers.”²⁴ What is here said of English, equally applies to Scottish towns. In Scotland, as in all other Christian countries, it was incumbent on every craft, either of itself or in conjunction with another, to produce an annual play in honour of its patron saint. But the preparation of these plays involved a considerable expenditure of time and money. The parts had to be conned, the dresses of the different characters to be procured, minstrels to be fe’ed, and the whole apparatus requisite for the production of the performance to be erected and afterwards to be removed. Even by the close of the fifteenth century the crafts began to find these

exhibitions a burden. Individual members refused to take part in them, and thereby incurred the penalty imposed by the town for such delinquency. But the spirit of mutiny spread, and considerably before the Reformation it was only under compulsion that the crafts kept up "the ancient and laudable custom" of producing their annual representation.²⁵

All through the Middle Ages it was one of the duties of the town authorities to see that the indwellers were adequately provided with the means of amusement. Every burgh had its musicians maintained at the public expense; in Scottish towns, in the time of Mary, there were performers on the big and little drum, the pipes, the fiddle, the trumpet, the cornet, and the whistle. At stated periods, also, the town officials had to provide public entertainments to keep the people in good-humour. In some cases a special "playing-field," outside the town dykes, was set apart for these performances. In 1554, for example, the Edinburgh Town Council laid out the district of Greenside for this special purpose. In August of that year the Master of Works was busy preparing the ground for the various erections which were to accommodate the performers and their apparatus, and in October the order was given for the stock-in-trade—namely, eight play-hats, a king's crown, a mitre, a fool's hood, a sceptre, a pair of angel's wings, two angels' wigs, and a chaplet of triumph.²⁶

For ordinary purposes of entertainment these materials might suffice, but on important occasions more ambitious efforts were needed to satisfy the public. In the same year, 1554, the Council resolved to propitiate Mary of Lorraine with the exhibition of a Clerk Play, composed by one William Lauder. The site chosen for the performance was the Tron, where the necessary erections had to be constructed for the occasion. For the convenience of the regent a "lugging" was reared close by, whence she might behold the spectacle. Forms and trestles were supplied for attendants, and flowers, branches of birch, and rushes were strewn around by way of giving a festive appearance to the occasion.²⁷

But by far the most popular of public amusements was the annual frolic of Robin Hood and Little John on the first of May. In this performance all who chose could take a part, and the result was general horse-play of the coarsest kind—the day's proceedings usually ending in a pandemonium of riot and drunkenness. Before John Knox made his mark on the nation, public feeling had already turned against these unseemly exhibitions; and it was the regent, Mary of Lorraine, who, in 1555, passed the first statute prohibiting them.²⁸ But of all the amusements, inherited from the Middle Ages, the May Day games were those to which the populace clung most tenaciously. In 1562 Queen Mary herself

addressed a letter to the magistrates of Edinburgh expressly forbidding the Robin Hood games, on the ground that they created "perturbation of the common tranquillity, wherein our good subjects are desirous to live."²⁹ But neither the authority of Church nor State could wholly suppress these annual saturnalia, which, like the carnival at Rome, supplied the spectacle of a world turned upside down. In the year 1572, in the midst of the desolation occasioned by the siege of the Castle, the inhabitants of Edinburgh, we are told by a contemporary, "used all pleasures which were wont to be used in the said month of May, Robin Hood and Little John."³⁰

Besides the public spectacles there were various games and amusements with which all classes could fill up their vacant hours. Within doors cards, backgammon and dice were played equally in private houses and taverns. Outside games were catchpully or tennis, foot-ball, and golf. Shooting at the butts with long-bow, cross-bow, and culverin must hardly have been regarded as amusements, as they were enforced by the legislature, and with but imperfect success. Most of the burghs had their annual horse-race, the prize being a silver bell or cup, presented to the winner by the Council, by whose authority the sport was sanctioned. Betting in connection with the various games must have been widely prevalent; at least, we are led to this conclusion by

a quaint statute of James VI. passed in 1621 “anent playing at cards and dice and horse-races.” By this statute the winner of more than a hundred marks in a wager must, within twenty-four hours, deposit the surplus with the nearest Kirk Session to be distributed among the poor—an ingenious idea which may be commended to modern reformers of the gambling laws.³¹

According to Bishop Leslie, the dress of all Scots except the Highlanders was much the same as was worn in England, France, and the Low Countries.³² In the case of the upper classes, as in the case of the wealthier burgesses, this fact has a simple explanation. The former adopted the fashions which they met with in their travels, and the latter imported the garments which were worn by their own class on the Continent. The dress of the upper ranks of both sexes is too well known to need a detailed description. We have but to recall the portraits Queen Mary and Queen Elizabeth, of Darnley and the Earl of Leicester, to realise it in its most approved style. The ruff worn by both sexes, which, as was said, gave the upper part of the body the appearance of John the Baptist's head in the charger; the enormous farthingale, introduced by Elizabeth, which formed a ring fence round the persons of the ladies; the voluminous gally-hose of the men, within which, according to the jest, eight horse-loaves could be bestowed without inconvenience—were certainly

among the most ingenious inventions ever devised for the disguise of the human shape, and yet were but another expression of the fantastic spirit of the time, as it is seen in literature and Court ceremonies and entertainments.

In accordance with the mediæval idea that every man had his appointed place in the social scale, the laws of all countries had prescribed its distinctive dress for every class, rank and profession. But even in the Middle Ages it was found impossible to enforce the general observance of such regulations. Natural instinct rebelled against an invidious uniformity, and the increase of wealth and luxury begot a taste for personal adornment against which legislation was futile. In Scotland, even by the beginning of the fifteenth century, it was found necessary to pass sumptuary laws prohibiting the lieges from wearing apparel above their station.³³ As we should expect, it was the well-to-do merchants and their wives who were the most ambitious transgressors, but even the yeomen in the country were showing an undue affection for novelty in the colour and cut of their attire. The legislature long continued to protest against what was deemed at once a breach of divine ordinance and a cause of ruin to the commonwealth, but the very frequency of its enactments proved that it was fighting against the course of nature. It may be remembered that the female adherents of Knox appealed to him (surely a strange oracle to consult

on such a matter) on this very question of seemly apparel. His answer showed that he fully realised the delicacy of the appeal. He noted, indeed, the "vain apparel as most commonly now is used among women," but the opening sentence of his reply indicates that he knew he was treading on delicate ground. "The answer to your scripture," he begins, "touching the apparel of women, commanded by the apostles St Paul and St Peter to be used of such as profess godliness, is very difficult and dangerous to appoint any certainty, lest in so doing we either restrain Christian liberty, or else loose the bridle too far to the foolish fantasy of facile flesh."³⁴ Not only Knox, however, but even a worldly ecclesiastic like Bishop Leslie bewailed "the excess of clothing," as a pest "most contagious"; and the complaints of both have an interesting commentary in a sumptuary statute of the year 1581. In this statute it was ordained that no subject, "man or woman, being under the degrees of dukes, earls, lords of Parliament, knights or landed gentry—shall, after the first of May next, use or wear in their clothing or apparel or lining thereof, any cloth of gold or silver, velvet, satin, damask, taffeta, or any ornamental stripes (begareis), fringes, lace (pasmentis), embroidery of gold, silver or silk, nor yet any linen, cambric or woollen cloth, made and brought from any foreign country."³⁵ Make what deduction we please for the emphatic language of legislators, we must conclude from this enactment that the taste for

sumptuous raiment was pretty general in Scotland, and that the means were not wanting to gratify it.

By the time of Mary the hard-and-fast regulations which prescribed the garb to be worn by each class were no longer very strictly regarded, yet convenience still made it desirable that a uniform, dress should be worn by certain classes of persons. Just as it was in the interests of the crafts that each should reside in a particular part of the town, so it was also in their own interest that their honest members should be distinguished by a special dress. Even the humblest town officials also had their own livery; the postman in Aberdeen was arrayed in blue, and bore the town arms on his left sleeve; ³⁶ and on state occasions the Edinburgh Guild servants appeared in black hose, black doublet, and black bonnets.³⁷

When Bishop Leslie remarks that the dress worn by his countrymen did not greatly differ from the dress worn by the same classes in other countries, he adds that nevertheless each country had in this matter some peculiarities of its own. In the case both of men and women in Scotland there were certainly some peculiarities in the adorning of their persons, which both attracted the attention of strangers and greatly exercised the native legislators. In town and country alike a blue bonnet and a plaid or cloak were the prevailing costume of the men, but it was a costume apparently

considered too free and easy for any respectable burghess to wear in public. It was out of jealousy for the repute of their good town, therefore, that the municipal authorities denounced the blue bonnets and plaids as unbecoming the dignity of a burghess. In Aberdeen the burghess who appeared in a bonnet was fined £5 and if he appeared in a plaid the penalty was 40s.³⁸

But it was an article of feminine attire that specially roused the wrath of the responsible authorities in the towns. It was the universal custom of women of all ranks to envelop their heads in plaids or cloaks, whenever and wherever they had occasion to appear in public. The custom was denounced with all that abundance of epithet for which the old Scots tongue is remarkable. In milder terms it was described as "an uncivil form of behaviour," as an "offence to strangers and occasion to them to speak reproachfully of all women generally."³⁹ The plaids were declaimed against from the pulpit and prohibited under penalties, but neither preacher nor magistrate could prevail on the wearers to discard the objectionable garment. Long after Mary's day plaids still continued to be worn by women of every rank, and legislature vainly iterated its pains and penalties. In the reign of Charles I., Lithgow, the far-travelled Scot, rebuked his perverse countrywomen in the following doggerel lines :—

“And I could wish that Edinburgh would mend
This shameless custom which none can commend.
Should women walk like spirits, should women wear
Their winding-sheets alive, wrapt up I swear
From head to foot in plaids?”⁴⁰

Besides lamenting the extravagance of the Scottish gentry in the matter of dress Bishop Leslie also bewails their new habits of luxurious living. The tables of gentlemen, he says, “are more delicate and delicious than grave men either use to approve or commend,”⁴¹ and in this indictment, also, he is borne out by the legislation of the period. From an Act passed in 1552 against “superfluous cheer” we might infer that the upper classes in Scotland were as addicted to sumptuous feasts as the Romans in the days of Juvenal. It was in full accordance with the economic theories of the period that the legislature sought to check such tastes by express enactment. The luxurious living of the rich, it was believed, meant starvation for the poor, and the overfed bishop or earl, moreover, was rendered unfit to discharge the duties of his station. On pain of proportionate fines, therefore, the Act restricted archbishops, bishops, and earls to eight dishes, priors and deans to six, barons and freeholders to four, and burghers and other men of substance, spiritual and temporal, to three—the dishes in each case to contain but one kind of meat.⁴² It was specially on the occasion of marriages and baptisms that all classes vied with each other in loading their tables with such dainties

as could be procured either at home or from over sea. Against this custom, also, what were deemed cogent economical reasons were urged: those who indulged in these foreign "drugs, confections, and spices" were often ill able to afford the cost, and, besides, the money thus spent enriched other countries at the expense of home industries. In 1581, therefore, it was enacted that none but such as could spend 2000 marks a year should use such foreign dainties at their banquets, and that in the case of christenings no person whatever should be permitted to indulge in them.⁴³

Apart from banquets, an English visitor has described the kind of fare that was consumed by the greater part of the people. Cabbage and colewort, pease and beans were the principal vegetables; salted mutton and geese the common meats. In the towns wheaten bread was to be had, but it was only the upper classes and the wealthier burgesses who could afford to buy it: the mass of the people had to be content with oatcakes.⁴⁴ The same visitor thus describes a meal at which he was one of the guests. "Myself," he says, "was at a knight's house who had many servants to attend him, that brought in his meat with their heads covered with blue caps, the table being more than half-furnished with great platters of porridge (pottage), each having a little piece of sodden meat. And when the table was served, the servants did sit down with us, but the upper mess

instead of porridge had a pullet with some prunes in the broth." ⁴⁵

Wine was the chief beverage of all persons of substance, and in drinking it, the same observer tells us, the Scots did not flavour it with sugar like the English, though at banquets they followed the French fashion of qualifying it with comfits.⁴⁶ The general drink of the people was ale,⁴⁷ and there was no more prosperous class in town or village than the brewers. As far as was in the power of the municipal authorities both its price and quality were carefully regulated. It was the duty of the official ale-tasters to see that no inferior concoction was foisted on the lieges, and at stated intervals its price was fixed as in the case of all other commodities. Besides wine and ale, *aqua vitæ* must have been largely manufactured and drunk. In 1579 it was alleged that the consumption of malt in its manufacture was one of the chief causes of the existing dearth of victual, and all persons were prohibited from brewing it except earls, lords, barons, and gentlemen, and these only from their own malt and for the use of themselves and their friends.⁴⁸

We have already seen that in Scotland, as in other countries, drunkenness must have been a common vice among the mass of the people. But the Englishman just quoted delicately hints that even the Scotch nobles and gentry were not remarkable for their abstemiousness, and in this respect

contrasts them unfavourably with the same classes in England. In support of his allegation he notes that in Scotland it was the custom for a host to send his guests to bed with a "sleeping cap," and that at suppers the wine passed round so freely that he had to make an express condition with one of his entertainers that he would be protected from "large drinking."⁴⁹ But these accusations of intemperance brought by one nation against another must be taken for what they are worth. In France it was the general opinion that the English were a bibulous nation; and we have it on the word of Montaigne that it was a necessary qualification for a French ambassador in London that he should possess a head strong and well-seasoned.

In this survey of the condition of the Scottish people in the time of Mary, one class—a class that we have always with us—has been left out of account; the class, namely, that had no security for the barest necessaries of life. The condition of this section of the population, however, and the efforts made to remedy it, will be more fitly considered in another connection. With regard to the mass of Mary's subjects the foregoing description of their general social activities—of the organisation of trade and commerce, of the rivalries of the different classes, of the vigorous life in the towns, of the provision everywhere existing for varying toil with pleasure—undoubtedly gives the impression of a nation that had done its best with the

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resources at its disposal. Throughout the Middle Ages Scotland had followed the various lines of development that had been opened up by the countries more highly favoured by nature and circumstances than herself. But in the sixteenth century, and especially in its latter half, several of these countries were making new departures in every field of activity which were to issue in the conditions of the society we now see around us. To what extent did Scotland partake in these new movements which were inaugurating a new era in Western Europe? It is to the consideration of this question that the last lecture of this course will be mainly devoted.

CHAPTER VI

ECONOMIC TRANSITION IN THE TIME OF MARY—THE REFORMATION AND THE NATIONAL CHARACTER

IN the importance of its contribution to the national development, the reign of David I. is the only one in our history that can be compared to the reign of Mary. The reign of David definitively created the social order under which the Scottish nation existed throughout the later Middle Age; and the reign of Mary in large degree broke up that order and gave a new direction to the nation's ideals and aspirations. Mary's reign abounds with picturesque and tragic incidents as well as with striking individualities, but it is as an epoch at once of violent revolution and of gradual transition that it commands our special attention in any serious view of the national destinies.

The breach which Scotland made with its ancient religion may be fairly called a revolution, whether we have regard to the importance of its issues or to the process by which it was accomplished. It was out of the religion of Rome that the existing social order had arisen, and the one could not be rejected without an eventual transformation of the

other. So intimately were the two interwoven that their disjunction involved a new adjustment and co-relation of all the forces that go to constitute national life. But besides the revolution that shook the foundations of the kingdom there were other processes at work, which, though less obvious, were eventually not less powerful in transforming the aims and ideals of the nation. It is now a commonplace that economic and religious movements are invariably associated and act and re-act on each other. The sixteenth century saw the great schism from the Church of Rome, and it saw an equally decisive breach with the economic system which had grown up under the auspices of that Church. In the case of religion the breach with its past was nowhere more complete than in Scotland. For reasons, which will afterwards be noted, however, the change in its economic system could not be so rapid and fundamental as in the case of certain other countries. It was the increasing volume of trade and commerce in these countries that necessitated a new departure alike in industry and commerce. But in Scotland the general development had not been so great as to constrain the nation to modify in the same degree the economic system it had inherited from the Middle Age. Yet, in the reign of Mary, and still more notably in the reign of her successor, there were many indications that the nation was fully alive to the economic developments in other countries. Let us

consider these indications as they are revealed in the records of the time.

The most striking characteristics of the mediæval society are to be found (1) in the position held by the nobility and the Church, and (2) in the conditions under which trade and industry were conducted in every country. To what extent, then, were these characteristics modified in Scotland during the period before us?

In other countries the power of the feudal nobles had been completely broken by the date when Mary began to reign. In England the Wars of the Roses had fatally reduced their numbers and strength, and the *régime* of Henry VII. and Henry VIII. had completed their ruin as a rival power in the State. A similar fate had overtaken them in France. The Hundred Years' War did for their order what the Wars of the Roses did in England, and the policy of Louis XI. anticipated that of Henry VII. and Henry VIII. But, as the events of Mary's reign signally prove, the nobles of Scotland had by no means been so effectually shorn of their power as in England and France. Yet we can see that, but for what may be called accidental circumstances, the Scottish nobles would have shared the same fate as their order did elsewhere. In Scotland the same anti-feudal tendencies were at work as in the rest of Christendom; and the Kings of Scots as deliberately aimed at absolute power by the suppression of their nobles as the contemporary

Kings of England and France. In a degree far beyond his immediate predecessors James IV. succeeded in making himself an absolute master of his kingdom, and virtually governed the country through his Privy Council, the members of which were chosen by himself. James's early death at Flodden and the long minority that followed in large degree restored the nobility to the position which they had lost for the time. James V. was inspired by the same policy as his father, and did his utmost to crush a power which had so often imperilled the throne, but he was foiled by circumstances with which his father had not to contend. It was the interference of Henry VIII. in Scottish affairs that enabled the nobles to make head against the Crown, and overcome it in the protracted struggle. Another long minority followed and the helpless administration of the Regent Arran, while Henry VIII. still continued his policy of distracting the counsels of the nation. When Mary became actual sovereign, the conditions she had to face were more adverse than ever to the power of the Crown. To the insubordination of the nobles and the disturbing influence of England was added the religious controversy which cleft her subjects in twain. As a ruler Mary had the same conception of her prerogative as her father and grandfather, but she found herself in a position which rendered her helpless to assert it. It was through this succession of adverse circumstances, therefore, that

the nobles of Scotland were enabled to retain a certain degree of power so long after their order had lost it in other countries. A succession of sovereigns of the stamp of James IV., with no England to checkmate them, would not have failed to bring the nobility to their feet, and to have created a monarchy as self-subsisting as that of England or France.

In such a policy they would have been aided by the tendencies of the time. Conspicuous as was the part which the nobles played throughout the reign of Mary, their power was in reality no longer what it had been. Apart from the antagonism of the Crown there were agencies at work which were slowly but surely undermining the strength of their order. Broadly speaking, these agencies were due to the general widening of men's conceptions and of their relations to the whole world around them. The old feudal ties which bound the man to his lord could not retain their strength in the presence of the new religious spirit, and of the new developments of commerce and industry. A community deeply moved by the teaching of Knox and his fellow-reformers passed under a discipline which was essentially opposed to slavish dependence on the will of a superior. When, in the teeth of his lord, a dependent adopted the new doctrines, he took a great stride towards becoming a free citizen, and, in point of fact, even before the beginning of the reign of Mary, it had already become evident

that the vassals of the great lords no longer rendered such prompt obedience to the claim of military service.

But it was the growth of trade and commerce even more than religion that was proving fatal to the existence of the feudal order. The feudal lord, who had lived a self-sufficing life on the produce of his domains, now required a supply of current coin to enable him to keep pace with the times. He shared the growing desire for greater comfort and luxury in his style of living. His dwelling must be more elegant; he coveted greater variety in his daily bill of fare and in the fashion and material of his attire; and to maintain the dignity of his position it was necessary that he should keep up a more expensive establishment than had satisfied his fathers. To meet all this increased outlay the produce of his lands had to be turned into coin, and, rack-rent his tenants as he might, the Scottish baron was usually on the wrong side of his account. The impecuniosity of the Scottish nobles, as we know, is the simple and adequate explanation of the devious public career of not a few of them throughout the reign of Mary. The paltry bribes for which they were induced to transfer their support from one party in the State towards another reveal at once their "eternal want of pence," and their inability to dispense with it. In these circumstances it was impossible that the nobility could retain their ancient ascendancy in the State. The

day had gone by when a following of rudely-armed retainers made a great man of a Bell-the-Cat or a Tiger-Earl. As things now went, what had been a source of strength was fast becoming a source of weakness. Retainers had to be maintained, and their maintenance was a drain on the lord's resources which his extended wants made ever more undesirable. Thus, when money became the indispensable condition of influence and power, the doom of feudalism was sealed. A noble with broad domains and a scanty purse was a stranded leviathan, impotent to put forth his strength in the new conditions in which he found himself.

On the other hand, under the new economic conditions the rich burgher and the flourishing town came to play a part of increasing importance in the social and political order. Money being now the prime essential in the conduct of all affairs, the wealthy merchant who could supply a heavy loan was a more useful person in the State than the impecunious baron. The increased importance of the towns was notably shown in the closing struggle which decided the fate of the Reformation in Scotland. When Maitland of Lethington organised the "Queen's party" for the restoration of Mary, he had three-fourths of the Scottish nobles at his back, and at an earlier period this would have decided the contest. But the party of the king, supported by all the chief burghs, were, even without the support of England,

more than able to hold their own against the whole array of powerful nobles. In an often-quoted passage Killigrew, the English resident in Scotland, writing in 1572, thus describes the change that had taken place in the country: "Methinks," he writes, "I see the noblemen's great credit decay in this country, and the barons, burghs, and such like take more upon them." By the close of the century the policy of James VI. had effectually pared the claws of the once formidable order; and thenceforward the Scottish nobles sank into what their fellows had long been in England and France—the creatures or nominated officials of an all-powerful Court.

A second characteristic of the Middle Ages was the immense place which the Church had filled in the social order. The mediæval Church was not merely a great religious institution; it was a great economic organisation as well. When the mediæval towns first began to make their appearance and for several centuries afterwards, it was the Church that mainly provided for the material as well as the spiritual wants of men. In proof of this fact it is unnecessary to go beyond the bounds of Scotland. It is to the inmates of such religious houses as those of Kelso, Jedburgh, and the rest that we must assign the main credit of transmuting the primitive wilderness into garden, field, and pasture. In Cardinal Newman's words, the monks were at once the squatters, the hunters,

the farmers, and the civil engineers of the time. But the "hungry generations" are ever pressing on; and a period came when the clergy could not, without renouncing their special functions, be the industrial pioneers of humanity. In what is known as the industrial stage of development, when communities were largely self-sufficing, the great monastery, with its extensive domains scattered up and down the kingdom, was the centre of the economic system. It supplied the immediate wants of the people, and it could even engage successfully in such trade and commerce as undeveloped resources as yet rendered possible. The religious houses of Scotland exchanged the produce of their fields and orchards for the wares of Flanders and their wool for the wines of Italy. But, as commerce grew and the industrial arts became multiplied and specialised, a distinct class of persons was needed for their cultivation, and it was only by the towns that this class could be supplied. And from the first, it is to be noted, the Church had everywhere steadfastly opposed the growth of self-governing industrial communities. The expression of a French ecclesiastical chronicler has often been quoted: "Commune," he exclaims, "new and detestable name!" So, also, an English chronicler denounces the commune as "the cause of commotion among the people, of alarm to the kingdom, and of lukewarmness among the clergy." It was, indeed, with a sure instinct that the Church saw in

the growth of these societies the most dangerous menace against its teaching and authority. The engrossing interests of town life begot an intelligent secular opinion which in many directions could not fail to be adverse to the Church's claims. It is a commonplace that at the Reformation it was in the towns that the new religious doctrines found the readiest acceptance. Alike in Germany, England, and Scotland it was mainly through the support of the towns that the Protestant leaders achieved their victory. With the ethical and religious side of the great controversy, however, we are not here concerned. The point we have now to emphasise is that through the economical developments in which the towns were the principal factors the Church lost that prime place in the economic system which had been a mainstay of its power in the past. In the emphatic words of a modern writer, the tendency of the clerical order was "to sink into the position of a parasite class, producing nothing itself, but clinging to the means of wealth developed by the labour of a subject people." While the Church ceased to be what it had once been—the principal ministrant to material as well as spiritual wants, it remained in possession of the chief sources of wealth in every country. As the incidence of taxation proves, the Church in Scotland on the eve of the Reformation owned half the wealth of the kingdom. We know with what covetous eyes the needy Scotch nobles regarded

the vast revenues of the Church, but the enterprising merchant likewise looked askance at a body of men who, while ceasing to be active producers of wealth, were yet its principal consumers. Moreover, there were special grounds of annoyance which disposed the town communities to join in the attack on the privileged order. In many towns the Church, with its numerous officials and its costly apparatus, had to be maintained at the public expense. The crafts were especially restive under the burdens which religion laid upon them. On each of them lay the obligation of supporting an altar and its priest in the parish church and of providing for lights, obits, and other appurtenances of the Roman ceremonial. In many towns, also, there were long-standing quarrels between the municipalities and the religious orders, as, for example, in the case of Aberdeen and the Dominicans, of Stirling and the Abbots of Cambuskenneth, and of Edinburgh and the Abbots of Holyrood. As to the poor, their attitude to the ancient clergy found expression in the manifesto, known as the "Beggars' Summons," which in 1560 was affixed to the gates of all the religious houses, and which purported to issue from "all cities, towns, and villages of Scotland." Stripped of its revolutionary language, the summons merely emphasises the fact that from once being a beneficent economic organisation the Church had become an economic anachronism without the power to adjust itself to the new social order.

Thus, while Knox and his brother reformers assailed the doctrines of the ancient Church and the morals of its clergy, it was assailed from another side by a less obtrusive but not less deadly set of foes. The teaching of the reformers was of but recent growth, and impressed the minds only of that limited section of a people who in all ages are profoundly influenced by religion. But the spirit of material progress, engendering cupidity in the noble and the burghess and discontent in the mass of the people, had been of slow, unconscious and inevitable growth, and was, in truth, but the spirit of a new epoch that had dawned, and which in the end was to substitute purely secular considerations for those theological conceptions which had hitherto been the first and last reference in the conduct of human affairs. If the most conspicuous result of the Reformation in Scotland was the overthrow of a priesthood, it was no less the victory of the secular spirit in the sphere of social and economic effort.

A third characteristic of the Middle Ages was the economic system which had arisen out of the conditions on which the mediæval society was based. In the development of this system the Church had necessarily exercised a powerful influence. The Christian religion contained a body of ethical precepts for the guidance of individuals and communities in their mutual relations, and, as the custodier of that religion, it was the duty of the

Church to see these precepts enforced. Thus, it was supposed to be the teaching of Scripture that usury was sinful; and accordingly usury was systematically forbidden by the canons of the Church. But it was mainly through the peculiar relations which subsisted between the different countries and between the different communities in the same country that the specific characteristics of the mediæval economy had their origin. The prime consideration throughout the Middle Ages was security and self-defence. The universal existence of some form of bulwark round the towns and cities is the cogent proof of this fundamental necessity. These defences, as we have seen, were requisite for the double purpose of protection from actual violence, and of guarding the trade privileges of each separate community from invasion by its rivals. By the attitude of mutual antagonism between town and town, and nation and nation, and even class against class, industry and trade and commerce were alike held in swaddling bands, the bursting of which was indispensable for their free development. In the sixteenth century the snapping of these bonds proceeded with a rapidity which, in certain countries, effected nothing less than an economic revolution. Let us see to what extent the process went forward in Scotland in the time of Mary.

The most striking development of the sixteenth century was the transition from a merely municipal

to a national basis in the operations of trade and commerce. Hitherto each town had formed an isolated economic centre, regulating its own internal interests, and its relations to the rest of the world. Thus, it had been in the power of each town to determine the prices of all commodities without reference to any external authority. In England, in the sixteenth century, this power was definitively withdrawn from the towns, and thenceforward it was the State that regulated prices for the country at large. The transference of this privilege from the town to the State was one of the most important steps towards a new economic system, implying, as it did, the conception of national and not merely municipal trade relations. In Scotland, however, the adoption of the new arrangement for fixing prices was by no means so complete as in England. In 1581, considerably, therefore, after the time of Mary, the Scottish Parliament ratified all previous Acts regarding the regulation of prices, and thus gave its full sanction to the mediæval system.¹ Nevertheless, there were indications that the example of England had to a certain extent been followed in Scotland. In 1550, for example, the Privy Council took a step which involved the nullification of the prescriptive claim of the towns to fix all prices. This step was taken, we are told, "because of the great dearth risen in this realm of all manner of stuff, as well horse meat as men's meat, and the exorbitant prices used thereupon and

taken therefore.”² The measure adopted for remedying the evil was the appointment of a commission, which was to take into its counsels “four honest men of the burgh of Edinburgh,” and with their aid to put such prices on all victuals as would ensure the wellbeing of the queen’s lieges. From a protest by the Town Council of Edinburgh in 1556 we further learn that the Privy Council had been infringing the privileges of the towns in the article of regulating prices. The Privy Council, it appears, had passed an Act fixing the price of wine, and the protest urged that by Parliamentary statute this privilege belonged to the burghs alone.³ From these and other indications we gather that there was a disposition on the part of the State to make the regulation of prices a national and not a municipal concern. Yet, to all intents and purposes, the mediæval practice, which assigned to each community the right of fixing the prices of all commodities, was still the general rule in Scotland in the time of Mary.

In another direction we find England breaking away from the mediæval economy, while Scotland held fast to its traditions. By a statute of Edward VI., passed in 1547, the English craft guilds received their death-blow, and industry was thus in great degree freed from the trammels that had hitherto impeded its development. Whereas none but freemen had been allowed to practise a craft, anyone who possessed the requisite skill was now at

liberty to pursue his special calling. He could pass from town to town, and without opposition take up his quarters where he pleased and earn his livelihood as best he might. Under the new conditions a still more important result followed. Foreign artisans, bringing their special skill with them, settled in the country; and we even find certain English towns competing for their presence. In Scotland there was little development in this direction. The Scottish crafts, we have seen, had never been more powerful than they were in the time of Mary, and never were they more rigid in their exclusiveness towards "unfree" craftsmen. In their opposition to unfreemen the crafts had for the most part the hearty support of the Town Councils. Confining ourselves to the action of Edinburgh, whose policy was that of all the other Scottish burghs, we have such indications as the following of the stringent dealing with unprivileged persons. In 1552 the dean of guild received orders to close the booths of all unfreemen;⁴ and in 1554 foreign traders frequenting Leith were forbidden to retail their wares in Edinburgh except at a fixed time and place.⁵ In 1559, the bonnet-makers of Edinburgh bitterly protested that their trade was being ruined by unfreemen from Perth and other burghs, and the Town Council gave ear to their protest and forbade the intruders to sell their bonnets in Edinburgh except on market days, according "to use and wont."⁶

While this was the general policy of the Town Councils, however, there are indications that more liberal notions were beginning to prevail. Thus, in 1562, the bonnet-makers were informed that "in case it pleased the goodness of God" to give greater skill to strangers in the making of hose, sleeves, and gloves, these strangers should be allowed to practise their craft in the interest of the lieges.⁷ In the opening years of James VI.'s reign we find still more decisive proofs that the conception of free industry was making its way in Scotland. In 1574, a Frenchman, described as a "writtar," was actually permitted to settle in Edinburgh for the purpose of teaching "the art of reading, writing, the French tongue, arithmetic, and accounts."⁸ In the case of the crafts of wrights and masons the magistrates pronounced a notable decision in 1587. Certain bakers in the town, resenting the exorbitant charges exacted by the free masons and wrights, had dared to employ unfree craftsmen to build an oven in Gray's Close. Quite in the modern fashion, the free masons and wrights "intimidated" the unfreemen from proceeding with their work, and the dispute was referred to the Town Council. The decision of the Council was that the unfree masons should complete the work they had begun, and that in all time coming such persons should be employed "when wrights and masons became unreasonable in their prices."⁹ The year following its judgment against the

masons, the Council took a still more remarkable step in the path of progress: it expended £68, 6s. 8d. in importing a number of Flemish weavers, dyers, and fullers, with their families and settling them in the town for the prosecution of their several crafts.¹⁰ From these data it will be seen with what slow and hesitating steps Scotland was following the lead of England in breaking away from the bondage of the mediæval economy, and we can understand the force of the advice which James VI. gave to his son in the *Basilicon Doron*. "But for their part" (that is, the part of the Scottish craftsmen), he writes, "take example by England, how it hath flourished both in wealth and policie since the strangers craftesman came in among them. Therefore, not only permit, but allure strangers to come here also; taking a strait order for the mutining of ours at them, as was done in England at their first in-bringing there."¹¹

What causes are we to assign for the backwardness of Scotland in breaking away from the traditions of mediævalism? The political unrest of the country might at first sight seem a sufficiently adequate explanation. But there is conclusive evidence that throughout all the tumultuous reign of Mary the towns followed the even tenor of their way, and, to the extent of their resources, did what they could to develop both their home and foreign trade. It is when we turn to England that we find the true explanation of the sluggishness of Scotland

in entering on the new paths of commercial development. What gave an impetus to English commerce and transformed all its methods was the increase of capital which was pressing for outlet in every direction. In the new conditions created by the comparative abundance of money, the time-honoured restrictions on trade and industry went to the ground by a simple and natural process. We have just seen how the jealous exclusiveness of the crafts was broken down in the reigns of Edward VI. and his immediate successors ; and in home and foreign trade the revolution was equally manifest. While Scotland was doing battle as vigorously as in the Middle Ages against regrating and forestalling, the conditions which created these crimes had for England virtually ceased to exist. When trade became free to all who chose to pursue it, the regrater and the forestaller died a natural death. In the case of foreign trade we see the same contrast between the policies of the two countries. In Scotland the hard-and-fast regulations which had bound the mediæval merchant were as rigidly enforced as ever, whereas in England the door was virtually thrown open to all and sundry who might desire to put their capital to profitable uses. While in England flourishing companies were pushing their trade beyond Europe to other continents, foreign trade in Scotland was following the old beaten track, and we have to descend to the close of the seventeenth century before we find her

embarking on a commercial enterprise which first excited the jealousy of her more fortunate neighbour—the ill-starred enterprise of Darien.

It is in the lack of capital, therefore, that we must find the explanation of the prolonged mediævalism of the industrial and commercial conditions of Scotland. That in the sixteenth century capital should still be scanty in Scotland need not excite our wonder. Her population could not have been much over 500,000, and a considerable section of that population were addicted to modes of life which, to put it moderately, did not tend to increase the wealth of the country. Her ancient feud with England rendered mutual commercial relations with that country at all times precarious and unprofitable, while her remoteness from the Continent in an age when navigation was attended by so many hazards, put her at a serious disadvantage in all foreign trade. Above all, she had to contend with a soil and climate and surface which in the earlier stages of a nation's history present the gravest impediments in the development of its resources. It cannot, therefore, be attributed to any lack of strenuousness in the Scottish people that in the sixteenth century they were behind more favoured nations alike in the theory and practice of commerce and industry. When in due time the progress of the mechanical arts enabled them to contend successfully with the natural disadvantages of their environment, it was

to be brilliantly proved that only the opportunity had been wanting in order that they should hold their own in the rivalry of the nations.

In another sphere of economics Scotland followed the example of other countries with the same hesitating steps. One of the problems that engaged the attention of states in the first half of the sixteenth century was the ever-increasing number of "sturdy beggars" and impotent poor. From every country we have the same complaint of the multiplication of both these classes of persons. Previous to the Reformation there had been endless legislation for the removal or lessening of this evil, but it was on the Church that had lain the burden of coping with it. In the view of churchmen and laymen alike this was, indeed, one of the chief functions to which it was called by its divine institution, but by the period of the Reformation the Church had become unwilling or unable to discharge its trust. From all sides we have the same protest that the proportion of the tithes which should have been allocated to the poor was retained by the priests for their own uses. The hospitals which had been expressly founded as asylums for the indigent and the sick were converted into comfortable benefices for churchmen. The bitter outcry in the "Beggars' Summons" against the prostitution of these foundations was heard in England, France, and Germany as well as in Scotland. So far as the Church was concerned, it was mainly in

the monasteries that charity maintained its abode. At these houses the wandering beggar and the native poor equally found relief. As is well known, the suppression of the religious houses in England was attended by a degree of misery which legislators long vainly sought to alleviate. In Scotland there is no indication that the misery of the poor was materially increased by the fall of the ancient Church. Alike from the legislation of Parliaments and Town Councils we are led to infer that beggars of all classes were as numerous before as after the Reformation.

The great defect of mediæval charity had been indiscriminate almsgiving which, while it afforded temporary relief, only aggravated the evil it should have been its object to cure. The problem that now called for solution, therefore, was at once the relief of the deserving poor and the suppression of the incorrigible beggar. In the first half of the sixteenth century thinkers and statesmen were equally engaged in devising means to effect both of these ends. Among the thinkers was our own John Major, who, though an obscurantist in speculative philosophy, had a singularly open mind in social and political questions. In an incidental remark in his *Commentary on the Sentences of Peter Lombard* he gave expression to an opinion which attracted general attention as adumbrating a new policy in the treatment of the poor. "If the prince or community," he writes, "should decree

that there should be no beggar in the country, and should provide for the impotent, the action would be praiseworthy and lawful."¹² In this sentence were suggested all the reforms which began to be adopted by one state and city after another for the remedy of what was everywhere an intolerable evil. As adopted by the most enlightened communities, these reforms consisted in the prohibition of all begging, compulsory taxation for the relief of the deserving poor, the providing of work for the able-bodied, and the responsibility of each town and parish for its own destitute indwellers. Let us see to what extent these reforms found place in Scotland, as by so doing we shall have a fuller illustration of the degree to which the nation was awake to the advancing thought of the time. And in this case, also, we shall mainly draw upon the Burgh Records of Edinburgh as containing the fullest details regarding the subject, and at the same time accurately representing the procedure of the other Scottish burghs.

In 1536 we find the mediæval method of dealing with the poor in full working. An ordinance of that year prescribes that all strange beggars should quit the town under the penalty of being branded on the cheek, and that of the native poor only such as were unfit for work should be licensed to beg.¹³ The frequency of this order in all the burghs proves how completely it failed of its object. Doubtless the strange beggars were got rid of for the time,

but it was not long before they returned in greater force than ever; and, when their presence once more became intolerable, the time-honoured decree again went forth with the same inevitable result. Under the year 1555, however, we come upon an entry in the Records which points to a new departure in dealing with the perennial evil. A commission of four citizens was appointed to devise means for the support of the deserving poor and for the expulsion of the sturdy beggars.¹⁴ Four years later (1559) a further step was taken in the same direction. A committee of sixteen, four for each quarter of the town, was charged with the express duty of discovering able-bodied mendicants and forcibly ejecting them.¹⁵ This appointment of a commission charged with the specific responsibility of dealing with the poor was doubtless borrowed from the example of continental towns, where it had been in practice almost from the beginning of the century.

Another innovation on mediæval methods of dealing with the poor was the imposition of a compulsory tax for their support. In the Middle Age their maintenance had been left to the goodwill of the charitable, but thinkers and statesmen alike had become convinced that obligatory contribution was indispensable to cope with the increasing destitution in the cities and towns. It was by slow degrees, however, that this policy was realised both in Scotland and England. The well-known Act of

Elizabeth, passed in 1563, imposed the alternative of the payment of a poor-tax or imprisonment; and about the same date we find a similar policy adopted in Edinburgh. In 1560 merchants and craftsmen were compelled to provide for their own poor on pain of distraint,¹⁶ and in 1565, some two years after the passing of the Act of Elizabeth, the Town Council, at the instance of the Privy Council, took the decisive step of imposing a general poor-tax on the whole body of the citizens. The provost, bailies, Council, and deacons of crafts, all "with ane voice," we are told, decided that a quarterly tax should be raised for the benefit of the poor and for such as were engaged in the service of the Kirk.¹⁷ But this well-meant enactment, copied from the example of foreign cities, proved to be a counsel of perfection. The very year in which it was to take effect the beggars of the town grew so importunate that officials had to be stationed at the church doors to prevent their clamour from disturbing the Church service.¹⁸ A compulsory tax being found impracticable, there was no alternative but to recur to voluntary contribution, mainly raised at the doors of the churches. Still the idea of a compulsory tax was not lost sight of. In 1575, in the reign of Mary's successor, another attempt was made to levy a forced contribution. Every Saturday afternoon, between the hours of one and three, officials sat in St Giles's Church to receive it—the bell ringing all the time to remind the indwellers of

their duty.¹⁹ The following year the Council had sorrowfully to announce that its act had again proved abortive. It had been its hope to sweep the town of every beggar by its heroic measure—an endeavour which had been attended by a certain degree of success in certain foreign towns; but, the requisite means being denied, the Council had no alternative but to fall back on old methods and grant the customary begging licence to the accredited poor.

Thus far the Edinburgh authorities had at least shown that they were fully awake to the reformed methods of dealing with the poor which had been adopted in other countries. They had applied, though unsuccessfully, the principle of compulsory contribution, and by the appointment of committees for each quarter of the town they had sought to ensure an accurate census of the destitute. But there were two other reforms which had been adopted elsewhere, and which had marked the greatest advance on mediæval charity. The one was the establishment of efficient hospitals for the impotent and deserving poor; the other, the provision of work for such as were able-bodied. As was already said, the hospitals founded by the Mediæval Church had everywhere ceased to fulfil their ends, having for the most part become mere comfortable benefices for churchmen. Through the increasing population of the towns and the consequent increase of poverty the necessity of genuine

hospitals became everywhere more urgent ; and in no Scottish burgh was the need more pressing than in Edinburgh, to which, as its records inform us, greater numbers of poor resorted than to any other town in the kingdom.²⁰ The fall of the ancient Church and the confiscation of its property seemed to offer the heaven-sent means for providing necessary houses for the sick and destitute ; and in all the Scottish burghs the authorities exerted themselves to divert a proportion of the confiscated treasure to this object. In 1561, within a year after the national change of religion, the Edinburgh Town Council registered a proposal to devote the annual rents of the Church property within the burgh to the erection of hospitals and to other pious uses ;²¹ and in 1562 they addressed a petition to Mary, praying that the site of the demolished monastery of Greyfriars might be assigned to them for the erection of a hospital.²² With the result of the petition we are not here concerned ; what we have to note is that in Scotland, as in other countries, there had been awakened an intelligent and active desire to deal with a problem which apparently to the end of time will continue to exercise the ingenuity of legislators.

But the most important reform connected with the treatment of the poor, which had been adopted in certain Continental cities, was the providing of work for the class of able-bodied beggars. The legislation of all countries had insisted that this

class should betake themselves to honest labour under penalties which, in cases of obduracy, amounted to death; but, as employment was not provided even for those who might be willing to undertake it, the endlessly reiterated statute remained a dead letter in both its branches. The sturdy beggar continued to pursue his avocation, and magistrates were too soft-hearted to enforce the last terrors of the law. Enlightened thinkers and statesmen had become convinced, therefore, that, if able-bodied beggars were to be made to work, occupation must be provided for them. In certain flourishing German towns a serious attempt had been made to realise this reform, but it was only in wealthy communities that it could be carried out with any degree of success. Even in England it was not till the year 1576 that Parliament enacted that every city and town should provide employment for the able-bodied poor within its bounds. In the case of Scotland, the towns of which with difficulty maintained their walls of defence, the obstacles in the way of such a reform are the sufficient explanation of its tardiness in adopting it. Not till the year 1597 do we come upon a Scottish statute which specifically declares that "strong beggars and their bairns be employed in common works"²³—a prescription, however, which fell far short of the Act of Elizabeth. Another clause of the English Act of 1576 had ordained that a House of Correction should be

set up in a convenient place in every shire, and that these houses should be provided with the means of employment for their inmates. Of such houses in Scotland, as far as national legislation is concerned, we hear nothing in the time of Mary, and it was not till as late as 1633 that the necessity of providing them received the consideration of the Scottish Parliament.²⁴

From this brief survey it will be seen that as in the case of trade, so in the case of the treatment of the poor, our countrymen in the time of Mary were fully alive to what was being thought and done in more prosperous communities. Such reforms as were within their power were readily adopted, but the nation as a whole was too limited in its resources to give effect to reforms which taxed the means even of the wealthiest cities of the Continent.

It was said at the beginning of these lectures that the theological preoccupations of the reign of Mary would be passed over as a subject inappropriate to the present occasion. The Scottish Reformation, however, is so central and all-important an event in the national history, that a few words regarding its general significance may fitly conclude our survey of the period.

Whatever judgment we form regarding the Scottish Reformation or of the persons who were mainly responsible for it, it was at least a fundamental fact in the spiritual history of the nation.

It was in the struggle between the old and the new religions that a national life in a real sense first began in Scotland. Previous to the great religious conflict, there never was an issue before the Scottish people that went deep enough to elicit the conflicting instincts and tendencies which must be awakened before what we call a nation becomes possible. The War of Independence evoked and perpetuated a sentiment which greatly contributed to the formation of a national sentiment, but in the fourteenth century the Scottish people had not attained a stage of development when great formative influences could exercise their full effect. At the Reformation an issue was presented which the public mind was mature enough to comprehend, and which was of a nature to draw forth the inherent contrarieties of thought and feeling which divide man from man. The cleavage of opinion was doubtless partly due to local, personal, and selfish interests, but in the main the division in the nation was produced by causes deeper than mere temporary circumstance. It was by natural predisposition that one section of Mary's subjects opposed the new religious doctrines and that another section gave them a ready welcome. For the first time in the national history two types of mind and temperament were brought face to face with an issue that was fitted to differentiate them, and the result was the birth of national life. Above all questions of religion and politics we

recognise this to have been the supreme result of the Scottish Reformation.

Though the Reformation first gave birth to a genuine national life, however, it does not follow, as is usually affirmed, that it determined the national type of character. If there is one thing that history proves, it is that a nation imposes its own character on the religion which it adopts. The different fortunes of Latin and Greek Christianity are one long illustration of the fact. Embraced by the energetic peoples of Western Europe, Latin Christianity became the mighty organisation that dominated society throughout the Middle Ages, while the Christianity of the East has the squalid history which we know. If we take the case of individual nations, we are led to the same conclusion. The Catholicism of Spain is something entirely different from the Catholicism of France; and Italy has likewise a religious type of its own. In each case it is the genius of the nation that gives its specific character to the religion which it adopts. In the case of Scotland there is no reason why the same general law should not apply. In the centuries that preceded the Reformation the affinities and aptitudes of its component peoples were fashioned by forces which we vaguely ascribe to physiological and climatic conditions, but which it is beyond human penetration to analyse and explain. When the Reformation created a conscious national life, it but evoked to

vigorous life the latent powers and sympathies which in reality had been the slow growth of previous ages. A momentous experience may modify the character of the individual, but it does not radically change it; and history shows that this is equally true of a nation. Whatever may be the idiosyncrasies of the Scottish people, therefore, we can hardly attribute them to one event, however far-reaching in its issues. The Reformation supplied the special class of questions in which the nation found its chief concern, but it did not determine the spirit in which these questions were regarded. For the Frenchman the highest man can conceive became his *bon Dieu*; and for the Scottish Presbyterian the Thunderer of Mount Sinai; and, in each case, the conception was the result of a national character which had been slowly formed in the womb of time. While to the Reformation, therefore, we must ascribe the immense service of awakening the Scottish nation to a conscious life and a sense of its own destinies, it would be inconsistent with the evidence of history to say that we equally owe to it our type of national character.

Thus it was in the destinies of the Scottish people that religion should be the means through which they should become a self-conscious nation, but other peoples, it deserves to be noted, attained the same result by other paths and by different means. In the case of England it was in the

development of constitutional liberty, in the clashing of political ideals, that its people attained to the full stature of a nation. According to a great French historian, it was in the contact of France with the Italy of the Renaissance that she first became a self-conscious nation, and deliberately chose the line of development she was thenceforth to follow. But whatever the mode and means by which the transformation is wrought, they must inevitably stamp the new-born nation with characteristics and tendencies which mark it off from every other. The respective histories of England, Scotland, and France during the last three centuries are a prolonged illustration of the different conditions under which they came to birth as nations. It was in the paroxysm produced by the rejection of one religion and the adoption of another that Scotland emerged into national life, and, whatever may be the modifying influences of time, she can never wholly lose the marks of her origin.

NOTES TO CHAPTER I

1. This is the expression used in one of Mary's own proclamations. "The Quenis Majestie . . . calling to mynd quhat greit alterationis and strange accidentis hes fra tyme to tyme occurit [in] hir Majesties regnne."—*Register of the Privy Council of Scotland*, I. 514.

2. "I must now strike into another road and proceed to the remaining part of the Brigantes who settl'd beyond the mountains towards the Western Ocean. And, first, of those of Lancashire, whom I approach with a kind of dread: may it forbode no ill! But I fear I shall be so far from satisfying the Reader, that I shall not satisfy myself. For after I had survey'd the far greater part of the country, I found very few discoveries to my mind; the ancient names seem'd every where to be so much obscur'd and destroy'd by age. However, that I may not seem wanting to this country, I will run the hazard of the attempt; hoping that the Divine assistance, which hath favoured me in the rest, will not fail me in this."—Camden, *Britannia* (Translated into English: London: James and John Knapton), II. 962.

3. Scott, *Fasti*.

4. These descriptions are brought together in *Scotland Before 1700 from Contemporary Documents* (David Douglas, 1893).

5. Most of the descriptions of Scotland by foreign visitors will be found in *Early Travellers in Scotland* (David Douglas, 1891).

6. On this subject cf. Professor James Geikie's remarks in his Paper *On the Buried Forts of Scotland, etc.* (*Trans. Royal Soc. Edin.*, vol. xxiv. p. 363, etc.)

7. *Acts of Parl. of Scotland*, I. 652, 706.

8. "Die lunae in crastino Paschae pius Dux Lancastriae Johannes intravit in Scotiam in magna potentia persequens Scotos, et plures villulas et domos succendit igni, silvasque succidit. Fertur enim posse ibidem audiri sonitus simul quater

viginti millium securium succidentium ligna silvarum, et in pabulum ignis ligna interea dederunt; et inaudita mala de talibus perpetraverunt.”—Knighton, *Chronica de Rebus Angliae*, (Twysden), p. 2676.

9. *Early Travellers, etc.*, p. 26.

10. *Ib.*, p. 85. Moryson adds that “the Gentlemens dwellings were shaddowed with some little Groves, pleasant to the view” (p. 86).

11. *Acts of Parl. of Scotland*, II. 343.

12. *Ib.*, p. 544.

13. *Early Travellers, etc.*, p. 98.

14. Blaeu’s Atlas, p. 85.

15. *Ib.*, pp. 43-4.

16. *Ib.*, p. 56. See Note on the Vestiges of the Forest of Cree in Galloway, by [Sir] Arthur Mitchell (*Proc. of Soc. of Antiq. of Scot.*, V. 20, etc.).

17. *Scotland Before 1700*, p. 11.

18. Yet it was also found necessary to legislate for the preservation of timber in the Highlands. In the P. C. Register, under date 1564, we have the following interesting entry: “Forsamekill as the Quenis Majestie, undirstanding how the woddis and growand tymber within this realme are swa decayit be the ithand and continewall cutting and selling thair of, as alswa be the peling of the bark of the standand treis, quhilkis thairefter schortlie consumis and na commoditie cummis of the samyn, that apperandlie the hail polecie in that part is lyke to pereis, without sum substantious order and remedie be provydit. For avoyding quhair of, hir Majestie ordanis lettres to be direct to the Shereffis of Invernes, Narne, Elgin, Fores, Banff, and Abirdene, the Provestis and Bailles of all burrowis within the saidis sherefdomes, and to officiaris of hir Majesteis shereffis in that part, chargeing thame to pass to the mercat croces of the heid burrowis of the said schyris, and all utheris places neidfull, and thair, be oppin proclamatioun in hir Hienes name and autorite, command and charge all and sundry hir lieges dwelland within the said boundis, and utheris quhatsumevir, that nane of thame tak upoun hand to by or sell any maner of tymer, greit or small, bot oppin and plane mercattis at the fre burrowis abone writtin,” etc.—P. C. R., I. 279.

19. *Scotland Before 1700, etc.*, p. 130. Gilbert Blackhal, a

Roman Catholic priest, who made a surreptitious journey through Scotland in 1643, speaks of the Tor Wood as consisting of "some scattered oackes, dying for antiquity."—*Ib.*, p. 309.

20. *Historical Notes on Scottish Forestry, with some account of the Woods of Inverness-shire, Ancient and Modern*, by D. Nairne.

21. William Mackay, *Urquhart and Cromarty* (Inverness, 1893), pp. 448-9.

22. Ivison Macadam, *Notes on the Ancient Iron Industry of Scotland* (*Proc. Soc. Antiq. Scot.*, Vol. IX. (New Series), pp. 89 *et seq.*). The Estates did not at first approve of the use of timber in the smelting of iron. An Act of 1609 runs as follows: "For samekle as it hes pleasit god to discover certane vaynes of ritche mettall within this kingdome, as alswa certane wodis in the heylandis, wlkis [whilkis] wodis, by reasoun of the savageness of the inhabitantis thairabout, wer ather vnknawin or at the leist vnprofitable and vnused, and now the estaitis presentlie conveyned, being informit that some personnis vpoun advantage of the present generall obedience in those partis wald erect yrne milnis in the same partis to the utter waisting and consumeing of the saidis wodis, wlkis mycht be reserved for mony bettir vseis and upoun moir choice and proffitable mettaillis for the honnor, benefite, and estimatioun of the kingdome, thairfore the estaitis presentlie conveyned statutis and ordanis, and thairwith commandis, chairgis and inhibitis all and sindrie hir majesteis leigis and subiectis, that nane of thame presome nor tak vpoun hand to worrk and mak ony Irne with wod or tymmer vndir the pane of confiscatioun of the haille yrne that salbe maid with the said tymmer to hir maiesteis vse."—*Acts of Parl. of Scot.*, IV. 408.

23. *Reg. of Priv. Coun.*, II., 500-1.

24. *Early Travellers, etc.* p. 267. The writer was Thomas Morer, who describes himself as "minister of St Ann's within Aldersgate," and "chaplain to a Scotch regiment." It was in this latter capacity that he visited Scotland in 1689.

25. *Acts of Parl. of Scot.*, II. 51. It was not till the eighteenth century that enclosures became general throughout England.

26. John Major, *A History of Greater Britain, etc.*, translated for the Scot. Hist. Soc., by Archibald Constable, pp. 30-1.

27. Fitzherbert, *Boke of Surveyinge*, f. 59.

28. Pp. 98, 287.

29. P. xlix. Writing of Scotland in 1689, an English

visitor has the following remarks regarding enclosures. "We seldom meet with enclosures; either because, being a corn country, they would be injured as like as may be by birds which harbour in the hedges; or, being without those long and kind leases the tenants of England have, they are not encouraged by their lords in that and some of their improvements; or that there is want of industry in this and like cases: so it is that their fields are open and without fences, unless here and there they raise out of the road some little continued heaps of stone in the nature of a wall to secure their crops from the incursions of travellers."—*Early Travellers, etc.*, p. 267.

30. *The Monastery*, chap. i.
31. *Scot. Before 1700*, p. 115.
32. *Ib.*
33. *Ib.*, p. 220.
34. *Ib.*, p. 125.
35. *Early Travellers, etc.*, p. 93.
36. *Ib.*, p. 67.
37. Jean de Beaugué, *Histoire de la Guerre d'Écosse pendant les Campagnes 1548-9* (Mait. Club), p. 23.
38. *Early Travellers, etc.*, p. 82.
39. *Scot. Before 1700*, p. 122.
40. *Ib.*
41. Pitscottie, book xxi. chap. xxxi.
42. *Early Travellers, etc.*, p. 17.
43. *Ib.*, p. 21.
44. *Scot. Before 1700*, p. 116.
45. *Ib.*, p. 68. Bishop Leslie also says that Dumfries was "famous in fyne claith."
46. *Ib.*, p. 118.
47. *Scot. Before 1700*, p. 296.
48. *Ib.*, p. 221.
49. *Early Travellers, etc.*, p. 23.
50. *Ib.*, p. 156.
51. *Ib.*, p. 21.
52. *Ib.*, p. 238.
53. Pitscottie, *Chronicles of Scotland*, I. 380 (Scot. Text. Soc.).
54. Fynes Moryson, *Ib.*, pp. 85, 86.
55. *Ib.*, p. 169.

56. *Scot. Before 1700*, p. 135.

57. *Ib.*, p. 298.

58. *Ib.*, p. 134.

59. *Ib.*, p. 230.

60. *Ib.*, p. 134.

61. *Reg. Priv. Coun.*, I. 471.

62. *Ib.*, II. 500.

63. *Early Travellers, etc.*, p. 268. The same observer, Thomas Morer, under date 1689, it should be added, makes the following remark regarding the habits of the Highlanders: "Once or twice a year, great numbers of 'em get together and make a descent into the Low-lands, where they plunder the inhabitants, and so return back and disperse themselves. And this they are apt to do in the profoundest peace, it being only natural to 'em to delight in rapine, but they do it on a kind of principle, and in conformity to the prejudice they continually bare to the Lowlanders whom they generally take for so many enemies."—*Ib.*, p. 271.

64. Donald Monro's *Description of the Western Isles of Scotland* will be found in *Scotland Before 1700*, pp. 238-272.

65. "It has been computed that in the reign of Elizabeth one-third of England was waste."—Elton, *Origins of English History* (Lond., 1890), p. 219.

66. *Early Travellers, etc.*, p. 267.

67. *Ib.*, p. 97.

68. On the other hand, De Ayala, the agent of Ferdinand and Isabella at the court of James IV., says that in Scotland "are all kinds of garden fruits to be found which a cold country can produce."—*Ib.*, p. 44. But, as will afterwards be seen, De Ayala's account of Scotland must be taken with considerable reserves.

69. *Ib.*, p. 30.

NOTES TO CHAPTER II

1. Lupold von Wedel's account of his travels in Scotland will be found in the *Transactions of the Royal Historical Society* (New Series), Vol. IX., 1895, pp. 223-270.

2. "If the English do burn our houses, what consequence is it to us? We can rebuild them cheap enough, for we only require three days to do so, provided we have five or six poles and boughs to cover them." Johnes' translation—*Early Travellers, etc.*, p. 10.

3. *Ib.*, p. 26.

4. *Our Journey into Scotland*, by C. Lowther, R. Fallow, and Peter Manson (Edin., 1894), p. 12.

5. *Early Travellers, etc.*, p. 275.

6. "And now let's advance to our country cottage, since compelled by the extremity of rain and encreasing waters. To which place [apparently Biggar], when we arrived, like men in amaze, we stood gazing at one another, because to see the sheep grazing on the tops of those houses, where there was hardly grass enough to graze a goose in. By this you may conclude their buildings but low, and I'm sure their doors and entrances were so strait that they exercised our strength beyond our art."—*Early Travellers, etc.*, p. 186. The writer is the fantastic Cromwellian trooper, Richard Franck, who made a fishing excursion through Scotland in 1656.

Sir Arthur Mitchell thus describes certain houses which he saw in Lewis. "The walls are generally not more than six feet in height; and on the tops of them, round the roof, there is often a footpath, on which children, sheep, fowls, and dogs may be constantly seen. In one case the public footpath to a neighbouring township led me over the end of one of these houses, provision being made for getting up and down by stones or steps projecting from the wall."—*The Past in the Present* (Edin., 1880), p. 53.

7. Harrison, *Description of England*, chap. ix.
8. *Early Travellers, etc.*, pp. 73, 74, 78.
9. La Bruyère, *Les Caractères ou Les Mœurs de ce Siècle*, chap. xi., *De l'Homme*.
10. *Hist. of Greater Britain* (Scot. Hist. Soc.), p. 29.
11. Entries like the following constantly occur in the Records of the burghs.—1572. "Ordanis the hail inhabitantis of the toune of Peblis to convene at sevin houris at morne, ane of euerilk hous, with barrowis and mandes (baskets), to beir stanis with to the wall rownd about to be heichtit with dry stane, begynnand at the eist port, ilk persone under the pane of ane unlaw."—*Charters and Documents relating to the Burgh of Peebles, etc.* (Scot. Burgh Rec. Soc.), p. 347.
12. "Ordanis all that lepis the wall to be punist be warding of thair bodyis in irnes xxiiij houris the first falt; the secund falt, banissing of the toune; the third falt deid, etc."—*Ib.*, p. 347.
13. *Early Travellers, etc.*, p. 47.
14. Cuperent tam egregie Scotorum reges quam mediocres Nurembergae cives habitare.—Æn. Sylvius apud Schmidt, *Hist. des Allemands*, t. v. p. 510.
15. *Early Travellers, etc.*, p. 139.
16. *Ib.*, p. 279.
17. *Acts of Parl. of Scot.*, IX. 489.
18. *Ib.*, II. 12.
19. *Early Travellers, etc.*, p. 139.
20. John Ray, the Naturalist, who visited Scotland about 1662, says: "In the best Scottish houses, even in the king's palaces, the windows are not glazed throughout, but the upper part only; the lower have two wooden shuts or folds to open at pleasure, and admit the fresh air."—*Ib.*, p. 231.
21. *Ib.*, p. 12.
22. *Ib.*, p. 10. The best reading of Froissart gives 400, and not 4,000 as the number. Cf. Buchon's Edit., II. 314; Bouchier's Edit. II. p. 7.
23. *Charters and Documents relating to the City of Edinburgh, etc.* (1143-1540), p. 162.
24. Sir William Brereton.—*Early Travellers, etc.*, p. 139.
25. Taylor, the Water-Poet.—*Ib.*, p. 110.
26. *Ib.*, p. 159.
27. Jorevin de Rocheford.—*Ib.*, p. 223.

28. *Early Travellers, etc.*, 139.
29. *Records of the Burgh of Edinburgh (1557-1571)*, p. 42; "In presence of the provest, baillies and counsale foirsaid, Michel Bre, Frencheman, calsay makar, bindis and obleissis him that incontinent heirefter he, togidder with his sone and samony seruandis as he may get sall enter to the making and mending of the tounis calsayis, and begin at sic place as pleissis thame to appoint him, continuallie to remane and laubour thairat . . . quhill the haill calsayis of the toun be compleitlie endit and mendit, etc."—*Ib.*, p. 99.
30. *Early Travellers, etc.*, pp. 82-3.
31. *Ib.*, p. 110.
32. *Ib.*, p. 140.
33. *Ib.*
34. *Ib.*, p. 280.
35. *Ib.*, pp. 151-2.
36. *Scot. Before 1700*, p. 15.
37. *Ib.*, p. 137.
38. E. Bain, *Merchant and Craft Guilds, A History of the Aberdeen Incorporated Trades* (Aberd., 1877), p. 76.
39. A. Macgeorge, *Old Glasgow, the Place and the People* (3rd Edit., Glasgow, 1888), p. 144. In Stirling in 1550, there were 86, 98, 98, and 103 adults in its four divisions, respectively—giving a total of 385.—*Burgh Records of Stirling (1519-1666)*, p. 59.
40. *Burgh Records of Edin. (1557-1571)*, p. 3.
41. *Exchequer Rolls of Scotland*, I. p. cvii.
42. *Ib.*, II. p. lxx. The Burghs contributed $\frac{2}{5}$ ths for the ransom of James I.—*Exchequer Rolls*, IV. p. cxxx.
43. *Acts of Parl. of Scot.*, III. 108, 437.
44. Du Cange, s. v. *Trinoda Necessitas*.
45. *Acts of Parl. of Scot.*, IV. 536; VII. 574.—These Acts belong to a later period than the reign of Mary, but they only exact an ancient obligation.
46. *Early Travellers, etc.*, p. 264.
47. *Reg. Priv. Coun.*, XII. 496.
48. *Ib.*, X. 304.
49. The building of this bridge has been attributed to Robert I. as well as to Bishop Cheyne.
50. The bridge over the Nith at Dumfries, which was long

considered to be second only to London Bridge in its imposing proportions, was the work of Devorgilla, mother of John Balliol.

51. *Reg. Priv. Coun.*, II. 497.
52. These fares were raised during the reign of Mary.
53. *Acts of Parl. of Scot.*, II. 486.
54. *Ib.*, p. 498.
55. *Early Travellers, etc.*, p. 89.
56. *Ib.*, p. 264.
57. *Ib.*, III. 138.
58. *Book of the Universal Kirk*, Part I. 378 (Glasgow, 1834).
59. *Reg. Priv. Coun.*, Vol. III. pp. 411-12 (Second Series).
60. *Acts of Parl. of Scot.*, III. 86-9.
61. Per maxima terrarum et maris discrimina piratarumque qui injustissimi sunt latrocinia.—Cosmo Innes, *Sketches of Early Scotch History*, p. 272, note (Edinb., 1861).
62. *Reg. Priv. Coun.*, I. 39.
63. *Ib.*, p. 104.
64. *Ib.*, III. 270 (Sec. Series).
65. *Ib.*, IV. 488 (Sec. Series).
66. *Ib.*, p. 305.

NOTES TO CHAPTER III

1. Lavissee et Rambaud, *Histoire Générale* (1893), II. 35.
2. Cf. Wodrow, *Collections upon the Lives of the Scottish Reformers*, I. 4-5.
3. Part of the Regent Moray's collection of books found its way to the library of the University of St Andrews.
4. *Acts of Parl. of Scot.*, III. 222.
5. John Major, *A Hist. of Greater Britain*, p. 31 (Scot. Text. Soc.).
6. *Acts of Parl. of Scot.*, II. 49. The Act of 1457 only legalized feu-farm, which had been in practice before that date.
7. *Ib.*, II. 253.
8. On the advantages and disadvantages of feu-farm, see Dr Burnett's remarks in his Introduction to the Exchequer Rolls.—Vol. XIII. p. cxviii.
9. To the same effect is the following passage from the same Satire:—

Ye Lordis and Barronis, more and les,
That your pure tennantis dois oppres,
Be gret gyrsome, and dowbyll maill,
More than your landis bene availl,
With sore exhorbitant cariage,
With merchetis of thare mariage,
Tormentit boith in peace and weir,
With burdyngis more than thay may beir;
Be thay haif payit to yow thare maill,
And to the Preist thare teindis haill,
And, quhen the land agane is sawin,
Qwhat restis behynd I wald wer knawin!
I traist thay and thair pure househould
May tell of hunger and of cauld.

—*Ane Dialogue betwix Experience and
ane Courtier.*

Lyndsay, however, did not disapprove of feu-farm, as appears from the opinions he puts in the mouth of the Merchant in the Satire of the Three Estates.

My Lords, conclud that all the Temporal lands
 Be set in few to laboreris with thair hands,
 With sic restrictiouns as sall be devysit ;
 That thay may live, and nocht to be suppressit,
 With ane ressonabill augmentatioun ;
 And, quhen thay heir ane proclamatioun
 That the King's Grace dois mak him for the weir,
 That thay be reddie with harneis, bow and speir.

In another passage in the same Satire he recommends the adoption of feu-farm in his ideal Commonwealth.

And als the common-weill for till advance
 It is statute that all the temporall landis
 Be set in few, efter the forme of France,
 Til verteous men that labours with thair hands,
 Resonable restrictit, with sic bands,
 That thay do service, nevertheles,
 And to be subject ay under the wands,
 That riches may with policy increas.

10. *Exchequer Rolls*, XVII. 719.
11. *Ib.*
12. Major, *A Hist. of Greater Britain*, p. 47.
13. *Acts of Parl. of Scot.*, III. 139.
14. *Ancient Laws and Customs of the Burghs of Scotland* (1124-1424), p. xxxv. (Burgh Rec. Soc.); Gross, *The Gild Merchant* (Oxford, 1890), p. 201.
15. This arrangement is still found in Hungary.
16. *Charters, etc., Relating to the Burgh of Paisley*, p. 213.
17. *Ib.*
18. *Ib.*, p. 262.
19. As, for example, between the burgh of Stirling and the Abbots of Cambuskenneth in the case of fishing in the Forth.
20. *Charters, etc., Relating to the Burgh of Paisley*, p. 243.
21. *Early Travellers, etc.*, p. 232. John Major mentions another kind of manure in general use—sheep's dung, regarding which he writes as follows:—"ob hoc enim agriculturæ periti in campo sterili includunt oves septies aliquot diebus quoad terra impinguetur; et postea ad consimile solum sterile easdem cum septis ad terræ impinguationem transferunt." He adds that in most parts of England and Scotland only oxen were used in tilling the ground.—In Quartum, cxx. recto, Dist. XV.
22. *Records of the Burgh of Edinburgh* (1557-1571), p. 50.
23. *Extracts from the Council Register of the Burgh of Aberdeen* (Spalding Club), II. 21.

24. The following passage from Lyndsay's *Satire of the Three Estates* is a vivid commentary on the remarks in the text:—

Marie! cummand throw the Schogait,
Bot thair hes bene ane great debait
Betwix me and ane sow.

The sow cryit guff, and I to ga,
Throw speid of fute I gat awa,
But in the midst of the cawsa
I fell into ane midding :

Scho lap upon me with ane bend :
Quha ever the middings sould amend
God send them ane mischievous end !
For that is bot God's bidding.

As I was pudlit thair, God wait,
But with my club I maid debait ;
Ise never cum againe that gait,
I sweir yow by Allhallows.

I wald the officiars of the toun,
That suffers sic confusioun,
That thay war harbreit with Mahown
Or hangit on ane gallows.

Fy! fy! that sic ane fair cuntrie
Sould stand sa lang but policie :
I gif thame to the Devill hartlie
That hes the wyte :

I wald the Provost wald tak in heid
Of yon midding to make remeid
Quhilk pat me and the sow at feid :
What may I do but flyte?

25. *The World's History*, edited by Dr H. F. Helmott (Lond., 1903), VII. 233.

26. *Burgh Records of Edin.* (1557-1571), p. 130.

27. *Ib.*, pp. 245-6.

28. 32 Henry VIII., cap. 18.

29. Cunningham, *Growth of English Industry and Commerce*—Early Middle Ages, p. 457 (Cambridge, 1890).

30. "The churchyards of many towns in England were also without enclosing walls."—Mrs Richard Green, *Town Life in the Fifteenth Century*, II. 31.

31. *State Papers of Thomas*, Earl of Melros (Abbotsford Club), p. 273.

32. *Edin. Burgh Records*, IV. 506.

33. *Extracts from the Council Registers of Aberdeen*, II. 280-1 (Spalding Club). As before the Reformation, fairs and markets were still held in the churchyards.—*Acts of Parl. of Scot.*, III. 138.
34. *Reg. of Burgh of Aberdeen*, I. 149-150.
35. *Ib.*, II. 120.
36. *Ib.*, p. 187.
37. In some burghs, as in Lanark, public meetings were still held in the churches.
38. *Reg. of Priv. Coun.*, IV. 266 (Second Series).
39. *Ib.*, p. 89.
40. *Records of the Burgh of Edinburgh* (1573-1589), p. 539.
41. *Records of the Burgh of Peebles*, p. lvii.
42. *Records of the Burgh of Edinburgh* (1573-1589), p. 263.
43. *Records of the Burgh of Stirling* (1519-1666), pp. 74-5.
44. *Ib.*, p. 8.
45. Scott, *Border Antiquities*, vol. i. p. lxiv.
46. *Records of the Burgh of Peebles*, p. 214.
47. *Acts of Parl. of Scot.*, III. 582-3.
48. *Records of the Burgh of Paisley*, p. cvii.
49. *Records of the Burgh of Stirling* (1519-1589), p. 151.
50. "Item, gif ony comone wenal be stoppyt and be whame."—*Ancient Laws and Customs of Scotland*, p. 152.
51. *Records of the Burgh of Edinburgh* (1403-1528), p. 5.
52. *Records of the Burgh of Glasgow* (1573-1642), p. 30.
53. *Records of the Burgh of Edinburgh* (1403-1528), p. 75; *Ib.* (1573-1589), p. 476.
54. With what reserves this statement must be taken, will afterwards appear.

NOTES TO CHAPTER IV

1. UNDER date November 6, 1588, we have the following entry in the *Burgh Records of Edinburgh*: "Finds expedient, statutes and ordains that na burgessis be resauet nor admittet in tyme cuming bot sic as sall compeir the tyme of thair admissioun before the counsall with sufficient airmour, sic ane as thai will tak thame to for serving of the Kings Grace and the toun, to witt, other with hakbut and furnessing belanging thairto, sic as flaske, pulder and bullet and ane murrioun, or ellis with jak, knapsall, speir or pik, and mak fayth that the said armour is thair awin proper geir, and this by and attoure thair sworde; and quhen euir thai sall want the said airmour in tyme convenient to be poyndet or wardet for ane unlaw of fyve pund."—IV. p. 532.

2. *Burgh Records of Edinburgh*, IV. 379-80.

3. *Ib.*, p. 129.

4. *Burgh Records of Peebles*, p. 227; *Burgh Records of Edinburgh*, IV. 402.

5. "Lanark did not possess a town mill."—*Burgh Records of Lanark*, p. xxvii.

6. "In 1573 there were seven common mills in Edinburgh—all on the Water of Leith. They were then let to Nicolas Udart for his services to the town."—*Burgh Records of Edinburgh*, IV. 6-7.

7. "It is ordanit that na burges bringe or carie bred or ail fra ane burgh to ane uther burgh to sel in gret or in pennyworths under paine of escheate of the bred and ail and amercement of aucht shillin for the injurie and prejudice done to the nychbors and the libertie of burghs, forasmeikle as nane aw to encroach upon the libertie of ane other, and amercement of aucht in the burgh where the trespasser is found, for he becomes subject to its courts by delict."—*Ancient Laws and Customs of the Burghs of Scotland*, p. 162.

8. *Burgh Records of Aberdeen*, I. 307 (Spalding Club).

9. "All dwellers in the country als weil frie-holders as peasants, wha are dwelland in our scherriffdom, sall come with all their moveable wares for sale, to nane uther mercat nor ours within the sheriffdom whair thai dwell. And if thai be convictit of doing otherwise, ilk ane sal pay eight shillings for his forefaltour, and tyn his ware."—*Ancient Laws and Customs of Scotland*, p. 183.

10. *Burgh Records of Edinburgh*, II. 235.

11. With these strict regulations compare the state of things which the English traveller, Fynes Moryson, found in Italy in 1594-5: "A poore woman that carryes twelue Eggs to the markt, must giue one at the Gate for Custome, and if she buy a payre of shooes in the Towne or spice, or any like thing, tribute must be paid going out of the Gate. If a poore body gett his living by a wheele, to spinn, by Carding or by a Weavers Loom, he must pay yearely tribute to his Prince for licence to use that trade. And all Innkeepers and those that sell anything to eat or drinck, pay so great yearely Tributes to the Prince (as likewise the Poastmasters and those that haue horses to hyre) as they must needs vse great extortion vppon all Passengers, and vppon subjects that haue occasion to vse them, for such licences are sold to them as it were at the outcrye, to him that will giue most for them."—*Shakespeare's Europe, unpublished chapters of Fynes Moryson's Itinerary*. Ed. Charles Hughes (Lond., 1903), p. 120.

12. At Peebles, for example, it was ordained: "that nane suld pass outoutht the yettis of the town, nother to by hiddis, skynis, futfellis na lamskynis, na yit other gudis that com to be sold at cors and mercat, nother apon merkat day na other dayis, vnder the payn of viij S. paying, but gyf the cass be thai met sic gudis of suddante in tym of gangyng to the kyrk or other neidful errand."—*Burgh Records of Peebles*, p. 150.

13. *Ancient Laws and Customs of the Burghs of Scotland*, p. 139.

14. Crevier, *Histoire de l'Université de Paris*, V. 347.

15. *Exchequer Rolls*, Vol. I. p. xcvi.

16. *Ib.*, p. c.

17. *Acts of Parl. of Scot.*, IV. 135-6.

18. *Records of Convention of Royal Burghs*, II. 200.

19. Gross, *The Guild Merchant*, I. 135-6.

20. The burghs were all permanently divided into quarters.

21. *Burgh Records of Aberdeen*, I. 334-5 (Spalding Club).

22. *Burgh Records of Edinburgh*, IV. 35-6.

23. *Ib.*, pp. 133-4; *Ib.*

24. "Item that na burgis nor marchands transport thaim out of the realme withoutyne leave of our Lord the Kyng or his chalmerlan, soucht and obtoinit."—*Ancient Laws and Customs of the Burghs of Scotland*, p. 192. In 1563 Nicolas Udart, a prominent Edinburgh citizen, was deprived of his office of baillie because he had gone abroad without the permission of the council.—*Burgh Records of Edinburgh*, III. 172.

25. May 24, 1555.—"The baillies and counsale ordanis in tyme cummyng thair be na teket deliverit nor subscriuit to ony persone to sail to France, Flanderis nor vther pairtis bot in this maner viz. : thet the haill merchandis that purpos to sail in ane schip convene and compeir in the Tolbuith in presens of the bailleis and counsale, ane act to be maid of samony as thai pleis admitt, and that act to be send to the skyppar of the schip and he to ressaif thai personis and na utheris."—*Burgh Records of Edinburgh*, II. 216.

26. *Ib.*, pp. 151-2.

27. The following is the paper referred to in the text :

TABLE OF SCOTTISH PRODUCE EXPORTED YEARLY.

1614, c. November.—The wairris and commodaties that ar shippit and transpoirtted furthe of this Kingdome yeirle, be sea, ar—

- (1.) The wairris and commodaties that the land yeildis ;
- (2.) The commodaties that ar maid and wrocht in the countrie ;
- (3.) The commodaties that the sea yeildis ; and
- (4.) Sic foirrane commodaties as ar importtit and expoittit agane yeirle.

Quhilk wairris and commodaties conforme to ane compt maid partticularlie of the quantetie of ilk soirt of commodaties shippit yeirle at everie poirt of this realme betuix the first day of November, 1611 yeiris, and the first day of November, 1614 yeiris, in the space of three yeiris, is fund to extend yeirle, and ilk year ourheid, as followis :

- (1.) The wairris and commodateis that the land yeildis yeirle.

VICTUEL AND VIVERRIS.

Of Quheit 1,130 bollis, extending in money, at £7 the boll	£7,950
Of beare and maltt, 4,256 bollis, extending, at £6 the boll to	25,536
Of aittis, 646 bollis, extending, at £5 the boll, to	3,230
Of flowre, 3 last 9 barrellis, extending, at £9 the the barrell, to	405
Of breid, callit baikis, 2,800, extending, at 40s. the hundredth, to	56
Of beiff, 2 last 6 barrellis, extending, at £10 the barrell, to	300
Of aquavite, to 7 gallonis, extending, at 20s. the pynt, to	216
Summa of victuel, etc.,	<u>£37,653</u>

HYDDIS.

Of salt hyddis, 1620 daicker, extending, at £40 the daicker, to	£64,800
Of hairt hyddis (deer skins), 91 daicker, ex- tending, at £20 the daicker, to	1,830
Summa of hyddis is	<u>£66,630</u>

SKYNNIS.

Of wol skynnis, 238,666, at 12s. the pece, is	£143,199
Shorling skynnis, 1833, extending, at £48 the hundreth, to	878
Of lamb skynnis, 120,810, extending, at £6 the hundreth, to	7,242
Of futfallis, 39,600, at £24 the hundreth	9,534
Of gait skynnis, 16,321, at 8s. the pece	6,528
Of calff skynnis, 160, at 3s. the pece	24
Of rea skynnis, 240, at 16s. the pece	186
Of tod (fox) skynnis, 1,012, at 40s. the pece	2,024
Of kid skynnis, 1,226, at £18 the hundreth	220

Of otter skynniss, 44, at 40s. the pece	£88
Of cuneing (rabbit) skynniss, 53,234, at £6 the hundreth	3,194
Summa of the skynniss	<u>£172,082</u>

YIT THE COMMODATIES OF THE LAND.

Of woll, 10,374 staneis wechtt at £5 the stane, is	£51,870
Of feathers, 331 stane, extending, at £4 the stane, to	1,324
Of Orknaye buttar, 21 barrellis, at £14 the barrell	294
Of leid urris, 30,000 stane wecht yeirlie, at 13s. 4d. the stane	20,000
Of coallis, at 6,308 chalder, at £4 the chalder	25,232
Sua the commodaties that the land yeildis yeirlie, and is transpoirtted, extendis to	<u>£375,085</u>

(2.) The commodaties that ar maid and wrocht in the
countrie quhairby the peopill ar sett to labour.

Of smal salt, 1,989 chalder, extending, at £20 the chalder, to	£39,780	0	0
Of claythe and plading, 141,854 ellis, ex- tending, at £42 the hundredth, to	59,574	18	0
Of lynning clayth, 23,100 ellis at 10s.	11,550	0	0
Of hardin clayth, 620 ellis, at 5s. the ele 155	155	0	0
Of lynning yairne, 17,776 pund wecht, at 24s. the pund, to	33,331	4	0
Of prick hoise, 21,514 pair, extending at £50 the hundredth pair, to	10,755	16	0
Of almeit ledder, 6,364 skynniss, extending, at £18 the hundredth, to	1,143	0	0
Of gluiffis 205 gross, extending, at £5 the dosane, to	12,300	0	0
Of leather poynttis, 240 gross, extending, at 2s. the dosane, to	288	0	0
Of scheweit cusheonis, 47 dosane, at £3, 13s. 4d. the dosane, is	172	6	8
Of tycking to beddis, 40 elnis, at 10s.	20	0	0

Of shone, 40 pair, at 13s. 4d., . . . £26 13 4

Summa of the commodaties that ar maid
and wrocht in the land, yeirlie and
everie yeir ourheid, is . . . £169,097

(3) The commodaties that the sea renderis yeirlie.

Of salmond, 140 last 6 barrell, extending
at £28 the barrell, to . . . £47,208 0 0
Of hering, 1247 last, extending, at £80
the last, to . . . 99,760 0 0
Of barrellit fishe, 34 last, at £6, 13s. 4d.
the barrell, . . . 2,720 0 0
Of fishe in peale (dried and packed),
19,600, at £10 the hundrethe . . . 1,960 0 0
Of fishe oyle, 5 last, 4 barrellis, at £26,
13s. 4d. the barrell . . . 1,706 13 4

Summa that the commodaties of the sea
extendis to yeirlie, is . . . £153,354 0 0

(4). The foirrane wairis that ar brocht in the countrie and ane
pairtt thairoff transpoirtted agane.

Of rye, 267 bollis, at £5 the boll, is . . . £1,335 0 0
Of peise, 27 bolls, at £5 the boll, is . . . 135 0 0
Of walx, 106 shippund, extending, at
£240 the shippund, to . . . 25,440 0 0
Of greit saltt, 872 bollis, at 40s. the boll, . . . 1,744 0 0
Of alme, 67 pund wechtt, at 3s. 4d. the
pund, . . . 11 3 4
Of brissell, 72 pund wechtt, at 9s. the
pund wechtt, . . . 32 8 0
Of auld brass, 222 staneis wechtt, at
£6, 13s. 4d. the stane, is . . . 1,746 6 8
Of daillis, 7,400, at £40 the hundreth, . . . 2,960 0 0
Of hempt, 57 staneis, at 40s. the stane, . . . 114 0 0
Of irin, 120 staneis, 26s. 8d. the stane, . . . 160 0 0
Of irin pottis, 7 dosaneis, at £18 the
dosane, . . . 126 0 0

Of knappeld (oak staves), 1,200, at £24 the hundreth,	£288	0	0
Of Inglis claythe, 346 ellis, at £4 the ell .	1,424	0	0
Of leid, 800 pund wechtt, at 2s. the pund,	80	0	0
Of madir, 27 pund wechtt, at 6s. the pund,	8	2	0
Of hoip, 60 pund wechtt, at 3s. the pund,	9	0	0
Of orcheid [sic] litt, 20 barrellis, at £24 the barrell, to	480	0	0
Of pype staveis, 2,000, at £40 the thousand	80	0	0
Of pick and tar, 16 last, 6 barrellis, at £7 the barrell	1,386	0	0
Of taickill, 80 staneis, at 50s. the stane, .	200	0	0
Of wyne, 2 tunis, 3 puncheonis, at £200 the tune	550	0	0
Of vinagre, 5 tunis, 3 puncheonis, at £10	230	0	0
Of unzeone seid, 17 pund wecht, at 20s.,	17	0	0
Of poulder, saipe, prumdames (plums), unzeonis, for	500	0	0
Summa of the foirrane commodaties that ar transportted agane, is	£39,047	0	0

SUMMA TOTALIS.

Of the commodaties of the land,	£385,488 ¹
Of the commodaties maid and wrocht in the land,	153,354
Of the commodaties furth of the sea,	169,097 ¹
Of foirrane commodaties transportted,	39,047
Summa,	£736,986

Conforme to the comptis maid and produceit.

Nota.—This is besydis and attour the greit quantetie of lynning claythe, lynning yairne, sheip, nott, etc., that is transportted be land dalie.

28. *Early Travellers, etc.*, p. 148.

29. *Reg. of Priv. Coun.*, IV. 255 (Second Series).

As is well known, the manufacture of salt was an equally

¹ It will be noted that these numbers do not tally with the sums given above. It will also be observed that, owing probably to the omission of certain items, the summations are not correct.

lucrative industry in France. Fynes Moryson, who notes the numerous salt-pans in Scotland, has also some interesting remarks on the salt industry in that country. As illustrating the different conditions under which the manufacture was carried on in the two countries respectively, his words may be quoted. In Scotland there was no exorbitant *gabelle*, and the industry was in the hands of private persons with whom the government had no concern beyond exacting a moderate tax proportionate to the amount of the commodity produced.¹ "All Writers," says Moryson, "obserue that Fraunce hath fowre loadstones to drawe Treasure, namely Corne, Wyne, Salt and linnen Cloth, and no doubt the Tribute or Import of wyne is great, and that of Salt greater, which in many places is proper to the King, and generally payes him Tribute especially baysalt whereof plenty is made in Fraunce especially in some Ilands, and in many places the selling of white salt is forbidden, that the bay Salt may be sold for the King's better profitt, but this Reuenue of Salt was said to be then ingaged to priuate men. And since I heare from french men that the King vseth commonly to Farme out this and other Gabels (or Impositions), and that Salt alone at this tyme is farmed out to Marchants at some six hundreth thousand pounds sterling yearly, and that the King particularly for each mued of Salt receiueth fower pounds tenn shillings sterling to make vpp the foresaid Rent, and that twelue Lettiers make a Mued, and each Lettier is about a quarter of our measure, and the french Marchants say that each Mued of wheate yeildeth the King three pounds sterling for Gabell or Import."—*Shakespeare's Europe*, pp. 172-3.

The salt made in France and Scotland respectively was of different kind and quality, and the two countries interchanged their respective products. For the purpose of salting fish Scotland procured salt both from France and Spain.—*Reg. of Priv. Coun.*, IV. 40, 41, 570 (Second Series).

30. *Early Travellers, etc.*, p. 87.

¹ The salt-pans were leased to private parties by the burgh on whose territory they were found. In 1567 the salt-pans of Newhaven were let to three Englishmen for fifty years.—*Burgh Records of Edinburgh*, III. 230.

NOTES TO CHAPTER V

1. *Burgh Records of Edinburgh*, II. 181-185.
2. *Ib.*, IV. 57-8.
3. *Ib.*, pp. 265, *et seq.*
4. *Acts of Parl. of Scot.*, II. 8.
5. *Ib.*, p. 13.
6. *Ib.*, p. 14.
7. *Ib.*, p. 15.
8. *Ib.*, p. 234.
9. *Ib.*, p. 297.
10. Colston, *The Incorporated Trades of Edinburgh* (Edin., 1891), p. xxxiii.
11. Bain, *Merchant and Craft Guilds of Aberdeen*, Preface. In 1584 it was enacted that thenceforward the merchants and craftsmen should bear an equal proportion of the public burdens. Hitherto the merchants had contributed one-fourth and the craftsmen, one-fifth.—*Acts of Parl. of Scot.*, III. 363.
12. See Colston's *Incorporated Trades of Edinburgh*.
13. *Acts of Parl. of Scot.*, II. 95. This arrangement was copied from the example of France, where it became as great an evil as in Scotland.
14. *Burgh Records of Edinburgh*, III. 83. Craftsmen were admitted into the town of Stirling in 1545.—*Burgh Records of Stirling* (1519-1666), p. 41.
15. *Burgh Records of Edinburgh*, IV. 266-7.
16. The following passage from the *Burgh Records of Edinburgh*, under date 1659, cogently illustrates the objection to craftsmen being in the Town Council. "The baillies and counsale, being convenit for electing of the new counsale for the yeir to cum, comperit Walter Wauhane, dekyn of the tailyouris, with vtheris deaconis, togither with James Young and Dauid Kinloch, prolocutouris for the hale craftis, and desyrit to

be hard to resoun for the saidis craftis concernyng the twa craftis-
men that suld be vpoun the counsale for the said yeir, quhilk
wes grantit and efter lang resonyng it was desyrit be the saidis
prolocoutouris that the said Dauid Kinloch, baxter, and sic
vtheris as thai wald joyne to him, to quhome it was ansuerit that
nane sic as of thair occupatioun, sic as baxteris, maltmen,
quhilkis had the handling of mennis sustentatioun, had bene
vpoun the counsale of the toun in ony tyme bypast, nather
aucht nor suld be, *becaus thai mycht woit and persuade to thair
awin particular commoditie, to the greit hurt of the King's liegis,*
and siclyke that na cordineris, nor littistaris, nor vtheris of *sic
rude ocupatioun*, aucht to be vpoun the counsale, nouthur wald
thay admit nor receive any sic."—III. 263-4.

17. *Acts of Parl. of Scot.*, III. 174, 232.

18. *Ib.*, II. 487.

19. *Basilicon Doron*.

20. An Act of Parliament already cited (*supra*, p. 149) shows
that the craftsmen of different towns did enter into leagues with
each other, and by so doing, gave alarm to the government.

21. *Acts of Parl. of Scot.*, III. 138.

22. Lavisse, *Histoire de France*, IV. II. 142 (Paris, 1902).

23. *Acts of Parl. of Scot.*, IV. 419.

24. Mrs Richard Green, *Town Life in the Fifteenth Century*, I.

152.

25. The same feeling prevailed among the English crafts.—*Ib.*,
II. 156.

26. *Burgh Records of Edinburgh*, II. 197, 199.

27. *Ib.*, p. 283.

28. *Acts of Parl. of Scot.*, II. 500.

29. *Burgh Records of Edinburgh*, III. 134.

30. *Diurnal of Occurrents*, p. 263.

31. *Acts of Parl. of Scot.*, IV. 613.

32. *Scotland Before 1700*, p. 166.

33. *Acts of Parl. of Scot.*, II. 18.

34. Knox, *Works* (Laing's Edit). IV. 225-6.

35. *Acts of Parl. of Scot.*, III. 220.

36. *Burgh Records of Aberdeen*, II. 116.

37. *Burgh Records of Edinburgh*, III. 121.

38. *Burgh Records of Aberdeen*, II. pp. xli-ii.

39. *Ib.*, p. 373.

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40. *Scotland Before 1700*, p. 294. At an earlier date Sir David Lyndsay writes to the same effect as Lithgow:—

Ane uther falt, Schir, may be sene ;
 Thay hyde thair face all bot the ene ;
 Quhen gentill men biddis thame gude day
 Without reverence they slyde away,
 That none may knaw, I you assure
 Ane honest woman be ane hure ;
 Without thair naikit face, I se
 Thay get na mo gude dayis of me.
 Haile ane France lady quhen ye pleis,
 Scho wyll discover mouth and neis,
 And with one humill countenance.
 With visage bair, mak reverence.

—*Satire of the Three Estates.*

According to Fynes Moryson, the custom of women in covering their heads when out of doors was differently regarded in Germany. "And when they (the German women) goe out of doores, they are reputed harlots, if they couer not their faces and their heades with lynnyn clothe, and their apparell with a Cloke, and if thay carry not in their handes a little basket as if they went abroad to buy somethinge, tho perhaps they goe only to visite a frend."—*Shakespeare's Europe*, p. 292.

41. *Scotland Before 1700*, p. 180.

42. *Acts of Parl. of Scot.*, II. 488.

43. *Ib.*, III. 221.

44. *Early Travellers, etc.*, pp. 88-9.

45. *Ib.*, p. 88.

46. *Ib.*, p. 89.

47. *Ib.*

48. *Acts of Parl. of Scot.*, III. 174.

49. *Early Travellers, etc.*, pp. 89-90. Fynes Moryson, the observer quoted, brings a much more sweeping charge of drunkenness against the Germans. "All the Germans," he says, "have one nationall vice of druncennes in such excesse (esppecially the Saxons), as it staynes all their nationall vertues, and makes them often offensive to frends and much more to strangers."—*Shakespeare's Europe*, p. 290.

NOTES TO CHAPTER VI

1. *Acts of Parl. of Scot.*, III. 225.
2. *Reg. of Priv. Coun.*, I. 94.
3. *Burgh Records of Edinburgh*, II. 235.
4. *Ib.*, II. 162.
5. *Ib.*, p. 204.
6. *Ib.*, III. 25-6.
7. *Ib.*, p. 148. In 1564 one Richard, an Englishman, was made burghess that he might give instruction in the making of arrows.—*Ib.*, III. 193.
8. *Ib.*, IV. 23.—Hitherto, in all the burghs no one was permitted to open a school without a licence from the Town Council.
9. *Ib.*, p. 58.
10. *Ib.*, p. 530.
11. *The Works of James VI.* (1616), p. 164.
12. Ashley, *An Introduction to English Economic History and Theory* (London, 1893), Vol. II. Part II. p. 341.
13. *Burgh Records of Edinburgh*, II. 80.
14. *Ib.*, p. 213.
15. *Ib.*, III. 50.
16. *Ib.*, p. 102.
17. *Ib.*, p. 193.
18. *Ib.*, p. 194.
19. *Ib.*, IV. 39.
20. *Ib.*, p. 145.
21. *Ib.*, III. 105-6.
22. *Ib.*, pp. 144-6.
23. *Acts of Parl. of Scot.*, IV. 140.
24. *Ib.*, V. 49.

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