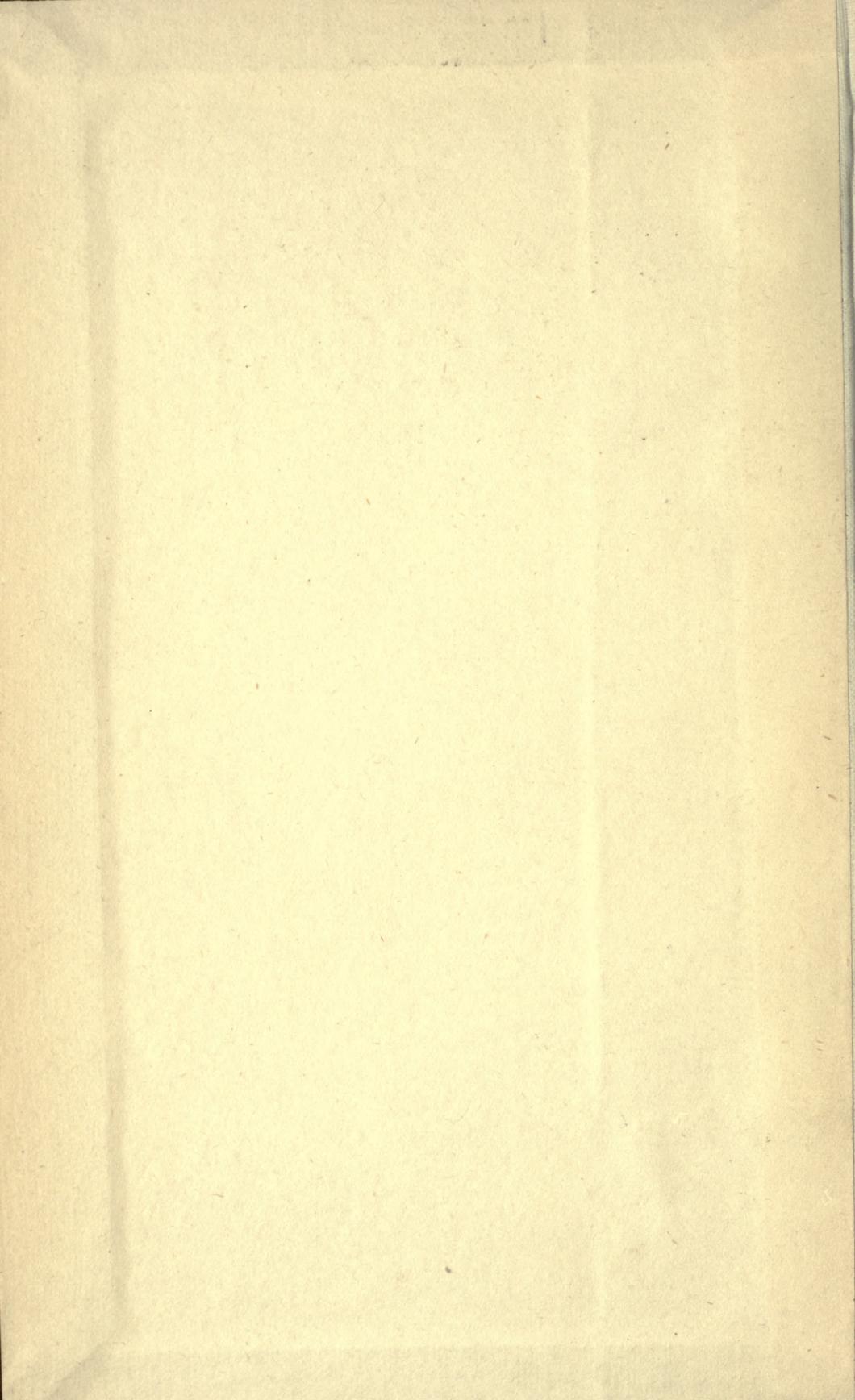


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1886

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THE SCOTTISH
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THE SCOTTISH HISTORICAL REVIEW

Volume Eleventh

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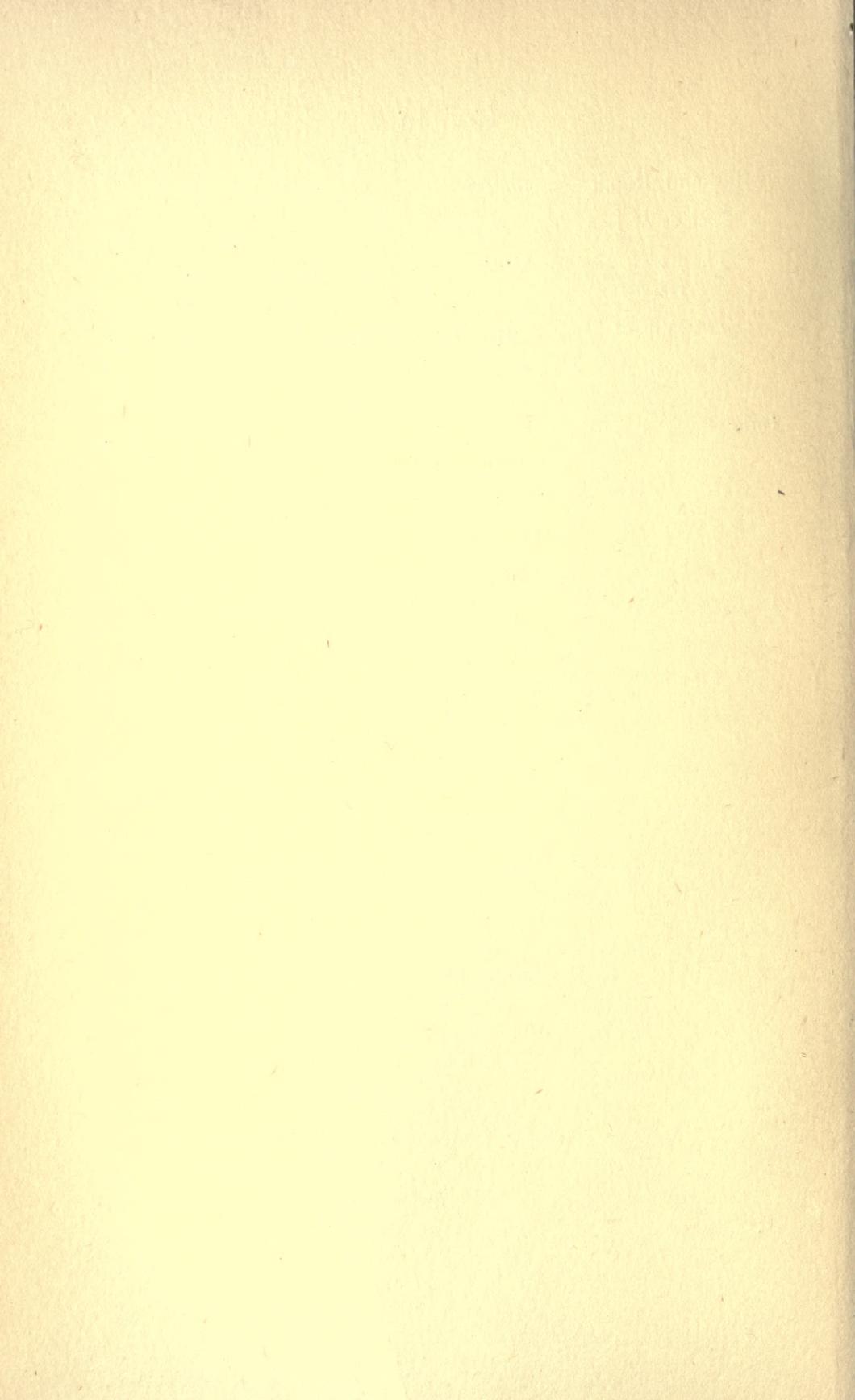
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The Scottish Historical Review

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Letters of the Papal Legate in Scotland, 1543

THE truce of Nice in 1538 closed the third war between Francis I. and Charles V. ; and Paul III., contemplating a Catholic league against Henry VIII., found it expedient to make David Beaton cardinal in order to secure the adhesion of Scotland. In the condition of German affairs, however, the Emperor feared to risk a conflict with England, and the failure of the league gave Henry an opportunity to deal with the King of Scots.

The past conduct of James V. lent some colour to the view that he might be induced to adopt his uncle's ecclesiastical policy. In 1531 he had approached Clement VII. with his plan for a College of Justice ; but the project, excellent in itself, was made the pretext for the sweeping demand that the churchmen should contribute £10,000 Scots annually to the crown. The Pope, in his anxiety to preserve the allegiance of Scotland, at first acquiesced : then the clergy, led by Archbishop James Beaton, entered a vehement protest : finally a compromise was reached by which the tax was restricted to a period of three years. James used the contributions of the reluctant churchmen to improve his palaces, and when he broached the subject of a new tax he did not find Paul III. so facile as Clement VII. had been. Prelates had feued church lands, had paid their contributions out of the considerations received, and had placed the responsibility for the business upon the Pope. Paul III. was disinclined to repeat the experiment, unless the money were to be spent on the defence of the church. It was politic enough to grant David Beaton the cardinal's hat ; but to make him legate *a latere*, as James vehemently desired,

would be to give the king's chief minister a dangerous power in relation to ecclesiastical property. It was not wonderful, therefore, that Henry VIII. hoped to find an apt pupil in his avaricious nephew, and suggested the bold course which he himself had followed. There was, at the least, a chance of creating strife between the king and the spiritual estate.

One factor in the situation, however, Henry left out of his account. James was perfectly conscious that he could not afford to alienate the churchmen, and that his financial schemes must not be too ambitious. The maladroit diplomacy of the English king in the end drove the unfortunate James to adopt the warlike attitude which it was the whole object of the ecclesiastical authorities to produce.

The situation, which was soon to end in the disaster of Solway Moss and the tragic death of the King of Scots, was in part created by the turn of European politics. Francis I. declared war upon Charles V. in 1542, and, while he would have preferred the active support of England, he was determined to procure, if possible, at least her neutrality. The Scots, on their part, looked with apprehension upon negotiations which might leave Henry VIII. free to mature his plans of conquest. Cardinal Beaton failed to obtain French aid in a Scottish war against England: he failed even to bring about an understanding between Francis and Henry which would secure his own country; and finally he was induced to believe that war was preferable to a peace which might be rudely broken when Henry saw his opportunity. James and his clergy would be united in a common cause: the Pope could not refuse to confirm ecclesiastical subsidies: the danger to an indispensable ally would force the hand of Francis: Protestant opinion might yield to the dictates of patriotism.

It was a significant fact that Paul III., aware of the hostilities with England, but ignorant of the king's death, granted James six-tenths of ecclesiastical fruits for two years, and appointed the Cardinal as collector. Francis, too, was angry with Henry, because he began to see that the English king intended to crush Scotland and then turn upon him. But his wrath was turned into consternation when he heard that Arran, as Governor, had thrown in his lot with the English faction, and that the Cardinal was a prisoner. Something must be done at once to restore the French party to power. To make matters worse, a fortnight after Beaton's arrest Henry entered into a treaty of alliance with the Emperor. In response to the French king's urgent appeal, Paul III. chose the

nephew of that Dominico Grimani who, as Cardinal of St. Mark, had been the protector of Scotland at the court of Rome in the first quarter of the century; and on March 25, 1543, he announced to the Scots that he was sending Marco Grimani, Patriarch of Aquileia, to collect the subsidy and dispense it for their defence and the liberation of Beaton. As a matter of fact the dexterous Cardinal was already in his own castle of St. Andrews, and all but free.

The tragedy of James V. was followed and relieved by comedy. Beaton, distrusting Arran, had tried to push him out of the governorship to which he was entitled. The Earl suspected that Guise was coming to control affairs; and there was Lennox, by birth the next claimant, in whom the Cardinal would find a willing ally. Consequently Arran decided to fortify himself by reinstating the Douglasses and receiving the lords captured at Solway Moss, who had cheerfully sworn to support Henry's schemes. The immediate result of the coalition was Beaton's arrest. Not that Arran had the least intention of presenting the dominion of Scotland to Henry VIII.: it was merely a race for power in which competitors were tempted to sail dangerously near the wind. But while Henry never quite succeeded in appreciating the manner in which the political game was played in Scotland, some of his servants were more experienced. Thus, while the Governor was writing to Lisle in an edifying strain and requesting a consignment of Bibles, Lisle had some men watching his correspondent's house for agents of the Cardinal. The arrest had been unpopular; and for Arran to deliver Beaton to Henry would have been to commit political suicide. The Parliament in March, which agreed to the project of an English marriage for the infant queen, left the Cardinal's case severely and significantly alone. Arran's conduct was determined by the danger from Lennox. Beaton could not be handed over to England: it might even be prudent to anticipate future combinations by conniving at his liberation.

The next stage was amazing enough. Beaton expressed readiness to serve Henry, and would agree to the projected marriage, always saving the independence of the realm. While the English solemnly discussed the phenomenon, obviously intended to postpone their warlike activities, Lennox appeared out of France, and the Cardinal's real policy was proved by an immediate coalition, while John Hamilton, Abbot of Paisley, set himself to remodel the views of his brother, the Governor. Henry's exorbitant demands served only to restore Beaton's influence, and the clergy, without

awaiting the Patriarch, voted a large subsidy for the defence of the church and the realm. Arran, who told Sadler that he would make short work with Grimani, and talked loudly of reformation, had just written to Paul III., committing Scotland to the protection of his Holiness. Yet the Governor was not seeking a reconciliation with the Cardinal, as he still deemed himself equal to the task of controlling the French faction. Beaton set about fortifying his castle: Lennox, who was in touch with him, saw to it that Dumbarton would not easily be taken, and dispatched a messenger to France for help.

Grimani meanwhile was in Paris. There he had an interview with an agent of Beaton, on the way to Rome, and an emissary of Lennox and the Queen Dowager. It was clear that the legate's presence in Scotland would be useless and even dangerous so long as Arran remained in power.

The Governor, according to the English agent Sadler, seemed now to 'wax cold' in his prosecution of Beaton and Lennox. He could not arrange any peace with Henry which would not endanger his own position, and if his rivals obtained assistance from France he might be in an exceedingly uncomfortable situation. Henry's purpose was to drive a hard bargain, or to profit by the civil war which would follow an agreement involving the abandonment of the French alliance. Yet, though Arran began to draw towards Beaton, he was not prepared for a *volte-face*. A treaty with Henry was arranged which included France, and postponed for years the sending of the little queen to England. Grasping the opportunity offered by even this modified agreement, Beaton summoned a council at St. Andrews, where the Governor was charged with misrule. The next step was to be the capture of Linlithgow and the seizure of the queen's person. Grimani, no doubt in response to an urgent message, rode post haste to Brest, but was disappointed to find that Henry and the Emperor had beset the channel so closely that he could not sail.

In Scotland the combatants faced one another but did not fight, Arran hoping that Beaton might become a party to the English treaty, Beaton waiting till Arran should be compelled to espouse the French cause. The Cardinal, who had to put off time in the expectation of French succour, succeeded in creating the pleasant impression that he would ratify the peace. Arran may or may not have been deceived. At all events he took no drastic action. Henry, on the other hand, was enraged; but in seizing certain Scottish ships he raised a storm of indignation and ruined the

prospects of his diplomacy. Before an English force could be even ordered the Governor had gone over to the Cardinal, and Mary was crowned at Stirling in the second week of September. Lennox, seeing his hopes crumble, left Stirling shortly after the coronation on the ground that his sister was ill. Fraternal affection was not, however, the only motive which determined his action.

Meanwhile Grimani seems to have lingered for two months at Brest. Though enjoying the dignity of legate he was in reality the tool of French policy, and his interest in the expedition perceptibly languished. More than a fortnight after the coronation at Stirling the ships at last set sail upon a voyage which the Patriarch describes with some gall. It was indeed irritating for a Venetian who in 1538 had been placed in charge of a fleet against the Turks to be carried at the arbitrary command of some unseamanlike French ambassadors; and he deserves all the credit which he claims for his patience. Fortunately for his self-respect the Frenchmen blundered in their own business of diplomacy, a point upon which Grimani did not fail to dwell.

James Stewart of Cardonald, who was sent to hasten the French succour and now returned with it, wrote to Beaton immediately on touching land that he had 'ane patriarche quhilk the pape has sent in Schotland, quhae sall do na thing bot as your lordship plessis command hyme.' But the Cardinal had not anticipated the arrival, or, more probably, could not venture into the west; and, as the voyagers could not be aware of the purpose which Lennox now conceived, that courteous and adroit nobleman took the opportunity to possess himself of the French money and lodge it safely in Dumbarton Castle. Angus, too, and certain of the 'English lords' were drawn to the scene with the intention of securing the adhesion of the serviceable Lennox and opening negotiations with Henry, after hearing the French envoys at Glasgow.

In his letter of October 15 Grimani gives an account of his adventurous journey to Stirling, where he found the Dowager and the Cardinal. Though Arran had joined Beaton, the English faction in the west was exceedingly strong, and the outlook was not promising. Writing from Stirling on October 24, the Patriarch thought that Scotland would go the way of England. The Queen and the Cardinal were financially exhausted, and, as regarded his own special function, the clergy were not receiving their fruits. While Beaton was using every expedient to increase

his following and secure support in the Parliament which was proclaimed for the first week in December, Grimani was lodged safely in St. Andrews, where, on November 27, he penned a depressing account of his position. His faculties had not been productive, as business had been done chiefly with Beaton's friends or poor persons, so that he was actually out of pocket to his scribe. It went without saying, of course, that in the condition of affairs the main object of his journey, the ecclesiastical tax, was out of the question. Accordingly he stated his intention of returning to France, and proposed to pass through England, preferring to trust Henry rather than the sea.

Leaving St. Andrews the Patriarch was in Edinburgh on November 30, in anticipation of the Parliament. When it met, he had an audience of the Scottish lords. A copy of the Latin speech which he had prepared for the occasion still exists. It was not, however, the somewhat heavy and occasionally inapposite eloquence of the legate so much as the diplomatic intrigues of the Cardinal that led to a decision for the French alliance.¹ The last of these letters from the Patriarch makes it clear that Beaton did not consider him of much importance, and yet treated him with every courtesy in order to secure for himself the coveted power *a latere*, which was the really vital point. Incidentally it appears that the French ambassadors, in their distrust of Arran, very nearly upset the concordat which the Cardinal had laboriously secured.

Shortly before Christmas Arran licensed a Scottish herald to procure from the English a safe-conduct for Grimani. His departure, however, was delayed. On February 29, 1543-4, he received an official letter of commendation to Paul III., in which praise was subordinated to an urgent request for legatine authority in Beaton's favour, a request which the Pope, now aware of the necessity, had already granted.

Henry was assailed by a fresh access of rage at the conduct of the Scots, and, while Hertford's invasion was soon to give his feelings a measure of relief, his hatred of Beaton was destined to become a permanent passion. Grimani obtained a safe-conduct, but in such terms that he preferred to hazard himself upon the water. It was perhaps intended, indeed, that he should go that way, since Paget wrote to Hertford on March 27, 'We have prepared as much as we can upon the sea to speak with my Lord

¹ The Patriarch in the speech mentions his relationship to the late Cardinal of St. Mark.

Patriarch.' The Venetian dispatched a letter of excuse to Henry, and tendered him some characteristically ponderous advice about making peace with France and reconciling the French King with the Emperor. 'Writing things so ill-grounded,' said the Imperial ambassador in England, 'only gives occasion to laugh at him.' As the Pope was urging the Venetians through Cardinal Grimani, Marco's brother, to join in defending Francis against Henry and Charles, the legate could hardly be secure on either element; but probably the main object of the English was to checkmate Beaton. They did succeed in intercepting the Cardinal's commission as legate, which they still retain.

Early in April the Patriarch took ship along with the Scottish ambassadors for the Continent, after writing an apology to the Dowager for the little he had been able to do for her. The voyagers escaped the English patrols and duly landed in France. It does not appear that Grimani thought fit to avail himself of a new passport granted on April 25, which permitted him under very precise restrictions to visit England by way of Calais. Some two months later we find him in Rome. Henry's agent at Venice reported to his master that Paul III. spoke openly of the cruel fashion in which the Scots had been treated, and turned to the Patriarch for his confirmation. Grimani 'spoke of those matters at length and much odiously.' The writer, with more obvious appreciation of Henry's character than of the real facts of the case, then proceeded to dwell upon the insolence of the Pope, who by sending the legate had been at the bottom of all the trouble. A few weeks later, probably at the beginning of August, the unfortunate Grimani, whose achievements were not in proportion to his labours, was dead.

There is one reference in these letters which, though it does not relate to the main purpose of Grimani's visit, involves a personality of some importance. 'The Reverend Master Robert, the Scottish Doctor,' can be none other than Robert Wauchope, often called 'the blind theologian' owing to his defective eyesight, one of the celebrated Scotsmen of his time. In July 1539 Cromer, Archbishop of Armagh, was suspended by the Pope from primatial jurisdiction as he had been compelled to submit to Henry VIII., and Wauchope was made administrator. The Scotsman strove, like his friend David Beaton, to identify the cause of national independence with the maintenance of the Roman Church. When the abbey of Dryburgh fell vacant Paul III. had justification in pressing Wauchope's claims against Thomas

Erskine, the nominee of James V. As a result Wauchope incurred the charge of 'impetration,' or soliciting benefices at Rome without royal license; and in December 1540, as 'parson of Pennycuik,' he was summoned before the Lords of Council to hear himself declared a rebel and an outlaw from Scotland. Paterson, who gives some account of the man in his *Family of Wauchope*, supposes him to have been the son of Archibald Wauchope of Niddrie-Merschell. He appears in fact to have been a son of that Gilbert Wauchope who died not long before Grimani's arrival.

[Authorities: *Henry VIII., Letters and Papers*, where other letters of the Patriarch are calendared; *State Papers (Venetian)*; *Diurnal of Occurrents*; *Correspondence of Mary of Guise* (MS. Register House); Raynaldus, *Annales Ecclesiastici*; Eubel, *Hierarchia Catholica*, vol. iii.; Brady, *Episcopal Succession*; *Oratio habita a R^{mo} Patriarca Grimano legato apud Scotos*, copied by Dr. Maitland Thomson from Biblioteca Vittorio Emanuele, Fondo Gesuitico 934, f. 155, and also extant in Arch. Secret. Vatic. xxxii, vol. 34, 'Bullae Diversae,' f. 151; *Archbishops of St. Andrews*, vols. iii. and iv.; *Rentale Sancti Andree* (Scot. Hist. Soc.).]

R. K. HANNAY.

INSTRUCTIONS

Vat. MS. 7160 fol. 138. 6.

April 1st (1543).

FIRST to travel with all speed to the Court of France and present to the Most Christian King his letter (breve) of introduction, and in virtue of these his credentials to set forth the cause for which our Lord, the Pope, sends him to Scotland, namely, to procure the liberation of the Most Reverend Cardinal of St. Andrews, if he be not already set free, and to help in maintaining and defending that kingdom in the Catholic faith and in its ancient liberty, etc., according to the wise suggestion and urgent solicitation of His Most Christian Majesty to the Pope. For which two purposes, seeing that His Holiness has conceded to him the six tenths, etc., as the King, in his lifetime had requested

him, so he will not fail in every other necessary assistance even to sending a certain force from the Apostolic See. In this is manifested the consideration in which the Holy Father holds that kingdom, the affection he bears to its Queen and to all the nobles and private persons appertaining thereto.

Item. To discuss with His Most Christian Majesty what seems to him the best way of reassuring and calming the minds of the nobles and of avoiding tumults and seditions, and, should His Majesty deem it expedient, to appoint, as soon as possible, a King to that realm, as has been suggested here to His Holiness. Enquiry should be made as to what His Majesty thinks good, and then every effort used to put his counsel into execution. Owing to his wisdom and his knowledge of that kingdom and the love he bears to it, he would not advise anything but what was useful and beneficial.

Item. To confer with His Majesty as to the time and manner of crossing over to Scotland in safety, without incurring danger from the English, and should this journey not seem to His Majesty either safe or necessary, you must not go further, but must remain in France, advising His Holiness of everything that takes place and await his reply; if, on the other hand, His Majesty encourages you to go forward and points out a safe course, you must, without further advice from here, continue your journey to Scotland, taking care to travel prudently both for your own sake and for that of your suite, and also with due regard to the dignity of the Apostolic See. But in any case, whether you decide to go or not to go, you must deliver up the letters that you carry for the French Court, and visit the Queen, Madame Marguerite, Madame d'Estampes, and the other lords and ladies of the Court, as you in your wisdom may judge proper, not forgetting the Cardinals of Tornon and Ferrara, and the Cardinal of Lorraine and Monsignor de Guise.

On your arrival in Scotland you must go directly to visit the Queen and those persons who are at the head of affairs in the kingdom, and blessing them in the name of His Holiness, give to each one his letter (breve) explaining the reason of your coming, as has been said above. And should the Cardinal of St. Andrews be already set at liberty, as is to be desired and hoped for, you must visit him, give him his letter, and inform him fully of your mission, and do nothing whatever without his advice and opinion, for he is experienced, very skilful, and of a good understanding. That which you resolve upon with him for the benefit of the

realm, His Holiness will consider decided. And should he be not yet set free—which God forbid—you must with the Queen and the other great personages of the land, forward his liberation by every effort in your power, His Holiness having nothing more at heart than this.

Item. To tell them of the authority you have to make the clergy of the realm pay the six tithes, according as the King, of glorious memory, had requested of His Holiness, and persuading the clergy to pay willingly, you must arrange, with the advice of the Queen and the lords deputed to the government of the country, that there should be appointed one or more treasurers of the tithes, persons of good standing and honest reputation, into whose hands the money must come and be afterwards spent as shall seem good to the Queen and to those who have charge of the kingdom. Your own dwelling-place shall be at Court, or wherever shall seem best and most expedient to you and to the above-named lords and to the Cardinal, if he be free.

The formalities must be carried out gravely and courteously, and without the least ostentation.

The powers with which you are invested must be employed in the service of the Lord our God, and for the edification and advantage of that kingdom, and in this you must exercise great care as regards your ministers, after the example of the Very Reverend the Cardinal Pole and of others who in past years have had embassies in those parts, etc.

Letters must be directed to the French Nuncio, to whom orders are given that he take means to forward them safely and quickly.

Should an opportunity arise of opening up favourable intercourse with England, it is left to your discretion to do so, with this warning however not to undertake anything that could be prejudicial to or that could bring disgrace upon the Christian Republic and the Apostolic See.

The duration of your stay in that country shall be long or short according to circumstances, and, if time will permit, you must inform His Holiness of your opinion and await the reply; and, if for any reason this is not possible, you must act on your own responsibility in this matter as well as in those spoken of above. Should it seem to you right to modify these instructions you are authorized to do so, especially if acting with the advice of the Cardinal of St. Andrews, if he be free, etc.

And should the state of affairs be such that His Most Christian

Majesty and those who govern the kingdom of Scotland desire to have assistance for the purpose of molesting England, there are in the latter country certain personages belonging to Scotland who, for the service of God, for the welfare of those islands and for the advantage to the Scots will expose their persons to every danger, and perhaps not without great results; which fact, according to the circumstances and the state of feeling you may find, you may notify first to His Most Christian Majesty, and afterwards in Scotland, or refrain from doing so, as shall seem to you best, etc.

Contemporary copy.

LETTER I.

Very Reverend and Illustrious, my Most Honoured Lord,

I have written many times to your Lordship since my arrival in France, the first letter was by a Venetian courier, the second by the Count of Mirandola, in which I gave an account of the audience I had with the King. I have since written several times by way of Lyons to relate what happened from day to day, and I think that all the letters must have reached their destination. I wrote recently on the eighteenth to report the news from Scotland, and now little is left for me to add, except that the King has letters from the Queen of Scotland, saying that the affairs of that kingdom are going on well, that she rules and is obeyed as Queen, and that she is sending one of her gentlemen to France to give to His Most Christian Majesty minute particulars of all that takes place in Scotland. The Cardinal of Tornon and the Cardinal of Ferrara have informed me, through my secretary, of all that I have recounted above. They say also that so soon as this Scottish gentleman arrives, the Most Christian King will decide about my movements, and that he will desire me to cross over to Scotland. I shall not fail to obey His Majesty, having been so commanded by His Holiness, and all the more willingly should I go could I feel sure of being able to serve the Holy Father as I desire, if only in allowing myself to be seen on occasions of ceremony and in granting favours and dispensations—to which I am wholly averse—but I shall go forward in any case with a good heart.

Monsignor Dandino arrived here on the 22nd, well and in good spirits. The day before, while with the Cardinal of Tornon, I heard that he was expected from hour to hour, Monsr. of Rhodes having written to the Cardinal to this effect. I have seen

him, and with the very greatest pleasure. And although he has not brought me letters, I feel happy to hear the good news he has given me of the health of His Holiness and of your Eminence.

The King came here for the festival of Corpus Christi ; he left this evening to sleep at Honè, three leagues hence ; it is said that he goes on to Villa Cottrè, but his further movements are not spoken of. I, for my part, believe that he will stay in this neighbourhood in order to see what the Emperor means to do, because if the King were to pass into Germany he thinks perhaps that it might give trouble on account of Flanders. These two princes seem to think of nothing else than of giving offence to each other without considering the action of the Turk or securing themselves against so powerful an enemy. If they will not move from this their attitude, they will repent too late, when there is no remedy. If I had had an opportunity, I should have unfolded my mind to His Majesty, but when I start for Scotland, if not before, I will say to him all that occurs to me, although I know my words will not bear much fruit. I know that the Holy Father will never be weary of continuing the friendly offices he has always exercised, and perhaps both the sovereigns reflecting upon the paternal exhortations of His Holiness, the ruin of Christendom, the distress of the nations and the common aspiration, may listen to the counsels of His Holiness, whom God preserve for many years for the sake of the public weal.

As regards news, I will leave that in the care of Monsr. Dandino. In conclusion, I humbly commend myself to the kind favour of your Eminence.

Your most humble servant,

MARCO GRIMANI, Patriarch.

From Paris on May 25th, 1543.

Addressed—

To the Most Reverend, Illustrious and Honourable, the LORD
CARDINAL FARNESE.

State Archives in Naples, Farnesian Correspondence, Bundle 709.

LETTER II.

Very Reverend and Illustrious, my Most Honoured Lord,

In my last letters, dated the 25th of July, I wrote that I was to start from Paris, and from these your Eminence will know of my arrival here to-day at Brest. I have journeyed with the greatest possible speed, expecting to find the ships here; they, however, have not appeared, and have not even been heard of, and it seems that everyone believes they are in no haste to come, perhaps dreading the Spanish, Flemish and English, who have a great number of armed vessels in these parts, and moreover do some damage. The other day they landed at Belle Ile, a little island near Vannes, and set fire to a good part of it. This island, as far as I understand, is feudatory to His Holiness and the Apostolic See, as are many others under the dominion of the King of England. These shores of Brittany, I hear, are well guarded and furnished with plenty of soldiers, so much so that they do not fear a sudden attack, but, should need arise, they would defend themselves valiantly, especially as Monsignor d'Estampes, governor-general of this province, is at no great distance with a large number of troops at command, to lend assistance if required. But returning to our chief point, I may add that I will await here the arrival of the ships, and so soon as they are come, no time will be lost, but with the first favourable wind we shall set sail for Scotland, and may it please God to conduct us thither in safety!

Nothing else remains to be said except to request your Eminence to be pleased to order the payment to Bandini of the 600 scudi which I had from M. Roberto di Rossi, and to Monsignor of Rhodes the last 1600 which I received by order of the Cardinal of Tornon, without which I could not have left Paris, and not having more to add I humbly subscribe myself,

Your most humble servant,

MARCO GRIMANI, Patriarch.

From Brest on the 12th of August, 1543.

Addressed—

To the Most Reverend, Illustrious and Honourable, the LORD
CARDINAL FARNESE.

State Archives in Naples, Farnesian Correspondence, Bundle 709.

LETTER III.

Very Reverend and Illustrious, my Most Honoured Lord,

We departed from Brest on the 27th of September, and on that same day I wrote to your Eminence of all that happened to me. The following morning I wrote briefly from Crodon, that by the help of God we had set sail for Scotland in the service of His Most Christian Majesty. I shall now relate what followed. We sailed with a very good wind for three successive days, so that we proceeded well upon our journey and already we had left England and a good part of Ireland behind. In obedience to the King we started, resolved to leave all the islands on our right and keep well out to sea, sailing to windward, in order to avoid danger from the English fleet. But the wind having changed we were obliged to run nearer to the Irish coast, and on the fifth day we came in sight of the island. We found ourselves about fifty leagues more to leeward than we had intended; and being in a place where it did not seem possible for the ships to double the Irish headland on account of the wind, which every hour increased and became more and more contrary to us, and fearing to be seen by the Irish and English fishermen, for we were not far distant from either of the islands, in a place called St. George's Channel, finding ourselves in such straits, it was determined to pass between England and Ireland, because the wind, which was contrary to us for the navigation of the ship outside, happened to be most favourable for the passage within, and so it was done. And by the grace of God this choice made by necessity turned out to be good, for on the night of St. Francis' feast, about midnight, we entered a port in Scotland, two leagues from Dumbarton. This caused me infinite joy, for many reasons which I will not enlarge upon now, so as not to tire you, reserving them rather for a personal interview when, with the help of God, I shall have returned. On the 5th, then, I disembarked, and came here to Dumbarton, where I am adapting myself to the customs of the country. Before I left the ship I wrote to the Queen, the Cardinal, the Regent, and the Earl of Lennox, and sent the letters expressly by a Scot, my servant. These letters contained only the news of my arrival here in their service, and a request for their commands in regard to my future duties, all which I would fulfil. The King's ambassadors also sent letters by means of my servant

to the same effect. The replies will not be long delayed, and I shall act according to their tenor, and will inform your Eminence of the result.

The Queen, who is at Stirling, had instant notice of the arrival of the ships here, but not having other particulars, she sent one of her messengers to obtain full information. Having afterwards received my letter, she replied to me, and has this morning sent two of her gentlemen to express her pleasure at my arrival and her desire to see me. And on the return of the said gentlemen to the Queen, I asked them to make known to her, both by word of mouth and by my letters, that I shall always serve her readily, this being the will of our Lord the Pope and of His Most Christian Majesty, and in whatever way I can exert myself for the preservation of this poor realm, I shall not fail to do so with all my heart. I use the word poor, because the kingdom is so divided and in such confusion that if God does not stretch forth His hand, and inspire these lords to unite together, manifest ruin, both public and private, lies before it. I have heard different accounts of the troubles of this country, but I think it better to abstain from writing any details until I have spoken with the Queen, the Cardinal, and the Regent, that I may be able to give some accurate description.

The Earl of Lennox came here two days ago: he has had a long interview with the ambassadors and with me, and from what he said, he would seem to wish to live and die in the service of the Most Christian King. He also declared that he has drawn over to the cause of His Most Christian Majesty some of these Scottish nobles who, left to themselves, were inclined to favour the King of England, and that they all agree in wishing to remove the government from the Regent, and that to-morrow he will depart for Lilburg¹ (Edinburgh), where, he says, the greater part of the Scottish lords are assembled, for the purpose of renewing the alliance and confederation between His Most Christian Majesty and this kingdom. I did not fail, such being the obligation laid upon me in the name of our Lord the Pope, to influence the Earl in favour of universal peace, pointing out to him how great would be the benefit resulting therefrom to this realm, and that I did not see much difficulty in the matter, provided he desired it, and especially after what he himself had said to me earlier, that the

¹ 'In the sixteenth century, or more precisely in the latter half of that century, Lislebourg was a French name for Edinburgh.'—T. G. Law in *Scottish Historical Review*, i. p. 19.

Governor is on good terms with the Queen and the Cardinal, and that, to say nothing of the peace conducing to the honour and advantage of His Most Christian Majesty, the Earl himself would establish in his own house the honourable rank that God had given him, and could enjoy it without disturbance—and other words to the same effect. The Earl, who is handsome and pleasing in aspect, has also impressed me as being gracious in disposition, for he replied that as for himself, he will not fail to do all in his power to live in peace. May God inspire his heart so to do! As for the rest, I will supplement this by other letters, if the ship which is ready to depart for Brittany be delayed.

To your Most Reverend Lordship I constantly commend myself.
Given at Dumbarton on the 9th of Oct. 1543.

Since the above was written I have learned that these lords, the ambassadors, have placed the money in Dumbarton Castle under the control of the Earl of Lennox, and this against the command and commission of the Queen. May God grant the issues to be good, for it is understood that the Earl is not in harmony with the Queen or Cardinal, still less so with the Governor; to me this seems too hasty a decision. All will turn out favourably here if only it result in the advantage and honour of His Most Christian Majesty. In whose service I will always labour heartily, especially as in this I further the supreme desire of His Holiness.

Your most humble servant,

MARCO GRIMANI, Patriarch Legate.

On the back—
To the Most Reverend, Illustrious and Honourable, the LORD
CARDINAL FARNESE.

*State Archives of Naples, Farnesian Papers, Bundle 709.
Duplicate.*

LETTER IV.

Very Reverend and Illustrious, my Most Honoured Lord.

I wrote to your Eminence from Dumbarton on the 9th of all that took place from the time of my departure from Brittany until my arrival in Scotland, and though the letters may have miscarried, you will be able to understand the whole situation by means of the duplicate copy here annexed, for at that time I was so placed that for many reasons it appeared to me imprudent to write fully, therefore fearing lest the letters might be intercepted I passed lightly over details. But now that I am at Stirling with the Queen and the Cardinal, I desire to write freely and fully so that your Eminence may know what is going on here. Our Lord the Pope despatched me from Bologna, as your Eminence knows, with the express commission that I should make haste to proceed to the Most Christian King in France, and to fulfil all the commands of His Majesty regarding Scottish affairs, and this I did. And finally, as I was about to leave France, I had an audience with His Most Christian Majesty in order to receive his commands concerning all I had to do in his service. I learned from him that he had given orders to his ambassadors that they should communicate to me all that happened daily, and that they should not do anything without my knowledge, advice, and express desire. With this I departed from France, and although on board ship the ambassadors always took upon themselves to govern and to decide in their own fashion as to the navigation of the ship, and although I knew my safety was concerned, they not having had any experience of the sea, still I bore it all patiently. But having at length arrived here in Scotland, they ought not to have left the ship nor removed the money until they had first heard from the Queen and the Cardinal, and though they knew very well the present state of affairs in this kingdom, nevertheless it seemed good to them to land and to take the money with them to Dumbarton. To this place the Earl of Lennox afterwards came, and secretly intriguing with the ambassadors, he easily persuaded them to place the money in the fortress. I was informed of this proceeding by others, and although it appeared to me too hasty a resolution in a matter of such importance, still being ignorant of the commands they might have received from the Most Christian King, I let it pass. But I afterwards learned from one of the Queen's gentlemen, whom she sent expressly to

inform the ambassadors and me, that the Earl of Lennox was not on friendly terms with her nor with the Cardinal, and that he did not act straightforwardly, seeing that he was conducting an intrigue for the purpose of taking in marriage a daughter of the Earl of Angus, brother-in-law of the King of England; that he was in communication with all those who supported the English cause, and that therefore the ambassadors ought not to give up the money to him or to any other; so it seemed to me right to open up the matter with Monsignor dell' Abroza, one of the ambassadors, and persuade him to pause and give more mature consideration before making this decision. And not satisfied with this, I desired also that the treasurer himself and a Captain, Michele by name (who has been sent here by the Most Christian King to take back to France the ships in which we had crossed over), they also being displeased with such a resolution, should undertake this same duty of remonstrating with the ambassadors. The ambassadors, however, notwithstanding all these memorials and commands from the Queen, have deposited the money in Dumbarton Castle, under the charge of the above-named Earl, and have been satisfied with a quittance and receipt from him. What will now follow, God knows, but it is the general opinion that these ambassadors will not easily recover this money. Both the Queen and the Cardinal think evil will come of it, and they have declared to me, with great agitation, that they heartily wish the said money had been sunk in the sea, rather than what has been recounted above should have happened.

The money being placed in the fortress of Dumbarton, as I have said, I parted from the ambassadors on the 11th, and went to Glasgow, waiting till the Earl of Lennox should come with the Earl of Argyle to the said place for some good purpose, as he had promised. And while waiting in this expectation I was told that the Earl of Angus, before named, with many other lords, was to arrive in Glasgow, and already some of his followers were beginning to appear, when on the 13th a gentleman was sent to me from the Queen, and a little later another from the Cardinal, with letters of introduction. These gentlemen gave me to understand that the aforesaid Earl of Angus, and those other nobles who were to arrive on the following morning, were all of the English party, and therefore they begged and commanded me to depart from Glasgow as quickly and secretly as possible, and to go to Stirling, otherwise I should be taken prisoner by these lords and sent to England, from whose borders we were not far distant. Your

Eminence can imagine my state of mind; not losing courage, however, I allowed myself to be guided by the said gentlemen, and on the following morning, three hours before daylight, disguised and with one servant only, I set out for Stirling, where, by the grace of God, I arrived in safety; and although the Queen and the Cardinal had been informed that I came disguised and without a following, nevertheless they desired to see me on the very same evening. Early¹ in the evening, then, I betook myself to the castle of Stirling, where were the Queen and the Cardinal with a numerous guard. On being presented to Her Majesty I kissed her hand and paid my respects in the name of our Lord the Pope, and, in order not to revive her sorrow and distress, I briefly offered condolences on the part of His Holiness on account of the death of the King, her husband, of happy memory. Then I assured her of the good-will which the Holy Father bears her, and that for her preservation and that of the whole kingdom he was ever ready to lend her assistance, that he had sent me here on purpose to serve her in every way that was possible, and that I had willingly undertaken this mission in order to do her service, with other words suitable to the occasion. The Queen welcomed me graciously, was pleased to see me, and lamented that I should have come in these troublous times, because she could not extend to me the warm reception that she would have desired in honour of His Holiness; being situated as she was in that castle, with the infant queen, her daughter, and the Cardinal, the kingdom not only divided between her and some of the nobles, but also divided on account of the Lutherans, whose errors had become disseminated throughout almost the whole country since the death of the King, her husband, and the confinement of the Most Reverend Cardinal. In addition to all this, she declared that the King of England, by means of some Scottish nobles, did not cease to harass her more than her strength could bear. And that, had it not been for the Cardinal, who liberated her a few months before, she and her daughter would ere now have been in the hands of the King of England, with the certain loss of the kingdom. Being reduced to such extremities she knew no other course to take in regard to her affairs than to commend herself to God, to His Holiness the Pope, and to the Most Christian King. I strove to console her the best way I could, exhorting her to

¹ 'At one hour of the night' literally. In Italy the night begins at the hour when the Ave Maria is rung, *i.e.* a variable hour according to season (from 5 p.m. in winter to 8 p.m. in summer).

bear this adversity with good courage, because God by this means ordained that her virtue and prudence should be manifested, and I reminded her that she ought to hope that the affairs of this realm shall, by the help of God, have a more favourable issue than events seem to portend. Nor was it very difficult to reassure her, as she is intelligent and of a cheerful disposition, and it seemed that she felt calmed, looking upon my coming here in the name of His Holiness as of good augury. Our conversation lasted for more than an hour, I then took leave of Her Majesty, and the Cardinal taking me by the hand led me into another room, where I repeated to His Eminence all that I had said to the Queen, stating that our Lord the Pope had sent me here to promote the welfare of the realm, especially with a view to the liberation of his person, amplifying the discourse in general terms, according as it seemed to me suitable. The Cardinal, after having expressed his gratitude to the Holy Father, briefly recounted to me his labours and anxieties, as well as all that he had suffered in the past and all that he feared in the future, on account of the dissensions that were fostered among the Scottish nobles; he complained to me of his many adversities and of the enormous expense he had been called upon to bear, affirming that since the death of the King he found that he had spent 30,000 *scudi*,¹ besides all his own income, and that he would pay 20,000 more to find himself with me in France. He warned me not to trust the people here, neither in small matters nor in great, and said that he himself knew not against whom to guard. Finally, as the hour was late, I left His Eminence with orders to return and to present the letters (*brevi*) in public so soon as my retinue had arrived. All that follows I will narrate in a future letter.

To your Most Reverend Lordship I commend myself.

Your most humble servant,

M., Patriarch of Aquilea.

From Stirling on the 15th of October, 1543.

On the back—

To the Most Reverend, Illustrious and Honourable, the LORD
CARDINAL FARNESE.

State Archives in Naples, Farnesian Papers, Bundle 709.

¹ *Scudo* is equal to $5\frac{3}{8}$ lire, or about four shillings and sixpence in modern money.

LETTER V.

Very Reverend and Illustrious, my Most Honoured Lord,

As I wrote to your Eminence on the 27th, I left St. Andrews, having been made much of and honoured by all from the first day to the last. And the Bishop of Whithorn and another brother of the Reverend Cardinal, who have kept me company all along, still desired to escort me after I set out from Stirling, both for the sake of doing me honour and of ensuring my safety, and all by order of the Cardinal, who certainly never fails to treat me in the kindest possible way.

On my arrival here in Edinburgh, I learned that on Monday last an immense number of New Testaments and books calculated to promote heresy were burned in the public square, and the men of Leith (either from fear lest something should happen, similar to what befell the inhabitants of Dundee, or perhaps through Divine inspiration) have indeed made great changes, so that it is to be hoped that they may be led into the right path. And as I passed yesterday by the said town of Leith I was very well received—a month ago this probably would not have been the case. May it please God to enlighten their minds and to confirm them more and more in all good!

The Queen has written to me to-day to tell me that she will be here on Sunday without fail with the Governor and the Cardinal, and she has sent me the enclosed, addressed to His Holiness, begging me to put it into my packet and thus immensely oblige her. The fact that she does not write to me of anything else makes me think that the messenger she now sends to France shall no longer have to proceed to Rome, as she informed me was her wish.

If this vessel, which is now ready to cross over to France, should be delayed, I will relate all that takes place in the meeting and despatch the letters as I now do by express messenger to Dundee, where the ship is lying. And to your Most Reverend Lordship I humbly commend myself.

Your most humble servant,

M., Patriarch Legate.

From Edinburgh on the last day of November, 1543.

State Archives in Naples, Farnesian Correspondence, Bundle 709.

LETTER VI.

Very Reverend and Illustrious, my Most Honoured Lord,

The weather has been so threatening for many days that it has not been possible for the ship (by which my servant and the messenger from the Queen and the Cardinal are to cross over to France) to leave the port, and for this reason it has seemed good to me to write to your Eminence of what has taken place since my last letters of the 27th and 30th November.

The Queen, the Governor, and the Cardinal, all together, and then each one separately, have besought me again to beg in their name our Lord the Pope to come to their aid, as their trust in His Holiness leads them to expect, so that they may be enabled to preserve this kingdom in its allegiance to the Apostolic See. I told them that I had already executed this mission, and that I would not fail to repeat it again, and so in order not to come short I beg your Most Reverend Lordship to be sure to use your strongest influence with His Holiness, for truly their need is great.

The Cardinal has communicated to me one of his desires, appearing to be moved therein rather for the service of our Lord the Pope and the Apostolic See and for the welfare of the kingdom than for his private advantage; and this desire is that His Holiness would graciously bestow upon him the legation to this realm, which office he would fulfil as faithfully and with as much regard to the honour and satisfaction of the Holy Father and of the kingdom as any other devoted servant and follower of His Holiness could do—for such is the reputation of the Cardinal—and he urgently requested me to write to your Eminence on the subject. The Governor also has spoken of the matter to me, evincing his desire that the Holy Father should grant this honour to the Cardinal for the sake of maintaining this kingdom more securely in its devotion to the Apostolic See. Your Eminence knows something of the merits of the Cardinal, and I pray you to use such influence with the Holy Father as you in your wisdom may think proper.

I have not failed on every forthcoming opportunity to serve the Most Christian King, and besides those offices which I have performed in private, I also made public demonstration of my duty yesterday in the audience I had with this Parliament or meeting where were assembled many prelates and other lords with

the Governor and Cardinal. I spoke frankly, exhorting them to peace and harmony among themselves, and to the confirmation of the alliance with France. Not fully satisfied with this, however, knowing that all could not thoroughly understand me, I presented two documents, alike in substance, but the one written in Latin, the other in the Scottish language, in which I amply made known my good feeling towards this country, as your Eminence will see by means of the copy here enclosed. The Scottish version was read aloud, so that all could understand, and I believe that everyone was well pleased with it, and to-day some of these nobles came to my house to thank me for the gracious counsels and words of friendship that I offered to them yesterday in speech and by letter.

As regards the alliance with France, I hope that all will turn out favourably, because these nobles really seem to be fairly well disposed, thus may it please God to bring about peace among them! And may God pardon the French ambassadors who have endeavoured to disturb it and continue to do so to the extent of their power, taking every pains to create discord between the Queen, the Cardinal, and the Regent! In order the better to understand me your Eminence must know that the ambassadors have counselled the Queen to use every effort to secure the government to herself alone, and to seek to dismiss the Regent, promising, should the attempt be successful, to give assistance and protection in the name of their King. Naturally everyone has the desire to rule, and it appears that the Queen has given ear to the words of the ambassadors, who afterwards conferred with the Cardinal and exhorted him also to abandon the Regent and to give all his support to the Queen. The Cardinal, in reply, explained to them that this kingdom, on the death of its King, has always been ruled by a Regent, and to make a new law now would be too serious a matter, especially in these so pernicious times, and that disorders might ensue such as would lead to the ruin of the country. The ambassadors transmitted the reply of the Cardinal to the Queen, representing it in such a manner that the Queen complained to His Eminence, who, not a little roused by their action, went so far as to desire that the ambassadors should repeat in his presence and in that of the Queen all that had passed between them. But Her Majesty did not consent, not wishing to add fuel to the fire. The Cardinal has related to me the above account, complaining bitterly of the ambassadors, and I believe that this may be one of his reasons for now sending

his agent to France. I think the ambassadors entered into this intrigue for the sake of exalting the Earl of Lennox, but I, for my part, believe that their design will not be successful, and God grant that these negotiations may bring about a good result!

Yesterday at the meeting of Parliament I asked leave to depart, and I believe that all with the exception of three personages greatly regret my departure, and truly they appear to be sorry, nevertheless I shall avail myself of the first opportunity that occurs for my journey to France, and I shall endeavour to travel by that route that God will open up to me, reserving to the very last, as desperate, the way through England. I well know what must be the danger in putting out to sea at this season or in passing through England, yet I esteem my departure less of an evil than that of remaining here. Your Eminence can imagine to what straits I am reduced! When, by the help of God, I shall have returned to you, I will tell you everything; this for obvious reasons is not possible now.

The other evening there came to me the brothers and many relatives of the Rev. Master Robert, the Scottish Doctor. They had received letters from him directing them to place themselves at my disposal for any service or favour, and truly I ought to be extremely obliged for this his great friendliness. In conversation with them I learned that hardly a year had passed since the death of the father of this Master Robert, and that before his death he had seen a hundred descendants, his own and those of his children. For this alone, in my opinion, he has been most happy, and especially as this family is really honourable, and has been provided, according to the manners of the country, with ample means. I have never before heard in our times of such a family, and since it is a rare example I wished to record it to your Eminence, I know full well that if there were found in one of our Italian cities such a family as this, making so powerful a group, it would be regarded with suspicion.

Having nothing further to communicate to your Eminence I humbly commend myself.

As to the matters discussed in the meeting, no decision has been arrived at up to this date; many of these lords have not appeared. In every way in which it is possible I will most heartily exert myself to bring about peace among them.

Since writing the above, the Governor has sent me, by his secretary, some letters directed to His Holiness and to your Most Reverend Lordship, together with a memorial praying me

also to write with them to your Eminence ; I send the memorial itself so that you may see everything, and to your kind favour I recommend myself.

Your most humble servant,

M., Patriarch Legate.

From Edinburgh on the 11th of November,¹ 1543.

On the back—

To the Most Reverend, Illustrious and Honourable, the LORD
CARDINAL FARNESE.

State Archives in Naples, Farnesian Papers, Bundle 709.

The Editor of the Scottish Historical Review was indebted to the Rev. Father Pollen, S.J., for the letters which are printed above, and he has also to thank him for the following note. The translation of the letters, which were in Italian, is by Miss Louisa S. MacLehose.

The *Carte Farnesiane* in the Archivio di Stato in Naples came there (if I mistake not) in consequence of the 'War of Succession,' about 1736 ; when the Duchy of Parma, the seat of the Farnese family, was ceded to Austria ; and the representative of that family (who was afterwards Charles III. of Spain) succeeded to the throne of Naples. The papers were packed in sacks, or tied up in large fascios, and slung over the backs of mules. Thus carried across Italy they were deposited in their new home, and in these same huge bundles they still remain, perhaps the largest unsorted archive in Europe, which is also of European interest.

But these Grimani papers were not originally sent (as their addresses show) to Parma, but to Rome, at a time when a Farnese

¹ The correct date of this letter is the 11th of *December*, as is shown by the first paragraph, and the fact that Grimani had audience of the Council on the 10th of December (*Henry VIII., Letters, etc.*, xviii. 2, 482).

pope, Paul III., sat on the throne, and had, as his Cardinal Secretary of State, a young nephew, Alexander Farnese, who lived to be Dean of the Sacred College. His correspondence (as was usual in those unofficial days) became deposited partly at the Vatican, partly at the Palazzo Farnese, and this latter portion was after his death, or after that of his nephew, Cardinal Edward Farnese, taken to Parma, whence, as we have seen, it was carried later to Naples. But such summary transportations are seldom very carefully done, and in this case a great deal of correspondence remains at Parma, where it is now in very good order.

This will suffice to show how the Grimani papers, now published, came to Naples, and have long lain there unknown. My bad memory unfortunately prevents my recollecting how attention was first attracted to them. I had a casual look at fascio No. 709, when I was at Naples in 1890, but did not note these documents, though I did others relating to Scotland. Probably some friend told me or Mr. Andrew Lang about them, and I got them copied for him, as he was then at work on that period of his *History of Scotland*, or thought they might have served him for some other publication, and I added a couple of papers from the Vatican Archives. I do not think that either he or I adverted to the publication then in progress of the other Grimani dispatches in the great series of *Letters and Papers of Henry VIII.*, and this may perhaps account for his not having seen his way to reconstruct from them the history of the legation, as Mr. Hannay has now so skilfully done.

It will be seen that while the Vatican collection has only two letters from Scotland, the *Carte Farnesiane* have yielded four, and they of greater importance. Even so, as we look to the references given in the correspondence to letters sent previously, we notice that many are still not forthcoming. One of the R.O. papers is an original, evidently intercepted by Henry's spies.

J. H. POLLEN, S.J.

The Last Days, Death, and Funeral of Patrick, First Earl of Marchmont, Ex-Chancellor of Scotland

ON an August day in 1724, in his house at Berwick-on-Tweed, Sir Patrick Hume, Earl of Marchmont and Ex-Lord Chancellor of Scotland, lay a-dying. In these last hours of his life he could look back on a strenuous, and on the whole a successful, if not a brilliant career. The son of another Sir Patrick of Polwarth, he had been carefully brought up by his mother, a daughter of Sir Alexander Hamilton of Innerwick, and she had early imbued him with that attachment to Presbyterian principles which formed a distinguished feature in his life. Born in 1641, he was Member of Parliament for Berwickshire by the time he was twenty-four. A steadfast opponent of Lauderdale and his schemes, he found himself, before he had been ten years in Parliament, declared to be 'a factious person, having done what may usher in confusion and therefore incapable of all public trust.' For refusing to pay contributions for the purpose of placing garrisons in the private houses of his county he was committed to prison, and was confined in the Castles of Edinburgh, Dumbarton, and Stirling for seven months. Released in 1676 he contemplated emigration to Carolina; falling under the suspicion, however, of being concerned in the Rye House Plot, he was obliged to seek concealment from his enemies.

His adventures at this period of his life form a well-known story in Scottish History. How he lay hidden among the tombs of his ancestors in the vault of Polwarth Church, where he was surreptitiously fed by the hands of his daughter Grisel, is a romantic episode which has been told by many pens. After enduring further discomfort by living in an excavation below the floor of his own house, he at last succeeded in escaping to London and thence to Holland, where his family joined him. After living some time at Utrecht he took part, in 1685, in the ill-fated

expedition of the Earl of Argyll in Scotland, which was intended to assist the rising in the South on behalf of the Duke of Monmouth. If we are to believe Macaulay, who, however, shows persistent animus against Sir Patrick, the failure of the attempt was largely due to Hume's dogmatic and wrong-headed advice.

He again succeeded in escaping to Utrecht, though he himself was forfeited and his estates confiscated. But at the Revolution his troubles in this respect were over. He and his eldest son accompanied the Prince of Orange to England. His forfeiture was rescinded, his estates restored, and he was admitted a member of the Privy Council. In 1690 he was raised to the peerage under the title of Lord Polwarth, and received from the King a yearly pension of £400. There is a very characteristic letter from him to his wife, published by the Historical MSS. Commissioners in their report on the Marchmont papers. He was always, like most Scottish lairds, miserably hard up for money, and notwithstanding his pension of £400 a year it required much consideration as to how he was to keep up the dignity of his position on the income he had.

One suggestion he makes to his wife is that they should endeavour to arrange a good match for their eldest son, who seems to have been a young man of excellent disposition, whose early death was one of the greatest trials his father had to endure. Lord Polwarth's desires soared high, and his suggestions as to the sort of wife he would desire for his soldier son did not err on the side of modesty: he says 'you know matches of great means are not to be got [in Scotland] and if I can get here [London] a person of honourable birth, of sober breeding, of our own principle of religion, handsome and lovely, such as a young man may like for a bed-fellow, with £10,000 or £8,000 sterling pension, we need the less care for what disappointment the change of Court humour can give us, and to speak as it is, such a match cannot miss to strengthen our Court interest and make what we expect that way the more secure.'

As a matter of fact, young Lord Polwarth, as he afterwards became on his father's accession to a higher title, did not marry an English heiress, but a pretty and delicate Irish girl, a distant connection of his own. In four years she died of consumption, and though he married again 'Bonnie Jean of the Hirsell,' a daughter of the Earl of Home, he himself died a victim to the same fell disease in 1709.

But to return to Lord Polwarth's letter. He thinks that in

London they will require a chariot and four horses, a coachman and two footmen in livery, 'besides Andrew to attend our chambers.' Expenses of living were not so great then as now, for he says 'we can have our dyet in pension, lodging, horse meat and stabling within £5 by the week.' He inculcates in his wife the necessity of keeping up her proper position: 'you and your daughters take your place frankly before the ladies of Baronets, Lords of Session, and all inferior gentlemen. We are but a little step forward of our rank from what we were before, and so much the better, yet our place is not doubtful as before, and there is an ease in that.' His place was to be even less doubtful soon; honours were showered on him as he was evidently considered a safe, sensible, and influential supporter of the Government. In 1692 he was appointed Sheriff of Berwick and in 1693 one of the Extraordinary Lords of Session. The next year saw him Bailiff of Lauderdale, and in 1696 he was made Chancellor of Scotland. Another step in the peerage was accorded him in 1697 when he was created Earl of Marchmont, Viscount Blasonberrie, Lord Polwarth of Polwarth, Red Braes, and Greenlaw. He would have preferred the title of March to that of Marchmont, but refrained from asking it thinking it had been reserved by the king as a royal title.

From this period to the date of the union he was at the zenith of his career. He was Commissioner to the Parliament of Scotland in 1698, and filled the similar post to the General Assembly of the Church in 1702. The King, however, died while the Assembly was sitting, and the new commission from Queen Anne did not arrive till after it had been dissolved. Lord Marchmont did not apparently retain the confidence of the new Queen in so great a measure as he did in the case of King William, as in 1702 he was superseded in the office of Chancellor. In 1703 he succeeded in getting an Act passed for providing for the security of the Presbyterian Government, but an attempt to introduce a measure settling the succession of the Crown on the House of Hanover was received with violent opposition. He then set himself to work in the interests of the Union, and was one of the leaders of the 'Squadron Volante' which exercised so much influence on the result. He has been accused of taking English gold as a reward for his services in promoting the Union, but it has been pointed out that the sum he received, little over eleven hundred pounds, was more likely the arrears owed him by Government for his salary as Chancellor, and his pension of £400 a year which had

been bestowed on him by King William. After the Union his influence steadily declined. He twice failed to secure election as a representative peer, and in 1710 he was deprived of his office of Sheriff of Berwickshire, but this was restored to him on the accession of King George I., who also appointed him a Commissioner of Police.

He lived ten years after this, but at the age of 83 the old man, as we have said, lay dying at Berwick, to which he had been removed some years previously from his seat of Redbraes. Even in his last days his habitual cheerfulness did not forsake him. As Lord Binning, who had married his granddaughter Rachel Baillie, was sitting at his bedside not many hours before the end, he saw him smiling, and said to him, 'My Lord, what are you laughing at?' and he answered, 'I am diverted to think what a disappointment the worms will meet when they come to me, expecting a good meal, and finding nothing but bones.'

There are some letters and documents by his secretary Patrick Dickson, describing his last days, death, and funeral, which are in H.M. Register House, and which throw an interesting light on the occurrences of that time. Writing from Berwick on 26th July, 1724, to Alexander, the Earl's third son, then Lord Polwarth, having succeeded his eldest brother in that courtesy title, the second son Robert having also predeceased his father, he says:—

MY LORD,

Your Lordship will have mine of Friday the 17th. That night my Lord rested pretty well, and was calm all Saturday till the afternoon that the feverish fit came on. Being uneasie all that night, Lady Julian¹ called Dr. Coupar on the Sunday morning, he having come home late the night before. When he came about ten, had seen my Lord and been informed what Dr. Abernethy had prescribed, he approved of all. He added some things and further ordered an astringent glister. All the Sunday pretty easie, a little feverish in the night, but calm all the Monday, the looseness still continuing and frequent. On Monday night the fever was very high, even to raving, and could get no sleep. When Dr. Coupar came on Tuesday morning, he thought it proper my Lord should take the cortex, which is the Jesuits' Bark. This was what Dr. Abernethy had ordered in case the other remedies failed. This was used according to direction, Tuesday, Wednesday, and part of Thursday, without any of the least promised effects from it. Both the looseness and feverish fits

¹ His daughter, born 16th August, 1673, married in 1698 to Charles Bellingham, a man of neither fortune nor position, with whom she eloped.

still continued, the last not so violent as the strength of his body failed. Yesterday they were all given over, and only such diet as he can take given him. He is brought very low, and no wonder; yet still very sensible, sleeps much when calm, but gets bad rest under the fitt; never calls for anything but takes pleasantly what's given him; complaining little of pain, though we are sensible he is sometimes grip'd. If asked how he does, his answer is, 'very well, or pretty well.' He rested badly last night, a little easier this day, but as yet no stop can be put to the looseness.

I would have writ sooner since my last, but that I knew Lord Binning wrote on 19th, Lady Julian on 22nd, and Lord Kimmerghame¹ on 29th. His Lordship came here the third night.

Your Lordship will be easily persuaded that in this condition my Lord cannot last long without the assistance of the Great Physician.

When he shall be called to that happiest state, he leaves not behind him a man of more charitable thought towards all mortal, one of a more equal temper, nor one more inclined to help the helpless and needy than his Lordship was.

I send on this same paper the copy of a writing leaving the names blank, lest by any accident it should fall in the hands of any other person. But your Lordship will easily guess whose it is. I believe none has seen it since the writing, the person keeping it by himselfe, till a little after they came here, when they were pleased to commit it to my care and keeping, and bid me be sure to deliver it to the person he intended it for.

I am afraid directions from your Lordship upon it will come too late. But I intend, when necessary, to show it to Lord Kimmerghame, who will certainly follow the orders it contains, they being very clear and distinct.

Upon the event of what is feared your Lordship knows the office of High Sheriff or Sheriff Principal falls. If it is not already done it's good notice be taken of it in time. There will likeways be a vacancy in the Commission of Police. Now in these days the smallest offices are competed for.

I humbly beg your Lordship will not take in ill part the freedom of anything I use. The worthy master I have had the honour so long to serve having so accustomed me to it, that I cannot yet get off from it. But upon the least intimation that it is not so agreeable to your Lordship, I'll endeavour to forbear.

The only satisfaction that those about my Lord can have is that nothing of the least moment can be charged as the cause of his present sickness, and all care and pains taken that can any manner of way be thought to contribute to his ease either by night or day.

Your Lordship's other friends in this country are well. I heard of the young ladies at Edinburgh yester night. They are all well; Lady Julian

¹ The Earl's fourth son Andrew, born 19th July, 1676, advocate 29th July, 1696, appointed a Lord of Session as Lord Kimmerghame 25th November, 1714, died 16th March, 1730.

keeps her health, but is sore fatigued and stirrs little out of the rounge night or day.

I am,

My Lord,

Your Lordship's most obedient
humble servant,

PATRICK DICKSON.

This very well expressed letter is extremely deferential to the rising sun. Though Mr. Dickson must have known Lord Polwarth from boyhood, he probably thought it prudent to apologise for his comparatively familiar style in writing to him and to promise to 'forbear' it if found 'disagreeable'. It is, however, somewhat curious to find him sending a copy of the Earl's will to his son before the death of the testator. It can hardly be because he thought it might facilitate the necessary arrangements being made, as he says himself that he is afraid any directions would come too late. Lord Polwarth was at this time out of the country altogether, as he had been nominated First Ambassador on the part of England to the Congress then being held at Cambrai, from which place he did not return till 1725.

The will itself, which occupies a page and a half of closely written foolscap, is strangely autobiographical: the Earl goes over the principal events of his life, and very little of it is taken up with the arrangement of his affairs. In fact he leaves everything to his son and gives no directions as to provisions for his daughters or other children. Perhaps he had made arrangements for these previously, but his affairs all his life had never been in a very prosperous condition, and he may not have had much to leave.

The next letter from Patrick Dickson to Lord Polwarth is dated, 2nd August, 1724, and gives him an account of his father's death.

MY LORD,

Considering what I wrote in my three former, the subject of this will be no surprise to your Lordship.

About one o'clock this morning a visible change happened on my Lord. After that he sensibly weakened every hour. About eight Mr. Somervel the minister was called. My Lord knew him, and with the little strength he had, offered his hand to him. Lady Julian asked if he should pray. His Lordship said 'Yes'; after prayer, being asked if he heard, he distinctly answered 'Very well.' About 12 Mr. Somervel called in, when

he was thought to be just wearing off. He prayed again, and in the time my Lord lifts up his eyes which had been shut all the day before, a good space. Then I, perceiving his strength failing, I gave Mr. Somervel a signe, and he concluded. Then he shut his eyes, and in three minutes afterwards it pleased the Lord to take him, his aged and faithful servant, to his eternal bless. He had his judgment sound to the last free of struggle or pain, but as it were slept away out of this into a life of ever blessed happiness.

Thus died the good and great Earl of Marchmont in the 84th year of his age, your Lordship's father, my worthy master, whom I have had the honour to serve these 26 years, a long but honourable and pleasant servitude.

My Lord Kimmerghame and Mr. Jo. Dickson are here. They intend to follow the method prescribed in the paper I sent your Lordship with respect to the burial. Seeing Lord Kimmerghame writes by this same post, I only add that

I am,

My Lord,

Your Lordship's most obedient
humble servant,

PATRICK DICKSON.

P.S. I have presumed to make use of my Lord's seal only that the letter may be had the greater regard to in the offices.

The excellent and devoted Mr. Patrick Dickson having thus given an account of the demise of the ex-Chancellor to his eldest surviving son, a more serious duty now devolved on him, that of making arrangements for, and carrying out, the funeral. No function was regarded as of more importance in a Scottish house of whatever rank the inmates might be, and sums quite disproportionate to the income of the relatives were often spent on the ceremony. The funeral of one of the Earl's predecessors in the Chancellorship, the Duke of Rothes, had cost his son-in-law the Earl of Haddington upwards of £68,000 Scots, and its extravagance embarrassed the family for years. In the case of Lord Marchmont careful and prudent instructions had been left as to the burial. He directed that his body should be interred 'in the burial place belonging to my family in the Canongate Churchyard, close by the grave of my dear wife, upon the north side, and that without any pomp or vain show, having my body conveyed to the grave by my neighbouring relations and particular friends.'

On the 12th August, Patrick Dickson writes to the new Earl

a faithful account of how the funeral had been carried out pursuant to these directions. He says :—

As mine of the 2nd current would give your Lordship an account of the good Earl of Marchmont's death, I now presume to lay before you, as distinctly as I can, the way and manner of his Lordship's burial, which I am hopeful your Lordship will think was very decent, and without taking the words in too strict a sense, as close to the order left for that purpose in the paper I sent your Lordship a copy of, as could be.

On Sunday night the 2nd an express was sent to Edinburgh to make ready two escutcheons, one for this place, the other for the place of burial. The 16 branches were sent in for that purpose, of which I send your Lordship a copy.¹ Directions were also given to make the burial place in order and where to break the ground. Letters were at the same time sent to Sir James Hall,² Lord Binning,³ Lord Torphichen,⁴ and the Earl of Haddington⁵ to come here to assist with their advice.

On Monday the necessary mournings were taken off, and a list of the number of friends condescended on to be invited was made, and the letters were written and despatched, of which list and letters I also send a copy.⁶

In the evening Mr. John Dickson and I went out to Redbraes, to cause take up, of the grass, four of your Lordship's fine mares, which, with two of my Lord Kimmerghame's for the wheel, made a very handsome sett for the hearse, my Lord's own horses being very low of body. A very good

¹ The sixteen branches were the eight immediate ancestors on both sides of the house, whose arms on small shields were arranged round the arms of the deceased on the escutcheon or hatchment. They were as follows :—(1) father, (2) father's mother, (3) father's father's mother, (4) father's mother's mother, (5) father's father's father's mother, (6) father's father's mother's mother, (7) father's mother's father's mother, (8) father's mother's mother's mother: (9) mother, (10) mother's mother, (11) mother's father's mother, (12) mother's mother's mother, (13) mother's father's father's mother, (14) mother's father's mother's mother, (15) mother's mother's father's mother, (16) mother's mother's mother's mother.

² Sir James Hall of Dunglass, Bart., married in 1698 Anne, fourth daughter of Lord Marchmont.

³ Lord Binning was the eldest son of Thomas, sixth Lord Haddington, and had married about 1720 Rachel, daughter of George Baillie of Jerviswood and Grisel Hume, Lord Marchmont's eldest daughter.

⁴ James, seventh Lord Torphichen, married in 1703 Jean, youngest daughter of the Earl.

⁵ Thomas, sixth Earl of Haddington, father of Lord Binning.

⁶ The letter ran as follows :—Sir, my father the Earl of Marchmont dyed on the 2nd current. By my Lord's directions I am to trouble none to be at his burial except his own relations, whereof you are one. Therefore I beg you'll honour us with your company at this place on Friday next, by eight o'clock in the morning, to convey his Lordship's body from this to his burial place in the Canongate Churchyard, which will very much oblige, Sir, your most humble servant, And. Hume. Berwick, 3d August, 1724.

Only thirty-seven persons altogether were invited to the funeral, of whom all were present but three.

hearse was got at Duns, and the mort-cloth and pall-cloth of the family, which we got at Redbraes, were made use of.

On Tuesday afternoon my Lord's body was put in a cere-cloth, being decently handled, none of his body clothes removed, nor his body in any manner of way exposed, and then drest as is the custom of the place.

The coffin was of wainscot handsome and plain, lined within with fine flannel ruffled on each side so as to meet the ruffling down the breast of the corps.

On Thursday my Lord's body was put on the coffin by Lord Kimmerghame, Lord Torphichen, Sir James Hall, Lord Binning, Sir Richard Newton, Earl of Haddington, Mr. George Ker, Captain Turnbull, and Mr. John Dickson. And then after lying a little, very gently made fast with shavings and bran that it might meet with the less jolting in the journey. Then locked up in the rounge.

Supper was provided at a public inn for such of the friends as came in that night which I think were about 24.

The hearse and pall came in about 3 o'clock, Adam Marshal drove, and your Lordship's servant, Samuel, rode postilion for taking care of the horses.

The Mayor, Justices, and Bailies, with about 60 of the principal burghesses and the officers of the garrison were invited to convey the corps such a distance out of town as they thought fitt.

On Friday morning the escutcheon was put over the gate head of my Lord's house here, the dining rounge hung, and the chairs all covered with black. On a tea-table tea, coffee, and chocolate sett in one end; on another table, claret, sherry, canary, plumcake and bisket in the other end of the rounge, for breakfast to such of the company as pleased to come in. And about nyne in the morning all were ready, going off thus.

Immediately before the hearse I, riding by myself, before me the Earl of Marchmont's 2 servants, before them Lord Kimmerghame's 2 servants, and before them Lord Torphichen's and Sir James Hall's 2 servants, these being the chief mourners.

Behind the hearse a mourning coach, behind that Lord Kimmerghame's, and behind that the Earl of Haddington's. The other friends, gentlemen of the neighbourhood, and garrison riding on horseback.

The hearse then moved slowly till quite free of the town, I, and the 6 before me, riding 2 and 2, uncovered.

When wee came to Aytoun we uncovered again till fully past the town, where a little halt was made till Lord Kimmerghame and the company returned thanks to those from Berwick.

From that to Coberspath, where a cold entertainment was ready for the company, stayed about an hour and a halfe and then on to Haddington.

When wee came nigh the town wee before the hearse rode uncovered, till wee came to the churchyearde, then lighted and walked in the same order before the body into the church, where in a free part in the middle the corps was set on two stools, the seats and pews about being all covered with black and a good number of great candles conveniently placed, and at night the doors were shut in.

My Lord Kimmerghame and his company then went to his Lordship's lodgings, where was a verry neat supper ready, beds provided and the horses taken care of.

We may interrupt Mr. Dickson's narrative at this point to remark on the 'very neat supper' provided by Lord Kimmerghame, as the bill for the same is yet extant. If it was confined to those invited to the funeral the company would only number thirty-four, but it is possible that the Provost and municipal dignitaries of Haddington were invited with perhaps some neighbouring lairds. At all events the supper kept up the credit of the proverbial hospitality shown at a Scottish funeral. Besides soup and fish and some other unconsidered trifles, there was beef and mutton, roast and boiled, roast lamb, two large turkeys, four 'goss's' (geese), a dozen of ducks, and the same number of capons, eighteen hens, besides an indefinite number of chickens and rabbits, two large pigeon pies, two dishes of 'minsh pays' (mince pies), two dishes of tarts, hams and 'tungs' (number unspecified), apricots, peaches, apples, pears, and cheese. To wash all this down required a fair amount of liquor, but it cannot be said that according to the standard of the period it is excessive. There was consumed, or at least paid for, three dozen of claret, two bottles sherry, five dozen of ale, one bottle and half a mutchkin of brandy, and a bottle of cinnamon water. Some tea and sugar are also included in the bill. Including a tip of a guinea for the cooks, the bill for the eatables came to £16 4s., and for the wine £4 7s. 4d. Eighteen horses got put up for the night at a cost of £1 6s. 4d., which included four pecks of corn more than the ordinary allowance, so that even the horses benefited by the general good cheer.

But we must resume Mr. Dickson's story which he tells in such detail :—

On Saturday morning the painters put on the mortcloth along the coffin, the 16 branches in small escutcheons eight a side as the copy sent, with a helmet and Earl's coronet on the top near the head of the coffin, with green and orange ribbons and a love crape hanging over.¹

About eleven the Provost and bailies waited on my Lord Kimmerghame and the company, and on foot walked from his Lordship's lodgings, the magistrates first, the six and I uncovered, and then his Lordship and the

¹ Contrary to the usual custom, there do not appear to have been any Heralds at Lord Marchmont's funeral. It is possible that the Earl's liveries may have been orange and green, but these were not his proper heraldic liveries.

company, to the church, when the body was brought out by the friends and put in the hearse; all mounting horse I and the other six rode uncovered before the hearse till quite free of the town, the bells tolling all the while.

A little past Tranent the Master of Annandale, the Earl of Hopetoun, and Lord Newhall met the company, when the chief mourners halted a little and came out to receive them.

Then stepping very slowly went on to Edinburgh. So soon as wee entered the Nethergate the six and I rode uncovered up the Canongate till we came to the Churchyard. Then all lighted; the corps taken out of the hearse and carried by the nearest relations, Lord Kimmerghame at the head. I walked immediately before the body and the six by twos before me, walking very slowly, straight north till wee came before the door of the burial place, then turned east. When near the door the six stood 3 on each side, and I walked on close before the corps into the burial place to the east end of the grave, as many of the relations as could get rouse taking hold of the ropes, and with all tenderness let his Lordship's body down into the grave, being the very spot he himself by his papers had ordered. This was about half an hour after three in the afternoon.

When all needful was done then Lord Kimmerghame invited the company to his own house when a very good intertainment was provided for them.

In this decent yet not gawdie manner was the body of this good man brought to the grave on the 8th of August, 1729, in the 84th year of his age since 13th January last.

Your Lordship's four mares were kept in town till Monday, then sent out and not one farthing the worse. I am persuaded your Lordship will not take it ill, them being thus made use of. But rather so than have borrowed on such an occasion.

Yesterday I left the three young ladys¹ well at Edinburgh. Lady Julian is much affected with my Lord's death.

So soon as I have done some things here I intend to go to the country and assist Mr. Hume all I can till I shall receive your Lordship's further directions, as being

My Lord,

Your Lordship's most obedient
humble servant,

PATRICK DICKSON.

So ended the career of a man who served his country faithfully according to his lights. His character was not a complex one. From early training and conviction a strong and devoted Presbyterian his common sense saved him from being a fanatic. He was emphatically a good and righteous man, though we may not

¹ If Mr. Dickson refers to the Chancellor's three surviving daughters they were no longer very young, as the youngest was born in 1683.

from our point of view agree with everything he did. It cannot be forgotten, for instance, that it was his casting vote that sent to execution the unhappy boy Thomas Aikenhead, without giving him even the respite of a few days 'to make his peace with the God whom he had offended.' But to call him a 'noisy republican,' as Macaulay does, is absurd. He was probably not a very popular man in public life: he may have been somewhat pragmatical and disputatious, and his foibles are well hit off by a contemporary annalist, who says he was 'a fine gentleman of clear parts but always a lover of set speeches.' His family life was singularly happy, though not without many trials, and he seems to have been a devoted husband and father. It is interesting to note that the daughter whose conduct must have grieved him most, as she made a runaway and most unfortunate marriage, was the one who watched over his declining days, and whom his death distressed acutely. That he inspired affection and even devotion in those who were in his employment is amply evidenced by the letters of Patrick Dickson quoted above.

JAMES BALFOUR PAUL.

Medieval Education at Carlisle

IN many respects the geographical area now covered by the diocese of Carlisle offers more problems on institutional origins than any other area of equal extent in England. Its position, political and geographical, may be described as unique. The district or land of Carlisle, which embraced the ancient diocese, was the last addition to complete the English kingdom. The conquest of England was well advanced before Carlisle came under the influence of Norman ideas. The traditions of its former independence were alive for many years after its subjugation by the Red King, and its recovery from the immediate sovereignty of Scotland predisposed the inhabitants to favour the northern kingdom when international interests were in conflict. Henry I. governed his new province at the outset by means of a resident lieutenant who had all the appearance of a palatinate jurisdiction.

At a later period the district reverted to Scotland, when King David, in order to obliterate the ascendancy of English traditions, took up his residence in Carlisle, and ruled the district for nearly twenty years with the enlightened wisdom for which his reign on both sides of the Border is so justly famous. It was not till Carlisle was recovered from his grandson, Malcolm the Maiden, that the province can be said to have been incorporated as an integral portion of the English realm. The Scottish sympathies of the inhabitants, always a mixed race, continued a menace in English politics till the outbreak of the War of Independence, when Carlisle became a buffer state between the hostile kingdoms, and was reduced to a condition of destitution and savagery by centuries of continued warfare.

The political history of the district was not less unfortunate than its geographical position: perhaps its political troubles were the natural outcome of its territorial isolation. Nature seemed to have made it a battleground for the two kingdoms. On the east the Penine range shut it out from the old kingdom of Northumbria, and though it often acknowledged the sway of the Northumbrian

sovereigns, its leanings to independence are rarely absent. The approach from the south was intercepted by the sands and fords of Morecambe and Duddon. On the north it lay against Scotland with no ascertainable mark of delimitation, and on the west it was bounded by the estuary of the Solway and by the Irish Sea. The natural barriers contributed as much to its isolation as the political.

The land of Carlisle was regarded as a place to be avoided for many centuries by the outside world. We have two notable instances of the aversion in which the district was held so late as 1262. A justice itinerant petitioned the Chancellor of England to excuse him going on circuit in the parts of Cumberland, as well on account of the distance of the place as on account of the climate, which would ruin his health¹ (*propter distemperantiam aeris meae complexioni valde discordantem*). In the same year Archbishop Godfrey de Ludham of York provided a hostel in Coupland, a wide district in the south-western portion of Cumberland at that time within the jurisdiction of the arch-diocese, for the accommodation of the Archdeacon of Richmond and his officials when they were compelled to go there on ecclesiastical business, despite the sandy fords and floods and countless tempests of that region.² Nearly a century earlier a sane chronicler had little to say of Carlisle except that it suffered from obscurity, and that its forests and mountains were infested with goblins and other terrible monsters.³ With a reputation of this kind, it is little wonder that the diocese, into which the district had been formed in 1133, had lain derelict and bereft of episcopal supervision for the latter half of the twelfth century.

Carlisle, however, was not so black as it was painted. Beneath its rugged exterior a nearer view of the internal conditions of life reveals a more pleasant picture. From the very dawn of documentary history we come in contact with institutional germs which gradually emerge into the clearer light of natural growth. Of all the institutions, early provision for education is the most obscure. The very isolation of the district made local provision inevitable: the place was far distant from the historic seats of English learning, and the Ishmaelish idiosyncrasies of the inhabitants threw them on their own resources. Back in the early story of the city, as the seventh century was drawing to a close, a school was founded in

¹ *Royal and Historical Letters* (R.S.), ii. 222.

² Dugdale, *Monasticon*, v. 341.

³ Gervase of Tilbury, *Otia Imperialia*, cap. lxix.-lxxi.

Carlisle by St. Cuthbert,¹ when ecclesiastical institutions were pursuing a normal course in the land. For some years the school of Carlisle shines as a twinkling light in the surrounding darkness. The Danes came, and again, for two centuries or more, all is gloom. It is probable that the renewal or re-establishment of St. Cuthbert's school was coeval with the foundation of the bishopric of Carlisle. Alberic, the papal legate, had visited the city and held a council of Scottish bishops² there in 1138. In the same year, as the mouthpiece of the English episcopate, he issued constitutions³ for the guidance of the church, in which the regulation of schools formed a part.

Ecclesiastical legislation touching schools at this early period is not without instruction when we know that the school of Carlisle was a prominent agency of diocesan action with an independent endowment of its own in 1186. The papal legislation of the Third Lateran Council (1179), which is supposed to have originated most of our cathedral schools, can scarcely have caused the foundation of that at Carlisle. It is unlikely that such an effect could have been produced in a place like Carlisle in so short a period as seven years; the more probable explanation is that the papal legislation was the recognition and sanction of a law already in existence. Be that as it may, when the curtain is withdrawn from diocesan movement in 1186-8, the school of Carlisle appears a normal institution under diocesan control and pensionary to the work of the diocese to the extent of one mark a year.⁴ The earliest schoolmaster, whose name has been ascertained, was one of the canons of Carlisle.⁵ No other educational institution, apart from the schools supposed to be attached to monastic foundations, comes into view in the twelfth century.⁶

The revival of letters in the following century had an immediate influence on the distribution of schools in the towns and villages of the north-western counties. Roger Bacon, who wrote

¹ Symeon of Durham, *Historia de Cuthberto* (Surtees Soc.), i. 141.

² Haddan and Stubbs, ii. 31.

³ Spelman, *Concilia*, ii. 41.

⁴ *Pipe Roll of Cumberland*, 34 Hen. II.

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

⁶ Schools must have been in existence in the important centres of the district in the twelfth century. Reginald of Durham (Surtees Soc. i. 149), writing about 1170, tells the story of a boy who got a good thrashing from his master in a village school in Northumberland. The school was held in the parish church according to a custom, he said, well known and widely observed at that time.

towards the close of the reign of Henry III., stated that never had there been so great an appearance of learning and so general an application to study in so many different faculties as in his time when schools were erected in every city, town, burgh, and castle throughout the land.¹ There is independent testimony that Bacon's statement was true of Carlisle. In the diocesan legislation of 1259, the date of which the *doctor mirabilis* was speaking, special injunctions were given to parish priests near to the schools in the cities and castles of the diocese touching their ministrations to the scholars.² But actual knowledge of these institutions, with the exception of that at Carlisle, is disappointingly obscure at this period. There is, however, little doubt that schools existed in such centres of population as Penrith, Cockermouth, Appleby, and Kendal, where we find grammar schools in full operation in the fourteenth century.³

The school of Carlisle, which was an appendage of the cathedral, was under the special tuition and patronage of the Bishop and his officers. From time to time efforts were made to extend its usefulness as the chief educational institution of the diocese. In 1285 Bishop Ireton charged the revenues of the church of his episcopal manor of Dalston with the maintenance of twelve poor scholars in the school of Carlisle, four of whom were obliged to attend the church of Dalston from which they received their bursaries. That the parishioners might not suffer by the partial withdrawal of their revenues, it was arranged that the provision of an assistant priest to minister in that church should be the first charge on the scholars' portion.⁴ Though this diversion of the endowments to strictly educational purposes was after a few years annulled by the intervention of the Crown on the allegation that the Bishop had acted without royal sanction,⁵ it furnishes clear evidence of the movement of ecclesiastical opinion in the supreme matter of popular education.

¹ *Opus Maius*, pref., quoted by N. Carlisle, *Endowed Grammar Schools*, i. p. xxi.

² Statuta Karleolensia, MS. No. 18.

³ In Westmorland alone the schoolmasters of Appleby, Kendal, and Brough under Stainmore were pensioned in 1553 when the revenues of their schools were seized by the Crown, the schools having been connected with chantries (*Q.R. Miscell.*, 835-59). Early in the fourteenth century, Master Peter de Holdernes, 'rector scholarum de Cokermue,' witnessed a deed now at Hesleyside.

⁴ See my text of the document from the Register of Archbishop John le Romeyn of York, MS. ff. 131-2, printed in this *Review*, v. 297-303.

⁵ *Close Roll*, 20 Edw. I., m. 6d.

It may be taken that all the medieval schools of which we find mention in the district of Carlisle were at one time or another designated Grammar-schools or Bishop-schools. These names were indiscriminately applied to the same school. Grammar school was the title of the institution at Carlisle, though some of the Bishops preferred to speak of it as our school of Carlisle.¹ The schoolmaster there was not necessarily a priest: as a rule he was in sacred orders, but sometimes he was not. For example, in 1363 Bishop Welton gave his licence to Master John de Burdon, clerk, with whose ability, knowledge, and zeal he was acquainted, to hold the grammar school within the city of Carlisle, and to teach boys, adults, and others willing to be taught, in the knowledge of grammar, and in other matters in which he was fitted to instruct them.² Before his decease nine years later, the schoolmaster made provision for Christiane his wife, and bequeathed all his books to a friend. The will was made in the schoolhouse³ (*in hospicio scolarum*), which shows that a master's residence was part of the school buildings.

But the attention of the Bishops of Carlisle was not wholly confined to the care of the school attached to the seat of their jurisdiction. There was a school in Penrith at an early date, the origin of which is not known, but from various circumstances it may be concluded that it was of episcopal foundation. So early as 1340 the institution was in full development when the Bishop gave his licence to John de Eskheved to act as schoolmaster there.⁴ The school of Penrith may be taken as representative of similar institutions in the towns and castles of the diocese. In 1361 the Bishop stated that it would be for the commonweal if more schools were founded and maintained in different places for the instruction of the young, and for that reason he licensed Robert of Brougham, chaplain, of whose erudition he was fully informed, to hold a school in the town of Penrith and to instruct boys and youths *super psalteriis, donato et cantu* with his customary

¹ In 1333 Bishop Kirkby licensed Master William of Salkeld, clerk, to be 'magister scolarum nostrarum Karleolensium . . . pro beneplacito nostro' (*Carl. Epis. Reg.*, Kirkby, MS. f. 278).

² *Carl. Epis. Reg.*, Welton, MS. f. 103.

³ *Testamenta Karleolensia* (ed. R. S. Ferguson), p. 101. Master Nicholas de Surreton, *rector scolarum Karlioli*, was admitted to the several grades of holy orders in 1316-9 (*Carl. Epis. Reg.*, Halton, MS. ff. 193-4, 218). He was, therefore, a layman when appointed.

⁴ *Carl. Epis. Reg.*, Kirkby, MS. f. 416.

zeal. The appointment was during pleasure, and all rivals in the same town were inhibited.¹

The school curriculum at Penrith, as laid down in the master's appointment, deserves attention. What precise meanings may be attached to the words in the licence, *psalteria*, *donatus*, and *cantus*? No dogmatic opinion is offered on the signification of *super psalteriis*: the substantive is in the plural, which adds to the difficulty. Having regard to the examples quoted in the Oxford Dictionary, can the phrase be interpreted as instruction in instrumental music? The *psaltery* of the Authorised Version: the *psalterium* of the Vulgate: the *sautrye* of Chaucer: *psalterium* as the equivalent of *organum* in the *Catholicon Anglicum* of 1483: all point, since the word is in the plural number, to musical instruments of some sort. The phrase *super donato* admits of easy explanation as the equivalent of grammar, a wide term in the fourteenth century representative of all the rudiments of learning in any art or faculty. Donat or Donet was spoken of in the medieval period for grammar as Cocker was the equivalent of arithmetic at a later date, the system taking its name from Aelius Donatus, the inventor, a grammarian of the fourth century. Readers of Chaucer and Piers the Plowman will be familiar with the usage. The last department in the curriculum at Penrith was singing, a very necessary accomplishment in a considerable town. Song and grammar were often incorporated in the same school, like that of Bishop Langley's (1406-1437) foundation at Durham.² All the popular schools of the diocese of Carlisle were fashioned on a similar system to give a simple form of education suitable to the requirements of the age. The aim of the medieval system was not so much to make good scholars as good Englishmen.

In the matter of higher education, despite the drawbacks attending its geographical isolation, Carlisle does not appear to have suffered more during the period under review than at more recent dates. So early as the thirteenth century, when Oxford and Cambridge stand out without rivals as the two great Universities of England, it was to Oxford that the young men of Cumberland and Westmorland resorted for study. Cambridge seems to have played an insignificant part³ in the higher educa-

¹ *Carl. Epis. Reg.*, Welton, MS. f. 81.

² Leland, *Itinerary* (ed. Toulmin Smith), v. 127.

³ In 1307 Bishop Halton gave licence to the incumbent of Addingham 'quod possit stare in studio apud Oxoniam et Cantebriam' for two years, but very few references to Cambridge have been found (*Carl. Epis. Reg.*, Halton, MS. ff. 106-107).

tion of the north-western counties before the period of the Renaissance. It is natural that most of our evidences at this early date should be concerned with the training of the clergy. Education from its lowest to its highest grade was originally one of the chief concerns of the English Church. Universities for a long period in their history were meant for the education of the clergy: their system of study was theological and their supervision was episcopal. When Bishop Walter resigned Carlisle in 1246 it was to Oxford¹ he retired, where he became the benefactor of the Dominicans. The philologists, by the dissection of his surname of Mauclerc, have jumped to the conclusion that he was a prelate of little learning, a charge which might perhaps have been true of one of his remote ancestors or the patriarch of his family. At all events it was to Oxford he repaired on his retirement to settle amongst the Dominicans, though he was instrumental in introducing communities of Dominicans and Franciscans into his cathedral city while he ruled the see.²

It is pathetic to read Bishop Halton's expressions of veneration for the *alma mater* that first directed his studies. In taking the University of Oxford under his protection in 1295, he recalls the time when he was a student in its schools—when he sucked the teats of its ennobling learning from the very rudiments of knowledge (*a primis cunabulis scholasticis nostris*) till he was called in the Providence of God to a higher charge.³ In the following year he described Oxford as the nursing mother of English learning (*mater et nutrix studii Anglicani*), and protested to Boniface VIII. that there would be ructions in England unless Oxford received the papal privilege of the University of Paris in having its degrees recognised throughout Europe. Why should not Oxford stand on a level with Paris? As a prolific offspring, he argued, was the joy of a mother, and when her sons were a credit to her, the joy was increased: so it was with the inexhaustible fertility of the University of Oxford, which never ceased to bring forth sons that proved a blessing to the Lord's heritage.⁴ Bishop Halton was a canon of Carlisle before his

¹ M. Paris, *Chron. Majora* (R.S.), iv. 564.

² *Chronicon de Lanercost* (Bann. Club), p. 42.

³ *Carl. Epis. Reg.*, Halton, MS. f. 17. Oxford and Cambridge absorbed all the education of the country in the thirteenth century except the very rudiments: they were grammar schools, public schools, and universities all rolled into one (Lightfoot, *Hist. Essays*, p. 158).

⁴ *Letters from the Northern Registers* (R.S.), pp. 122-3.

election to the bishopric, and in all probability a north-countryman¹ by birth.

The parochial clergy, who had the advantage of an University education, were chiefly Oxford men. It is a mistake to suppose that the bulk of the Carlisle clergy during the medieval period were the product of local schools. Diocesan registrars were not overzealous in these days to append academic initials when recording the names of those admitted to sacred orders or of incumbents instituted to benefices. No doubt clerical education was always a grave concern to the rulers of the northern diocese. It would have been little short of miraculous had it been otherwise. The distance of Carlisle from Oxford and Cambridge: the poverty of the diocese: the wastes and ravages of warfare with little interruption for three centuries: settled institutions and normal life always in jeopardy: all combined to raise barriers against higher education on a large scale. We see evidence of the conditions of the district in 1340-42 when Robert of Eglesfeld, a Westmorland incumbent, founded Queen's College, Oxford, with the design of giving special facilities for education to the youth of Cumberland and Westmorland. These counties, he said, were almost desert places, and the inhabitants suffered from an unusual want of learning (*literature insolitam raritatem*). The activity of military operations on the Border under the personal direction of Edward III. made Eglesfeld's picture of diocesan life in Carlisle a true description of what was taking place.

Despite the local difficulties occasioned by the hostility of Scotland, it is probable that the education of the clergy of the fourteenth century was equal to that of their immediate predecessors, and certainly not inferior to their education in the period between the Reformation and the Restoration. The standard laid down by the Bishop of Carlisle and his clergy in the diocesan synod of 1259 as the minimum equipment for a parochial incumbent cannot be said to have erred on the side of severity, as such matters are regarded at the present time. The Bishop, of course, controlled the standard for admission to sacred orders with the sanction of the Pan-Anglican Synod of London in 1237, which declared that want of learning was a fatal disability. John of Ayton, the fourteenth century glossarist, in his notes on this constitution, stated

¹ At this date Oxford had a large claim on the North of England. Archbishop Melton of York (1317-40), in the early years of his primacy, granted to the University a halfpenny in each mark from the benefices of the archdiocese (*Ibid.*, pp. 346-9).

that ignorance in the priesthood was a mortal sin and the mother of all errors.¹ The canon law of the English Church was reinforced by the local law of the diocese. Archbishop Sterne, writing in 1664 to his successor at Carlisle, warned him that it was easier for him to exclude undesirable men from holy orders than it was to exclude them from benefices when once they were ordained.² Herein, it may be noted, the medieval Bishops occupied a more advantageous position than their modern successors in the control of the clergy. By the law of the diocese the Bishop of Carlisle had power to test the knowledge of a parochial incumbent both before and after admission to a cure. The lay patron was not so supreme in the medieval period as he is to-day in the exercise of ecclesiastical patronage.

As the legislation of the diocese of Carlisle on the minimum standard of clerical education is in many ways of considerable interest, the whole statute may be given in rough translation :

Of inquisition made of the learning of ecclesiastical persons.

Because many ignorant and illiterate pastors seize upon office to the peril of souls and the loss of their own salvation, we order that careful inquiry be made as well by the Archdeacon as by our Official what rectors or vicars suffer a great want of learning, and that report be made to us, and that examination be often made by the same of the knowledge of parish priests ; and whether they know the Decalogue, that is, the Ten Precepts of the Law of Moses, and that they preach and explain them to the people entrusted to them ; and whether they know how to repeat the Seven Deadly Sins and to preach them to be avoided by the people : and whether they know simply the Seven Sacraments : and whether they have at least a simple understanding of the Faith according to what is contained in the Psalm, *Quicumque Vult*, and in the larger Creed, and know how to instruct the people entrusted to them in these things.³

It should be remembered that this was the spontaneous law of the diocese enacted nearly half a century before the rupture with Scotland and the calamities that came in its train. It is an expression of the wishes of the general body of the parochial clergy of Cumberland and Westmorland when the diocese was in a state of peace and safety. Taking this standard as a whole and all that it comprises, one may well say, without posing as a *laudator temporis acti*, that a parish priest in what Dean Stanley once called 'the wilds of Cumberland' could not be justly described

¹ Lyndwood, *Provinciale*, ii. 16-17.

² Holograph letter in the Diocesan Registry of Carlisle.

³ Statuta Karleolensia, MS. No. 26.

as ignorant of theology. A knowledge of the Psalm, known as the *Quicumque Vult*, now called the Athenasian Creed, taken by itself, without mentioning the Nicene Creed, the Ten Commandments, the Seven Sacraments and the Seven Deadly Sins, adumbrates an acquaintance with historical divinity not unworthy of comparison with the minimum theological attainments of other periods of our ecclesiastical history.

The striking feature of the diocesan regulation is not so much the amount of theological knowledge required in a parochial incumbent as his ability to communicate that knowledge to the people under his charge. The clergy themselves invested the Bishop with power to control their ministerial efficiency, as they threw upon him the responsibility of regulating the private purity and public propriety of their lives. The Archdeacon of Carlisle was obliged, in his periodical visitations, to do a great deal more than test their theological knowledge and pulpit aptitudes. It was also his business to report to his diocesan on the incumbent's mode of administering the Sacraments, and of conducting the various diurnal and nocturnal services. Special tests were to be applied by the archdeacon to the incumbent's methods in order to ensure solemn and impressive devotions for the faithful. Clear and distinct reading was regarded as a requisite of great importance: the incumbent must not drawl or gallop through his offices, telescoping successive words or omitting final syllables.¹ The glory of God and the edification of the people were to be the first consideration. To these tests the general body of the Carlisle diocesan clergy gave a willing consent. Periodical visitations on the lines established in 1259 would add a new interest to modern parochial life, and perhaps raise a ripple of excitement on its placid surface.

There is no reference in the Carlisle ecclesiastical statutes to the academic training of the clergy. The religious knowledge there indicated might well have been acquired in any of the local schools. The cathedral school, any of the monastic schools, or the schools of the four Orders of Friars which had habitations in the diocese, were capable of preparing candidates for sacred orders or benefices under these conditions. The ordination lists and the records of institutions give us little encouragement to assume higher education on an extensive scale. Exceptions, of course, there are, but they are of such rare occurrence that they serve only to prove the rule. The Bishops, however, with the sanction of canon law, had a scheme whereby they improved the education of the clergy by

¹ Statuta Karleolensia, MS. No. 37.

giving them the advantage of study at some University. One of the most frequent of the acts of the medieval Bishops of Carlisle was the *licencia studendi* granted to an incumbent soon after his institution to a benefice. The period for which absence was allowed for this purpose varied from one to seven years. The Bishop did not specify the particular University to which the applicant was to go: but it must be to a place *ubi vigere dinoscitur studium generale*,¹ that is, to a recognised University. Licences of this nature were always attended with the stipulation that the cure of souls, thereby temporarily deserted by the lawful pastor, should be properly served by a sufficient chaplain, and the dues of the benefice adequately discharged. It is noticeable that many of these licences were granted to the incumbents of benefices in lay patronage. The Bishops defended this singular procedure on the ground that the parishioners were the ultimate gainers: an educated pastor was a blessing to his flock, and there was no reason why a rich parish should not contribute to such an object. Notices of clergymen holding academic degrees are met with from time to time in the ecclesiastical records of Carlisle, masters in the faculty of arts, bachelors of theology, professors of the sacred page, professors of sacred theology, professors of canon and of civil law, doctors of decrees, and so on: towards the close of the medieval period the occurrence is more frequent. Sometimes the Carlisle clergy numbered amongst them an incumbent who graduated at the famous University of Paris.²

There is another feature to be taken into account in estimating the educational attainments of the clergy of Carlisle. A large proportion of the churches were appropriated to monastic institutions, two of which, the Augustinian priories of Carlisle and Lanercost,³ served their appropriate parishes by members of their own communities. For this reason more than a third of the parishes of the diocese were in the pastoral charge of canons. Whether these canons had imbibed the rudiments of learning as youths in a *studium generale* or in the lecture rooms of their priories during noviciate, everything that is known of them betokens a liberal

¹ *Carl. Epis. Reg.*, Welton, MS. f. 15.

² *Carl. Epis. Reg.*, Halton, MS. f. 124. In some of the licences to study, liberty is given to go beyond the seas for that purpose. The common phrase is *citra mare vel ultra*.

³ Other Austin priories outside the diocese, like Hexham, Wartre, and Conishead, had appropriate churches in Cumberland and Westmorland, which were served by their canons in the same way.

education. The Cistercians, the most influential of the religious orders in Cumberland, were obliged to maintain students at Oxford according to the number of monks in each community and the amount of their revenues. St. Bernard's College there, now represented by St. John's, was the Cistercian College, to which the English, Scottish, Welsh, and Irish students of the order were required to go at the expense of their respective monasteries.¹ Their course of study embraced theology, the decretals, and laws.

It is somewhat curious that Carlisle produced so few scholars whose fame outlived their own generation. The diocese may be described as the silent daughter of the English Church during the period under review. Leland,² who had unrivalled opportunities for collecting information while he perambulated the country in 1535-43, has mentioned only one Cumberland author in his great commentary, Roger Whelpdale, the *philosophiae alumnus*, sometime provost of Queen's College, Oxford, and afterwards Bishop of Carlisle (1420-1423). Little reliance can be placed on Fuller's list,³ given a century later. Fuller distributed his writers, as if with a pepper-pot, in the various counties with little ascertainable connection, except what might be gleaned from the jingle of the territorial surname. The claims of more modern writers, mentioned by him, rest on a more satisfactory basis.

The paucity of literary or philosophical writers may perhaps be explained by the political unsettlement of the district. Border life in the fourteenth and fifteenth centuries had a tendency to breed men of action, not men of letters: it needed the service of the sword more than of the pen. To one department of study at least the international troubles were a fatal hindrance. The study of history depends on the accessibility of original sources, and if the sources are destroyed the study must cease. Before the outbreak of the war with Scotland in 1296, the canons of Carlisle were without doubt proficient in historical knowledge, but at a later period, when they attempted excursions into this department of

¹There is an early copy of the *Privilegium* of Benedict XII. (1334-42), in the Diocesan Registry of Carlisle, by which these matters were regulated. In setting out the Universities to which the several nations had to resort, we have in the text, 'et Exoniam Anglici, Scoti, Wallenses et Hibernici destinentur.' The scribal error, *Exoniam* for *Oxoniam*, is frequent in the texts of this important papal bull. The University of Paris, the 'principium et fons omnium studiorum,' held the hegemonic place among the universities of Europe, and its doors were open to all nations.

²*De Scriptoribus Britannicis* (1709), ii. 406.

³*The Worthies of England* (1684), pp. 136-7.

study, they prove themselves to be unsafe guides. The cause may be put down to the destruction of their records in the great fire of Carlisle in 1292, and the subsequent raids and captures of the city. The reader of the *Cronica de Karleolo*,¹ a historical document drawn up by the canons in 1291 at the request of Edward I., cannot fail to be impressed with their extensive acquaintance with historical sources. The actual author of the document, as it may be allowable to hold, was Alan of Frizington, a canon of the house and precentor of the church, who compiled the statement, under the supervision of the community, after diligent scrutiny of the chronicles, memoranda, and other writings in their possession. The student at his leisure can unravel the sources of this compilation and trace the origin of almost every statement in it. In this way he can get a glimpse into the scriptorium of the priory of Carlisle and the historical manuscripts it contained before the great destruction of 1292.

There can be no question that the compiler made use, amongst others, of the chronicles of Roger de Hoveden, Henry of Huntingdon, William of Malmesbury, John of Hexham, Benedictus Abbas, Ralph de Diceto, Matthew Paris, and the *Chronicle of Melrose*. No contribution has been taken from the legendary chronicles, Carlisle thus differing from many of the other religious houses who made reports at the same time. The precentor of Carlisle knew what trustworthy sources to consult on the question submitted by royal command, and his report is in consequence a model of historical accuracy. It should be added that Alan of Frizington afterwards forsook his learned leisure in the priory and was successively incumbent of Castlesowerby² and Camerton, two parochial churches appropriate to the cathedral. The last we hear of him occurs in 1323, when he is described as a canon of St. Mary's, Carlisle, and parson of Camerton.³

About half a century after the date of the *Cronica de Karleolo*, the canons had occasion to draw up another historical statement under less exalted patronage and upon a less difficult theme. Their neighbours, the canons of Conishead, wished to know the history of the advowson of the church of Orton in Westmorland, which belonged to their house, and was within the jurisdiction of

¹ Printed by Palgrave, *Documents and Records* (Rec. Com.), pp. 68-76. The purport of the document is well known for its judicious account of the ancient political relations between England and Scotland.

² *Carl. Epis. Reg.*, Halton, MS. ff. 124, 158.

³ *Cal. of Patent Rolls*, 1321-4, pp. 285-6.

the Bishop of Carlisle and his diocesan chapter. The chronicles and ancient books of Carlisle were again diligently examined, and the result of the investigation communicated to the Lancashire canons under capitular seal.¹ The contents of this document, dated 17th September, 1343, disclose a strange absence of the use of historical evidence. The canons of Carlisle were incapable of tracing the chronological succession of the Bishops of their own diocese! It would seem that they had access to only two pieces of evidence, a copy of the chronicle of Matthew Paris and the record of the charter of Bartholomew, a former prior of their house, who confirmed Bishop Hugh's grant² of the church of Orton to the priory of Conishead. In every instance, when they wandered beyond these two authorities, their historical guesses were invariably wrong. Fifty years of quiet life could not have changed the traditions of the priory to such a deplorable extent. Through many different avenues the same tale comes that the destruction of the cathedral by fire in 1292, and the international troubles that followed so soon after, completely changed the whole thought and life of the Border counties. It is not without significance that the extant episcopal registers begin in 1292, the year in which the city was laid in ashes.

One literary work of permanent interest at least was produced in Cumberland, though the name of the author is unknown. The *Chronicle of Lanercost* is acknowledged to be of value as a historical record of public affairs on both sides of the Border during the reigns of Edward I., Edward II., and Edward III., up to its close in 1346. The earlier portions were compiled from different sources after the manner of such records, but when the chronicler reaches contemporary history, his views of passing events become of great interest. The work affords ample proof of high educational training.³ Though the chronicle took its final shape in the story-telling age, and gives many indications that the redactor was not uninfluenced by the historical temper that prevailed, the whole compilation is a monument of considerable learning, and entitles Lanercost to rank with Hexham, Durham, and Melrose as a centre of historical study. Interpreted by the testimony of this record,

¹ Duchy of Lancaster Charter, Box A, No. 416, printed in the *Register of Wetherhal* (ed. J. E. Prescott), pp. 417-8.

² Bishop Hugh's charter is still extant, the first witness of which is Prior Bartholomew (D. of L. Charter, Box A, No. 412).

³ See my article in this *Review*, x. 138-155, on the 'Authorship of the Chronicle of Lanercost.'

the educational possibilities of the district in which it was produced appear in a new light.

In forming an estimate of the educational attainments of the north-western counties during the medieval period, allowance must be made for the destruction or loss of our local literary sources. The burning of Carlisle at the close of the thirteenth century was perhaps in this respect the worst calamity. Frequent captures of Rose Castle, the residence of the Bishops, were equally unfortunate. The Scots in their periodic incursions carried off manuscripts¹ as well as cattle. The great pillage of the religious houses in the sixteenth century and the Civil War in the seventeenth completed the catastrophe. The marvel is that so much local manuscript material, poor as it is, has survived.

There are no evidences at present known for a history of the school of Carlisle previous to the sixteenth century, except a few scattered references like those above indicated. Notwithstanding this absence of material, we know that it was a vital institution of the diocese in the previous centuries. The same view may be taken of the other educational centres in the district, and if so, it cannot be said that the opportunities of the people were neglected. The attainments of the clergy, too, could not have been far behind those of their brethren in more peaceful places, and though they have left no theological treatises behind them, it does not follow that none were written. The wisdom of the Bishops in charging the parishes with the higher intellectual training of so many of the incumbents could not help but raise the educational tone of their afflicted diocese. Piers the Plowman's picture of the priest who knew rhymes about Robin Hood better than his prayers, and could find a hare in a field more readily than he could read the lives of the saints, does not apply to the clergy of Carlisle.

JAMES WILSON.

¹ Fordun, *Scotichronicon* (ed. Goodall), ii. 402-403.

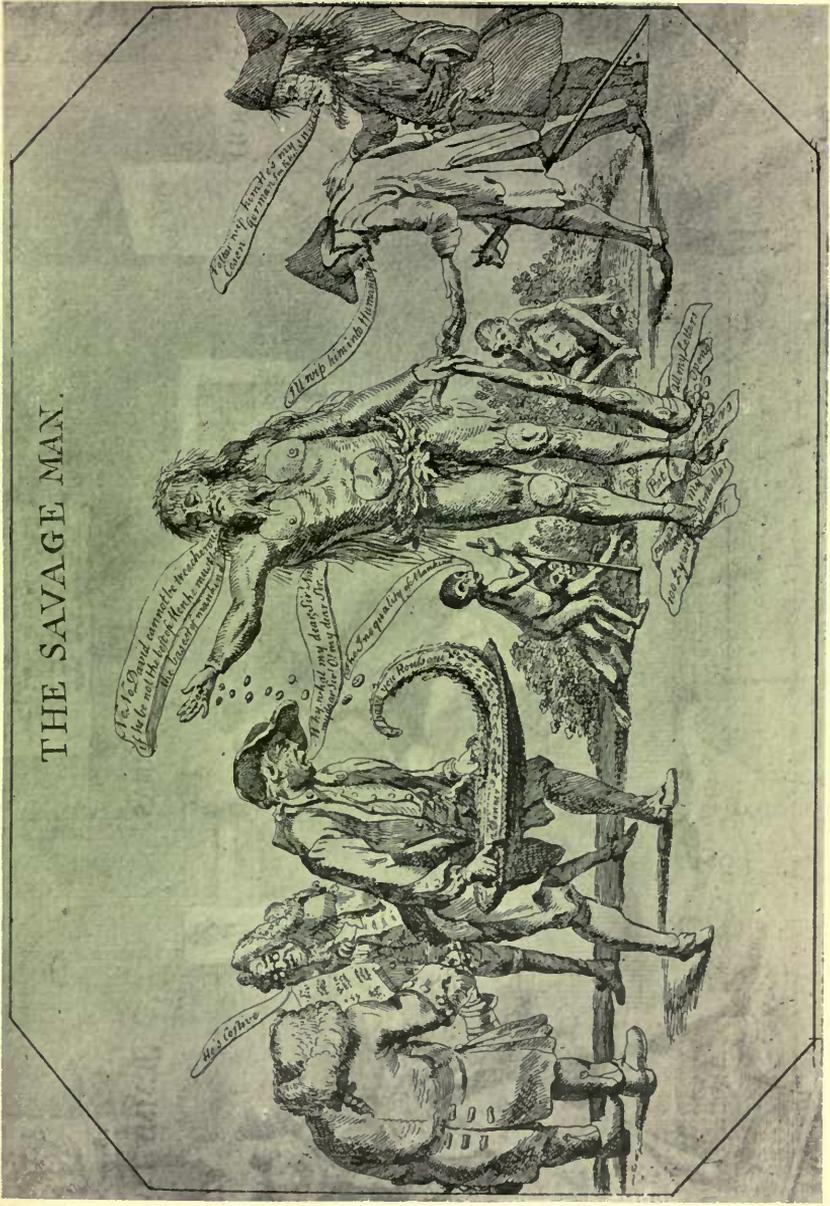
‘The Savage Man’

THIS caricature refers to the celebrated quarrel between David Hume and Rousseau, which is related at length in the former's pamphlet entitled *A concise and genuine Account of the Dispute between Mr. Hume and Mr. Rousseau*, which was published by Hume in 1766.

In the centre is Jean Jacques Rousseau, in the garb of a ‘Salvage Man’ in heraldry. On the left is David Hume humbly offering him a fish for dinner, and deprecating his anger. On the other side of Rousseau is Voltaire, holding in his hand a cane with a fox's head. The figure encouraging Voltaire to ‘wip’ Rousseau is ‘Peter the Wild Boy,’ a freak who was being exhibited in England during the winter of 1766-7. A more detailed explanation of the caricature (which was published in January, 1767) may be found in the *British Museum Catalogue of Satirical Prints*, Volume IV., Number 4158.

C. H. FIRTH.

THE SAVAGE MAN.



The Lollard Knights

IN speaking of Wycliffe and his early followers, certain contemporary chroniclers lay much stress on the support bestowed on the Lollard movement by representatives of the nobility and gentry, some of whom are singled out by name. The fullest particulars are given by the continuator of Knighton's chronicle, a canon of St. Mary's Abbey, Leicester, who under date of 1382 inserts a long and heated account of the teachings and doings of Wycliffe and his poor priests. He says that among the upholders of the heretics were to be found dukes and earls, but especially conspicuous were the knights Thomas Latimer, John Trussell, Lewis Clifford, John Peche, Richard Stury, and Reginald Hilton. These men, having a zeal for God but not according to knowledge, became the subjects and servants of the Lollard preachers. Whenever a poor priest visited one of their estates, the knight would force the people of the neighbourhood to come and hear him, sometimes in the parish church itself, and during the discourse would stand by armed to secure the preacher from molestation or criticism.¹

The St. Albans chronicles are less picturesque but equally liberal with names. Under the year 1387, they describe an attack made by Peter Pateshull, a renegade Austin friar, on the morals of his order. His accusations are said to have given much satisfaction to the 'hooded knights,' so-called from their refusal to uncover in the presence of the Host. Among these men, who were also eager supporters of the Wycliffites, the most notable were William Neville, Lewis Clifford, John Clanvowe, Richard Stury, Thomas Latimer, and John Montagu. The worst of all was Montagu, who had removed the images from his chapel at Shenley in Hertfordshire. Here he harboured Lollard preachers, among them the famous Nicholas Hereford.²

¹ *Chron. Henr. Knighton* (R.S.), ii. 181. For convenience' sake, I shall refer to the continuator as 'Knighton.'

² *Chron. Angliae, 1328-1388* (R.S.), 377; Walsingham, *Hist. Ang.* (R.S.), ii. 159. Walsingham gives a few more details, but at this point his chronicle is a mere

A few years later some of these knights appear again in connection with one of the best-known episodes in the history of Lollardy. In January, 1395, the Lollards, taking advantage of the king's absence in Ireland, nailed to the doors of St. Paul's and Westminster Abbey twelve propositions enunciating some of the chief points of their teaching. These articles attacked the doctrines and institutions which commonly excited Lollard scorn; but an unusual feature was the condemnation of all war as sinful, and of certain trades, such as the armourer's and the goldsmith's, as unnecessary. These views, we are told, were held and defended by Clifford, Stury, Latimer, Montagu, and other important men, some of whom, headed by Stury and Latimer, went so far as to advocate them before the Parliament then sitting at Westminster. The bishops in great alarm sent to tell the king of the dangers by which the church was beset. Richard hurried back, threatened the Lollard leaders with death, and made Stury swear that he would hold no heretical opinions in future. After this the Lollards kept quiet for some time.¹

No further mention of Stury or Latimer occurs in the chronicles. But in writing of the death in 1400 of John Montagu, then Earl of Salisbury, at the hands of the men of Cirencester, the St. Albans writers describe him as a life-long supporter of the Lollards, a despiser of images and a mocker at the sacraments, and add that he died without confession.² Two years later, according to the same authorities, Lewis Clifford abjured Lollardy, having at last understood the full import of its doctrines, which up to now the members of the sect had cloaked in ambiguous language. He gave the primate a list of some of their tenets, with the names of the Lollard leaders. The opinions attributed to them are very radical and expressed in violent language. The sacraments are described as 'dead signs,' that of the altar in particular as a 'pinnacle of Antichrist,' and the church is styled 'the synagogue of Satan.' The mere consent of two parties is affirmed to constitute a valid marriage; the doctrine of original sin is denied; and revision of the other, which indeed he probably compiled himself. (See Sir E. Maunde Thompson's introduction to the *Chronicon Angliæ*.) Capgrave's story (*Chronicle* (R.S.), 244) of Montagu's desecration of the Host is manifestly due to careless use of Walsingham, who tells the tale about a different person (*Chron Angl.* 377).

¹ *Annales Ricardi II.* (R.S.), 173 ff.; Wals. *op. cit.* 216. After 1392 the *Historia Anglicana* is seldom more than a condensation of the *Annales*. In this case, their accounts are in all essentials the same.

² *Annales Henrici IV.*, 326; Wals., *op. cit.*, ii. 244.

it is declared that no day should be regarded as more sacred than another.¹

Meanwhile another knight had attracted attention by reason of his attitude towards the church. This was Sir John Cheyne, who was Speaker at the Parliament of 1399. The *Annales Henrici Quarti*² state that in the Convocation which met simultaneously, Archbishop Arundel warned the clergy against certain of the knights in Parliament. Among these Cheyne, he said, was conspicuous for his hostility to the church, and they would be well advised to give such enemies no grounds for criticism.

Five years later, at the so-called Unlearned Parliament of Coventry, some of the knights proposed that, in view of Henry IV.'s lack of funds, the temporalities of the church should be seized for a year into the king's hand.³ According to Walsingham, Cheyne, who was again Speaker, made himself prominent in support of the suggestion, and poured scorn on the primate's plea that apart from the taxes paid by the clergy, the prayers of the church were a source of strength to the state. Henry, however, supported the archbishop, and the knights were defeated.⁴

The statements just summarised have been generally accepted by modern historians, and all the knights mentioned have been regarded as whole-hearted Lollards anxious for a reform of the church in organisation, practice, and doctrine.⁵ Even Cheyne is often included, though he is nowhere accused by the chroniclers of anything more than anti-clericalism. But though at first sight the evidence seems good, it does not carry us far. Some of it, even if true, is of little moment, and nearly all the information furnished is vague, and expressed in violent if not hysterical language. The hope of shedding clearer light on the real attitude of the knights accused by Knighton and Walsingham has led me to investigate their careers. The results may best be presented

¹ *Ann. Hen. IV.*, 347; *Wals.*, *op. cit.*, ii. 252.

² P. 290.

³ *Ann. Hen. IV.*, 391 f.

⁴ *Wals.*, *op. cit.*, ii. 264 f.

⁵ See, for example, Mr. G. M. Trevelyan's *England in the Age of Wycliffe*, Dr. J. H. Wylie's *History of England under Henry the Fourth*, iii. 296 f.; and especially Dr. Gairdner's *Lollardy and the Reformation*, i. 40 f. Dr. Gairdner writes: 'A considerable body of influential knights took up the cause of the Wycliffite clergy in a way that showed that they believed in their principles most sincerely.' He mentions as such all the knights referred to by Knighton and Walsingham, with the exception of Cheyne.

in a series of short biographies, and for the sake of clearness I shall adopt an order different from that in which the names are given by either of the chroniclers.

Lewis Clifford, third son of Robert, third Lord Clifford, was born before 1336.¹ He early entered upon a military career, though it is difficult to accept Froissart's statement that he served in Brittany in 1342.² There is, however, no reason to doubt the same authority when he asserts that in 1351 Clifford was in the garrison of Calais, and was taken prisoner in the famous fight near Ardres on the Whit Monday of that year. He was soon ransomed,³ but nothing more is heard of him for a number of years. Probably he was still engaged in military service, for he seems to have accompanied the Spanish expedition of 1367,⁴ and six years later he took part in John of Gaunt's futile march through France.⁵

Except in this year, however, he was more closely connected with the Black Prince than with his younger brother, receiving in fact a substantial annual salary from his revenues.⁶ He remained in the prince's favour till his death, and afterwards retained the confidence of his widow and the young Richard. In 1377 the princess employed him as mediator between John of Gaunt and the Londoners when the duke's support of Wycliffe had stirred the city to violence against him, and in the following year, when the reformer was brought before Archbishop Sudbury at Lambeth, Clifford was sent with a message forbidding extreme measures.⁷ About the same time Joan gave Clifford the custody of Cardigan castle, with a stipend of £100 a year, and the king subsequently confirmed him in this office for life.⁸

Clifford's importance increased rapidly during the first years of the new reign. In 1377 he became a Knight of the Garter, succeeding to the stall left vacant when Enguerraud de Coucy renounced his allegiance to England.⁹ In the summer of 1378

¹ G. E. C., *Complete Peerage*, ii. 290; *Scrope and Grosvenor Controversy*, ed. Nicolas, i. 179.

² Froissart (ed. Kervyn de Lettenhove), iv. 143.

³ Froissart, v. 302, 303.

⁴ *Scrope and Grosvenor Controversy*, *loc. cit.*

⁵ Froissart, viii. 280, 284; cf. *John of Gaunt's Register* (ed. S. Armitage-Smith), i. 125, ii. 192, 224.

⁶ *Cal. Pat.*, Ric. II., i. 156, 158; cf. Nicolas, *Testamenta Vetusta*, 13.

⁷ *Chron. Angliae*, 126, 183.

⁸ *Cal. Pat.*, Ric. II., ii. 185.

⁹ Beltz, *Order of the Garter*, 27.

he served as joint-commander of fifty men-at-arms and fifty archers in a disastrous naval expedition to Brittany under John of Gaunt.¹ It is remarkable that, despite his connection with the Black Prince's party, Clifford won the regard of the duke, who about this time made him one of his executors.² For the next few years Clifford seems to have remained in England,³ and it is to this period that Knighton's chronicle refers his activities in support of the Lollard preachers. A document of 1381 styles him 'king's knight,'⁴ but though he was thus retained in Richard's immediate service, it is likely that he was as a rule in attendance on the king's mother, for in 1385, when all of gentle blood were enjoined to prepare for the Scottish expedition, Clifford received a special mandate to stay with the princess.⁵ Joan, however, died a month or two later, after appointing Sir Lewis as one of her executors.⁶

During the troubles that began with the parliament of 1386, Clifford is almost entirely lost to view. In October, 1386, he gave evidence in the great Scrope and Grosvenor case;⁷ Walsingham says that he supported Pateshull in 1387; and he was in England in May, 1388;⁸ otherwise he remains in obscurity till Richard's resumption of power in 1389. Then, however, Clifford was made a member of the Privy Council,⁹ and came to the front as a diplomatist. In May, 1390, his name appears among the numerous and imposing signatures at the foot of a strong remonstrance to the pope against provisions and reservations.¹⁰ He was one of the ambassadors whose arrival at Paris in February, 1391, caused Charles VI. to abandon his projected expedition against Boniface IX.¹¹ Clifford, it is clear, was at this time held in general respect: he was a knight of the king's chamber;¹² great nobles

¹ *Enrolled Accounts*, F., 5 Ric. II., i.

² *Cal. Pat.*, Ric. II., i. 262.

³ *Rot. Franc.*, 3 Ric. II., m. 8, 4 Ric. II., m. 7, 5 Ric. II., m. 2, 6 Ric. II., m. 30.

⁴ *Cal. Pat.*, Ric. II., ii. 33.

⁵ *Foedera*, vii. 474. Except when the contrary is indicated, references are made to the original edition of the *Foedera*.

⁶ *Test. Vetust.*, 14.

⁷ *Scrope and Grosvenor Controversy*, i. 179, 183.

⁸ *Rot. Franc.*, 11 Ric. II., m. 4.

⁹ *Proceedings of the Privy Council*, i. *passim*; *Enrolled Accts.* F., 13 Ric. II., B.

¹⁰ *Foed.*, vii. 672.

¹¹ Froiss. (ed. cit.), xiv. 284, 288; *Contin. Polychronici* (R.S.), ix. 247; *Rot. Franc.*, 15 Ric. II., m. 14; *Enrolled Accts.* F., 16 Ric. II., B.

¹² Froiss. xiv. 289.

like the Earls of Derby and of Rutland chose him as one of their attorneys while they were abroad;¹ and the Duchess of York, who died in 1392, made him one of her executors.² The other was Sir Richard Stury: and the will sheds a most interesting and astonishing light on the religious views, or at all events the religious reputation, of the two men. On the day of the duchess's death 'a hundred trentals and two hundred sauters' were to be said for her soul, and for four years masses in her behalf were to be sung. If Knighton and Walsingham are to be believed, the duchess entrusted the execution of these pious wishes to two notorious heretics, who would regard the purchase of prayers for the dead with peculiar aversion and to whom the mass was idolatry. The bearing of the will on the case of Stury will be considered later; but in regard to Clifford it seems to me to prove that among those who knew him best he had up to this time no reputation for heresy. It is incredible that the duchess, with her soul's peace at stake and with scores of competent and orthodox knights and clerks at hand, should select anyone under the least suspicion of Lollardy. The confidence shown in Sir Lewis by Richard's mother tends to confirm the conclusion just drawn: for notwithstanding her support of Wycliffe in 1378 she was a devoted daughter of the church, and it is significant that she was buried in a church of the Franciscans, the bitterest enemies of Lollardy.³

During the three years following the death of the Duchess of York, Clifford was given almost continuous employment. He served on numerous commissions, mainly judicial, and in 1393 was sent with Lancaster, Gloucester, and other magnates to treat for peace with France.⁴ At the beginning of 1395 came the publication of the Lollard articles at St. Paul's and Westminster Abbey, and, as we have seen, Clifford was believed at St. Albans to have given them his support. What shape his sympathy took is not stated; he seems to have had no share in the alleged presentation of the articles to Parliament; and there is grave doubt whether his name ought to be mentioned at all. For in a document of 1396 Clifford appears as a member of the

¹ *Rot. Franc.*, 15 Ric. II., m. 5, 16 Ric. II., m. 14.

² *Test. Vetust.*, 134 f.

³ *Wals.*, *op. cit.*, ii. 130.

⁴ *Cal. Pat.*, Ric. II., v. 17, 68, 76, 166, 290, 318, 388; *Contin. Polychron.*, ix. 280; *Foed.*, vii. 738; *Enrolled Accts. F.*, 16 Ric. II., B.

Order or the Passion,¹ a military society founded by the visionary Philip de Mezières to resist the advance of the Turks and to prepare and lead a great crusade for the recovery of the holy places. Now not only were crusades condemned by Wycliffe,² but the Lollard conclusions of 1395 denounced 'manslaute be batayle . . . for temporal cause or spiritual' as 'expres contrarious to the newe testament,' and had specially singled out for reprobation 'Knythis that rennen to hethnesse to geten hem a name in sleinge of men.'³ A few months after these views were published—perhaps indeed at that very time—Clifford belonged to an Order which existed expressly for the slaying of heathen. The conclusions, too, proposed that goldsmiths and armourers and 'all manere craftis nout nedeful to man . . . schulde ben destroyd for the ences of vertu'⁴—a strange suggestion to meet with the approval of a Knight of the Garter, who had for long spent much of his time at Court and continued to do so afterwards.

That Clifford sincerely maintained such opinions is impossible. That he even pretended to do so is most unlikely: his hypocrisy would have been patent to all. Lollardy would, at any rate, derive no real strength from such support.

Though the St. Albans writers say that the king threatened Sir Lewis and his associates with death for their support of heresy, the incident made no difference to Clifford's position and manner of life. He continued to do much work on commissions,⁵ took part in the negotiations which led to Richard's marriage with Isabella of France,⁶ and in 1398 was still a king's knight.⁷ There is, however, no indication of the attitude he assumed during Richard's brief tyranny: and after the accession of Henry IV. no further use of his services seems to have been made.

There are few notices of Clifford after 1399; and the only one of particular interest is the passage, already mentioned, which tells of his repudiation of Lollardy.

¹ *Les Archives de l'Orient Latin*, i. 363. For further information concerning the Order, see Delaville le Roulx, *La France en Orient au xiv^e siècle*, i. 204 f. It is not clear when Clifford joined the Order; we only know that it was between 1385 and 1396.

² See, e.g. *Polemical Works of John Wycliffe* (Wycliffe Society), 270 f.; *Select English Works of Wycliffe* (ed. Arnold), i. 367, iii. 136 ff.

³ *English Historical Review*, vol. xxii. 302.

⁴ *Ibid.* 304.

⁵ *Cal. Pat.*, Ric. II., v. 689, vi. 357.

⁶ Froissart, xv. 164, 194.

⁷ *Cal. Pat.*, Ric. II., vi. 357.

Now there is nothing *a priori* astonishing in a recantation of Lollard views in the year 1402. The new dynasty was determined to uphold the church. The Statute *de Heretico comburendo* had been passed the year before. The Wycliffites were on the decline. But the account of Clifford's abjuration is not quite convincing. He is said to have pleaded that he had previously not understood the meaning of the chief Lollard doctrines. This excuse may of course have been a lie, but if true, it indicates that Clifford had not been intimate with the Lollards for as long as the St. Albans writers make out, for the early members of the sect put their views plainly and bluntly, and the articles of 1395 were nothing if not explicit. Furthermore, some of the views which he is said to have ascribed to the Lollards were held by only a few extreme fanatics; and though Clifford, with a convert's zeal, may have picked out the very worst of the tenets of his former associates, another explanation would be that his knowledge of Lollardy was really slight. In view of the will of the Duchess of York and his connection with the Order of the Passion, it would moreover seem that his adoption of Lollard beliefs must have occurred, if at all, after 1396. It is surely improbable that an elderly man, who had evidently remained orthodox in the hopeful days of Lollardy, should change his faith when the fortunes of the sect were declining, and the influence of the State was being strongly used against it.¹ Clifford, however, evidently had a bad name in certain quarters, and a desire to clear himself and perhaps to win favour in the eyes of the influential Archbishop Arundel, may have led him to come forward with information against the Lollards—an act which the St. Albans monks would naturally construe as an abjuration.

Whatever may have been the real character of Clifford's recantation, it did him little good in this world. In 1404 Princes Risboro' and Mere, two manors given him for life by Richard, were seized by the Prince of Wales, on the ground that they formed part of the duchy of Cornwall.² The loss must have

¹ Though the *Statutum de heretico* was not passed till 1401, the government had, from 1382 onwards, taken administrative action against the Lollards. Bishops and special commissions were repeatedly empowered to seize them or their writings (*Cal. Pat.*, Ric. II. *passim*). It should be noted that there is not a particle of respectable evidence against the orthodoxy of Richard II. When his attitude towards heresy is alluded to by the chroniclers, it is always in terms of praise.

² *Cal. Pat.*, Henry IV., ii. 399, 402.

been a severe one, for Sir Lewis was not wealthy.¹ But before the end of the year he was dead.²

Clifford's will is couched in extremely contrite terms. His expressions of self-contempt are remarkably strong, and only paralleled in the wills of Sir Thomas Latimer and Sir John Cheyne, both of whom were likewise said to be hostile to the church.³ The significance of the resemblance is indeed somewhat diminished by the fact that Clifford was one of Latimer's executors and Cheyne one of Clifford's;⁴ but they would hardly have used this remorseful language unless they had some special load on their souls. What, then, was this heinous sin? In Clifford's case there seems reason to reject the usual explanation that it was heresy. What he really had done, and how two independent chroniclers both set him down as a Lollard, may be more adequately discussed when the other knights have been considered.

¹ At the height of his fortunes (1391 or thereabouts) Clifford held, besides Princes Risboro' and Mere (*Cal. Pat.*, Ric. II., i. 156, iii. 53), the custody of Cardigan for life (*Ibid.*, ii. 185), the lordship of Ewyas Harald (*Cal. Pat.*, Ric. II., iii. 310), and the temporalities in England of the Abbey of Préaux (*Ibid.*, iv. 306, 355). He drew 25 marks as rent for a third of the manor of Hickling, £10 *per annum* from the duchy of Cornwall, and £100 from the lordship of Cardigan (*Cal. Pat.*, Ric. II., ii. 477, i. 157, ii. 185). He received 10s. for every day when he attended the Council (*Enrolled Accounts*, F., 13 Ric. II., B.), had £6 13s. 4d. and two suits of robes a year as a knight of the chamber (*Exchequer Accts.*, K.R. Wardrobe, 402/5 *et passim*). As a king's knight he would, when not employed on any special errand, have his board and lodging at court or one of the royal palaces or castles. (*Exch. Accts.*, K.R. Wardrobe, 393/15, 394/16, pp. 9, 10, 401/6), and he might count on occasional presents from the king. But by 1404 he had disposed of Ewyas Harald (*Cal. Pat.*, Hen. IV., i. 204) and transferred his rights over the property of Préaux (*Ibid.*, ii. 263). He was no longer a king's knight or a councillor, so the loss of the two manors in this year must have been very serious.

² His will was proved on December 5, 1404 (*Test. Vetust.*, 164 f.).

³ He styles himself 'false and traitor to my Lord God . . . and unworthy to be called a Christian man.' His body is referred to as 'stinking carrion.' He is to be buried without any pomp, and no stone is to mark his grave. Latimer's will is rather less violent in tone. (*Test. Vetust.*, 158 f.) Much of Cheyne's is identical with that of Clifford, and obviously copied from it. (*Reg. Arundel*, ii. 203 b.) Expressions of self-contempt, though of less violence than those used by Clifford, are to be found in wills of persons under no suspicion of heresy. Thus Sir Brian de Stapleton, who died in 1394, speaks of both his soul and his body as 'caitiff'; Edward Duke of York, slain at Agincourt, calls himself 'of all sinners the most wicked'; and Joan, Lady Abergavenny, whose death occurred in 1434, talks of her 'simple and wretched body.' (*Test. Eboracensia*, [Surtees Society], i. 198; *Test. Vetust.*, 113, 225.)

⁴ *Test. Vetust.*, 159, 165.

Richard Stury, whom it is convenient to deal with next, was probably the son of Sir William Stury, a landowner of Shropshire,¹ who was marshal of the household from 1338 to 1340,² rendered diplomatic and military service in the early days of the Hundred Years' War,³ became seneschal of Calais in 1347,⁴ and apparently ended his life as governor of the Channel Islands.⁵ The first trustworthy notice of Richard appears to date from 1347, when he is mentioned as having served at sea.⁶ Two years later he is referred to as having seen further service, and as an esquire of the king's household.⁷

In 1353 his name appears at the head of a list of king's esquires, and about the same time he was granted a pension of ten marks a year.⁸ The winter of 1359-60 saw him in France with a retinue of one archer, and during the ensuing campaign he was taken prisoner, the king granting £50 towards his ransom.⁹ At the close of 1360 he was an esquire of the king's chamber :¹⁰ three years later he was still attached to the court, though in what capacity does not appear;¹¹ but his hitherto slow advance was accelerated in 1365, when he became trier of weights and measures and escheator of Ireland.¹² He was knighted by 1368, in which year he was despatched to Flanders on diplomatic busi-

¹ *Cal. Claus.*, Edw. III., iii. 496. He is probably to be identified with the William Stury who was an esquire of Roger Mortimer's in the days of Edward II. (*Parly. Writs*, pt. ii. 244 f.). Kervyn de Lettenhove (*Œuvres de Froissart*, 1a. 421, xv. 387) says that Richard's father was a London merchant, but he cites no evidence in support of this assertion, and I have been unable to find any.

² *Exch. Accts.*, K.R. Wardrobe, 388/9, pp. 5a, 6a, 12a.

³ *Cal. Pat.*, Edw. III., iv. 387; *Cal. Claus.*, Edw. III., v. 525, vi. 279; *Foed.*, v. 458; *Exch. Accts.*, K.R. Wardrobe, 390/12, pp. 18, 41.

⁴ *Foed.* (ed. 1830), iii. pt. i. 145.

⁵ *Foed.* (ed. 1830), iii. pt. i. 275, v. 823. William Stury died before April 12, 1357 (*Cal. Pat.*, Edw. III., x. 525).

⁶ *Exch. Accts.*, K.R. Wardrobe, 391/9, p. 14. Froissart (iii. 206, v. 193) says that Stury fought at Sluys, and, as a king's knight, played a conspicuous part at the siege of Calais. Stury was not knighted till years afterwards, and the chronicler is apparently confusing him with his father.

⁷ *Exch. Accts.*, K.R. Wardrobe, 390/12, pp. 51, 56, 58.

⁸ *Ibid.*, 392/12; *Cal. Pat.*, Edw. III., ix. 532.

⁹ *Exch. Accts.*, K.R. Wardrobe, 393/11, pp. 69, 102b.

¹⁰ *Ibid.*, 393/15.

¹¹ *Ibid.* 394/16; cf. Froissart, vi. 384.

¹² *Cal. Claus.*, Edw. III., xii. 146, 150.

ness.¹ His visit to the Netherlands was repeated several times during the next few years.² In 1369 Stury was serving under John of Gaunt in the north of France, and from that year till 1377 he was captain of Hammes castle in Picardy; but both here and in Ireland he evidently performed his duties by deputy.³ Stury was now an important man. In 1370 he was chosen to accompany Charles the Bad, King of Navarre, on his return to his dominions.⁴ Next year he formed part of an embassy to Brittany. On the way the ambassadors and their escort fell in with a Flemish squadron off the Breton coast; in the fierce fight which followed the English were victorious, and Stury attracted notice by his bravery.⁵ At this time he was a knight of the chamber, a position which he apparently retained for some years.⁶ He would thus be brought into personal touch with the king, and it is clear from subsequent events that he acquired considerable influence at court. He was a member of the clique led by John of Gaunt, which for some time controlled the administration, and were notorious for their corruption and hostility to the clergy. Sir Richard was on terms of particular enmity with the Black Prince, who refused to be reconciled even when Stury visited him on his death-bed.⁷ Stury was at the moment acting as an agent in the negotiations between the king and the Good Parliament, and being convicted of making false and malicious reports regarding the intentions of the Commons, he was banished from court by Edward.⁸ The influence of John of Gaunt and Alice Perrers soon, however, restored him to favour; and the autumn of 1376 saw his material resources increased by several royal grants.⁹ Early in 1377 he was sent to France on political

¹ *Enrolled Accts.*, F., 42 Edw. III., E. Contradicting the statement cited above, Froissart (vi. 267) says that Stury was knighted by the king before the gates of Paris in April, 1360; but the wardrobe accounts and close rolls make it clear that this statement also is false. He may have been, as Froissart says, a knight in 1363, but in official documents the title is first applied to him in 1368.

² *Enrolled Accts.* F., 42 Edw. III., D.C., 44 Edw. III., C.

³ Frois., vii. 423; *Enrolled Accts.*, F., 43 Edw. III., C.; *Cal. Claus.*, Edw. III., xiii. 512; *Rot. Franc.*, Ric. II., p. 1, m. 20.

⁴ *Foed.*, vi. 661.

⁵ Froiss., viii. 93 f.

⁶ *Exch. Accts.*, K.R. Wardrobe, 397/5, 398/9.

⁷ *Chron. Angliæ* (1328-88), 89.

⁸ *Chron. Ang.*, 87. The passage is very bitter in tone and should be received with caution.

⁹ *Ibid.*, 87, 105; *Cal Pat.*, Ric. II., i. 80, 121, 314, 337.

business, and was thus out of the way at the time of Wycliffe's trial at St. Paul's and the consequent rising of the Londoners against his patron.¹ On the death of Edward III. and the temporary loss of the duke's influence, Stury found himself in difficulties. At the Parliament which met in the autumn of 1377 he gave evidence, presumably under compulsion, against his former benefactress Alice Perrers;² and soon afterwards he was deprived of the custody of the castles of Hammes and Bamborough.³ But when, early in 1378, John of Gaunt recovered some of his power, Stury at once benefited by the change. He was put on the list of king's knights.⁴ Edward III.'s grant of the manor of Bolsover, made in 1376, was confirmed, and as joint-commander of sixty men-at-arms and sixty archers he took part in Lancaster's expedition to Brittany.⁵ In 1379, besides being granted an annuity of £100 as compensation for the loss of Bamborough, he was appointed keeper of Carisbrooke Castle, a position which he held for a year.⁶ In 1381 Stury was a knight of the chamber, but luckily perhaps for himself he was in France treating for peace at the time of the Peasants' Revolt.⁷ After another visit to France in the following winter,⁸ Stury drops out of sight for some time. It is under 1382 that Knighton speaks of the support he gave to the Lollard preachers, and it must be remembered that Stury held the manor of Barnwell in Northamptonshire, not far from Leicester.⁹ The general hatred of John of Gaunt which the revolt of 1381 had revealed may have led Stury to withdraw from politics for a while and sever his connection with the duke. At all events, when he reappears, it is as an associate of Clifford in the service of the Princess of Wales. In 1384 Joan made him keeper of the castle and lordship of Aberystwith, with a salary of 100 marks;¹⁰ and next year Sir Richard was one of the knights

¹ *Enrolled Accts.*, F., 50 Edw. III., E. Stury left London on Feb. 13 and returned on Mar. 25; Chaucer was one of his colleagues (Froiss., viii. 383).

² *Rot. Parl.*, iii. 14a.

³ *Rot. Franc.*, 1 Ric. II., p. 1, m. 20; *Cal. Pat.*, Ric. II., i. 80. Bamborough had been given him in October, 1376.

⁴ *Cal. Pat.*, Ric. II., i. 121, 337.

⁵ *Ibid.*, 121; *Enrolled Accts.*, F., 2 Ric. II., A.

⁶ *Cal. Pat.*, Ric. II., i. 337; *Enrolled Accts.*, F., 3 Ric. II., H.

⁷ *Foed.*, vii. 308 f.; *Enrolled Accts.*, F., 4 Ric. II., L.

⁸ *Ibid.*, B.

⁹ *Cal. Pat.*, Ric. II., i. 314, ii. 160.

¹⁰ *Ibid.*, ii. 453, v. 670.

who remained with the princess during the expedition to Scotland.¹ He was an executor of her will, and took a prominent part in administering her estate and providing for the repose of her soul.² The death of the princess set him free to serve her son; he again became a knight of the chamber;³ and in the winter of 1385 and spring of 1386 he was engaged in negotiations on the Scottish border.⁴

According to Walsingham, Stury was hand-in-glove with Aubrey de Vere, Michael de la Pole, Simon Burley, and other favourites of Richard, and united with them in poisoning the king's mind against the Earls of Arundel and Nottingham, and thereby precipitating the crisis of 1387.⁵ During that year Stury seems to have stood by the king, for in May he was appointed justice of Cardigan, and, according to Froissart, used his influence strongly to induce Richard to return to London in the autumn.⁶ About the same time occurred the attacks of Pateshull on the Friars; but Stury must have been too much preoccupied with politics to lend much aid to the assault.

It is significant that Stury's name is not found in a single document dating from 1388, when Richard's influence was altogether eclipsed, and equally significant that when the king resumed the reins of government, Stury once more became a knight of the chamber,⁷ was made member of the royal council,⁸ and was given frequent employment on diplomatic, judicial, and administrative commissions. Thus in 1389 and 1390 he was sent to negotiate with France, and to inspect the condition of Calais and the neighbourhood; ⁹ in 1394 he was associated with Lancaster, York, and others on a most imposing embassy to treat for peace with the French,¹⁰ and as soon as he returned, was despatched to the Border

¹ *Foed.*, vii. 474.

² *Test. Vetust.*, 14; *Cal. Pat.*, Ric. II., iii. 65.

³ *Rot. Scot.*, ii. 75.

⁴ *Ibid.*, 75, 82; *Enrolled Accts.*, F., 8 Ric. II., B.

⁵ *Wals.*, *Hist. Ang.*, ii. 156. The passage is hysterically violent, but the main facts recorded are credible enough.

⁶ *Cal. Pat.*, Ric. II., iii. 307; *Frois.*, xii. 291. Froissart's account of the events in England at this time is hopelessly confused, and the details cannot be trusted. Stury's presence with the king, however, is intrinsically probable.

⁷ *Enrolled Accts.*, F., 12 Ric. II., B.

⁸ *Proceedings of Privy Council*, . 6 *et passim*.

⁹ *Rot. Franc.*, 13 Ric. II., mm. 3, 6; *Foed.*, vii. 667 f.

¹⁰ *Rot. Franc.*, 17 Ric. II., m. 8; *Enrolled Accts.*, F., 16 Ric. II., E.

on business connected with a truce recently arranged and a prospective marriage alliance with Scotland.¹ When not abroad, Stury was kept busy at home by attendance at the council and by judicial and administrative business.² In 1390 he signed the protest against papal provisions ;³ and in 1392, as we have seen, he assisted in carrying out the pious wishes of the Duchess of York.

Everything that has been said regarding Clifford's share in the matter will apply with equal force to Stury. In the latter's case, indeed, the prominent part he took in arranging for masses after the death of the Princess of Wales gives additional strength to the conclusion that up to 1392 Sir Richard was under no suspicion of heresy at court.⁴

We are now brought to Stury's alleged advocacy of the Lollard conclusions of 1395. The charge against him is more explicit than that against Clifford. Stury was a leader of those who laid the propositions before Parliament. He is also said to have drawn on his head the special wrath of the king ; in fact, the impression left is that he was the ringleader throughout.

The account of the St. Albans writers cannot be disproved. But it lies under much suspicion. In the first place, it entirely lacks confirmation from any contemporary chronicle or record. The silence of the rolls of Parliament may be ascribed to Richard's desire to remove from the State records all trace of an unpleasant episode ; but it is remarkable that in the letter from the council asking the king to return, nothing is said or even hinted regarding the Lollards : the only reason given is the dangerous activity of the Scots.⁵ Neither Stury nor any of the others mentioned was a member of this Parliament ; Richard, notwithstanding Walsingham's assertion, was in no hurry to come back ;⁶ and whatever

¹ *Foed.*, vii. 785, 787 ; *Enrolled Accts.*, F., 17 Ric. II., A.

² *Enrolled Accts.*, F., 13 Ric. II., B. ; 15 Ric. II., B. ; *Cal. Pat.*, Ric. II., v. 37 *et passim*.

³ *Foed.*, vii. 672 f.

⁴ *Cal. Pat.*, Ric. II., iii. 65. Though Sir Lewis Clifford, Sir John Clanvowe, and Sir William Neville were also nominated executors by the princess, they seem to have been less active than Stury.

⁵ *Proceedings of the Privy Council*, i. 59.

⁶ As early as February 10 orders were issued for the levy of ships to convey the messengers despatched to Ireland (*Cal. Pat.*, Ric. II., v. 587 ; *cf. Ann. Ric. II.*, 173) ; but the ships for Richard's journey home were not required to be at Waterford till April 30 ; *Cal. Pat.*, Ric. II., v. 590 ; and the king did not reach Westminster before May 10 (*Ibid.* 565, 567, 572).

threats he may have uttered, Stury retained his position at court, his services were still made use of, he continued to attend the meetings of the council, and two months after Richard's return, was evidently on terms of remarkable intimacy with the king.¹

And even if Stury lent his countenance to the Lollard articles, he cannot have sincerely believed them. At the time when, according to the St. Albans chronicles, he was denouncing the mass and special prayers for the dead, he was still paying for masses on behalf of the late Duchess of York: and condemnation of armourers and goldsmiths comes strangely from a soldier and courtier who, probably at that very time, was helping to determine an appeal in a cause of arms from the Constable's court.² It is hard to see what Stury could hope to gain by pretending to support such conclusions when his insincerity would be manifest to all who knew him. In fact, the above considerations, when taken together, make it difficult to believe that Stury's name ought to have been mentioned at all in this connection.

Unfortunately, Stury had little chance of giving further evidence of his religious beliefs. He was with the king at Eltham in July, and there he met Froissart, whom he had not seen for over twenty-four years, and walking with him in the vine-covered alleys of the palace garden, he recounted what had passed at the morning's meeting of the council, and expressed his opinion of the political situation. A day or two later he obtained for Froissart an opportunity of giving Richard the book which he had brought as a present.³ But this is the last we hear of him, for on September 12 of the same year he died.⁴

A survey of Stury's career does not leave a pleasant impression. His association with John of Gaunt's gang of political jobbers, his friendship with Alice Perrers, the unconquerable aversion felt towards him by the Black Prince, his transference of allegiance to the Prince's widow just when the duke's star seemed on the decline, his reputation as a maker of mischief between kings and their advisers—all go to make up a picture of an unscrupulous, self-seeking, and time-serving adventurer. It is true that most of our information about Stury's character comes from the St. Albans writers, whose judgments are generally one-sided and prejudiced

¹ Froiss., xv. 157; *Cal. Pat.*, Ric. II., v. 570, 576. Froissart's evidence in this case is that of an eye-witness.

² *Eng. Hist. Rev.*, xxii. 299, 304; *Test. Vetust.*, 135; *Cal. Pat.*, Ric. II., v. 531.

³ *Ibid.*, xv. 157 ff.

⁴ *Inq. post mort.*, Ric. II., File 89.

against any one connected with John of Gaunt; and it must not be forgotten that Froissart speaks in high terms of his friend. But, though the invective of the chronicles should not be treated too seriously, the evidence of official records rather confirms than contradicts the main facts they report; and Froissart's eulogy is discounted by the fact that he never saw Stury from 1371 to 1395, and that he was apt to take a restricted view of the moral character of his friends. Sir Richard had his good points. He was a brave soldier. He must, too, have been a man of energy and ability; for with no material resources at his back,¹ he rose from a humble position² to one of much dignity and considerable wealth.³ His possessions at his death included a MS. of the *Roman de la Rose*,⁴ and this, added to his friendship with Froissart, and his acquaintanceship with Chaucer, suggests that he had literary interests. But, whatever his virtues, he was not a man likely to hazard his prosperity by throwing in his lot with a sect of unpopular heretics.

Concerning Thomas Latimer much less can be ascertained. He was a distant relative of the Lord Latimer impeached by the Good Parliament, and was born in 1341.⁵ Though only the third son of his father, he possessed, partly through the death of his brothers without heirs and partly in right of his wife, considerable landed property, mainly in Leicestershire and Northants.⁶ His chief seat was at Braybrooke in the latter county. As a young

¹ I have not been able to find anything inherited by Stury from his father, who in any case was not a rich man.

² As an esquire of the household, Stury would be allowed 40s. a year for two sets of robes. Otherwise he would receive no regular stipend, except by special favour of the king. (*Exch. Accts.*, K.R. Wardrobe, 392/12, 393/11.)

³ In the record of the inquisition into his possessions taken after his death, only Bolsover is mentioned (*Inq. post mort.*, Ric. II., File 89). But in 1385 he held the manor of Barnwell, Northants, in tail male, and there is no evidence that it had changed hands (*Cal. Pat.*, Ric. II., ii. 532, *cf.* i. 314, ii. 160). He also drew £100 per annum from the lordship of Oakham, 50 marks from the lordship of Aberystwith, and 50 more from the revenues of Carmarthen (*Cal. Pat.*, Ric. II., i. 337, 453). He was in joint-ownership of the manors of Risinglass, Suffolk, and Hickling, Norfolk, though his share cannot have yielded much (*Cal. Claus.*, Edw. III., xiii. 340). In addition, of course, he would receive a regular salary as councillor and knight of the chamber. He seems to have died without issue. His widow was Alice, daughter of Sir John Blount and Elizabeth Furneaux, whom he apparently married early in 1385. (*Miscellanea Genealogica et Heraldica*, 3rd series, iii. 273; *Cal. Pat.*, Ric. II., ii. 532.)

⁴ *Catalogue of MSS. Bibl. Reg.*, p. 297.

⁵ G. E. C., *Complete Peerage*, v. 21.

⁶ *Inq. post mort.*, Henry IV., File 24.

man he saw much military service in France: in 1366 he was serving under the Black Prince, whom he followed to Spain in the next year;¹ in 1369 he fought under the same commander in Aquitaine, and four years later he appears in the retinue of John of Gaunt.² For some time afterwards, however, nothing is heard of him.³ As a wealthy landowner, he was not dependent, like Clifford and Stury, on the favour of noble patrons; and for several years he seems to have lived on his estates. He was perhaps connected with John of Gaunt's party, in which his kinsman, Lord Latimer, was one of the leading figures, for at the Parliament of January, 1377, which had been packed in the interests of the duke, Sir Thomas was one of the members for Northamptonshire.⁴ In 1378 he probably accompanied the expedition to Brittany,⁵ and in the autumn he again represented Northants at the Parliament of Gloucester, where he would hear Wycliffe read a discourse on the abuse of the right of sanctuary.⁶ For the next few years Latimer is prominent as a justice of the peace and a member of judicial and administrative commissions in his county;⁷ it is of course to this period that Knighton refers his support of the Lollards. Later he perhaps entered the service of the Princess of Wales; for in 1385 he was in attendance on her during Richard's invasion of Scotland.⁸ He is, as we have seen, mentioned in 1387 by Walsingham in connection with Pateshull, and in the same year he was summoned to appear before the council with certain heretical books and pamphlets that were reported to be in his possession.⁹ This is the only instance where one of the knights under discussion is connected with Lollardy in an official document, and it is the more regrettable that it tells us so little. Nothing is known of the issue of Latimer's examination; we cannot even be sure whether the books belonged to him, or had been seized by him from Lollards in his neighbourhood.¹⁰

¹ Dugdale, *Baronage*, ii. 33.

² *Foed.* (ed. 1830), iii. pt. 2, 857; *John of Gaunt's Register*, i. 33.

³ *Cal. Claus.*, Edward III., xii. 472.

⁴ *Returns of M.P.'s*, i. 196.

⁵ *Rot. Franc.*, 1 Ric. II., p. 2, m. 19.

⁶ *Returns of M.P.'s*, i. 200.

⁷ *Cal. Pat.*, Ric. II., ii. *passim*.

⁸ *Foed.*, vii. 474.

⁹ *Pell Issue Roll*, Easter, 11 Ric. II., m. 4.

¹⁰ The entry records the payment of a messenger sent with a writ 'directo Thome Latymere militi de veniendo Londinium coram consilio regis cum certis libris et quaternis in custodia sua existentibus de erronia et perversa doctrina fidei catholice ut dicitur.'

The former alternative seems the more natural,¹ and perhaps it was the unfavourable result of the council's enquiries that accounts for Latimer's almost complete disappearance from public life after this time.

The St. Albans writers bring Latimer out of his obscurity at the beginning of 1395, and associate him with Stury in laying the Lollard articles before Parliament. The episode of 1387 goes to strengthen the case against him; in fact, if any of the knights mentioned in this connection was guilty of heresy, Latimer was the man. But he had no seat in the Parliament, and was not, like Clifford, Stury, and Montagu, attached to the court. If he really did present the conclusions to Parliament, he must have made a winter journey to London specially for the purpose. In that case, however, one would expect his enthusiasm to have marked him out as the Lollard leader, whereas the chronicler makes Stury the chief offender. And if Latimer was ready to run such risks in the interests of heresy, it is surprising that we hear so little of his activity in the cause. Such considerations, however, while justifying an attitude of caution, are not decisive enough to discredit the St. Albans writers altogether.

Latimer died at Braybrooke on September 14, 1401. His will, dated the day before, is very contrite in tone. He calls himself a 'false knight to God,' declares himself unworthy to lie in the church, and desires to be buried in the furthest corner of the churchyard. His 'wretched soul' he commends to God, trusting in the prayers of the Virgin and the saints. Sir Lewis Clifford was named as an overseer of the will.²

The accusations of Lollardy against Latimer, it will be seen, are on a firmer footing than those against Clifford and Stury. He cannot be proved guilty of anything inconsistent with a sincere adherence to Wycliffe's teaching, and a State record in addition to his will supports the charges of the chronicles. It is quite possible that we have in him a genuine supporter of the Lollard attempt at

¹The wording of the Issue Roll tends to support this view (*cf. Rot. Pat.*, 11 Ric. II., p. 2, m. 26 d). Latimer, moreover, was not on the commission of the peace at this time, nor does his name appear in any of the special commissions appointed to seize Lollards and their books (*cf. Cal. Pat.*, Ric. II., iii. 427 *et passim*). Any measures taken by him against Lollardy would therefore be due to private enterprise.

²*Inq. post mort.*, Henry IV., File 24; *Testamenta Vetusta*, 158 f. Latimer died without issue, and his younger brother Edward succeeded to his lands. (*G. E. C.*, v. 21 f.)

religious reform, though we cannot be sure that his conversion to orthodoxy did not occur some years before his death.

The career of John Montagu, after 1397 Earl of Salisbury, has been treated at length in the *Dictionary of National Biography*, and little need be added to what is said there. The accusations of Lollardy against Montagu are all from the St. Albans writers, and appear under the dates 1387, 1395, and 1400. There seems no reason to doubt Walsingham's story of the removal of the images from the chapel at Shenley, which is only a few miles from St. Albans, and the presence of Hereford would show that Montagu's support of the Wycliffites continued till at least 1386.¹ But his views must have changed in 1391, for in that year he set out for Prussia, where he fought in a crusade against the Lithuanians.² It is impossible to reconcile this act with an acceptance of Wycliffe's teaching, for as a cultured man and a soldier Montagu must have been aware of the Lollard views on crusades. Perhaps his succession in 1390 to his father's property had rendered him more content with the established order, and the conversion of Hereford about this time doubtless had its effect on his patron.³

In 1395 Montagu was a member of the House of Peers,⁴ and thus the only one of the so-called leaders of the Lollards with a seat in Parliament. It is therefore strange that the chroniclers do not ascribe to him a more prominent part in supporting the Lollard conclusions. The fact that he signed the letter asking the king to return is of little moment: as a member of the council he could hardly refuse to do so.⁵ But his crusading expedition renders it most unlikely that he should have subscribed to the Lollard articles, with their strong condemnation of such enterprises. Of course it is conceivable that between 1392 and 1395 Montagu relapsed into heresy. In that case, however, he was once more re-converted by 1399, for in that year Pope Boniface IX. granted him indulgence to possess a portable altar and to choose his own confessor.⁶ It does not appear whether Montagu made any use of

¹ See *Dict. Nat. Biog.*, s.v. Nicholas of Hereford. Hereford cannot have reached England from Italy till late in 1385.

² *Rot. Franc.*, 5 Ric. II., m. 12.

³ Hereford must have abjured Lollardy some time before December 12, 1391 (*Cal. Pat.*, Ric. II., v. 8), possibly by June 20, 1390 (*Ibid.*, iv. 261), though the Nicholas Hereford referred to under that date may not have been the preacher.

⁴ After the death of his father in 1390 he sat as Baron Montagu till he succeeded to his uncle's earldom (*G. E. C.*, v. 339).

⁵ *Proc. Priv. Council*, i. 59.

⁶ *Cal. Papal Registers*, iv. 216, 220.

these privileges, but no motive could account for the bestowal of these favours on a notable heretic who held that the mass 'inducith alle men but a fewe to ydolatrie,' and that auricular confession led to unmentionable sin.¹ Montagu's orthodoxy in 1399 makes it hard to believe that he was a Lollard in 1395.

Just a year after the Pope's grant, Montagu perished at Cirencester during the collapse of a conspiracy against Henry IV. Considering the circumstances of his death, it is of no great moment if he died without confession. That such was the case, moreover, is not certain: the chronicler himself is doubtful about it.² In any event his statement that the earl was a life-long heretic and patron of heretics is, as we have seen, an exaggeration.

Intellectually Montagu was evidently a man of great culture and refinement, but his moral character was less attractive. He was one of Richard's chief advisers and abettors during his tyranny; and the lack of scruple which marked his public career³ seems to have appeared also in his private dealings.⁴ Apart from the references to his support of Lollardy, no one would suspect him of deep interest in religion. In regard to his beliefs the conclusion to be drawn is, I think, that while up to 1390 or thereabouts he defended and maintained Wycliffite preachers in open defiance of ecclesiastical authority, after that date he was obedient to the laws of the church. A genuine Lollard in his later days he certainly was not.

The four knights hitherto dealt with fall into a group apart from the rest. The accusations of heresy are much better supported in their cases than in those of the others. Yet there seems good reason to believe that Clifford and Stury were never real Lollards at all, and that Montagu abandoned the cause some ten years before his death. It is possible to speak still more confidently in regard to the remaining knights, for not only are the charges against them weaker, but there is often stronger evidence on the other side.

¹ *Eng. Hist. Rev.*, xxii. 297, 301.

² *Ann. Henry IV.*, 324 f.; *Wals.*, *op. cit.*, ii. 244. The former says (p. 326): 'Comes Sarum, qui Lollardorum fautor fuerat in tota vita, et imaginum vilipensor, sacramentorumque derisor, sine sacramento confessionis, si verum est quod vulgo dicitur, miserabiliter vitam finivit.'

³ For instance, after consenting to act as one of the attorneys of the banished Hereford, he agreed to the revocation of his own powers (*Foed.*, viii. 49; *Rot. Parl.*, iv. 372). His friends considered him capable of shameless treachery. (*Rot. Parl.*, iv. 360.)

⁴ *Cal. Pat.*, Henry IV., i. 124, ii. 82.

The cases of Sir John Clanvowe and Sir William Neville naturally fall together. The former belonged to a Herefordshire family, which held Cusop Castle near Hay.¹ As a witness in the Scrope and Grosvenor suit he is reported to have stated that he was born in 1351;² but there are strong grounds for doubting the correctness of this date. At all events a John Clanvowe appears as an esquire of the royal household in 1349, when he had already seen military service;³ and though this may perhaps have been the reputed Lollard's father, one can hardly refuse to identify the John Clanvowe who in 1362 owed money to the king, or the knight of that name who in 1364 served in Brittany, with the witness in the Scrope and Grosvenor case.⁴

In 1369 Clanvowe fought in France under Chandos, and took part in the fight at which that hero was slain.⁵ Next year he served under Knollys,⁶ and in 1374 was at sea in command of a hundred men.⁷ It is likely that he was connected with the party of John of Gaunt, for at the Good Parliament he was one of those who stood bail for Lord Latimer.⁸ In 1378 he served under the duke, sharing with Neville, Stury, and Sir Philip de la Vache, in the command of 120 men.⁹ He soon began to command the steady favour of the king. He was retained in the royal service, and in 1381 was made steward of the lordship and constable of the castle of Haverfordwest. Four

¹ C. J. Robinson, *Castles of Herefordshire*, 41.

² *S. and G. Controversy*, i. 184, 437.

³ *Exchequer Accts.*, K.R. Wardrobe, 391/9.

⁴ Robinson (*loc. cit.*) says that John was the son of Philip Clanvowe, who played some part in the troubles of the reign of Edward II. (*Parl. Writs*, pt. ii. 68, 166). He gives no evidence in support of this statement, and it is perhaps more likely that the esquire of the household was Philip's son and the so-called Lollard's father. A John Clanvowe died in 1361, leaving an heir under age (*Cal. Pat.*, Edw. III., xii. 123; *cf. Cal. Claus.*, Edw. III., xi. 158). By August, 1362, he had apparently attained his majority (*Cal. Claus.*, Edw. III., xi. 421). If this was the John Clanvowe under discussion, the year of his birth would be 1341, and a small error, whether in hearing or reading his evidence, would explain the mistake in the Scrope and Grosvenor roll. No other John Clanvowe, certainly no other knight of the name, appears in contemporary records.

For Clanvowe's service in 1364, see *Foed.* (ed. 1830), iii. pt. 2, 725.

⁵ Froissart, vii. 447, 449, 456, 458.

⁶ *Ibid.*, 897f.

⁷ *Enrolled Accts.*, F., 49 Edw. III., F.

⁸ *Rot. Parl.*, ii. 326f. In 1373 Clanvowe's name appears in a list of those receiving presents from the duke. Among the others are several of Lancaster's relatives and Lord Latimer (*John of Gaunt's Register*, ii. 192).

⁹ *Enrolled Accts.*, F., 2 Ric. II., A.

years later he was granted full possession of these for life.¹ In 1382, when he was a knight of the chamber, he was appointed keeper of the forest of Snowdon.² About this time he fell seriously ill, and the court surgeon who cured him received a special mark of gratitude from the king.³ Between 1381 and 1386 he served on several commissions, mostly concerned with the maintenance of order in Wales and the March; in 1384 and the two succeeding years he again appears as knight of the chamber; and in 1385 he was named an executor of the will of the Princess of Wales.⁴ In the year last mentioned he was appointed to treat with the French, though it is doubtful whether he ever went, and later he took part in the invasion of Scotland.⁵ During the next winter he was sent to Calais to negotiate for peace and inspect the defences of the English strongholds in the district;⁶ on his return he was put on the commissions which arranged treaties with Portugal and with John of Gaunt, who was preparing to set out for Spain;⁷ he then went back to Calais, where, in command of eleven men, he did garrison duty;⁸ and in the autumn he and Neville were despatched to Essex and Suffolk to take measures against a threatened invasion.⁹ Clanvowe's remarkable activity at this time is a striking indication of the confidence felt towards him by the king, who was no doubt influenced in Sir John's favour by the latter's friend, Sir Simon Burley.¹⁰ It is noteworthy that for more than two years after September, 1386, Clanvowe's name is almost entirely absent from State records. In 1387 he is mentioned as a supporter of Pateshull, and during the crisis of that year he probably stood by the king, for on November 23, immediately after the Lords Appellant had brought their charges against Richard's chief counsellors, he was at court.¹¹ Having escaped the vengeance of the Merciless Parliament, he resumed his diplomatic activity in the autumn of 1388, when he was given the familiar task of

¹ *Cal. Pat.*, Ric. II., i. 627, iii. 14.

² *Ibid.*, ii. 104.

³ *Ibid.*, ii. 214.

⁴ *Ibid.*, ii. 17, 138, 575, iii. 214; *Exch. Accts.*, K.R. Wardrobe, 401/2; *Test Vetust.*, 14.

⁵ *Foed.*, vii. 466; *cf. Cal. Pat.*, Ric. II., 575; *Proceedings of Privy Coun.*, i. 8; *S. and G. Controversy*, ii. 437; *Rot. Scot.*, ii. 75.

⁶ *Foed.*, vii. 492; *Rot. Franc.*, 9 Ric. II., m. 10; *Enrolled Accts.*, F., 8 Ric. II., C.

⁷ *Foed.*, vii. 514, 520.

⁸ *Enrolled Accts.*, F., 9 Ric. II., B.

⁹ *Cal. Pat.*, Ric. II., iii. 214.

¹⁰ *Ibid.*, iv. 361; *Rot. Franc.*, 1 Ric. II., p. 2, m. 17.

¹¹ *Exch. Accts.*, K.R. Wardrobe, 401/19.

treating for peace with the French. The consequent negotiations were long and intricate, and it was not till the summer of 1389 that they ended with the conclusion of a three years' peace.¹ By this time Richard was once more his own master. Clanvowe again appears as a knight of the chamber, was put on the council, and soon afterwards was sent to Calais to negotiate with the Flemings.² In February, 1390, he was on a commission of enquiry in the Welsh march,³ but in the early spring he again crossed the channel. He and Sir William Neville had obtained the king's leave to take part in the crusade which Louis of Bourbon was about to lead against the Moors of Tunis, and with Thomas Lord Clifford and some hundred and twenty fellow Englishmen, they joined the expedition when it was on the point of sailing. The two friends were apparently present at the futile operations before El Mahadia, where the English fought well, and, it seems, subsequently returned to Genoa with the majority of the survivors.⁴ If Froissart is to be believed, Clanvowe arrived at Paris in February, 1391, and a little later appeared at Tours, charged by Richard with important political business.⁵ Froissart adds that Clanvowe afterwards returned to London, but his stay in England cannot have been long, for he and Neville soon made their way to the Eastern Empire, whether to fight the Turks or with a view to a pilgrimage to Jerusalem, does not appear. There, in a village near Constantinople, Clanvowe died on October 17, 1391, to be followed after two days by Neville, who in his grief refused to take food.⁶

¹ *Foed.*, vii. 610 ff., 616 ff., 622; *Enrolled Accts.*, F., 11 Ric. II., K.; Froiss., xiii. 318. Clanvowe was sent to the King of France to witness his oath to the truce (*Ibid.*, xiii. 353).

² *Exch. Accts.*, K.R. Wardrobe, 402/5; *Rot. Franc.*, 12 Ric. II., m. 3; *Foed.*, vii. 648, 654; *Proc. Privy Council*, i. 6. 14 c; *Enrolled Accts.*, F., 12 Ric. II., C.

³ *Cal. Pat.*, Ric. II., iv. 217.

⁴ Cabaret, *La Chronique du bon duc Loys de Bourbon*, 222 f.; *Contin. Polychronici* (R.S.), ix. 235; *Rot. Franc.*, 13 Ric. II., mm. 8, 11.

⁵ Froiss., xiv. 288, 355.

⁶ *Contin. Polychron.*, 261. The same authority mentions that in the summer Thomas Lord Clifford had died 'in a certain island' on his way to Jerusalem. As Clifford had been to Tunis, it is perhaps likely that Clanvowe and Neville were on pilgrimage also. The monk of Evesham (*Vita Ric. II.*, 123) mentions their deaths, but says they occurred in Barbary in 1392. Clanvowe's prosperity depended almost entirely on the goodwill of the king. He probably owned a little property in the Welsh march (*Cal. Claus.*, Ed. III., xi. 158; *Cal. Pat.*, Ed. III., xii. 123), but otherwise he seems to have possessed nothing save his life-interest in Haverfordwest, the keepership of the forest of Snowdon, and his wages and perquisites as councillor and knight of the chamber.

Clanvowe's faithful friend was the younger son of Ralph, second Lord Neville of Raby.¹ In the Scrope and Grosvenor case he gave 1350 as the year of his birth;² but his career makes it probable that, like Clanvowe, he was older than he said. According to himself, he was 'armed' in 1363, but nothing is heard of his achievements till 1370, when, serving as a knight in the raid of Sir Robert Knollys, he distinguished himself in a reconnaissance before Arras, and was taken prisoner at Pontvallain.³ Neville's rise was remarkably rapid, for in 1372 he was made admiral of the north, and sailed with two hundred men in his personal retinue.⁴ In the following year he was one of the commanders in a successful action at St. Malo, which resulted in the destruction of seven Spanish ships, and enabled the English to throw reinforcements and food into Brest.⁵ He retained his position as admiral till 1376.⁶ It is natural to infer from this that he was in sympathy with Lancaster's party, and the suspicion is confirmed by the fact that Neville stood bail for Lord Latimer during the Good Parliament.⁷ At this time he evidently lost his command; but during

¹ *Scrope and Grosvenor Controversy*, ii. 442; *Durham Wills and Inventories* (Surtees Society Publications, vol. ii.), 38 f.

² *S. and G. Controversy*, i. 187. A William Neville was owed military wages in 1347, but I assume him to have been another of the name (*Exch. Accounts*, K.R. Wardrobe, 391/9, p. 15). The ramifications of the Neville family were so numerous and intricate that the greatest caution is necessary in tracing the career of any of its members. There was another Sir William Neville alive in the second half of the fourteenth century. He had estates in North Yorkshire, and is sometimes distinguished as 'of Pickhill,' or 'of Fencotes.' Most unfortunately he also held the manor of Rolleston in Nottinghamshire, and was thus brought into connection with the very county with which the reputed Lollard was specially associated (*Genealogist*, xxvii. 6; *S. and G. Controversy*, i. 154, ii. 442; *Foed.* (ed. 1830), iii. p. 2. 871; *Rot. Claus.*, 1 Ric. II., m. 42d; *Rot. Franc.*, 1 Ric. II., p. 2, mm. 12, 17; *Rot. Scot.*, ii. 68; *Cal. Pat.*, Ric. II., iv. 271, v. 591; *Foed.*, viii. 414). In some cases where the name occurs it is impossible to be sure which of the two knights is meant.

³ *Foed.* (ed. 1830), iii. pt. 2, 897 f.; Froiss., viii. 19, 52, 53. The same authority (p. 32) says that Neville was at the siege of Limoges, but this is unlikely.

⁴ *Foed.* (ed. 1830), iii. pt. 2, 937; *Enrolled Accts.*, F., 46 Edw. III., B. During part of his voyage Neville drew banneret's pay, though he was never more than a knight bachelor.

⁵ Froiss., viii. 245, 247, 252, 258, 260.

⁶ *Foed.* (ed. 1830), iii. p. 2, 1006, 1046, 1054; *Enrolled Accts.*, F., 49 Edw. III., A.

⁷ *Rot. Parl.*, ii. 326 f. Cf. also Lancaster's gift to him in 1372 (*John of Gaunt's Register*, i. 54).

Lancaster's ascendancy in the last months of his father's reign, Neville was granted an annual pension of 100 marks.¹

In 1378 Neville, as was mentioned above, shared the command of a contingent in Lancaster's fleet, and perhaps sat as member for Nottinghamshire at the Parliament of Gloucester.² The next year saw him on the list of king's knights,³ and the influence which he had lost after 1376 was now regained. He was a knight of the chamber in 1381, and in that year was appointed keeper of Sherwood Forest and constable of Nottingham Castle for life, as well as keeper and justice of the forests beyond Trent.⁴ Two years later he was employed in negotiations with France.⁵ In 1384 he was still a knight of the chamber; and during that year and the two next spent much time on the Scottish border, whether treating with the Scots, inspecting the English defences, or helping to garrison Carlisle.⁶ Mention has already been made of his appointment with Clanvowe to take measures for the protection of the east coast against the threatened invasion of 1386. Otherwise little is heard of Neville about this time. In January, 1387, he exchanged the office of keeper of the forests beyond Trent with Sir Thomas Clifford for several manors in Cornwall and Devon,⁷ but apparently retained the custody of Sherwood.⁸ He was evidently on the king's side in the crisis of this year: Archbishop Neville of York, one of Richard's counsellors accused by the Lords Appellant, was his brother, and he himself was at court on November 23.⁹ Next year he seems to have been sent abroad, though on what errand does not appear;¹⁰ in 1389 he was again a knight of the chamber, and was made a member of the council.¹¹ Early in 1390 he was at Calais on a commission of

¹ *Cal. Pat.*, Ric. II., i. 277.

² *Enrolled Accts.*, F., 2 Ric. II., A.; *Returns of Members of Parliament*, 200. The M.P. may have been the other Sir William.

³ *Cal. Pat.*, Ric. II., i. 334.

⁴ *Ibid.*, ii. 54, 60; *Enrolled Accts.*, F., 5 Ric. II., F. ⁵ *Foed.*, vii. 305.

⁶ *Exch. Accts.*, K.R. Wardrobe, 401/2; *Rot. Scot.*, ii. 69, 70, 75, 82; Froiss., x. 394.

⁷ Calistoke, Tremarton, and Ashborough, Cornwall, and Winkleigh, Devon (*Cal. Pat.*, Ric. II., iii. 267).

⁸ *Cal. Pat.*, Ric. II., v. 449.

⁹ *Exch. Accts.*, K.R. Wardrobe, 401/19; *Cal. Pat.*, Ric. II., iii. 431.

¹⁰ *Rot. Franc.*, 11 Ric. II., m. 8.

¹¹ *Exch. Accts.*, K.R. Wardrobe, 402/5; *Proc. Priv. Council*, i. 6, 11, 12d, 14c, 17; *Cal. Pat.*, Ric. II., iv. 214.

enquiry into the misdeeds of the governor of Guisnes,¹ and soon afterwards, as we have seen, set out for Africa with the Duke of Bourbon. From that time his fortunes were doubtless much the same as Clanvowe's.²

Walsingham's account of the doings of Pateshull in 1387 is the only place where either Clanvowe or Neville is accused of favouring heresy. On the other hand, we know that a year or two later they went on crusade, and that they died while probably on pilgrimage. In the eyes of a Lollard a pilgrimage, while less criminal than a crusade, was equally foolish.³ It is thus evident that, even if we are to believe Walsingham, their views must have changed in a very short time. But quite as significant as their presence on a crusade or the circumstances of their deaths is the way in which they are spoken of by the chronicler who records their fate. He was a Westminster monk,⁴ well informed regarding the court, and, for one of his class, a careful and accurate historian. He has plenty to say about Lollardy, of which he was a bitter foe. But though Clanvowe and Neville were well known at Westminster, he has nothing but praise for their characters and attainments.⁵ Evidently no rumour of their heterodoxy had reached his ears. In face of his very emphatic testimony, Walsingham's rather indefinite evidence must give way; and while it is possible that the two knights had befriended an occasional Lollard preacher in the early days of the sect, we cannot believe that they ever accepted Wycliffe's doctrines themselves, or were conspicuous in defence of those who did.

Though much is known about the career of Sir John Cheyne, his origin is quite uncertain. There were Cheynes in Bucks, Kent, and Cambridgeshire; but the only county specially associated with the alleged Lollard was Gloucestershire, and this connection can be traced entirely to acquisitions made by Sir

¹ *Ibid.*

² At his death he seems to have possessed no resources except what he derived from the pension, estates, and appointments already mentioned.

³ See, for example, *Wycliffe's Sermons* (Wycliffe Society), ii. 341; *English Works of Wycliffe* (Early English Text Society), 7, 102 f., 343; *ante*, xxii. 300.

⁴ See Dr. J. Armitage Robinson's paper, *An Unrecognized Westminster Chronicler* (London, 1907).

⁵ 'Johannes Clanvowe, miles egregius.' 'Erant isti milites inter Anglicos famosi viri, nobiles, et strenui, ac etiam de genere claro producti' (*Contin. Polychron.*, ix. 261).

John himself.¹ Regarding Cheyne's early days an interesting question arises. In recounting his doings at the Parliament of Coventry in 1404, Walsingham mentions a report that he had formerly been in deacon's orders, which he had irregularly renounced.² Now a John Cheyne appears from 1372 to 1383 as a clerk in the service of John of Gaunt. He was successively treasurer of the duchess and of the duke's household, and receiver for the honour of Tutbury and the duke's lands in Derbyshire. In 1373 and 1374 he is referred to as parson of Hanbury-in-Needwood.³ Was this Cheyne the same man as the knight afterwards under suspicion for his religious views? John of Gaunt's official is never styled knight, but when any designation is given, always 'clerk';⁴ and the John Cheyne under consideration was married before the death of Edward III, and a knight in 1378, some years before John Cheyne, clerk, left the duke's service.⁵ From this it would seem that we have to do with two different persons. On the other hand, among Cheyne's bequests appear a set of priest's vestments and a psalter 'glossed' by Richard 'the Hermit.'⁶ Cheyne, moreover, was several times chosen to go on difficult and delicate business to the papal curia,⁷ and this suggests that he had a knowledge of Latin and some acquaintance with the canon law. There may then be something after all in the rumour preserved in Walsingham. And seeing that on the accession of the house of Lancaster, Sir John at once leaped into unprecedented prominence and received many marks of royal favour, he may even prove to be the former clerk in the service of the duchy.⁸ In that case, it would have to be

¹ *Cal. Pat.*, Ric. II., ii. 312, Henry IV., i. 205, 431, 559; *Cal. Papal Registers*, iv. 328; *Returns of M.P.'s*, i. 237, 244, 247, 258.

² *Hist. Ang.*, ii. 265-6.

³ *John of Gaunt's Register*, i. 127, 151, ii. 17, 118, 236, 297 *et passim*; *Duchy of Lancaster Records, Miscellaneous Books*, xiv. 14, 18, 18b, 34b, *et passim*; *cf. John of Gaunt's Register*, i. xiii. There was a John Cheyne, clerk, who in 1362 and 1363 was granted a pension at the wish of the king (*Cal. Pat.*, Edw. III., xii. 388, 554); but there is no reason for identifying him with the object of this inquiry.

⁴ He is still referred to as such in Dec. 1380 (*Duc. Lanc. Records, Misc. Books*, xiv. 105b).

⁵ *Cal. Pat.*, Ric. II., i. 132.

⁶ *Reg. Arundel*, ii. 203b; *Reg. Chichele*, i. 279b. The vestments include a chasuble, and two tunicles, albs, amices, fanons, and stoles.

⁷ *Vide infra*.

⁸ *Rot. Parl.*, iii. 424; *Cal. Pat.*, Henry IV., i. 205, 431; *Proceedings of Priv. Coun.*, i. 122, 127; *Wals.*, ii. 242. It may be noted that in 1372 John Cheyne

assumed that after 1376 Cheyne's duties in Derbyshire were often performed by deputy, and that when he is subsequently termed 'clerk,' it was because his post was naturally a clerical one. There is, however, not enough evidence to justify a definite conclusion on this point.

Apart from the references to John of Gaunt's clerk, our earliest mention of Cheyne concerns his marriage, before the death of Edward III., to Margaret, widow of Roger Tiptoft. Roger was a tenant-in-chief, and for marrying Margaret without the King's leave, Cheyne incurred a fine of £100, half of which was however remitted in 1378 by Richard II.¹ This act of grace may be connected with Lancaster's return to influence about the same time, and with the service rendered by Cheyne immediately afterwards in the Duke's expedition to Brittany, during which he was one of the knights in the retinue of Sir William Beauchamp and Sir Lewis Clifford.² Two years later he was sent to Brittany on important diplomatic business, and in the autumn of the following year he was again abroad, though where does not appear. In May, 1383, a few weeks after the last reference to John Cheyne in the Duchy of Lancaster records,³ he is mentioned as 'retained' by the king, and was given custody for life of the temporalities of the alien 'priory' of Beckford in Gloucestershire.⁴ Next year he was made keeper of Merk Castle, a post which he held till October, 1387.⁵ In the same year he apparently concluded with the Norman abbey of Bec an agreement whereby the temporalities of the house in Gloucestershire should become his for life.⁶

the clerk had acted as receiver for the young Henry Bolingbroke (*John of Gaunt's Register*, i. 127).

¹ *Cal. Pat.*, Ric. II., i. 132.

² *Rot. Franc.*, 1 Ric. II., pt. 2, m. 17; cf. *Enrolled Accts.* (K.R.), F., 3 Ric. II., C.

³ On April 7 he was still receiver of Tutbury (*Duc. Lanc. Records, Misc. Books*, xiv. 70).

⁴ *Cal. Pat.*, Ric. II., ii. 312. Beckford is commonly styled a 'priory' in the records. Really it was the manor of Beckford that Cheyne administered. The manor was a cell of the priory of St. Barbe-en-Auge, which used to send two monks as overseers of the property. There was no conventual establishment; even the parish church did not belong to the cell. Later, Cheyne came to an agreement with the mother house which secured both himself, his wife, and his son John in the custody of the property for their lives (*Cal. Pat.*, Ric. II., iv. 118, v. 632; *Cal. Pap. Reg.*, iv. 328; *Monasticon* (ed. 1846), vii. 1048).

⁵ *Rot. Franc.*, 8 Ric. II., m. 22, 11 Ric. II., m. 15.

⁶ *Cal. Pat.*, Ric. II., iii. 130, Hen. IV., i. 130.

Otherwise very little is heard of him at this time, and there is no indication of the side he took in the struggle between Richard and the Lords Appellant. Sir John sat as knight for Gloucestershire in the Parliament of 1390, which passed a revised version of the statute of Provisors.¹ Soon afterwards he went on the first of his visits to Rome, being commissioned to lay before Boniface IX. letters concerning the new statute, including no doubt the protest against provisions and reservations which was at this time signed by the leading magnates. While at Rome he obtained papal confirmation of the arrangement he had made regarding Beckford with the priory of St. Barbe.²

In 1393 and 1394 he again sat in Parliament for Gloucestershire,³ and in the autumn of the latter year accompanied Richard on his expedition to Ireland, where after the king's return he remained in the retinue of the Earl of March.⁴ For some years Cheyne's attention had been largely devoted to his duties as deputy of the Duke of Gloucester in the constable's court, and appeals against his decisions were frequent. On his return from Ireland in 1396 he resumed this position.⁵ In May, 1397, he went back to Ireland, where he again served under the Earl of March.⁶ An unsupported but respectable authority says that Cheyne was arrested in the summer of this year at the same time as Gloucester and Arundel;⁷ and according to a St. Albans writer Sir John afterwards referred in Parliament to an imprisonment which he had undergone 'by the procurement of his enemies.'⁸ Possibly the arrest was merely a precautionary measure in view of Cheyne's official connection with Gloucester. At all events, no judicial proceedings seem to have been taken against him; in March, 1398, he was at liberty, and the following June saw him employed on a Gloucestershire commission.⁹

That Cheyne, however, was opposed to Richard's tyrannical rule is suggested by his return for Gloucestershire to the Parliament of September, 1399.¹⁰ He was chosen Speaker, but next day resigned the position on the ground of ill-health, the result of his imprisonment.¹¹ In the meanwhile, however, Archbishop Arundel

¹ *Return of M.P.'s*, i. 237.

² *Enrolled Accts.*, F., 13 Ric. II., A; *Cal. Pap. Reg.*, iv. 328.

³ *Returns of M.P.'s*, i. 244, 247.

⁴ *Cal. Pat.*, Ric. II., v. 472, 562, 638.

⁵ *Ibid.*, v., vi. *passim*.

⁶ *Ibid.*, vi. 146.

⁷ *Chronicle of London* (ed. Nicolas), 81.

⁸ *Ann. Hen. IV.*, 302.

⁹ *Cal. Pat.*, Ric. II., vi. 318, 371.

¹⁰ *Returns of M.P.'s*, i. 258.

¹¹ *Rot. Parl.*, iii. 424; *Adam of Usk*, 36; *Ann. Hen. IV.*, 302.

had found time to warn convocation against Cheyne as a conspicuous enemy of the church. By modern writers this has often been regarded as equivalent to a charge of Lollardy; but the chronicler alludes to nothing more than a strong anti-clerical attitude, which would be quite compatible with doctrinal orthodoxy. That Cheyne had ever been regarded as favourable to heresy is indeed most improbable in view of the silence of Knighton and Walsingham on the matter and of Cheyne's mission to Rome and dealings with the pope; that he was reputed a Lollard in 1399 is incredible if it be true, as Walsingham's chronicle states, that Cheyne was picked out by the new king as one of the envoys who in the autumn of the year were commissioned to explain Henry's claim to Boniface IX.¹

The rest of his life Cheyne spent in prosperity and honour. To his former possessions he soon added certain estates and revenues of the abbey of St. Mary, Cormeilles.² He became a member of the Council, and his services were often used on commissions at home,³ but it was as a diplomatist that he achieved most fame. During 1404 he was employed in a series of prolonged negotiations with France.⁴ In the autumn of that year was the 'Unlearned' Parliament of Coventry, at which, as we have seen, Cheyne is reported to have led the knights in a demand for the confiscation of the temporalities of the church. But not only was Cheyne not Speaker, as Walsingham terms him,⁵ he was not even a member of this Parliament. It is indeed true that Sir

¹ Wals., *Hist. Ang.*, ii. 242. Walsingham is the only authority for the mission of Cheyne at this time; but Sir John's selection is intrinsically likely.

² *Cal. Pat.*, Henry IV., i. 205, 431. He was granted the manors of Kingston and Newent, and half the emoluments of the rectories of Newent, Beckford, and Dymock, which belonged to Newent priory. The rent due for Newent was soon afterwards remitted (*Ibid.* ii. 183), and from the revenues of the churches Cheyne received a grant which must have exceeded the rent which he paid the crown for them. On December 1, 1399, the rent due to the king from the temporalities of Bec was granted to Cheyne's son John for life (*Ibid.* i. 130).

³ *Proc. Privy Council*, i. 122, 127, 146, 191, 222, 295; *Rot. Parl.*, iii. 530, 572; *Cal. Pat.*, Hen. IV., ii. 183 *et passim*.

⁴ *Royal and Historical Letters of the Time of Henry IV.* (R.S.), 224, 279, 306; *Foed.*, viii. 378; *Proc. Priv. Council.*, i. 241, 267; *Enrolled Acts.*, F., 5 Hen. IV., A.

⁵ It is just possible that Walsingham may be using 'prolocutor' in the general sense of 'spokesman,' but in the context it is most natural to interpret it as 'speaker.' The same writer does not distinguish clearly between the king's knights and the knights of the shires. But the impression left is that Cheyne supported the proposal for confiscation in Parliament, and as Speaker.

John, attached to the court as he was, may have played some part in discussions outside Parliament. The best St. Albans chronicle of this time, however, omits all reference to Cheyne, and as Walsingham ignores him when describing the Parliament of 1399, it looks as if the latter writer, using his authorities carelessly, had confused the two occasions. In any case, however, he says nothing about positive Lollardy. Henry's knights had a bad reputation at St. Albans for their irreverence towards sacred things, and if Cheyne had been conspicuous for heretical leanings, it would no doubt have been noticed.¹

Soon after the Parliament of Coventry came the death of Sir Lewis Clifford, and Cheyne, who had long known him, was named as a supervisor of his will, and was bequeathed some of his goods.² In 1406 Cheyne visited Italy for the third time and on the most important business that had yet been committed to him. He was sent to placate papal wrath at the execution of Archbishop Scrope, and also to exert the influence of England for the termination of the great schism. His companion on this errand was Henry Chichele, afterwards Primate. They left England in the autumn, apparently conducted some business in France on the way, visited the anti-pope, Benedict XIII., at Marseilles, spent about a year in Italy, and returned in August, 1408.³ They were thought to agree with the pope as against the cardinals in regard to the best way of ending the schism; but on their return to England they gave the king unexpected advice which was instrumental in gaining his support for the Council of Pisa in the following year.⁴

In 1410 and 1411 Cheyne took part in a series of negotiations with the French.⁵ Next year he added to his lands the manor and hundred of Berton, Gloucestershire.⁶ He died before April 28,

¹ *Ann. Hen. IV.*, 395.

² *Test. Vetust.*, 164 f.; *Rot. Franc.*, 1 Ric. II., pt. 2, m. 17, 3 Ric. II., m. 8, 13 Ric. II., m. 12; *Enrolled Accts.*, F., 5 Ric. II., I. Cheyne may indeed have been distantly related to Clifford. A clerk called Roger Clifford is referred to in Cheyne's will as his cousin, and in 1391 a clerk of that name acted with Sir Lewis as attorney for the latter's nephew, Thomas, Lord Clifford (*Reg. Arundel*, ii. 203b; *Rot. Franc.*, 14 Ric. II., m. 6).

³ *Foed.*, viii. 446, 452, 479; *Enrolled Accts.*, F., 9 Hen. IV., C.; Muratori: *Scriptores rerum Italicarum*, iii. pt. 2, 800; MS. Cotton, *Cleop. E II.*, 249 f.; N. Valois: *La France et le grande schisme d'Occident* (Paris, 1896-1902), iii. 569 n.

⁴ *Libri viii. epistolarum Leonardi Arretini*, i. 72.

⁵ *Foed.*, viii. 636, 694 f

⁶ *Cat. Pat.*, Hen. IV., iv. 451.

1414.¹ His will was dated Nov. 1, 1413.² He describes himself as 'stinking carrion' shall be buried at the east end of the chapel which he had built in the churchyard of Beckford. There follow various pious bequests, mostly to secure the repose of his soul,³ and apparently in a codicil, he establishes a fund of forty pounds from which the tenants of Beckford are to be allowed to borrow sums not exceeding forty shillings.⁴ Cheyne left two sons. The younger, Edward, died in 1415, leaving three sons, two of them small boys. The tone of his will is repentant, and very like that of his father's.⁵ The other son, John, who had been with his father to Rome, and was an esquire of Henry IV., died intestate in 1420, leaving a daughter, Anne, aged twelve years.⁶

Cheyne is nowhere charged with holding Lollard views, and there is no good reason to suppose that he did. The tone of his will may be thought to point in that direction. But as there are strong indications that Cheyne was reputed orthodox in 1390, 1399, 1406, and for some time before his death,⁷ it is hard to find a period to which a belief in Lollard doctrines can be referred. After all, if Sir John had been a conspicuous enemy of the clergy, and if, as there is reason to suspect, he had been in orders and unfrocked himself, he had, from the medieval standpoint, ample cause for remorse.

There remain the three knights mentioned by Knighton only. Apart from his reference there is nothing to connect them with Lollardy. John Trussell belonged to the junior branch of a family which held extensive property in the Midlands; and he himself owned estates in Warwickshire, Northants, and Leicestershire. He was commissioner of array for Northants in 1385 and 1392, and was doubtless well known in the neighbourhood of Leicester. When Knighton wrote he must have been a young man, as he did not die till 1439.⁸ The absence of any further

¹ *Reg. Arundel*, ii. 203b.

² *Cal. Pat.*, Hen. IV., iv. 451.

³ *Ibid.*

⁴ *Reg. Chichele*, ii. 306a.

⁵ *Reg. Arundel*, *loc. cit.*, *Chichele*, 278a, b.

⁶ *Wals.*, *Hist. Ang.*, ii. 242; *Cal. Pat.*, Hen. IV., iv. 148; *Inq. post. mort.*, 8 Hen. V., No. 113; *Reg. Chich.*, ii. 285b.

⁷ His having built a chapel at Beckford is conclusive as to this.

⁸ *Dugdale*, *History of Warwicksh.*, ii. 715, 718, 941, 958; *Bridges*, *Hist. of Northants*, ii. 263, 507; *Baker*, *Hist. of Northampton*, i. 153, 154, ii. 275; *Nichols*, *History and Antiquities of Leicestershire*, ii. 511, 523, iv. 143, 327; *Cal. Pat.*, Ric. II., ii. 590, v. 90. The chief seat of the branch of the family to which Sir John

allusion to his support of heresy makes it probable that he soon changed his attitude.

Sir John Peche was born about 1361. Succeeding to his father's estates at the age of fifteen, he was at the time to which Knighton refers, lord of several manors, mostly in Warwickshire. It is interesting to note that Hampton-in-Arden, where Peche seems usually to have resided, is close to Solihull, which Trussell for some time held in right of his wife. Whatever support Peche may have given to Lollardy was shortlived, for he died on May 1, 1386.¹

Of a knight called Reginald Hilton I have been unable to find any further trace. One might suspect Knighton of a mistake over the Christian name of Sir Robert de Hilton, who often appears in contemporary records, were it not that he lived in Yorkshire,² which seems never to have become infected with Lollardy. It might also be thought that the chronicler, who puts Hilton at the end of his list, had forgotten that he was speaking of knights, and meant a certain Reginald Hilton, king's clerk, who was controller of the royal household from 1377 to 1381.³ Some colour would be lent to this supposition by the fact that in 1389 Reginald Hilton, presumably the same man, became a canon of St. Mary's collegiate church, Leicester.⁴ But it is impossible to conceive why such a distinguished pluralist⁵ as Hilton should have supported Lollardy, even in its earliest phase. In fact, if Knighton's mention of Sir Reginald is worth anything, he must have been an altogether obscure man.

Wycliffe
was a noble
pluralist
until his
death

After this examination of the separate careers of the knights the conclusions reached may be briefly summarised. Clanvowe, Neville, and Cheyne may be pronounced not guilty of the

Trussell belonged was at Floore, near Northampton, but it seems not to have come into his personal possession till 1404 (Baker, *op. cit.*, i. 154). Dugdale (*op. cit.*, ii. 718) says that he died before 1383, but this is a palpable error.

¹ Dugdale, *Hist. of Warwicksh.*, ii. 955; *Placita in Cancellaria*, File 14, No. 1.

² *Cal. Pat.*, Ric. II., *passim*; *P.R.O. Lists and Indexes*, ix. 162.

³ *Eng. Hist. Rev.*, xxiv. 504.

⁴ *Cal. Pat.*, Ric. II., iv. 157, 163. Knighton's account of the Lollards was evidently written considerably later than 1389. Cf. ii. 173 (nam Clemens papa schismaticus illis diebus adhuc florebat), 178 (nam Franci eidem Clementi adhaerebant), 188 (et nisi deus abreviasset dies asperitatis illorum, etc., which seems an allusion to Archbishop Courtenay's visit to Leicester in 1389, p. 311 ff.). Other indications point to the same conclusion.

⁵ For Hilton's preferments, see *Cal. Pat.*, Ric. II., i. 160, 168, 442, 502, 602, ii. 96, iii. 159.

reproach of heresy. The case against Clifford and Stury is stronger; but their belief in Wycliffe, if it existed at all, must have been partial and shortlived. Peche died in 1386, and Montagu's heretical days appear to have ended by 1390. As Trussell escaped the censure of Walsingham, it is likely that he soon abandoned the attitude ascribed to him by Knighton. Of Hilton nothing is known. Latimer, in fact, is the only one from whom Lollardy can have derived continued or substantial support, and even he made an orthodox end.

It may be thought that insufficient justice has been done to the chroniclers. They seem to be supported by the wills of Latimer, Clifford, and Cheyne—so strikingly similar in their expressions of remorse. Stury, Latimer, Trussell, and Peche had estates at no great distance from Leicester. Montagu's manor of Shenley is only six or seven miles from St. Albans. Moreover, Knighton and Walsingham are quite independent of each other, yet both bring the same charge against Stury, Clifford, and Latimer. And in one respect their evidence finds strong corroboration in the records. Certain men are accused of Lollardy, and assuming that the charges are true, we should naturally infer that they were in close touch and on friendly terms with one another. Regarding Trussell, Peche, and Hilton there is no evidence on this point beyond the fact, already mentioned, that the first two held contiguous estates in Warwickshire. But official records at once make it clear that all the rest knew one another well. Numerous illustrations of this have already been adduced, and they are only a few out of the many that might be cited. In fact, when the name of one of the knights occurs, the odds are that at least one other will be mentioned in the same document. Sometimes four, frequently three of them appear together, and almost any two may be found in combination.¹ It is specially remarkable that Cheyne, whom the chroniclers never bring into explicit connection with the rest, proves to have been most familiar with them. Of course the connection of most of the knights with the court is amply sufficient to account for their mutual acquaintance: the striking point is that the chroniclers, with several score of king's knights to choose from, should pick out as fellow-heretics some half-dozen who as a fact were particularly intimate.

It is evident that Knighton and Walsingham were not merely

¹ I have not met with a case where either Latimer or Montagu is associated with Clanvowe or Neville; but they had so many common friends that their acquaintanceship is certain.

repeating charges against men of whom they otherwise knew nothing. Their accusations can hardly be groundless. Nevertheless, in face of the considerations discussed above, it is impossible to believe that more than one or two of the knights honestly accepted Wycliffite doctrines for any length of time. Is there any explanation that will cover all the facts ?

A previous attitude of violent and unscrupulous hostility to the clergy is, I think, sufficient to account for the remorseful wills. Anti-clericalism, sometimes amounting to religious scepticism, was rife ; and apart from the accusations of the chroniclers, one would naturally expect our knights to share this attitude. Most of them had been in the French wars, and were doubtless accustomed to think of the pope as the ally of their enemies. Several had belonged to the party of John of Gaunt at the time when his feud with the clergy was at its height. Clifford had been in the service of the Princess of Wales, who was evidently sympathetic with the earlier phases of Wycliffe's teaching. If Cheyne was a renegade priest, he was likely to be particularly bitter against his former comrades. Moreover, the material resources of most of the knights were precarious. Latimer, indeed, was well off : so, after 1390, was Montagu. But Clifford, Stury, Clanvowe, Neville, and Cheyne were almost entirely dependent on the goodwill of the king. A political crisis might spell ruin. Stury was hard hit by the death of Edward III. ; and, as we have seen, the revolution of 1399 completely changed the prospects of Clifford, who died a comparatively poor man. Men in this position were naturally eager to establish their fortunes on a firmer basis, and the temporalities of the clergy must have seemed a promising source of plunder. It is significant that some of them jumped at the opening afforded by the ambiguous position of the alien priories.¹ To such men, the Lollard denunciations of clerical wealth must have seemed providential, and it is no wonder if they went to considerable lengths in their support of the sect.

Anti-clerical zeal will also go far to explain the charges brought against the knights by the chroniclers. Knighton does not state to what period his account of the knights refers ; but his mention of dukes and earls who supported Lollardy and the point at which he inserts the passage render it almost certain that he had the

¹ Clifford, Cheyne (*vide supra*), and Clanvowe. In 1386 the last-named was given leave to treat with the abbot of Bec for the transfer of some of the abbey lands in Gloucestershire, but the negotiations apparently came to nothing (*Cal. Pat., Ric. II., iii. 130*).

year 1382 specially in mind.¹ Now Knighton's treatment of Lollardy is highly coloured and demonstrably exaggerated; but even if his accusations against the knights are altogether true, they need not imply very much. For up to the summer of the year in question, active support of the Wycliffites was by no means incompatible with orthodoxy. Wycliffe's denial of transubstantiation had been made public only a year before and cannot have been generally understood; his doctrines had never been authoritatively condemned till the Blackfriars Council in the May of this year; Oxford University was still hotly on his side; and in July it was possible for John of Gaunt, whose professed creed was unassailably orthodox, to save a very outspoken Lollard from the stake.² A knight might champion a poor priest without any intention of supporting unsound dogma.

This explanation will not apply to the notices of the knights in the St. Albans chronicles, which refer to a time when the Lollards were notoriously heretics. But after all, this group of authorities gives little specific information. We read of Montagu's doings at Shenley, and that Stury and Latimer laid before Parliament the articles of 1395. Otherwise, we are simply told that these and one or two more were disrespectful to the host, that they were pleased with Pateshull's attack on the friars, that they aided and abetted the Lollards generally, that Montagu was said to have died without confession, and that Clifford changed his views before his death. Now the St. Albans writers, apart from criticisms made above, are admittedly inaccurate and unscrupulous. Walsingham, in particular, hated John of Gaunt, with whom several of the knights had been connected. And nice discrimination between various degrees of free-thought was not to be expected of a fourteenth century monk who lived in a country which had been wonderfully free from heterodoxy. If a protest against profane speech was enough to make even Chaucer's host 'smell a Loller in the wind,'³ it is not astonishing that the knights stank in the nostrils of the St. Albans monks. They were friends of the duke; they hated the clergy; they had supported the poor priests; one or two of them did so still; and the others rather welcomed Lollard attacks on the church. What more was needed to brand them as Wycliffites? The chroniclers may have been quite honest

¹ A later allusion by Knighton shows that he was trying to maintain a chronological sequence in his description of the Lollards (ii. 313).

² Knighton, ii. 193, 197.

³ *Canterbury Tales* (ed. Pollard), i. 247.

in their charges. But, except perhaps in the case of Latimer, they were mistaken in ascribing to the knights any persistent desire for a reform of the church in practice, organisation, and doctrine on the lines advocated by the Lollards.

As for the dukes and earls mentioned by Knighton as friends of the Lollard preachers, there is nothing to show whom he meant. One duke, John of Gaunt, gave the sect some shortlived encouragement, and late in life John Montagu became Earl of Salisbury. But even with the help of these, Knighton's plurals remain unsupported.

With respect to the gentry in general, we have no reason to suspect them of sympathy with the Lollard cause. It is indeed certain that much jealous dislike of the clergy and much irreverence and indifference towards religion could be found among them. But there was little desire to substitute a new faith for the old. It must have been seldom that one met with such men as the Wiltshire knight who ate the host with his oysters,¹ or Thomas Comperworth, an esquire of Oxfordshire, who is said to have been a Lollard preacher and a thorn in the flesh of the abbot of Oseney.² And though the House of Commons sometimes showed itself impatient of the power and wealth of the church, there is no trustworthy evidence of any disposition to criticise its doctrines.³ It is significant that, in his later years, Wycliffe apparently lost all faith in the nobility and gentry.⁴ Sir John Oldcastle, it is true,

¹ Wals., *ubi supra*.

² *Mon. Evesham*, 67; *Contin. Polychr.*, ix. 174. It is characteristic that when Comperworth was brought up for trial he speedily recanted.

³ According to common belief at St. Albans, the Commons proposed to lay violent hands on the church's temporalities in 1385 (Wals., *op. cit.*, ii. 139), 1404 (*Ibid.*, ii. 264; *Ann. Hen. IV.*, 391 f.), and 1410 (Wals., ii. 283). Regarding the first of these occasions, there is nothing in the rolls to support Walsingham: on the other hand, they contain a petition which shows that the Lower House was orthodox (*Rot. Parl.*, iii. 213). There is likewise nothing in official records to lend colour to the charge of anti-clericalism against the Unlearned Parliament. For a discussion of the Parliament of 1410, see my article on Sir John Oldcastle (*Eng. Hist. Rev.*, xx. 439 f.). In any case, predatory intentions towards the estates of the clergy were not incompatible with doctrinal orthodoxy. As for the Lollard articles of 1395, it is nowhere claimed that they aroused much sympathy, in Parliament or elsewhere.

⁴ *Cum ergo seculares domini non sine causa a deo habeant potestatem ad coerendum rebelles fidei, saltem non ipsos contra fidem ecclesie defendentes, tales domini . . . debent ex suo officio pro ista declaratione fidei laborare. Sed heu! amor Christi et fidei sue ab istis contempnitur, et plus quam Christus illud quod retardat ab isto officio infideliter preamatur* (*De Detectione Perfidiarum Antichristi: Wycliffe's Polemical Works*, i. 382). Though Dr. Buddensieg, the editor, hesitates

must have been a genuine Lollard. His case, however, goes far to prove that he was unique. If the clergy were bold enough to attack a personal friend of the reigning monarch, they would surely not have suffered the escape of less formidable offenders. But previous to Oldcastle's rebellion, no one of gentle blood was even put on his trial for heresy. Apart from the leader, moreover, only two men of good birth are known to have been concerned in the rising of 1414, and that these were Lollards is by no means certain.¹

It appears therefore that Lollardy made little appeal to the upper classes. Though its critical and destructive side no doubt met with much approval, its attempts at religious reconstruction were faced with hostility or, at best, indifference. The nobility and gentry had little to do with such success as it attained. That success, too, as it seems to me, has generally been over-estimated. It is the lack, not the abundance, of our information that is significant. In the fourteenth century, the least sign of opposition to the accepted faith was enough to scandalise the conservatives, proud as they were of England's former freedom from heresy; and like all upholders of orthodoxy, the chroniclers were apt to confound the merely sceptical and indifferent with the would-be reformer. Yet except among the St. Albans writers, notices of Lollardy after the death of Wycliffe are scattered and meagre. Sixteenth century Protestantism invested the Lollards with a posthumous renown, but there can be little doubt that, when their first energy had spent itself, they speedily became an obscure sect, destitute of living leaders, and vaguely re-echoing the teachings of a deceased founder whom they only half understood.

W. T. WAUGH.

as to the date of the tract, he is inclined to ascribe it to the early summer of 1382, just the time to which Knighton specially refers the activities of the knights. There is a somewhat similar passage in the tract *De citationibus frivolis* (*Polemical Works*, ii. 553).

¹ *Eng. Hist. Rev.*, xx. 641 f.

Reviews of Books

THE BATTLE OF BANNOCKBURN. A Study in Mediaeval Warfare. By W. M. Mackenzie, M.A. Pp. vii, 114. With two Plans. Crown 8vo. Glasgow: James MacLehose & Sons. 1913. 2s. 6d. net.

THIS attractively got up and bright little book contains just the sort of popular history of the battle which won Scottish Independence that a patriotic Scot would be the better for reading to equip himself to take part in the sixth centenary of the fight which is to be celebrated next year. It is, however, a good deal more than this, for it is based upon the careful study of the sources, and embodies the novel and striking conclusions as to the tactics of the great battle which Mr. Mackenzie has already given to the world in his workmanlike edition of Barbour's *Bruce*, and in his paper on *The Real Bannockburn*. As the authoritative presentation of Mr. Mackenzie's views on the subject, the book is a real contribution to historical research. We need not stress a too eager acceptance of the 'hagiographic' side of Barbour's poem, nor a tendency to repeat details, vouched for by Barbour, which are contradicted, or at least unsupported, by other authorities. A writer sixty years after the event is, for example, no great expert on the weather, and we should hardly stress, as Mr. Mackenzie does, Barbour's statement that the season of June of 1314 was exceptionally dry, even if the contemporary testimony of Robert of Reading¹ and the Monk of Malmesbury² had not told us that the summer of 1314 was, in southern England at least, a period of extraordinary rain, flood and cold. More important than such trivialities as this is the circumstance that Mr. Mackenzie's decision to put his results in popular narrative form sometimes obscures a little his scientific purpose and method. It is a great pity, for instance, that he nowhere discusses in detail some of the critical problems on which his narrative rests. The expansion of the excellent paragraph on pp. 97-98, on the four chief authorities used by him for the battle, would have made all the difference in this respect. Perhaps Mr. Mackenzie would have a sufficient answer to this criticism in a reference to his earlier studies, and in the fact that his results are there to speak for themselves. It would have been better, however, to have had a glimpse into the workshop and seen the historian at his task. In one respect we are lucky in the authorities for the battle. What 'national bias' has come into the story is later than the fourteenth century. The harmony of English and Scottish authorities is specially

¹ *Flores Hist.* iii. 160.

² *Chron. Edw. I. and II.* ii. 214.

remarkable, and stands in contrast with the discordant French and Flemish versions of the battle of Courtrai, to which two of Mr. Mackenzie's chief sources compare this battle. Perhaps Barbour, though so late, is a more trustworthy poet than Lodewijk van Velthem.

I have already had occasion to declare myself as substantially on Mr. Mackenzie's side. And I do so none the less cheerfully, because the acceptance of his views will compel me to recast more than one version of the battle that I have already published. I entirely agree with him in the incredibility of the generally received accounts. The ordinary plan of the battle can hardly survive an inspection of the ground. I have reluctantly come with him to the conclusion that we must pay no attention to the brilliant but theoretical account of the battle given by Geoffrey the Baker. I cordially agree with him that the four accounts Mr. Mackenzie follows are essentially in harmony with each other, and that Barbour, despite his poetic form and patriotic purpose, is a serious and honest authority who uses materials that are inaccessible to us save through him. Very convincing is the stress laid by Mr. Mackenzie on the importance of the two fights on Sunday, 23rd June, and notably the scuffle between Randolph and Clifford in the 'Carse.' The result of these two English disasters was clearly a change of plan on the part of the relieving forces. Hence their removal from the approach to Stirling along the direct road which the Scots had blocked effectively, to their uncomfortable bivouac amidst the pools and bogs of the Carse, where they spent the night in hourly fear of an attack. Hence, too, their demoralized and dispirited condition, which, reported to Bruce, induced him also to leave his strong position among the woods and hills, and offer battle in the plain. The English were forced to fight in a most unfavourable position. Their right rested on the Forth, and was not far removed from Stirling, with which they were all through the two days in constant communication, and to which many retreated after the defeat on both days. Their left touched the lower Bannock, where it was subject to tidal influence, and was not an easy stream to cross. As they faced westwards to meet the enemy, their backs were turned to the broad Forth, and escape was almost impossible. The boldness of Bruce in challenging a battle is worthy of all praise, and is justified by his easy success. But it is the hardest of all Mr. Mackenzie's doctrines to believe that the Scottish foot was the attacking force; and here, perhaps, it is not wise to overstress such phrases as Malmesbury's 'Douglas . . . aciem comitis Gloucestriae acriter invasit' (p. 203), and even the more emphatic testimony of *Scalacronica*, to the point of supposing that the heavy infantry of Scotland actually charged the English horse. Mr. Mackenzie deserts his favourite *Scalacronica* when he rashly suggests (p. 48) that Bruce had abandoned the traditional array of a Scots host in 'schiltrons.' Neither can one accept his rather fantastic *obiter dictum* (p. 73) that the mounted English host could in any sense be arrayed in a schiltron formation.

But it may be conceded that there was substantially an attack when the Scots ranged themselves facing eastwards on the plain of the Carse, and provoked the English to battle. The battle itself, however, must surely have been of the usual sort, when horsemen strove to penetrate the dense

Scottish squares. The direct offensive could only be assumed by the Scots when the English were becoming broken and scattered. There was, therefore, a little more of the Waterloo in it than Mr. Mackenzie admits, but it was a Waterloo in which the weaker force compelled the enemy to fight by going so near him that any other course was impossible. Baker, who described the battle with a head full of the story of Crecy and Poitiers, did not realize how different in kind Bannockburn was from the purely defensive battles of the English in the Hundred Years' War. Halidon Hill, where nineteen years later the Scottish columns boldly marched up the hill to attack the dismounted English men-at-arms on the higher ground, is the further development of Bruce's tactics, and failed not only because by 1333 the English had learnt to dismount and to support their men-at-arms by archers, but because the Scots on the later occasion offered battle on unfavourable conditions and to a well-equipped and self-confident army. Moral rather than tactical reasons play the largest part in Bruce's crowning triumph, and the Scottish king's genius was in discerning when he could dare to be rash. All who accept the general drift of Mr. Mackenzie's studies will thank him for revealing the full originality of his hero's tactics, and for giving Bannockburn its true place in British military history. It is much to be desired that so keen and promising a scholar as Mr. Mackenzie should carry on still further his shrewd and original studies of medieval Scottish history.

T. F. Tout.

BRITISH BOROUGH CHARTERS, 1042-1216. Edited by Adolphus Ballard. Pp. cxlvii, 266. 8vo. Cambridge: University Press. 1913. 15s. net.

It was a common complaint not many years ago that there were no reliable books upon the origin and history of the borough. Then came Mr Gross's *Gild Merchant*, the pages upon the borough in Pollock and Maitland's *History of English Law*, Maitland's lectures upon the relation between the township and the borough, Miss Bateson's papers upon the custom of Breteuil and upon some early London documents, and Mr. Round's essay on the commune of London. Later still, came Professor Tait's *Medieval Manchester*, Miss Bateson's great collection of Borough Customs, edited by her for the Selden Society, and quite recently an important essay by Mr. Hemmeon upon burgage tenure in the *Law Quarterly Review*. During the same period scholarly collections of borough charters and documents have appeared, so that it is possible to study the history of Leicester, Nottingham, Norwich and a few other places.

The activity upon the Continent has been still greater, and although its results are somewhat obscured by the dust of conflict roused by the passion for origins, they are by no means altogether uncertain or inaccessible. A classical essay by M. Pirenne may easily make us acquainted with the general contents of the most important books upon the subject. A new edition of Luchaire's book on the French communes has recently appeared. There is Giry's great work upon the *Etablissements* of Rouen and their affiliations, and there is a growing literature upon the early history of the

other Norman towns, which are of especial interest to us in England, Scotland and Ireland. Surely few institutions have been so favoured by learning as the medieval borough, and especially the British borough.

Yet all this time there has been no handy collection of the most important documents of all, of the charters by which king and lord conveyed or recognised burghal rights and privileges. The student in search of them had to go from one collection of documents to another, or to be content with the few which are contained in Stubbs's *Select Charters* and with the extracts in the second volume of Gross's *Gild Merchant*. Mr. Ballard, who has been known to scholars for some time by his work upon the Domesday boroughs, has filled this gap. He has taken all the charters which he could find belonging to the period before the death of King John. Following the method adopted by Miss Bateson in her edition of the customals, he has grouped and translated their clauses under a variety of heads, so that the reader may see, almost at a glance, how any mark or privilege of the borough was modified and distributed in the British Isles. He has prefixed a long introduction to this analysis, in which *inter alia* he tells us where all the charters are to be found and reconstructs in elaborate tables the contents of each. There is, of course, a great deal to be said in favour of a collection of charters in which each document is given as a whole; and Mr. Ballard might doubtless have given us the results of his present arrangement by means of tables. But this plan would have involved a very long and elaborate introduction, and a great deal of repetition in the text.

Whether Mr. Ballard's book will be the best introduction to the records and literature which I have mentioned, is not easy to say. In some respects the reader who comes new to the subject will find the book rather perplexing. He will not get a perfectly clear idea of the course which Mr. Ballard supposes the development of the borough to have followed, and he will get a very incomplete idea of the foreign boroughs to which Mr. Ballard gives a good deal of attention. This is, I think, unfortunate and unnecessary, for the essay upon the essentials of the borough (pp. lxxxviii-xcv) is by far the best piece of writing in the book. It is so good and so clear that if the author had rearranged his introduction, put this essay first, and then inserted next to it another essay upon burghal history and development, one feels that he might have produced a book which would not only be invaluable to more advanced scholars, as this book will be, but also the best guide to the beginner. If Mr. Ballard had been a teacher as well as a 'researcher,' I think he would have done this.

Mr. Ballard might reply that, whereas the privileges of boroughs are clear and certain, their history is by no means clear; but a brief comparison of documents contained in this book, taken from different periods, would soon show that the significance of borough privileges can only be seized in the light of their development; also, that some points in their history are now so clear that they may be regarded as beyond dispute. Mr. Ballard, for example, brings together enough material to show that the *burgus* is not the same as the *liber burgus* (a term which seems to date from John's reign), and he also shows quite conclusively that, in Anglo-Saxon times and later, the

burgus was the direct or indirect result of artifice. In the passage from this first act of creation to the grant by charter that a borough should be a free borough, with such privileges as other boroughs—in all the king's lands, in the county, or in some neighbouring place—already held, the significance of many privileges gradually becomes clear. In the case of foreign towns this method of treatment is equally necessary. Mr. Ballard's introduction is least satisfactory here. It is worth while to trace parallels between different countries, and to point out differences; it is still more worth while to explain them. Take, for example, his account of the boroughs in Spain and in the kingdom of Jerusalem. He rightly points out that in certain respects the boroughs in these countries are in a class by themselves. He does not point out that in both cases they were established in crusading countries. An examination of the towns erected in north-east Germany might throw further light on this point. Was not the class distinction between burgesses and nobles peculiarly rigid in all these lands? This is, of course, only a random suggestion, but it may emphasise the fact that differences of origin and development are all-important—a fact, by the way, of especial importance in Germany.

The significance of this method of approach seems to me to become clear if we consider the Norman towns in their relation to the English. The privilege of alienation is a case in point. Mr. Ballard does not seem to be acquainted with the writings of M. Géneval on burgage tenure and of M. Legras on Caen. These scholars, especially the latter, have shown that the right of alienation varies with the general nature of the *burgus*. It may be practised without legal justification as a result of economic change, but from the legal point of view some towns, in spite of the Norman customal's generalisations, were less privileged than others. The burgesses of Verneuil or Breteuil were freer than those of Caen. Now in each case we have tenure by burgage artificially created; but in one case the *burgus* or its inhabitants had outgrown or been put outside the economy of the rural seignery, in the other case it had not. Mr. Ballard makes a proper distinction between boroughs which were artificially created and village communities which had acquired a burghal status, but he suggests it in a misleading way. Whether the town was a sudden or a gradual creation, its germ was burgage tenure; its privileges depended upon its development, or upon the stage reached by the model upon which its charter was based. May not this explain the fact that, just as we find communities especially endowed with privileges, so we find them curiously unendowed—places where there are burgesses but no *burgus*, places where a *burgus* has not been able to survive? As Mr. Ballard points out, the growth of a corporate sense was a very slow thing. It was sometimes more than normal; but it was occasionally sub-normal. He points out also that in the twelfth century boroughs may be divided into three classes, according to their relation to shire and hundred (pp. xcii-xciii). In this section his description of the borough at Eynsham and his use of the *Nomina Villarum* of 1316 are delightful.

Mr. Ballard's book is very suggestive, and I had noticed a few other points for comment—on p. cvii, for example, the fact that a continental

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charter was often a recital of customs, whereas the British charter is a short document, does not seem to be given sufficient weight. But it is a much more important, as it is a more congenial duty, to thank Mr. Ballard for the invaluable service which he has rendered to students of medieval history.

F. M. POWICKE.

THE NEW DEMOCRACY AND THE CONSTITUTION. By William Sharp McKechnie, M.A., LL.B., D.Phil., Lecturer on Constitutional Law and History in Glasgow University. Pp. xii, 211. Demy 8vo. London: John Murray. 1912. 6s. net.

DR. McKECHNIE is one of many people in Great Britain to whom the present political tendencies are a source of grave anxiety, and in this work he explains the reasons for alarm, suggesting a few devices for reducing the danger. Briefly stated, the case from his point of view is that a numerical majority of the people has been acquiring despotic power which it tends to use in gratifying its appetites rather than in following principles.

He begins by stating the theoretical postulates of democracy, and discussing to what extent the action of party organisations and of trade unions, and the relation of the House of Commons and the Cabinet to each other and to the electorate, have caused a divergence between those theories and the actual practice of popular government in England. He goes on to describe how the ancient landmarks of the British constitution have been modified, how the checks and balances have been swept away, and how different the working of the government is to-day from that portrayed by Bagehot forty years ago. Then he dwells upon the recent tendencies of legislation, the abandonment of *laissez faire*, the policy of doles and the helplessness of the minority. Although he admits that the reign of *laissez faire* too often led to economic slavery, he deplores the evils of the present system which he believes fraught with danger to the economic future of the nation and to the character of its people.

In his statement of the changes that have occurred in politics and legislation he deals with facts that are not in dispute; and his comments upon them, if not very novel, deserve profound consideration, for the perils, if unavoidable, are real. But his argument is essentially partisan, and he seems to be led at times into exaggeration. In speaking of the Cabinet, for example, when he says (p. 55) 'The machinery that once checked despotic power is now at the despot's disposal,' he fails to take into account the unseen forces that limit arbitrary action by the Ministry. No doubt the concentration of power in the hands of the Cabinet has been the most notable change in British institutions during the last half century; but the relation between the Treasury Bench and the majority in the House is to some extent reciprocal, and the tale of the French politician who felt obliged to follow the crowd to the barricades because he was their leader is not wholly without application in England. The surrender to their supporters in Parliament on the Trades Disputes Bill is an illustration that the ministers are not omnipotent, and anyone familiar with the interior life of the government would cite other instances.

Again, in his indignation over the pledge asked from King George about the creation of peers, Dr. McKechnie appears to go too far. The king was of necessity asked to sanction the dissolution, and it is at least possible that the Cabinet was in duty bound to lay the whole situation before him. The condition was such that if the new election resulted in a victory for the Liberals he could hardly refuse to create peers without placing himself in opposition to the will of the nation; and if any other method of solving the question were to be tried, the king ought to have an opportunity to try it before a dissolution took place on the precise point of the enactment of the Parliament Bill; or at least it would seem proper that the full consequences of the election, and the entire views of the ministry, should be laid before him.

When it comes to the measures suggested for reducing the perils of democracy, and providing safeguards for the minority, the book is disappointing. The first of them is a proposal that the more moderate Liberals should so define their policy as to exclude socialistic doctrines; but it is not probable that the leaders of the party would be willing to condemn themselves to impotence by driving off the radical wing of the party. Then the writer urges the advantages of the American constitutional restraints on legislation, unaware, apparently, of their present unpopularity among the radicals in the United States. He recognises, however, that such restraints are impracticable in England. He thinks that a federal government for the British Isles might help to protect minorities, but he sees that for this also public opinion is not ripe. The referendum and proportional representation are in turn examined, but found wanting; and as definite suggestions he comes down to a powerful second chamber with real authority over taxation, and a non-political advisory council of financial experts. A second chamber with such powers would certainly not be pleasing to the people who passed the Parliament Act, and the report of the commission on Irish finances points to the amount of authority a council of experts would be likely to attain.

The fundamental difficulty with the writer of the book consists in the fact that his ideal of British government lies in the past to which he feels the impossibility of returning.

A. LAWRENCE LOWELL.

THE POETICAL WORKS OF WILLIAM DRUMMOND OF HAWTHORNDEN, WITH 'A CYPRESSE GROVE.' Edited by L. E. Kastner, M.A., Professor of French Language and Literature. 2 vols. Manchester: At the University Press. 1913.

THE SAME. Published for the Scottish Text Society. Printed by William Blackwood & Sons, Edinburgh and London. 1913.

IN the preface to this scholarly edition of Drummond of Hawthornden, Professor Kastner informs us that his task has been (1) to present a trustworthy text according to the original editions, (2) to complete and extend the work so ably begun by W. C. Ward of tracing the poet's indebtedness to foreign models, and (3) to draw up a full and complete critical bibliography of the early editions of the poetical works. Let us see how it has been

performed. Comparison with Ward's excellent edition of the Scottish poet can scarcely be avoided. There surely should not be much difficulty in presenting an almost immaculate text considering that Drummond prepared his volumes of verse for the press, evincing more than ordinary care in their publication. No poet was ever more fastidious. He was rich enough to be able to indulge in the luxury of having many of his poems printed privately as broadsheets, on which, before actual issue to the public, he worked with patience and concentration, striving to attain the best. The lines addressed to Jonson by a contemporary might have been written as truly of Drummond and his poetry—

'Twas not thy care that it might pass and sell
 But that it might endure and be done well;
 Nor wouldst thou venture it into the ear
 Until the file had made it smooth and clear.

Between 1613 and 1638 he published six volumes of verse, not reckoning 'second impressions' or editions. *Mausoleum*, a collection of pieces written on the death of Prince Henry, four by Drummond, was probably issued under his patronage. An editor has only to collate these volumes with care to obtain a perfect text. But Drummond has been strangely treated by many of his editors, Professor Kastner among the number. In 1656, seven years after his death, his Poems were printed in London with a preface by Edward Phillips, Milton's nephew. A dedicatory Letter by the publisher tells us that 'these ingenious Poems' had been received from Sir John Scot of Scotstarvet, the poet's brother-in-law, 'the noblest Wit of Scotland' and 'the greatest Maecenas of Wit and Learning that the nation affords'; and in the Life prefixed to the folio edition of 1711, edited by Bishop Sage and Thomas Ruddiman, it is explicitly stated that Sir John had caused the poet's work to be collected and printed in the year 1656. The first part of the Poems in Phillips' edition is not based on the *editio princeps*, but is now known to have been printed from a collection of the broadsheets already referred to, no doubt presentation copies sent by the poet, from time to time, to his brother-in-law. It lacks a number of pieces found in the edition of 1616, and contains some eighteen others which Drummond had printed experimentally but excluded deliberately from the volume issued to the public.

The editors of the Edinburgh folio of 1711 profess to follow the 'second impression' of the poems (1616) and the second edition of *Flowers of Sion* (1630), but as Professor Kastner points out, 'the text is substantially that of Phillips, and the early editions seem to have been but rarely consulted.' Later editors continued to follow the 1656 or 1711 texts, until in 1832 Maitland and Laing brought out the sumptuous quarto printed for the Maitland Club, a volume edited with extreme care from the original editions. Mr. W. C. Ward's text is also based on the original editions, the spelling being modernised.

In the edition under review Professor Kastner informs us that 'in the course of collating the several texts' he was 'rewarded by more than one interesting *trouvaille*, of which perhaps the most important is that the first part of Phillips' edition is not based on the 1616 edition of the Poems, as

has always been thought, but on an advance issue printed in 1614 or 1615 by Drummond for circulation among his friends, and probably communicated either to Phillips or to the London publisher by Sir John Scott (*sic*) of Scotstarvet, Drummond's brother-in-law. This curious issue of the poems has remained unknown to all editors of Drummond's poetical works since Phillips' day, and he himself has given no clue whatsoever of his having utilised it in preference to that of 1616. Its contents, which differ materially from the regular edition of 1616, are reproduced exactly, and in the same order, with two insignificant exceptions, by Phillips, so that the charge levelled against him of having unduly tampered with the text of Drummond will in future have to be considerably modified. Further, the belief that he was the first to publish certain pieces, which figure in his edition, but are wanting in the ordinary edition of the Poems (1616), will have to be abandoned. Professor Kastner is to be congratulated on his find, but not on the use he has made of it. A volume in the Bodleian and another in the Haigh Hall Library, hitherto supposed to be merely large paper copies of the 1616 edition of the Poems, he has identified beyond all question as two collections of broadsheets. Instead, however, of regarding them as merely first draughts, which they unquestionably are, he treats them as an 'issue' or edition of 1614 or 1615, on which he bases his text, relegating the authentic readings of the 1616 edition to the foot-notes as variants. By so doing he seems to me to fall short in the performance of the first branch of his threefold task, the furnishing of a trustworthy text according to the original editions. A collection of broadsheets, without foliation, pagination or signatures, printed on one side only, sometimes on the recto, sometimes on the verso, without any regularity, can never pass either as 'an issue' or an edition; and the fact that the Bodleian and Haigh Hall collections differ in format and content should of itself have been enough to deter the rash conclusion. Their variants might have been welcome as foot-notes to illustrate the shaping of the final text. It is fair, however, to say that, apart from the use made of the pseudo edition, the text is very carefully given; and it is also satisfactory to find the Madrigals and other pieces of the Bodleian and Haigh Hall volumes, which Drummond suppressed in the *editio princeps*, printed in this edition in a section by themselves. It is doubtful, however, whether these and the poems, classified as 'posthumous,' preserved in the Hawthornden MSS., but never published by Drummond, ought to appear in a critical edition of his works. Professor Kastner, while admitting that few of them have much intrinsic value, has reproduced them because he thinks them of importance in the light of Drummond's poetic development, 'presenting him as they do at an early stage of his career when Scotticisms still flowed readily from his pen, and when he had not yet attained that mastery over the standard English of his day for which he strove so hard.' Drummond did not consider them worthy of himself, and he probably would have consigned them to the flames had he thought that one day they might appear among his elect verses. The inclusion of *Polemo-Medinia* is also questionable: Sam. Colvil certainly has as good a claim to it as Drummond, if not better, when Defoe's attribution is taken into account.

In the execution of the second branch of his task, the tracing of Drummond's indebtedness to foreign models, Professor Kastner deserves unstinted praise. He has extended the work of Ward, who first pointed out the influence of Italian poets and of Sir Philip Sidney on the Scottish poet. But he has done much more and done it admirably. An intimate acquaintance with the works of French and Spanish sixteenth-century poets has enabled him to demonstrate that Drummond's compositions to the extent of about a third are merely translations or close paraphrases, the remaining two-thirds, largely adaptations from foreign models, Ronsard, Desportes, Pontus de Tyard, Passerat and Garcilaso being the favourites. When the editorial detections are assembled, it is Fielding's jocular defence of plagiarism that comes to mind as the best that can be urged in exculpation of Drummond,—‘the antients are a rich common where every one who hath the smallest tenement in Parnassus hath a free right to fatten his Muse.’

But the Laird of Hawthornden has exceeded the free right and must in consequence forego all claim to originality. His poems unquestionably have a charm of form and expression: nevertheless they are, as Professor Kastner observes, only imitative and cannot pretend to the highest rank; exercises at vacant hours of a gifted poetic artist.

The bibliography is a careful bit of work, full and complete, which will satisfy the most critical bibliographer. The only fault we find is with the editor for introducing it with the words, ‘the attempt having hitherto been made to draw up a bibliography of the poetical works of Drummond of Hawthornden, it seemed to us that the present edition would be incomplete if that task were left unaccomplished.’ The statement is far too sweeping. Neither do we think the reference to Ward's edition generous or fair, ‘the bibliography though not quite so worthless as that in the Maitland Club edition is altogether inadequate.’ Ward has noted every edition of the poet's works, with the exception of the Bodleian and Haigh Hall volumes, describing them succinctly and accurately. Professor Kastner has simply expanded the details in the manner recognised as scientific by modern librarians and members of bibliographical societies. For the student of literature Ward's catalogue is good enough for all practical purposes and calls for no disparagement.

The Scottish Text Society has been fortunate in securing Professor Kastner's volumes as one of the publications in the New Series. The Council would have gone far to find an editor better or so well equipped for the special work needed in elucidating the poetry of Drummond of Hawthornden.

J. T. T. BROWN.

BURBAGE AND SHAKESPEARE'S STAGE. By Mrs. C. C. Stopes. London: The De La More Press. 1913. 5s. nett.

It is long since Mrs. Stopes was recognised as one of the most skilled and indefatigable searchers in the bye-ways of Elizabethan literature. Her *Shakespeare's Family* and *Shakespeare's Warwickshire Contemporaries* presented a remarkable amount of new biographical material, and her *William Hunnis and the Revels of the Chapel Royal* threw welcome light on a dark

place in the history of the Elizabethan drama. She has now put together, rather hurriedly it must be agreed, the facts which she has been steadily collecting about the Burbages. The immediate occasion of the volume was the decision of the Shakespeare League to raise a memorial to the Burbages in Shoreditch. How far the information thus generously offered is likely to aid the scheme, there may be some doubt. But it is certain that Mrs. Stopes's volume must, with all its little faults, find a secure place in the library of the Elizabethan student.

Since Shakespeare's day 'Burbage' has meant 'Richard Burbage,' the incomparable actor who excelled in tragedy and was Shakespeare's own Hamlet. He was, however, only one of three—a younger son who profited by the initiative of his father and the business capacity of his brother. It was James Burbage, the father, a joiner by trade, and the chief actor in the Earl of Leicester's company, who gave us our first theatre. He built it in the liberty of Shoreditch, called it 'The Theatre,' and opened it in 1576. The rest of his life, as told by Mrs. Stopes, is little more than a story of trouble. He had to meet the opposition of rivals, and the Church, and—most serious of all—the Lord Mayor. It is a misfortune that so much of our knowledge of the men associated with the Elizabethan drama is derived from the records of the law-courts, as the impression thus given may be so partial as to be false. Happy is the theatre-manager who has no history. But though the zeal of Mrs. Stopes has brought together a large amount of gloomy material about the litigation in which James Burbage was engaged, and the crises which he had to face, no one can reconstruct the facts without admiring the indomitable purpose of the man who created the Elizabethan theatre; and though we must agree that he 'had spent a life of incessant toil, constantly thwarted and handicapped in all his undertakings,' we need not regard him as a beaten man when he died in 1597, about the age of sixty-two, nor shut our eyes to the zest with which he had lived. His two sons, Cuthbert and Richard, inherited between them his capacity for affairs and his talent as an actor, and with youth on their side, and fortune, they met with greater success. Cuthbert, who appears to have been trained as a lawyer, cut free from the toils which had beset his father; and in Richard the father's talent became genius. When in December, 1598, they were forced to leave Shoreditch and to carry their properties to the southern liberty of the Bankside, the new theatre which there arose was 'The Globe'—Shakespeare's 'Globe.' And when James VI. came to the throne of England—an event of the happiest influence at a time when our drama was at its very greatest—the company of Shakespeare and Richard Burbage became 'His Majesty's Servants.'

The volume has a clear value as a contribution to English dramatic history. Yet it must be said that Mrs. Stopes does not make the complicated and problematical story as easy to follow as it might have been. The reader finishes it thinking less of the Burbages than of the patient skill of the writer; and when he returns to it wishing to find a particular passage, he may search for it long in vain, and he will certainly not get as much help as he might expect from the index. The collection of original documents, which runs to well over 100 pages and occupies about half the

volume, enables him, with the help of the scrupulous footnotes, to check every statement or to reconstruct any section. Though Mrs. Stopes holds her opinions strongly, her main interest lies in unassailable fact. 'Things in themselves,' she says, fill her mind. But it is a welcome deduction—to mention one of many—that the friendship of the Burbages was 'the College in which Shakespeare learnt some of his law.' She is on less certain ground when she suggests that it may have been old Burbage the joiner who created the part of Snug in Bottom's play; or when she says that 'How far is't called to Forres?' is 'a pure Scotch idiom which could not have flowed by nature from the lips of a man of English birth,' and finds new support therein for the old opinion that Shakespeare had been on tour in Scotland before he wrote *Macbeth*.

We regret that, in spite of Mr. Ernest Law's *Some Supposed Shakespeare Forgeries* (see *S.H.R.* October, 1911), the list of plays which Peter Cunningham was long supposed to have forged should not now be accepted as genuine. Mrs. Stopes, however, is compelled to say that 'even if a forgery, it may still speak the truth.' Her main argument here, it may be noted, was 'the special contention' in the letters published in the *Athenæum* in 1911 over the signature 'Audi Alteram Partem.'

D. NICHOL SMITH.

SION COLLEGE AND LIBRARY. By E. H. Pearce, M.A., Canon of Westminster. Pp. viii, 373. With four Illustrations. Demy 8vo. Cambridge: University Press. 1913. 9s. net.

CANON PEARCE has good reason for satisfaction. It was his aim in this book to 'reveal to the outside world that the Fellows of Sion have a goodly heritage': his revelation is entirely successful. In his labour of love—for Sion College means much to its former President—he has recounted with a careful and graphic pen the changing fortunes of this notable foundation. We read of the benefactor, Thomas White, the contemporary of Richard Hooker, of his Protestant sympathies in the fierce days of Whitgift and Cartwright, of his many pluralities, and of his genuine sympathies. We read that for him *finis coronat opus*, in that he founded a professorship made illustrious in modern days by T. H. Green, the Temple Hospital in Bristol, and, chief of all, Sion College and its almshouse. The threefold object of this benefaction, whose first charter was obtained in 1626, has been the care of deserving poor, the furnishing of books for the student, and suitable accommodation for grave or social gatherings of London clergy. Each of these ends has been worthily and happily pursued. The College has played its part in days of difficulty, in days of Cavalier and Roundhead, in days when troops were quartered in its precincts, and when 'trained bands' prepared to meet their country's foemen. And it focussed clerical opinion when the burdens of nonconformity or the emancipation of Jew and Roman Catholic stirred up strife in politics.

In the interesting story of Sion College library there is recorded the loss of the *Booke of the Universall Kirk of Scotland*, a misfortune which links our ecclesiastical traditions to this old-time foundation.

ARCHIBALD MAIN.

LES ORIGINES POLITIQUES DES GUERRES DE RELIGION : I. HENRI II. ET L'ITALIE (1547-1555). By Lucien Romier. Pp. ix, 577. With Frontispiece and Map. Royal 8vo. Paris: Perrin et Cie. 1913. 20 fr.

THIS is the first volume of what promises to be an important contribution to sixteenth century history. It treats of the period of eight years between the death of Francis I. and the truce of Vaucelles. The period is one which, until now, has presented serious difficulties to the historical student. As M. Lemonnier wrote in the fifth volume of *Lavisse*, there was no good general history of the reign of Henri II., the official documents were unclassified and for the most part unpublished, and the *Mémoires* of the period are suspect. In these circumstances, even such important work as M. Courteault's well-known study of the career of Blaise de Monluc served only to illuminate the activities of a secondary figure in a confused and baffling scene. It has been left to M. Romier to grasp the diverse threads which awaited a skilful hand and weave them into a strong if somewhat intricate fabric. A former pupil of the *École française de Rome*, M. Romier has accumulated, during his residence at the *Palazzo Farnese*, the fruits of a laborious examination of the unpublished archives of the Italian states, and the use which he makes of this new material has gone far to introduce order into an intricate and difficult field.

The reader of this introductory volume is soon conscious of the author's grasp and reach, and cannot fail to appreciate a talent which arranges rich and many-coloured materials so skilfully that they lose nothing of their life and interest in the process. In his pages he can observe the fugitive and uncertain son of the great opponent of Charles V. beset by the political rivalries of Montmorency and the Guises, representing the past and the future of France, fascinated by the spell which the Italian *fuorusciti* cast over him with the aid of his self-effacing young Italian Queen, and distracted and betrayed by the vanity and pretensions of the French Cardinals. It is a fascinating study which will whet the most jaded historical appetite.

The interest of the present volume is mainly political. In its pages M. Romier defines and outlines the political *mise en scène* of the approaching organization of the Reformed movement in France. In addition to the personal rivalries which surrounded and distracted Henri II., himself a species of blind-spot in a bright field of vision, the political stage was occupied with conflicts created by the growth of factors such as the Papacy and the various nationalities which were becoming increasingly self-conscious and articulate. And as in the case of the individual the surest sign of growth is often an unmeasured abandonment to influences ultimately alien, so in the life of nations the domination of a foreign spirit often precedes the struggles which are the birth-pangs of the developed national life. In the sixteenth century Italy exercised this function on France. The Italian *fuorusciti*, condottieri and bankers, fascinated the nation from the King downwards, and simply through personal magnetism and the ambition of the Guises led France again into the barren glories of an Italian adventure.

While M. Romier does not fail to point his narrative with illuminating and penetrating considerations on the ultimate political issues involved in the

Italian enterprises of the French, he is too closely in touch with the spirit of the period to assume the mantle of a philosophical historian. He keeps the abstract issues discreetly in the background and allows the actors to fill the stage. And what actors! The hard, tenacious old Constable, the daring Guises endowed with a kind of collective genius, the young King's elderly mistress and his astute Italian Queen, the Tuscan and Neapolitan exiles and the magnificent array of Italian and French Cardinals. Amidst the crowd there are figures which played their part on the bleak field of Scottish history, such as Piero Strozzi and his brother Leone, and Jean de Monluc, Bishop of Valence. In the fascinating pages of this introductory volume M. Romier has reconstructed without exaggeration or sentiment the life of a pregnant and formative period, and his readers will await its successors with eager anticipation.

DAVID BAIRD SMITH.

ÉTUDE SUR LA DÉCORATION DES ÉDIFICES DE LA GAULE ROMAINE. By Adrien Blanchet. Demy 8vo. Pp. 240, with 10 plates and 18 figures in the text. Paris : Leroux. 1913.

THE President of the Society of Antiquaries of France is best known in this country as the author of the standard book upon the coinages of the Gauls. But he is also an indefatigable worker in other corners of the vineyard. In particular, he has written much and usefully upon various aspects of the material remains of Gallo-Roman civilization. The present volume is intended to lay foundations for the systematic study of the different methods employed for decorating buildings in Roman Gaul. M. Blanchet believes, and his opinion is undoubtedly sound, that a thorough understanding of these would be of great value as throwing light on the origin and development of corresponding methods in medieval France. The gulf that separates Roman Britain from the middle ages has, of course, no counterpart across the Channel.

M. Blanchet has wisely decided to leave bas-reliefs and statues entirely aside, on the ground that monumental sculpture has characteristics that render its segregation desirable. Even after the ship has been thus lightened, the cargo remains rich enough to surprise the uninitiated. Beginning with some account of the way in which marble, stucco, enamel and the like were used to produce a decorative effect on walls and balustrades, the book proceeds to discuss the general conclusions that can be drawn from the surviving specimens of mural painting—its subjects and technique, the manner in which it was occasionally combined with mosaic or with moulded stucco, its application to ceilings, and so on. There follow a very interesting chapter on mosaics, written on similar lines, and a briefer one upon artistic furniture. Finally, we get a highly useful inventory, admittedly tentative, of all the localities in which fragments of painting have been found, with references to the publications in which fuller descriptions should be sought. As in the corresponding inventory of mosaics, which appeared in 1909, a generous interpretation is rightly given to the geographical limits of Gaul, which is made to cover not merely France, but also Belgium, Switzerland, and the banks of the Rhine. The completeness of the index deserves a special word of praise.

GEORGE MACDONALD.

THE MARQUIS OF MONTROSE. By John Buchan. Pp. 333. With 16 Illustrations and 11 Maps and Plans. Square 8vo. London: Thomas Nelson and Sons. 1913. 7s. 6d. net.

MR. BUCHAN has not attempted to throw fresh light on a subject which Mark Napier and the editors of Wishart have thoroughly explored, or even to undertake in its completeness the task of a biographer. Before the curtain rises—to use his own expression—he has disposed of Montrose's career as a Covenanter—so briefly that there is a mere allusion to 'the fiasco at Newburn'—and his earliest attempt as a Royalist; and 'the first act of the great drama reveals a forlorn little party, late on an August evening, knocking at the door of a woodland Tower above the shining reaches of Tay.' In other words, we are not launched on the full tide of narrative till the King's lieutenant-general has made his way in disguise through a hostile country from Carlisle to Perth, and is about to enter on his year of triumph.

Mr. Buchan has the gift of a singularly vivid, incisive and picturesque style. The general reader has never had so good an opportunity of making himself acquainted with the character and exploits of Montrose; and even those who have seriously studied his campaigns will do well to study them again as here luminously and accurately set forth. In tracing the details of marches, counter-marches, and battles, the author has naturally been much indebted to Dr. Gardiner, nine of whose maps are reproduced in his text; but he has studied for himself the original sources, as is evident from the notes, and especially from the discussion of Leslie's route to Philiphaugh. It may be objected that a work even of this limited scope should have had a fuller historical background. Mr. Buchan, for example, is far from concealing the ferocity of Montrose's Irish soldiers, who, in the words of a Royalist contemporary, killed men with as little compunction as 'they kill a hen or a capon for their supper'; but he does not allude to the massacres of the Irish Rebellion, without a knowledge of which it is impossible to understand the abhorrence excited by these troops in Scotland, or to do justice to Argyll when (p. 63) he raised 'the cry of a Popish invasion.' The book—which contains a number of excellent portraits—will be none the less acceptable to many on account of an asperity of tone and an unguardedness of statement which suggests the brilliant *littérateur* rather than the cautious historian. It is very doubtful whether the Scottish nobility, with all its faults, was (p. 58) 'the worst aristocracy with which any country has been cursed'; and the tithe-grievance, however long it had continued, could hardly have involved (p. 24) the 'danger of a counter-Reformation.'

The concluding chapter is an eloquent tribute to Montrose's 'reasonableness of soul,' the glamour of his personality, and his genius for war. That he was surprisingly modern in spirit must be apparent to anyone who has read his dissertation on 'Sovereign Power'; and the author has no difficulty in establishing from the same source the sanity and prescience of his political views. The Puritan Revolution in Scotland—inverting the order of its development in England—had first its religious and then its more political phase; and in each of these crises Montrose acquitted himself in accordance with his idea that the royal power should be neither unduly extended nor

unduly restrained. When Charles I. was using bishops to enthrall the Church, and to some extent the State, and was enforcing through their means an 'Anglopiscopapistical' Prayer Book, he joined the Covenanters; but, when Parliament refused to compensate the Crown for the loss of influence involved in the abolition of Episcopacy, a process began in him which was to result in his taking arms for the King. It is questionable, however, whether Mr. Buchan is justified in regarding him as an inspired Moderate—the embodiment of 'a moderation which is in itself a fire.' There have been lesser men in Scottish history of whom this might be said; but, if Montrose had been 'armed and mailed Reason, Philosophy with its sword unsheathed,' he could have found little to content him either in the Covenanters or in Charles. That he served both with enthusiasm must be ascribed to that imagination—the tendency to see his ideal in anything that but suggested its fulfilment—which, as Mr. Lang has said truly, was 'his master.'

W. L. MATHIESON.

THE POLITICAL ACTIVITIES OF THE BAPTISTS AND FIFTH MONARCHY MEN IN ENGLAND DURING THE INTERREGNUM. Prize Essay of the American Historical Association. By Louise Fargo Brown, Ph.D., Instructor in History in Wellesley College. Pp. ix, 258. Crown 8vo. London: Henry Frowde. Oxford: University Press. 1912. 6s. net.

THE years between the execution of Charles I. and the Restoration, forming a curious break in the thread of English constitutional history, can never fail in interest. When every vestige of the apparently solid English constitution, the growth of centuries, had been swept away, there sprang full-grown from the brain of Cromwell the first of these written constitutions which have since spread all over the world, of which the American is the most conspicuous example.

In this prize essay Miss Brown, whose historical insight is notable and her English style clear and vigorous, has given an account of the subtler forces which went to the making of the peculiar attempts at government during the years when England had no king. The most casual reader of history would find no difficulty in following the lines carefully drawn between the religious sects, Anabaptists, Baptists, Particular Baptists, Independents, Fifth Monarchy Men; in understanding the political ideas common to Independents, Baptists and Levellers, so clear is her description. The chief interest of the essay centres round the treatment of the Fifth Monarchy Men, their development from the Baptists, their attitude towards Cromwell, their curious connection with their political antagonists the Levellers, and, an obscure point, their relations with the Baptists before all the sectaries vanished from public affairs at the Restoration. Much attention has been given to the influence of the Press, the minute details of the war of pamphlets are the result of exhaustive research. An excellent chapter is devoted to the Protectorate in Ireland.

There is a good bibliography and a fair index.

ALEX. L. DAVIDSON.

Edgar: A Colonial Governor in Maryland 109

A COLONIAL GOVERNOR IN MARYLAND: HORATIO SHARPE AND HIS TIMES, 1753-1773. By Lady Edgar. Pp. xiv, 311. With nineteen illustrations. Demy 8vo. London: Longmans, Green & Co. 1912. 10s. 6d. net.

LADY EDGAR's pleasant volume is rather of the nature of a general sketch of the progress of events during the war between France and England, with especial reference to Maryland and its Governor, than a closely biographical piece of work: the author depends largely on the Sharpe Correspondence and the contemporary press for her sources, and it may be that the materials for personal detail and vivid characterisation are awaiting: but the lines of the principal figure are somewhat vaguely drawn, and one would at times choose to have longer excerpts from his own letters in place of some of those written to him, interesting though they are. Governor Horatio Sharpe had no mean task before him when he arrived on American ground in 1753; he steered an honourable and creditable, if not brilliant, course for sixteen years through the shoals and quicksands of war and politics at that critical period, with a decided leaning towards a quiet conservatism in support of his superior, the Lord Proprietary of the Province, to whose interests he considered himself bound by the terms of his appointment, and frequently in opposition to the growing democratic feeling in the provincial assembly, with which tendency he was not, on the whole, greatly in sympathy. He was active in endeavouring to rouse the people of Maryland to the necessity for training soldiers to defend their frontiers, and of granting supplies for their maintenance, and he found the same obstructionist policy, lukewarmness, and petty wrangling over points of precedence that were rampant in all the British provinces at the time. He had much interesting correspondence with such important personages as Dinwiddie, St. John, Braddock, Calvert, Shirley, and Orme, conducted negotiations with Indians on one side and another, and was twice commander-in-chief of the British forces for short periods. Lady Edgar gives many picturesque details of the social life of the period in Maryland, so unlike the Puritan States of the north in temper, overflowing as it was with gaiety and brilliance and love of colour. Governor Sharpe's interests were necessarily much diversified, and there are accounts of ecclesiastical and agricultural conditions, notes on the difficulties of communication with the mother country, or details of the deplorable state of affairs on the convict ships and the hardships of redemptioners. It is a curious fact that in suggesting possible taxation of the Colonies to raise funds for the maintenance of troops in 1755, Sharpe should have propounded in outline something very like the famous Stamp Act, which was to cause the upheaval ten years later. By the time it came, however, he had seen the unworkableness of the scheme, and was, though a loyalist, in opposition to it like the rest.

MARY LOVE.

PAUL NOLSÖE LIVSÖGA OG IRKINGAR. By Jakob Jakobsen. 8vo. Torshavn: H. N. Jacobsen. 1912.

NUMBERS ten and eleven of this work now received, complete in eleven parts the Life and Poems of Paul Nolsöe, a native of the Faroe Isles,

which lie between Shetland and Iceland in the North Sea. This Paul (born in 1766, died in 1809) was an adventurous native of those isles. He began life as a carpenter, built a ship for himself, became a master mariner, with many noteworthy escapades especially in his efforts to break down the trade monopoly so long maintained by the Danish Government in their possessions in the North Sea, in connection with which he was prosecuted as a smuggler. During his varied and adventurous career Paul produced a series of ballads. The chief poem is 'Fuglakvæði,' the song of the birds, an ingenious satire against the Government officials in Faroe. Paul was, at the same time, the foremost farmer in the islands, and a successful fisherman, the first to start fishing in 'smacks' instead of in open boats as had been the practice.

The incidents of Paul's life have been gathered by Dr. Jakob Jakobsen of Copenhagen, himself a native of the Faroe Islands, orally and from records in the islands, and the poems partly orally and partly from copies preserved in writing. Issued in the Faroese dialect, intermediate between the ancient Northern or Icelandic tongue and the modern Scandinavian, the book is of distinct philological value to all who are interested in the development of language in the Scandinavian north. The labours otherwise of Dr. Jakobsen in investigating the remains of the old Northern tongue in Shetland and Orkney, and more recently in the county of Caithness, are widely recognised, and the results are in course of being printed by authority in Copenhagen. Three volumes of his *Etymologisk Ordbog over det Norrøne Sprog på Shetland* have already been published and have been noticed in this Review.

GILBERT GOUDIE.

THE JEWS OF TO-DAY. By Dr. Arthur Ruppin. Translated from the German by Margery Bentwich. With an Introduction by Joseph Jacobs, Litt.D. Pp. xxii, 310. Crown 8vo. London: G. Bell & Sons, Limited. 1913. 6s. net.

THE Jewish question has taken hold of many German scholars, and it has demanded more scientific study from them than from any other. Of late, many books and pamphlets have been written on its problems, but none is more noteworthy than that of Dr. Ruppin. He is a patriot and a Zionist. His knowledge of Jewish statistics is beyond question, as his book and Dr. Jacobs' introduction amply prove, and he uses it to enforce his message. He proclaims the imminent peril of Jewish assimilation to Gentile ways of life. He dreads the increase of Jewish emigration, the decline of the Jewish birth-rate, and, most of all, the evident tendency towards intermarriage with Christians. Modern education and culture, modern economic conditions, the rationalistic tone of modern science, all press heavily upon the Jew and his cherished faith.

Dr. Ruppin's remedy is Zionism; and, on the soil of their fathers, he would have his race take their 'last desperate stand against assimilation.' We are doubtful of his remedy. For many of his race it is undesirable: for most of them it is impracticable. Professor Sombart's recent book on *The Jews and Modern Capitalism* emphasizes a point which Dr. Ruppin has

overlooked—the Jews have prospered most when their dispersion has called them to the realms of industry and commerce. These are now the lands that flow with milk and honey.

ARCHIBALD MAIN.

THE CLAN CAMPBELL. Abstracts of Entries relating to Campbells in the Sheriff Court Books of Argyll at Inveraray. Prepared and edited by Rev. Henry Paton. Pp. viii, 312. Edinburgh: Otto Schulze & Co. 1913.

'This volume,' says the introduction, 'is the first of a series which it is intended to publish from the large collection of Campbell information gathered from public and private record sources by Sir Duncan Campbell of Barcaldine and Glenure, Baronet, for the purpose of providing materials for the construction of accurate and reliable memoirs of the various branches of the Clan Campbell.' Planned by Carrick Pursuivant and executed by the expert hand of Mr. Paton, the collection embraces about 2000 bonds, agreements, contracts, etc., between the years 1689 and 1784. The index of persons contains forty-six solid columns of Campbells, and the book is, for all sorts and conditions of the clan, treasure-trove for their pedigrees, lands, occupations, and connexions. It is a capital beginning of a Campbell Calendar, bound in the heraldic *or* and *sable* of Argyll.

The National Gallery of Scotland: Souvenir volume, by W. G. Blaikie Murdoch (sm. 4to. pp. 75, 19 plates: Alexander Moring, Ltd., 1913, price 1s.), is a brisk appreciation of the national collection in Edinburgh, surveying swiftly but with balanced sympathy the work of the English, foreign, and Scottish schools respectively. As is becoming, the author's heart warms to the Scottish artists, of whose pictures the Gallery claims to possess a supreme collection. The plates are well chosen and well executed, and a skeleton of Boucher's *Madame de Pompadour* presides on the cover.

A second edition of the *Guide to the Priory Church of Saint Andrew, Hexham* (By C. C. Hodges. 8vo. pp. viii. 112. Gibson & Son, Hexham. 1913. 1s. net.) gives the reader the unusual security of a first-class ecclesiologist's architectural exposition. Excellent plates reproduce the late J. P. Gibson's photographs, as well as some by his son, Mr. John Gibson, along with sketches and a good plan by Mr. Hodges.

The Selden Society has issued in its Year Book Series *The Eyre of Kent 6 and 7 Edward II., A.D. 1313-14*, vol. iii. (4to. pp. lii. 266), edited by Mr. W. C. Bolland. It of course consists of law reports. In a section of a generally technical preface, the editor pleasantly diverges into a discussion of a remark made by Justice Spigurnel that the price of a hare was three-halfpence (*iiij maills*), but that of a rabbit fourpence (*pour conyng iiij d.*). He concludes that the inferior price for the hare was largely due to the little use made of it on the medieval menu. Prices for comparison are, a capon, 3d. and 4d., a good hen, 1½d. and 2d. Another very important issue by this Society is *Select Charters of Trading Companies, A.D. 1530-1707*, edited

by Mr. Cecil T. Carr (4to. pp. cxxxvi, 322). It is a collection which will be found of first-class utility and note for the history of British colonisation and corporate trade and manufacture. The charters, as their significance is luminously expounded in Mr. Carr's extensive and able preface, furnish a skeleton or constitutional basis for early foreign trading, and illustrate 'a system of gild-like control' applied to it. Notable in the series is the gradual consolidation of incidents of corporateness. From Elizabeth's reign the outlines of incorporation of traders acquire fixity. Incorporation was the goal of the merchant-adventurers' ambition. Charters again and again show how foundations of new worlds were being laid on feudal lines, inclusive of *reddenda* such as elephants, elks, beavers and white horses. Mr. Carr makes particularly cordial acknowledgment of the studies of Dr. W. R. Scott and Rev. Dr. Cunningham. His own introduction to his charters, no less than its conjunction with the charters themselves, makes the book an invaluable work of historical reference on the economics of early discovery, colonisation, and industrial invention and development.

Archaeologia Aeliana (Third Series, Vol. IX. 4to. pp. xlv, 360), the annual repository of miscellaneous tracts relating to antiquity published by the Society of Antiquaries of Newcastle-upon-Tyne, edited by Mr. Robert Blair, shows as its frontispiece a genial and lifelike portrait of the late Dr. Thomas Hodgkin, author of *Italy and her Invaders*, who was for many years one of the secretaries of the Society. At his death a vice-president, he was held in the universal esteem which his fine character and his literary distinction alike commanded. An obituary notice by Dr. F. W. Dendy pays graceful and earnest tribute to his 'cheery presence,' his 'ready power of expression,' his 'vivid imagination,' and his 'labours in local history and archaeology,' while not less appreciative of his place as a historian of world-fame. A bibliography contributed by Mr. Robert Blair adds value to this short but hearty memorial of a scholar who was well known on this side of the Tweed also, and whose studies during more recent years were often turned to Border themes. How well the writer of this paragraph remembers occasional meetings with him on the Wall of Hadrian and the Vallum of Antoninus, in the great castle of Bamburgh and in the University of Glasgow, and the unflagging interest of questions he discussed, such as the problems of Wall and Vallum, the battle of Brunanburh, and the story of the Solway: his circle included everybody: everybody was his friend. It is difficult to believe—so young was he in personal manner and in mode of writing—that he was over 81. To the last he was keenly active, his final task a revised study at large of the Wardenship of the Marches, which presumably will ere long be issued among the contents of a posthumous volume.

Other contents of *Archaeologia Aeliana* include Mr. P. Newbold's report on excavations on the Roman Wall at Limestone Bank, a noticeable fact in which is its conclusion from the pottery found in the wall-turret there that the occupation 'begins with the early years of Hadrian.' A report on the excavations of 1912 at Corbridge (Corstopitum) adds to inscriptions one 'to the discipline of the Emperors,' one naming Calpurnius Agricola, another naming (as Professor Haverfield conjectures from the fragmentary

L.V. . .) Virius Lupus, 'probably,' says the report, 'soon after A.D. 1907' (!) Mr. R. H. Forster, Mr. W. H. Knowles, Professor Haverfield and Mr. P. Newbold have materially advanced the exploration of the site, and have been rewarded both by important data to extend the ground-plan and by a good list of objects, such as a female figure carved in relief, a bronze jug, a gold-wire chain, a slab bearing a winged Victory, a boar of the 20th legion, the torso of a genius, a basrelief of Hercules, an architectural fragment with apparently a grotesque face, and many stamped pieces of pottery. Not the least interesting find was a building stone on the west wall having a very decided mason's mark upon it.

Professor R. K. Richardson contributes an elaborate article on the 'Bishopric of Durham under Anthony Bek, 1283-1311.' Its account of that forceful prelate, who was no favourite with the chroniclers of his period, is calculated to confirm their verdict upon him. His continuous record of conflict with his ecclesiastical neighbours was a sorry enough memory for a prelate to leave behind him. Apparently Professor Richardson hardly sees the transaction with John Balliol about the manors held in England by Alexander III. in the sinister light of a big bribe to the bishop for his influence with the English king in the great contention for the kingdom of Scotland. That matter, however, is of only subsidiary moment in the scheme of the professor's paper, which is concerned rather with the bishopric than with the personal biography. It is an ecclesiastical life of Bek, laden with references to the official documents, and filling no fewer than 140 pages with most valuable matter.

The catalogue of Durham seals, by Canon Greenwell and Mr. C. Hunter Blair, noticed in a former review (*S.H.R.* ix. 210), is continued from letter L to letter P, with ten plates of excellent renderings of special examples. There are other contributions also to Northumbrian archaeology, and the volume effectively attests the vitality and talent of the Newcastle antiquaries.

A capital 'Leaflet' of the Historical Association is *An Essay on English Monasteries* by Rose Graham (pp. 43, with three folding plans. Historical Association, 6 South Square, Gray's Inn). It is a compendious statement of a very great deal of information, both from records and from archaeology, on the monastic system, its impulses, architecture, economy, finance, and contribution to historiography. Miss Graham has compressed a large stock of knowledge into a short and well-written study.

In *Notes and Queries for Somerset and Dorset* (June) tenures of Sherborne in 1377 are continued. They include in English 'the olde custume and consuetude' of the use of certain commons. A facsimile is given of an order in 1734 condemning the corpse of a felon 'to be buried at a Cross way, a Stake stuck through him, and so forth—in terorem.'

Old Lore Miscellany (Viking Society) for July gives, with illustrations, an instalment of the Rev. D. Beaton's descriptions of early crosses, etc., in Caithness.

The Rutland Magazine (October). This number completes the fifth volume of this attractive 1912 miscellany of county lore, adding to its store of pictures and portraits. A biography of Robert Browne (1550-1633),

founder of the Brownists, describes his proceedings in Scotland on his return from Holland in 1583. At Dundee and Edinburgh and elsewhere he inveighed against Presbyterianism, but, according to his own account, met sharp reprisal in being sent twenty times to prison. A memoir of Lady Bridget Noel (1660-1718) contains interesting domesticities in family letters.

Mr. G. Phillips, The Library, Oakham, has carried on this admirable antiquarian periodical from its foundation with a singular knack for procuring sound matter both of local information and entertainment from the annals of the shire, and has won respect for his well-guided venture from historical and archaeological students wherever his well-got-up quarterly made itself known. We regret to learn that it is to be discontinued, but note with satisfaction that it is brought 'to a close with the assurance of those who have been interested in it that the effort has been well worth the labour entailed.' It was an honour to Rutland, for which Rutland owes honour to Mr. Phillips.

Is there a single supreme factor in history? Alternately claims are put forward for race, individual genius, economics, climate or environment as the dominant influence in shaping the ends of man. Lately Geography has been rather loud in asserting itself. But the phrase Human Geography now current concedes the limitations of influence of locality, and properly maintains the interaction between man and the phenomena of sun, soil, mountain, plain and sea. In the *Scottish Geographical Magazine* for June there is translated the inaugural lecture delivered in December last at the Collège de France by M. Jean Brunhes, professor in the new chair of Human Geography. It starts from a recognition that the subject matter involves as much bearing of history upon geographical conditions as of the converse, that men are the allies of their geographical surroundings although their potentialities as geographical agents may be rigidly controlled by geology and climate, and that the factors of human geography imply social, statistical and psychological problems of the most diverse and far-reaching order. Prof. Brunhes defines his ground with eloquence bordering on emotion in prescribing to himself the task of search after the general laws or rather harmonies, not antecedent but evolved, foreshadowing or explaining those collective dominations of the Earth which are its greatest historical characteristic.

In the *Juridical Review* (vol. xxv., No. 2) Mr. F. Watt re-examines the treason trials at Carlisle after the '45, finding much to condemn. Mr. Roughead breezily describes the North Berwick witchcraft cases under James VI., who is perhaps accorded rather more than his due share of blame for the opinion of his time. Sheriff Ferguson collects the general details about the seven earldoms of Scotland.

In *The Celtic Review*, along with a variety of Gaelic text and comment and ethnological discussion, there appears with a capital portrait an intimate and well-informed appreciation of Dr. Walter B. Blaikie.

The American Historical Review (July) boasts such a quartet of papers as we have rarely seen in a single magazine number. First of them is Mr. J. T. Shotwell on the 'Interpretation of History,' a striking view of the pro-

cession of mythological, theological, philosophical, materialistic and economic interpretations, in each of which the generations have respectively and successively projected into the past the major interest of their own time. All is vanity: it is the verdict of this critic, whose ambition lies towards a historical interpretation of the interpretations regarding itself as part of the long process it explains, and in its course editing, as it were, the bygone mind. A great word is said for Buckle, and attention drawn to the insight of his dictum that—with advancing civilization—food, soil, and the forces of nature would exert a decreasing influence on history. Mr. Shotwell has profoundly studied his fascinating theme, and his essay, finely turned in its language, gives poignant stimulus to self-question on our tenets to-day.

Professor Burr, writing 'Anent the Middle Ages,' brings into relief a wonderful plea for universal religious toleration by Nicolas of Cusa in 1453, put forward in his *De Pace seu Concordantia Fidei*, which, failing one religion and one divine worship, was content to leave the different nations their several devotions and ceremonies, and great enough to believe that thereby devotion might gain by the variety. This remarkable doctrine came from a cardinal. Incidentally Professor Burr discusses the sense and origin of *medium aevum*, first found, it is said, in 1539, contrasts the old *Civitas Dei*—(meaning a State rather than a City)—with Luther's *Cujus regio ejus religio*, and emphasises the narrow concept of the Protest of Spire as a king's claim much more than a subject's right.

Professor E. P. Cheyney worthily sustains the standard of these two essays by his sketch of the history of the Court of Star Chamber, drawing from many records the material for a comprehensive and excellent narrative description, and educing the matter of tragedy in the feud of Laud and Prynne which was to close the court with the execution of Strafford as well as Laud, and to make the scaffold possible for Whitehall itself.

Last of the four articles is Mr. E. R. Turner's account of the Development of the Cabinet in Great Britain—his first instalment covering the period from 1688 (when the previously amorphous and secret body was stiffened into a recognised 'Cabinet Council') down to 1742, by which time the cabinet had become the real executive council of the nation. This important study pieces together a mass of references showing how the Privy Council, even under James I., was being specialized into sub-committees, and how under Charles I. the process was accelerated, to be renewed after the Restoration, and finally canonized by William and Mary. Scottish data may yet be brought forward in furtherance of Mr. Turner's conclusions regarding the evolution of a merely casual body into the constitutional power we know. At the beginning of the reign of Charles I. vital stages of the policy which was to bring Charles to the block were arrived at in private conferences held in the king's 'withdrawing chamber' at Whitehall. Some examples of this may shortly be exhibited in our pages. Mr. Turner's manifold citations furnish a convincing chain of instances and allusions, so that the constitutional expedient is seen clearly dependent on the informal antecedents. Also, they demonstrate, what we are apt to forget, that for England as well as for Scotland the Privy Council is not only the administrative centre of history, but is also the base and mechanism of constitutional movement.

Annual Magazine Subject-Index, 1912. Edited by F. W. Faxon. Pp. 299. 4to. Boston: Boston Book Co. 1913. This elaborate co-operative magazine index is the fifth annual supplement to the initial volume compiled in 1907. Its list of periodicals (including the *Scottish Historical Review*) is at once select and comprehensive, and its well-chosen subject heads make it a first-class key to last year's literature and history in the magazines, and therefore an excellent aid to study.

Maryland Historical Magazine for June sketches the career of William Carmichael, an American diplomatist in Europe in Revolution times, 1776-1782. An interesting instalment is given of Rev. Jonathan Boucher's letters. Acknowledging the receipt of certain books, he breaks out testily against the dominant Scottish influence manifested in them. 'What with these Scots Sermons, Scots Dissertations, and Scots everything else,' he writes in August 1770, 'I am sick of your Scots Authors. Don't you as well as myself feel some chagrin at this monopolis'g Spirit of Theirs in the World of Letters? Why, they bestride the Microcosmy of Literature be it w't it will, Philology, Criticism, Theology, Poetry, or Law, you will find a Bevy of Scotsmen at it—about it, Goddess! about it!' He terminates his fling by protesting that there is nothing to be learnt from it all—'And this in general is the character of most Scots Authors, Hume alone excepted.'

Another of his letters to his correspondent, the Rev. Mr. James, of Kendal, Westmorland, in July 1772, has a very interesting reference to a surprising natural phenomenon which distinguished the annals of the Border in 1771. 'Sometimes,' writes Mr. Boucher, 'my Fears have whispered me that, unmindful of the Instructions of the Angels to Lot, you had neglected to flee from the Plain and escape for your life, and so that amazing Solway Moss had caught and overwhelmed you. Were you in that Neighborhood (For I think *Netherby* is thereabouts) when this happened? I am astonished to read the many absurd and contradictory accounts of it that have been published: it surely was of Importance enough to engage the Attention of Some one capable of describing and accounting for so singular a Phenomenon.' The episode alluded to was the extraordinary burst or movement of the moss in November 1771, which found sufficient chronicle in Nicolson and Burns' *History and Antiquities of Westmorland and Cumberland*, 1777, vol. ii, 473. It was 'a memorable outburst of water, moss, gravel, sand, and stones, which spread over and destroyed about 600 acres of fine level fertile ground, and totally altered the face of that part of the country.'

A bulletin of Queen's University, Kingston, Canada, is Professor W. L. Grant's account of Denzil Holles (1599-1680), under the title of 'A Puritan at the court of Louis XIV.' The quarrels and diplomacies of the daring ambassador (1663-66) are characteristically set forth.

The Iowa Journal has an article by Jacob Van der Zee on the origins of Western Iowa, going back to 1676, when a Jesuit wrote concerning 'some Indians called *aiaoua*.'

The Caledonian (Aug.-Sept.) keeps the old flag flying in America, but the editor should not have labelled Earl Grey's portrait as that of his more

distinguished kinsman, Sir Edward Grey. Nor should he without warning have given impossible 'love-letters of Mary Queen of Scots.'

The *Revue Historique* (Juillet-Août) edits diplomatic correspondence of Antonio Rincon regarding the relations of France and the Turks, 1522-41; also an intimate account of the death of Francis I. in 1547. Bulletins or collective series of notices are given of recent work on Roman antiquities and on contemporary French history, which latter includes discussion of 'la Guerre eventuelle'—with Germany. As usual the reviews and survey of current literature give an admirable summary of historical studies in Christendom.

The chief article in the number for September-October is an elaborate study by M. A. Cans on the political rôle played by the assembly of the clergy during the Fronde, 1650-51. The author's conclusion is that the assembly did great service to the Regent in checkmating the projects both of the nobility and of the States-General.

Archivum Franciscanum Historicum (January) contains a short article by Professor P. Duhem of Bordeaux upon Francis de Mayronis and the question of the rotation of the earth. Francis de Mayronis (died 1325 A.D.), known as *Magister Acutus Abstractionum*, lectured in Paris, probably before 1322, and in his commentary upon the second book of the *Sentences* he makes the following remark: 'Dicit tamen quidam doctor quod si Terra moveretur et Coelum quiesceret, quod hic esset melior dispositio.' Thus, early in the fourteenth century and more than two hundred years before the publication of the *De Revolutionibus Orbium*, we get a glimpse of this anonymous precursor of Copernicus.

In the April issue Father Johannes Hofer commences a critical examination of the scattered biographical notices bearing upon the English Grey Friar and philosopher, William of Occam, and brushes aside some errors, such as his supposed connection with Merton College, Oxford, and discipleship of Duns Scotus. In the July number appears a further instalment of this biographical study, carrying the narrative down to May, 1328, the date of Occam's flight from Avignon.

In the same number Father André Callebaut prints a series of documents illustrating the strained relations of the clergy of France with Philip the Fair, and specially the animosity of the Crown and its officers against Gautier de Bruges, Bishop of Poitiers. Further documents upon the subject are promised.

Notes and Queries

THE OPENING OF THE ELEVENTH VOLUME gives the Editor an opportunity for a few words of survey of its first decade, during which he has had most generous assistance from historical scholars. But for the response made to his venture in taking over the *Scottish Antiquary* from Mr. J. H. Stevenson, and refounding it as the *Scottish Historical Review* the enterprise could not have succeeded; the response, however, has been unhesitating from the first. The magazine quickly magnified its inheritance, and the Editor has had the satisfaction of seeing year by year his pages occupied by contributions which commanded critical as well as popular acceptance for their standard quality, as representative of the best work available in Great Britain upon the history of Scotland, its institutions and its literature. This was the aim of the *Review*, as it had been the aim of Mr. Stevenson, and the Editor cannot sufficiently express his gratitude to the band of nearly three hundred contributors who have given their services ungrudgingly,—some lending the influence of distinguished reputations, some winning their spurs in these columns, all animated by the desire to advance Scottish historical study. Together they have made for the *Review* a place of record for demonstrations of previously undiscovered fact, for the presentment of previously unprinted manuscript material, for skilled criticism of current literature, and for that continuous re-survey of the older standpoints by which the compass of history is kept in its proper adjustment to truth.

So many eminent names appear on the lists of authors, translators, and reviewers, that the Editor can only acknowledge his indebtedness by tendering thanks to all, naming only three of the dead, Bishop Dowden, Andrew Lang, and Mr. T. G. Law, each of whom to the last gave not only practical help but sympathetic and inspiring encouragement.

The *Review* may be permitted to tender its good wishes to the Professor of Scottish History and Literature now appointed

in the University of Glasgow. Prior to 1908 there had been occasional advocacy of the scheme, but without effectual result. Dr. William Wallace was in some respects the pious founder of the movement which led to the Scottish Historical Exhibition of 1911, by which was secured the adequate endowment of the Chair, now occupied by Mr. Robert S. Rait, M.A., Fellow of New College, Oxford. It will be his distinguished function to carry out in the University of Glasgow a course of training analogous to that so successfully instituted in Edinburgh by Professor Hume Brown. As a successful and specialist student of Scottish history and literature Professor Rait's record goes back to 1895; he has been a contributor to this *Review* since 1908, and he is sure of welcome from its readers. The Editor trusts to profit for years to come, not only by his labours, but also by those of the generation he is to instruct and inspire.

JAMES MACLEHOSE.

MEMORIAL TO THE GOWRIE FAMILY. Some correspondence has recently appeared in the newspapers regarding a memorial which has been erected, through the generosity of Mrs. Ruthven Stuart, in the East Church of Perth, to the memory of the last Earl of Gowrie and other members of the family. This memorial was accepted on behalf of the community by the Provost of Perth. As the inscription on the memorial bears that it was the gift of a 'lineal descendant' of the Earl, Lord Ruthven has thought it incumbent on him to point out that there is not the slightest historical evidence to show that the last Earl of Gowrie was ever married, or that he had any issue, legitimate or otherwise. Mrs. Ruthven Stuart has replied, the greater part of her letter being taken up with attacking the Ruthven Peerage title, but as it is difficult to see the relevancy of this to the point at issue, it may in the meantime be left out of the question. Mrs. Ruthven Stuart also says what is more to the purpose, that whether married or not the Earl of Gowrie 'certainly' left a son, whose descendant she is. It would have been more interesting if she had stated the grounds on which she makes this statement. It is unnecessary to state the reasons which make it extremely improbable, but any actual evidence of the fact would be welcome. Meanwhile, the case is a warning to ecclesiastical and municipal authorities against allowing inscriptions to be placed on permanent memorials without satisfying themselves that they are historically accurate.

QUEEN ANNE'S GREAT SEAL. It has been supposed that, in terms of the Treaty of Union, a second Great Seal of Scotland was made for Queen Anne. The Treaty sanctioned the use of her first seal until the second should be made,¹ but only seven years elapsed before the Queen's death, and for some reason, as yet unknown, the new seal was never made.

¹ Article XXIV. of the Treaty of Union.

That this is so is proved by the fact that, when George I. granted a Commission under the Great Seal, dated S. James's, 16 Nov., 1714, of the office of Sheriff of Haddington to Charles, Marquess of Tweeddale, the seal appended at Edinburgh, 7th Dec., 1714, is the first (and—as it now appears—only) seal of Anne.¹ The seal is entire, but in bad condition, unfortunately, as Mr. W. R. Macdonald tells me he knows of no perfect example. The arms and title are on the obverse, the effigy of the Queen on horseback on the reverse.

C. CLELAND HARVEY.

HERALDIC EXHIBITION. The Committee of Provands Lordship have decided to hold within their old house in Castle Street, Glasgow, a Heraldic Exhibition. This will be opened on 24th November by Sir James Balfour Paul, Lyon-King-of-Arms. Mr. C. Cleland Harvey, 4 Bute Mansions, Glasgow, requests that any one who could help by lending or obtaining exhibits will please communicate with him. It is proposed to show casts of Armorial Seals, Drawings and Photographs of Carvings, Ancient Heraldic Manuscripts, Heraldic China, and examples of Modern Heraldry.

¹ Original in the Charter Chest at Yester.

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Intellectual Influences of Scotland on the Continent¹

IN the case of every nation we can trace certain large effects that were directly due to influences which came to them from without. In the development of our own country we are reminded at every stage of her history of what she owed to the community of nations of which she has been a member. In the earliest period of her history that is known to us we find the missionaries of the Celtic Church of Ireland spreading light in certain portions of her territory. By the time she became a distinct kingdom she was open to all the influences that went to mould the different nations of Christendom, and to her contact with these nations she owed feudalism and the Catholic Church—the foundations of the mediaeval societies. Her Reformation of the sixteenth century was not self-originated, but was due to a European movement. So in the eighteenth century the prevailing type of religion, known as Moderatism, was born of the speculations of thinkers who were not her own sons.

It is a natural question to ask—has Scotland, on her part, exercised any perceptible influence on the sister nations of the Christian group? Compared with these sister nations, she has certainly been at a disadvantage. By her geographical position and her limited natural resources, she was debarred from playing such a permanently important part in the world as was assured to

¹ Introductory Lecture delivered to the class of Ancient (Scottish) History, University of Edinburgh, October 15, 1913.

nations with greater material advantages. Only at certain periods of her history has she, owing to a conjunction of circumstances, been one of the determining factors in the rivalries of the powers of Europe. An interesting chapter might be written on these periods when, owing to a special set of conditions, she possessed a political importance that made her action an anxious concern in the councils of every European Court. Our interest at present, however, is in less palpable forms of influence than those of politics and diplomacy; it is with influences in the spheres of thought and feeling only that I propose to deal in what follows. What new currents of speculation, what new springs of emotion, has she communicated to other peoples which the world has agreed to recognise as directly proceeding from her? As we shall see, there is one century in her history—the eighteenth—during which she was in remarkable degree a source of stimulus in almost all the intellectual interests of the time in Western Europe. To what extent she contributed to the common intellectual capital in the preceding centuries we have insufficient knowledge. It is on dubious grounds that we can claim certain writers of the Middle Ages whom we know to have been potent inspirers of their contemporaries, and, on the other hand, in the case of others whom we can claim with certainty we have not the information requisite to estimate their influence. With such information as we possess, however, and with such detail as time permits, let us note the most remarkable Scots who, previous to the eighteenth century, may be regarded as seminal minds in their respective ages.

If we were to give credit to our early historians, as all Scotsmen once did, Scotland was betimes in the field. According to that remarkable annalist, Hector Boece, who did not invent the story, it was two Scots who assisted Charlemagne in founding the University of Paris. Unfortunately, as Charlemagne flourished in the ninth century, and the University of Paris was not founded till the twelfth, this early proof of Scotland's intellectual superiority we must perforce reject. How the story arose we can conjecture. The truth is that all through the Middle Ages, and even after them, Scotland figured under borrowed plumes. The illusion arose from a confusion of the designation *Scotia*. The original *Scotia*—*vetus et major Scotia*—was not Scotland, but Ireland, and it was not till the eleventh century that the territory north of the Tweed came to be designated by that name. But long before that date Ireland had a great repute in the world for

her learning. Whoever on the Continent knew Greek in the days of Charlemagne was either an Irishman or had been taught by an Irishman. It was the result of this confusion of terms that Scotland so long got credit for excellencies which were not her own.

One scholastic theologian of distinction, who flourished as early as the twelfth century, we can claim with certainty as a Scot. It is our historian John Major who tells us what we know of him. This was Richard of St. Victor, a monk of the Augustinian Order, who apparently spent most of his life in the schools of Paris. Here is Major's quaint account of him: ¹ 'He was second to no one of the theologians of his generation; for both in that theology of the schools where distinction is gained as brother meets brother on the battlefield of letters, and in that other where each man lets down his solitary pitcher, he was illustrious,' and Major adds that he 'published a vast number of most meritorious lucubrations.' Also, according to Major, the name of Richard of St. Victor is associated with a dogma which has filled a large place in the history of the Catholic Church; in one of his sermons he was the first clearly to enunciate the dogma of the Immaculate Conception. Richard died about the year 1173, and on his tomb in the cloister of St. Victor was inscribed a Latin epitaph, from which we may infer that he died at a comparatively early age. The lines may be rendered as follows:

For virtue, genius, every art renowned,
 Here, Richard, thou thy resting-place hast found.
 Scotia the land that claims thy happy birth,
 Thou sleepest in the lap of Gallic earth.
 Though haughty Fate hath snapt thy short-spun thread,
 No scathe is thine; thou livest still though dead.
 Memorials of thy ever-during fame,
 Thy works securely keep thy honoured name.
 With step too slow death seeks the halls of pride,
 With step too swift where pious hearts abide.

Of far more resounding fame than Richard of St. Victor was a Scot of the following generation—Michael Scot, called of Balwearie. It is only in comparatively recent years that Michael's real significance in his time has been recognised. In the traditions of his countrymen, as we know, he was the mightiest wizard

¹The translation is that of Mr. Archibald Constable (Scot. Hist. Soc. vol. x.)

Scotland had produced, and it is this conception of him that Sir Walter Scott has used with such effect in his *Lay of the Last Minstrel*. On the Continent, also, it was as an adept in the black arts that he attained notoriety—a notoriety blazoned for ever in Dante's great poem. As one who impiously professed to reveal the secrets of the future, Dante assigned him a place in the eighth Circle of the *Inferno*, where the appropriate punishment of the sinners was to have their heads turned round so that they were compelled to walk backwards, 'for to look before them was denied.' In one of his grim pictures Dante brings the would-be diviner before us. 'That other,' his conductor Virgil tells the poet, 'that other so thin in the flanks was Michael Scot; and of a truth he knew the play of magic arts.' His sinister renown as a master in *diablerie* Michael shared with every thinker in the Middle Ages who attempted to extend the bounds of human knowledge. His contemporary, Roger Bacon, was in equally ill-repute as being in league with the infernal powers, but, less fortunate than Michael, he paid a severe penalty in this world, and not in an imaginary hell. Both were interested in what we now call physical science, and it is a sentence in Bacon's works that clearly marks the service that Michael did for his generation. Michael Scot, Bacon tells us, was the first to translate Aristotle's treatises concerning nature and mathematics, with the result that Aristotle's fame was greatly magnified among the Latins. The significance of this sentence of Bacon is that it marks the dividing line between the earlier and the later scholasticism. Previous to these translations by Scot, the schoolmen knew only Aristotle's writings on logic, but with his new works in their hands their speculations made a new departure, and found scope in wider interests, and in more various problems. It will be seen, therefore, that Scot was an initiator, a pioneer who has his own place in the history of philosophic thought. So far as we know, he was the first of the legion of wandering Scots who in successive ages sought the fountains of learning wherever they were to be found, and who not infrequently gained the patronage of the great. We can trace dimly his steps in France, in Italy, and in Sicily, where he found favour with that brilliant imperial heretic, Frederick II. It was at Frederick's instance, it would appear, that he travelled as far as Toledo in Spain, and there it was that he made the acquaintance with the Arabic translations of Aristotle by Averrhöes which he rendered into Latin, for he knew no Greek. And besides his distinction as a revealer of Aristotle, he

has another claim which has been fully recognised. Along with his translations he gave Averrhöes' Commentaries on Aristotle, and thus became one of the founders of Averrhöism, the rankest and most deadly heresy of the Middle Ages, inasmuch as it was the negation equally of benignant and malign spiritual forces in nature.

In the thirteenth century flourished a still more distinguished thinker than Michael Scot—Duns Scotus, the 'Subtle Doctor,' who has also been claimed as a native of Scotland. As both England and Ireland contest the claim, however, and the evidence in favour of each of the three claims cannot be considered satisfactory, we must perforce leave him out of account. We are in the same difficulty with regard to another famous writer of the thirteenth century—Johannes de Sacrobosco, the Latinised form of Holywood, Holybush, or Halifax. Sacrobosco was the author of a work—a text-book on the Ptolemaic astronomy—which had as wide a circulation and as lasting a repute as any production of the Middle Ages. Long after Copernicus had exploded the Ptolemaic system it continued to be a text-book in the schools. George Buchanan versified it with poetic adornments in his poem on the 'Sphere,' and as late as 1656 the Government of Holland ordered that it should have a place in the teaching of the youth of that country. But as England, Scotland and Ireland with equal probability claim him as their son, he also must be left out of our roll.

It is not till the close of the fifteenth century that we meet with the name of another Scot who can be said to have had a European reputation. In an interesting passage in his 'Praise of Folly,' in which he specifies the characteristics of the different nations, Erasmus says of the Scots that they plume themselves on their skill in dialectic subtleties—a remark, it may be said in passing, which Galileo also made a century later. Erasmus's testimony to the metaphysical aptitudes of Scotsmen may have been suggested by one whom he must have personally known, as they were members of the same college—the Collège Montaigu, in the University of Paris. He was John Mair or Major, a native of Haddingtonshire, where he was born in 1470. He received the elements of his education in his own country, probably at the burgh school of Haddington, which John Knox also attended. His higher studies he pursued at the Universities of Cambridge and Paris, in the latter of which he became one of its most distinguished teachers. The subject in which he won his fame was

that scholastic philosophy which had exercised the wits of the successive generations of thinkers throughout the Middle Ages. The ponderous folios he produced bear witness to an industry truly prodigious, and are at the same time a monument of the futility of so much of human effort. For it was the misfortune of Major that he came at a time when the scholastic philosophy of which he was the exponent was moribund, and a new world of ideas was being opened up to which apparently his eyes were shut. He became, in fact, the jest and the butt of the men who looked to ancient Greece and Rome for inspiration and spiritual nutriment. Yet the distinction of those who selected him as an object for their wit is a tribute to his great reputation as a champion of the old order. The arch-mocker Rabelais had evidently heard of him, as in the wonderful library of St. Victor in Paris his Pantagruel found a book by Major entitled *The Art of making Puddings*. He was known to Melanchthon, also, so far off as Wittenberg. In a reply to the censure of the Sorbonne on the opinions of Luther, Melanchthon has these biting words on Major: 'I have seen John Major's *Commentaries on Peter Lombard*. He is now, I am told, the prince of the Paris divines. Good heavens! What waggon-loads of trifling! What pages he fills with disputes whether there can be any horsemanship without a horse, whether the sea was salt when God made it. If he is a specimen of the Parisian, no wonder they have so little stomach for Luther.' Be it said that Melanchthon does not exaggerate the absurdity of the questions which Major raises in his *Commentaries*. He seriously discusses, for example, whether God could become an ox or an ass if He chose, and whether John the Baptist's head, when it was cut off, could be in more places than one. It would be a mistake, however, to conceive Major as a hidebound obscurantist. Apart from his logic and philosophy, he gave proof of an open and original mind. Both in his *Commentaries* and in his *History of Greater Britain* he expounds political theories which were eventually adopted at the Revolution of 1689. And he has a more remarkable claim to be regarded as an independent thinker; he threw out an idea which gives him a place in the history of Poor Law Reform. In his *Commentaries on Peter Lombard* he expresses this opinion, which in his day was regarded as of startling originality: 'If the prince or community should decree that there should be no beggar in the country, and should provide for the impotent, the action would be praiseworthy and lawful.' And what is interesting is that the hint was taken by

one state and city after another, and put into action as a remedy for mendicancy—the intolerable evil of the age. From this account of Major it will be seen that in his day he was a figure of European importance, and deserves to be regarded as one of the brightest ornaments of his country.

Major's contemporary, Hector Boethius or Boece, may be more briefly passed over. A native of Dundee, he also studied in Paris, became a professor of philosophy there, and was subsequently Principal of the newly-founded University of Paris—an office which he filled with notable distinction. In philosophy he was a schoolman like Major, but, unlike Major, he was open to the new lights of the Revival of Learning. He was the friend and correspondent of Erasmus, the most brilliant adversary of the scholastic theology, and he wrote a Latin style which was evidently formed on classical models. Moreover, he did not, like Major, compose Commentaries on the Schoolmen, but confined himself to biography and history, and bequeathed two books to the world—his *Lives of the Bishops of Mortlach and Aberdeen*, and his *History of the Scottish Nation*. It is only with his *History* that we are now concerned, as it had an influence of its own kind beyond the limits of Scotland. From a Scots translation of it by Archdeacon Bellenden, the English annalist Holinshed appropriated certain passages for his *Chronicles of England*, and it was in Holinshed that Shakespeare found the nucleus for *Macbeth* and the local colour in which the play abounds. But further, it had the distinction of being translated by the royal cosmographer of France, and was thus the means of giving currency on the Continent to notions regarding Scotland which are hardly extinct at the present day. In his wonderful *History* Boece circumstantially relates the lives and fortunes of the successive kings of Scots whose portraits adorn the walls of Holyrood, and his narrative materially helped to convey the impression, long prevalent on the Continent, that the Scottish monarchy was the oldest in Europe. Moreover, in his description of the physical characteristics of his native country, he enumerates so many marvels that Scotland came to be regarded as having been a distinct creation.

At the opening of the sixteenth century were born three Scots who in different spheres did honour to their country abroad. They were Alexander Alane, better known as Alesius, Florence Wilson, and George Buchanan. Alesius, as his record proves, must have been one of the most strenuous Scots who ever left his

native land. He was born in Edinburgh in 1500, and it is from his hand that we have the first prose description of his native city. When a boy he fell down the Castle rock, and his preservation was considered so marvellous that it was variously attributed to the portions of Scripture he wore round his neck, to his guardian angel, and to the piety of his parents. In early manhood he adopted Protestant opinions, and was forced to flee to Germany, where at Wittenberg he gained the friendship of Melancthon. Subsequently he came to England, where he was well received by Cranmer and Thomas Cromwell, and lectured on theology at Cambridge. Driven from England by the statute of the 'Six Articles,' he returned to Germany and played a notable part in forwarding the Reformation in that country. Florence Wilson was a man of another type. Mystic and humanist, he at Lyons became the centre of a circle of scholars who looked up to him as a rare exemplar of the graces and virtues that should adorn learning. Of Buchanan's fame on the Continent it is unnecessary to speak. For two centuries he was for Continental scholars what Grotius called him, 'Scotiæ illud numen.' By the beauty of his Latin verse, and by the purity of his style in his *History of Scotland*, he won for his country a place in the intellectual commonwealth of the nations.

As has already been said, the ideas that underlay the Scottish Reformation were not of home growth, but were mainly taken over from Continental Reformers. Directly, therefore, it had no intellectual influence on other countries. Indirectly, on the other hand, it affected the whole subsequent development of Christendom. Had Queen Mary, on her return to Scotland in 1561, found the country still in the communion of the Church of Rome, momentous results must have ensued. We know how passionately she coveted the English Crown, but, as things went, she did not even succeed in persuading Elizabeth to recognise her as her successor. Had Scotland been Catholic, however, Mary would in all probability have been in a position to make herself Queen of England by force of arms. At the period of her return the majority of the English people were still Roman Catholics. Backed by her own subjects, and supported by the Catholic party in England, she would have had a superiority of force against which Elizabeth could not have successfully contended. The result would have been that England would have been gained to Rome, and with the loss of England, its great bulwark, Protestantism

would have been at the mercy of the great Catholic powers of the Continent. Thus indirectly, it will be seen, the Scottish Reformation may have determined the spiritual and intellectual development of Western Europe during the last three centuries.

The object of the present lecture is to note what original ideas, what fresh springs of emotion, Scotland may fairly claim to have contributed to the general movement of mind in Continental countries. Of the many distinguished scholars who issued from the Scottish Reformation we cannot say that any of them made such contributions. In the books that they wrote, in their teaching from the many professorial chairs which they filled on the Continent, so far as we know, they enunciated no thought, nor struck any new note that drew the world's attention. The most distinguished of them, Andrew Melville, signalized his teaching by his free handling of Aristotle as he had been interpreted by the schoolmen, but in this he was no pioneer. From the Reformation till the eighteenth century there is but one Scot, Napier of Merchiston, whose name is written in the European firmament. By his discovery of logarithms Napier has a permanent place in the roll of original discoverers in mathematical science.

We come to the eighteenth century—the century in the national history when she made her largest contribution to the forwarding of human culture. These mocking words of Voltaire themselves attest the variety and importance of the ideas that then went forth from her. 'It is an admirable result of the progress of the human spirit,' Voltaire wrote, 'that to-day rules of taste in all the arts, from the epic poem to gardening, come to us from Scotland. The human spirit daily expands, and we should not despair of soon receiving manuals of poetics and rhetoric from the Orkney Islands.'

We recognise as inadequate all attempts to explain the appearance of galaxies of genius at particular epochs in different countries. All that we can say in general of Scotland during the eighteenth century is that her people were then more alive both to material and intellectual interests than at any previous period of her history. During the two previous centuries the nation had been preoccupied with ecclesiastical and political questions which at once narrowed her outlook and absorbed her energies. In the eighteenth century she, like other countries, ceased to be dominated by theological questions, and turned her energies to making the most of this world. Thus was created an atmosphere in which her best minds could expatiate freely, and raise questions that, in a previous age,

would have sent their propounders to the stake. Be it said, also, that throughout the eighteenth century Scotland was in closer touch with the Continent than at any previous period. The most important European books were widely read, and it was the custom, we are told, for every Scottish gentleman with £300 a year to travel abroad for two or three years before settling down to the duties of his position. Even in the Hebrides, Dr. Johnson says in his account of his journey to these islands, 'he never entered a house in which he did not find books in more languages than one.'

It was under these conditions that from Scotland there issued a series of works, in widely different spheres, which potently influenced European culture. In three distinct domains this influence may be traced—in the domain of abstract thought, in the domain of physical science, and in the domain of literature. In the brief space at my disposal I can do little more than indicate the most representative names, but even the bare mention of these names will recall what were the main intellectual interests of the eighteenth century.

The first name that meets us in the domain of abstract thought is that of Francis Hutcheson, 'the never-to-be-forgotten Hutcheson,' as his pupil Adam Smith calls him. A Scoto-Irishman by birth, Hutcheson received his University education at Glasgow, where he subsequently held the post of Professor of Moral Philosophy for seventeen years. His tenure of that post marks an epoch in the intellectual development of Scotland. The testimony of succeeding Scottish thinkers to the awakening influence of Hutcheson's teaching is unanimous. He built up no philosophic system as they did, but by his gift of exposition and of touching the higher instincts in man he created a new spiritual atmosphere for the world around him. The ideal that inspired all his teaching was that *reine Menschlichkeit*, which in the latter half of the century was the evangel proclaimed with fuller content by Herder and Goethe. On the Continent his influence was greater in Germany than in France, where the Newtonian philosophy, as expounded by Voltaire, held the field. To his influence in Germany, however, all German historians bear testimony. Probably without exception, every German thinker of the latter half of the eighteenth century owed more or less to the inspiration and to the ideas set forth by Hutcheson. In the development of the German *Aufklärung* he was a potent force, and his doctrines in psychology and aesthetics were a permeating influence in German literature. But

the conclusive tribute to the importance of Hutcheson is that he was a favourite author of Kant, who freely acknowledged his debt to him, both by way of stimulus and suggestion.

The name of the next eminent Scottish thinker—that of David Hume—is writ large in the history of European thought. The issue of his teaching has been described as ‘intellectual suicide’—a strange conclusion to have been reached in Scotland, which for nearly two centuries had been the peculiar home of dogmatic assertion on all ultimate questions. His influence in his own country was both deep and lasting. Largely owing to his teaching the prevailing philosophic creed of Scottish thinkers during the latter half of the eighteenth century was a pagan naturalism, for which Christianity was an aberration of the human mind. In the House of Commons an honourable member ventured to assert that ‘the Scots were not *all* free-thinkers.’ As late as 1817, John Gibson Lockhart could say that Hume’s was regarded as the *beau idéal* of the Scottish mind; and still later (in 1832), Carlyle spoke of Hume as ‘the pontiff of the world,’ who ruled most hearts and guided most tongues, and whom Goethe had finally displaced from his sovereignty. On the Continent his influence was even greater than at home; for there, in the words of the most competent of witnesses, he became ‘the chief factor in shaping European thought.’ Like Hutcheson, he was a greater power in Germany than in France, where the *Encyclopédistes* had already evolved a philosophic system of their own. In France, it would appear that Hume was more generally appreciated as an historian than as a metaphysician. Writing from Paris in 1765, Horace Walpole says that Hume ‘is here treated with perfect veneration. His History . . . is thought the standard of writing.’ Be it added that in the following century Auguste Comte spoke of Hume as ‘his principal precursor in philosophy.’ On Hume’s influence in Germany it is unnecessary to enlarge. In the time-honoured phrase he ‘woke Kant from his dogmatic slumber,’ and with what consequences in the world of speculative thought the philosophical literature of every country is the speaking testimony.

To the third name in the succession—that of Adam Smith—it is sufficient merely to advert, as it is one of the landmarks in the history of human development. In three distinct spheres he exercised a potent influence on Continental thought. His *Theory of Moral Sentiments*, published in 1759, affected the speculations of every German writer on ethics and aesthetics (Kant included) in

the latter part of the eighteenth century. Of economic science, his *Wealth of Nations* constitutes him, if not the founder, at least its presiding divinity.

We come to the specific product of the Scottish genius in the region of abstract thought—the ‘Scottish School of Philosophy,’ of which Thomas Reid was the father. Alike in France and Germany the teaching of that school was welcomed by conservative spirits as supplying the most effective weapons against the common enemy—scepticism. During the first three quarters of the nineteenth century it was the officially recognised philosophy in the colleges of France. In his *Souvenirs d’Enfance* Renan tells us how he was reared on ‘*le bon Thomas Reid*,’ whose teaching, he was assured, soothed and consoled and led to Christianity. But the most striking testimonies to the interest of the Scottish School come from two unexpected sources—one from a Frenchman and the other from a German. Auguste Comte writes thus of his obligations to the whole succession of Scottish philosophic thinkers. ‘It is to the Scottish School, and not like many others, to the German School, that I owe the first rectification of the grave aberrations, at once moral and intellectual, peculiar to what is called the French School. I shall never forget how my evolution was in the first instance especially due to some luminous inspirations of Hume and Adam Smith.’

The other testimony comes from a still more unexpected source—from Goethe, to whom all abstract thinking was distasteful, but whose all-embracing eye no manifestation of the human spirit escaped. ‘The reason,’ he says, ‘why foreigners—Britons, Americans, Frenchmen, and Italians—can gain no profit from our new (German) philosophy is simply that it does not directly lay hold on life. They can see no practical advantages to be derived from it, and so it is that men turn more or less to the teaching of the Scottish School as it is expounded by Reid and Stewart. This teaching is intelligible to the ordinary understanding, and this it is that wins it favour. It seeks to reconcile sensationalism and spiritualism, to effect the union of the real and the ideal, and thus to create a more satisfactory foundation for human thought and action. The fact that it undertakes this work, and promises to accomplish it, obtains for it disciples and votaries.’

The second domain in which Scotland made its own contribution to the world’s progress—the domain of physical science—is beyond our present scope, and it may suffice merely to advert to the work of William Cullen in medicine, of Hunter in anatomy,

of Sir John Leslie in physics, of Hutton in geology, and of James Watt, 'the chief of inventors,' in practical discovery.

We come to the third domain—that of literature—in which Scotland exercised an influence on the Continent. In recent years French and German scholars have given their attention to the subject, and with some unexpected results. In the sphere of imaginative literature, it appears, Scotland has made a double contribution: it supplied new themes, new motives, and new inspiration, and it gave to the world certain novel theories regarding the nature of genius and the conditions under which it works.

Only two Scots can be named who, as poets, attracted the attention of Europe in the eighteenth century. The one was James Thomson, the author of the *Seasons*; the other, James Macpherson, the 'translator' of *Ossian*. To Thomson's *Seasons* German and French historians of their respective literatures ascribe the awakening of a new interest in nature which permanently affected the development of poetry in both countries. According to a French author, who has written a large book on the subject, Thomson not only inspired Rousseau in his attitude to nature, but in his poem on *Liberty* supplied him with his 'moral ideas' and his 'sociological doctrine.' In Italy Thomson appears to have been widely known. At least, some thirty years after the publication of *The Seasons*, an Italian historian of literature could write that it was 'universally read with infinite pleasure by all lovers of good poetry.' . . . On Macpherson's *Ossian*, now a disenchanted thing, it is unnecessary to dwell. It struck the most resounding note in European literature of the eighteenth century, and it laid its spell on the greatest man of action and the greatest man of thought among their contemporaries—Napoleon and Goethe.

Recent German research has opened up a new chapter relative to the intellectual influence of Scotland on the Continent in the eighteenth century. From the seventies of that century a ground-problem which occupied German thinkers was the nature of genius, especially as it manifests itself in creative literature. In the consideration of this problem, we are now told, German writers owe a large debt to two Scotsmen who are all but forgotten even in their own country. The one was Henry Home, Lord Kames, whose work entitled *Elements of Criticism* attracted the attention both of French and German critics. It was, indeed, a passing remark in that work to the effect that the *Henriade* was not a satisfactory epic poem that provoked Voltaire's sarcasm

already quoted. In Germany, however, his influence was greater than in France. Every important German writer on aesthetics, Kant included, derived inspiration and suggestion from his speculations on that subject.

The other Scottish writer, even less known than Home to his countrymen of to-day, exercised a still greater influence on German thought. He was Alexander Gerard, a Professor in the University of Aberdeen, and the two books that brought him his fame were his *Essay on Taste* and his *Essay on Genius*. The *Essay on Genius* a recent German writer has described as 'an epoch-making performance' on its subject, and he supports his statement by tracing the obligations of Kant to Gerard in his conceptions of the nature of genius and taste. And Kant himself freely acknowledged the obligation. 'Gerard,' he said, 'is the best writer on the subject.'

In another field of literature which has a closer interest for us on the present occasion—the field of history—there were three Scots whose works made the tour of the Continent and exercised an influence of their own. The names of two of them—Hume and Robertson—are familiar to every student of history; the name of the third—Adam Ferguson—is less known, yet of the three he was the most fruitful in suggestion to Continental writers. As we know, Robertson and Hume owed their inspiration to the example of Voltaire, but what gave them their distinction was a unity of treatment and a logical arrangement of their materials of which there was no previous example. Their Histories were regarded as models of lucid narration and philosophical reflection, and, translated into various Continental languages, were read with equal admiration by the general reader and the professional historian. Writing after the middle of the eighteenth century, the Italian literary historian already quoted exclaims: 'Who does not read and admire Hume's History!' and of Robertson he says that he has won 'immortal praise.'

The influence of Ferguson was of another kind, and was mainly confined to Germany. His *History of the Roman Republic* long held its place as a standard book, but it was in his speculative works, his *Essay on Civil Society* and his *Principles of Moral and Political Science* that he threw out the suggestions which influenced German conceptions of the scope and meaning of universal history. To Ferguson pre-eminently among other English and Scottish writers has been traced the beginning of a new method of historical research which appeared in Germany

in the latter half of the eighteenth century. 'Generally speaking,' says the German writer whom I am following, the 'German conception of *Weltgeschichte* was prompted by English authors,' and among these authors he assigns a special place to Ferguson.

With the eighteenth century closes the continuous succession of Scotsmen who in such different spheres made their respective contributions to European culture. In the nineteenth there was but one, Sir Walter Scott, who by his original genius appealed to the civilized world and influenced the imaginative literature of every country. For the Scottish nation, therefore, their eighteenth century has an unique interest. May it be added that for Europe at large it has an interest of its own, if merely as a curious chapter in the history of the human spirit ?

P. HUME BROWN.

William Barclay

THE writings of William Barclay possess qualities which warrant an attempt to draw them from the dust heap of political controversy. Though he left Scotland in early manhood and, so far as is known, never saw it again, he always retained a loyal enthusiasm for his native country, and in his *De Regno*, published eight years before his death, he lightens the long course of a polemical treatise with a few whimsical memories of his boyhood. Further, his frequent references to Scottish history and tradition give to his work a distinctively national note, though its proper place is to be found in the main stream of European controversy.

The exact date of his birth is unknown. Dempster¹ writes of his death in 1611, 'ultima senectute et penuria,' and Mackenzie² gives the date as 1541, but M. Dubois,³ whose judgment on a question of this kind must be preferred, adopts a later date (1545-7). He was a grandson of Patrick Barclay of Gartly in Aberdeenshire, of whom he writes: 'Quas causas (*i.e.* the rights of kings) illustris Baro à Gartly, Patricius Barclaius, avus meus (qui tum in fide Regis constanter mansit) parenti meo, mihique, parens optimus, cum annum fere octogesimum attingeret, saepe et copiose narrare solitus est.'⁴

Of his father he writes: 'Idem itaque mihi de hoc negotio semper iudicium fuit, quod nunc est, idque a patre, nobilissimo et sapientissimo viro, et multis qui ad eum frequenter conveniebant summis theologis (erat enim non solus doctus, sed doctorum, et praecipue ecclesiasticorum hominum adeo amans, ut a vicinis nobilibus religiosorum mendicantium pater diceretur) re saepius in disputationem vocata accepi, ea aetate quae tenacissimam omnium ad se perductorum memoriam habet.'⁵ It is apparent that his father was an example of the enlightened and ecclesiastically minded

¹ *Historia ecclesiastica*, i. 118.

² *Lives and Characters*, iii. 468.

³ *Mémoires de l'Académie de Stanislas* (Nancy, 1872), Série 4, tom. 4, pp. 58-126.

⁴ *De Regno*, iii. 8.

⁵ *Ibid.* v. 6.

laymen who have always been found in Scotland. In the course of narrating a characteristic anecdote of John Major, Barclay again refers to his father. 'Erat enim,' he writes, 'in illo homine (Major) magna et pene superstitiosa simplicitas, ut a patre accepi, qui illum optime novit, vixitque cum eo familiariter.'¹ From his grandfather and his father he inherited twin traditions of loyalty to the King and to the Roman Church, and he guarded this double inheritance throughout his long life with an honesty of purpose which cost him dear.

He writes of the reverence with which the Pope was regarded in Scotland in his boyhood,² and of his having at an early age heard discussions between eminent theologians and confessors on the respective rights of rulers and subjects,³ and again of youthful study of Major's *summula*.⁴ He must have been reared in an educated, if conservative, atmosphere; but he passed early to the Court, possibly during Mary's visit to the North in 1563, 'in aulam a patruale jam tunc adolescens deductus paulo antequam Regina Darlaeo nubere.'⁵ To his life at Court he has left two references, which crop up in the course of his *De Regno* and illuminate the page. He describes a deer-stalking expedition organised by the Earl of Athol in 1563 for the entertainment of Queen Mary, at which he (*tunc adolescens*) was present.⁶ The other reminiscence is of a different character. 'Id ipsum,' he writes, 'Ministros vestros Calvinistas crebro intonuisse ipsemet adolescens audivi.'⁷

About 1571 Barclay left Scotland and crossed to France. Mackenzie⁸ writes that he had spent his patrimony at the Court, but the reasons of the step were probably deeper.⁹ The cast of mind which he had inherited may have failed to manifest itself during the years of his early manhood, but it soon directed his conduct when Mary Stuart vanished from his horizon, and he found himself faced by the grim Scotland of the Regencies, no place for a Catholic and a Royalist. 'And having entirely neglected,' writes Mackenzie, 'to improve those natural parts with which he was endued, he applied himself to the Belles Lettres, though he was then in the thirtieth year of his age.'¹⁰ The writer

¹ *De Regno*, vi. 10.

² *De Potestate Papae*, cap. 40.

³ *De Regno*, iv. 7.

⁴ *Ibid.* vi. 10.

⁵ *Ibid.* i. 1.

⁶ *Ibid.* ii.

⁷ *Ibid.* iv. 4.

⁸ *Op. cit.*

⁹ *Remarques sur la vie de Pierre Ayrault*, p. 228, in *Vita Petriæ Rodii*, 1675.

¹⁰ *Op. cit.*

probably exaggerates a period of active practical life into the total neglect of the claims of the intellect, for it is difficult to conceive of a ruined courtier transforming himself in a few years into a scholar of note without some sound foundation of early training, and his studies at Aberdeen University must have left some traces.

In any event his studies in Paris, and subsequently at Bourges under Cujas, Hotman, and other eminent jurists,¹ added to his intellectual equipment a third element, which throughout the greater part of his middle age dominated his religious and political interests. His studies in France made him a civilian in the strong and peculiar sense which marked the period before the Wars of Religion. The study of antiquity, which at the Renaissance produced a doctrinaire Republicanism, at a later stage laid emphasis on the monarchic theories of the later Empire, and it was this later spirit which Barclay imbibed. He had no respect for feudalists or canonists,² the representatives of traditions which were alien to him, and to this extent, as compared with some of his contemporaries, he may be described as a doctrinaire. But his contempt was not founded on ignorance. When in the last two books of his *De Regno* he has to deal with a clerical opponent in the person of Jean Boucher, he displays wide knowledge of canon law, and his studies under Hotman must have left him something of a feudalist. He had a full measure of intellectual independence, and did not hesitate to differ from the great jurists at whose feet he had sat. Thus, in his *De Rebus Creditis*, he gives a critical estimate of Doneau,³ and in his *De Regno* he writes of an opinion of Cujas, 'Vere Cujacius mihi non videtur hic esse Cujacius.'⁴ Further, his criticism of the *Franco-Gallia* of Hotman is sustained and unmeasured.

On the completion of his studies, Barclay was appointed Professor of Law at Pont-à-Mousson, through the influence of his uncle, Father Edmund Hay, an eminent Jesuit. It may be noted that he was thus connected through his mother with the noble

¹ 'Sed mirum profecto est Hotmanum, subtilem alioqui et acutum j. c. quo preceptore xxx circiter abhinc annis in Bituriansi Academia aliquamdiu usus sum' (*De Regno*, vi. 18).

² He describes the feudal law as 'incertae Langobardorum feudales consuetudines, a jurisconsultis quibusdam Mediolanensibus collectae' (*Ibid.* v. 16). On Canon Law, cf. *De Potestate Papae*, cap. 28. The contempt of the sixteenth century jurists for the Canonists is fully expressed in Hotman's *Anti-Tribonian*.

³ Otto, *Thesaurus*, iii. 805.

⁴ *De Regno*, iii. 15.

family of Errol. He was proud of the relationship, and in his *De Regno* takes the family as an illustration, and gives a detailed account of its traditional origin.¹ He attributes the writing of this treatise to the solicitations of his uncle, but he states that its progress was retarded by the onerous duties of his chair. He was at first the only professor in the Faculty of Law, and the Duke of Lorraine requested him to lecture twice a day (*bis die ut profiterer, benigne et humaniter, ut solet omnia, invitavit*).² He was closely associated with the ruling house during his long residence at Pont-à-Mousson, and seems to have experienced to the full the extraordinary fascination which almost all its members, from Mary of Scotland downwards, exercised on their contemporaries. He writes, *e.g.*, of the two murdered brothers, the Duke and the Cardinal, 'quos ego et vivos amabam et tam subita atque acerba morte extinctos non parum dolebam maerebamque,'³ and the only occasion on which his Royalist pen falters is when he has to justify their assassination.

In the course of time Barclay added to his professional appointment the offices of Councillor of State and Master of Requests, and on the death of Pierre Gregoire in 1598 became Dean of the Faculty of Law. But in the midst of his studies, 'insieme insieme attendeva a gli escercizii cavallereschi,'⁴ and in 1581 he married Anne de Malvallier, a young lady of the 'noblesse lorraine.'⁵ Ghilini, in his short notice of Barclay, indicates that the marriage was only accomplished after some difficulties had been overcome, and to these obstacles may be attributed the existence of Letters Patent of James VI. of Scotland, of 1582, attesting the nobility and good birth of the Scottish exile.⁶ He appeared to be passing quietly through the conventional stages in the career of an eminent jurist of his day, but his position became increasingly precarious through growing and mutual hostility between him and the Jesuit Fathers who dominated the University. In 1586 he had sided with Pierre Gregoire in a quarrel regarding the status of the Rector,⁷ and had accompanied the Faculty of Law in its two years' exile from Pont-à-Mousson.⁸ A further cause of alienation was a personal dispute with the Society regarding his brilliant son, the future author of *Argenis*, who had been born in 1582. The

¹ *De Regno*, vi. 16.

² *Ibid.* i. 1.

³ *Ibid.* v. 18.

⁴ Ghilini, *Teatro d'huomini litterati*, ii. 162.

⁵ *Mémoires de l'Académie de Stanislas, ut supra.*

⁶ *Ibid.*

⁷ *De Potestate Papae*, cap. 38.

⁸ *Ibid.*

Jesuits, with their unique *flair* for promising youths, set their affections on the lad and made every effort to gain him for the Society, but Barclay offered a successful resistance.¹

While these two disputes may have been the apparent causes of the step which he took in 1603, the real grounds of his second voluntary exile are deeper. It is not necessary to have recourse to his writings to discover his interesting and well-marked character. The course of his life defines it. His vanity, irascibility, and doctrinaire stiffness were combined with an integrity and a sense of personal responsibility which imparted a moral value to his life no less than to his writings. Rather than yield to influences which were personally distasteful to him and antipathetic to his temperament and intellectual life, he abandoned the rewards of years of laborious activity, and in 1603 left the Duchy which had become his second fatherland. The publication of his *De Regno*, with its fierce attack on Boucher, the Religious Orders and the League must have made his relations with the ruling family and the Jesuits very strained, and probably he was glad to be gone. He retired to Paris, and thence to London, to which James VI. was attracting Catholics by his supposed sympathies with the Church of Rome. The King is said to have welcomed Barclay, but his tempting offers of preferment were conditional on his acceptance of 'the Anglican religion,' and Barclay returned to Paris before the end of the year 1603. By this time he was approaching the confines of old age, and was glad to accept the Professorship of Civil Law in the University of Angers, but even in his reduced circumstances his character asserted itself, and in his acceptance of the position he stipulated that he should have the first place in the Faculty. His reputation warranted the claim. In the *Première conclusion du Conseil de Ville* he is described as 'l'un des grandes personages de ce temps,'² and 'célèbre docteur qui puisse remettre cette Université en sa splendeur';³ but his claim met with strong opposition from his colleagues at the University. There were appeals and counter appeals and much discussion among the notables of the town, but the result was unfavourable to Barclay, who, up to the date of his death, claimed but did not occupy the position of *antecessor primarius*.⁴ Even in his old age he continued to be the ornate Highland gentleman, and saved his

¹ The facts of this dispute have never been fully ascertained, but the account given above is supported by John Barclay's narrative in *Satyricon* (Bk. II.).

² *Mémoires de l'Académie de Stanislas*, App XI.

³ *Ibid.*

⁴ *Ibid.* App. XII.

wounded dignity by a display of magnificence. 'J'ay oui dire,' wrote Menage, 'à mon père, que lors qu'il alloit faire sa leçon, il estoit suivi de son fis et de deux valets, et vestu d'une robe magnifique, avecque une grosse chaine d'or au cou.'¹ He died at Angers on 3rd July, 1608, and was buried in the church of the Cordeliers, which has long since disappeared.²

Of his works, his *De regno et regali potestate* was first published in Paris in 1600.³ His *De rebus creditis et de jurejurando commentarii* was also published during his lifetime, and has found a place in Otto's *Thesaurus*.⁴ His *De Potestate Papae* was published in London in 1609 and at Pont-à-Mousson in the same year, and there are editions of 1610, 1612 and 1617, while two French and two English translations testify to the general interest which it evoked. It has been enshrined in Goldastus' *Monarchia*. In addition to these published works, M. Dubois has collected contemporary references to a number of writings which remained in manuscript and have disappeared.⁵

At first sight Barclay's career, as outlined above, may seem unimportant, and the observation is just if a life which is directed by a succession of unrelated and haphazard events is to be regarded as eventful, but to a sympathetic student of his writings the interest of his life is exceptional. His career was indeed eventful, in respect that it was moulded by and reflected the lasting and pregnant events of a singularly important period in the development of European life and thought. In the growth of his character, which can be clearly traced in his life and writings, there is a continuity which is not simply individual but typical. He represents one of the most weighty interpretations of the life of a period which, as reflected in the lives of lesser men, is obscure and disordered. He grew slowly with his times, and was protected from catastrophe by his hard national character and the invisible barriers which preserve

¹ Menage, *Remarques, ut supra*.

² Barclay has given eloquent expression of his love for the country of his adoption. He refers to France as 'regnum omnium quae terris continentur, meo judicio, pulcherrimum . . . suavissimam illam, et velut Germanam Scotis omnibus patriam,' and again as 'omnis humanitatis et honestatis matrem, literarum et literatorum hominum alumnam, speculum religionis, summam justitiae cultricem, armatorum decus et delicias togatorum.' Cf. *De Regno*, iv. 14.

³ 'Sub signo Temporis et hominis sylvestri.' Republished at Hanover along with the *De Potestate Papae* in 1612 and 1617.

⁴ *Ibid.* iii. 805.

⁵ *Mémoires de l'Académie de Stanislas, ut supra*, (App. XVII. 3).

men of his calling from the rude shocks of war and the uncertain event of diplomacy and affairs. When he met the forces which were throwing Europe into disorder it was, as it were, at the second intention, and he was able to measure and estimate them. He was always a spectator—in his youth a minor figure and in his maturity a trained and well-furnished observer, withdrawn from the scene of action but conscious of any movement of affairs.

It must not be concluded, however, that Barclay was simply a colourless reflector of events. A short recapitulation of the leading phases of his career will serve to indicate that from his youth he kept traditions and qualities which reacted on and winnowed the many-coloured life of his age. He had a touchstone with which he tried events and men. As has been indicated, he was the product of a *milieu* which was at once catholic, royalist and in a sense moderate. In his boyhood he seems to have imbibed a spirit which had a real, if somewhat remote, kinship with that of the Caroline divines, the spirit of a remote Catholic community cut off from the main stream of Church life, but, perhaps, on that account more in touch with the ultimate realities which produce sanity and quiet conviction. At the court of Queen Mary he played a minor part in a scene in which a woman wasted her gallantry and charm in a vain attempt to meet impersonal forces with personal weapons. He met, further, the most unpleasing manifestations of the new religious movement, with which he was temperamentally out of sympathy. When he passed to France he had witnessed, at an age at which the mind is most open to lasting impressions, an exaggerated instance of the struggle between the past and the future which was taking place in modified degrees throughout Europe. The course which he followed indicates the judgment which he had formed. He conceived that events were being swayed by forces which were beyond the reach of unreflecting actors, and when he passed to France he gave himself wholeheartedly to the realm of thought. His association with the Jesuit University of Pont-à-Mousson marks a revulsion from the spiritual atmosphere of Calvinistic Scotland, but his ardent study of Civil Law was a more conscious and deliberate step. His contemporaries note that he brought to his legal studies a mind well versed in *belles lettres*, and his zeal for jurisprudence cannot be attributed to a desire on his part simply to educate an untrained mind. He gave himself to the study of Law in the search for

some solid foundation for his opposition to the destructive forces which he had seen at work in Scotland, and was destined to observe in a wider field. His study of imperial legislation was illuminated by the course of contemporary events in France. He had left a 'mad world' only to enter a madder.

In 1570 Elizabeth had been deposed by papal bull, and in 1572 occurred the Massacre of St. Bartholomew, to be followed by the Fourth Religious War in France. In 1574 died Charles IX., in the midst of the Fifth Religious War, and Henry III. passed from the throne of Poland to that of France. In 1576 appeared Bodin's *Six livres de la République* and Gentillet's *Discours*, and three years later followed Holtman's *Franco-Gallia*, the *Vindiciae contra tyrannos*, and George Buchanan's *De jure regni*. It may appear strange to include the publication of polemical and theoretical writings among the events of the period, but in France the struggle was ultimately one between contrasted theories, obscured and distorted by personal rivalries and ambitions.

Sixteenth-century France was a battlefield not only in the region of politics and outward events, but also in that of jurisprudence. It was to this study that Barclay devoted himself, and in this field he first observed the struggle which was going on concurrently in legal theory and in practical politics. To a man of his meditative habit, it was natural to get behind the realm of fact and devote himself to that of theory, and, as has been indicated, his past experience encouraged this bent. It was, further, possible for him to do so without losing touch with reality, for the eminent jurists of the day were, with the exception of Cujas, political thinkers, and, according to their lights, patriots as well as jurists.¹ Their political sympathies directed the course of their legal speculations and *vice versa*. To indicate the scope of this consideration, some reference must be made to the development of French legal studies during the period.

Following on the rivalry between customary law and Roman law, which gradually subsided as the monarchy became more and more the source of legislation, came a new development in the history of the latter, consisting of an elevation of the subject from the region of practice to that of theory. The result was a conflict between the two schools—the conservative and classical school of Bartolus and his followers on the one hand and the humanist and historical school of Cujas and Doneau on the other. When Barclay turned his attention to legal studies, the former,

¹ Cf. Viguié, *Théories Politiques Libérales* (Paris, 1879), pp. 9 *et seq.*

which commented, refined and elaborated an isolated mass of jurisprudence, had taken refuge among practitioners, and the latter had triumphed by the aid of history and *belles lettres*. The new historical study of Roman law soon brought to light its intimate connection with definite political theory.

This political aspect had revealed itself even in the medieval period. In 1312 Philip the Fair, in the course of his struggle with the Pope, made use of an earlier papal prohibition for his own ends, and prohibited the study of civil law at the University of Paris. His object was to suppress the theory of the pre-eminence of the Holy Roman Empire, which was in favour in the law schools of Bologna. Even in Barclay's day the Ordinance of Blois of 1579 renewed the prohibition, probably at this time directed against the Huguenot sympathies of some of the most eminent civilians, and Cujas had to obtain the sanction of the Parliament before he could teach in the capital. But, except in this ultra-clerical centre, the situation had changed, and it was recognised that the legislation of Imperial Rome could offer valuable assistance to the rapidly developing theories of royal power. The king of the modern centralised state stepped into the shoes of the Roman Emperor. There was, however, a liberal and democratic school of French jurists which drew its inspiration from the legal genius of Republican Rome. This school, which found its most illustrious representative in Francis Hotman, was historical in its point of view to a marked degree, and in the *Franco-Gallia* the feudal customs which Barclay despised are employed to demonstrate the democratic constitution which is claimed by the author as the inalienable heritage of the French people. The representatives of both schools who engaged in political controversy found it impossible to confine themselves to their own field, and the religious element in the constitutional struggle between the centralising forces of the growing monarchy and the privileges of the nobility and the towns asserted itself, particularly on the Huguenot side, by appeals to the authority of the Old Testament as a political gospel. When, however, during the critical years of the struggle the cause of democracy became identified with the religious authority of the League, the Catholic pamphleteers seized the weapons which their opponents had formerly employed, and used the arguments from Old Testament history, the force of which they had at one time denied.

Barclay's position as a theoretical jurist lay between the extremes represented by the Bartolists and the democratic wing

of the Humanists. He quotes with approval such leaders of the former school as Baldus and Cuneo, and he sought to apply to the modern state the juristic conceptions of the later Roman Empire; but, on the other hand, his strong historical sense and keen political interests drew him to the Humanist and historical side.

It was indeed 'a mad world,' and the merit of Barclay lies in the fact that he kept a clear course through it. He had no part in the *volte face* of the League, and he retained his Catholic faith throughout, but it would be a great mistake to exaggerate the import of his consistency. His political writings, polemical treatises as they are, are in no sense *livres de circonstance*. They were not produced, like the *Vindiciae* or the *Franco-Gallia*, in the white heat of a crisis. His *De Regno*, in particular, was the fruit of years of observation of events, but it was written slowly and piecemeal, and is more of the nature of an historical commentary like Machiavelli's *Discorsi* than of a theoretical treatise. While it was probably commenced soon after his arrival at Pont-à-Mousson in 1577, it was not published until 1600. The result is that its pages reflect the judgment of a contemplative and considering mind on a series of strange developments as they transpire. In preparing his work finally for the press, Barclay probably revised the earlier portion, but it still retains the character of a contemporary judgment. The interest of the volume is accordingly personal rather than theoretical. Barclay's earliest work may be described as the adventures of an interesting mind among great events, if one may be permitted to modify the memorable phrase of a contemporary critic.

The *De Regno* is divided into six books, and is furnished with a dedication to Henri IV. At the beginning Barclay describes the circumstances in which it was commenced, laid aside, taken up again, and at last completed, the immediate cause of its publication being the writings of Boucher, who sought to confer the sanction of the Church on theories which until his time had been considered the peculiar mark of heretics. The first two books deal with Buchanan's *De jure regni*, and are accordingly presented in the form of a dialogue. The speakers are Barclay himself and his friend Boutellerier, tutor in the Lorraine household, and there are many picturesque and intimate touches in the description of the surroundings in which the conversations took place. The opening pages are full of dry humour, and offer a pleasing contrast to the bare skeleton upon which Buchanan weaves his

dialectical web, but the light note soon gives place to the monotonous stroke of political argument.

Utility is the basis of human society. *Utilitas* cannot be distinguished from *honestas*. Laws are the sure safeguard of human society and are derived from the precepts of nature, but many unjust laws are to be found which have arisen not from the workshop of nature but from the bilge water (*sentina*) of evil desires. When the custom of abrogating, changing, and amending laws is considered, it is apparent that they must have come to be recognised as not being necessarily in accordance with nature, that changing times bring changing conditions, and that it is necessary to change laws also. Not the will of the legislator but the equity of the laws themselves must be looked to. In legislating regarding the respective rights of king and people, the precepts of nature must be obeyed. Accordingly, whatever has been introduced into this field not by reason but by the corrupt *mores* of the people, first through error but afterwards by the force of custom, must not be used to the prejudice of kings in the exercise of their *jus*. Reference is made to Buchanan's comparison, which, of course, he inherited from antiquity, of the state to a sick body and the ruler to a doctor. From this simile Buchanan has concluded that kings have no authority in the making or interpretation of laws, and that the king is subjected to the law and the law to the people. If the people, tired of single rule, claims for itself the Insignia of Empire, the result is that in seeking to escape the tyranny of one it falls a victim to the tyranny of many. No revolution has ever benefited the commonwealth : *bonis saepe mali raro meliores succedant*.

The origin of royal power is the need of organisation and protection in unruly times. Buchanan's view that such a need no longer exists is denied. The changes which have taken place are unequal as regards people, nobles, and the king. The nobles have become turbulent and unruly. The kings remain where they were, though without doubt they have established their position and gained means of preserving their power which they had not at first. Such means were not required when the *mores* of the people were intact, but with the growth of corruption and ambition they became necessary. The shortcomings of contemporary rulers are due to defects of *voluntas* and not of *facultas*. There is a distinction between the *vires regni* and the *persona* of the ruler. An example of the methods of unscrupulous men who grasp power under a pretence of humility is to be found in

the leaders of the Scottish Reformation. It is absurd to suggest that the judgment of the multitude is sounder than that of an individual. Experience has demonstrated the weakness and folly of popular rule. Barclay's interlocutor suggests that Buchanan does not seek to substitute another form of government for kingship, but merely to make the many councillors of the one. Barclay replies that the result is the same. His friend refers to *tot senatus et curiae tot provinciarum rectores, tot belli duces, tot celebres denique omnium ordinum conventus*. Barclay replies that these are useful so long as they obey and simply exercise delegated powers, acting only as councillors, and he expresses regret that such advice is not more readily taken. The First Book closes with an ironical account of Buchanan's conception of the kingly office reduced to that of an Arbiter or Dean.

In the Second Book Barclay treats of Buchanan's account of the selection of Saul, and indicates that he has taken the description of a tyrant for that of a king. God, in giving the Israelites kings and ordering His Prophets to anoint them, did not intend to give them tyrants. In most writings the names *rex* and *tyrannus* are interchangeable, but a king with a lawful title, however evil, was never designated a tyrant in the Scriptures, and the slayer of such never escaped punishment. It is absurd to suggest that the kings from whom Christ was descended were tyrants. If Buchanan's conception of kingship be accepted, Moses was a king, which is absurd. According to Buchanan, *reges vocantur omnes qui ex legum praescriptio jus dicunt*, but *regiam, hoc est liberam et legibus solutam potestatem, ab imperio magistratum, quod legibus servit, omnes uno ore distinguunt*. Barclay refers to the author of the *Vindiciae* as *deliriorum Buchananani vafer interpretis*. Buchanan's definition would apply to prophets and patriarchs, who made no claim to kingship. Samuel and the judges had no attributes of kingship, and consulted God as delegates of his authority when difficulties arose. Then follows a dull discussion of the words of Samuel regarding Saul. Moses declared what a king ought to do, Samuel what he could do. The *potestas* of kings would not have been described as *jus* unless it had been lawful, and when Samuel referred to the *jus* of the early Jewish kings he treated them, not as tyrants, but as legitimate rulers.

According to Buchanan the two restraints on kings were laws and councillors. The latter having been dealt with, Barclay now turns to the former. The earliest form of government was kingship, and all other forms mark a declension from it. In

Athens Solon alone, and in Rome the *Decemviri*, established the laws. Laws were established by kings, not for the purpose of limiting themselves, but with the object of regulating the people. Not only *ratio* and *judicium*, but also *innata quaedam in homine propensio*, recommend the kingly form of government, which reflects the Divine Government of the world. Kingship is based on the *jus gentium* and the *jus naturale*. The impossibility of the king exercising all his functions in person was the cause of laws which are *velut monitrice quadam domestica et regiae vocis ac voluntatis interprete concessa, quae in omnes regni partes diffusa, regis ubique praesentiam potestatemque repraesentaret*. If laws were made according to Buchanan's theory, as checks on royal power, the conclusion would be necessary that the more the laws the worse the ruler. History proves that this is false. It is impossible to conceive of the kingly office without the idea of complete freedom and independence of control. The phrase of Baldus *principem esse legem animatam in regno suo* is quoted with approval. After some analysis of Scottish History, the Second Book ends with an emphatic assertion of the rights of kings as interpreters of laws.¹

In the Third Book Barclay abandons the dialogue form and turns to the *Vindiciae*, the author of which is obviously, in his opinion, a heretic. Monarchy as a form of government is not an institution of human counsel, but the creation of the eternal wisdom. He whom God designs as ruler must receive the consent of the people. Accordingly, until kings chosen by God have been accepted by the people, they have only the hope of rule, *id est secundum spem regem dici posse*. In the constitution of a king God is the Author, while the people is an instrument or secondary cause. The people can never deprive a king of his sceptre. Once he has been accepted and inaugurated, no *jus* is left to the people. The *facultas* of electing a king must be clearly distinguished from that of constituting one. The former power is very rare; the latter is more common. The power to elect is thrust out by hereditary right and the *jus gentium*. When God selected a king He did not treat him as a unit. He granted the right of succession to his issue. This right is based on the *jus gentium*, and is confirmed by the Mosaic Law. The people have

¹ It is apparent that Buchanan inspired in Barclay that grudging respect which he seems to have excited in the breasts of those with whom he had to deal. Barclay refers to him as *ventri et veneri obediens*, but this was merely an argumentative aside at this date. His considered judgment of Buchanan is found in a passage in the Second Book, which begins 'Mira mehercule et misera res est.'

the right to decide between rival claimants to an hereditary kingship. In such an interregnum this power reverts to the people. Evil kings cannot be removed or controlled by the people. The transfer of power to officials does not mean that the rights of the people have been lost, but the *Lex Regia* involved the transfer of all the powers of the people as a unit. The rights of kings are based on the *jus naturae*. In every crisis the Romans had recourse to a Dictator, and the Emperors inherited the conception. The attitude of St. Ambrose to the Roman Emperor is a model for all time. He inculcated passive resistance, and declared that however greatly he was wronged by the Emperor, there was no earthly tribunal to which he could appeal, and a king who abuses his *jus* can only be punished by God. The conduct of Saul is closely examined, and the attitude of Samuel and David to him is held up as an example. The precepts of the Old Testament are universally binding. The conduct of David to Saul is *non perfectionis tantum sed necessarii officii exemplum*. This *antiqua Davidis theologia* corrects and condemns the insane theosophy of the times. It is to be noted that David was one of the *optimates*, and yet he claimed no rights against the king on that ground.

Barclay now turns to the discussion of the command 'Render unto Caesar,' etc. What when the command of a king conflicts with that of God? In obedience to the king obedience to God is reserved, and a good man can conduct himself so as to perform his duty to both. A reference to the miseries of France is followed by an emphatic exposition of the doctrine of non-resistance. It is a severe saying, but the people has neither the right of defence nor revenge against the king, though a certain amount of reverent opposition is permissible if the whole people is at one. No distinction can be drawn between good kings and bad, since there is no one in earth to whom an appeal can be made from the king; the cause must be committed to the wisdom of God omnipotent, who is King of Kings and the Judge of Judges. *Per multas tribulationes oportet nos intrare in regnum Dei*. Barclay quotes Tertullian, Origen, Augustine, Ambrose, Gregory of Tours, and others in support of this theory, and refers to the association of heresy and democratic views. Alas, the Lutheran and Calvinistic pest has begun to invade the Catholic Church—a clear reference to the activities of the League. Officials of the commonwealth have no mandate to correct evil-doing kings. If this were so, the greater the number of delegates appointed by a king the greater the number

of persons entitled to restrain and criticise him. An eulogy of Ninian Winzent, described as *Flagellus Sectariorum*, is followed by a fierce attack on Jean Boucher, who first had introduced the hated democratic virus into the Church of God. Barclay turns from him with relief to the high imperial doctrine of one School of the Roman Lawyers, and quotes the well-known maxims in which the prince is described as freed from the law, and in fact as the embodiment of law. The phrase does not mean only that the king is not bound by his own laws. It has a much wider reach. Before the people transferred its rights to the king, it was only bound by the laws which it cared to impose upon itself, and the king enjoys the same freedom, the transfer to him having been absolute and complete. Laws have a *vis directiva* and a *vis coactiva*. The prince may recognise the first but not the second. The king may abdicate or submit to an enemy of the State, and in either event the subjects are free from their tie to him. Reference is made to the History of James the Fifth of Scotland and to Balliol and Edward the First of England.

At the opening of the Fourth Book, Barclay again refers to the heretical taint of the author of *Vindiciae*, and likens him to Machiavelli. The proposition that a ruler must not be obeyed when he orders the doing of something against the Law of God is admitted, but it does not follow that by giving such an order the ruler frees his subject from his oath of allegiance. The simile of superior and vassal which is found so often in the *Vindiciae* is not a fair one; the feudal system is a travesty of the relations between God and the king. The vassal is not deprived of his feu without a trial, but the king can have no earthly judge. The latter is, no doubt, the delegate of God, but it does not follow that the people can invade the divine jurisdiction and exercise powers which are not theirs. There may be a contract between God and the king, but deprivation does not follow on a breach thereof—*ipso jure* or *ipso facto*. God is the only judge of kings, and cannot be deprived of His prerogative. The covenant between David and Israel was not conditional, and was a type for the future. The Pope as Vicar of Christ is the judge of kings, and when they are guilty of wrongs he can condemn them before his Spiritual Tribunal and punish them with excommunication. Refusal on the part of a subject to do evil commanded by a prince is different from rebellion and active hostility. The Protestants follow the sect to which their prince belongs, and change their religious views according to his inclination. The fury of the *Vindiciae* is due to the fear that

Catholics may take a leaf out of their book and compel their subjects to return to the true Church. Such measures if adopted would be based on divine jurisdiction, but heretical princes have no jurisdiction to force their subjects into religious communities to which they never belonged.

The second question dealt with in the *Vindiciae*, i.e. the extent and manner of resistance to rulers who seek to abrogate the Law of God and to destroy the Church, presents no real difficulty to Barclay. The Christian soldiers of Julian the Apostate and the innumerable cases of passive resistance under the Arian Emperors offer an example to be universally followed. No instance can be found of the rebellion of Christians against their prince even on account of hostility to the Church. Reference is made to the submission of the Scottish monks to King James, and to the martyrs under Henry the Eighth who urged obedience to the king on the scaffold. The political theories of the Calvinists are based upon a perverted interpretation of Scripture, and upon a pretended contract between God and the king, and then between God, the king, and the people. Such a contract does not sanction any rights of the people against the king. The relations between God, the king, and the people does not resemble the parties to a guarantee with joint and several liability; and even if the simile be accepted, it does not support his opponent's argument in respect that in law the guarantor who has done his duty has no recourse against the defaulter without an appeal to a judge, and the king has no earthly judge. Moreover, God and the people are not parties to the same bond; their relations to the king are quite distinct.

Turning to the third question of the *Vindiciae*, i.e. the limits of the right to resist a ruler who is destroying the commonwealth, and the grounds and method of exercise of such a right, Barclay contends that the definition of a tyrant is improper. A properly constituted king can never become a tyrant, and an alien king who seizes foreign territory is not a tyrant, but a public enemy. Moreover, the transfer of the people's rights in favour of the king is final, and no rights are reserved. A ward who receives a tutor, and a wife who receives a husband, are not superior to the authority received. The powers of the French parliaments and of the great officers of state are simply delegated by royalty. References are made to Bodin and Hotman, and the importance of the royal prerogative of pardon are insisted upon. Luther was responsible for the peasants' revolt, and the idea of democracy

set forth in the *Vindiciae* would inevitably develop into anarchy. The whole book is tainted with the poison of heresy. Barclay quotes the dictum of the Roman Jurists regarding prostitutes and their absence of moral responsibility, and adds, *Est enim haeresis prostitutio quaedam spiritualis*. Then follows some good dialectical play on the use made by the author of the *Vindiciae* of the people as a unit and the individual, of the magnates as a class, and the magistrates as representing the people, the confusion of these divers conceptions and the inconsistent use to which they are put resulting in hopeless confusion. The *optimates* are the creations of royal power, and the laws which the king imposes were not delivered to him originally by the people. He is not fulfilling a mandate of the people; he is exercising a divine office as the interpreter of God to the people. *At nobis de regno et monarchia sermo est*, Barclay concludes, *in quibus populus imperium et jus omne suum a se abdicavit, atque in principem transtulit ita ut omnis imperii exors est, ac proinde jus nullum animadvertendi neque in optimates universe, neque in singulos; Rege id totum sibi vindicante, habeat*.

In the Fifth Book Barclay turns to Jean Boucher and his *De Justa Henrici III. Abdicatione Francorum Regno*. Boucher, who, along with the other pamphleteers of the League, had poured the democratic poison into the catholic body, was the real object of Barclay's attack. The Calvinistic and Lutheran uncleanness had entered the Holy Place, and from this point to the end of the treatise the argument has a sweeping pungency which lifts it out of the dry regions of political controversy. Barclay appears to have been a personal friend of Boucher, and expresses regret that he should feel it his duty to attack him. Throughout this and the succeeding book he emphasises his antagonist's clerical state, refers frequently to the rights and duties of clerics, and quotes the canonists against him. Assuming that the ultimate power rests with the people, there is no evidence that there was any general consensus of the nation requiring Henry's abdication. Rulers are at the mercy of calumny and slander, and an account is given of the relations between Queen Mary of Scotland and the Regent Moray, full of strong antipathy to the latter. Following on the assassination of Henry the Third, Boucher's pamphlets have an air of cold-baked funeral meats and orations. In his attack on Henry the Third, Boucher had the audacity to anticipate the judgment of the Pope; but even excommunication launched by the latter would not authorise subjects to rebel. Barclay writes with strong disapproval of those who foment rebellion on the pretext of religion,

and refers to the vanity of the attempt to sustain the Catholic faith in Scotland and England with fleets and troops, with papal treasury and Spanish arms. The passage is a plain expression of disapproval of the League and the Jesuit policy. The king is *legibus solutus qua vi coactiva*, and Barclay recalls the distinction between the coactive and directive force of laws, and then comes the phrase which became so famous in future controversies, *Tibi soli peccavi*. At this point Barclay touches on the power of the Pope in temporal matters, and gives the key to his future controversy with Cardinal Bellarmine. All kings are subject, no less than private Christians, to the spiritual jurisdiction of the Pope, who is the Vicar of Christ, but no jurisdiction in temporal matters is involved. From this point onwards Barclay is content to refer Boucher to his replies to the author of the *Vindiciae*, and taunts him with his clumsy use of the arguments of that treatise.

In the Sixth and last Book there is a good deal of repetition of arguments and reference to Scottish and French history. Much space is occupied with a discussion of the character of Henry the Third, the murdered king, and Barclay has difficulty in justifying the murder of the Duke of Guise and his Cardinal brother. He repeats that the Pope has no jurisdiction in temporal matters save in the case of ecclesiastics and those who are subject to his temporal rule. As the book draws to its close it ceases to concern itself with argument, and the author's eloquence carries him with a rush to his conclusion. The final chapter is a remarkable piece of sustained invective which rises to the level of real eloquence. He denounces the baneful activities of the religious orders, given wholly to the cause of the League, and holds Boucher and his associates responsible for the crime of Jacques Clément.¹

Even the foregoing rough sketch will demonstrate that the *De Regno* is in no sense a philosophical or even a theoretical treatise. It displays little of the keen argumentative force which makes the *Vindiciae* even now absorbing, and the reader is aware of a lack of cohesion and a change in the author's point of view on more than one question dealt with. Thus, in some passages he accepts the contractual theory of the origin of kingship, though modified, no doubt, by the sweeping scope of the transaction embodied in the *Lex Regia*, while in others he represents the kingly office as the creation of the *jus naturae* and of the Divine

¹ It must be noted that Barclay writes in severe terms of the *Politiques*, with whom in some respects he might be conceived to have had some sympathy. Cf. *De Regno*, iv. 24.

Will. Its value is historical. It is above all a critical analysis on the light of practical experience of two treatises which owed their force to their power of abstraction and arbitrary generalisation, and in his criticism of Buchanan and Duplessis-Mornay Barclay slowly but surely defines his own position. As has been stated he was the enthusiastic guardian of traditions of loyalty to the Church of Rome and to the Crown. When he deals with Buchanan in the first two books of the *De Regno*, he finds these two ideals united in opposition to an heretical democracy, and he has no difficulty in identifying them. To his mind the democratic *virus* is a necessary concomitant of heresy, and even in his criticism of the *Vindiciae* he insists in maintaining the identification. But the dilemma which awaits him can be foreseen by the reader possessed of an historical knowledge of the gathering forces which surrounded Barclay as he wrote. In Scotland, as Barclay remembered it, the legitimate ruler had been a devout Catholic, and it was not difficult to face Buchanan in that field, but when he finds it necessary to refer to the ecclesiastical activities of the heretical German princes with their theory of *cujus regio ejus religio*, one can hear the breakers ahead. Heresy and democracy can no longer be identified. The experiences of his early youth enabled him to apply the limited and precise data of Scottish history in support of his argument, but when he turned in the latter stages of his treatise to the rich and confused life of contemporary France, he was faced with a difficult problem. He found in the League democracy allied with orthodoxy and opposed by a king who was apparently in open conflict with the Church of Rome. This dilemma explains the bitterness of Barclay's attack on Boucher. He found that his foes were those of his own household.

Up to the date of the publication of the *De Regno* in 1600, Barclay was content to meet the political activities of the League and the Jesuits with an emphatic reiteration of the Divine Right of Kingship; but in the latter part of that treatise there are to be found indications of a critical attitude to the policy of Sixtus V. The last years of his life were devoted to a controversy with Cardinal Bellarmine, in which his attitude as a political theorist received its final definition.¹ The publication of his posthumous

¹ Bellarmine replied to Barclay's *De Potestate Papae* in his *Tractatus de Potestate Summi Pontificis in rebus temporalibus*: cf. *Opera omnia* (ed. Naples, 1859), v. 259. Reference may also be made to *Die Selbstbiographie des Cardinals Bellarmin*, Döllinger and Reusch (1887), and *De Jacobo I. Angliae Rege cum Bellarmino disputante*, De la Servièrè (1900).

work, *De Potestate Papae*, cast a clear light on much that appeared conflicting and obscure in his *De Regno*, and gave the key to his slow development and final position. The import of this treatise can only be gathered after some consideration has been given to the political theories of the early Jesuits and in particular to those of Cardinal Bellarmine with which it professes to deal.

The principal characteristic of the latter part of the sixteenth century was the transference of attention from the old religious view of the European world as a spiritual unity, which found its interpretation in the claims of the supreme Pontiff. According to this view, the existence of spiritual and secular rulers involved no division in the political world: they were both officers of the same all-embracing government, and the pre-eminence of the former was due to their more lofty and noble aim. But as the modern secular state emerged into view, the attention and devotion of men were drawn away from the old religious view of the world and turned to these new governmental units. In these circumstances the Papacy found itself faced with the problem of reconciling its age-long claims with the demands of an alien creation, the secular state. 'The influence which religious motives formerly possessed was beginning to be exercised by political opinions.'¹ The gravity of the situation was increased and emphasised by the presence of Queen Elizabeth and Henri of Navarre, at the head of growing secular powers. The new-found loyalty to the Crown was apparently irreconcilable with the old devotion to the Church.

In these circumstances the position of the early Jesuits was clearly defined. In May, 1596, Father Parsons wrote to Father Creighton, a Scottish Jesuit, 'And so what I have often said in your presence (and what I remember our beloved Allen to have done also) I now once more repeat: the one thing and the first of all that I look for in our future ruler is that he be a true Catholic; let him be of what nation, race, or language he will; and if he be not this, or be doubtful, I will regard neither his country nor his person, nor any kind of hereditary claim which I cannot admit against the cause of God, although otherwise most valid.'² A year earlier Father Creswell, another Jesuit, had written to Philip of Spain: 'I find myself, by His divine grace, so free from personal and natural bias in the matter, that if I heard that the entire

¹ Acton, *History of Liberty*, p. 188.

² Taunton, *Jesuits in England*, 185.

destruction of England were for the greater glory of God and the welfare of Christianity, I should be glad of its being done.'¹

These somewhat extravagant outbursts of Jesuit zeal must not be taken literally. They are the crude and blunt application of the theory of the origin and rights of royal power, which found clear and systematic exposition at the hands of Bellarmine. His political writings take their place without effort or straining in the stream of consecutive and homogeneous doctrine which stretches from St. Thomas Aquinas to Leo XIII. His contributions to political science were perforce of a polemical character, and the foundation which he laid on his *Controversies* sustained an elaborate superstructure which was raised through the years of his maturity in face of the Lutherans, the French regalists, the Republic of Venice, and our King James. The two points on which the attack and the defence were concentrated were the origin and sanction of royal power and the authority of the Pope in secular matters.

Speaking generally, the wide and far-reaching claims of the modern state may be said to date from the Lutheran reaction after the Peasant revolt in Germany. This reaction sought to confer on the civil ruler powers which were to be exercised both in the sphere of politics and in that of organised religion. This exaltation of royal power found an echo in England and France. The issues were confused, and the scope of the struggle ranged from the attempt in France to eliminate the religious factor from the qualifications of the ruler to the extreme secular theory which found expression in the maxim, 'cujus regio, ejus religio.' This new world of independent secular states offered a striking contrast to the old world of Europe, culminating in the Papacy. It was the function of the Papacy to be almost against itself, the creator of a new political system. The Papacy transferred to the wide field of Europe the policy of counter-poise and balance which for centuries it had employed with success in the Italian peninsula. The Papacy and the Venetian Republic in a less degree were the protagonists of the modern European system of the balance of power. The veiled yet ruthless struggle between Philip II. of Spain and Sixtus V. was a struggle for the freedom of Europe on the part of the latter. In the face of the menace of Spanish power the latter reiterated the old claim of the Papacy to intervene directly and summarily in every phase of European life. He does not appear to have realised the expediency of a restatement of the papal claims in terms applicable to the new world which was rising

¹ Taunton, *Jesuits in England*, 195.

around him. Bellarmine, who attempted to formulate a new theory, was not regarded with favour by Sixtus, and the volume of his *Controversies*, in which he enunciated his theory of the indirect power of the Popes, was placed on the Index.

This theory was novel rather from the assumptions and admissions which underlay it than for any striking feature in its presentation. It envisaged the world as perpetually subject to the Divine governance, and as an entity void of meaning without recognition of the fact that the ultimate aim and supreme purpose of man could not be accomplished there. It was based on the unqualified recognition of the claims of the Catholic Church, endowed with Pentecostal gifts and finding its earthly head in the Bishop of Rome, the successor of Peter and the Vicar of Christ. This theory recognised that the primary purpose of the Church and the Papacy was spiritual, and that there were departments of life in which they were not directly concerned. It recognised that the old unity of the world with the ecclesiastical and civil rulers as officers of one organism had disappeared. It recognised the existence of the secular state with secular aims and interests, leading a self-sufficient life of its own, and alongside it placed the *societas perfecta* of the Catholic Church. The secular state is the creature of natural law and its ruler rests his mandate on the *jus gentium*; the Church is the custodian of divine law, and its head exercises functions entrusted to him by Christ. The field of the former is the body and mind of man; the field of the latter is his spirit. As the two are closely united, the Church has the right and the duty, when occasion arises, to intervene to control and direct the secular ruler who represents the secular side of human interests and activities. But such intervention is not exercised by the Pope directly: he does not exercise discipline over secular rulers in the manner in which he controls bishops and other ecclesiastical dignitaries. His power of discipline as applied to kings and princes is indirect and consequential. It is based on the necessary interpretation and application of his spiritual mandate. When the welfare of souls is concerned, he is bound to intervene in matters which are primarily secular.

This theory of the indirect power of the Pope in secular matters was closely linked with the theory of Bellarmine on the origin of royal power. The Jesuit theory finds the origin of Kingship in a contract, but it has little resemblance to that of Rousseau, with which it has often been confused. The Frenchman's state of nature has no existence in the theory of the Jesuits who, following Aristotle and

St. Thomas Aquinas, regard political power or the political instinct as one of the indispensable ingredients in the divine composition of man. Political power is given immediately to men in common, and not to individuals. In the words of Bellarmine ; *Sublato jure positivo, non est major ratio cur ex multis aequalibus unus potius quam alius dominetur.* This political power is transferred to individuals, whom we call kings, by the multitude endowed with it by God. The transfer is effected by a tacit contract of a triangular or tripartite character, between God, the people and the king. In transferring to their ruler their political power the people transfer at the same time a share of the recognition of that divine governance of which they are conscious. The Pope receives his power directly from God ; the King receives his indirectly and through the people.

To grasp the true import and value of this theory which may, perhaps, fairly be called democratic, it must be kept in view that the modern states which were coming to birth in Bellarmine's lifetime were autocratic, and involved the complete overthrow of the feudal system. The sixteenth century ruler was forming with the creatures of his own creation a new world, alien to the old commonwealth, and stamping out what remained of the old decentralised, provincial and communal life. He threatened to become, and actually, in most cases, became the sole manifestation of national life. The Jesuit theory of royal power, which found its most adequate expression at the hands of Bellarmine, sought to get behind this imposing façade by laying emphasis on the rights of the multitude on which it rested. These rights had been transferred, no doubt, but the transfer had been effected on a religious basis which had imposed on the ruler the supreme duty of refraining from interference with the religious duties of his subjects. Such interference in a realm which must remain perpetually inviolate, invalidated the tripartite bond which united him with his subjects and with God. Such interference would necessarily invoke the reserved powers of the Pope, God's vice-regent upon earth, who would intervene in virtue of that indirect power in secular matters, which, as we have seen, was based on his spiritual prerogatives.

It is interesting to note that, like Boucher in another field, Bellarmine in elaborating his theory of the Papal right of intervention owed much to the *Vindiciae*. The fourth question discussed in that treatise concerned the right of neighbouring princes to intervene where subjects were oppressed by a tyrant on account

of their religion. The author had in view the activities of the German Protestant rulers in the French Wars of Religion. 'Nimirum,' he wrote, 'ubi Dei gloria, ubi Christi regnum agitur, nulli limites, nulli fines, nulli cancelli, piorum principum zelum arcere debent.' The same conception was used by the Jesuit Cardinal twenty-five years later for a very different end.

Barclay's criticism of Bellarmine was trenchant and sweeping. In the fragmentary form in which it has reached us it seems to justify the conclusion that he had cast aside the contractual basis and the machinery of the *Lex Regia*, which can be traced in the *De Regno*, and had determined to treat royal power as the immediate creation of the Divine Will. The main line of the argument may be outlined as follows :

Two views of Papal power are prevalent: (1) the Canonists' view of direct universal power; (2) the Divines' view of indirect power. Both are wrong, but the Canonists' view is preferable. Some Divines have adopted (Bozius) the Canonists' view and attack Bellarmine. The spiritual and temporal powers are distinct; Bozius's view of the subordination of the latter is denied. Barclay denies 'that the Pope hath any right or jurisdiction temporale over any lay person, of what condition or order, and rank so ever they be; unless he shall purchase the same by civile and lawfule means.' He does not include secular kings within the temporal jurisdiction. 'On the Prince's part, what can be spoken with more indignitie and injustice, than that they professing the faith of Christ, should be pressed with a harder yoke, than any private man among the multitude.' Laymen and princes lose nothing of their lay privileges in entering the Church. He quotes with strong disapproval the bull against Queen Elizabeth, and Boniface's treatment of Philip the Fair. The abuse of Excommunication is emphasised. The Deputy or Vicar of God cannot take away from the Prince, without the express command of God, that authority which he has received from God himself. This indirect power is not a necessary or inseparable consequence of the spiritual power of the Pope. The spiritual power can exist without it. Bellarmine's argument that powers which could not be exercised in the times of the Roman Emperors should be exercised now is unsound. The present age is ripe and thirsting for wholesome martyrdoms. The Church of the time of Constantine and Julian was by no means powerless, yet it remained obedient *qua* temporal matters. Kings being set over the Law are reserved for the examination of God. He denies

that modern Popes can exercise with success powers incompetent to the Popes of the early Church. Their position is not really stronger, in that their actings still bring misfortune to the Church—severe criticism of Hildebrand. He quotes Boucher with disgust. He then turns to the theory of indirect power. Its indirectness does not affect the extent of the power, but only makes it consequential in origin. He states that he had heard from the Jesuits that Bellarmine was near censure at the hands of Sixtus V. : ‘Let him doe what he will, but he shall never bring to passe that I ever forsake the Catholike, Apostolike, and Romish faith, wherein I have lived from a child to this great age ; or dye in another profession of faith, than that which was prescribed by Pius IV.’ While admitting the distinction of the powers, civil and ecclesiastical, working in one organisation, Bellarmine subordinates one to the other in respect of loftier end. Barclay insists in keeping them always distinct. ‘So also the Kingly or Politike power resting on its proper strength, subsisteth alwaies by herself ; and although she receive great light from the Pontifical and spirituale power, to live well and happily, yet is not changed at all her *ovsia* or essence, neither by hir approach, nor by his departure, nor diminished nor increased, much less is she subject to hir when she comes to her.’

In Barclay’s view, if the exercise of the temporal power in some way hinders the spiritual, the former must yield but only to spiritual punishments, ‘to the divine judgment and revenge.’ The foundation of Barclay’s argument is the denial that inferiority of end involves an inferiority or dependence of the power directed to that end. ‘For God as he hath committed spiritual power to the Pope and the other priests, so also hath he given the civile by an everlasting dispensation to the King and the Magistrates, which be under him. There is no power but of God.’ Bellarmine’s second ground is the idea of the Church as a *societas perfecta*. ‘The *ecclesia* like the commonweale ought to be perfect and in itselife sufficient in order to her end. For such are all commonweales, rightly founded ; therefore ought she to have all power necessary to attain her end.’ Barclay notes that this view involves a denial of Bellarmine’s former theory that laity and clergy do not make two commonwealths but one. Further the power to dispose of temporal matters is not necessary to a spiritual end. If these views were true, the converse might be maintained. Barclay sums up his own views as follows : ‘In the same manner two soveraigne Magistrates of

the Christian Commonwealth, the King and the Pope, doe receive from the Common King and Lord of all, the great God of Heaven and Earth, a divers power each perfect in his kind and governe the people by different jurisdictions and offices.' He observes that it is absurd to maintain that the spiritual can interfere with other jurisdictions for her own protection, since they are both parts of one jurisdiction, and if they were not, the spiritual being entirely such, could only use spiritual weapons.

He then turns to Bellarmine's third argument, that it is not lawful for Christians to tolerate an infidel king if he seek to pervert his subjects. The Pope is the judge of whether he does this. Barclay's reply is a denial of the unlawfulness of passive obedience and an assertion of the rights of nations even when they do wrong. He has no hesitation in condemning the doctrine of St. Thomas on the subject. A bad king must be tolerated just as a bad Pope; toleration does not necessarily involve peril to religion. He denies Bellarmine's next argument, that a people may be separated from an unworthy king just as husband may be from a wife. The cases are not similar. Bellarmine's next argument is, 'When Kings and Princes come to the Church to be made Christians, they are received with a covenant, either express or secret, that they should subject their sceptres to Christ, and promise that they will observe and defend the faith of Christ, yet under the penalty of losing their kingdom. *Ergo*. When they prove Heritikes or hurt religion they may be judged by the Church, and withal be deposed from their government, neither shall any injury be done them, if they be deposed.' Barclay admits the premises but he denies the conclusion. The only punisher of kings is God. He firmly maintains that the Pope has no need of temporal power, since neither the incarnate Christ nor Peter had such. He denies the power of the Pope to absolve subjects from the oath of allegiance. 'The submission and obedience due to Kings and Princes and all Magistrates and superiors is grounded upon the law of nature and of God, being confirmed by both the Testaments.' 'How can it be that the Pope may take from the creditor against his will an obligation taken to him by the best law that may be, I mean by the law naturale divine and humane.' Whether the Pope can or cannot dispense with an oath taken by a religious person, is not clear, but, assuming that he can, it does not follow that he can dispense with the oath

of allegiance, which, of course, involves the rights of a third party. Moreover, the oath of allegiance is only an accessory to the principal obligation which is based on natural law, and is not affected by the cancellation of the accessory oath. If it be maintained that the Pope's *plenitudo potestas* extends even to the principal obligation, the reply is that this is contrary to repeated Scriptural commands to honour the king. It is a question of a temporal nature in which there is no judge above the king but God. The whole question depends on the admitted rule that the Pope cannot dispense with the clear command of God. 'We ought not to marvel a whit if the Divine commandments of fearing and honouring the king, are so deeply impressed in the minds of many subjects, that they give no place to contrary precepts, but rather employ all their care that there be no obedience at all given to the adverse edicts of the Pope either absolatory or prohibitory. It hath been oft tould me by great Personages, and those good men that the divine Precept of honouring Kings, was of so great force with them, and had taken as deepe roote in their mindes, that they did persuade themselves, that by no Bulles or contrary Indulgence could they be discharged of the scruple or weight of conscience and purchase security in the inner man, *viz.*, their soules, that they should not perform and execute so clear and manifest a commandment of Naturall and Divine law, nor yield the obedience promised and due to their Prince.'

Barclay deals at length with the analogy of marriage employed by the Canonists. He then returns to his main argument that the Pope cannot dispense with Law Divine and Naturale. Barclay identifies these two codes. The civil and spiritual powers are distinct and the chief of one cannot rule the chief of the other. Now the so-called indirect power of the Pope is indirect only in its origin and not in its scope. It is a play on words. Prayers and tears are the only recourse of the Pope against bad kings who are simply aggravated by excommunication. The immunity of clergy is a grace granted by secular rulers and not an invasion by the spiritual of the temporal. The orders of the Councils that clerics should not have recourse to secular courts was based on the desire to save the reputation of the clergy. Clerics are, in fact, as subject to civil jurisdiction as laics are. In giving judicial privileges the Prince does not free the Church from his Principality. The loss of patrimonial rights, consequent on excommunication, is a creation of the civil power,

and accordingly the Pope cannot deprive excommunicated princes of their temporal powers.

The foregoing summary sufficiently indicates the development of Barclay's political views revealed in the *De Potestate Papae*. He left the treatise an incomplete fragment, but the *torso* enables an attentive reader to define the limits of his speculations. His religious interests appear, at first sight, to have been gradually subordinated to his regalist sympathies, and political discussion in the seventeenth century passed into the hands of laymen whose training unfitted them to appreciate the interesting quality of Barclay's ecclesiastical position. Thus Locke referred to him as 'that great assertor of the power and sacredness of kings,' and 'that great advocate of monarchical power.' (Cf. *Civil Government*, cap. xix.) Yet his opposition to certain developments of Papal claims links him on to a chain of ecclesiastical theory which is not less interesting than the development of the doctrine of the Divine Right of Kings, and had he been identified with a national movement, like that of Gallicanism, he would have bulked larger in the pages of history. On the other hand, his cosmopolitan point of view, the result of his position as a *deraciné* and an exile, gives his exposition of the theory of the Divine Right of Kings, peculiar importance and value. The origin of this theory has been traced by students to national opposition to Roman claims, but Barclay evolved it in the first instance from royalist opposition to turbulent nobles and a Protestant democracy, and only later applied it to circumstances similar to those in which it was developed in other hands. In this respect his contribution to political philosophy was unique, and justifies an attempt to draw his dignified and austere figure from the unmerited obscurity into which he has fallen.

DAVID BAIRD SMITH.

Scotstarvet's 'Trew Relation'

INTRODUCTORY NOTE

The text following is the first instalment of a transcript from a MS., No. C 187631-3, in the Mitchell Library, Glasgow, written *circa* 1660-3 by 'Master Johne Thomsonsone,' and included in a collection of 'Practicks,' reports of law cases, etc. Dr. Barrett, City Librarian, was kind enough to invite my attention to the miscellaneous contents, of which the 'Trew Relation' is probably the most notable item. Its two first chapters are of extreme interest and historical value upon the development of an autocratic policy in Scotland after the accession of Charles I. to the throne. The third and fourth chapters contain matter of great importance on questions of the early years of the reign of Charles, and especially as regards the Revocation, the Lordships of Erection, teinds, tenure of Kirk-lands, and the attitude of the Scottish supreme court judges towards the Covenant and King Charles after the Glasgow Assembly of 1638. It is believed that only the second chapter (relative to the Earldom of Strathern) has been printed—from another manuscript—and it is proposed to present the entire text of the 'Trew Relation' in successive numbers of the *Review*.

The historical and literary eminence of the author, Sir John Scot of Scotstarvet (1585-1670), offers the best guarantee of the claim his narrative makes upon the attention of students of the period between the death of James VI. and I. and the Restoration. Scot's own political vicissitudes were numerous, and his account of certain passages, in which his own fortunes rose and fell with the turn of sharply dramatic controversies and events, is as sure to command a hearing as his well-known 'Staggering State of Scottish Statesmen,' which unified in a seldom flattering picture the figures and careers of many of his contemporaries in public life. Less sauce is served with the present dish than flavoured the 'Staggering State,' but the same intimate knowledge and observation are qualities of both treatises. In the present work

the author had a closely personal cause impelling him to write. Whether his *apologia*, for it has that character, was in any form published at the time of its being written does not appear to be known; certainly it was never printed; and the only reason to infer its circulation in manuscript is the fact that the copy of it in the Mitchell Library MS. cannot have been unique in view of the second chapter—perhaps the whole treatise—having been available to Sir Harris Nicolas in a MS. 'in the possession of Capt. John Graham of Duchray,' from which he printed the thrilling story of the downfall of the Earl of Strathern (Nicolas, *History of the Earldoms of Strathern, Monteith, and Airth*, 1842; appx. No. IX.).

The text is given as in the Mitchell MS., but contractions have generally been expanded, and capitals and punctuation supplied. The MS. is a foolscap, closely written in a neat but very small hand, and averages between 66 and 70 lines to the page. That it came from the pen of 'Johne Thomsone' is certain. It corresponds in handwriting with that of a similar collection of 'Practicks,' etc., in my possession, which was 'finita 10 kalendarum junij 1657,' bears the signature of 'Mr. Jo. Thomsone,' and contains *in gremio* documents naming him. In one of these he appears 'at Drumfreis ye penult day of julij ye zeir of god jai vi^c fyftie three zeiris' in the capacity of 'procurator speciallie constitute be Robert erle of Nithisdail' for recovery of rents of Dalswinton. Similarly, in the Mitchell Library MS., his name occurs in relation to Maxwell business. Both of his MS. collections show him to have had access to authoritative materials of current history and law. He was a most industrious scribe, who gives a thoroughly intelligent version of his documents, and whose renderings of Latin passages and extracts indicate his general legal competence and education. There seems to be no reason to doubt the fidelity of his copy of the 'Trew Relation,' which, besides its major intrinsic historical importance, offers subjectively a remarkable and subtle self-portraiture of its adroit, politic, and far-sighted author. His knowledge of skeletons in cupboards gave him dangerous powers of retort, some examples of which, notably his handling of Tam of the Cowgate (Earl of Melrose) and the Earl of Mar, are brilliantly exemplified in the present instalment of text. Besides, the light his memoir brings to bear on the status of the Lords of Council and Session must be new and valuable matter for the constitutional history of Scotland.

The particular passage which nettled Scotstarvet (as his address

'To the reader' sufficiently reveals), and which occasioned the writing of the 'Trew Relation,' occurs in the account which William Sanderson, biographer of Charles I., gives of the events of the year 1638. Sanderson, who has never been considered an accurate writer, is considerably out of the chronological reckoning in putting these episodes under the year 1638, but it was not his dates, it was his epithet for Scotstarvet which gave offence. The passage is as follows :

'Some upright and honest *Scots* were in policy taken off, either by subtilty or force. And because the Earl of Strathern a bold man, and had the *King's* ear, and deservedly too, being faithfull and true, these men set on Sir *John Scot* (*Directour* of the *Chancery*) a busie Person, to inform against his *Descent*, (which they call *Service*), as Heir to *David* Earl of *Strathern*, pretending to the Crown.'

The 'busie Person' stuck in Scotstarvet's throat : hence the 'Trew Relation.'

GEO. NEILSON.

A trew relation of the principall affaires
concerning the state

acted be Sr John Scot of Scotstarvet in the raigne of King Charles the first vindicating him from the aspersions laid upon him by Mr Saunderson in the history of the life of the sd King Charles 1658—written at Edr the 9 August 1660.

TO THE READER

IT is written of Atys the King of Lydia his sone that althoght he was dumbe till he came to mans age yet seing ane villane intending to kill the king his father, that he cryed out in ane passion slay not the king. I am necessitate for vindication of my selfe from the aspersions laid on me in the large history of Mr Saunderson¹ in the life of King Charles the first, page 230: to publish to the worlde the truth of such matters of state qherin I was ane speciall actor during the tyme of my being a member thereof as ane lord of the counsell session and exchecker that therby it may appeare how eyill the author hath bein informed of our scots affairs and how he hath taken upon trust our bussines qherof he could have no better information but from ignorant & malitious persons beside his natural antipathy against the nation qherof in his whole history he hath not one good word. His clause concerning me is that the covenanters perswaded me to accuse an eminent worthie persone the erle of Menteth to his majesty who had done him notable services and subjoynes that epithet that I was ane bussie persone and sayis that Airth was extremly and speciallie aymed at by the former contrivers of his ruine, viz the

¹A Compleat History of the Life and Raigne of King Charles from His Cradle to his Grave. Collected and Written by William Sanderson, Esq. London. Printed for Humphrey Moseley, Richard Tomlins, and George Sawbridge. 1658. p. 230.

covenanters, lest he might hinder there wicked intended designs against the king and the estate of the church and bishops quhilk how true it was it will be cleared out of the subsequent narration to quhich I leave ye imparciall reader and intends to acquaint the wordle with 3 particulars qherin I was actor during my being ane member of state: first concerning that bussinesse of changing of the lords of the session at king charles entrie to the crowne, 2^{dly} concerning the accusation of the E. of Monteathe, 3^{dly} concerning erections or impropriations qherin I was ane commissioner for the gentry to the parl^t an. 1648 and 1649 and petitioned then ye parl^t in there behalff to be freed from the nobilities vassalage to whom the king had given there superiorities contrair to the Lawes of the nation and did procure an act of parl^t an. 1649 in there favour ordaining these Kirklands all therafter to hold of the crowne, qherunto I thocht not unfitt to subjoyne ane publick oration of ane learned lawyer now a judge declamed before the Lords of session an. 1648. upon that same subject justifying the gentries cause together with the summons intended by me at there instance against the sds Lords by all quhich it will appere that it was no occasion or subject of greife or discontentment to the nation but rather that the whole gentry gott great contentment thereby being freed by the kings obtening surrenders frae the nobles and making them againe both to gett there awin teyndis and to hold of himselfe. Referring the rest to the narration contened in the 4^t chapter I Rest.

The relation of his majesties proceedings concerning the alteration of the Session in the beginning of his raigne—
[Chap 1

Amongst¹ the other directions of his majesty to the Erle of Nithisdale qhen he came from England to the convention of the 3 estates at Ed^r this was one that he sould acquaint the gentry of that kingdome that his royall intention was to make choyce of some of there number to be judges conform to the first institution of the college of justice and remove these of the nobility therefrae that were lately broght in at the end of the raigne of his father of happy memory, quhilk his ma^{ty} thought would give them great contentment, but be the contrair the com-

¹On the whole matter of this chapter compare the no less interesting account in the Mar and Kellie MSS. (Historical Manuscripts Commission), 1904, pp. 139-144.

missioners for small barrons made little account of that bountifull offer shewing in the face of that convention the small regard that they had of it publickly professing that they desyred no innovation at all qherby both his majesties designe at that tyme was slighted and his purpose for a tyme of reformation of counsell and session delayed. The ground of his royall intention was founded upon an information given to his maj. that the judicatories both of counsell and session at these tymes were all confounded, for the cheife of the counsell were also cheife of the session and so ingrossed in there persons the managing of qhatsumever affairs of the kingdome and were in few yeirs therby so farre exalted both in credit and meanes as was admirable to the haille kingdome, qherby his majestie thoght best to remove that confusion by distinguishing the judicatories and removing the nobilitie and officers of estate from the places of the session advancing therto only the gentry but finding that notwithstanding his letters written to the convention for that effect the small progresse of so noble intention he left off the purpose for a tyme and from a publick direction turned himselfe to private missives wryting by his secretary depute particular missives to the Erle of melrose president of the session, the Erle of Lauderdale ane of the lords of counsell and session, the lord Carnagy lykwise counsellor and sessioner Sr W^m. Oliphant his majesties advocat sir Rich. Cockburne of clerkingtoun lord privie seale & sir J^{on} Hamiltoun clerke register officers of estate and at that tyme counsellors and sessioners willing them to take notice of his royall intention and to give over there places of session as under degree of erles and not sitting counsellors and officers of state, in regard his majesty was absolutely resolved to distinguish & separate these judicatories. The Erle of melrose only consented and demitted his place of session by a letter to his majestie.

Lauderdale and Carnagy answered that they had als good ryt to there places as to there Lands and expected that his majesty would doe nothing in prejudice of there right till they were heard to pleade for the same By this tyme the Erle of Nithisdale being croced in many of his majesties instructions by this discontent of the great ones and there power with ye rest *minorum gentium* returned back to court to give an account to his majestie of qhat he had done qhilk are here pretermittit intending only to shew how his majestie separated the counsell and session qhilk was thus. At that tyme of the convention Sr J^{on} Scot director of the chancellarie being at court his majesty made the Erle of Nithis-

dale privatlie inquire of him if he could give him any light in that matter anent the session quhilk he assured himselfe he could doe being so long trayned up amongst them promising all favour and kyndnesse if he could cleare in that bussines. Sir Joⁿ having kysed his mat^{ies} hand Nithisdale being present at Hampton Court vndertook to prove by law and auntient practick of that kingdome that his majestie might at his pleasure [P. 2] Input or output any he pleased either from counsell or session and promised within few days to instruct by wryte and evidences what he had said.

The nixt morning these about his majestie qho opposed all maner of innovation contended violentlie to keepe still the power in the hands of these qho had it, thinking that these clouds might be dissolved at the sight of these whose credit meanes & power they thought sufficient. [They] dealt earnestlie with his majestie to send for themselfs to court before he determined any thing in the contrare wherevpon there were immediatlie letters dispatcht commanding the persons aftermentioned to come to his majestie with all convenient diligence to wit the erles of Marre Mortoun Roxburgh Melrose & Sr Geo Hay chancellour. His majesty willed also the archbishop of St Andrews to come at that same tyme being in the beginning of februar 1626.

Before there coming his majestie had gotten from sir Joⁿ Scot the reasons qherby he proved the sessioners had not there places *ad vitam* which at Roystoun some dayis before there coming his majestie had communicate with s^r Ja. Skeene, after president of the session & then one of there number, desyring to know if they would hold, quhilk he answered that in his opinion they would and in testification therof resigned his place. The lords being all come to London, his majesty appoynted an audience to them in the withdrawing chalmber at Whitehall at quhilk 5 of the Scots counsell were present, against qhom his majesty objected first against the chancellor, that according to his direction he had not caused expedie his revocation by act of the committee of estates as was commanded by the Erle of Nithisdale in his name but by the contrair had divulged the samyn and had made participant therof other six or seven there present quilk might have disturbed his majesties other purposes then in hand.

To the Erle of Melrose he objected that he had refused to be president of his counsell quhilk he had offered to him by letter.

To the erles of Marre Mortoun & Roxburgh the convening of such a multitude of the leidges contrare to the lawes of the kingdome and the places & charges they had under his majestie

and there opponing of his royall will in making of barronnets and in resisting of the most part of his royall directions given to the erle of Nithisdale for there awin particulars, qhilk he said he could not but resent, and the more because the said erle had no publick commission but was only carrier of the letters and swa not apparant to have incurred so great emulation and envy for his affection to his majesties service.

The chancellor answered that the matter being of so great importance and tuiching the whole kingdome so neerly he could doe no less than communicate the samyn to the principall of the counsell and that notwithstanding therof he had so carried it that in dew tyme it was published and yet no notice taken therof be the convention till the rest of his majesties bussines was perfyted specially that of the taxation. The Erle of Melrose replyed that it came of no neglect or misregard of his majesties service that he refused that honour of being president of the counsell but only becaus it would seeme a strange and new thing to the rest of the nobility that he being preferred bot latlie to there degree from a gentleman sould by that place presume to take place above them yet offered to obey his majestie therin qhen it sould please his majestie to command to the qhilk Mortoun subjoynd that if that had place his majestie might put in men after that fashion before them he might make such ane number of officers of estate that might sway doune all there votes in parl^t and so might carrie what he pleased, his majesty first told Melrose that he sould not be troubled with that burden thereafter and then turning toward Mortoun in ane angry maner told him that his speach was seditious, inquiring of him who had nobilitate him and his predecessors, and if it was not in his power to create such officers as pleased him, qherupon Mortoun craved pardon on his knees and that matter there ended.

To the convention it was answered by the chancellor that it was only a frequent meeting at the end of the session by these qho had suites in law and for the matter of the barronnets he agknowledged his majestie had power to create what honour he pleased and that they were only moved by the gentry to delay the matter till they might petition the contrare. Thereafter his majestie pulled out of his pocket the reasons proving the sessioners had not there places *ad vitam*, giving them also his revocation to make answer to, both against the nixt meeting. The Erle of Marre desyred to know by qhom these reasons were authentick, qherby his majestie behoved to cause Sr Joⁿ Scot there present to

avow them, and then in presence of the duke of buckingham ane new meeting was appoynted within 3 dayis after and direction given to the Erle Melrose to answeire in wryte and to communicate the reasons to Sir Joⁿ Scot.

The nixt meeting was appoynted to be at the counsell table at Whitehall qherat ther were 18 counsellors of the English and Scots counsell present with the duke of buckingham qho was appoynted by his majestie to heare the reasoning. The first reason was qhither s^r Joⁿ Scot and s^r Al. Strauchan of Thorntoun sould sitt for if the late kings counsellors sould sitt then sir Joⁿ Scot had place and if the new then was sir Alex^r a counsellor. It was answered that sir Joⁿ Scot being a counsellor to king James and no new counsell sworne he could not be removed and for sir Alex^r seing he was both in the list of the new counsell and had warrant from his majesty to be present at that meeting he could not be removed. It was replied by Mortoun that he behoved to shew his warrand but the matters was settled by the duke qho told them they were too nigh^t the king to sitt there without a warrand. The bussines then agitat were first anent the revocation lafulnesse & unlafulnesse therof: the bishop of Rosse maintained the first, Melrose and the chancellor ye contrare, but that purpose was not then ended till a new meeting, only the chancellor averred that if that revocation gott way any rights given be any of the kings predecessors to any subjects in Scotland would be reenversed and that no man in that kingdome could have assurance of Lands swa that the king would make them lyke timariots of ye turks that enjoyed the Lands for lyfetimes only. The next purpose was anent the places of session qhither or no his majesty might remove them at his entry to be king and there the chancellor produced the answers made to sir Joⁿ Scot his propositions of qhilk the tenor followeth.

Sir John Scot his reasons.

1. In the institution of the college of justice an. 1535 in the act of parl^t concerning the samyn there is no mention that they sould possesse there place *ad vitam*.

2. If the sessioners had there places for there lyfe then they sould not have lost the samyn be reason of inability or being removed from there places be decreits or vtherwise put out be the king or, regents being displaced, bein reestablished be a simple letter from the governor, bot it is of verity that dyverse of them being displaced for there inability the governor placed others in

there roumes, and some being removed from the session were againe repossessed be the governor, to wit Patrick Vaus of Barbarroch was made ordinar lord in place of m^r Rob^b Maitland qho was displaced for his inability the 11. feb. 1575. m^r Joⁿ Maitland in place of m^r Archb. Dowglas for his inability the 26. April. 1581. Joⁿ commendator of Coldingham in place of m^r Archb. Crafurd [P. 3] Removed for his inability the 2. june 1568 and m^r Archb. Dunbar being debarred from his ordinar place of session was againe restored thereto by the regents letter an. 1572.

If the saids lords had there places for there lyfe then could not the king have given there places to vthers so long as they lived but it is of truth that M^r Tho. Hammiltoun was admitted to be the kings advocat for good considerations moving his majestie and not as vacant in his majesties hands qhilk was done the last januar 1595 the king being major and ane certane space before the death of m^r Da. McGill qha was advocat for the tyme.

If the saids lords had there places for there lyfetymes then one of them during his lyfetyme could not have bein removed for withdrawing himselfe and an vther placed in his roome bot true it is that the L. of Seggie was placed in the L. of Lundies place be Lundies withdrawing of himselfe 9. july 1575 the king being minor.

M. Craig in the 10. chap. of his 2d book¹ of the fewes wryting of all offices and places granted be the king he calls them a sort of fewes and concludes concerning the same as follows quhither or no^t [?] these fewes ends with the death of the giver I am yet uncertane seing they are granted for the lyfetyme of the receiver, yet did I see all those qho had publick charges in the commonwealth at the inauguration of our dread soveragne King Ja. 6. to take new gifts of there procurations or places qherof having requyred the cause from ane most learned man m^r Jon Ballentyne he gave me this answeare that all these dignities procurations & offices that are called offices of the croune did end as well with the death of the giver as of the resserver. Lykas conforme to the said forsaid declaration it is of truth that all the lords tooke of new of K. James there places. Amongst all there gifts qho were sessioners from the yeir 1535 to the yeir 1581 I find none of there gifts contenis that they had the samyn for there lyfetymes except two m^r Joⁿ Bartoun and m^r Joⁿ Colvill qho did not enjoy the samyn for there lyfetymes.

It is to be remembered that the senatours have no gift under

¹The first book, not the second. *Jus Feudale*, Lib. I. Diegesis 10, § 11.

any seale to warrand there place but only a letter from the king qherby his majestie desyres the lords to ressave such a man in such a mans place vacant be deposition death or inability and wills them to give the new intrant all honours and priviledges belonging to an ordinar lord that justice be not hindered for want of ane compleit number to let him vote amongst them and make him participant of there contribution and take his oath.

The Erle of Melrose answers.

If his majestie command had not tyed vs to wryte of this subject we would rather have remitted the answers to them qhom it concerneth nor vndertaken to oppose these indigested lynes to the articles so advydedly prepared after diligent search of the register many yeirs patent to the said sir John at his pleasure.

1. The first article is founded upon the first institution of the session an. 1535 qherin he sayes ther is no mention made that the lords sould possesse there places *ad vitam* and inferred thervpon that they have not there places *ad vitam*, qherin it is to be considered that there institution maketh no mention that they have there places *durante beneplacito*, or that being once Lauffullie provyded they may be removed in there lyfetye; Lykeas it is declared in the first act of parl^t 1537 that beginning is only given to the order of session vnto the tyme the said college be institute at mair leysure so that the institution nether declaring that the lords sould possesse there places *ad vitam* or *durante beneplacito*, the obscuritie of the institution is cleared by the continuall course of there admission and possession, qherby it is evident that many have been provyded to possesse during lyfe and never any removed at pleasure but either for inability or *ob culpam* and if the original of the institution with the popes ratification were seene it is very probable it would remove this question.

2. The 2d argument is, if sessioners had there places during lyfe they could not be removed for inability or decreets voyd and be thereafter reestablished be ane simple letter of the regents qhilk he confirmeth by instances. It is answered that albeit a man be provyded to a place *ad vitam* that impedes him not to be depryved for inability, for his provision gives him not immunitie against deprivation for crymes or inability it being manifest that such as were deprived for inability were incapable to possesse any longer the place, if it be dulia considered qhat the sense of the word inability is in such cases, to wit if a sessioner be a profest papist,

an excommunicate persone contemptuously Lyand at the horne refusing to acknowledge his majesties authority, or convict of any heynous cryme or being long absent without Licence, these are cases exprest by act of parl^t and session to be just causes of deprivation as in the instances adduced m^r Rob Maitland was unable for religion and not residence and adhering to the queens authority; m^r Archb. Dowglas fugitive for airt & part of the kings fathers murder and his servaunt Joⁿ Binning execute to the death at the samyn tyme for the said cryme; m^r archb. Craford depryved for inability and dyverse crymes; and m^r Alex^r Dunbar for absense without licence and his place not being disponed to any other he was reponed by the regents letter.

3. The 3d is a meere mistaking for m^r Tho. Hammiltoun was nether provyded to m^r Da. Mcgills place in session nor to his place of advocat during his lyfetyme because m^r Thomas was an ordinar lord of session an. 1592 and thereafter an. 1595 after m^r Da. McGill by great age and irrecoverable infirmity had bein forced to keepe his house a long space qherby his majesties service in that office was prejudged m^r Thomas was joyned in office with him and after made sole advocat upon his dimission who within 2 or 3 days after died. Lykeas it was a thing vsuall to the king and his predecessors to have two advocats Ja. the 5 appoynted m^r Adam Otterburne and m^r Ja. Fowlis to be his advocats and thereafter m^r James being clerke register m^r Adam remaned advocat many yeirs till at last becoming very aged m^r Henr. Lauder was joyned with him Lykeas m^r Joⁿ Spense of Condie & m^r Da. Borthwick were advocats to Q. Mary and m^r David and m^r Ro^t Crichtoun were at one tyme advocats to King James after whose deceis m^r Da. McGill & m^r Joⁿ Skeene were advocats and m^r Joⁿ Skeene being made clerke register m^r Thomas Hammiltoun was joyned in office to m^r David. Nether was his place of session given to m^r Joⁿ Prestoun till a month after his deceis.

4. It is answered to the 4^t argument that the L. of Lundies absence without licence was not a sufficient cause to Lose his place but the L. of Seggie obtened it not upon his deprivation but upon his dimission.

5. To the 5^t it is answered that although m^r Tho. Craig & m^r Joⁿ Ballentyne were Learned men of good fame yet there privat and singular opinions were of no greater force nor authority nor sir John Scots is and it is strange that these Learned men sould call places in session fewes and nevertheles m^r Tho. Craig confesseth that they are granted during lyfe and qhere he alledgit

that at king Ja. the sixt his inauguration the Lords tooke renovation of there places his affirmation will be found erroneus and not able to be verified for manifesting therof.

[P. 4] 6. And mistaking the 6 argument it is to be verified be the register that in dec^r 1567. after queene Mary was made prisoner and compelled to make resignation of the crowne in favours of king James being then an infant of a yeir old, her ennimies being conscious of the weaknesse of ther title to the soveragne authority, qhilk they exerced in king James name, the regent received the oathes of all the lords clerks advocats but nether annulled there former provisions, nor made them to take any new gifts, but depryved some members of session qho refused to agknowledge the kings authority but adhered to the partie qhich maintained civill warre at that tyme for defence of the Queens authority. Nether did the lords take any new provisions to there places till 5 dec^r 1582 but only gave there oathes to doe justice, qhilk the king may lafullie requyre them every yeir and oftner to doe as the Lords cause the advocats renew there oathes yeirlye given at there admission.

7. The seventh argument and warrand therof most depend vpon the sight of the register qherin it will never be found that any man once lafullie provyded to a place in session was removed during his lyfe without a cause expresst, for qhich he might have bein depryved by warrand of law, and except the few instances in the 2^d article founded vpon inability and crymes, to qhich answer is alreadie made. All the rest of the ordinary places given to any sessioner are either exprest vacand be dimission or by deceis of the last possessor. The cause of m^r Joⁿ Colvils short possession of his place was that he finding his vncle Culrose daungerously sicke affirmed to the king that he had Culrosse dimission and so obtened his majesties presentation and being admitted thervpon 2 june 1587 Culrose convalescing and vnwilling to bring vpon m^r Joⁿ Colvill qho was his nephew the infamy of a false dimission for covering his shame was content to be of new reponed to his place vpon m^r Joⁿ his dimission 26 june 1587; and farder it may be affirmed and authenticklie verified that 40 places of session are expressly given during lyfe; nether thinke we that any possessing place at this tyme is not provyded therto *ad vitam*.

8. To the last argument it is answered that all places during lyfe requyre not the warrand of the kings great seale but are lafullie possessed acording to the conswetude of the realme quich is in place and force of law qher no Law is made to the contrair

Nether is the kings letters the only warrant of there places but the lords admission and act made therevpon after tryal of there qualification, because king Ja. 6. p. 6. 93 alloweth the lords to refuse any man presented be him to a place in session if after tryall they find him not qualified.

At the meeting at Whythall these considerations being red it was desyred by the duke that sir Joⁿ Scot might answer therto qho having first shewin that he was surprised, and being contrare to there promise to his majesty to produce these answers in publick till first they had been communicate to him that he might have knowne the contents therof and what to have answered, yet after protestation made that he might be heard be wryte to answer thereafter and that they would not thinke the worse of the kings cause if the present replies to be made be him to the answers qhilk he had never seene did not fully answer there expectations, and seing by the kings order a Scots counsell was appoynted to sitt at Whytehall qhere never any had sittand before, nor was lyklye to sit after, that it sould not be said that nothing was done in the Scots counsell, he condescended to answer every one of these articles severally as they were set doune *ex improviso*. In the qhilk answer two things displeasd Melrose, first that he was taxed to have incroached vpon the king's advocat his place in his lifytyme, the nixt was that Melrose had said in his penult answer that he beleved that no sessioner was qho was not provyded to his place *ad vitam*, to qhich sir John his reply was that he could not be ignorant in his awin cause, and that vpon the perrell of the haill it sould be instantlie proven and verified, that he himselffe had not his place *ad vitam* but *ad beneplacitum*: qhilk knowing to be of truth and that it would be instantly verified he answered that it was no marvell that he had forgotten seing it was 35 yeirs since he had gotten that gift; qhich gave the duke such contentment that instantly he dissolved the meeting and went into the king.

The replies maintaining that sessioners have not there places for lifytyme.

It is answered to the first argument that it is certane that if in a gift of presentation to any place of judicatory granted by the king it be not expresly set doune that the samyn is granted for the receivers lifytyme, then the gift most be interpret at the pleasure of the kings majesty granter thereof and the said Sir John his first argument grounded upon an act of parl^t is not

taken away be this pretended answer, albeit the institution contain nether deprivation for faults or for inability, seing these albeit not exprest are to be understood and therefore was not requisit to be set doune in the act (these sessioners being only judges appoynted by the king & approven be the estates for decyding of causes during his pleasure as others were before the institution) differing then in no other thing but that the judges were more certane and the judicatory drawne to ane certane place qhilk before went abroad throw the country, and any of these judges after the institution being found unmeat by his majestie for the place was at his direction depryved and others upon his majesties letters placed in there roumes. And qheras it is alledgit that there was then but a beginning made to the order of session till such tyme as the said college sould be instituted at more leysure, the contrair is cleare seing there was never a new addition made therto but it remaned the same as it was established the 17 May 1577. Nether if any other had been valable seing it was only the institution that was still by new acts of parl^t ratified, since nether does the sessioners there possession for lyfe take away the first argument seing the samyn was only by the kings permission qho might have displaced them if he had pleased they not having the samyn for lyfe as said is, and it sall be cleared that some were removed at the kings pleasure, in reply to the 4 answer

To the 2^d argument stands good notwithstanding of the answer made therto, seing that inability was wont to be proponed be his majesty or regent qherupon any sessioner was depryved and the lords upon the Kings advocat persute did displace such as his majesty thocht unmeete for the roome, and it will be found ane sufficient inability of a number of the present sessioners that they are not such persons as were appoynted to be judges at the first institution, viz some of them erles Lords and others officers of estate qho either be there birth or be there place are members of parl^t and so the saids temporall Lords & officers of estate not being contened in the first institution of the session, qhere before they had place be the same act of institution, are not capable to possesse these places, and others now may be substitute in there roumes for there inability his majestie being [P. 5] the fountaine from qhence that jurisdiction doth flow is now in the same roome that his great grandfather was at the first institution, seing as yet he hath nominate na sessioners, nether approved these qho were judges in his fathers tyme, qhich most

of necessitie be done before they can sitt in judgment, and swa there being now no sessioners his majesty may alone depryve any of the former qhom he either finds unmeete for that roome or uncapable thereof be there places, and in there roomes may substitute others. And as tuiching the particular of m^r Arch^b. Dumbar, whose absence was called unability and he alledgit to be depryved only for that cause, It is answered that at that tyme, viz anno 1572, there was no such act that judges sould be depryved for a short tymes absence without sentence, as will appear in reply to the 4^t answe

The 3^d argument stands good notwithstanding the answer that if his majesties dearest father might have given to m^r Tho. Hammiltoun a gift under the privie seale of m^r David McGills place before his deceis without ane dimission or fault committed but only from good consideration moving his majestie, farre more may the king now give ane ordinar place of session to ane in place of an other qho was never received nor agknowledged be him, bot the first is trew or the 2^d most follow. Nether was the said m^r Thomas only joyned in office with the said m^r David as is alledgit bot he was absolutely created the kings advocat the last of Jan: 1595, 15 dayis before the said m^r David McGills decease, not having mention in his gift of any other of the kings other advocats, and the king having of 2 advocats in tymes preceding so often repeated prejudices no ways the 3^d argument for ane of these advocats was pleader for the kings cause bot they had not severall gifts under the privie seale of that office [?]¹ cace at this tyme controverted.

To the 4^t answe it is replied that a litle tymes absence was then no cause of deprivation and there is no appearance that Seggie gott Lundies place be dimission seing the very presentation granted to Seggie sheweth the contrare that he had it by the said Lord of Lundies withdrawing of himselffe, and if so it had bein for his absence he sould have been depryved, qhich cannot be, seing it is plaine that the lords always excuse others for absence at the desyre of any other of there number and sets doune that excuse in there booke of sederunt. Yet that would have requyred ane declarator and sentence of the lords if it had bein in the kings power alone to place another in his roome for his evill attendance as the 4^t argument bearis.

The 5^t and 6^t argument conjoyned stands good notwithstanding the answe made therto, seing the testimonie of M. Craig and m^r

¹ Here a short word illegible.

Joⁿ Ballentyne the one a most learned Lawyer and the other a long practised statesman, and both being eye witnesses of the acceptation be the sessioners of there places from King James, may serve for ane sufficient probation to the king in his awin cause so neerly touching his prerogative royall, and Craigs passage is mistaken in the answere for he calls not the places of session fewes but offices of estate, and these he sayis are granted for the life of the resserver but does not alledge that the sessioners there receiving of there places for life and part of the sessioners receiving there places of the king is [conj]oynded in these words and conjoynded in that with the offices of estate, and the erle of Melrose awin renovation of his gift argues that his lo[r]dship] was not ignorant that all these places fell in his majesties hands at his coming to the croune, and the haill rest of the answere does naways prejudice the 5 & 6^t arguments but rather confirms the samyn and shewis that only in the 81 yeir the sessioners in the kings presence sworne to administrat justice bot also at Q Maries deprivation the regent did the same, who he confessthe did deprive some of there number for disobedience of the kings authority, and so he might have done the rest of them if he had pleased for it was in his power aswell to have displaced all as some of them, but he in that turbulent tyme fearing to make farder alteration disisted and reteneing them in there places they needed no new provisions but were secure to enjoy the same by giving there oath to the regent in the kings name. And last these very giving of there oathes at both the former tymes does clearlie shew that they of new accepted there places of his majestie, nether will it be found that ever the haill Lords gave there oathes all at one tyme but at a kings new entry albeit it be the lords custome to take the advocats oathes yeirlye.

The 7 argument standeth good and it sall be offered to be proven as it is conceived albeit in that tyme above 60 sessioners were presented yet never one but two had gifts for there lyfetyme; yea nether the said Melrose the late Lord Chancellor nor the lord privie seale had there gifts for there lyfetymes, but these sort of gifts begouth at the kings going into England.

To the last it is answered that ane simple presentation without any seale can be no sufficient warrand to the sessioners to enjoy there places, except the kings majestie of new confirme the samyn, and there possession is interrupted by the kings authority, and the institution of the college of justice (qhich doth not beare expresly that they have them for there lyfe) is a sufficient Law to dis-

possesse them, unlesse it please his majestie to renew there gifts; and seing signatours of Lands passed the signet and not expedie the great seale in the kings fathers tyme could not passe the great seale unlesse they were approved be his majestie now, Much lesse can the sessioners clame title to there places granted by the Late king except his majestie give them of new, and wher as it is affirmed that there presentation is not only the warrand of there place but the act of admission after tryall of there qualification It is answered that the cace is not now alyke as qhen ane simple place did vaick, at quich tyme the king by the act here alledgit gave the lords power to examine the new intrant, for now the haill places being in his majesties hands and at his disposition his majesties sole presentation at this tyme will serve for there admission without any other warrand for that effect but only an act to be made in the sederunt booke.

The reformed reasons against the lyferent places of sessioners.

1. At the first institution the sessioners were ordained to be nominate be the king not making mention *ad vitam* but only indefinite, quhilk most be interpret *ad bene placitum regis* and altho none of these judges were removed in tymes past except for faults or inability that hinders not but that the king might have displaced them if his majesty had pleased being placed by him, for by the law prescription runnes not against the king.

2. The said sessioners in the yeir 1581 being all present gave there oathes to King James of famous memory both of fidelitie and administration of justice quich is all that is requisit at there admission, qhen the haill bodye of the session or any great part thereof is to be admitted, as it was at the first institution and is now; and qhere it is answered that they tooke no new gifts and that the king may exact that oath yeirlie of them, it is [P. 6] Replied that there new act and oath then set doune in the sederunt booke *rege presente* was sufficient to them for there new gifts; and that [it] will never be found that at any other tyme the said sessioners gave all there oaths but at the entrie of a new king.

3. Fourtie fyve yeirs together after the institution, no presentation contened place *ad vitum*; Lykeas the gifts granted to Melrose and the lord privie seale two of the present number will testifie, and the cause why none of the said sessioners were altered at the entry of queene Mary and king James was because the governors then thought it not expedient in respect of there sufficiencie, and because they did agknowledge that they held there places of them at there

severall coronations qherof then 23 gave there oathes as was given at the first institution qhilk was ever the forme of admission of the haill bodye of the session.

4. The testimony of so famous a jurisconsult as was m^r Craig qhose booke of the fewes is now in credit throw all Europe, and of so worthie a statesman as Sir Joⁿ Ballenden qho was both a sessioner himselffe and director of the chancellarie and justice clerke, may well serve for a probation to maintain his majesties royall prerogative, it being expresly mentioned in the first book of the fewes that all publick procurations places and offices fell as well by the death of the giver as receiver, and that the haill sessioners at king Ja: inauguration took renovation of the samyn places from his majestie.

5. A simple presentation not warranted be any seale can be no ground to the sessioners to possesse there places after the death of the giver, except they procure the samyn of new of his majesty; and qhere it is answered that the presentation is not the only ground of there places but also the act of there admission given be the rest of their number grounded upon the act of parl^t qherby they have power to refuse any person qho sall be¹ not be found be them to be able, It is replied that notwithstanding that act the most part of the present sessioners have been admitted without any publick tryall, but were sworne and admitted upon sight of the kings letter, yea shortly after the former act there was dispensation of that act expresly granted in favours of the Lord of Edzell, qho was knowne not to have been learned, and that at the desyre of the kings majesty; and now the whole body of the session being vacant the kings presentation serves for all and albeit every one presented suld be examined be the lords and admitted yet the presentation is the only ground of there right and therefra there title to the place doth flow.

6. And Bodin² in his first book c. 8. says that it is certaine that the Lawes ordinances letters patents priviledges and gifts of princes have not any force but during the tyme of there lyfe if they be not ratified be the expresse consent, at leist tolerance & suffering, of the intrant prince, so doe we also see in this kingdome at the coming of new kings that all colledges and communalities demand confirmation of there priviledges, even parl^{ts} & soveragne courts, and lib. 3 c. 1 fol. 258 he sayis that also the senatours & counsellors

¹ *Sic.* Delete this 'be.'

² The first passage cited from Bodin, *De La Republique*, will be found *e.g.* in the French edition of 1577, on p. 96; and the second on p. 272.

of state to speake properly are nether officers nor counsellors and hes no other warrand but a simple letter subscryved be the king without seale or casket¹ bearing in 3 words that the king gives them seats and deliberative voyces in his counsell so long as it pleaseth him; and the king being dead they have need of a new letter.

7. The kings majestie either be himselffe his counsell or such a number of them as he sall be pleased to appoynt or any other persons qhom he lykes to delegate judges are the only competent judges to such of the sessioners as will mantaine there places by law, conforme to the act of parl^t anno 1584 c. 129 p. 8 and qhere it is answered that the act was granted upon the misdemeanor of sindry ministers that is not to be respected seing all generall acts are grounded upon particular complaints and yet the acts themselfs are generall and obliges all the subjects in all causes qherunto they are extended: nether is the parl^t judge as is alledgit except the king swa appoyntit. King Ja: the 5 institute the session and put it in use dyverse years before the doune sitting of the parl^t qherin it was confirmed.

8. The civil Law maks the cace cleare, Institut. lib. 3 tit. 27 *de mandato recte item si adhuc integro mandato mors alterutrius interveniat j. vel ejus qui mandaverit vel ejus qui mandatum susceperit mandatum solvitur.*²

9. The king hath just cause to reduce any thing done be his predecessors in prejudice of the royall priviledges of the crowne; but such are the gifts given to the Judges, for the samyn does absolutely stay his majestie from giving judges, and herby he is urged to retaine these judges in there places qho were chosen be his predecessors and his majesty hes revoked all such gifts.

10. Seing the first act of the college of justice mentions that there is but ane beginning given to the order of session until such tyme that the said college sould be institute at more leysure as is cleare in the words of the institution, qhilk was never yet done. Therfor his majestie may now helpe therin any thing that is deficient, as well as King Ja: 5 did at the first institution, and may either double or diminish the number or reduce it to quarter sessions as it was of old, or may reforme the judicatory after what forme and maner he thinks fittest according to the power reserved in the first institution.

At the meeting qhilk was befor his majestie the lord Ochiltree

¹ French *cachet*, privy seal.

² The passage is section 10 of the title cited.

was commanded to reason the lafullnesse of the revocation (qherin sir John had no hand) with the Erle of Melrose qho gave his majestie such contentment that he concluded the Lafullnesse of the said revocation with himselffe, and qhen the chancellor saw that it would give great discontent to the subjects of that kingdome his majesty replyed that he hoped qhere ane was discontent an hundreth sould be well pleased therwith, meaning the gentry who he heard were daylie oppressed by the teyndmasters & lords of the erections.

At that tyme there falling out some alteration¹ betwixt the erles of Marr & Nithisdale qho accused Marre of misgovernment and evill carriage in the office of treasurer and speciallie for taking bands vpon estates to himselfe and his airis, qhilk gave immunity to rebells from paying there debts and ruined many of his majesties good subjects, and the other offering to defend himselffe or what else could be objected against him, hindered any farder proceeding that day, and an other dyet was appoynted for concluding the matter of the session, but before there parting the chancellor insisted with his majestie that he would not remove Lauderdale nor Carnagy from the session, affirming that they were such men as he had not the lyke in his kingdome to the qhich his majestie replyed that he was sorry that the country [was] ill provyded of able men, and that he had never sein such perfection in one but that it might be had in another, and said he pityed that kingdome qher there was such scarcity of good spirits.

The bishop of St. Andrews intreated that if they were not ordinar lords they might be extraordinar, qhilk was competent to counsellors and noblemen, qhilk the King said he would thinke upon, and therafter to give them some kynd of contentment condensed therto

[P. 7] The last meeting his majesty only reasoned anent the matter of the sessioners where the Erle of Marre regrated that his majestie sould give more trust to sir Joⁿ Scot then to these of his counsell. Sir John answered that he had the honour to serve his majesties father of worthy memory as one of his counsell, that he sould say nothing in his majesties presence without good warrand, and albeit he might not compare with noblemen as not being of there degree, yet he might affirme that himselffe and 5 of his predecessors of qhom he is Lineallie descended had served his majestie and his noble progenitors continuallie without intermission since the dayis of King Ja. 3d 145

¹ *Sic.* Query altercation ?

yeirs in places of estate as counsellors, clerks of register, clerks of the session, or directors of the chancellerie, and that amongst all there wryts there was not a remission for any fault committed against there King or country.¹

His majesties reply was that he could not but give sir Joⁿ Scot trust, seing his fayre and sound grounds.

The nixt question his majestie proponed to them was, he desyred to know qho sould be Judge to this question. The Lords alledget the sessioners themselffs were invested with that power; the king replyed that was Lyke the answeere of the papists qho would not admitt any judge of the errors of there church but the pope qho sayis he cannot erre. S^r Joⁿ sustained the contrair, that the counsellors were only judges therto or any other delegate persons of that number qhom his majestie would be pleased to appoynt, for verification qherof he alledgit and produced an act of parl^t in King [James] 6^t tyme the king & his counsell judges of all persons & causes within the kingdome. Marre answered to the act that it was only against some turbulent ministers of that tyme who disclaymed his Late fathers authority. Sir Joⁿ replyed that all acts of parl^t had particulars qheron they were grounded but there conclusions as positive Lawes obliged the hail subjects.

His majesties nixt question was qhither the judicatory of the secret counsell or that of the session was most supreme. They answered they were both equall, sir Joⁿ replyed that the counsell was farre above the other as treating and judging of the highest matter of estate and hail bussines concerning the crowne, government, coyne, peace & warre, qheras that of the session treated only of debates of Law betwixt parties; and to clear the matter the better produced to his majestie qhat² he himselffe in King Ja. his tyme being a counsellor sate in the session house and fearing the increase of the plague quhilk then brake furth in Ed^r might by the frequencie of the people resorting thither³ raised the said session, by there act and decree discharging them to conveene⁴ till

¹ A most effectual cut this! Mar had been condemned as a traitor for his share in the Raid of Ruthven. *Acts Parl. Scot.* 1584, iii. 295-296. *Reg. Privy Council*, iii. 685.

² *Sic.* Query for ‘that’?

³ Some omission or confusion here. Query, supply after ‘thither’ words to the effect—[be occasioned, the council]?

⁴ Such prorogations were ordained on more than one occasion. *Reg. Privy Council* (1606), vii. 263.

they had the counsellis warrant, quherby his majestie may clearly understand that the judicatory of the counsell is farre above the session.

His majestie therupon said that he would helpe sir Joⁿ with an argument quhilk he said he would bring *a majori ad minus*; if I have power to alter these of the counsell *multo magis* have I to alter these of the session.

Upon this his majesty finding himselfe satisfied in that particular dismissed them, and that same night sent for the signet from the secretary deput m^r Dowglas and delyvered it to Sir William Alexander master of requests. He gave order to sir Joⁿ to draw up presentations blank for the persons names to be filled up by himselfe, willing them to be made in the old style *ad bene placitum* not *ad vitam* and in them he filled up the names following after he had taken two Lists of able men to discharge that place of session, one from the erle of Nithisdale and these quho were of his judgment and the other from the chancellor and remnant lords. The extraordinar lords quhom he choysed were Lauderdale, Carnagy, Sir Archibald Naper treasurer depute and Lindsay bishop of Rosse for ordinars m^r Ja. Ballentyne, Sir Robert Spotswood, Sir Geo. Auchinleck, Sir Alexander Naper, m^r Alexander Morisone, m^r Alexander Seatoun, and Sir Archibald Achesone in the places of Sir William Oliphant advocat, Sir Richard Cockburne lord privie seale, & Sir Joⁿ Hammiltoun clerke register, the Erles of Lauderdale, Melrose, and Carnagy.

His majestie gave direction to dispatch ane packet by Sir William Alexander quhom he immediately made conjunct secretar with the Erle of Melrose and therein constitute the Erle of Wintown viz. chancellor commanding him to dispatch the forsaid gifts, with the quhilk packet m^r Shaw one of his majesties privie chalmber was dispatched to him quho admitted them the 14 Feb. 1626. By his commision also Sir Ja. Skene was made president of the session, as the king had promised at Roystoun: immediatly thereafter his majestie dispatched the hail number home ward telling them he would acquaint them farder of his royall intentions at his nixt Leysure, and at that tyme caused ane packet follow them contening ane commission for the counsell & session, of quhilk number he made Sir John Scot one. Therafter his majesty considering that the revocation had given great discontent to the nobility, surceased a year or two for urging a prosecution of his cause in session as he

intended to have done therupon; at quhat tyme was sent from the nobility the petition following—

‘Most sacred soveragne the wisdome and goodnesse quherwith god hath replenished your royall hearts¹ makes us hope and begge that your majesty may be graciously pleased to permitt us to exhibite to your judicious & equitable consideration this our faithfull demonstrance and submissive petition. Many of your majesties royall progenitors and specially Q. Mary your grandmother and your father of glorious and ever blisshed memory calling to remembrance the faithfull and memorable service done by some of us and many of our predecessors and authors, quhen your crounes and lifes were endaungered by the joynt counsells, fraud & forces of papish potentats and rebellious subjects tending to the subversion of religion & state, and withstanding your blisshed father attaining to his righteous inheritance of the croune of England, did royally reward the blood, means & travels of us and our predecessors by infestments, erections, grants of Lands, teyndes, patronages, offices, jurisdictions, priviledges, and free tenors quhilk were advysed and drawne up by your majesties advocates, judges, and lawyers of best famed Learning and experience in the bypast and present tymes, quho gave assurance to their clients & friends that there titles and securities were perfytyly valid in law, for farder corroboration quherof some of our rights were originallie granted in parl^t, and many others amplie ratified by your majesties commissioners & estates of the kingdome, quhilk is the most accomplished perfection quhilk could be interposed to any inviolable title of inheritance within this realme, be vertew qherof we and our ancestors have peaceably possessed our forsaid inheritance by the favour, justice and protection of your worthy father, your grandmother, & other your royall progenitors, without any contraversie or question, and have obtained many wayis authorised by innumerable sentences of the lords of session as most eminent judges of this state, resting therby confident that we and our posterity sould enjoy the lyke securitie and quyettesse under your majesties uncomparable justice and bounty to the best and most famous of all preceeding kings, till now that being not without cause afrighted at the large extent of your majesties revocation, your advocats with concurrence of some counsellors at Law have caused summond us and many others your faithfull subjects to compeir and see our rights and heretabill titills of the before mentioned nature reduced and improven.² And altho your

¹ *Sic.* Read ‘heart.’

² A term of law meaning disproved.

majesty be informed that the event of this doth only concerne us & others qho are expresly [P. 8] Summond, whose number qualite and interest in some sort is considerable, yet it is more than manifest that thousands more of your majesties subjects who have purchased at deare rates from us and our predecessors large possessions of Lands & tynds, either mediately or immediatly, may be the event of this action be in equall daunger with us of irreparable ruine, swa that we may truly affirme that your majesties revocation taking effect even within the limitation contened in your majesties proclamation and sentence being pronounced and put to execution against the multitude interest be the summons, according to the conclusion & desyre therof, may bring more irreparable ruine to an infinit number of families of all qualities in every region in this land nor was in any former age inflicted upon our forbears by the shrewdest & feircest frownes of adverse & maligne forrainers, because the vicissitude of humane accidents & conversion of tymes & affairs left means to the afflicted people of these deplorable dayis be there vertue & industry to repaire, suppose slowly, the overthrowes of there ruined estates, bot if your majesties revocation and action of reduction presently depending sould take from us and so many others interested the titles of ther Lawfull inheritance, no course of tyme nor affairs can assure or promise to us any probable hope of recovery of our wracked and perished estats, nothing remaining in that cace to the most part of us but dignitie without meanes, without families, without maintainance, &¹ burden of anuel rents and debts to our creditors and such as we are obliged to warrand, qho be our vnability to keepe promise band and faith to them will become partakers of our miseries.² We are no wayis diffident of the sufficiencie of our titles, and much lesse of your majesties justice & bounty, but the instance Lately made to have your revocation registrat in the buicks of session to have the strenght of ane decret of these eminent judges, against us & exceding many mae of your majesties subjects, uncited & unheard, contrare to your gracious intention expressed by 2 proclamations published and printed, and our principall advocats acquainted with the securities of our ryts whose assistance we expected in defense therof being now our persewers in the reduction & improbation intended processe

¹ Query, read 'and under burden' ?

² On the word 'miseries' in the MS. a + is marked, which is repeated in the margin as if there had been an omission. But the marginal note or addition if intended has never been written.

against us to have our recourse to your sacred majestie, humbly beseeching yow graciously to beleve that as we are most unwilling to oppose any of your royall intentions, but rather freely and faithfully disposed to spend our lifes & fortunes in your service, so we expect and most humbly begge that after dew consideration of the manifest prejudice of so great a number of your faithfull people your majestie may be pleased to command the forsaid registration & reduction to surcease for a tyme, and either to call a parl^t, qhilk is the earnest desyre of all your people extremely longing for the happiness of your sacred presence, or if the multitude and weight of your royall affairs may not grant us that felicitie so zealously and universally desyred, your majestie may be bountifully inclined to appoynt a competent number of best experienced counsellors, prelats, noblemen, judges, Lawyers & parties interested in the bussines, to convene & treat of all that may concerne your majesties profet and patrimonie and your subjects lawfull securities, by qhom the joynt and equitable securing of both being impartially represented to your most excellent judgment such Lawful meanes may be advysed as may give all respective satisfaction to your just desyres, and supplie to your royal patrimony and affairs, without our irrecoverable overthrowes, and that the recompense qhilk your majesty graciously offers to these qho for obedience of your will sall renunce there titles as testimonies of there most humble desyres to give all furtherances that they can conceive to be affected by your majestie, may, be consent of the estates and there authority, be secured to them acording to your gracious declarations, qhilk they are confident your majesty doth no lesse intend then your awin power and profit, qherin nether our lyfes, lands, goods nor faithfull endeavors sall be wanting, but sall als heartily contribute for your service and contentment as our fervent and sincere prayers are and ever sall be powred out to god almighty to grant your majesty long lyfe, constant health, flowrishing and increasing empyre, permanant posterity to be crowned with immortall renowne in earth and in blissed¹ in heaven Dec^r 1626.'

Sir Jon Scot, having gotten intelligence thereof, meeting accidentally at Ed^r with other 7 of the gentry, of quhich number were Sir Joⁿ Prestoun of Ardrie, Sr Ja. Lockhart of Ley, Sir Ja. Lermonth of Balcomby, Sir William Bailzie of Lammingtoun, four quho behoved to meete privatlie in the Cowgate for feare to be apprehended by the counsellors and noblemen, and there presently

¹ Sic in MS. Query for 'blisse' ?

he penned the petition of the gentry anent ther teyndis possesit be noblemen and titulars of kirk Lands, but having lately returned from London, albeit requyred by the rest to goe back therwith to his majestie, desyred Balcombe to supplie his place, and the paper being only subscriyved by these 8^t was sent up and gott a favourable answe, and Balcomby for his paynes in the voyage was made a lord of the session and gott the place of one of the lords quha died in his absence. Upon this the king resolved to contract the bounds of his revocation by urging the nobility only to surrender ther ry^{ts} of kirklands quhilk did dewly belong to the crowne be the act of annexation, and was contrare to law separate be his late father therfrae, quherunto they voluntarily condescended and surrendered the samyn in his majesties hands *ad perpetuam remanentiam* quhilk was the ground of a commission sent home be his majesty anno 1628 as after followes.

He¹ was an instrument in causing Craig's book *de feudis* to be printed, quhilk, anno 1644, at the desyre of the Erle of Craford he translated into English, quhilk is readie for the presse, contening 7 quaires of paper; quhilk being considered with his ordinary employments in his offices of counsellor, sessioner, exchequer, & director of the chancellarie, his 22 journeys to London,² two to Holland for perfyting the maps,³ will make the author a bussie person in an other sense than he is styled by Saundersone, with qhom he never spake. The reasons why he so willingly contribute his help to change the great ones off the session were—

1. Because they had wronged him in refusing him K. James warrand commanding them to permitt him to sitt in the inner house to heare causes reasoned, pretending to be against the order of the house, qhen in effect it was done by the credit of the Erle of Haddingtoun, then president, brother in law to his uncle Sir William Scot, fearing that therby he might acqyre friendship of the judges and obtaine sentence against his said uncle for his tutors, compt quhilk wrongouslie he had detained dyverse yeirs after his majoritie.

2. Because they had given a decreit in favours of Lauderdale,

¹ 'He' that is Sir John Scot. Various MS. abstracts in translation of Craig's *Jus Feudale* are known. One of them is in the Mitchell Library, Glasgow, No. C 115544. But is Scotstarvet's translation extant?

² 'Holland' originally written by Thomsone: word deleted and 'London' substituted.

³ The maps referred to were those of Timothy Pont and others, for the stately and most meritorious *Theatrum Scotiae* in Blaeu's Atlas.

one of their number, making him as lord of the erection of the abbacie of Haddingtoun, Sir Joⁿ superior of his Lands of Eister Pitcorthie he having gotten infestment to be halden of his majestie long before, qhich particular will be better cleared in the 3d chapter treating of the superiority of kirklands contrare to the old law of the country.

3. Because of there exorbitant power and his majesties earnest desyre to have it curbed, thinking it the dewtie of his place to assist his majesty in so just a demaund, being so earnestly desyred therunto.

(To be continued.)

Some Sources of the Tales of the Thrie Priests of Peebles

FROM several points of view *The Thrie Tales of the Thrie Priests of Peebles* requires more discussion than it has yet received, and the quality of the poem is such as to deserve a fuller criticism. If we had an accurate text—the defects of the one we have obviously suggest corruption—there would probably be little need to excuse the occasional flaws of the versification on the plea that it was *auribus istius temporis accommodata*, good enough for the ears of less fastidious times. Many of the verses are sufficiently harmonious if properly read, and almost all are vigorous and graphic. The contents, too, are interesting. If the stories are didactic, they are never dull; and some of the topical allusions make the date of the poem a question of some historical importance. The reign of James III. has been suggested, but the reasons given so far prove inconclusive. The only certainty is that the poem must have been composed before the Reformation. As to the author, the name of Sir John Reid—‘guid gentle Stobo’ of Dunbar’s lament—has been advanced; but the support lent to the theory by Mr. Renwick in his *History of Peeblesshire Localities*, though interesting, does not establish more than a possibility.

The following notes upon some sources of the tales are offered as an aid to appreciation, both artistic and historical. Consulting the originals and comparing them with the poems, the student may form a just opinion of the poet’s technical skill and at the same time judge more safely of the element of Scottish historical allusion. It is possible also that some clue may be furnished to the authorship or to the date. Information that means little to oneself may put a key into the hand of another.

The first tale may, for our present purpose, be dismissed briefly, though it is of lively interest for the light it throws on the different orders of society. It reproaches the King for the prevalence of simony in the Church; satirises spendthrift upstarts of the burgh class; and protests against the oppression and degradation of the

old nobility and their 'leil men.' But if it is of historical value, the poem can hardly be called a tale, as we use the word. The fictitious framework is of the slightest, and it is hardly worth while searching for an original. We are told how the King convoked the three estates of the realm, and, assigning a hall to each, asked them to answer certain questions. The commons he asked to explain how it was that

Burges bairns thryves not to the thrid air,

a fact that we still note in the common saying that there are 'but three generations from shirt sleeves to shirt sleeves.' The fate of the *tertius heres* is an old saw, and the explanation is still the same as that given to the King: that the father makes a fortune, the son spends it, and the grandson has to work or beg. No need to search for origins here, but one may note in passing the raciness of the sketches of burges life in the poem. The query put to the nobles and their reply is perhaps more likely to have a literary source. The King would fain learn why they were so inferior, in all respects, to that old nobility—

Sa full of fredome, worship and honour,
Hardie in hart to stand in everie stour,—

who adorned the reigns of his ancestors. In their reply the nobles admit the charge, but blame the King. There may be a connection between this and the story of the King of the Franks who asked why his knights were less worthy than the Rolands and Olivers of former days.¹ The reply of the jongleur is crushing: 'Give me such a King as Charlemagne and I will give you such knights as you have named.' The Scottish nobles are a little more polite, but if their answer is indirect and circumstantial, it comes to the same thing.

In the Second Priest's Tale we are much more clearly in touch with older fiction, and the debt is heavier. The prelude introduces us to a King who 'lufit over weil yong counsel,' and to his jester, Fictus, who was in reality 'a clerk of great science,' but 'feinyeit him a fule' in order to gain the royal favour. So well did he act his part that he made himself 'as sib' to the King 'as seif is to ane riddil.' But he does not play merely for his own hand: he guides the King into seeing his follies in their true light, and succeeds in reforming him. How he did this is shown

¹ *Quare non essent ita probi milites nunc sicut fuerunt in tempore, scilicet Rolandus et Oliverus.* See Wright's *Latin Stories*, cxxxvii.

in three stories. The first of these evidently comes straight from the *Gesta Romanorum*. Tale LI. of that collection reads as follows:

‘Josephus mentions that Tiberius Caesar, when asked why the governors of provinces remained so long in office, answered by a fable. ‘I have seen,’ said he, ‘an infirm man covered with ulcers, grievously tormented with a swarm of flies. When I was going to drive them away with a flap, he said to me: ‘The means by which you think to relieve me would, in effect, promote tenfold suffering. For by driving away the flies now saturated with my blood, I should afford an opportunity to those that were empty and hungry to supply their place. And who doubts that the biting of a hungry insect is not ten thousand times more painful than that of one completely gorged—unless the person attacked be stone and not flesh?’

Application.

‘My beloved, governors who are already enriched by plunder are less likely to continue their oppression than they who are poor already.’

This is the kernel of the story in the poem. The skill shown by the Scottish author in expanding it into a dramatic narrative of a man who fell among thieves, is admirable; and, as in all the tales, there is store of topical allusions. Of course one does not seek for the ultimate source of a story in the *Gesta Romanorum*, since that is but a collection of oriental, legendary, and classical fables adapted to the romantic taste of the middle ages. In Aristotle’s *Rhetoric* (Bk. II. ch. xx. p. 1393) we most probably have the origin of the *Gest* in the fable of the Fox attacked by Leeches, and the Hedgehog.

The second story of the Second Tale tells of a ruffian who slew three men, at intervals of time, one after the other. For the first crime he was pardoned by the King, on the intercession of a courtier whom the murderer had bribed. On the second occasion he again found grace, and in the same way. But the King would not pardon him a third time. Fictus, however, while approving of the sentence of death, sharply observes that the man had committed only one murder, and that the King had committed two.

‘Had thou him puneist quhan he slew the first,
The uther twa had been levand, I wist;
Therefore, allace, this tale, sir, is over trew,
For, in gude faith, the last twa men ye slew.’

The source of this story I have not found, either in the *Gesta* or in Wright's *Latin Stories*. Neither is it in the *Contes Moralisés* of Bozon, nor in the *Exempla ex sermonibus vulgaribus* of Jacques de Vitry, unless it has evaded a careful search.

The source of the third story is easily found. Fictus had succeeded in guiding the King into wiser ways of government, but a grave domestic evil remained. There was

Ane still strangeness betwixt him and his Queene.
He beddit nocht right oft, nor lay hir by,
But throw lichtness did lig in lamenry.

How this was made to end and how the King fell in love with his wife, is very plainly and yet not coarsely told; for the spirit of the whole series of Tales is dignified, even where it is humorous. But the story need not be rehearsed, since the Queen, acting under the guidance of Fictus, succeeds by the same method as Helena resorts to in *All's Well that ends Well*. The source of that idea has, of course, been long familiar to the student of Shakespeare in the story of Giletta di Nerbona, which forms the ninth novel of the Third Day of the *Decameron*; and it may well have been to Boccaccio that the Scottish poet was indebted. Yet as Dunlop¹ has pointed out, the main elements of the Italian tale are found in Indian literature; and in that case there may possibly have been other versions besides Boccaccio's which our author may have read. But if, like Shakespeare, he drew from Boccaccio, he is certainly happier in his method of adaptation. Giletta, in the Italian story, is both indelicate and ungenerous to the man whom she forces, with the King's authority, and without any excuse but her own passion, to marry her. Shakespeare takes the story with all its imperfections, and if one sympathises with his heroine, it is simply because the art of Shakespeare overcomes one's judgment. The Scottish poet, with less wizardry at his command, omits the distasteful circumstances of Giletta's situation, and makes his heroine the properly married but neglected wife; and, in this version at least, all's well that ends well.

The Third Priest's Tale is the most notable of all. It is a striking moral parable, well constructed, and told in a simple and homely style that sometimes attains to eloquence by virtue of earnestness and sincerity. Though of universal appeal, it is not without historical interest, since it affords proof of the serious and lofty tone of the teaching of some, at least, of the much-abused

¹ *History of Prose Fiction*, vol. ii. ch. vii. p. 87; Bohn's edition.

pre-Reformation clergy. It is an excellent corrective to take with Lindsay's ribald satire and the perfervid philippics of Knox. That the idea of the parable is borrowed matters nothing: the nature of the thing borrowed and the treatment of it is everything.

The source of the tale, like most of the serious medieval fictions, is oriental. At first one is reminded of what has been called the most perfect of all moralities, *Everyman*; but certain points of difference between the two, to be noted later, lead one to seek elsewhere for the original. Resorting to Wright's *Latin Stories* and to the *Exempla* of Jacques de Vitry, we find versions there. Both are practically the same, but they differ from the Scottish story in an important detail which will also be referred to hereafter. The *Gesta Romanorum* has its version, too, but it is mangled almost beyond recognition. Returning to the study of *Everyman*, one receives from Ten Brink a hint which guides one to the source of that morality. That source is one of the most interesting productions of old monastic—or perhaps it would be more correct to say anchorite—literature, the *History of Barlaam and Josaphat*. This is generally attributed to John of Damascus (eighth century). Whoever the author was, he acknowledges that the tale is of Indian origin; and, indeed, it is little more than a Christianised version of the legendary life of Buddha. Written in Greek, it attained a wide popularity in Western Europe when translated into Latin. The translation is of uncertain date, but it exists in a manuscript of the twelfth century. A still greater popularity was gained when it was abridged by Vincent de Beauvais and inserted (about 1250) in his *Speculum Historiale* (lib. xv. capp. 1-64). But although the romance as a whole had a good circulation in the middle ages, the apologues, or moral tales, which it contained, were even more popular. Of these there are eleven that are non-biblical, and it is from the sixth of these that the Third Tale of the Three Priests is descended.

When we compare the two and then think of the other versions, it would almost seem that the Scottish poem was first in the line of descent. It is by far the closest to the original; and, if it were not for the language one would be tempted to think it of earlier date than any of the others. But whether it is earlier than *Everyman* or not, there is no probability that it dates as far back as any of the other renderings. If only to establish its independence of all save the earliest version or some unknown intermediary, it may be advisable to give the tale as it appears in *Barlaam and Josaphat*. I translate from the 1603 edition of the Latin rendering of Billius.

‘A certain man had three friends. Two of them he loved and cherished with all his heart, and would for their sakes brave any danger, even death itself. The third he slighted, showing him neither respect nor kindness, but only a pretended friendship.

‘One day came fierce and terrible soldiers, purposing to hale him before the King that he might render account of ten thousand talents which he owed. The man was sore perplexed, and sought for some one who might help him to meet this dreadful reckoning before the King. Running therefore to his first and dearest friend, he said to him : ‘Thou art not forgetful, oh friend, how I have ever put my life to the hazard in thy cause. It is now my hour of need. This very day I am grievously beset, and I long for thy aid and thy assistance. Wilt thou, I pray thee, promise to be my help? What hope, dearest friend, may I place in thee?’

‘But the other answered and said : ‘I am not thy friend, oh man, and who thou art I know not. Others there are whom I love. To-day I must make merry with them, and they shall be my friends alway. Wherefore I offer thee only two goats’-hair cloths that thou mayst have them with thee on thy journey. Truly they will profit thee nothing, even as there is not any reason thou shouldst expect aught of me.’

‘Hearing these words the man forsook all hope of the help that he had expected, and betook himself to his second friend. To him he said : ‘Remember, friend, how greatly I have honoured thee and how many acts of kindness thou has received from my hands. This day I have fallen into direst calamity and affliction, and I have need of some one to be my help. Tell me, then, what assistance thou canst give me.’ But the other, answering, said : ‘To-day I have much to do, and can by no means stand by thee in thy peril. Cares and anxieties beset me on all sides, and I am sorely cumbered. Yet I will go a little way with thee on thy journey, though thou wilt nowise profit by my fellowship ; and thereafter I shall straightway return home and give heed to my own affairs.’

‘So the man turned away with empty hands, and, finding nowhere any help, he bitterly bemoaned himself for the lying hope he had built on the false and faithless, and sorrowed to think of the idle labours he had undertaken in his love for them. Howbeit, he went now to his third friend, whom he had ever lightlied, and had never made the companion of his mirth. Shamefaced and with downcast eyes, he thus addressed him : ‘Scarcely can I open my lips to speak to thee. I acknowledge

that I have never acted towards thee kindly or been a true friend to thee. But, now that I am oppressed by sore calamity and find no hope of salvation in my other friends, I come to thee, begging and beseeching that thou wilt not be mindful of my unkindness, neither refuse to do me any benefit that is in thy power.'

'But the other answered with a cheerful and pleasant countenance: 'Verily, I profess thou art mine honest friend, and what little kindness thou hast done me I shall not forget, but repay it to thee this day with usury. Fear not, therefore, and be not sore dismayed. For I will set out before thee and implore the King on thy behalf, that he may not deliver thee into the hands of thy enemies. Wherefore be of good cheer, dear friend, and cease to lament thyself so grievously.'

'Then did the man feel sharp remorse, and he wept abundantly, saying: 'Wretch that I am, which shall I lament the more? Shall I blame my own misplaced goodwill towards those false, forgetful, thankless friends? Or shall I rather tax the folly of that ingratitude which I have shown to this true and sterling friend?'

'Not without wonder did Josaphat hearken to this parable, and he asked what its meaning might be. Barlaam answered and said: 'The first friend is Great Possessions and the love of riches, for the sake of which a man falls into scores of perils and bears many hardships. But when the last day of his life has closed, he retains nothing whatsoever of all those goods save some useless rags to serve his burial. The second friend is Wife and Children and those other kinsmen and friends, love of whom holds us in bondage, so that we can scarcely be torn from their side, and will neglect ourselves body and soul for their sake. From them, however, one receives in return no service in the hour of death, unless it be that they bear his body to the grave. This they do but nothing more. Forthwith, returning home, they give heed to their daily cares, leaving behind all memory of him who was aforesaid dear to them, even as they abandon his body to decay. But the third friend, who was despised and rejected, and from whose approach we turn with dismay, is the Chorus of Good Deeds—Faith, Hope, Charity, Pity, Kindness, and all the other Virtues. These, indeed, when we take leave of the body, can set out before us, and move God on our behalf with their prayers, and can set us free from our enemies, the dread extortioners who urge against us a bitter suit for the rendering of our debts, and cruelly strive to seize us. Such, verily, is that noble, worthy and

loving friend, who remembers our good deeds, however slight they be, and repays them to us an hundredfold.’

‘Man may embellish but he cannot create,’ says Mr. Gladstone, speaking of Hellenic myth. However true this may be, or however fallacious, reproduction has not always resulted in embellishment. Certainly the monks have not adorned this theme in the variations that appear in de Vitry and Wright, and in the *Gesta Romanorum*. All three are illiterate abridgements. The first two also agree in making the hero the constable of a castle belonging to a king, and in telling how he was condemned to death for betraying it to the enemy. This, of course, is the kind of modification that is meant to please the romantic taste of the age of chivalry. As to the version in the *Gesta* (Tale cxxix.), it is so changed as to lose all dignity. The son of a certain king, after being seven years abroad to see the world, returns to his father, and being asked what friends he has made, answers that he has found a friend whom he loves more than himself, a second whom he loves equally with himself, and a third whom he loves very little. The King proposes to prove their quality. ‘Therefore,’ he adds, ‘kill a pig, put it into a sack, and go at night to the house of him you love best, and say that you have accidentally killed a man, and if the body should be found you will be put to an ignominious death. Entreat him, if he ever loved you, to give you his assistance in this extremity.’ The sequel is the same, and so also is the moral.

But if none of these three have any literary merits, a point of interest is to be found in the introductory sentence in de Vitry : *Hec sunt verba Gregorii ex quibus ostenditur, &c.* If it is true that the apologue is to be found in Gregory—who is, of course, Gregory the Great—then it means either that the story had circulation in Europe earlier than the publication of *Barlaam and Josaphat*, or that that work is, as some aver, by an earlier writer than John the Damascene.

To return to the main question. Compared with those puny abridgements, the Priest’s Tale is a work of art. It expands the story with illustrative detail and is distinguished by frequently effective phrasing. Further—and I think that this at least is an embellishment—it does not in the parable of the second friend slander human nature. Every other version does. The Peebles tale warns us that in the hour of death not even our dearest kith and kin can take our place, or follow us beyond the grave; but it is not so cruel as to say that when they return from the burial

they 'leave behind all memory of him even as they leave his body to decay.' This libel upon humanity—as savage as anything in Swift—is characteristic of the anchorite principle, which led to the abandonment of social ties and the mortification of the domestic affections. 'To break by his ingratitude the heart of the mother who had borne him, to persuade the wife who adored him that it was her duty to separate from him for ever, to abandon his children uncared for and beggars to the mercies of the world, was regarded by the true hermit as the most acceptable offering he could make to his God.'¹ This inhuman doctrine is, as far as possible, mitigated by the Scottish author. He shows wife and children full of grief and helplessness at the side of the grave, but does not say anything of short memories.

And than with us unto that yet² will cum
Baith wyfe and bairnes, and freindis al and sum :
And thair *on me and thè lang will thay greit.*

This is something more human ; and, as I said, the Scottish author is the only one who has thus redeemed the tale from a degrading cynicism. *Everyman*, instead of mitigating the harshness of the original in this respect, makes it worse, and that in a hard, brutal, shallow way.

Everyman.

My cousin, will you not with me go ?

Cousin.

No, by our lady ; I have the cramp in my toe.
Trust not to me, for, so God me speed,
I will deceive you in your most need.

Kindred.

It availeth not us to 'tice :

Ye shall have my maid with all my heart, &c.

Besides this striking difference between the Scottish tale and the English morality, there is another which is even more valuable in regard to the question of the possibility of either being derived from the other. They have different motives. While the Third Priest's Tale aims only at inculcating the supreme importance of good deeds as a means of salvation, *Everyman* is written especially to exalt the clerical office. Good Deeds, in the morality, is a faithful and willing friend, but by himself he is too weak to walk. Only if *Everyman* goes to the priest and confesses his sins and does penance, can Good Deeds go with him.

¹ Lecky : *History of European Morals*, vol. ii. ch. iv.

² Gate (of death).

Good Deeds.

Here I lie, colde in the grounde,
Thy sinnes hath me so sore bounde
That I can nat stere.

‘Good priesthood,’ Everyman is told, ‘exceedeth all other thing.’

Five-Wits.

Ther is no emperour, king, duke, ne baron,
That of God hath commissyon,
As hath the leest priest in the world beyng.

Nay, the priests are not only greater than all earthly potentates, they are greater even than the angels.

‘God hath to them more power given
Than to any aungel that is in heven.’

So, after all, the sufficiency of good deeds, which the original parable preaches, is denied, and the power of the priesthood is the theme of the play.

This in itself is enough, I think, to prove that the Scottish tale is not derived from the English drama. The Third Tale is evidently written by a cleric or by one who was friendly to the Church, but there is not a line of it that advances any such claims for the priesthood, and if either priest or priest-lover had taken his theme from *Everyman*, it would have been strange had he not worked in a word for Holy Church. On the contrary, ‘Almos-deid and charitie’ is the whole burden of his song. In the last lines of the ‘application,’ the Scottish poet does indeed exhort us to do ‘penance, fast and pray,’ over and above good works; but there is no word of the priesthood.

There is, however, one point in which the two works agree, and in which they differ from the original tale. In *Barlaam and Josaphat*, the King sends ‘fierce and terrible soldiers’ to arrest the hero of the story: in *Everyman*, God sends a ‘messenger, Death’: in the Scottish tale, the King—who is afterwards explained to be God—sends his ‘officer,’ who is interpreted as Death. This is a slight coincidence in modification, but it is enough to suggest that if neither the English nor the Scottish author was indebted to the other, they may have drawn from a common source. It is, of course, just possible that the English poet, in spite of the influence of

‘The cold river of Tweid.’

may have borrowed from the Scot. We cannot determine by

dates. Both are generally assigned to the same half of the same century, but it is guess-work in both cases.

We must also take into consideration the existence of a Dutch *Everyman*—*Elckerlijck*—and the probability of its being the original of the English morality. The far-travelled Scot of those days might well have met Peter Dorland of Diest, the probable author, and may have read his work; but the reasons urged against the English morality hold as strongly against the Dutch. Nor is there any reason to consider the Latin morality *Homulus*, since it is merely a translation of *Elckerlijck*. Another Dutch morality and a Low German play are of the same parentage.¹ We must conclude, therefore, that unless some other poem existed of which I have not heard,² the Third Priest's Tale was directly inspired by the apologue in the *History of Barlaam and Josaphat*.³

T. D. ROBB.

¹ See the Introduction to *Everyman*, by F. Sidgwick (A. H. Bullen, 1902).

² Chardri, an Anglo-Norman poet (eleventh century), has a metrical version of *Barlaam and Josaphat*, but it omits all the apologues, except the first.

³ After this article was put in type, my attention was drawn to a note in the *Athenaeum* (Nov. 29) which points out that the source of *Everyman* is possibly to be found in the Talmud, part v. On referring to that 'literary wilderness' one will find in the section on the Day of Atonement a version as bald as those of Wright and de Vitry. To say nothing of *Everyman*, there are at least two reasons for thinking that the Scottish poet may have known it. The king, in the Talmud, sends 'an officer'; and the second friend offers his company as far as the palace gates. So it is in the Peebles tale, and not so in *Barlaam*. But the man, in the Talmud, does not know the charge against him, and can only think that some one has slandered him to the king. *Barlaam* and the Peebles tale agree in making it a summons for debt. And there are other points in which they alike differ from the Talmud. On the whole, it seems probable that the Scottish poet, whether directly or indirectly, knew both versions.

Reviews of Books

GENESIS OF LANCASTER; OR, THE THREE REIGNS OF EDWARD II., EDWARD III., AND RICHARD II., 1307-1399. By Sir James H. Ramsay of Bamff, LL.D., Litt.D. 2 Vols. Vol. I. Pp. xxix, 495. Vol. II. Pp. xiv, 446. Demy 8vo. Oxford: Clarendon Press. 1913. 30s. net.

WITH the issue of these two volumes Sir James Ramsay reaches the end of an undertaking upon which he has been deservedly congratulated and of which he is entitled to be proud. In the preface to this last instalment of his history the author says that his work 'may lay claim to the advantage of being the product of one single pen, on a consistent and uniform plan throughout, without incongruity of theories, or overlapping of matter,' and that it is 'based throughout on a personal study of the original authorities.' Any reader who has been accustomed to deal directly, even on a small scale, with original authorities must protest that Sir James Ramsay's estimate of his own achievement betrays the modesty of a scholar, and will admire the extraordinary industry which lies behind the finished product of his pen. To learn that it has been his 'standing occupation since the outbreak of the Franco-German war' will hardly surprise the serious student; nor will the initiated readily listen to any apology for 'tardy output.' The predominant feeling will be one of admiration for the patience and perseverance which have enabled one man to digest so much material in so comparatively short a time, and to maintain his thoroughness of treatment to the end. It is a peculiarly happy circumstance that Sir James Ramsay can look back upon the conclusion of a labour which, in prospect, most men might have despaired of living to complete, and may be assured that he has laid succeeding students under that debt of gratitude which is always owing to independent and masterful work.

Turning to the two volumes at present under consideration, we find that Sir James Ramsay has every justification when he draws attention to his special researches in military affairs and domestic finance. In the latter department the historical economist will appreciate most keenly the value of the information accumulated in the text and in the elaborate tables appended at appropriate points. This department of the work, if one may judge from some incidental references to Scottish financial matters, both discovers and conceals painstaking care. Thus even a brief note to Vol. I. p. 293, on reference to the source, shows that the author, when comparing the receipts of the Chamberlain of Scotland in two separate periods, has taken the trouble to select and sum the figures which bear most strictly upon his argument. But it is in the field of war that Sir James Ramsay

gains his chief successes as a historian. He has visited, he tells us, the scenes of all the more important engagements. Had he not informed us, his battle pictures themselves would have betrayed him. The description of the battle of Poitiers—a name, by the way, which the reviewer has not found in the index—is given with remarkable verve and force, and as a piece of writing is one of the best among many good battle stories in the book. The Scot will naturally turn to see what is made of Bannockburn. He will find an independent study of a conflict regarding which the last word has by no means been said; and, if he is a close student of the battle, he will find himself compelled to reckon with our author's conception.

Sir James Ramsay's work is difficult to describe as a whole. To speak of it as a chronicle of chronicles would be to ignore the presence of many elements, critical and reflective, which are commonly supposed to be alien to that style. The wealth of detail, while invaluable for reference, puts a considerable tax upon the concentration of the reader. The number of persons who are introduced by name might conceivably leave the artist of the Thucydidean school bewildered, if not dazed. One is led to sympathise with the feelings of the distinguished guest to whom people he has never heard of, and does not wish to hear of again, are laboriously presented. Our pleasure, for example, in meeting Robert, Lord Bouchier, is impaired by the fact that he is dying of the plague, and that the historical significance of this remarkable man was to be one of the few persons of rank known to have been cut off by the malady. It is extremely doubtful if close adherence to an annalistic method—though Sir James Ramsay manages his materials with exceptional skill—is quite compatible with that mode of representation which is expected of a modern historian. The baldest narrative of events does not always submit gracefully to be confined within an annalistic scheme. The explanation of events, however, always demands retrospect and prospect. The historian sees the occasion in the light of the ultimate issue; and annalistic treatment makes it hard for him to introduce his estimates of significance with effect. Sir James Ramsay does not shun comment and criticism; but his comments, however justifiable, have the guise of *obiter dicta*. Thus he repeatedly condemns the Franco-Scottish Alliance—rightly or wrongly—without giving us a full and considered explanation of his view. The narrative, it should be admitted at once, is marvellously clear, rarely slipshod in expression, and the evident product of industrious art; but the scheme of representation forbids that accumulation of facts along various lines of development which leaves the reader with a conception of fundamental causes and their bearing upon the conduct of individuals. If this is a criticism which some will pass upon Sir James Ramsay's work, he would be justified in replying, apart altogether from discussions on the manner of historical representation, that his method has enabled him to collect a wealth of material for other students.

Sir James Ramsay is not of those who suffer fools gladly, and his criticisms are occasionally almost conversational in their vivacity. Thus in 1324 Edward II. 'in his feeble way, potted away during the autumn with his preparations': next year we find that he 'did not care a button

for Isabelle': in the face of disloyalty 'the obstinate booby was wedded to his dull headstrong way': Edward III. was 'a big, dull, unmannerly oaf, a spoilt grown-up child, of low tastes, without dignity or sense of duty, short-sighted, but obstinate and vindictive.' A fine contempt breathes in the warning announcement (Vol. I. p. 244): 'The systematic manner in which all fortifications had been destroyed by the Scots should be noted by archæologists and persons ascribing to Scottish castles dates anterior to these wars.'

The list of authorities prefixed to Vol. I. is somewhat disquieting. It certainly does not exhaust the tale of books and papers referred to by the author in his notes; and as a guide to the student it would be inadequate. Scotland comes so often into the picture that certain omissions will at once strike the Scottish reader. If Nicolas' *Chronology of History* is an authority, why not Dunbar's *Scottish Kings*? It is conceivable that the histories of Lang and Hume Brown do not appeal to Sir James Ramsay—they are certainly built upon a very different plan—but they surely deserve to be named along with Tytler and Hill Burton; and the list of authorities in question might profitably have been compared with Hume Brown's bibliography. When Wilkins' *Concilia* appears, Robertson's *Concilia Scotiæ* merits a place; and it is somewhat disturbing to look in vain for Theiner's *Vetera Monumenta* and the *Calendar of Papal Registers*. The truth may be that the heroic task which Sir James Ramsay set himself is beyond the powers of any single human being. There have been men in the sphere of government who have distrusted their subordinates, and who have come to grief in a vain attempt to cope with an impossible mass of affairs. Under modern conditions a like danger besets the general historian, and, unfortunately, just in proportion to his desire to deal with authorities at first hand. The store of accepted fact grows slowly: there are many labourers, and yet too few: the work of years in a special department may often be summed up in a single paragraph: portions of the labour are imperfectly executed or undone. If Sir James Ramsay does not completely satisfy—and he aimed at producing a *general* as distinguished from a *constitutional* history—it is mainly because he has, in his effort to master the detail of events, contributed generously to our knowledge of certain special aspects of his theme, and left a mass of information available to all sorts and conditions of inquirers.

R. K. HANNAY.

REGESTA REGUM ANGLONORMANNORUM, 1066-1154. Vol. I.—REGESTA WILLELMI CONQUESTORIS ET WILLELMI RUFII, 1066-1100. Edited, with Introductions, Notes and Indexes, by H. W. C. Davis, M.A., Fellow and Tutor of Balliol College, Oxford, with the assistance of R. J. Whitwell, B.Litt. Pp. xliii, 159. 8vo. Oxford: Clarendon Press. 1913. 15s. net.

THIS completion by an eminent charter scholar of a digest of the charters relating to England granted by William the Conqueror and William Rufus between 1066 and 1100 discloses to the historian and archæologist material of great value.

Though many of these documents were published long ago, they have hitherto been comparatively inaccessible, scattered in cartularies and in the transactions of societies in France and England.

Here we have an abstract of every known charter and deed, with notes on their authenticity and with full references (involving infinite labour) to the archives in which are preserved the originals or the earliest copies, and Mr. Davis adds in an appendix the text of ninety-two charters printed in full and edited by him for the first time.

The work was eminently worth doing and has been eminently well done, and still I confess the result is somewhat disappointing.

The majority of the charters are not interesting, many are renewals and confirmations of older grants, which on the payment of fees chancellors and kings' chaplains issued as a matter of course.

But still to those skilled in early charters, foreign and English, there is nearly as much pleasure to infer from omissions changes in law and custom as to find direct statements whether confirmatory or opposed to those in older deeds. Much can be learned from this collection of the charters from 1066-1100, the names of the witnesses are essential to the genealogist, the names of the manors and churches to the philologist and to local historians. Every charter is interesting in some way or other; but a collection is for a few; the general reader with no special knowledge will not find much which he can remember.

As Dr. Maitland (*Doomsday Book and Beyond*, p. 227) said 'the early charters . . . are with hardly any exceptions, ecclesiastical title deeds. Most of them are deeds whereby lands were conveyed to the churches, some are deeds whereby lands were conveyed to men who re-conveyed them to the churches.'

The Conqueror granted a great part of England in Earldoms and Manors to his relations and the great Norman magnates who accompanied him and assisted him in the Conquest, but no charter conferring land on Earls or great land owners were granted, none at least have been preserved.

Mr. Davis (Intro. p. xii) says 'we do not possess the archives of any old English family, and ecclesiastical houses only preserved those writs and charters which related to their own estates.'

The earliest lay charters are those to Geoffrey de Mandeville, about the year 1140. Mr. Round says (p. 41) King Stephen's charter to de Mandeville 'is the oldest extant charter of creation known to English antiquaries.'

Unfortunately the custodians and transcribers of Church charters were often accomplished forgers, they substituted deeds of their own composition for originals which had either been accidentally lost or which were destroyed because they omitted privileges or contained restrictions which the abbey claimed or objected to.

Mr. Davis's collection is full of deeds which he is obliged to reject as spurious. The earliest deed (No. 5) to St. Paul's, London, which purports to have been granted on Christmas, 1066, the day on which King William was crowned, is marked 'spurious.' Another (No. 8), the earliest to Peterborough, Mr. Davis says 'though irregular in form (perhaps translated) may be accepted as correct in substance.'

The monks of Westminster were especially unscrupulous. It is said of No. 144 that it is 'a typical Westminster forgery.' Mr. Davis remarks that 'the Westminster forgers usually worked with some knowledge of historical fact; they are not in the habit of introducing imaginary personages in their witness lists.'

The charters of Battle Abbey are a series of spurious deeds. The earliest (No. 62), which professes to be a solemn record of the foundation of the abbey by the Conqueror in commemoration of his victory, a charter which bears the 'signa' of the King and of many of his magnates, which still has a part of the strip of parchment to which the seal might have been attached, of which there is an old copy in the Record Office, and which is enrolled in the Charter Roll of Edward II., is condemned by Mr. Round and by Mr. Davis as spurious 'by the test of style.'

Perhaps the most genuine charters in this collection are the deeds and notifications in the English language. They are terse and short, usually without a list of witnesses. The best known and the most notable is that short writ to London (No. 15) addressed to the Bishop and to Gosfrith, the port-reeve, and to all the burghers, French and English. (I take the translation in Stubbs' Select Charter in preference to Mr. Davis' abstract.) 'And I do you to wit that I will that ye two be worthy of all the laws which ye were worthy of in King Edward's day. And I will that every child be his father's heir after his father's day. And I will not that any men offer any wrong to you. God keep you.'

In one of the charters to a foreign monastery (No. 73) there is an interesting notice of trial by combat. It is said that in a dispute between the Abbey of St. Wandrille and William, Count of Evreux, 'the parties being unable to agree were on the point of settling the dispute by trial of battle. But the Duke stepped in to prevent an ecclesiastical cause from being settled by the shedding of human blood.'

The records of the same Abbey of St. Wandrille contain a curious illustration of the share of the Church in applying the ordeal of hot iron.

The Abbot stated that his house had from of old the right of ordeal, but a monk had blundered and in his ignorance converted the ordeal iron (*ferrum iudicii*) of the monastery to other uses. The Abbot asked the Archbishop to consecrate another iron. The Archbishop, doubting whether the monastery was entitled to possess an ordeal iron, refused the request. The matter long remained in dispute until it was brought before the King. Then the Abbot proved that his house had from of old the right of the ordeal in poor churches.

In notification (No. 251), marked 'spurious,' the King granted to Westminster, *inter alia*, a 'church in which the examination of the judgment of fire and water was held by ancient custom, and another church in which the examination of the ordeal takes place.'

The charters to the Bishop and Priory of Durham are most interesting to a Scottish antiquary, but, alas! many are noted by Mr. Davis as 'spurious.' Of No. 148 he says 'the witnesses alone are sufficient to prove that this is spurious;' several of them were dead by the time that Bishop

William received the See. Nos. 174, 195, 196, 197, 205, 281, 286, 363 are all condemned.

Mr. Davis does not, I think, throw any new light on the confirmation (in duplicate) by King William II. of the grants by Edgar, King of Scotland (Nos. 3644 and 3645), which it is equally difficult to accept as genuine or to reject as a forgery.

I have not said sufficiently how much I admire the scholarship, the extraordinary labour and discriminating criticism shown on every page of this volume. It is a great addition to the charter history of England.

A. C. LAWRIE.

THE LIFE OF JAMES IV. By I. A. Taylor, with an introduction by Sir George Douglas, Bart. Pp. xviii, 308. With 17 Plates and Map. Demy 8vo. London : Hutchinson & Co. 1913. 10s. 6d. net.

MISS TAYLOR has written a pleasant and popular account of the best of the Stewart Kings, and Sir George Douglas has an appreciative and scholarly introduction. If the author has not added much to the sum of our knowledge about the King, it is very much because there was little to add. James remains the same mysterious, puzzling character that he ever was. A typical specimen of a somewhat neurotic family, he showed himself on the one hand possessed of high ideals, lofty aspirations, and a capacity to govern better than any of his ancestors had shown, and a real religious sense; while on the other hand he was visionary, unpractical, very much the slave of his passions, and while the darling of his people the despair of his advisers. Of a charming personality like most of his high race, he had moods at times which testified to a certain want of mental equilibrium. He had a difficult part to play and it was not altogether his fault that circumstances proved too many for him. But there is no doubt that he was an immensely popular king. Miss Taylor has given some instances of this culled from the treasurer's accounts, and, had space permitted her, she might have given many more. The 'poor bairn,' however, who 'took the King by the hand,' did not probably do so in the way of affectionate greeting, but more likely as a sufferer from 'kings' evil,' who desired to test the traditional cure.

The author has read her authorities well and has in consequence compiled an honest and straightforward tale, which will no doubt be widely read and appreciated. It is only occasionally that we find ourselves somewhat in disagreement with the author's statements. But when she says that James III. created his favourite Cochrane Earl of Mar, in his dead brother's place, her accuracy is doubtful. Cochrane was certainly called colloquially Earl of Mar by the historians who have written about him, but no proof of his actual creation as such has ever been adduced. That he had the revenues of the Earldom assigned him is no doubt true. But that even James, in his most infatuated moments, would have dared to dignify him with a title which had so recently been borne by one of the Royal house is not to be believed.

It is a pity that more care has not been taken with the spelling of some of the names. 'Montgrenau' and 'Tarburt' may be mere misprints but

The Cambridge Medieval History 209

the same cannot be said for Huntley which is throughout spelt with an *e*. Of course spelling was very much an arbitrary matter long ago, but in the days of James IV. the usual form of the name was Huntlie or Hunte. In later times the form Huntley occasionally occurs, but it would have been better to have adopted the ordinary form of the name. There are seventeen plates of portraits and views and a moderately good index.

J. BALFOUR PAUL.

THE CAMBRIDGE MEDIEVAL HISTORY. Planned by J. B. Bury. Edited by H. M. Gwatkin and J. P. Whitney. Vol. II.: The Rise of the Saracens and the Foundation of the Western Empire. Pp. xxiv, 889. With a separate Portfolio of Maps. Med. 8vo. Cambridge: University Press. 1913. 20s. net.

THE second volume of the Cambridge Medieval History comprehends the period between the empire of Justinian and the empire of Charles the Great. As the title indicates, the significance of the period lies in the reorganisation of Western Asia by the Saracens and the transference of European imperial interest from Constantinople to Rome and Aachen. The merits which we noted in the first volume of this history are still more remarkable in the second. There is a good deal more annotation; the bibliographies are very full and bring together a mass of information which is not to be found elsewhere; the sketch maps in the accompanying portfolio are useful. Most of the maps, it is true, are commonplace, but that entitled, 'the Eastern Frontier of the Empire,' fills a gap, while Mr. Corbett's map of England under the Mercian supremacy and Professor Peisker's three maps to illustrate Slavdom, are real contributions to knowledge.

The former volume, dealing as it did with the transition from the ordered empire to a Europe overrun by barbarian societies, was somewhat weak in arrangement and casual in treatment. We noted particularly the absence of any discussion of Keltic civilisation and the disproportionate amount of space given to Teutonic society. The balance is not redressed in this volume by the ten pages which M. Camille Jullian devotes to Keltic heathendom (pp. 460-471). These pages are not even an introduction to anything else, but were included apparently to supplement Sir Edward Anwyl's brief section upon Keltic heathendom in the British Isles. We should have thought that the writings of Maine and Seebohm, the devoted labours of Keltic scholars all over Europe, the chapter on 'Celtic Origins' in Professor Vinogradoff's *Origin of the Manor*, and above all the work of M. Jullian himself would have compelled more exhaustive treatment. Apart from this omission, however, the second volume of the history is remarkably well balanced. It is largely written by leading experts, who have been encouraged to deal with constitutional and social problems no less than with political history. The chapters upon the Slavs and the Saracens will be especially illuminating to teachers and students, the great majority of whom have to take their ideas about Mahomet or the origin of the Russian state at second or third hand. The Papacy comes off worst, mainly because its history is not brought out firmly and clearly in its various aspects, but is scattered about. The reader will not

realise at first that the most suggestive discussion of Papal development will be found, not in Archdeacon Hutton's account of Gregory the Great or in Dr. Foakes-Jackson's chapter at the end of the book, but in Dr. Hartmann's pages upon imperial administration in Italy (pp. 229 seqq.) and in Professor Burr's chapter on the Carolingian revolution (pp. 577 seqq.).

Several of the narrative chapters are very stiff, and will be consulted rather than read. These will none the less be as valuable as any in the book, notably those on the Eastern Empire by Mr. Baynes and Mr. Brooks, and Professor Becker's account of the expansion of the Saracens. Of the other narrative chapters the most noteworthy are Professor Hartmann's on the Lombards, Dr. Rafael Altamira's on the Visigoths in Spain, and Professor Burr's, already mentioned, on King Pepin. With a little trouble the reader can put together from these and other chapters a good comparative account of the social arrangements and administration of the Franks, Goths, Lombards, and English. The career and empire of Charles the Great are described by the well-known German scholar, Dr. Gerhard Seeliger, whose chapters are supplemented by Professor Vinogradoff's on the 'Foundations of Society.' Many of us have found the *Origin of the Manor*, with its pages of notes sandwiched into chapters of text, a somewhat tiresome work to read; we may now find much of it summarised in good straightforward prose in this chapter of the Cambridge History. It is to be regretted that neither Dr. Seeliger nor Professor Vinogradoff seems to have brought the bibliography quite up to date. There are several obvious omissions, e.g. M. Paul Allard's *Les Origines du Servage en France* (1912).

The work of three writers calls for special notice. Professor Bevan of Cambridge has written an exceedingly interesting chapter upon Mahomet and Islam. It is critical and occasionally sceptical, yet constructive and illuminating, original, yet intelligible to the uninformed reader. Professor Bevan seems to take up a more independent attitude towards the great researches of Leone Caetani than Dr. Becker does. He naturally lays more stress upon the religious element in Islam, and upon Mahomet's relations with Jewish and the other kindreds in Medina; while Dr. Becker is impressed by the political influences which played upon the successors of the Prophet. Then Professor Peisker's chapter upon the expansion of the Slavs should be noticed; like the work of the same scholar in the first volume, it is full of ingenious, suggestive analyses of geographical influence and anthropological detail, collected from all kinds of authorities. Lastly, a special interest invests Mr. Corbett's treatment of the Mercian Kings in England. The story of Penda and Edwin, of Theobald, Wilfrid, and Offa has often been told, but after reading Mr. Corbett's chapter, one feels that it has never before been intelligible. The writer never loses sight of two facts—first, that the key to the seventh and eighth centuries must be found in the growth and organization of Mercia, in the development of an Anglo-Saxon state from a kind of tribal federation; secondly, that the process was mainly due to the Church. Archbishop Theobald is given his place in the political, as well as the religious history of England.

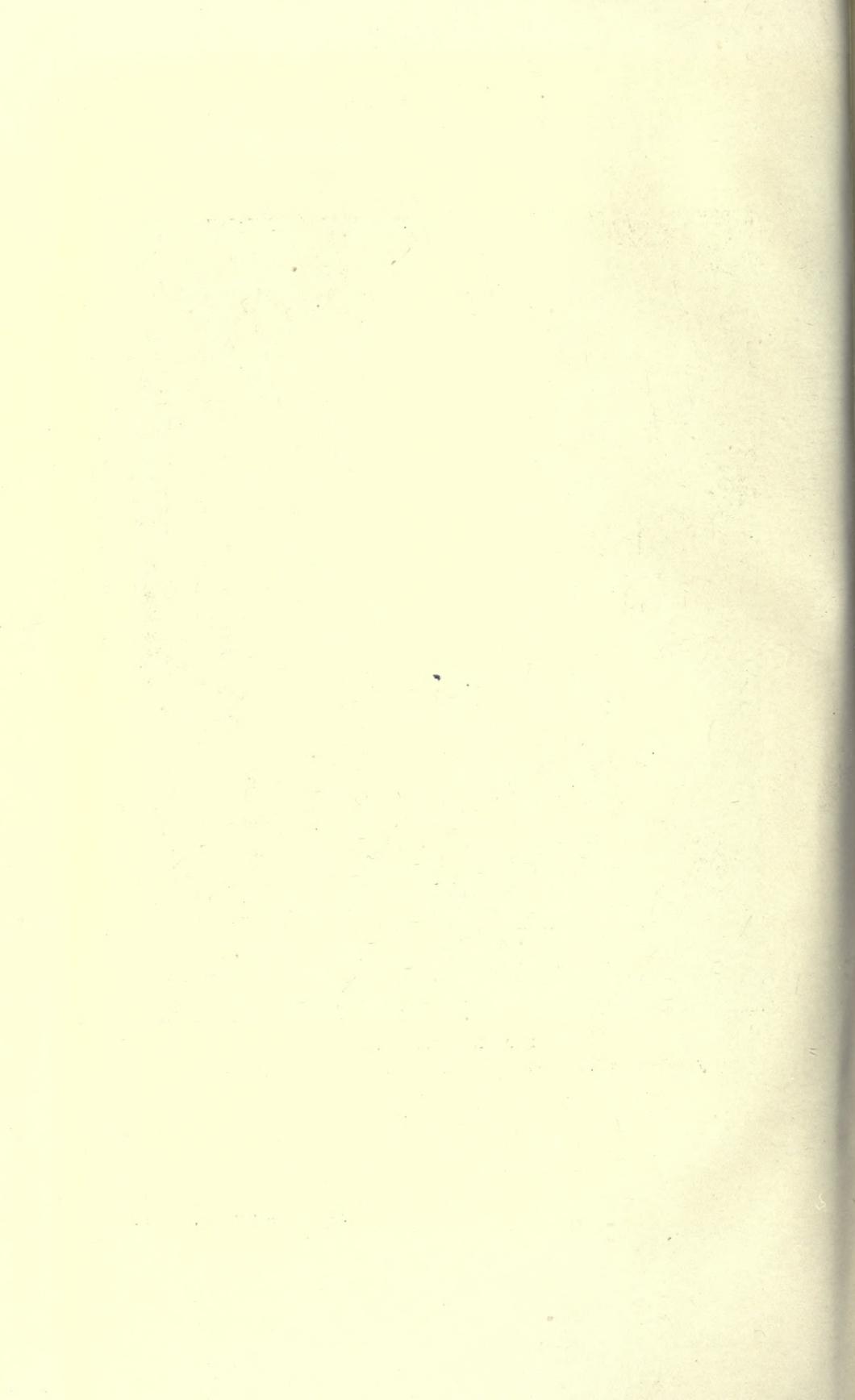
F. M. POWICKE.



POPE NICHOLAS V.

From a painting, said to be by Rubens, in the Plantin Museum, Antwerp.

See Mediaeval Glasgow, page 211.



Huyshe: Dervorgilla, Lady of Galloway 211

DERVORGILLA, LADY OF GALLOWAY, AND HER ABBEY OF THE SWEET HEART. By Wentworth Huyshe. Pp. xii, 157. With Illustrations by F. Fissi and the author. 8vo. Edinburgh: David Douglas, 1913. 7s. 6d. net.

A NOBLE lady 'plesand off bewté' as foundress, an abbey church of which the ruins merit the same compliment, and a romantic interest continued in the 'pet' name of the latter, make together a subject of unusually attractive character in this department. Mr. Huyshe has used his opportunities to the full, and produced a volume at once readable and informative; though part of the information is a strain upon relevance, and the occasional 'imaginings' and ready rhetoric may for some impair its literary quality. With evidence of so much industry it is, however, astonishing that Mr. Huyshe has failed to hit the foundation charter of the New Abbey, as embodied in a confirmation by King David II. in 1359, made in the Abbey itself, and so accessible in the *Laing Charters*. There we have a list of the persons whose souls were to be prayed for, an account of the lands donated, and the detail that the monks were to have the power of recovering thieves within Dervorgilla's lands. Further, the date of the foundation, as there given, is 1273, and not 1275 as Mr. Huyshe has it (pp. 106, 135). If the emphasis upon 'contemporary authority' on p. 72 indicates scepticism, something should have been said on the matter. This, however, is not likely, as the author has no hesitation about accepting the attribution to Dervorgilla of the Franciscan Friary and the old Bridge at Dumfries without any tangible evidence whatever. There are several other things, too, at which Mr. Huyshe would have done well to hesitate, such as the references to a 'Druidical Grove' and a 'Druidical Circle' on p. 54, and the assumption that in the early fourteenth century 'pounds Scottish' (*sic*) were 'equivalent to English shillings' (p. 77). The allusion to 'John Knox's idea' of banishing the rooks by pulling down their nests (p. 130) is scarcely in place; Knox, as Spottiswoode, who reports the remark, says, was referring 'to the cloisters of monks and friars only.' The beautiful drawings have suffered somewhat in reproduction.

W. M. MACKENZIE.

MEDIAEVAL GLASGOW. By the Rev. James Primrose, M.A., F.S.A. Scot. Pp. xii, 277. With numerous Illustrations. Demy 8vo. Glasgow: James MacLehose & Sons. 1913. 7s. 6d. net.

THE unquestioned benefits accruing from the Reformation in Scotland, like those following upon the Revolution in France, were paid for by a painful breach or 'fault' in apparent historical continuity. In France the hiatus was political and to some considerable extent racial. In Scotland it was neither. From the turmoil of the Knoxian period the power of the monarchy and of the nobles emerged not only unimpaired but, if anything, increased. The Reformation was carried out by the same classes, in many instances by the same families and individuals, that had been most active in the concerns of the 'auld religion.' But for this very reason, and in view of the tenets of Calvinistic Presbyterianism, the Scottish Reformation was something more serious than a mere revolution in political and economic

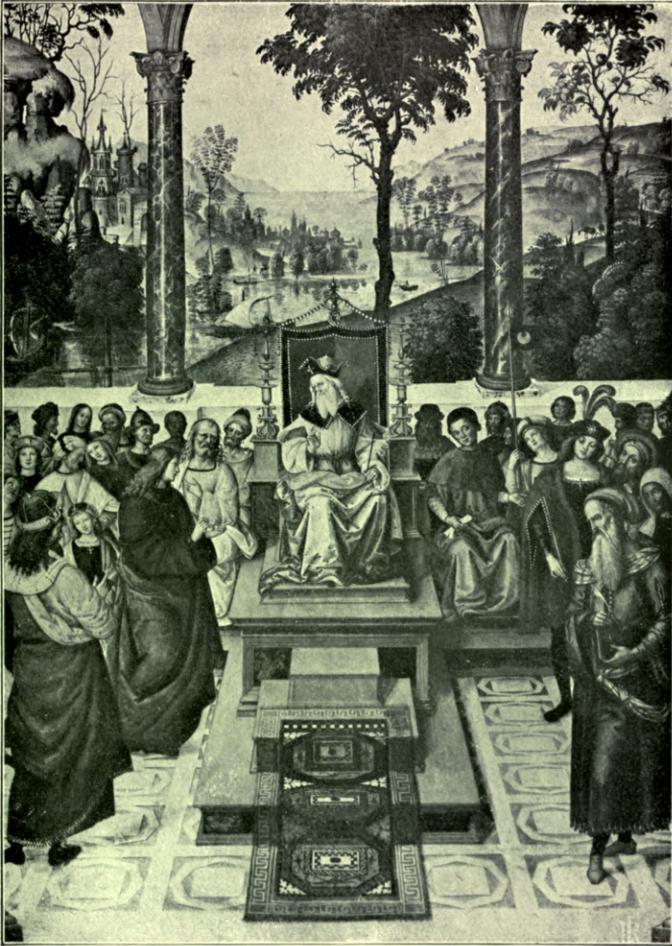
structure. It was moral, intellectual, individual. The Church is the great mainstream of tradition ; family histories are but the easily dried-up rills. The Church emerged almost unscathed from the French Revolution : in breaking with it so decisively at the Reformation, Scotland broke with her former self, with the more civilised half of Europe, and with the aesthetic side of the Renaissance movement, and condemned herself to a wearily long deprivation of most of the amenities of national and private existence.

At last Hume and Robertson threw a bridge over to Europe. Scott strengthened that bridge, and, with Burns, won Scotland representation in the world-council of universal genius ; and he also awoke Scotland to a romantic consciousness of her pre-Reformation self. For the average Presbyterian, however, a dreary sea still flowed between the Scotland of James VI. and the Scotland of James IV. To bridge that sea—to vindicate the essential underlying continuity of Catholic with Protestant history—has been the more or less conscious aim of modern ‘documentary’ historians in Scotland. And the publication of such a book as this, by a clergyman of the United Free Church, might be almost regarded as the running of an excursion train over the bridge in the building of which the author himself has borne no mean part. Its function in this respect is the more notable since it deals with the city in which, despite the preservation of the Cathedral, the breach with the past had been deepest and widest. The Cathedral itself one is too apt to regard as something that merely ‘grew.’ Mr. Primrose makes readably clear what the structure owes to each of its successive guardians.

The key-note of his whole book, indeed, is given out in his adoption of the etymology which affectionately associates the place-name Glasgow with the shrine and fane of St. Mungo. And in the excellent biographies which make up the volume he has lent dignity and unity and a wider significance to Glasgow’s history by emphasising the threefold aspect of its prelates as makers of Glasgow, factors in Scottish history, and links with European Christendom. In 1240 we find Bondington paying off a debt to the merchants of Florence incurred half-a-century before by Jocelyn in the building of the Cathedral. Wishart comes before us as the builder of the nave, the confessor of Bruce, and the prisoner of Edward I. ; Cameron, the ‘Magnificent,’ as a frequent litigant at Rome and a remarkable example of ‘rising from the ranks.’ Through Bishop Turnbull, Glasgow is gloriously linked with the Universal Jubilee proclaimed by the learned ‘ranker’ Pope Nicholas V., whose Bull for the establishment of Glasgow University was an ‘overflowing of Humanistic enthusiasm.’

That Glasgow had little real claim either to a University or to an Archbishopric increases our indebtedness to Turnbull and Blackadder ; for the University and the Archbishopric helped largely to make Glasgow. And to Blackadder Glasgow owes not only her superb crypt, but also her association with William Dunbar, with the English marriage of James IV., with the Court of Ferdinand and Isabella, and with the romantic tragedy of the Bishop’s mysterious disappearance on his way to Jerusalem. In his study of the first James Beaton, too, Mr. Primrose has not only vindicated the patriotism of that Archbishop, but has reminded us of Glasgow’s curiously

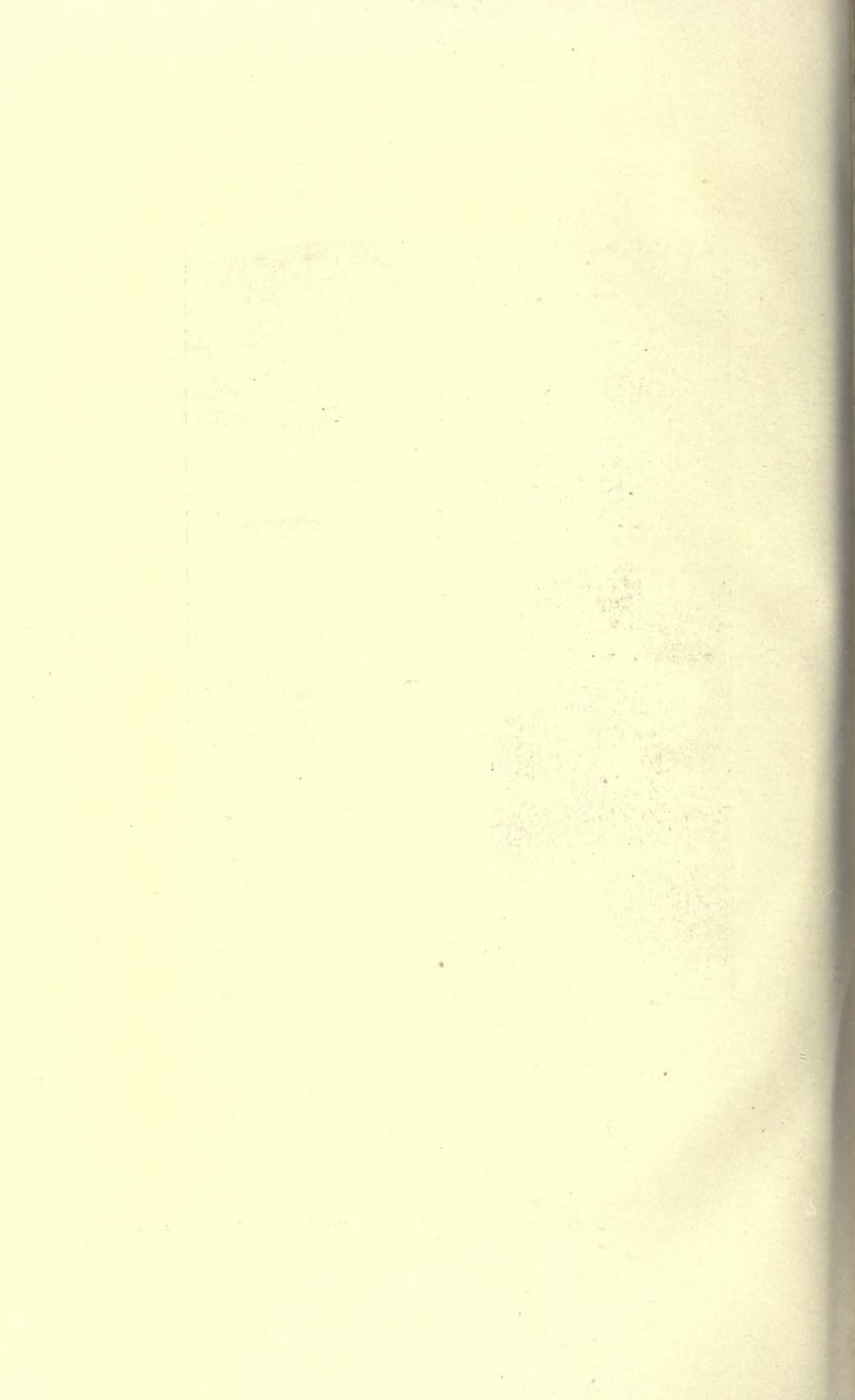
212^a



AENEAS SYLVIUS PRESENTS PETITION TO JAMES I.

From Pinturicchio's Frescoes at Siena.

See Mediaeval Glasgow, page 211.



Church and State in the Middle Ages 213

forgotten share in Flodden. And in his review of the troublous times of Archbishops Dunbar and James Beaton II. he has not forgotten to do justice to the spirit of Scottish patriotism that inspired their actions perhaps more clearly than it did those of their opponents.

A sympathetic discrimination, indeed, is what chiefly marks those admirable studies of the ecclesiastical makers of Glasgow; and the threefold aspect in which he presents them covers also, appropriately, his supplementary chapters on St. Roche, the Bishop's Palace, and Glasgow Market Cross. The book is handsomely illustrated with contemporary portraits of contemporary monarchs and prelates and with engravings of the Bishops' seals, and has a good index.

WM. POWER.

CHURCH AND STATE IN THE MIDDLE AGES. The Ford Lectures delivered at Oxford in 1905. By A. L. Smith, Balliol College, Oxford. Pp. 245. 8vo. Oxford: Clarendon Press, 1913. 7s. 6d. net

THE DOMINICAN ORDER AND CONVOCATION: A Study of the Growth of Representation in the Church during the Thirteenth Century. By Ernest Barker, M.A., Fellow of St. John's College and formerly Fellow of Merton College, Oxford. Pp. 83. 8vo. Oxford: Clarendon Press, 1913. 3s. net.

THESE two books by distinguished Oxford tutors are worthy of the great traditions of the Clarendon Press. In the Ford Lectures the author has treated his subject with a freshness and independence of judgment which carry away the reader despite any inclination he may have had to take a different view. In his delineation of Church and State in the Middle Ages Mr. Smith has put into practice what Mr. Barker has been preaching in his little monograph on the influence of the Dominicans in shaping the evolution of representative institutions. It may be accepted as an axiom, though it is not always followed, that feudal history should be taken as a whole, and that if we want to arrive at a workable conception of national institutions we must not disregard the concurrent trend of similar institutions in other countries. The studies of the Oxford tutors, each in its own department, are exemplifications of this principle, and may be accepted as models of its successful application.

Mr. Smith has laid students under such obligations by his clear and instructive lectures that it seems ungracious to sound a discordant note. But why do medievalists nearly always select the thirteenth century as characteristic of their period? No doubt the Papacy was then at the summit of its power: in England for half of the century it was supreme. But the upward movement was only temporarily retarded by the captivity of Church and State to the Papacy during the reigns of John and Henry III. It is open to doubt whether our insular position and national character are seen at their best, certainly not in their normal condition throughout the medieval period, when the inhabitants of this island were ground, to use the picturesque words of the chronicler, between the upper and nether millstones of Pope and King. The reign of Henry I. or Edward I. would

appear to illustrate the English attitude to the Papacy as characteristic of the medieval period rather than that of Henry III.

The same author's strictures on Matthew Paris as an exponent of the thirteenth century are always illuminating, but are they altogether just? The chronicler kept before his mind a distinction which is sometimes forgotten about the Pope's position among the nations of Christendom. We cannot recall a single instance where Matthew Paris depreciates the papal supremacy as a spiritual institution, though nearly on all occasions, in season and out of season, he is an unbending Protestant against the Pope's doings as an ecclesiastical ruler. It was the alliance of the Crown of England with the Papacy, or rather perhaps its vassalage, which provoked the anger of the chronicler when he saw multiplying appeals to papal authority contrary to the customs of the kingdom and its written laws. The value of Matthew Paris is that he was a natural production of his time, a mouthpiece or personification of English sentiment in revolt against papal exactions and the national surrender which made them possible.

A new feature in Mr. Barker's study of the rise of representative government is the large place he ascribes to the Dominican Order in fostering the representative idea. There is little doubt that the organisation of the Dominicans contributed a share to the growth of representative institutions, but to give the Order the whole credit or even the chief credit of discovering the principle and of persuading Europe to adopt it seems an attempt to balance the world on too fine a point. Be that as it may the essay is so scholarly and so well documented that no student of institutional origins can afford to neglect it.

JAMES WILSON.

SCOTTISH INFLUENCES IN RUSSIAN HISTORY. From the end of the 16th century to the beginning of the 19th century. An Essay. By A. Francis Steuart, Advocate. Pp. xviii, 142. Cr. 8vo. Glasgow: James MacLehose & Sons, 1913. 4s. 6d. net.

THE tercentenary of the Romanoff Dynasty, which was celebrated last year, has given Mr. Steuart an opportunity of opening out a new field of research which is capable of extensive development. He has sketched the careers of individual Scotsmen who during two centuries migrated to Russia, and their influence on the land of their adoption. In the reign of Queen Elizabeth English traders found their way to the White Sea, but the Scottish colony began as prisoners of war, and their sufferings were severe until Sir Jerome Horsey procured their employment against the Tsar's principal foe, the Crim Tartar. The English ambassador maintains that 1200 of them, with their 'peece and pistolls,' did better service in these wars than 12,000 Russians with their 'shortte bowe and arrowes.' There is an amusing story of how Ivan the Terrible dealt with certain foreigners who had laughed at him, which proves that, despite his cruelty, he had a vague notion of justice and was gifted with a sense of humour. It must be read in the words of Dr. Collins, the English physician to the Russian Court. The Tsar's method was milder than that of his contemporary, Philip II. of Spain, when the Netherlanders scoffed at his infamous edicts.

The influx of Scottish merchants, soldiers, and settlers into Russia during the

seventeenth century was not so great as in other less distant Baltic countries. The first Romanoff Tsar, Michael Feodorovitch, received an envoy from Charles I., Sir Alexander Leslie of Auchintoul, who became Governor of Smolensk and died in Russia; and his successor, Aleksei Michaelovitch, admitted Thomas Dalzell of Binns and William Drummond of Cromlix into his service. They both returned home, having acquired an evil reputation for ferocity, and Dalzell's training in the Russian army against Poles and Turks was doubtless responsible for his brutal treatment of the Covenanters after Rullion Green. The marriage of Aleksei in 1672 to Nathalia Narishkina, niece of a Hamilton, is a most important event, since she became the mother of Peter the Great, and imbued her son with Western ideas. Mr. Steuart supposes, as is quite probable, that these Hamiltons came to Russia *via* Sweden; but we should like more precise information as to what branch they belonged to, as the ramifications of that family in Northern Europe are very perplexing.

Much space is devoted to General Patrick Gordon of Auchleuchries, who, after many wanderings and adventures, found himself in the Tsar's dominions in 1661, where, except for two short visits to England and to his home in Aberdeenshire, he remained until his death in 1699. He made his mark on Russian history in a way that no other Scottish soldier has ever done. As his diary shows, he had an uphill fight at first, disliking the Russian customs, and frequently petitioning in vain for his discharge, and the period of his prosperity belongs to the early years of Peter the Great, who showered honours and rewards on him. His skilful capture of Azov from the Turks and his masterly suppression of the revolt of the Streltsi in the absence of the Tsar fully justified Peter's confidence in him. If he had lived another year, it would have been interesting to see how he acquitted himself against the Swedes at Narva, and it is not unlikely that his energy and resource would have been a match for that of Charles XII.

At Poltava, where nine years later the Swedish king was defeated, about 50 Scottish officers were captured, several of whom regained their liberty. It is believed that the majority of them remained in Russia, and it seems possible to trace what became of them and their descendants, as their names and places of destination are known. Mr. Steuart has not attempted this difficult problem, which may be left to others to solve on the spot.

Counting not only by heads, but according to the value of the service rendered, the families of Gordon, Bruce, Leslie, and Keith seem to head the list. The most celebrated, James Francis Edward Keith, brother of the tenth Earl Marischal, arrived in Warsaw in 1728, when Peter II. was on the throne. He fought in the War of the Polish Succession and against the Turks, but his heart was not in these struggles, and, considering himself badly treated, he offered his sword to Frederick the Great. His meritorious services between 1747 and his death at the battle of Hochkirk belong to Prussian history.

The concluding chapter deals mainly with the Scottish physicians who flourished at the Russian Court. Dr. James Erskine accompanied Peter on his travels, and was created a Councillor of State, while Dr. John

Rogerson, Dr. Matthew Guthrie and Sir James Wylie each became in turn an Imperial Physician in the reigns of Catherine II. and Paul I. The navy supplied two distinguished Admirals, Samuel Carlovitch Greig and John Elphinstone, who organised the fleet for the Empress Catherine.

The author refers to the existing friendship between Russia and Britain, and appeals for a wider investigation of the whole subject, and this suggestion is to be commended. It is not merely a question of historical interest ; it is only when, as individuals, the members of great nations meet and discuss in a friendly way their past and present relations, that they can expect to appreciate and admire their peculiar characteristics and can hope for a sound understanding.

G. A. SINCLAIR.

MIRABEAU. From the French of Louis Barthou, Prime Minister of France. Pp. 352. With eight illustrations. Demy 8vo. London : William Heinemann. 1913. 10s. net.

Mr. HEINEMANN has been fortunate in securing for the first of his series of 'Eminent Figures in French History' the co-operation of M. Barthou, who has qualities of lucid and statesmanlike vision, a lively biographical method, and a very easy and pleasant style, which rises frequently in the latter part of his volume, in spite of the medium of translation, into something very like eloquence.

To a lawyer, a statesman, and an orator, the genius of Mirabeau should be endlessly sympathetic, and M. Barthou makes it evident that his subject is highly congenial. An additional point of contact is the fact that M. Barthou is also a musician, and he has an especial pleasure in emphasizing the peculiar interest Mirabeau had in music ; a fact which has hitherto passed almost unnoticed. We hear details of his study of music in boyhood, and during the time of his exile in Holland, also of a little-known essay of his early days, suggestively called 'Le Lecteur y Mettra le Titre,' containing his ideas on various musical questions. It is interesting to find him expounding, in 1777, the relationship between music and poetry and their interdependence. He has opinions also on melody and the development of harmony, which are not merely sane and musicianly, but bold and original.

On this point M. Barthou claims to have given back to Mirabeau, if one may put it so, a forgotten phase of his versatile genius ; otherwise he does not explicitly state whether he has any definitely new light to offer, but one gathers that his information all through is gleaned from original documentary evidence, and he quotes from unpublished letters. The remarkable series of portraits is a great feature of the book. It is an extraordinary head and face ; full of the fire of a race of fighters, with intellect, pride, kindness, a sardonic humour, and a contempt of obstacles and of 'mean men' oddly mingled in the very set of the head, in the expression of the arched eyebrows and brilliant eyes, the firm thin-lipped mouth depressed at the corners, and the indomitable chin. There is a strange contrast between this portrait (from a pastel by Boze) and the singularly fine death-mask in which the lines are smoothed away and the fierce energy of the indefatigable thinker and strenuous warrior is softened into a benignant repose : the massive strength remains.

M. Barthou has not written, nor intended to write, an absolutely complete biography of Mirabeau, but rather a brilliant exposition of the essential personality of the man and the force of his individuality, with such detail as leads inevitably to their elucidation. Thus there is a somewhat full account of his immediate ancestry, whose qualities and defects appear vividly reproduced in its most famous representative. Heredity counts for much in the volcanic energy that characterises the whole life of Gabriel Honoré Riqueti de Mirabeau: the wit, the charm, the love of adventure, the fierce passions, the eloquence, the high temper, the sensitiveness and impatience of control were all instinct in his race for generations, and culminated in him.

His earlier years are a chronicle of violent quarrels with his father, the old 'Ami des Hommes,' of 'lettres de cachet' and imprisonment, of debt and extravagance, of wild and for the most part fleeting amours, and of unhappy married life. In spite of all this he was vigorously engaged with controversial writings, chiefly on financial subjects—and sojourns in Holland and Germany were preparing him for his later energies. Then came the States-General and the days of his fame.

M. Barthou obviously enjoyed writing the latter half of his book infinitely, and his chapters develop in absorbing interest up to the tragic close. They are occupied with the public activities of Mirabeau, and one might wish, psychologically speaking, for a less complete break between the record of the devastating passions of youth, and the political preoccupations of middle age. Is the picture quite complete without an occasional glimpse of his later private life? However, that can be gained from other sources, and, as has been said, the author, within the limits of one volume, has without doubt extracted for us the essential Mirabeau, and we are well content.

His later days were utterly given to the Revolution, and in his passionate desire for its successful issue he expended all the tremendous forces of his genius, oratory, statesmanship, far-seeing wisdom, moderation, genuine patriotism. In work for his country he wore out his life prematurely, bitterly regretting the earlier years that by their turbulent violence had marred his mature possibilities for national service.

M. Barthou discusses the perennially interesting question of the possible direction of events in France had Mirabeau's life been prolonged. Historians have sometimes surmised that he would have over-ridden circumstances, would have prevented the excesses that were to come, and generally have been able to give a different impulse to the course of the Revolution. Carlyle took this view more or less. M. Barthou suspects that, had Mirabeau been made a member of the Government in 1789, then, indeed, the destinies of France would have been changed: as a responsible Minister he could have done what as a secret adviser to the Court he failed to accomplish. As it was by 1791 it was too late; had he lived another year his connection with the Court would have become public, and even his ascendancy over the people could not have freed him from the accusation of venality and trickery. There would have been a total disbelief in his sincerity. 'His huge voice would have been powerless to rise above the consequent uproar, and his stormy life would have ended as a pitiful and lamentable adventure, in the jealousy of one party, the hatred of the other, and the contempt of all.'

MARY LOVE.

HIGHWAYS AND BYWAYS IN THE BORDER. By Andrew Lang and John Lang. Pp. xvi, 439. With many Illustrations by Hugh Thomson. Post 8vo. London: Macmillan & Co. 1913. 5s. net.

THE title of this book, *Highways and Byways in the Border*, is misleading, for though the main thoroughfares of the Border Country receive due notice, it takes little account of bridle-roads, drove-roads, or foot-paths. The Border Country is singularly rich in paths of this kind—many of them known only to those who have long frequented the districts where they occur. Such, for example, is the track which leads from Kirknewton in Northumberland, by Hethpool and Elsdonburn, to Kirk Yetholm in Roxburghshire, skilfully availing itself as far as possible of ‘slack’ where crossing hills. This track, according to tradition, was much used in bygone days for purposes of cross-Border smuggling—an industry in which the Yetholm Faas are known to have borne large part. Such, also, is the long-disused pack-horse road—a ‘blind road’ throughout part of its course—which leads from Cocklawfoot into Coquet Water, by way of Uswayford and the Guide Post, the latter now an empty name. Lastly, further south and west, such is the Roman Road, as it survives to-day, at Maken-don, *Ad Fines Campi*. But, of roads approximating to this type, the Messrs. Lang mention only two: the old Pilgrims’ Way near Melrose, called the Girthgate, and the ‘Thieves’ Road’ in Manor Vale. For the road leading into Liddesdale by the Note o’ the Gate, though grass-grown, remains practicable for motor cars. And here, in a word, is the characterisation of the book. It is a book compiled for the use of motorists and those who overestimate the value of their own time. Briefly, there is too much of macadam in these pages. And the Border Country cannot be explored from its highways alone. Towards the end of his task, the author appears to arrive at a like conclusion, for he betakes himself for a page or two to the hillside in Gameshope and the wild moss-hags about Loch Skene. Again, the book is considerably too bookish in character to be an ideal guide to the Borderland. The author—for it appears from the preface that most of the book is the work of Mr. John Lang, written after his brother’s death—writes as one who has had access to a well-chosen collection of Border books, and has made good use of his opportunity. His account of Maitland of Lethington, for example, or his defence of Mary Stuart from the aspersions of Buchanan, could scarcely be improved. And his information is conveyed in a style which is generally easy and seductive, and occasionally full of charm—which makes it difficult, indeed, to distinguish the work of one brother from that of the other. This is high praise. But, to anyone who knows the Borders not from literature only, this book must seem out of touch with the present-day life of the district, racy and characteristic as that life still is. Mr. Lang should have carried his readers, say, to the Upper Kalewater Sports, to the Border Shepherds’ Show, to the September ram-sales, or to one of the local Fasten’s Een football matches, and bidden them watch the sheep-dog trials, or the auctions, or the light-weight wrestling. He would then have had full assurance that both Dandie Dinmont and Cuddie Headrig still walk the earth, and might have observed in what respects they differ from their Cumbrian and Yorkshire fellows.

He might also have run up against descendants of the Black Olivers of Jed Forest, from whom sprang his own Auld Ringan (p. 136), and have gained more real knowledge of the true inwardness of the Borders than can be learnt from a dozen motor-trips or twice as many hours spent in a library. For, from Dinmont and Headrig to Hobby Noble and the Laird's Jock, the step is astonishingly short.

But even allowing Mr. Lang's preference for print over actual life as a source of inspiration, his book is hardly satisfying on its own lines. No longer ago than the year 1900 there passed away, in extreme old age, in Berwickshire, a lady who, in her own way, was as much entitled to rank as a Border worthy as was either the Grisell Baillie who figures in these pages, or the Grisell Cochrane who ought to figure there. Lady John Scott's Songs and Life have now been given to the world; but neither of these, nor of her cult of the past, and many quaint characteristics is there any mention. Her verses on Etrick, on Lammermuir, on the Bounds of Cheviot, breathe the very soul and spirit of Border landscape, and should scarcely have been omitted. But just as Mr. Lang prefers the hard high-road to travel on, so he would seem to prefer the beaten track in literary matters. At least his pages contain little or nothing heretofore *inédit*. Hence, for those who know the Borders, his book is disappointing. But for those who do not it will undoubtedly be serviceable. A few points may, however, be mentioned where the author's information, though generally good, seems to fall short. Why does he fail to notice the gauntlets embroidered with seed-pearls which are preserved at Cavers House, and are in all probability an authentic trophy from Hotspur? Why ignore the tradition of the Wallace thorn at Hawick? Why, in writing of the bard of Rule, does he omit to connect him by name with Rattling Roaring Willie, his fellow gleeman of Ousenam? The story of their quarrel is one of the most familiar of Border traditions, giving rise as it did to the local ballad:

‘The lasses o’ Ousenam Water
Are ruggin’ an’ riving their hair,
And a’ for the sake o’ Willie,
His beauty was sae rare—
His beauty was sae rare,
An’ comely for to see,
And drink will be dear to Willie
When ‘Sweet Milk’ gars him dee.’

Neither should the blasted trees by Caerlanrig, said to have been whereon Johnie Armstrong and his comrades were hanged, have been left out. Deer-hair (p. 382) is not a ‘coarse kind of grass,’ but a grass noticeable for fineness amid moorland vegetation. And one regrets that Mr. Lang leaves Flodden Field without allusion to the *Carduus nutans*—a local variety, which is fabled to have assumed its drooping habit out of sympathy with the misfortune of a country which had chosen the thistle as its emblem. Then, though he discourses at length of the False Alarm of 1804, he has not a word to say of ‘Symon and Jennie,’ the racy local poem which it inspired. Nor does he appear to be aware that the epitaph of Will o’ Phaup, from which he quotes, was composed by Will’s kinsman, the Etrick Shepherd. He visits

Southdean Churchyard without thought of the modern Cout of Keilder, and misquotes the Bemersyde prophecy.

The book, then, is not one which will wholly please any out-and-out Border man, but to those who seek a first introduction to the Border Country it may well be exceedingly useful. And it is for these that it is primarily intended. For a wallet-book it is somewhat heavy, not in the literary sense—it is never that—but in the purely material one. And, should it run into a second edition, a larger and clearer map would be an improvement. Even to a Borderer the illustrations are an unmixed delight. Varying from a mere pencilled 'note' to such a finished picture as that of the Eildons from Bemersyde, they not only serve their purpose admirably, but exhibit an extraordinary power, first, of rendering foliage, and secondly, of representing wide spaces within small compass. Were it only for Mr. Hugh Thomson's work the book is worth acquiring.

GEORGE DOUGLAS.

OXFORD HISTORICAL AND LITERARY STUDIES issued under the direction of C. H. FIRTH and WALTER RALEIGH, Professors of Modern History and English Literature in the University of Oxford.

VOLUME I.—ELIZABETHAN ROGUES AND VAGABONDS. By Frank Aydelotte, B.Litt. Pp. xii, 187. With six plates and fifteen illustrations in the text. Demy 8vo. Oxford: Clarendon Press. 1913. 7s. 6d. net.

THE attention of the literary and bookreading world having been directed at the end of the fifteenth century to this picturesque but seamy side of human life, the next century discovered that there was a popular demand for books upon the subject, and in England a considerable rogue-literature sprang into existence.

Mr. Aydelotte bases his study principally upon eight rogue-pamphlets all published in the second half of the sixteenth century, and upon nine later ones called forth by the public interest in the earlier, especially in those by Robert Greene the dramatist. These later pamphlets are treated in detail in the last chapter of the work, where the author discusses in the first place the influence on the rogue-literature of the period of Sebastian Brandt's *Narrenschiff* as translated in 1508 by Alexander Barclay. Origins, the art of begging, laws against vagabonds, the art of conny-catching, and laws against conny-catching form the different aspects of the subject considered in the earlier chapters. The illustrations add much to the interest of a book, displaying wide knowledge of the rogue history and literature in their varied ramifications, but which still leaves something to be desired in compactness and absence of repetition.

During the period in question, Scotland, although outside the author's purview, had its troubles with these ubiquitous pests 'the vagabundis.' Thus in Peebles in 1572 'the inqueist fyndis Makkyn in the wrang in trubling of the toun and makkyn bargane with Johne Makke, and findis the said Makkyn ane vagabund and ordanis him to be banist the toun.' The Scottish Burgh Records abound with similar entries, though not in all cases

so quaintly alliterative. From these is self-evident the truth of R. L. Stevenson's statement that 'though man is at least as intelligent as the ant, generations of advisers have in vain recommended him the ant's example.'

VOLUME II.—ANGLO-ROMAN RELATIONS, 1558-1565. By C. G. Bayne, C.S.I. Pp. 335. 8s. 6d. net.

ENGLAND'S relations with Rome during the early years of Queen Elizabeth's rule furnish the subject of the second volume of the same series. This comparatively unexplored topic from its complexity and kaleidoscopic changes is difficult to elucidate thoroughly. In view of the European situation and the grouping of Powers both Paul IV. and Pius IV. were compelled to walk warily, and King Philip II. placing politics before religion, or at all events squaring his conscience with his worldly interest, acted as a drag upon the action of the Holy See when it seemed about to resort to extreme measures against Elizabeth.

The abortive mission of Parpaglia and the equally unsuccessful attempt of the Abbot Martinengo a year later to obtain entrance into England occupy three chapters, the doings of the resumed Council of Trent, the negotiations of the Cardinal of Ferrara, of Thomas Sackville, and of Gurone Bertano and Antonio and Sebastian Bruschetto all receive adequate and clear treatment with references to the appendix containing in many cases hitherto unpublished documents.

Mary, Queen of Scots, whose birth and religious faith were in the view of the Roman ecclesiastical authorities both unimpeachable, was a valuable asset, and the hopes and fears based upon varied projects for the finding of a suitable Catholic husband for her are well brought out.

The author refers in the footnotes to the studies originally contributed, under the title of *Elizabethan Gleanings*, to the *English Historical Review*, by the late Professor F. W. Maitland. But we have not found any mention in the text of Maitland's interesting discovery that the 'etceteration' of the Queen's style in solemn writs was the outcome of a deliberate plan on the part of Elizabeth's advisers, notably Cecil, to avoid committing her to a definite rupture with Rome at the beginning of her reign, as the use of the words *supremum caput* might have done.

Mr. Bayne's work, with its valuable appendix, marshals in an orderly fashion the facts of what is after all a series of somewhat baffling and obscure negotiations.

VOLUME III.—THE HOUSE OF LORDS IN THE REIGN OF WILLIAM III. By A. S. Turberville. Pp. viii, 264. 8s. 6d. net.

This interesting study, suggested to the author by Professor Firth, deals with the House of Lords during a time of which our knowledge is much more complete since the recent publication of the manuscripts of the Upper House for the whole period treated of.

By means of a careful analysis of the composition of the House at the beginning of William and Mary's reign the author shows the preponderance of Stuart creations, and points out its Tory character in 1688.

In a subsequent chapter light is thrown upon the great change in the political outlook of the spiritual lords effected during the reign.

The social position of the peerage, with details drawn from varied sources, including *The Travels of Cosmo III., Grand Duke of Tuscany, through England*, is the subject of a chapter documented by reference to first-hand authorities.

Mr. Turberville deals in detail (Chapter VIII.) with the constitutional aspect of the Act of Settlement and the Lords' attitude to the measure. It is noteworthy that during William's reign the House of Lords favoured the scheme for a union with Scotland, which was rejected by the Commons.

The work is furnished with a useful bibliography and an adequate index.

The three volumes under review are proof that through Professors C. H. Firth and Sir Walter Raleigh, the great obligation to Oxford historians under which students of English history and literature have lain in the past is likely to grow larger.

JOHN EDWARDS.

IRELAND UNDER THE COMMONWEALTH. Being a Selection of Documents Relating to the Government of Ireland from 1651 to 1659. 2 vols. Edited, with Historical Introduction and Notes, by Robert Dunlop, M.A. Vol. I. pp. clxxvi, 282; Vol. II. pp. lxxviii, 471. Demy 8vo. Manchester: University Press. 1913. 25s. net.

'THESE Irish are a scurvy nation and are scurvily used.' The latter part of the quotation sums up Irish history since the sixteenth century. Mr. Dunlop has collected into two large volumes the most important State documents dealing with the Cromwellian settlement in Ireland, consisting of extracts from the Commonwealth Records in the Public Record Office, Dublin, and a perusal of the thousand or so pages of these volumes gives one some insight into the methods adopted by the English Executive in temporarily suppressing the difficulties which the rule of Ireland has so often presented and which have once again acquired an overwhelming importance.

A study of the plantation policy is necessary to any understanding of the economic conditions of seventeenth century Ireland. As introduced by Mary and Elizabeth, this policy had been encouraged largely for revenue purposes, while the English in the Pale were expressly protected from confiscation. With the Commonwealth, Plantation was regarded as the best solution of the religious problem. It was the interest of the English Government to secure a Protestant majority in Ireland and spoliation would be the best means of weaning the 'unfortunate' Irish from the bondage of Rome. Nowhere else than in this struggle between Puritan England and Catholic Ireland can one realise how so much of the good intention of Cromwellian legislation was vitiated by an intolerance that was always on the point of becoming active persecution and a hypocrisy which invoked divine sanction for the most flagrant abuse of elementary human rights. The religious, not the economic, difficulty is the most important one in the modern Irish problem, and it traces its rise not so much to Elizabeth as to Cromwell.

Although these are State papers and generally even more dull than the average of their class, they yet contain some interesting sidelights on contemporary Ireland, as, for instance, the entry in Vol. II. page 350, where

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the Commissioners of Revenue in every district are instructed to take all means possible for destroying wolves. 'A reward is to be paid for every bitch-wolf of £6, dog-wolf, £5, every cub which preyeth for himself, forty shillings, every suckling cub, ten shillings.' The solution of the unemployed question was, at all events, a radical one (p. 354)—'Ordered that the overseers of precincts be authorised to treat with merchants for transporting vagrants into some English plantation in America where the said persons may find livelihood and maintenance by their labour.' On 30th January, 1654, Oliver writes to Fleetwood that some merchants of Bristol have petitioned him for leave to transport four hundred of the Irish Tories, 'and such other idle and vagrant persons as may be thought fittest to be spared out of Ireland, for planting on the Caribbee Islands' (Vol. II. pp. 400-1). Later in the year it is proposed to transplant three thousand Irish into Flanders (p. 412). Almost in the same breath are unctuous animadversions such as the following, written after the sudden termination of Barebones' Parliament on 11th Dec., 1654—'The sudden dissolution of the Parliament, whereof we believe you have heard, from which (as from instruments heretofore) we were too subject to expect above what was meet, seems still to reprove that sin of looking for salvation from the hills, and the too little sense we have of the work of those in authority (as it makes us neglect them in our prayers, whereof they have great need), so justly (in their miscarriage) we miss the good expected from them, which, if we should slightly obtain, would but render us still ready to sacrifice to them and to be insensible of the mercy of the Lord, who therefore disappointeth us and staineth every instrument that he might be sought unto by all and have the praise of and from all, which are due unto him only . . .' (p. 385).

There are several passages of interest in the documents here reprinted, though on the whole it must be said that they make very monotonous reading, and the papers of real importance could very well have been confined to a single volume. But after all Mr. Dunlop, though prefacing the volumes with an able introduction, has aimed more at producing a Calendar of Irish State Papers rather than a readable book, and it is for the Irish historian to give animation to these very dry bones.

DAVID OGG.

THE ENGLISH FACTORIES IN INDIA, 1642-1645. A Calendar of Documents in the India Office, Westminster. By William Foster, C.I.E. Pp. xxxvii, 339. With Map. Demy 8vo. Oxford: Clarendon Press. 1913. 12s. 6d. net.

THE present volume of this series covers the transactions of the East India Company abroad during the first stage of the Civil War. Necessarily the upheaval in England re-acted on the position of the Company, and its agents in the East were often destitute of credit. Thus one of them wrote in 1643 that want of money has 'rendered us miserable in ourselves, despicable to others, useless to you.' In the following year the Company suffered by the handing over of the *John* to the Royalists at Bristol by her commander. In addition to these difficulties, the competition of Courteen's association still continued, and this body decided, in 1644, to erect a new commonwealth

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in Madagascar—a scheme which was the beginning of the Assada project. These divisions among the English were advantageous to the Dutch, whose trade was reported ‘to be flourishing abundantly.’ Indeed, considering the circumstances, the marvel is that the Company was able to keep any hold on its trade. Much was due to the determination of its agents, though the service suffered from the want of control which was inevitable under the conditions of the period. As a side-light on the state of foreign commerce during a time of Civil War, this volume and the one to follow it in this series are of exceptional value and interest. W. R. SCOTT.

THE OFFICIAL DIARY OF LT.-GENL. ADAM WILLIAMSON, Deputy-Lieutenant of the Tower of London, 1722-1747. Camden, Third Series, Vol. XXII. Edited for the Royal Historical Society by John Charles Fox, F.R.Hist.S. Pp. 283. With Plan of the Tower. 4to. London: Offices of the Society, 6 and 7 South Square, Gray’s Inn. 1912.

THE most striking thing in General Williamson’s Diary lies in his account of the imprisonment and execution of the Jacobite peers, Lords Balmerino, Kilmarnock, and Lovat; but this is far from exhausting the interest of the Diary, which is full of sidelights on the period, and gives an excellent picture of the routine of the Tower and of the way in which the duties were carried out. The orders to the troops on duty (p. 67) are worth noting. Among other things, ‘no Soldier is to Sing or to make a noise on his Post nor is he to sit doune.’ There is an interesting account of the visit of Francis Stephen, Duke of Lorraine, afterwards the Emperor Francis I., to the Tower in 1731. A plan of the Tower is given, being a reproduction of a drawing made about 1688, and the volume is copiously annotated and furnished with over 100 pages of appendices, in which topics touched on in the notes are discussed at greater length. One of these (pp. 187-190) is the incident of the Highland Deserters from Lord Sempill’s regiment, the 1st Black Watch, who were induced to desert by Jacobite agents who led them to believe the regiment was to be sent to the West Indies, contrary to its terms of service. Mr. Fox narrates the incident well enough, but it is curious that he omits to refer his readers to the very full and authoritative account of it published a few years ago by Mr. Macwilliam.

C. T. ATKINSON.

RUSTIC SPEECH AND FOLK-LORE. By Elizabeth Mary Wright. Pp. xx, 341. Demy 8vo. London: Humphrey Milford, Oxford University Press. 1913. 6s. net.

WHAT is a dialect? Miss Wright’s book suggests the question without, however, supplying a direct answer to it. She warns us, it is true, against accepting the theory that ‘a dialect is an arbitrary distortion of the mother tongue, a wilful mispronunciation of the sounds, and disregard of the syntax of a standard language.’ But, elsewhere, she is equally insistent on the danger of allowing ourselves ‘to be beguiled by the smooth-running course of true sound-laws, or the rural charm of quaint words, into the

opposite error of supposing that irregularities and distortions do not exist.' Being thus thrown back upon our own resources for such a definition of the term as will suit the case, we assume that what is here understood by 'dialect' is, a form of speech peculiar to a certain district, where it is used colloquially and mainly by the less cultured classes, and consisting partly of forms that have survived from what was once the standard and literary language, and partly of illiterate and ignorant corruptions.

Nor is this view inconsistent with the system which Miss Wright has followed in dealing with what she also calls 'rustic speech.' Thus, as regards the former of the two elements which we have indicated, she points out that many words that are to be found in Chaucer and the early Middle English poets, or in Shakespeare and the Bible, 'still live, move, and have their being among our rural population to-day,' although, for the rest of us, they have become archaisms to be explained in foot-notes and appendices to the text. She notes and illustrates the further interesting fact that the words which have been preserved in this way, far from being exclusively commonplace and familiar, have not infrequently been helpful to scholars, and supplied them with a clue to the meaning of a term that had previously defied their learning. And she shows that, by harbouring forms and phrases that have been banished from the cultured language of the educated classes, the various dialects have enriched themselves with many an apt and picturesque expression, or avoided the substitution of an awkward paraphrase for a terse and vigorous word.

The results of Miss Wright's wide reading and careful study are equally instructive and certainly not less interesting when they bear, not on survivals, but on the corruptions and distortions that supply the second element of rustic speech as it now exists. Some of those that she instances are, it must be admitted, sheer malapropisms, and, we strongly suspect, peculiar to individuals rather than characteristic of localities. But, when every allowance has been made for these, there remain a great many which, though also due to ignorance, are by no means lacking in ingenuity, and which sometimes bear evidence to a certain amount of method in their aberrations. Of these, however, it must suffice to indicate such verbal vagaries as those that are due to what is called popular etymology, that is to say, the transformation of an unfamiliar word or syllable into a commonplace one, as in *curly-flower* for *cauliflower* and *Polly Andrews* for *polyanthus*; and those that consist in the blending together of two distinct words into a single one—a process of practical word-formation which accounts for the quaint but expressive verb to *smothercate*, a combination of to *smother* and to *suffocate*, and for the vigorous epithet *boldacious*, into which all the daring of *bold* and all the impudence of *audacious* are compressed.

But, as Miss Wright points out, the field of English dialects offers other allurements besides those which attract the philologist and the grammarian. In her study of them she has dealt with such subjects as charms and superstitions, supernatural beings and divination, customs connected with birth, marriage and death, and with certain days and seasons of the year. Miss Wright's erudite and interesting volume appeals to the folk-lorist no less directly than it does to the word-specialist.

LOUIS A. BARBÉ.

226 Lollardy and the Reformation in England

LOLLARDY AND THE REFORMATION IN ENGLAND. By James Gairdner, C.B., LL.D., D.Litt. Vol. IV. Edited by William Hunt, M.A., D.Litt. Pp. xii, 422. 8vo. London: Macmillan & Co. 1913. 10s. 6d. net.

THIS book makes melancholy reading. In the first place, it marks the close of the work of one who for fifty years held an honourable place among English historians. Moreover, the abrupt end of the volume reminds us that Dr. Gairdner, despite his brave struggle against old age and ever-multiplying infirmities, was yet forced to lay down his pen before completing the task on which he had set his heart. And the very matter of the book is sad: for it treats of the reign of Mary Tudor, in some ways the most pathetic figure in English history.

When Dr. Gairdner died, in Nov., 1912, he left behind him a great mass of material for the fourth volume of his *Lollardy and the Reformation*. Very little, however, was ready for the press; much was in the form of rough notes. In fulfilment of a promise given when the work was begun, Dr. Hunt undertook to edit and publish his friend's manuscript. In an admirable preface, he has inserted a brief memoir of Dr. Gairdner and a list of his numerous writings. In preparing the book for publication, the editor has, whenever possible, retained the author's own words. He has perhaps been over-scrupulous, for here and there one comes upon obscure sentences and infelicitous phrases which Dr. Gairdner would have altered. But Dr. Hunt's fault, if fault it be, is on the right side. When, as is often the case towards the end of the volume, he has entirely to recast the original manuscript, he writes with great clearness and force. The index is excellent.

While Dr. Gairdner's bias against the Reformers is obvious, it is generally clear where his narrative of facts ends and his comments begin. And we can apply to this volume the author's own remark about a passage from Foxe: 'The facts themselves . . . are presented here, even if through a coloured medium, pretty nearly as they were.'

The book covers only the first year of Mary's reign, for the author's labours had barely brought him to the Queen's marriage. Many stories are begun, but none really finished. The most interesting chapters are those describing the negotiations for the Spanish match. On this subject, Dr. Gairdner goes into very great detail, and he sheds much new light on the means by which that unlucky alliance was brought about. His view is that Mary was 'entrapped' into the marriage by Charles V. and his ambassador Renard (p. 61). The expression is just, though Mary was a not unwilling dupe. Dr. Gairdner gives a vivid account of the intrigues that were on foot during the first months of the reign, of Renard's remarkable ascendancy over the Queen, of the great skill with which he used his advantage, of the clever but abortive efforts of his French rival, Noailles, to foil him, and of the perplexity and vacillation of Mary's English counsellors, who on the whole cut an extremely poor figure.

But it is as a defence of Mary by a very learned advocate that this book is most valuable. To Dr. Gairdner, she is the heroine of Tudor history; her good qualities and deeds are all emphasised, her defects and blunders

excused. It is well to have this view presented by one with a thorough command of the evidence. We do not think, however, that Dr. Gairdner's apology is successful. With all his zeal, he confirms our previous opinion that, though Mary might be a good woman, she was an uncommonly bad queen. And the book left the impression that Mary was not so good a woman as we had thought. In trying to effect a reunion with Rome, she was no doubt actuated by admirable motives; but the means used were sometimes far from scrupulous. To secure quiet, she promised toleration until Parliament should make a new religious settlement; and she immediately broke her word. She wilfully deceived her counsellors over the Spanish match. Her treatment of Elizabeth, whose loyalty could never be disproved, was malicious and unnecessarily insulting. Mary cannot indeed be blamed much. She was neurotic, hysterical, probably touched by religious mania. Considering her treatment in the twenty years before her accession, it is a wonder that she did not actually become the 'bloody' queen of tradition. Dr. Gairdner has killed that libel once and for all, even if he has not proved Mary to have been a saint. W. T. WAUGH.

THE SCOTTISH MONASTERIES OF OLD : A brief account of the Houses which existed in Scotland before the Protestant Reformation for monks following the rule of St. Benedict. By Michael Barrett, O.S.B., Monk of St. Benedict's Abbey, Fort Augustus. Edinburgh : Otto Schulze & Co. 1913.

THIS labour of love is written by a monk of the Monastery at Fort Augustus, to recall the history of Scottish Houses of his own order of St. Benedict and of the daughter houses of Tiron, Cluny, and Citeaux.

It does not profess to contain notices of all the Scottish Monasteries. It omits the Abbeys and Priories of Canons regular, such as St. Andrews, Holyrood, Scone, Jedworth, Dryburgh, &c.

Father Barrett adds little to material already published. He finds his narrative on the printed chartularies. He is old fashioned and behind the time, and unacquainted with the research and work of later ecclesiastical antiquaries; for instance, he rarely quotes Theiner, he does not allude to Dr. Raine's *North Durham*, which contains the great collection of the Coldingham Charters at Durham, he knows nothing of Bishop Dowden and Mr. Maitland Thomson's Charter of Inchaffray, and though he has some interesting notes on the Benedictine Abbey of Lindores, he has not availed himself of the valuable work on that abbey contributed by Bishop Dowden to the Scottish History Society.

The monasteries founded in this country in the twelfth century were intended to be homes of prayer and duty to which men retired from the cares and evils of a comparatively uncivilized world, to separate themselves from war, business, pleasure, from their kindred and families, with the purpose of continual devotion.

Father Barrett and many other writers praise the monks for their care for education, but as a rule such praise is undeserved. It was contrary to the strict rule of most orders to admit laymen to any share in the benefits of the convent life.

Some boys must have been trained as choristers, others were admitted as novices who intended to take the monastic habit, a few of the monasteries had charge of schools in some of the burghs; ordinary monks had little learning, probably most of them could neither read nor write; the divine office, prayer, praise, and manual labour occupied every day. There is little evidence that the monks professed to teach or to preach, or in other ways to educate and convert their ignorant neighbours. The aim of their lives was quietness, devotion, and separation from the world.

One great harm which the monasteries did to religion and to the Church was the diversion of tithes from the support of the incumbent and the poor of each parish from which the tithes were due and collected.

At first the endowments of a monastery were mainly lands and fishings, grants from the rents of burghs or mills, charges on land; but afterwards King William and his magnates divested themselves of the patronage of parish churches and assumed the right to put abbots and convents in the place of the rectors of parishes, giving them power to divert the tithes from parochial purposes, to the profit and support of the members of the convent. The chartularies show how often the Bishops had to interfere to secure even a bare pittance for the secular clergy who were reduced to a subordinate position.

The introduction into Scotland in the thirteenth century of friars was not an unnatural reaction from the separation of the monastic orders from the mass of the people.

Father Barrett's book displays genuine sympathy with the old monastic life; he credits it with the goodness, charity, and learning which the founders of religious houses desired to preserve and maintain. That these virtues were not prominent in the monasteries in the fourteenth and fifteenth centuries was greatly due to the avarice of kings and governments, by which the revenues of all the great religious houses were given to royal bastards and unscrupulous laymen, and under these lay abbots 'in commendam' discipline decayed and disorder prevailed.

Of course a book which deals with the history of nearly thirty monasteries contains many assertions with which it is not easy to agree, but they are sincere and pleasant assertions which should be met with appreciation and not with carping criticism.

It contains a great deal of interesting information; it is full of sympathy with a state of religion and society now extinct, but which in its earlier days was a powerful instrument for good.

A. C. LAWRIE.

Communications

CABINET COUNCILLORS. It is a common opinion that the earliest mention of a 'cabinet council' occurs in Bacon's essay *Of Counsel*, and that the first use of the phrase with reference to English politics is found in Yonge's *Diary*, 1625.¹ Bacon regarded this use of an inner ring of councillors as an evil invention of 'the doctrine of Italy and the practize of France,' but even in his own country 'the distinction between the effective and honorary members was as old as the council itself.'² This has been universally admitted, but it is interesting to note that the word 'cabinet' was in use, at all events in Scotland, as early as 1581, and that the term 'cabinet councillor' meant one who was really in the confidence of the King, as opposed to an ordinary member of the council.

In January 1581, after the dramatic arrest of the Earl of Morton, Thomas Randolph was sent to Scotland by the English government, with instructions to procure the release of the ex-Regent, and, if necessary, to get rid of his rival the Earl of Lennox (Esmé Stewart, Seigneur d' Aubigny). For long there had been two well-marked factions among the Scottish nobility, but on this occasion Randolph found himself unable to arrange any effective counterpoise to the 'French' party,³ who had completely gained the ear of the King.⁴ These opponents, against whom he could not prevail, he designates 'cabinet councillors.'

On February 10th, in reporting his efforts to secure a proper trial for Morton,⁵ the envoy explained that some 'suspended their voices in so hard a matter and desired the assembly of the States. The difference hereof was great betwixt the cabinet councillors, and the wiser sort won in the end.' Here 'the wiser sort' (Randolph's own party) are not necessarily distinguished from the 'cabinet councillors,' but the next reference is more

¹ Murray's *Oxford English Dictionary*, vide 'Cabinet,' and Marriott's *English Political Institutions*, p. 70.

² Medley's *English Constitutional History*, p. 104.

³ Partly because Morton's tyranny had alienated many of the 'English' lords, partly on account of the domestic relations of Angus and Montrose (*Cal. Scot. Pap.* v. 646).

⁴ James, though young, was not a nonentity. Randolph was inclined to attribute his failure to the personal opposition of the King (*Cal. Scot. Pap.* v. 647, 693, 695, and vi. 179).

⁵ *Cal. Scot. Pap.* v. 632.

illuminating. On the 23rd of the month,¹ Randolph announces that he has demanded the right of addressing the Convention summoned as the result of the previous debates, but the 'cabinet councillors' 'travail for life' to prevent his design. It is plain that these 'cabinet councillors' are his adversaries.

A third use of the phrase is found in Randolph's complete statement of his 'Negociation,' which was compiled after his return to Berwick. Here he states, with regard to the question of assembling the Estates,² 'it seemed that some difference arose between the councillors themselves, the cabinet men impugning and persuading the contrary; whose authority, notwithstanding, failed them in this point, and the King, by the advice of the rest . . . ' summoned his nobility, barons and burghs.

The antithesis between the 'cabinet men' and the 'rest,' who are also councillors, seems complete. It is true that in this very document Randolph refers to his foes as 'the council,' but as he tells us that Mar and Glencairn—certainly councillors—were on his side, it is plain that there was a division in the council itself.

The word 'cabinet' seems to refer to the King's own chamber. Several times Randolph distinguishes between business transacted publicly in the council, and matters dealt with by 'privy access' to the King.³ On February 28th occurred an interview in the King's 'chamber,' which appears to be distinct from the 'council chamber,'⁴ and with regard to this room and its uses the story of the mission of George Douglas to France in 1581⁵ is very instructive. This busy plotter was sent to Paris by Lennox to negotiate the 'Association' of James and Mary, or at all events to make some arrangement whereby James obtained ratification of the royal title. According to his own account, 'he had a general commission from the King of Scots, given in his cabinet in presence of a good number of the council,'⁶ but subsequent correspondence⁷ reveals the fact that the real purport of Douglas' errand was known only to a small clique. On September 7th the King sent his envoy a vague letter with a peculiar post-script,⁸ bidding him take his instructions from Lennox, and on the following day the favourite penned a missive which fully explains the situation. 'The letters which you receive from the King your master,' he said, 'are communicated to the whole Council. Because there is good espial taken

¹ *Cal. Scot. Pap.* v. 641.

² *Cal. Scot. Pap.* v. 692.

³ *Cal. Scot. Pap.* v. 641, 692.

⁴ *Cal. Scot. Pap.* v. 646. For another example of the use of the Cabinet see *Cal. Scot. Pap.* vi. 221. It was there James reconciled Lennox and Arran.

⁵ Geo. Douglas departed with Montbirneau (*Cal. Scot. Pap.* vi. 35), and Montbirneau set off about June 13th (*Cal. Scot. Pap.* vi. 30).

⁶ Depositions of George Douglas (*Cal. Scot. Pap.* vi. 166).

⁷ This correspondence was betrayed to England (*Cal. Scot. Pap.* vi. 47) by Archibald Douglas (*Cal. Scot. Pap.* vi. 646).

⁸ 'Mon petit singe, croyes ce que le rousseau t'escrira de ma part' (*Cal. Scot. Pap.* vi. 48).

what he does, he could write no further but some little word of postscript with his own hand, whereby you may understand that you should receive the remnant of his mind from me.' It is plain that the business was in the hands, not of the council, but of an inner ring, which possibly met in the King's cabinet, and this view of the affair is corroborated by the recorded 'sederunts' of the Privy Council,¹ which show no official meeting attended purely by Lennox's partisans. The King and his favourite were thus compelled to act behind the backs of some of the councillors, and the 'cabinet men' were simply those fully trusted with the royal secret.

Even as a faction these 'cabinet councillors' had little fixity, since Arran, who must have been included at first, was ultimately left out.² A 'ministry' they were not, but they do seem to have had a policy—in this case a policy of distrust of England and reliance on various Roman Catholic powers. It is perhaps not without significance that at a later date the courtiers are called 'cubiculars,'³ though it must be acknowledged that as enemies of the Octavians, they were in actual hostility to something very like a ministry.

.Andrews.

J. D. MACKIE.

BURBAGE AND SHAKESPEARE'S STAGE (*S.H.R.* x. 102). In reviewing this volume we said, 'Mrs. Stopes' main argument here, it may be noted, was the special contention in the letters published in the *Athenæum* in 1911, over the signature 'Audi alteram partem.'

The editor is interested in hearing from Mrs. Stopes: 'I did not borrow from the letters in the *Athenæum* on 'Cunningham's Extracts.' I wrote them after long and careful study. Reasons which no longer exist made me think it wise then to write over the suggestive motto, 'Audi alteram partem.' With reference to this, our reviewer writes, 'That Mrs. Stopes should have repeated in her own name what had appeared anonymously in the *Athenæum*, was sufficient to suggest to all who respect her learning and her independence that she was borrowing from none but herself. It is therefore satisfactory to have now the definite admission that, as we believed, *Audi alteram partem* was none other than Mrs. Stopes.'

THE POETICAL WORKS OF WILLIAM DRUMMOND OF HAWTHORNDEN (*S.H.R.* xi. 99). In my review of this work I inadvertently stated that the editor had based his text, as regards certain of the poems, on the 'advance issue' of 1614 or 1615, 'relegating the authentic readings of the 1616 edition to the footnotes as variants.' That is a mistake which in fairness to Professor Kastner I desire to correct. The text followed is that of the 1616 edition, the variants of the 'advance issue' appearing invariably as footnotes. As a consequence of

¹ Cf. *Reg. Privy Council, Scotland*, iii. At every meeting here recorded there was present at least one member (usually several) whom Lennox could not trust, either as being 'English' or as leaning upon Arran.

² *Cal. Scot. Pap.* vi. 49.

³ Hume Brown, *History of Scotland*, ii. 224.

this correction I should now say, without any qualification, that in my opinion Professor Kastner has fully discharged his task of 'furnishing a trustworthy text according to the original editions.'

J. T. T. BROWN.

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The Battle of Bannockburn

'Tradition, it is easy to see, must, from many causes, still stray further and further from the truth in each succeeding generation. What innumerable unintentional inaccuracies must occur in each successive narrator's statement of the facts, from the gathering on them of obscurity, through which they loom larger than life, or sink into the shade, or are partially discerned, or recede into oblivion! A slight variation in the circumstances of the event suggests a new meaning in it; and the event itself is then altered in its outline to sustain that idea of its significance. Sometimes that is done involuntarily; oftener, perhaps, the process is wilfully indulged, as nothing more than an innocent, ingenious restoration of the traces which time had obliterated.'

CHRISTOPHER NORTH.

MR. W. M. MACKENZIE concludes his interesting treatise on the battle of Bannockburn¹ with the observation: 'It is rather a reflection on Scottish historical scholarship that an event of such great significance and universal interest should remain in a nebulous or misunderstood condition, and it is hoped that, on the eve of the six hundredth anniversary, an opportunity will be taken to arrive at something like general agreement.'

A desirable consummation, certainly; but the materials for its accomplishment are scanty. The central fact, upon which all authorities are in accord, is that the English army was defeated with immense loss in an attempt to relieve Stirling Castle. The principal officers on each side also are well known; but for almost everything else—the strength, relative and actual, of the two armies, details of tactics and the main incidents of the conflict—we have to construct what we can out of narratives, none of which

¹ *The Battle of Bannockburn: a Study in Mediaeval War*, by W. M. Mackenzie. Glasgow: James MacLehose & Sons. 1913.

is official; none written by an eyewitness, save the rhymed hexameters of Friar Robert Baston, Prior of Scarborough, whom King Edward brought with him to celebrate the victory he intended to win. But whereas Baston was taken prisoner by the Scots and was induced to flog his unwilling Muse to indite an epic in celebration of *their* victory, he can hardly be cited as a serious authority.

All the writers of the fourteenth century who describe the battle of Bannockburn were monks, save one—Sir Thomas Gray—of whom presently. Now monks and clergy in general are not the class of writers from whom it would be fair to expect a trustworthy technical account of the course of a campaign or the tactics in a general action. It is not their job. It is difficult enough (or was so until Sir William Russell inaugurated the profession of war correspondents) to obtain a clear understanding of the progress of, and incidents in, a battle, even from the narratives of those engaged on either side. ‘There is one event noted in the world,’ said Wellington to Lord Mahon, ‘the battle of Waterloo, and you will not find any two people agree as to the exact hour when it commenced.’¹ The Duke might have known precisely, one should think; but it seems he did not, for in his official despatch he states the hour was ‘about ten o’clock’;² and in writing to Sir Walter Scott two months later he says ‘at eleven.’³ Scott had written to ask him for such information as would enable him to write an authentic account of the battle. The Duke wrote a long letter trying to dissuade him from the attempt, ending: ‘If, however, you should still think it right to turn your attention to this subject, I am most ready to give you every assistance and information in my power.’⁴ Scott persisted; whereupon the Duke wrote again as follows:

‘I regret much that I have not been able to prevail upon you to relinquish your plan. You may depend upon it you will never make it a satisfactory work. . . . Just to show you how little reliance can be placed on what are supposed the best accounts of a battle, I mention that there are some circumstances mentioned in General ——’s account which did not occur as he relates them. He was not on the field during the whole battle, particularly not during the latter part of it. The battle began, I believe, at eleven. It is impossible to say when each important occurrence took place,

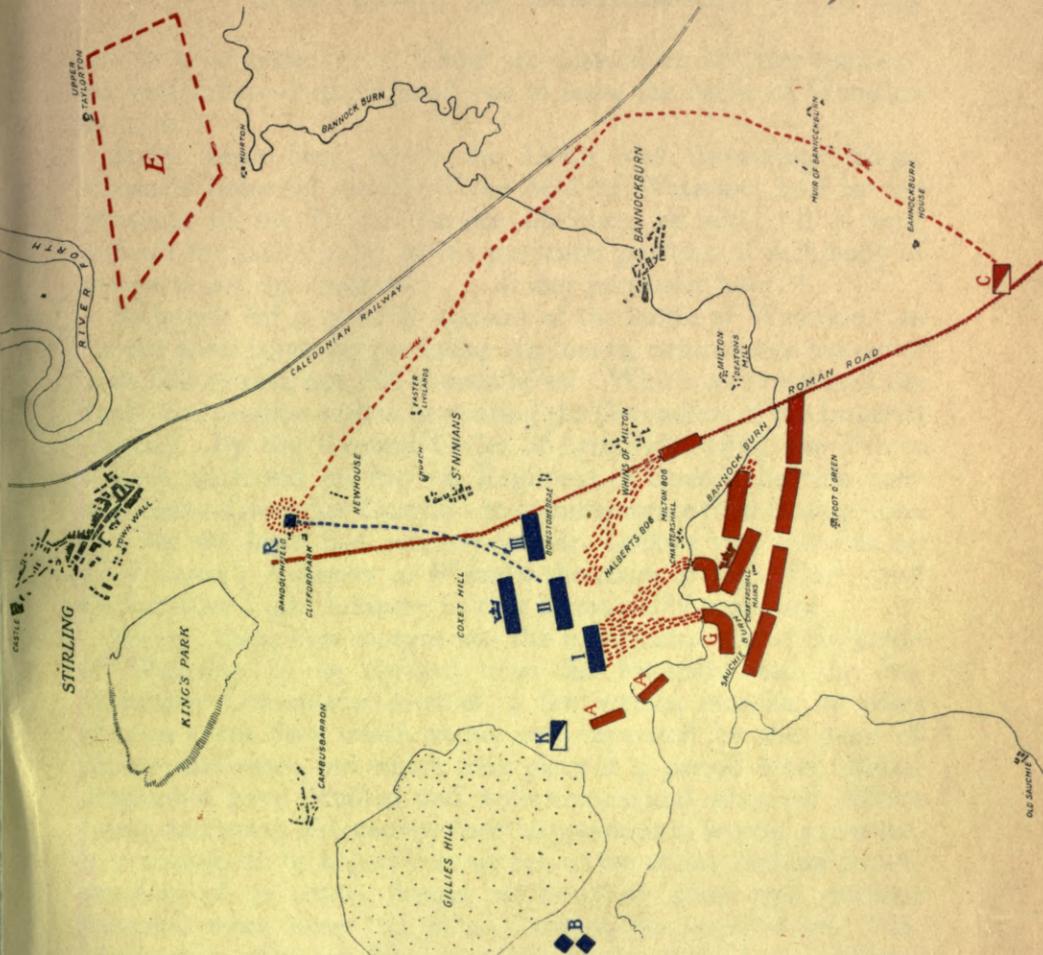
¹ *Conversation with the Duke of Wellington*, by Lord Stanhope, p. 88, 4th edition.

² *Despatches*, xii. 481.

³ *Ibid.* 508.

⁴ 8th August, 1815.

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|  | The King of Scots, commanding the Reserve. |  | The King of England. |
|  | Scottish Divisions. |  | English Divisions, in confusion owing to bad ground, attempting to cross the Bannock and deploy. |
| I | Right Division under Edward de Brus. | C | Clifford's Squadron, detached on 23rd June to communicate with Stirling Castle. |
| II | Centre, under Randolph. | G | Gloucester' Heavy Cavalry charging Edward de Brus. |
| III | Left Division under Walter the Steward and Douglas. | A | English Archers galling Edward de Brus's flank. |
| K | 500 Light Horse under Sir Robert de Keith. | E | English Camp on night of 23rd-24th June, as suggested by Mr. W. M. Mackenzie. |
| B | Scottish baggage and camp followers. | | |
| R | Randolph's repulse of Clifford's Squadron. | | |

SIR HERBERT MAXWELL'S Plan of the Battlefield of Bannockburn.

8 12 1 11 10 9 8

nor in what order. . . . These are answers to all your queries : but remember—I recommend you to leave the battle of Waterloo as it is.’¹

Some years later, when the Duke was inspecting Major Siborne’s beautiful model of the field of Waterloo, now in the Museum of the United Service Institute, he said : ‘It is very difficult for me to judge of the particular position of each body of troops under my command . . . at any particular hour.’²

So much for a general account of the battle of Waterloo ; as for the parts borne by particular regiments, controversy has never been laid to rest, nor will it ever be so. Which corps inflicted the final—the decisive—blow by routing the Grenadiers of the Imperial Guard ? By the General Order of 15th July, 1815, the Prince Regent conferred on the 1st Regiment of Guards the title they now bear—Grenadier Guards—to commemorate their having done so ; yet we have had recently in Mr. Leeke’s two volumes on *Lord Seaton’s Regiment at Waterloo* the claim of the gallant 52nd Oxfordshire Light Infantry to that honour ably sustained.

Seeing, then, how meagre was the information about the battle of Waterloo to be derived from the fountain head, *i.e.* the victorious Commander-in-chief, a few weeks, months, or years after an event from which we are now separated by the space of ninety-nine years, but which took place at a period when official despatches were detailed and voluminous, and when all officers could, and many did, convey their impressions in written narrative, it is scarcely to be hoped that we can arrive at any definite understanding of an action fought six hundred years ago, without firearms, when none but priests and monks could write. Mr. Mackenzie, after careful inspection of the ground and diligent collation of the earliest writings on the subject, has arrived at certain conclusions, and invites us to accept a theory of the disposition of the forces engaged on either side, so widely at variance with tradition (as marked by the position of the Borestone), with the views of all modern historians except Lord Hailes (an important exception), and, I venture to think, with the physical possibilities of the ground, as to demand careful reconsideration of all three.³

¹ 17th August, 1815.

² *Supplementary Despatches*, x. 513.

³ Lord Hailes is an important, but far from an original authority, for he states that he followed Barbour’s narrative (*Annals of Scotland*, vol. ii. p. 54 note). His Lordship’s eminence as a lawyer does not entitle him to rank equally high as an authority on tactics. The present Lord Justice Clerk is an exception in that respect.

As Mr. Mackenzie has stringently criticised the account which I gave of the battle in my *Life of Robert the Bruce*,¹ I desire to preface what follows by an assurance that it is not pretended that what is set forth in that account is more than a recension of probabilities, and that there are only two considerations that prevent me from regarding Mr. Mackenzie's conclusions to be as likely as my own to be near the actual facts—those considerations being, first, the nature of the ground, and, second, how any competent tactician would deal with its difficulties. If these considerations could be satisfactorily overcome, I would readily disclaim any preference for my own conclusions over those of Mr. Mackenzie.

Hitherto it has been considered that, *mutatis mutandis* in the matter of armament, there is a general parallel between the battles of Bannockburn and Waterloo, in that, while Bruce's position was taken up to bar King Edward's access to Stirling, Wellington's was chosen in order to prevent Napoleon getting to Brussels; and that, just as Napoleon delivered a sustained frontal attack upon the Allies instead of manœuvring to turn Wellington's flank (as many tacticians consider he should have done), so King Edward, finding his passage barred by the Scottish line of 'schiltroms' facing south, delivered his main attack upon that front instead of a turning movement upon Bruce's left.

Mr. Mackenzie would have us reject that view. He has marshalled certain authorities in an endeavour to prove, first—that while on 23rd June the Scottish line was drawn up in the Park facing south across the high way (the Roman road), at right angles to the English line of march, on the 24th, the day of the general engagement, the Scottish position was facing to the east, parallel to the English line of march; and that the English army, by a hazardous flank march on the afternoon of the 23rd, crossed the Bannock to the east of Beaton's Mill, passed right under the Scottish position, and encamped on the wettest part of the Carse to the north-east of the said position opposite Cambuskenneth

¹ *Heroes of the Nation Series*, 1897. Mr. Mackenzie says (p. 110) that in constructing my description of the battle, I used a paper by Sir Evelyn Wood. That is hardly accurate. After spending part of two days on the field, and forming certain opinions about the position and movements of the two armies, I returned to Stirling, where I called on Mr. Shearer, the bookseller, who routed out a manuscript, written several years before by Major Wood when in garrison at Stirling. On comparing this MS. with my own notes, I found that we had arrived at very much the same conclusion as to the general course of events on 24th June, 1314.

Abbey,¹ and within easy reach of Stirling Castle, which it had come to relieve.

Second, that so far from the English attacking the Scottish position, Bruce took the offensive from the first. 'It was a brilliant conception,' says Mr. Mackenzie, 'in its utilisation of the characteristics of the ground, as it was daring in advancing foot to force the combat upon horse. . . . Missing the point that, from this stage (*i.e.* the opening of hostilities on the 24th) the Scots were to take the aggressive, writers have misconceived everything' (p. 70).

For the sake of clearness Mr. Mackenzie's summary may be quoted :

'On Monday² the eager English host discharged two attacks on the Scots, one, which Randolph destroyed, by the Carse road, and one at the entry to the Park, which was repulsed by Bruce's brigade.³ Bruce had expressly prepared for such, and so far was confining himself to the defensive. That night the English crossed into the Carse, as described in its place, and there, next morning, were attacked by the Scots, now taking the offensive. In a sense there had been a change of front and plan, consequent on the foolish move and the disheartening of the English by their two previous repulses. The 'pots' and the Park, and all the rest, were now at the back of the Scots, as the Forth was at the back of the English, who were out-manceuvred and out-fought' (pp. 98, 99).

Now, before admitting the errors of the writers who have misconceived everything and adopting Mr. Mackenzie's conclusions, I must crave permission to cross-examine his principal witnesses with the view, not of impugning their personal honesty, but of testing their opportunities of obtaining authentic information. According to the probable chronological order they stand thus (p. 97) :

The anonymous author of *Vita Edwardi Secundi*.

The anonymous compiler of the *Chronicle of Lanercost*.

Sir Thomas Gray, author of *Scalacronica*.

John Barbour, Archdeacon of Aberdeen, author of *The Brus*.

We have here three English prose writers and one Scottish poet.

¹ Cambuskenneth = Kenneth's loop, the Gaelic *camus* signifying a bend in a river or a coast line. Here it is applied to a great bend which approaches within a mile of Stirling Castle.

² *Lapsus calami* for Sunday, 23rd.

³ 'Division' would be a nearer modern equivalent than 'brigade.'

(1) *Vita Edwardi Secundi*. Of the author, nothing is known. Hearne transcribed the only MS. that has been discovered in 1730, and ascribed it ('on very insufficient conjecture,' says Dr. Stubbs¹) to the hand of *monachi cujusdam Malmesburiensis*—a certain monk of Malmesbury—because the document seemed once to have belonged to Malmesbury Abbey. Unfortunately, unless another copy should turn up, no trace of the author can now be recovered. The original was in the collection of Mr. James West of the Inner Temple, and perished in a great fire on 4th January, 1737, together with many other valuable MSS. belonging to him. 'Looking at the internal evidence,' observes Dr. Stubbs, 'I must say that I find very little that would have led me to infer either that it had, so far as authorship goes, any connexion with Malmesbury, or that the writer was a monk.'²

This writer's evidence, then, is devoid of any weight derived from our knowledge of his antecedents, character or opportunities of observation. Mr. Mackenzie confidently accepts his narrative as 'not later than c. 1325'; but as he does not assign any reason for fixing that date, it may be well to hear Dr. Stubbs on the point:

'As Hearne was a good authority on the date of the penmanship, and as the MS. is lost, we may accept his account of it, and believe that the work was written during the century which it illustrates. But it is a grave question whether it can be regarded as a composition strictly contemporaneous; the air of expectancy which the writer occasionally assumes seems to be rather artificial, and the anticipations of misfortune in which he frequently indulges read very much like the wisdom that prophesies after the event. . . . As the narration increases in the amount of detail which it gives as it approaches the close, I am inclined to think that, on the whole, the writer may have begun to write towards the end of the reign of Edward II. As he does not anticipate the revolution and murder of the king, and as his genuine work ends at the year 1325, we cannot infer that he wrote much later than that year.'

In his description of events on the 23rd and 24th June, this anonymous chronicler differs in many important particulars from the other three writers above-mentioned.³ Such discrepancy would not be worth dwelling on, being inevitable in the circumstances,

¹ *Introduction*: Rolls Series 76, vol. ii. pp. xxxii.

² *Ibid.* p. xlii.

³ Both this writer and Sir Thomas Gray represent Robert de Brus as besieging Stirling in the previous year, instead of his brother Edward, an important error, but one that does not concern us here.

had not Mr. Mackenzie asked us to agree that 'these accounts fit into each other, and, obviously, each from its own point of view tells the same story' (p. 98).

Barbour represents the duel between Bruce and de Bohun as the outcome of a virtual challenge by de Bohun as English champion: the author of *Vita Edwardi*, on the other hand, states that de Bohun, after driving in the Scots pickets on the outskirts of the wood with his Welshmen, had turned his horse to rejoin the English column, when Bruce intercepted, attacked and killed him with a battle-axe. There was pretty hard fighting that day, says he (*satis acre bellum geritur*), and mentions an incident which does not 'fit in' with the account given by the other three chroniclers, namely, that Gloucester was unhorsed. There seems to be some confusion here with Gloucester's fall on the following day. It is not likely that he was unhorsed on both days, or that he would have escaped with his life if he had fallen on the 23rd, for, in describing his death on the second day, the author of *Vita* says that he was so heavily armed that he could not rise from the ground without help.

This chronicler dismisses very briefly the affair between de Clifford's squadron and Randolph's pikemen, merely stating that de Clifford 'disgracefully took to flight' (*turpiter in fugam convertitur*).

We now come to what this witness has to say about the all-important question—Where did the English army pass the night? His evidence is distinctly unfavourable to Mr. Mackenzie's theory that it crossed the Bannock and camped in the Carse.

Gloucester's reconnaissance was made with the English advanced guard. After de Bohun's fall, Gloucester fell back upon the main body. Even if that reconnaissance were undertaken with the deliberate purpose of masking the march of the army, with its huge baggage train, through the swamps of the Carse and across the Bannock, where its channel is partly tidal, is it credible—is it practicable—that the operation could be accomplished in the space of an afternoon? There is nothing to show that, when Gloucester rejoined the main body, it was anywhere but on the south side of the Bannockburn. Then, says the author of *Vita Edwardi*, 'as the day was already declining, the whole army assembled to rest that same night on the ground where it was.' The troops, having marched from Falkirk that morning, had done enough without being set to the formidable task of crossing the Bannock in the presence of the enemy, and labouring through ground which must have been impassable except by light infantry.

We are told in the *Vita* that, even before they left Falkirk, 'horses, knights and foot-soldiers were exhausted by hard marching and hunger, wherefore they are not to be blamed if they did not behave very well.'

Of the events on the 24th the author of *Vita Edwardi* gives a brief, but spirited, description. He says that when Robert de Brus learnt that the English army had come into the field (*in campum devenisse*), he marched his whole force out of the wood. He puts that force at 40,000, which is assuredly a gross exaggeration, and describes them as marshalled in three divisions, whereas there can be little doubt that there were four. He states distinctly that there were no mounted men in the Scottish army, whereas, unless we are to throw over Barbour, we know that Sir Robert Keith had 500 light horse, and used them to good purpose.

So far the evidence of this chronicler provides no special support to Mr. Mackenzie's argument; but, though he deals very briefly with the battle itself, he certainly describes the Scots as taking the offensive. He represents James Douglas as commanding the first division (Barbour gives Douglas joint command with Walter the Steward of the left division) and attacking Gloucester's column of cavalry. Gloucester, he says, received the onset valiantly (*viriliter*), broke the Scottish ranks once and again, and would have been completely victorious if his men had supported him staunchly. But the Scots charged suddenly, the Earl's horse was killed, his men deserted him and he was slain. The chronicler introduces here an incident usually assigned to a later hour and a different part of the field. He deplores the craven spirit of Gloucester's men; had there been, out of the five hundred whom he had brought to the field at his own expense, but twenty men bold enough to rally to their lord, he might have been saved; but they deserted him, and it was Sir Giles Argentine who rode to Gloucester's rescue, and perished beside him.

This is a totally different version of the dramatic end of 'the third knight in Christendom' to that given by Barbour, who represents Argentine as remaining at King Edward's rein, whereof he had charge, till the King was about to leave the field, when he exclaimed:

Schyr, sen it is sua
That ye thusgat your gat will ga,
Hawys gud day! for agayne will I.
Yet fled I neur sekyrly,
And I cheyss her to bid and de,
Then to lif schamfully and fle.

Then he pricked forward into 'Eduard the Brusis rout' (not Douglas's), and crying 'Argente! Argente!' was slain upon the pikes.

The discrepancy between these two witnesses cannot be reconciled in any attempt to make clear either the position of the two armies or the sequence of phases in the conflict. *Vita Edwardi* represents Argentine charging Douglas's schiltrom, which was on the left of the Scottish line; Barbour sends him into the thick of Edward Bruce's schiltrom, which was on the extreme right.

After this episode the chronicler says the King was persuaded to ride off the field, 'whereupon, when the King's standard was seen departing, the whole army quickly scattered. Two hundred knights and more, who had neither drawn sword nor delivered a blow, took to flight.'

The impression left by a perusal of this part of the *Vita Edwardi* is that it is from the hand of one who was not present at Bannockburn, and who drew his information, possibly not very long after the battle, from some officer, man-at-arms or private soldier, whose corps, being in the rear of the army, was not actually engaged, but who witnessed the rout, escaped from the field, and was bitterly indignant with the handling of the affair and the blunders of the superior officers; just such an account as, for example, a French company officer might have given of the battle of Sedan. Treacherous material, one should say, whereon to found precise history.

(2) *The Chronicle of Lanercost*. This anonymous compilation has received scrupulous analysis by the Rev. Dr. James Wilson of Dalston.

'No reader,' says he, 'can help feeling that the Chronicle is a compilation from various sources, and that the materials which make up the narrative are of unequal historical value. . . . An entry was made from, perhaps, imperfect knowledge, either from a written source or oral intelligence. . . . There is strong reason for believing that the body of the Chronicle was put together in or after 1346. In various passages contemporary allusions are made at long distant periods quite incompatible with a single authorship after the close of the work. . . . The sources of the Chronicle, so far as they can be conjectured, are a strange mixture of written history and oral tale.'¹

This chronicler's account of the two days' fighting is very brief,

¹*The Chronicle of Lanercost*, trans. by Sir Herbert Maxwell, Introduction by the Rev. James Wilson, pp. xvii. xviii. xxxi. (MacLehose, Glasgow, 1913.)

and in many particulars is wholly irreconcilable with Barbour's. He mentions neither the duel between Bohun and the King of Scots nor Gloucester's reconnaissance; he puts de Clifford in command of the English vanguard, and describes the Scots as *purposely* allowing de Clifford's squadron to get far ahead of the English main body before they showed themselves and charged against the cavalry.¹ He says that the Scots army was in three divisions, whereas Barbour is explicit about four; but he has no information to give about the camping ground of the English that night.

Mr. Mackenzie relies upon this writer to prove that the Scots took the offensive on the morning of the 24th: 'they marched boldly against the English' (*audacter contra Anglicos processerunt*), which surely might apply to the Scottish schiltroms debouching from the wood to take up their alignment. In the very next sentence we read how 'the great horses of the English charged the Scottish pikes (*magni equi Anglorum irruerunt in lanceas Scottorum*).

I am unable to share the touching faith reposed by Mr. Mackenzie (p. 98) in this chronicler on the strength of his assurance that he had his information about the battle of Bannockburn 'from a trustworthy person who was present and saw it (*a quodam fidedigno qui fuit praesens et vidit*). An anonymous writer quoting an anonymous informant is scarcely the kind of authority that compels conviction, especially as the *Lanercost Chronicle* is stuffed with anecdotes, some outrageously miraculous, others scandalous, recounted to the compiler by 'a certain just, grey-haired man,' 'a simple citizen of Haddington,' or some equally nebulous individual. It may very well have happened that this monk of Lanercost saw, and perhaps helped to harbour and entertain, some of the fugitives from Bannockburn, and eagerly listened to their confused account of the battle; but to found upon such material any connected narrative of events appears to me to be very unsafe.

(3) Sir Thomas Gray's *Scalacronica*. This chronicle differs from every other of the fourteenth century in that it was compiled by an experienced soldier; and in regard to Bannockburn it is of special importance, inasmuch as the writer's father, the elder Sir Thomas, was also a veteran soldier, and witnessed the battle from

¹ *Scotti autem hoc permiserunt, donec essent multum a sociis elongati, et tunc ostenderunt se, et dividentes illam primam aciem regis a media acie et extrema, irruerunt in eam. Lanercost, fol. 215 b.*

within the Scottish lines, having been taken prisoner in the affair between Randolph Moray and de Clifford's squadron. It is therefore easy to imagine the chief source of the chronicler's information about the battle. He himself was captured in a skirmish near Norham Castle, whereof he was Edward III.'s governor, in August, 1355, and whiled away the ennui of two years' imprisonment in Edinburgh Castle by compiling *Scala-cronica*—a history of the world in general and of England and Scotland in particular—employing for his purpose the MSS. chronicles with which the castle library seems to have been well stored.

The passage whereon Mr. Mackenzie founds in support of his contention that the English army crossed to the north side of the Bannock on Sunday evening, 23rd June, and encamped on the spot shown in his plan, is as follows :

'The King's army, having already left the road through the wood, had debouched upon a plain near the water of Forth, beyond Bannockburn—an evil, deep, wet marsh, where the said English army unharnessed, and remained all night.'¹

This is explicit and, I think, convincing. For some reason unknown, the army was marched off the dry upland upon the wet Carse, where it encamped for the night. There is but one ambiguous phrase in the statement—*outré Bannockburn*—beyond Bannockburn. Did young Sir Thomas receive this description from old Sir Thomas? Probably he did. Did old Sir Thomas speak as from his situation that night within the Scottish lines? in which case *outré Bannockburn* would mean on the south side of that stream; or was he speaking as if still with the English army? in which case he would mean that they crossed to the north side before encamping. I shall endeavour presently to show that it was physically impossible for the English army to cross the Bannock within the hours at their disposal for that purpose, and this leads me to interpret *outré Bannockburn* as the side furthest from the Scottish camp, that is, the south side.

(4) John Barbour's *The Brus*. 'Nothing,' says Mr. Mackenzie, 'can excuse neglect of Barbour, and I cannot see any critical advantage in discounting the understanding or equipment of the original authorities' (p. 108). Now I yield to no one in cordial appreciation of the voluble Archdeacon of Aberdeen, were it only

¹ Le ost le roy, qy ia auoint guerpy la voy du boys, estoient venuz en vn plain deuers leau de Forth outré Bannokburn, vn mauueis parfound ruscelle marras, ou le dit ost dez Engles detruiserent, demurrerent tout nuyt.

as the first writer who had the spirit to express himself in good Scots instead of monkish Latin. But it is one thing to enjoy and admire his fine epic, and another thing to regard his authority on matters of detail as unimpeachable. One may hardly find for description of tactics on the lengthy speeches which Barbour puts into the King's mouth, extending to between 200 and 300 lines; yet Mr. Mackenzie quotes from them to prove that the Scots took the initiative in attack (p. 80).

Now, as to the reliance that can be placed on Barbour in regard to the general course of events I have nothing to say against him; but it would be rash to trust him in describing the position and movement of troops in the field, whereof, as a cleric, he cannot be accepted as a competent critic. When it suited his purpose he was wont to allow himself a liberal measure of poetic license. One may not forget the extraordinary mis-statement in the first ten stanzas of his epic, whereby three different barons are moulded into one and the same hero. Robert de Brus, 'the Competitor' (d. 1295), his son Robert de Brus, Lord of Annandale (d. 1304), and his grandson Robert de Brus, Earl of Carrick (afterwards King of Scots), are presented to the reader as a single hero in the person of the last named.¹ Whether this glaring mis-statement was a mere historical blunder or deliberately perpetrated to enhance the dramatic situation, matters not; in either case it is a warning not to pin too implicit faith upon the bard as historian. Mr. Mackenzie himself does not hesitate to throw over Barbour when estimating the strength of King Edward's army (p. 23). Barbour's statement is that it was

Ane hundreth thousand men and ma,

whereof 40,000 were cavalry—a statement so preposterous as to put one upon guard before accepting what he says when it comes to fighting. It is evident that the archdeacon has not realised the nature of the task involved in moving and feeding such a host. Mr. Mackenzie considers that the numbers brought into the field

¹ 'In his patriotic undertaking, Barbour had set up for his model something like the ancient tragedy, which crowded the marked affairs of a person or a generation into a single day. . . . Satisfied to have real persons and events, and an outline of history for his guide, and to preserve the true character of things, he did not trouble himself about accuracy of detail. . . . It suited his views of poetical justice that the Bruce, who had then been so unjustly dealt with, should be the Bruce who took vengeance for that injustice at Bannockburn; though the former was the grandfather, the other the grandson' (Cosmo Innes, *Preface to The Brus*, Bannatyne Club Edition, 1856, p. ix).

did not much exceed 3000 horse and 22,000 foot, excluding transport (p. 30)¹.

He also rejects Barbour's statement that de Clifford's detachment numbered 800, rightly preferring the figure 300 given by Sir Thomas Gray, whose father rode with de Clifford; but when Barbour's narrative 'fits in' with Mr. Mackenzie's theory, we are told that we must not 'discount the understanding' of this authority.

As to the sources of information open to Barbour, the battle of Bannockburn was fought before he was born, sixty-one years before 1375, the year in which he tells us he began his poem. He was under the necessity, therefore, of collecting materials for his narrative from the lips of old men who had served in that campaign. To realise the nature of his task and the loose, and often contradictory, statements he would receive, let us imagine the present poet laureate setting his hand to an epic describing the battle of the Alma (fought just sixty years ago) without having access to despatches, contemporary newspapers, or subsequent histories of the Crimean war, but relying only on oral description by surviving officers and men of the allied army, and working all the time in the shackles of metre and rhyme. If, as aforesaid, the Duke of Wellington, having before him an accurate model of the field of Waterloo, showing beyond controversy the exact position of the two armies when they engaged—if the Duke, I say, could not describe the movements of different units in his force at any particular time, it is surely unreasonable to expect from Barbour a scrupulously exact description of tactics in a battle fought before he was born.

Taken, however, for what it is worth, Barbour's testimony coincides with that of Sir Thomas Gray in support of the statement that the English encamped in the Carse on the night of 23rd June; not, as would appear to have been safer and better, on the dry higher ground between Plean and Bannockburn; but there is nothing in the poem to show whether the encampment was on the south or the north side of the Bannockburn.

Tharfor thai herberyd thaim that nycht
 Doune in the Kers, and gert all dycht,
 And maid redy thair aparail,
 Agayne the morne for the bataill.

¹ The writs enrolled in *Fædera* were addressed to two earls, five barons and the sheriffs of twelve counties, and provide for 21,540 foot. Besides these there were summoned perhaps 2000 or 3000 Irish, and the Gascons and other foreigners present may have been 2000 more. Edward was certainly very strong in cavalry, but there is no way of ascertaining their exact numbers.

I now come to Mr. Mackenzie's views about the position of the two armies on the morning of the 24th :

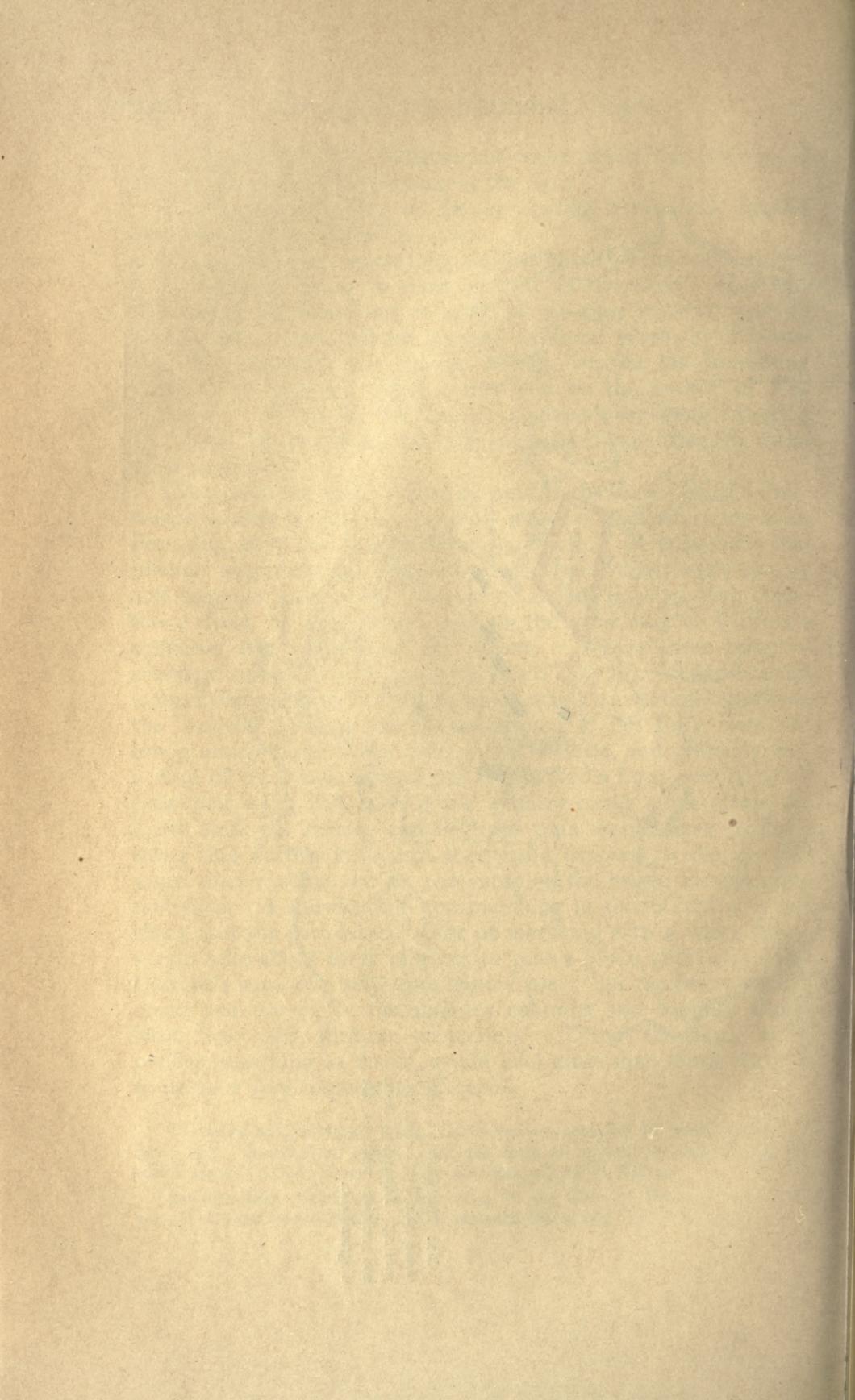
'I. *The English army on Sunday evening crossed the Bannock and camped on the Carse*' (p. 100).

Midsummer Eve shines long and late in the latitude of Stirling ; it had need to do so to allow of such an operation. Has Mr. Mackenzie attempted any estimate of the time it would take to move a force over difficult ground—a force which, by his own moderate estimate, was 23,000 strong, besides the lumbering *quadrigas* or baggage wagons described by the author of *Vita Edwardi* ? When did the English engineers set about bridging the 'pulis' in the Carse, and how long did it take them to make them passable ?¹

Then, as to the nature of the ground in the Carse—in the fourteenth century it was covered deeply with wet peat, which has since been dug away and floated down the Forth.² It is possible that infantry might cross it with difficulty, certainly not heavy cavalry and baggage train. Mr. Mackenzie makes light of that objection ; these, he says, would pass by the same way as Clifford's squadron had ridden the day before. 'Where three hundred could go so easily, three thousand could' (p. 96). This sentence is most damaging to Mr. Mackenzie's whole contention. Between the declivity dividing the higher ground of the Park from the low ground of the Carse there might well be, and probably was, a strip of hard land over which de Clifford's light cavalry could pick their way ; but, even if the infantry could move across the Carse land, the cavalry and baggage train would have to defile along that narrow strip with their flank exposed to the Scottish army, distant some 200 or 300 yards on the height commanding that strip. A squadron of 300 marching in threes (and it is not likely that the path would allow of marching with a wider front) would take about three minutes to pass a given point at a walk. Clifford's squadron may have trotted past ; but the heavy cavalry could not do so, or the infantry columns and baggage would have been left without protection. Three thousand heavy cavalry, marching in threes, would take more than thirty minutes to pass—a very important difference.

¹ To throw bridges across 'pools,' in the modern sense of the word, would be a futile task. Barbour, no doubt, used the term as applied to sluggish streams, which are still called 'pows' in Lowland Scots and *pol* in Gaelic.

² An operation which was in full swing in the Carse to the west of Stirling when I was familiar with that district between thirty and forty years ago.



But let us suppose that Bruce allowed this actually to be accomplished; the English would then have been as near Stirling Castle as they were to the most unfavourable corner where Mr. Mackenzie would have us believe they chose to encamp (EE on Map 1). What was to prevent King Edward pitching his tents on good ground beside the fortress he had come to relieve, or, at least, sending forward a strong detachment to effect that relief? Mr. Mackenzie holds that the relief had already been accomplished, because Governor Mowbray had ridden out to give information to the English commander! 'The castle was a detail, an occasion' (p. 102). But the castle was the sole motive—its relief the avowed purpose of the expedition. To maintain that it had been relieved because some of the garrison had managed to confer with some of the relieving force is to strain terms beyond what they will bear. During the winter of 1854-55 the Russians were strenuous in endeavour to relieve Sebastopol. Mentschikoff, commanding the garrison, was in full communication with Liprandi and Gortschakoff, who had 20,000 men and 88 guns in the Balaklava valley in rear of the besiegers' lines, with Dannenberg to the right of Gortschakoff with 40,000 men and 135 guns, and with Pauloff in the Tchernaya valley with other 19,000 troops. Mentschikoff's powerful force within the city was actually in touch with Dannenberg's and Dannenberg's with Gortschakoff's, so that between them they had no difficulty in arranging the combined operation which brought about the battle of Inkerman; but it has never been pretended that Sebastopol was relieved.

To support his views about the position of the English army on the night of 23rd-24th June, Mr. Mackenzie construes the raid by David, Earl of Atholl, upon Bruce's dépôt in Cambuskenneth, on the far side of the Forth, as an expedition made from the English camp, which, he believes 'lay right opposite Cambuskenneth' (p. 68). 'No explanation,' he adds, 'of this curious fact has ever been offered in the accepted accounts' (p. 69). This is a strange statement in the face of Barbour's explanation that the raid was undertaken by Atholl in pursuance of a private feud with his brother-in-law, Edward Bruce, who neglected his own wife Isobel, Atholl's sister, and loved 'per amouris' the sister of Sir Walter de Ros.

And tharfor sa gret distans fell
Betuix him and the erl Davy
Of Athol, brother to this lady,¹

¹ Isobel, Atholl's sister and Edward's wife.

That he apon Sanct Johnis nicht
 Quhen bath the kingis war boun to ficht,
 In Cambuskynneth the kingis vittale
 He tuk, and sadly gert assale
 Schir Wilyham of Herth, and him slew,
 And with him men ma than enew.

King Robert had appointed Atholl Constable of Scotland, and Atholl in that capacity witnessed two charters at Arbroath in February and March, 1314. There is nothing to show that he ever was with the English army at Bannockburn, or that he had to cross the Forth to wreak vengeance upon his rival by seizing King Robert's supplies. In effect, they were probably Edward Bruce's supplies for the siege of Stirling. In all likelihood this was an independent foray, led by Atholl out of his Highland border to plunder the stores of his enemy, Edward, and therefore it has no bearing whatever on the position of the English on St. John's Eve.¹

II. '*The Scots took the initiative in forcing the battle.*' Mr. Mackenzie supports this proposition by statements in Barbour's poem, *Scalacronica, Vita Edwardi* and the *Chronicle of Lanercost*. 'They tuk the playne,' says Barbour. Yes, but which plain? the hard upper ground about the Borestone, or the marshy Carse, to which his other phrase, 'in plane hard feild,' could scarcely be applied. 'Taking the plain' seems to be simply another way of describing the movement of the Scots divisions from their encampment in the wood to their prescribed alignment in the open, as explained in the *Vita Edwardi*.

I ground my contention that Bruce's tactics were defensive—first, on his sagacity as a great commander, forced against his better judgment to accept battle with a force vastly inferior to the enemy; second, on the improbability that he would not have seized the opportunity of attacking the English on their exposed flank if, as Mr. Mackenzie believes, they defiled across the Bannock on Sunday evening; in which case the battle would have taken place, like Otterburn, during the summer night; and thirdly, on the care with which he protected himself from attack by cavalry by digging 'pottis.'

On athir syde the way weill braid,
 It wes pottit.

Following Barbour's narrative, we find that war-worn Sir Ingram

¹ Having thus acted in hostility to the King of Scots, Atholl's lands were forfeited, and he was in England in the following October.

Umfraville urged King Edward to feign retreat in order to lure the King of Scots from his position to assume the aggressive. How could he feign retreat if he were in the angle of the Carse with the Forth in his rear and the tidal channel of the Bannock on his left flank?

Anyhow, King Edward disdained the advice. Now comes an expression used by Barbour which Mr. Mackenzie has either overlooked or misunderstood. Being assured that the Scots meant to fight :

‘Now be it sa than,’ said the King.
And than, but [without] langer delaying,
Thai gert trump the assemblé.

The term *assemblé* was not the equivalent of the modern ‘assembly,’ the call for troops to form up; it was the ‘charge.’ Mr. Mackenzie quotes it from *Scalacronica* in exactly that sense: ‘lez avaunt ditz Escotez vindrent de tot aleyn en schiltrome, *assemblerent* sur lez bataillis des Engles’—‘the aforesaid Scots advanced in line of schiltroms and *charged* the English’ (p. 74, *note*). In the whole of Gray’s Norman-French *Scalacronica* the verb is never employed in any other sense. Barbour himself, in the canto immediately following the lines above quoted, uses it to describe the English advanced guard charging Edward Bruce’s schiltrom.

Thus war tha boun on athir sid ;
And Inglismen with mekill prid
That war intill thar avaward
Till the battale that Schir Eduard
Governit and led held straucht thar way.
The hors with spuris hardnit tha,
And prikit apon tham sturdely,
And tha met tham richt hardely ;
Sa that at the *assemble* thar
Sic ane frusching of speris war
That fer away men nicht it her.

This passage, by the by, rather traverses Mr. Mackenzie’s contention that the Scots were the aggressors. That there were frequent occasions during that morning when the Scots *did* charge is quite consistent with Bruce having acted on the defensive. Wellington’s whole strategy at Waterloo was defensive; it is inconceivable that it could have been anything else; but he never missed an opportunity of counterthrust; witness the famous charge of Ponsonby’s Union Brigade on d’Erlon’s corps to the east of the Charleroi road, of Uxbridge’s Heavy Brigade against Dubois’ cavalry on the west of that road, and, finally, the advance of the

whole allied line in the evening, with the two Light Cavalry Brigades mowing down the fugitives. In like manner, Bruce employed Keith's handful of light horse to scatter the English archers when his first division suffered under their fire. Such blows, delivered at critical moments in an engagement, are part and parcel of defensive tactics, and Barbour naturally dwelt upon them as salient and exciting incidents in the conflict.

Mr. Mackenzie, seeking material to strengthen his argument, goes out of his way to dispute the traditional part taken in the events of the day by Bruce's baggage guard and camp followers. He maintains that, whereas the baggage was placed in a valley,¹ these men could not have been on Gillies' Hill. But Barbour expressly states that, when they heard that the battle was going favourably for the Scots 'Than in gret hy can tha ga'—that is, they ran up the hill to get a view of the combat. What could be more natural? Gillies' Hill is just 200 feet higher than the glen behind it. To cast discredit on the tradition, Mr. Mackenzie solemnly propounds that Gillies' Hill 'is probably a personal name applied to the hill' (p. 51, *note*). Really, if our understanding of the battle of Bannockburn needs propping by such feeble hypotheses as this, we may give up the problem as insoluble.

In conclusion, I submit that there is no evidence that the English army crossed to the north side of the Bannock on the evening of the 23rd, except Sir Thomas Gray's expression *outré Bannockburn*, with which I have already dealt; that there was not time on that evening to move 20,000 or 30,000 men, with baggage train, to the position indicated by Mr. Mackenzie as the English camping ground;² that, if they had been able to cross the Bannock on St. John's Eve, they would have chosen good camping ground near the Castle they had come to relieve, instead of inclining to the east to seek infamous camping ground; and that if, as Mr. Mackenzie suggests, the English King insisted upon defeating the Scots before relieving the Castle, he would never have chosen ground upon which it was impossible for his cavalry to manœuvre.

¹ In the Cambridge MS. there is no mention of a valley:

'Yhemen, suanis and pouerale,
That in the Park to yhem vittale
War left.'

² I have to thank Mr. Mackenzie for his courtesy in allowing me to reproduce his plan of the field, here given as Map II.

That there was fighting and slaughter in the Carse on the 24th, and that many English perished in the Forth and the tidal part of the Bannock, there can be little doubt. Assuming, as I think probable, that King Edward's main attack was delivered on the line of the Roman road, it seems equally probable that he would attempt to turn Bruce's left flank by detaching a column to move along the track taken by de Clifford on the previous day, though of that we have no notice in any chronicle. Such a column would be open to disastrous flank attack by Douglas and the Steward; besides which, when the English attack on the upper ground was thrown into confusion, the leading divisions could not retire because of the columns in their rear, and broken troops would endeavour to escape by way of the Carse.

That is my conception of the general action; Mr. Mackenzie's is another; both are highly speculative. The old gamekeeper who taught me to shoot used to console me when I missed a bird by remarking, 'There's plenty o' room to go bye!' So there is in this matter of Bannockburn.

HERBERT MAXWELL.

The Principals of the University of Glasgow before the Reformation

BY a Papal bull, dated 7th January, 1450-1, Pope Nicholas V.—that great patron of learning—erected and established at Glasgow a University, or *Studium Generale*, with power to grant degrees in theology, in canon law and civil law, in arts, and in any other lawful Faculty.

The bull was granted, so the ancient *Munimenta* of the University inform us, 'at the instance of the most serene prince, James II. the most illustrious King of Scots, and at the instance (and by the labours and at the cost) of a Reverend Father in Christ and Lord, the Lord William Turnbull, by the grace of God and of the Apostolic See, Bishop of Glasgow.'

The first congregation of the new body assembled within the chapter-house of the Cathedral (the square apartment opening off the north-eastern corner of the spacious crypt), and there saw to it that its 'Statutes, Liberties and Privileges' were carefully written out by the hands of a certain Master Bunch.

The University, or degree-giving body, consisted of the Chancellor, who was always to be the bishop of the diocese for the time being; and who, as head of the whole University, was, either in person or by his substitute the Vice-Chancellor, to confer its degrees; the Rector, to be chosen yearly by the University itself: his business it was to see that the statutes were observed and the privileges defended; the Masters and Doctors, who were to do the teaching; and the incorporated students, who were there to learn, and were induced to study by the assurance that, if they studied well, they should receive in due time those degrees which the University was empowered to grant.

For the instruction of these students in the various branches of learning, the Masters and Doctors were grouped (or were intended to be grouped) into several Faculties, of theology, of canon law, of civil law, and of arts; each Faculty being composed of so many teachers competent (or presumed to be competent) to

impart instruction in its own department. Each Faculty was empowered to appoint its own Dean—its chairman and mouthpiece.

The higher Faculties seem to have been, at first, on paper merely ; at least we have not much evidence that they did anything. But the Faculty of Arts organized itself at once. It met in the chapter-house of the Friars Preachers (the Dominican or Black Friars), in the High Street ; enrolled its members, and appointed its teachers—regents, they were called, as charged not only with the instruction of the students, but also with their government and discipline both in and out of class. There were two regents in arts : they lived along with their students, and had their meals with them.

At the outset the University was ill-off for buildings. Mention is made of an old pedagogy or school in the Rotten Row, and of another beside the convent of the Black Friars in the High Street. Probably one regent lived in the one building, the other in the other ; so that as yet both these dons were equal, and no need had arisen for giving the one any superiority above the other. There was, in short, no college.

In 1460, however, this was provided ; by the gift or legacy, by James, Lord Hamilton, of a tenement in the High Street, with four acres of land adjoining, for the housing, as well as teaching, of the regents and the students. This was the beginning of a third institution in the University—the College of Glasgow—the home in which the University was to have its local habitation.

1. Like every other household, the college required a head ; and so, no sooner does the college show itself than the Principal—or resident head of the ruling and teaching staff—appears along with it. We find him in Lord Hamilton's deed of gift itself, 'To Mr. Duncan Bunch, Principal Regent of the College of Glasgow and his successors, being Regents, for the use of the said college.'

The first of our Principals, therefore, is Mr. Duncan Bunch, Principal from 1460 till his death in 1473. He is not (like the first Principal of Aberdeen) a celebrated author ; but he evidently deserves the tribute paid him by our Dean of Faculties, Professor Stewart, that he was 'a person of learning and capacity, indefatigable in his discharge of his functions as Master in the Faculty of Arts, and also in promoting the erection of suitable buildings.'¹

Of his parentage I have found nothing : he belonged 'to the Albany nation,' now *Transforthiana* ; so we may presume he hailed from the northern parts of Scotland. In 1466 a youth

¹ *Glasgow University Old and New*, Preface.

matriculated, Robert Bunch, son of John Bunch of St. Johnston (Perth) : he may have been a nephew of our Principal, who was already a Master of Arts when in September, 1451, he was incorporated with the Faculty, and from that day till his death he is described as a resident regent—generally one of two. In 1452, at the end of the University's first year of teaching, he examines the 'determinants'—that is, the students entering for general responsions ; in 1453 he makes trial of the candidates for the degree of Bachelor in Arts ; and he is his nation's procurator for the election of the rector. Next year, 1454, he examines those who wish the University's license to hold public disputations.

He was probably by this time in Holy Orders, and in 1456 we discover that he is Vicar of Wiston, a parish which, during term time, he must serve by a curate. The same year the Faculty elects him for its Dean.

The year 1460, which saw him installed in the newly given college as Principal, beheld him also Vicar of Dundonald : so he is described in the interesting notice which records the presentation to the University by its Rector for that year, Mr. David Cadyow, Doctor of Decretals, Canon of Glasgow, of its chief surviving relic of this period, its silver rod or mace. The Rector delivered the price of it, 20 nobles, into the hands of Sir Alexander M'Alon, Vicar of Kilbirny, and of Mr. Duncan Bunch, Vicar of Dundonald. Two years later, Bunch passes, after what is described as a rigorous examination, the most distinguished of our early *alumni*, William Elphinston, afterwards the great Bishop of Aberdeen (1483-1514), the founder of King's College and University, in that city, and 'the good angel' of King James IV.

This year, too, the University begins to assume some pomp and circumstance, and the Principal is appointed to purchase gowns and hoods for the Faculty.

In 1463 a precedent was set which, though often followed, did not become fixed till 1732, of the Chancellor of the University making the Principal his Vice-Chancellor. Accordingly we find Mr. Bunch conferring degrees, and in 1467 it is recorded that he does so by adorning the graduands with the *insignia magistralia*—capping them, doubtless, and perhaps seeing the hood thrown across their shoulders. The same year he is a canon of Glasgow.

The first of the Principals is the second in the roll of benefactors to the University Library. Its catalogue opens with the gifts

of John Laing, Bishop of Glasgow, 1474-83 : after him comes 'a venerable man of good memory, Mr. Duncan Bunch, late Canon of Glasgow, and Principal Regent there.'

The books he leaves are evidently those on which he had been lecturing—philosophical treatises by Porphyrius, Aristotle, John Elmer, and Petrus Hispanus ; but there is among them also 'one Bible parchment, complete in one small volume, and written'—not printed according to the new and epoch-making art. One regrets that this Bible has disappeared ; its loss dating, the Librarian thinks, from the troubles of the Reformation period, when the University itself came near to shipwreck.

2. The second Principal, John Browne, had been one of Bunch's pupils, and from 1473—the year of Bunch's death—the records show him taking a prominent part in University work. But he is not yet Principal. For seven years, apparently, they tried to do without a Principal ; the college being governed from day to day by the two resident regents jointly, with the occasional help of the Dean of Faculty and the Rector.

In 1473, then, Browne makes his appearance. Already he has taken his Bachelor's degree, has received 'license' to hold disputations within the University, and been created Master of Arts. From this time onwards Browne's name is frequent in the records : in 1473 he is one of the 'procurators' for the election of a Rector ; next year we find him Regent resident. In 1476 he rides to Ayr in company with another who was long active in University affairs, Mr. William Arthurlie, *Decretorum Doctor* (the teacher, I take it, of canon law). Their errand is to 'defend' before a Commission, on which sat the Abbots of Paisley and Crossraguel, the rights of the Faculty to the chaplainry of S. Thomas the Martyr (S. Thomas of Canterbury). The same year he has charge of the college fees, and then on 7th October we find this entry : 'At a congregation of the Faculty of Arts held within the chapter-house of the Cathedral, Mr. John Browne is admitted and received Principal Regent of the College of Arts, according to the tenor of a letter of presentation granted him by the Chancellor acting in concert with the Dean and Faculty, and sealed with the seals of the Bishop and Faculty.'

Naturally he is now empowered to disburse moneys for the ever-needed repairs of the 'pedagogy or college,' and is styled 'Regent Principal' or 'Principal Regent.' In 1481, as 'having care of the College of Arts, he accepts the burden of lecturing in person for the coming year.'

In 1482, Browne, who is now both a canon and a prebendary of the Cathedral, is elected Rector of the University, and in this capacity holds, for the enacting of new statutes, 'a general congregation of the University' in what is now called 'the lower chapter-house of the Cathedral'—for the upper one, or Treasury, which bears on its walls the shield of our founder, Bishop Turnbull, is by this time fit for use. The existing statutes are, it would seem, 'too few,' and, moreover, have been violated to the prejudice of the University's privileges and revenue. The University's 'great seal' has been misused. The 'schools of the canons,' whereby 'the whole University is served,' have fallen into disrepair, and the proud Lord of Hawkhead—he, I take it, who lies in sculptured pomp in the Church of Renfrew—has 'detained for seven years and more' the moneys due from the chaplainry of S. Thomas.

By the next year another than the Principal has to examine for the degree of Master of Arts, and on the 11th of November, 1843, we read of the 'executors of the late Mr. John Browne.' He left to the Library thirteen volumes on physics and metaphysics—commentaries, apparently, on Aristotle.

3. The third Principal, Walter Leslie, appears to have been a younger man. So recently as 1479 he was a determinant merely, finishing his first year at college; on 4th November, 1482, he is a Master of Arts, an examiner, and is received 'into the bosom of the Faculty'; and next year we find him 'promoting' students at their graduation; while in 1843, he is Principal Regent in the said Faculty of Arts, and is bursar of the college.

The experiment, however—if so it was—of putting a young man into the Principalship did not prove a success. In 1485 Lesley 'supplicates the Faculty to appoint a fit Regent to bear the principal charge of the foresaid pedagogy, as he is no longer able to sustain it; but he agrees to act as a Regent till Whitsunday next according to his promise freely given.'

4. The fourth Principal was Mr. George Crechtone, or Crichton, as we should call him. He first appears in the records in 1485, as a procurator for the election of the Rector, and the same year by Robert, Bishop of Glasgow and Chancellor of the University, he is received into the Faculty, and made Principal Regent of the same.

Crichton may have been the same George Crichton who was afterwards to rise to the dignities successively of Abbot of Holyrood and Bishop of Dunkeld. If so, he was a graduate of St.

Andrews (1479), where he had been a fellow-student of William Dunbar, the poet.

The Chancellor himself, Bishop Robert Blackadder, was a St. Andrews man: it was in his episcopate, and largely through his friendship with King James IV., that Glasgow became an archbishopric, and Glasgow Cathedral owes to him its beautiful stone screen and the sumptuous crypt under what was to have been a no less glorious extended transept. There may have been a desire to introduce into the University what is called new blood.

It is on Crichton's appointment that we see for the first time the four great officers of the University each holding his proper place—the Chancellor presiding over all; the Rector inspecting the buildings; the Dean of Faculty raising money for the repairs, and the Principal seeing these carried out and ruling within the college.

But the same hand which had raised Crichton to the office was ere long extended to remove him. On the 18th of July, 1488, at a congregation of the University held in the lower chapter-house of the Cathedral, a letter was read from the Reverend Father in Christ, Robert, Bishop of Glasgow and Chancellor of the University, saying that 'for certain reasonable causes he has removed Mr. George Crechton, the Principal Regent of the Pedagogy of Glasgow, from the rule, and from the exercise of the said office, and has warned him under the pains and censures of the Church to demit the same,' and directing the Faculty to choose another fit man for the position, which accordingly they proceed to do. Nevertheless we find Crichton for some time after this acting as one of the regents, and even officiating at graduations.

If Crichton was the man I take him for, the cause of his removal would be 'reasonable' enough. 'He was a man,' says Bishop Keith, 'nobly disposed, very hospitable, and a magnificent house-keeper, but in matters of religion not much skilled.' He was one of the judges by whom Patrick Hamilton was condemned in 1527; he was the Bishop of Dunkeld, before whom a later martyr, Thomas Forret, Vicar of Dollar, was brought to trial. If Foxe's narrative be true, the bishop told the prisoner 'it was too much to preach every Sunday; that for himself he was not ordained to preach'; but that Forret might preach 'if he found a good gospel or epistle.' Then he proceeded, 'stoutly, I thank God that I never knew what the Old and the New Testament was; therefore, dear Thomas, I will know nothing

but my *Portuus* and my *Pontifical*. Go your way, and let be all these fantasies, for if ye persevere in these errors, ye will repent it when ye may not mend it.' He let Forret off, but the poor man was arrested a second time by order of Cardinal Beaton and burned on the Castlehill of Edinburgh.

Bishop Crichton lived to a great age, dying in 1543. As Abbot of Holyrood he presented to that church a superb eagle lectern of brass, which was carried off by the English under Hertford (afterwards the Protector Somerset), and is now preserved in the Parish Church of Verulam, near St. Albans.

5. The fifth Principal—whom the Faculty elected after Crichton's deposition—was Mr. John Goldsmith, Vicar of the churches of Eastwood and Cathcart, and Dean of the Faculty of Arts.

He had been long connected with the University—'incorporated,' *i.e.* matriculated, in 1465, a licentiate in 1469, a master in 1470, examining but not regenting. In 1477 he is first described as Vicar of Eastwood; to this Cathcart was added before 1486. Meanwhile he had been bursar, 1483, a procurator for the election of Rector, 1484, and Dean in 1485. He was again Dean in 1487, and he was Dean when he was appointed Principal. In 1490 he wears the style of Bachelor of Decrees, and is Rector of the University as well. As Rector he protests, in 1490, against new taxes imposed by the king, James IV., upon the University in contravention of its privileges. In 1497 the robes of the dons need renewal, or mending at the least, and the silver mace requires repair. This year Principal Goldsmith is again elected Rector, and he is described as 'Canon of Glasgow, created by apostolic authority'—by some intervention, is, of the Pope Alexander VI. He died soon after.

6. The next Principal, the sixth to hold the dignity, was Mr. Patrick Coventry, who was elected Principal Regent in 1498.

The earliest mention I find of Principal Coventry is in 1487, when he was 'incorporated' under the Rector, Mr. John Stewart; but incorporation must in this case mean more than matriculation, for he is already a teacher and an examiner. Next year he is a regent, and a procurator at the election of the Rector; and he confers the *magistralia insignia* on, among others, a Robert Blackadder,¹ whom one may guess to be a nephew of the Archbishop. In 1491 he is a Bachelor of Sacred Theology—the first time I have observed this degree mentioned in the records. In 1492 he

¹ He became prebendary of Cadder and founded a hospital in Glasgow.

is procurator of the Albany nation ; so he, too, in spite of his English surname, may be regarded as hailing from the northern parts of Scotland. In 1493 Coventry is Vice-Chancellor of the University in Principal Goldsmith's lifetime. He is now Vicar of Glencairn ; but he continues regenting. In 1498 he is also Rector of Garvald, and, as we have seen, is Principal Regent ; and he teaches as before.

In 1500 he receives from Mr. J. Spreul one mark, which Mr. William Stewart has bequeathed to buy therewith a 'silver tassie' for the college, which already, we discover, is the owner of six silver spoons. Two years later the bursar gets from him one mark for the placing of a new glass window in the gable of the canons' school ; and an inventory is taken of the utensils in the college kitchen. In the same year we find Masters of Arts proceeding to the degree of Bachelor, which, it is fair to infer, must be either in Law or in Divinity.

Under date 1507 there is a curious entry, bearing that the Principal obtains confirmation of his claim to have been duly made *Bacchalaris Biblicus* : 'after lectures and disputations according to the manner and custom of our University, under that eminent man Mr. William Cadyow, Professor of Sacred Theology in our schools, and in the presence of many prelates, lords, and masters.'

So far as I know there is no other record of this Professor Cadyow ; but the reference to him here seems evidence sufficient to establish the fact that teaching in divinity was carried on side by side with the work of the Faculty of Arts.

Principal Coventry stood up, as several of his successors¹ were to do, against encroachments by the ecclesiastical authority on what he regarded as the rights of the University. He protested against an attempt to drag priests who were members of the University before the 'chapter' of the rural dean, and he based his action on the plea that 'the late William, Bishop of Glasgow' (it must be the founder, Bishop William Turnbull, for there had been no other of the name since his day), 'had decided that the dean himself might be brought before the rector for transgressing the privileges of the University.'

Mr. Patrick Coventry is still Principal in 1509, when there is a gap in the *Munimenta* till 1535.

7. But in the twenty-six years where one important section of

¹ Notably Principal Stirling, in 1727, in case of Professor Simson, who was tried by the Church Courts for heresy.

the records fails us, we discover from the others that the most eminent by far of all our pre-Reformation Principals who held office was our seventh Principal, John Major.

Born in 1469, at Gleghornie, in East Lothian, and early attracting the notice of Archibald, Earl of Angus—the father of Gavin Douglas, the poet-Bishop of Dunkeld—he passed from the Grammar School of Haddington to Christ's College, Cambridge, and in 1493 to the University of Paris. There he had joined at first the College of S. Barbe, but he removed to Montaigne, which he calls 'his true nursing mother, never to be named without reverence.' He became famous as a teacher, graduated D.D., and then began to lecture on scholastic divinity at the Sorbonne.

His friend, Gavin Dunbar, the poet, tried to tempt him to Edinburgh in 1509, in vain; but in 1518 he was induced, probably by Archbishop James Beaton, to come to Glasgow, and this year we find him in the records: 'Egregius vir Magister Joannes Major, Doctor Parisiensis, Regens Principalis Collegii et Pedagogii Universitatis.'

To provide him with a stipend, he was made Vicar of Dunlop, and Canon (and Treasurer) of the Chapel Royal, Stirling.

His reputation had preceded him, and his arrival is the signal for a large increase in the number of matriculations. Conspicuous in the lists are wearers of the most illustrious names in southern Scotland, Hamilton and Douglas, Beaton and Seton, Campbell and Graham, Hume and Hepburn, Kennedy and Maxwell, Murray and Scott, Crichton, Crawford and Colquhoun. But numbers are one thing and order is another; and in 1522 there is a disagreeable entry, telling of misbehaviour and disobedience, even among the graduate members of the college, and of such conduct on the part of the students that it is necessary for one of the regents to accompany them when they go to mass at the Cathedral on Sundays and festivals, and to take a note of their names both when they enter and when they leave the sacred building. Major was not merely Principal this year; he combined with that office the two older dignities of Dean and Rector: bestowed upon him possibly that he might have fuller authority to subdue the turbulence. Moreover, since 1519 he had a new badge of office—a wand, or cane, tipped at both ends with silver, the gift in 1519 of Mr. Robert Maxwell, Chancellor of Moray and Canon of Glasgow, to be borne before the Rector, in lieu of the more important mace, when he went to church.

There were external adversaries in addition to these internal difficulties. Major has to appeal to the Regent—John, Duke of Albany, the governor and tutor of King James V. (then but a boy of ten); and he gets, at least, a letter from him addressed ‘To an honourable man, John Major, Professor of Theology, Treasurer of the Chapel Royal, Stirling, Vicar of Dunlop, and Principal Regent of the Pedagogy of Glasgow,’ in which Albany, after citing the privileges conferred on the University by King James II. and renewed by ‘our most noble father, King James III.,’ forbids any violation of these, or encroachments on them.

How far these troubles may have weighed with the Principal we know not; but in the same year, if he desired to leave, he got an opportunity of doing so. His patron, Archbishop James Beaton, was translated to St. Andrews; he had brought Major to Glasgow, and was doubtless no less willing to take him thence to the older and, at that time, greater University of his new see. Major went to St. Andrews, where he continued for three years to teach logic and theology; removing thence in 1525 to Paris, and returning again in 1531 to Scotland and St. Andrews, to die there in 1549.

Major—though as a historian critical and open-minded, freely discussing the character of rulers both in Church and State; patriotic to the core, and at the same time doing justice to England and the English, and strongly advocating the union of the kingdoms—was a zealous defender of the Romish Church against not only the cruder opinions of Wycliffe and Huss, but also against what he calls ‘the execrable heresy of Luther’; and he went so far as to approve of the burning of Patrick Hamilton. But there can be no doubt that the effect of his teaching was to prepare a large number of his students to embrace the Reformation; and when in 1534 he gave his judgment that the sermon of a certain friar who was charged with heresy was unobjectionable, it was considered a notable victory for the new opinions. For, as John Knox explains, ‘his word was then holden as an oracle in matters of religion.’

Patrick Hamilton is said to have been one of his students at Glasgow. I have not observed his name in the lists, but a ‘Joannes Knoxius’ who is enrolled under him in 1522 has been held, by M’Crie and David Laing, to be none other than the great reformer. Professor Cowan has raised some doubts upon the point; if it was John Knox, he was very probably attracted to the western University by the fame of

Major, and may have left when he did. Patrick Hamilton, it is stated, followed Major to St. Andrews, and George Buchanan (who would naturally have come to Glasgow from his native Killearn) went to St. Andrews to be under him.

The list of students in which Knox's name occurs contains the last mention in the *Munimenta* of Major's name: 'Dominum decanum Joannem Maiorem.'

And after him, though entries begin again in 1535 till 1557, I find no mention of a Principal. Two regents resident, Mr. Alexander Hamilton and Mr. Alexander Logan, seem for a time to preside alternately at graduations, and then the prominent name is that of Mr. John Houston,¹ a confirmed pluralist—'Vicar of Rutherglen, Vicar of Dunlop, and Vicar of Glasgow'—who is described as 'Regent of the Pedagogy,' but without the addition of Principalis.

8. The absence, however, of the title may be due rather to the scantiness of our records than to any actual abeyance of the office; and it is certain that, in 1557, just three years before the victory of the Reformed in the Scots Parliament, the office was held by one, therefore, whom I call the eighth Principal, John Davidson.

He, like Major, had studied at Paris, where he had as a fellow-student Quentin Kennedy, since 1547 Abbot of Crossraguel, 'one of the chief defenders of the Papal cause at the Reformation, and respected,' writes Dr. Sprott, 'by all parties for his ability and learning, his high character and exemplary life.' Kennedy and Davidson continued friends, and when, in 1558, the former published his 'Compendious Treatise, conform to the Scriptures of Almighty God, to Reason and Authority, declaring the nearest and only way to establish the Conscience of a Christian Man in all Matters which are in Debate concerning Religion,' the Principal presented a copy of the book to Archbishop James Beaton II.—a nephew of Cardinal David Beaton, and a grand nephew of Archbishop James Beaton I., the patron of John Major—who had been consecrated for Glasgow at Rome in 1552.

Quentin Kennedy's 'method' was to reform practical abuses—especially that 'abusion of the prelacies' which, since the days of James III., had filled the high places of the Church with men—or too frequently with boys—of 'merely secular ambition, whose manner of life savoured little of the clerical calling.' 'Give the Kirk,' he cried, 'her auld libertie, that a Bishop were freely

¹ Founder of the "Collegiate Church of S. Mary and S. Anne"—now the Tron Church, Glasgow.

chosen by his Chapter, the Abbot and the Prior by the Convent ; then should be qualified men in all the estates of the Kirk ; then should all heresies be stemmed, and the people well teachit.'

It is fair to Quentin Kennedy to add that he drew a distinction also between things appointed by the law of God—which could not be changed, and 'constitutions ecclesiastical' that may be abrogated by those in higher authority. So that he was by no means against all reformation.

How Archbishop Beaton received the treatise we are not told. Of all the Scottish prelates then living he was, perhaps, the one whose high character and practical ability might have enabled him, if not to rule the storm, yet in some degree to moderate it. But he was himself a product of the 'abusion' complained of : his very name associated him with the most glaring example of the evil which it wrought. Beaton, however, 'deemed it,' so says Bishop Keith, 'a more prudent course for the preservation of the acts and records of his Church [of Glasgow] to transport them out of the kingdom' ; his Church itself, and the University her daughter, he left to take care of themselves ! Yet in France, whither he fled, he lived to do good work for Scotland, acting for forty years as unpaid ambassador for Queen Mary and King James VI. The latter, in 1586, restored to him 'the heritages and dignities' of the Archbishopric 'without prejudice to the stipends of the parish ministers' on its lands ; and these he enjoyed till in April, 1603, he died, the last of the old hierarchy.

It is much to the credit of Principal Davidson that in the midst of the civil and religious strife which followed he managed to hold on and keep the ship of the University afloat. That he did so was due no doubt to his following the example of the great body of the Scottish clergy and joining the Reformers.

In 1560 Knox and his friends got their Confession of Faith 'authorised by the Scots Parliament as a doctrine grounded upon the Word of God,' and though their proposals regarding the polity and government of the Church set forth in their *First Book of Discipline* received no legal sanction, it must have been reassuring to men in Davidson's position to learn that (so far from objecting to universities) they had declared 'The [existing] Universities should be erected in this Realm, St. Andrews, Glasgow, and Aberdeen'—getting, I think they mean, of new, from the Sovereign of Scotland the powers they had previously exercised by commission from the Pope : moreover, that whereas the Universities had been previously maintained to a large extent by

revenues belonging to the several parishes, they should henceforth live by 'contributions made at the entry of the students for the upholding of the place,' and have a sufficient stipend 'ordained for every member of the University according to his degree.'

By 1563 Davidson had come so far round that he published a 'Confutation of [his old friend] Kennedy's Papistical Counsels.' Queen Mary, though she had never assented to the proceedings of the Parliament of 1560, was surprisingly impartial in her disposal of ecclesiastical property; and in the very year in which this confutation of her own religion was published, Davidson as Principal got a grant from her to the college of the 'Black Friars' Manse and Kirk-room,' which, lying as these subjects did immediately to south of their college, and on the same side of the High Street, constituted a very convenient and a very considerable addition to their ground and property. The Dominicans' chapel became their 'College Kirk,' its graveyard their burial-ground, and their chapter-house, which (as the *Munimenta* show) had been often lent to them before, became the meeting-place of the Faculty.

The two chief agents in spreading Reformation doctrines and in consolidating the Church as reformed in the west were the eloquent preacher, the ex-friar John Willock, and the able organizer Andrew Hay, parson of Renfrew. The latter was of the house of Yester, represented now by the Marquis of Tweeddale. Willock was Superintendent of the west, living when in Scotland in the Archbishop's Palace of Glasgow and drawing a handsome income; he soon became Rector of Loughborough in England, whence he came down to Scotland to be Moderator of four General Assemblies. Hay was always on the spot, and by their help Principal Davidson (though he was said to be no great scholar himself) was able to reorganize the University, and make it once more a flourishing school of letters. In 1569 he got, or got back, the chaplaincy of S. Michael in the High Church of Glasgow (a matter now rather of money than of duties, for the saying of private masses, for which it had been founded, had been made a crime); and in 1570 he was Vicar of Colmonell, at which he may, or may not, have made personal residence in the interval between the college terms.

Somewhere between this time and 1572 Davidson was appointed Minister of Hamilton. This was a charge which he could not neglect, and 'the opinion and practice' prevailing then, and for at least a hundred years later in Scotland (and, in the view of the

late Dr. Grub, 'not ill-founded'), being that 'the ministry was a function requiring even more preparation than a university appointment,' he resigned the Principalship. At Hamilton, Davidson had charge also of Dalserf, Dalryell, and Cambusnethan. In 1577 he 'admonished those inhabiting Hamilton Castle for riot, and told them he had seen in vision a great arm with bared sword, ready to smite it to the ground, and the very trees'—the crest of the Hamiltons—'surrounding it.' He was a member of the General Assembly of 1581, and from 1589 till his death in 1596 was a commissioner within the bounds of Clydesdale for the 'maintenance of the true religion.'

Since Principal Davidson's time, the following Principals have held the post :

1572	Peter Blackburn.
1574	Andrew Melville.
1580	Thomas Smeaton.
1586	Patrick Sharpe.
1615	Robert Boyd.
1622	John Cameron, D.D.
1626	John Strang, D.D.
1651	Robert Ramsay.
1653	Patrick Gillespie.
1661	Robert Baillie, D.D.
1662	Edward Wright.
1683	James Fall.
1690	William Dunlop.
1701	John Stirling.
1728	Neil Campbell.
1761	William Leechman, D.D.
1786	Archibald Davidson, D.D.
1803	William Taylor, D.D.
1823	Duncan M'Farlan, D.D.
1857	Thomas Barclay, D.D.
1873	John Caird, D.D.
1898	Robert Herbert Story, D.D.
1907	Sir Donald MacAlister, K.C.B.

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Early University Institutions at St. Andrews and Glasgow: A Comparative Study ¹

IN the year 1682, as we learn from the *Register of the Privy Council*, a sharp quarrel arose between the University of Glasgow and the Archbishop. One of the regents had declined to take the Test, and it was necessary to appoint a successor. The Archbishop was aware that the Masters proposed to elect a person whom he considered unsatisfactory, and he attempted by an exercise of his authority as Chancellor to postpone their meeting. The Rector, however, ignored him and proceeded to the election. In the course of subsequent debate a certain master 'most arrogantly' answered that he defied the Archbishop, who 'wes but ane extrinsic member,' and that 'the facultie wes of free meiting without the Chancelor.' The Archbishop rested his case upon a remarkable passage in the foundation bull of Nicholas V., to the effect that William, Bishop of Glasgow, and his successors should be *rectores cancellarii nuncupati*, and should exert over the members of the corporation a power similar to that which was wielded by the *rectores scholarum* at Bologna. He was, accordingly, not an 'extrinsic' but an 'intrinsic' member of the University, an *ex officio* president. The controversy was laid before the Privy Council in presence of the Duke of York as Lord High Commissioner, and it was found that the Archbishop had been 'wrongfully put from his possession of presiding as Chancellor.'

Of this decision there is no need to say anything more than that it was perfectly in accord with the general policy of the Council and the Duke of York. In 1680 Glasgow students had been seen wearing the blue riband of the Covenant; in 1681 the Test Act was passed; and 1682 was not the year in which to impair the prestige of episcopal authority. But there was some real justification for divergence of view regarding the position and powers of the Chancellor, and an examination of the matter may

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serve to reveal or explain certain peculiarities of the Glasgow foundation. In order to understand the difficulty it is necessary to have some conception of the associations which came to be connected with the names 'Rector' and 'Chancellor.'

In the early days of the University of Paris the office of Chancellor developed in quite a natural way. As a cathedral dignitary the Chancellor of Nôtre Dame, in the course of his duties, had the supervision of the schools, and enjoyed the right of granting license to teach. But when the masters grew more numerous and formed themselves into a guild, they were emboldened to assail the arbitrariness of his power by the simple method of refusing to receive into their fellowship licentiates of whom they did not approve; and in the year 1212 the Chancellor was positively compelled by papal authority to take account of their recommendations.

At Bologna the course of evolution was different. Here the University had municipal rather than ecclesiastical associations. Honorius III., who in 1212 curtailed the powers of the Chancellor at Paris in favour of the masters' guild, in 1219 deprived the doctors at Bologna of their right to give license and transferred it to the Archdeacon. Thus at Paris the ecclesiastical licensing authority was limited: at Bologna it was introduced; and, though a marked distinction remained between the two types of University, the object of the papal policy in both cases was to assert the interest of the Church without injury to the corporate vitality or the organic growth of these societies. From a more practical point of view, too, it was desirable to anticipate the abuses of monopoly by establishing a system of checks.

The equilibrium was delicate; but as the Chancellor was the nominee of an external authority, he could not be permitted to encroach upon autonomy or aspire to presidency. At Oxford a chancellorship was introduced, consistently with the papal scheme; and if the holder had proved to be merely the nominee of the Bishop of Lincoln, the diocesan, he would have occupied a position like that of his colleagues at Paris and Bologna. As it happened, however, the Oxford masters came to elect one of their own number, and thus secured an officer definitely intrinsic, whose presence naturally precluded the development of a rectorship.

The office of Rector, which came to express the corporate life of the academic body, was an institution for which we look most naturally to Bologna, where strangers had to combine in order

to protect themselves from injury and challenge the autocratic position of the municipal doctors. But there is another important consideration. Students of the Law who thronged to Bologna were older than the students of Arts who flocked to Paris. Nicholas V. himself, for instance, who granted the Glasgow bull, seems to have been about twenty-two years of age when he applied himself to his legal studies. It is not surprising, therefore, to find at Bologna, along with the rectorship, a type of constitution which has its centre of gravity in the students. The system of organisation by nations, too, had a more lively significance at Bologna than at Paris, where, though it was perhaps equally inevitable, it begins to wear that artificial aspect which characterised it in later and less celebrated foundations. The nations of our Scottish Universities must often appear to the student to be somewhat meaningless survivals till he reflects that time-honoured methods in such vital matters as elections to representative office were involved in the maintenance of the machinery.

If the nations were still natural at Paris the rectorship was essential. Any difference between Paris and Bologna in respect of this institution lay chiefly in the fact that at Bologna a comparatively mature body of students successfully asserted themselves against the city and its doctors, while at Paris it was the masters of arts, mature and immature, who were able to make their voice the voice of the University.

This feature of Paris had certain consequences which it is important to notice in approaching the foundation of the Scottish Universities. The most dignified figure in medieval academic society was the doctor of Theology, and if a college were being founded it would as a rule be natural to place a theologian at the head, because he represented the summit of attainment in learning. In the academic body, however, actual evolution determined that the elected Rector should be supreme. In taking their masterate of Arts men had sworn to obey the Rector to whatsoever estate they might come, and subsequent admission to a higher faculty could not annul the oath. This circumstance serves to explain a fact familiar to students of Scottish academic institutions, viz. that it was membership of the Faculty of Arts which brought a man into closest touch with the life of the University, and that this faculty cannot in practice be always distinguished very clearly from the University itself. It is true that in the early days of St. Andrews masters and scholars alike seem to have been admitted to a share in the general congregation; but the juvenile element

was little qualified to maintain its ground, and the Rector, though he was the elected head of the *universitas*, or corporation, and exercised a jurisdiction over all its members, became in reality the representative of the masters, some of whom were graduates in the higher faculties. The University assemblies were distinguished from those of the Faculty of Arts by the presence of regulars and others who owed no allegiance to the latter; but their numbers were not sufficient to override the views of the masters in questions of policy.

The initial extent of the franchise at St. Andrews and the influential position of the Bishop-Chancellor in Scotland are to be explained by reference to Canon Rashdall's remark that the Scottish model recalls features of the smaller French Universities. In these foundations there are several noticeable characteristics which mark a peculiar type of constitution.

A school which specialised in Law would naturally be affected by Italian, not Parisian usage; and regard for the student interest would be fostered by conscious imitation as well as by similarity of circumstance. These smaller French Universities, too, often owed much to the enterprise and care of the diocesans. This circumstance gave the local prelates, even when they were not Chancellors, a commanding place; and a Bishop-Chancellor would occupy *de facto* a much more influential position than a mere capitular dignitary invested with licensing authority. At Paris, again, the Rector was specially connected with the masters of the Faculty of Arts, and it was the Faculty of Arts which was divided by nations. This connection became anomalous in proportion as a rector was regarded as head of the *universitas* and was elected on a democratic franchise. As a logical result, observed in the German University of Prague, the Faculty of Arts fell into line with the other faculties and met under the presidency of its own dean.

Thus there was evolved in these French Universities a definite position for the Rector at the head of the body corporate, a tendency to make the franchise democratic, and an inevitable recognition of the paternal power of the Bishop or Bishop-Chancellor, whose authority and influence would be apt to vary according to the circumstances and the man.

It would be impossible to discuss the foundation documents of Glasgow without reference to those of St. Andrews. There is a marked difference between the two cases in the matter of procedure. At St. Andrews Bishop Wardlaw gave formal recognition

to a *universitas* or corporation which was already *de facto* in existence. He granted to the members immunity from customs within his regality : he promised to see the assise of bread and ale observed for them in the city : he defined the scope of the Rector's jurisdiction : he provided a machinery for the regulation of lodging rents : he permitted any beneficed person in the diocese to study at the University on condition that the service of the benefice did not suffer : he bestowed the privilege of free testament, and exemption from any burdens falling upon the citizens. This document was then submitted to Benedict XIII., who confirmed it in the fourth of the six bulls which were issued. Of the remaining bulls the first and second are of chief importance. By the first the *Universitas* became properly a *Studium Generale* : the Bishop of St. Andrews was empowered to give a license which should be *ubique docendi* ; and the rectorship was definitely recognised as an organ of government. The second bull extended Wardlaw's diocesan indult to all beneficed persons, permitting them to study in the University for ten years, and thereafter to continue teaching, with the usual safeguards for the maintenance of service.

At Glasgow Bishop Turnbull granted local privileges along similar lines—with important differences for which the reason will appear—but the grant was by several years subsequent to the single bull of Nicholas V. in 1450-51. That bull, after erecting the *Studium Generale*, proceeds in terms which it is advisable to translate closely. 'The doctors, masters, readers, and students therein are to be in enjoyment of all and sundry the privileges, liberties, distinctions, exemptions, and immunities granted by the Apostolic See or otherwise howsoever to the doctors, masters, and students in the *Studium* of our city of Bologna ; and the venerable our brother William, Bishop of Glasgow, and his successors for the time bishops of Glasgow are to be Rectors of the Glasgow *Studium* under the name 'Chancellors,' who are to hold in relation to the doctors, masters, scholars, and others of this University of study a faculty and power similar to that possessed by the Rectors of the schools in the *Studium* of Bologna.' The bull then proceeds to state that the Bishop has authority to examine and license suitable candidates, and that the license shall be *ubique docendi*. This passage has been all the more fruitful of misunderstanding because it is reinforced by a statement at the beginning of the minute-book of the Faculty of Arts. 'In the year 1451,' to translate again, 'the University of Glasgow was founded at the instance of his serene and illustrious highness James II., King of Scots, and at

the instance, and also by the labour and expense, of the most reverend father in Christ, William Turnbull, by the grace of God and the Apostolic See Bishop of Glasgow, after the fashion of the *Studium* and University of Bologna, with all its liberties and privileges, as is more authoritatively contained in the bull of erection and foundation.'

If, however, we search for detailed references to Bologna in the statutes and minutes the result is somewhat baffling. As regards dress, supports are to conform to Bologna practice 'as far as the usage of Scottish clerks permits'—a vague provision added to a regulation which came to Glasgow by way of St. Andrews. Teaching and hearing, again, are to be after the fashion of Bologna or Paris—which does not give an air of distinctiveness. In the Faculty of Arts there could be little opportunity to quote Bologna: the few precise references are chiefly to Cologne and Paris; and St. Andrews, which contributed liberally to the usage of this faculty, is politely ignored, if we except a brief minute regarding the remuneration desired by the Bedellus. The fact is that the precise mention of Bologna in the bull was in many ways as puzzling to the favoured recipients as it was flattering. The character of the foundation at Glasgow and the antecedents of the men who were associated at its inception made it exceedingly hard to realise the connection with a mother so distinguished and so distant.

Returning to the passage just quoted from the bull, we find that the Pope bestows upon the masters and students the privileges of Bologna. This is not a grant to the corporation as such, but to certain individual members. It is very remarkable that the bull does not expressly give any indulgence to beneficed persons to reside at the University such as was bestowed at St. Andrews, and later at Aberdeen; and there can scarcely be a doubt that the clause in question was intended to cover this important ground. Nicholas, in fact, was granting to members certain well understood rights which were of value to them in the face of ecclesiastical law, and was not thinking, so far, of internal organisation.

The succeeding clause does refer to the body corporate as such, but the language is so surprising that at first sight it raises a doubt as to whether it had been carefully considered. The bishops of Glasgow are to be 'Rectors' or 'Chancellors.' By itself that provision is not intelligible, and it becomes less obscure only after we are informed that the powers of the Chancellors are analogous to those exercised at Bologna by the *rectores scholarum*—or *rectores*

scholarium, as one is inclined to suspect may have been the reading in the original bull. Nicholas V. did not confirm a constitution, as Benedict XIII. did at the foundation of St. Andrews, and he may have desired to give Turnbull indisputable authority to proceed. But the most natural interpretation is to suppose that the Bishop was definitely intended to be head of the University, and that any subordinate jurisdiction should be derived from his own.

At the same time it should not be overlooked that the express reference to Bologna by Nicholas V. must have been in part a reflection of what was uppermost in his own mind. 'The pacification of the States of the Church,' says Pastor, 'the recovery of the city of Bologna, which had for centuries been deemed, after Rome, the brightest jewel in the temporal crown of the Popes, and, above all, the termination of the disastrous schism, were successes which won the just admiration of his contemporaries.' The ancient University was not by any means at the zenith of its reputation: it had on the contrary fallen into decay during the troubles of the last half-century. Only a few months before the Pope was called upon to create the University of Glasgow, he had sent to Bologna a legate of great ability, part of whose duty it was to resuscitate academic life. In the policy of Nicholas Rome was to be vindicated afresh as the centre of Christendom. The Jubilee had drawn crowds of pilgrims to the sacred city; an indulgence was about to be proclaimed *per totum orbem*; Bologna was restored. Even this Glasgow bull, directed to a corner of the world, betrayed the elation of the Pope, once student and then Bishop of Bologna, who was inaugurating a new era of imperial sway.

There are special considerations which support the view that Turnbull wished to keep his University well under control, and which serve to explain the demonstrable fact that the rectorship as created by him was an office of limited scope. At St. Andrews it had been found that the initial arrangement did not work well. The powers of the Rector in jurisdiction and the somewhat humiliating position of the city magistrates, who had to take oath annually before him to observe privileges, produced so much friction that in 1443, as we learn from the copy of an instrument lying among the burgh papers, Bishop Kennedy authorised a municipal deputation to visit the city of Cologne in order to ascertain the relations which subsisted there between town and gown. As a result the rectorial powers at St. Andrews were readjusted and considerably modified. A comparison of Wardlaw's original provisions, Kennedy's rearrangement of 1444, and Turn-

bull's grant of 1453, shows that the Bishop of Glasgow first of all adopted what may be called the non-controversial portions of Wardlaw's document *verbatim*, and then incorporated certain features of Kennedy's enactment evidently derived from the practice at Cologne. Turnbull was a graduate of St. Andrews, and could not fail to be interested in the history of the question, which it would be impossible to examine fully now.

In the early years of St. Andrews, again, academic life was enlivened by the rivalries of the masters and a general laxity of discipline. King James I. was not satisfied with the condition of affairs. In 1426, not long after his return from captivity in England, he petitioned the Pope to have the University transferred bodily to Perth, where it would be more immediately subject to the royal control. That there was protracted controversy is proved by the fact that the King did not confirm Wardlaw's charter of privilege till 1431-32, and interfered personally to see that certain new expedients were carried into effect. It is significant, too, that just when Turnbull was considering his projected foundation Kennedy at St. Andrews was contemplating a policy of unification and reform in which his College of St. Salvator was intended to bear an important part—a matter to which we shall have to return.

The express reference to Bologna in the Glasgow bull was perhaps connected, as Canon Rashdall has suggested, with the hope that a notable school of law would be developed. The superior education of churchmen, while it was of great advantage to the state, was not always equally fortunate in its reflex action upon themselves. To men of ambition legal studies held out obvious temptations. The doctorate in Theology could be gained only after many years of toil, and, dignified as was the position it offered, the tangible results, in Scotland at anyrate, were few when compared with those which could be obtained by men who devoted themselves to the more marketable knowledge of the Law. The tendency was European: in our own country it was so marked as to become of vital interest to the student of the Reformation.

This secular influence of the state upon education was not unconscious. Of the higher faculties at St. Andrews that of Theology is the only one which has left any very permanent traces of vigorous life. There was teaching in Law—possibly more than is generally suspected—and even in Medicine; but the fact that for some fifteen years after the foundation of the

University the Prior of the Monastery was regarded as *ex officio* Dean of the Faculty of Theology seems to show the impetus which the presence of the regulars gave to theological study. We may suppose that James I., when he proposed the removal to Perth, was thinking of the interests of state; and it is certain that, when he confirmed Wardlaw's grant of privilege, he strongly emphasised the secular and practical side of academic activity. James II.'s charter to Glasgow betrays a similar spirit. Though a hope is entertained that the faith will be defended, more stress is laid upon the expectation that the people will be 'corrected with the rod of equity and justice, complaints and quarrels be settled, and to each be rendered his due.' It is more than probable, indeed, that diocesan rivalry with St. Andrews was operative at Glasgow. There are traces in the table of fees and fines of some attempt to reduce expenses; and Glasgow succeeded in securing not a few men from the eastern diocese. St. Andrews, too, quite clearly responded to the stimulus of competition. At the same time it should not be forgotten that Elphinstone expected his University at Aberdeen to exert a civilising influence on the clergy of the north; and Turnbull must have hoped for similar results from a law school in the west. But the broad motive was doubtless national. It was intended that Glasgow should be strong where St. Andrews was comparatively weak.

If there could be any doubt that the provisions of the papal bull were calculated to place the Bishop at the head of the new foundation, that doubt would seem to be removed by observing a slight but obviously intentional difference in the wording of certain Arts statutes in the two Scottish Universities. In connection with occasions of ceremony the Rector is mentioned first at St. Andrews: at Glasgow the Chancellor's name has priority. It is true that in the preamble to their regulations for the Faculty of Arts the Glasgow men boasted the privileges of Bologna, *omnium universitatum liberrima*, an assertion which appears at first sight to conflict with the idea of episcopal domination. But Turnbull, it must be remembered, was the prime mover in the new enterprise, and he necessarily appeared in the character of a guardian. There was no word at Glasgow of Conservators, such as were appointed for the St. Andrews corporation by Benedict XIII. A few years of academic life, however, and the advent of Turnbull's successors put a new complexion upon 'freedom.' There was a distinct growth in the importance of the rectorship; and, if the jurisdiction was strengthened in 1461

without a struggle, events some twenty years later indicated that the founder's constitutional plan was breaking down. Bishop Laing died on January 11, 1482-83. Two days before his death the University congregation, with a somewhat callous opportunism, met to consider proposals by the Rector for the enactment of certain statutes. These regulations, which open the second volume of the printed *Munimenta*, are in their present form some thirty years later than the statutes of the Faculty of Arts; and they clearly affirm the importance of the Rector and evince a determination to assert his position.

Thus, if there was difference of design in the general framework of the two foundations at St. Andrews and Glasgow, the ultimate result, in this respect at least, was assimilation. Nor is the process difficult to explain. The preoccupations which increasingly diverted the attention of Scottish prelates from their proper business were not conducive to the maintenance of supervision. Delegation of function to a vice-chancellor at both Universities—and it began almost immediately at Glasgow—did not serve to magnify the office, and it drew attention to the duties which the Chancellor owed or neglected rather than to the rights which he might claim to exercise. It was not only, too, in regard to the relative positions of Rector and Chancellor that there was assimilation. The school of law which Turnbull projected was not permanently realised; Glasgow ultimately found itself in very much the same condition as St. Andrews, if we neglect certain internal differences connected with college organisation, and emerged as an Arts school in which a certain proportion of men prosecuted study in the higher faculties. In attempting to determine the academic influences which were actually operative at Glasgow, it becomes all the more important, therefore, to consider the original organisation of the Faculty of Arts.

If Mr. Cosmo Innes had been aware of the statutes of the Faculty of Arts at St. Andrews when he printed his excellent edition of the Glasgow muniments, many misconceptions would no doubt have been avoided. A very imperfect and careless copy of these statutes is all that survives at St. Andrews; another copy is extant among the Balcarres Papers in the Advocates' Library. Unhappily this collection of statutes does not belong to the pre-Reformation period. It stands as it was revised about the year 1570, 'copied *verbatim* from the old book and purged of vain and superstitious elements.' The preservation of even this pruned version seems to have been due to the order of a visiting Com-

mission; and when the Commission which sat a few years before the accession of Victoria called for evidence, the authorities at St. Andrews either overlooked the statutes altogether or more probably despaired of presenting them in an intelligible form. The regulations at Glasgow have furnished a key to many difficulties in the corrupt St. Andrews collection, and it is now possible not only to explain with some precision the indisputable influence which the first Scottish University exerted upon the second in the organisation of the Faculty of Arts, but also to see a reason for certain remarkable differences. Unfortunately no demonstrable source for the St. Andrews statutes has hitherto been revealed by search. To all appearance the influence of Paris was predominant; but an old and famous university is not so apt to put well-known practice on record, and it is not surprising, for instance, that the dependence of the St. Andrews Faculty of Theology upon Paris is proved by reference to Vienna, where the theologians avowedly followed the Parisian model. Probably the Arts statutes at St. Andrews were an adaptation of current usage at Paris to the special circumstances of the case. This assumption is supported by a minute of Faculty, which records that, when a code of laws was being framed in 1439, one of the masters produced a little book *De statutis et privilegiis studii Parisiensis*.

It is well known that when St. Andrews was founded Scotland and Spain alone adhered to the anti-Pope Benedict XIII., and that there was thus a strong motive to provide a university. It would be a great mistake, however, to assume that the foundation kept Scottish students at home. Doubtless an opportunity for study was afforded to men who could not have contemplated residence abroad; but many welcomed the chance of becoming bachelors or even masters at St. Andrews before they left the country to become students in the higher faculties at famous schools. Some, like Duncan Bunch, who had so much to do with the organisation of the Faculty of Arts at Glasgow, were enterprising enough to foresee future advantage from a good foreign degree in Arts, and passed straight to the continent.

The continued adherence of his country to Benedict XIII. had made it uncomfortable for the wandering Scottish student, and when the masters of St. Andrews in 1418 transferred obedience to Martin V. they must have looked for an improvement in academic communications. The change, however, did not maintain or restore the close relations with the great French University which had so powerfully influenced St. Andrews. The published

records of the English nation at Paris show that about 1420 the Scotsmen were disappearing, a fact which is easily attributed to the disturbed state of France at the time. To follow the course of student migration from Scotland during the forty years which separated the foundation of Glasgow from the foundation of St. Andrews would be both an arduous and an important investigation. For the immediate purpose, however, it is necessary to indicate but one line of academic intercourse, which has been overlooked by historians, and which is not of exclusively academic interest.

It was in 1443, as has been seen, that Bishop Kennedy authorised a deputation of St. Andrews citizens to ascertain the relations between town and gown as regulated at Cologne. This fact, significant in itself, is far from being isolated. The printed matriculation roll of Cologne reveals the striking coincidence that Scottish students began to appear at the University on the Rhine after 1420, just about the time when they had practically forsaken Paris. A glance at the map in Canon Rashdall's *Universities of Europe* shows that at this juncture the only continental University of standing north of Paris which could be reached by water was Cologne. Rostock, indeed, was founded in 1419; but, over and above the infancy of this school on the Baltic, the Scots were not in particularly good odour with the Hanse towns of the north. In this period a student would probably find it most convenient to ship on a vessel conveying goods to be delivered at Bruges in Flanders; and when Middelburg in Zealand entered into competition for the Scottish trade he would find even greater facilities for obtaining a cheap passage up the Rhine. By whatever route Cologne was reached, it is certain that Scots matriculated there steadily, if not in great numbers, most of them to study in Law and Theology, some to seek a degree in Arts. Canons of St. Andrews, Glasgow, and Aberdeen figure on the list. Certain of them, too, returned to teach in St. Andrews. John Aylmar, for instance, read Theology, and at home became Provost of St. Salvator's College and Dean of the Theological Faculty: Archibald Quhitelaw, one of the most accomplished Latin scholars in Scotland and afterwards royal secretary, went to Cologne for his Theology: the *Calendar of Papal Letters* informs us of Alexander Bowmacar, Canon of St. Andrews, who became Bachelor of Canon Law at the continental school and subsequently taught in his own city.

For our present purpose, however, the most interesting case is that of Duncan Bunch of the diocese of St. Andrews—possibly a

Perth lad, if we accept a hint from the *Register of the Great Seal*—who matriculated as an Arts student at Cologne, and who, if he did not actually travel with the St. Andrews deputation in 1443, at least made his way across in the same year. After taking his master's degree he returned home, and in 1448 was received into membership of the Faculty of Arts at St. Andrews. Bunch was incorporated at Glasgow in September 1451. At a meeting of the Faculty of Arts there in July 1452, the Dean ordered the draft statutes to be read aloud : and, after they had been discussed and approved, it was Master Duncan Bunch who was asked to inscribe them upon parchment. At the same time a list of the masters who confirmed the statutes was entered in the minutes. Of the eight mentioned seven had a significant academic history, so far as graduation in Arts is concerned. William Elphinstone, the Dean of Faculty, William Glendunwyn, Thomas Macguffo, and William Arthurle had the degree of St. Andrews :¹ David Narne and Thomas Cameron appear to have been masters of Paris : Duncan Bunch was a Cologne master received at St. Andrews.

Bunch was much younger than some of his colleagues who cooperated with him in drawing up the statutes ; but he was evidently regarded as a person of sufficient importance to have an influential voice in the organisation of the Faculty. That he enjoyed the confidence of Bishop Turnbull is proved by the fact that in 1454 he was deputed to act as Vice-Chancellor. Any doubt that he was mainly responsible for the drafting of the statutes would be immediately dispelled by a careful comparison with the regulations at St. Andrews, even though we possess these only in their post-Reformation shape. The mode of procedure is quite patent. Bunch had a copy of the St. Andrews statutes before him ; and he introduced *verbatim* or with slight alteration of phrase a number of provisions which did not clash with certain contemplated modifications of practice. Occasionally he changed the order, transferring rules from one title or section to another, or manipulating his materials so as to avoid obscurities and reiterations due to the fact that the collection in his hands had been confirmed only in 1439 and was partly the result of a process of accretion. The most notable divergence from St. Andrews was in the usages relating to graduation, and there Cologne was expressly laid under contribution.

It would be tedious to pursue a detailed comparison ; but one or two points are of special interest. A regent at St. Andrews

¹ Dr. Maitland Anderson kindly examined the St. Andrews lists.

was required to take' oath that he would not 'tout,' directly or indirectly, for the scholars belonging to others. The Glasgow oath of regency, which is obviously an abbreviation of the St. Andrews formula, omits any reference to this matter. The reason is easily seen. At St. Andrews great trouble had arisen from the practice of 'touting,' and it was found that regents were apt to curry favour with their pupils, to the serious detriment of discipline. The evil was connected with the number of rival 'pedagogies,' or houses of residence, kept by various masters. Bishop Wardlaw granted a tenement in South Street, that the Faculty might have a college, and Laurence of Lindores, the well-known *inquisitor hereticae pravitatis*, was placed in charge. A cure, however, was not effected, and the plan recommended or approved by James I. himself was that the Dean of Faculty should be empowered to visit the different houses once a week. Later, Bishop Kennedy reverted for a time to the policy of amalgamation; but the Pedagogy in South Street, which had been begun by Wardlaw as the College of St. John, and which was destined in the next century under the Beatons and John Hamilton to become the College of St. Mary, was not adopted as the foundation upon which to build. Instead Kennedy created his College of St. Salvador, and indicated a line of development which was followed by Prior Hepburn and Alexander Stewart when they established the College of St. Leonard. At Glasgow there was to be no opportunity for rivalry between regents. The Faculty found a place for its 'school' under the hospitable roof of the Dominicans, where a room was to be furnished with benches and the requisite 'chair.' At Paris the public schools were in the *Vicus Stramineus*, and the phrase *in vico* was applied technically to what took place there. So at St. Andrews the expression was connected with the building in South Street, which was the official centre of the Faculty and in which not only public acts were celebrated but public lectures were given, till the system of college lecturing divested the 'schools' of some of their importance. At Glasgow the place of the Friars Preachers was *in vico*; but undergraduate students, it is clear, were to reside together with the regents in one house, not in competitive halls, for in 1457 we find the regents asking the Faculty to aid them in paying off arrears of rent due for their Pedagogy. Thus the omission of the oath anent 'touting' is perfectly intelligible, and it is connected with a local development at Glasgow which has almost identified 'College' and 'University' in the popular mind.

With regard to the system of teaching in Arts adopted at Glasgow, we have very few explicit statements ; but clearly it had a close resemblance to usage at St. Andrews, and was confronted by similar problems. At Paris it had been an obligation upon the young masters, as they graduated, to give two years' *lectura* in the Faculty. As, however, room and opportunity could be found for only a fraction of them, the clause was deleted from the magisterial oath about the middle of this century. In the new foundation at St. Andrews the obligation naturally appeared vital. There was no immediate prospect of the college system, which subsequently killed public lecturing in the common schools, and the success of the University in all its faculties would depend very much upon keeping hold of graduates as teachers or advanced students. Yet in 1439 we find that the burden of instruction in Arts was being more and more devolved upon the official regents. Attempts to insist upon *lectura*, and the riotous outlay which attended the festive celebration of the magisterial act, induced a considerable proportion of the licentiates to decline the master's grade and so avoid exorbitant expense, the obligation to read, or the fine for default. We may suspect that the official preceptors were anxious for assistance in the unattractive task of dictating the prescribed books to pupils, and that the young masters who had no eye to regency were equally determined not to 'devil' for their seniors, if they had the prospect of anything better to do. It must be understood that the distinctively *college* system of teaching, which grew very rapidly with the development of printing, had not yet taken shape—the system whereby each regent took his 'class' or year through the whole course up to graduation. At present the regents exercised what may be called disciplinary and tutorial functions. Bishop Kennedy, for instance, when he legislated for St. Salvator's College, considered it sufficient to appoint two, one for the junior pupils, the other for those who had become bachelors. The public lectures took place *in vico*, and were delivered by masters of the Faculty, non-regent as well as regent. To avoid overlapping there was a meeting in the beginning of the academic year at which each lecturer in the order of seniority chose a book from the programme of degree work—a custom which still survives at St. Andrews in the formal presentation of a volume to the professor when he is installed. In theory this was excellent ; but it broke down in practice. Many of the resident non-regent masters were occupied with study or teaching in the higher faculties, and the system

turned upon the younger graduates. Hence *lectura* was a burning question at St. Andrews at the time when the University of Glasgow was founded. One obvious difficulty was the dearth of endowments. Kennedy sought to meet this by means of his College of St. Salvator; and we learn from Theiner's *Vetera Monumenta* that in order to subsidise students he persuaded Nicholas V., in 1450-51, to revoke in the diocese of St. Andrews all annexations of secular benefices to religious houses which had not as yet taken effect. It is probable, however, that juvenility was a prevalent defect among the available masters. The Glasgow men had no fresh expedient to suggest; and indeed it would appear that, in the pardonable desire to secure some of the discontented St. Andrews licentiates and attract students, they actually reduced the fine for non-compliance with the statute *De lectura*, and accelerated the tendency which was at work. The specified age for license at both Universities was about nineteen or twenty; but the rule was stated with so little precision, and dispensation was so readily contemplated, that it must have been greatly honoured in the breach. Young gentlemen who, as undergraduates, might be subjected to the most humiliating form of corporal punishment—*caligis ad hoc laxatis*—could not be promoted on a sudden to the dignity of the teacher's chair. After some experience the Glasgow authorities practically abandoned the demand for post-graduate *lectura* in Arts. In 1483, though they still insisted upon the two years, they spoke of them rather as a period for 'continuation of study.' It was desirable to secure the services of any who were really fit to teach; and it would be disastrous to drag down the statutory ages in the higher faculties. If Glasgow set out with a more ambitious programme of books for graduation than was exacted at St. Andrews, though our evidence for the fact is not conclusive, it is unlikely that the enterprise was successful.

The hand of Master Duncan Bunch, to return to the collection of statutes adopted by the Faculty at Glasgow, may be detected in connection with two special features. The *Quodlibeta*, or disputations of the masters in the public schools during the late autumn, were arranged and led by one of them as *Quodlibetarius*. At Paris this usage, which gave the undergraduates an opportunity to dispute, had fallen into abeyance, and in 1445 the Faculty of Arts decided that it should be resumed. The practice was introduced at Glasgow; and, though the model was 'Bologna or Cologne,' there can be little doubt that the latter was the real source. St.

Andrews, which hitherto seems to have neglected the institution, promptly responded to the challenge and appointed a *Quodlibetarius*.

The second feature was the obvious departure from St. Andrews usage in the conduct of examinations for degrees, emphasised by repeated reference to Cologne. Amid numerous technical details one point is of curious interest. The candidate for license at St. Andrews sat in his turn 'upon the blak stane,' as the phrase went in 1570, and 'was examinitt before ane tryer'; and this piece of local sandstone, shaped like the base of a pillar, is still preserved as a relic of antiquity, though it has ceased to be used. At Glasgow, however, it was provided that the examiners should try six or eight candidates at a time 'after the fashion of Cologne,' which Master Bunch would be able to describe. A 'black stone' examination was somehow introduced at Glasgow, and we hear of it first, apparently, about the middle of the seventeenth century. The probability is that the prescribed 'fashion of Cologne' was not the fashion of St. Andrews. Yet it is the University of Glasgow which now exhibits the survival of a ceremonial, as interesting as it is mysterious, which may be left for explanation in the hands of the learned and the ingenious.

On one occasion, not very many years ago, the late Sir Richard Jebb conveyed to the University of Bologna the filial congratulations of the University of Glasgow in the form of a Pindaric ode. The historian will find more difficulty than the poet in detecting the inherited lineaments which establish the daughter's claim to this august parentage. If something is detracted from mythical glory by the ungenerous hand of criticism, there is a compensating satisfaction in the consciousness that the rapid growth of our knowledge in recent times bids fair to leave us with results which are more intelligible, if colder. The suggestions only partially and tentatively put forward in this paper may perhaps serve to indicate certain lines of investigation which invite the patient student of our university institutions. The importance of the fifteenth century in Scottish history is a commonplace, as is also the scantiness of our materials. It is unfortunate that even yet any inquiry into our academic origins is hampered in so far as St. Andrews has not made her invaluable records accessible, and still withholds the spring from our year. Glasgow has long boasted an edition of her muniments on which she has often been congratulated; Aberdeen is in the same happy position: the continental schools have added liberally to our available stock of

information. To the history of the fifteenth century, and indeed of the movement which immediately preceded the Reformation, one of the most illuminating contributions would be a close and full comparative study of university affairs.

[Authorities :—Cosmo Innes, *Munimenta Universitatis Glasguensis* (Maitland Club); *Evidence of the University Commission*, Vol. III. (St. Andrews); Rashdall, *Universities of Europe in the Middle Ages*; Maitland Anderson, Articles on St. Andrews University in the *Scottish Historical Review*, Vols. III. and VIII.; Denifle and Chatelain, *Auctarium Universitatis Parisiensis*; Bianco, *Die alte Universität Köln*; *Die Matrikel der Universität Köln*; Davidson and Gray, *Scottish Staple at Veere*; Hannay, *Statutes of the Faculty of Arts and the Faculty of Theology at the Period of the Reformation* (St. Andrews University Publications, No. VII).]

R. K. HANNAY.

Scotstarvet's 'Trew Relation'¹

The bussinesse concerning the erle of Menteeth.

[Cap 2^d

NOTE.—Generally the text of this chapter here given appears to be considerably preferable to that edited by Sir Harris Nicolas in his *History of the Earldoms of Strathern, Monteith, and Airth*, 1842. Appen. xxiv.-liii.

HIS majestie having made Sir Wm. Alexander secretar for the Scots affairs and he having a desyre to bring in some of his confident freinds to be counsellors therby to strenghen himselffe at home named the E[rl]e of Menteeth but finding the king averse therfra by his letter he intreated Sir Joⁿ Scot to assist him in that purpose who having written in ane post script to the said secretary that he thought it was the fittest way to curbe the grandour of the present rulers to adde to that number some of the old nobility and make them counsellors therby to make an equilibrum in the estate naming Menteeth as a fitt persone for that charge quilk letter being shewne to his majesty he gave order to wryte to his counsell in Scotland to assume him in that number quilk acordingly was done and in the secretars letter to the erle he desyred him to give thanks to Sir John for his letter qherof his majestie tooke hold by whose counsell he was dyverse months governed and advysed to goe up to court himselffe and give his majesty thanks for his favour quilk having done and having gotten Sir Joⁿ his recommendator letter to his freind m^r Maxwell he was by master Maxwell broght in such credit with the duke of Buckingham that in few yearis he attained to great honour and cheife places qhen they altered or qhen they vaicked, was made lord cheif justice president of the counsell and ane of the lords of the session and exchecker. At his returne Sir Tho. Hope seing him so farre in favour with his majesty offered to him his service telling him that he behaved to be ruled only by

¹Continued from *Scottish Historical Review*, vol. xi. p. 191.

his counsell and quyt any farder communicating of affairs with Sir John qherupon in the counsell house they had some croce words and within some few dayis therafter he desyred the Erle of Buckcleuch at supper to tell Sir John that he sould breake his necke: the erle refused the message but sent him privatly word by m^r Laurence Scot the first day that he was admitted ane Lord of the session to beware of the erle qhom he fand to be his small freind, qho not long therafter by his credit with the king obtened ane warrand upon sinisterous information as now being made ane Lord of the session that he sould be removed from his place of secret counsell: the same day that he received the message from Buckcleugh he called to mynd that at his being in England he had caused coppie ane paper qhilk was given him by the E[rl]e of Seaforth contening ane breife information concerning the erledome of Straerne sent to the Erle of Tullibarne by Ja. Murray shewing that the king had wronged himselffe in granting that style to any subject qhilk paper he made the ground worke of his subsequent accusation.

The deduction of the present estate of the erledome of Stratherne.

When and in what kings tyme Stratherne was erected into an erledome I cannot perfytyly designe¹ always the first notable race of the erles therof was that of the Forteithes of the qhilk was Gilbert count palatin of Stratherne so called in an evident found in the abbay of Inchaffray about the year of Christ 1219 in the raigne of Alexander the 2nd to qhom his sone Melyse succeedit who was the last of that race. In there tymes the hail lands lying betwixt Crocem^cduff at Newburgh and the west end of Balqhidder in lengh the Ochell hills and the hills called Montes Grampii in bredth pertened to them either in property or tennend ryt. How that race fell from it I know not but after them I find there was one Maurice Murray E[rl]e of Stratherne two chartours granted to him at severall tymes of that erledome qhich stands in the register nether can I find how it fell from him and his posterity. I thinke he was sone to Androw Murray once governor of the kingdome. After him K[ing] Robert the 2d disponed this erledome to his sone David eldest of the three begotten in his marriage with Eufame Rosse daughter to the lord Rosse qherupon I find 4 chartours granted at severall tymes qherof the second is most ample daited at Perth the 3^d Julii the 2^d yeir of the said King

¹ On this see *Charters of Inchaffray Abbey* (Scottish History Soc.), 1908.

Robert his raigne qherby the said erledome is given to the said David as fully and freely as umqhill Malyse erle of Stratherne or any other erle had the samyn before with this addition that he and his airis sould hold in free regalitie *cum feodis et forisfacturis ac cum placitis quatuor punctorum coronæ* It is set doune in our Scots history that it was given to him *in feodum masculinum* that failyeing of airis maill it sould returne to the croune but none of the 4 chartours bears that condition nether is there any record therof in the register unlesse it hath bein shifted yet always it appeares to have bein so given seing his two brethren procreat of that marriage Walter erle of Athole and Alexander e[rle] of Buchan had there erledoms on that condition to them and there airis male qhilk failyeing to returne to the croune. This erle David died without airis maill leaving a daughter married to Patrick Grahme 2^d sone to the lord Grahme qho was slaine by Malcolme Drummond of Contraige leaving a sone Malisse from qhom King James the first finding the patrimony of the croune much impared recognosced the erledome be reason of the forsaid condition of tailzie giving to him the lands of Menteeth, qhilk he and his posteritie bruicked since till of late W^m erle of Menteeth intending to persew for his restitution to the erledome obtened his majesties favour for that effect and Licence to persew so farre as he might of Law, qhilk how daungerous and prejudiciall it is to his majestie the publick peace and state of the country if this erledome twice publickly annexed to the croune by parl^t be suffered to be evicted from the croune againe by Menteeth his pretence of right of succession to David erle of Stratherne, for better clearing qherof I most deduce a part of the Scots history.¹ Robert the 2^d in his youth and in the raigne of K[ing] David Bruce his uncle begat upon Elis[abeth] Mure daughter to sir Adam Mure 3 sones Joⁿ e[rle] of Carrick Robert e[rle] of Fife and Menteeth and Alexander e[rle] of Buchan He after married Eufame Rosse by qhom he had 2 sones David and Walter. After her deceis for several respects he married Elis[abeth] Mure his concubine and therby legittimatt her children begotten by her before his first marriage and left the eldest of them to succeed to him in the kingdome called Robert the 3^d qhilk bred a grudge envy and emulation in the other 2 sones procreat in the first marriage albeit they were gifted with the 2 best erledomes of the kingdome Stratherne and Athole. David lived not long but Walter per-seisted still in his conceived malice going about by all means to

¹ See *Exchequer Rolls*, iv. appendix on 'Stewart Genealogy,' pp. cliii.-cxcv.

cutt Elis[abeth] Mure her succession that he might attaine to the crowne himselffe: he counselled and assisted Robert e[rl]e of Fife to incarcerate and famish to death David duke of Rothsay eldest sone to Robert the 3^d, and if James the other brother had not bein sent away he had not escaped there malice who after 18 yeirs captivitie in England returning to Scotland Walter instigate him to behead Mordoch governor of the kingdome and his sone Walter, and thereafter intending a conspiracie against the king himselffe caused Robert Grahme and his oye put it in execution in the Carthusians house at Perth qhere they murdered the king pressing to eschew the suspition thereof himselffe in hope to be chosen governor to King James the 2^d and then to have found meanes to have despatched him also but being found guiltie of the treason he was execute therfor with his oye and Robert Grahme committer of the parricide by qhilk it appears how that succession of Eufame Rosse attempting to have the crowne raised up many seditions to cutt the succession of Elisabeth Mure

The reasons to move his majestie to discharge Menteeths intended persute of the erledome of Strather[n]e. [P. 10.]

1. Whither it sall be expedient for his majesty to promote the succession of Eufame Rosse to such an estate & power in the country as may give them occasion to thinke upon the kingdome upon any commotion alledging them as first lauffullie procreat in marriage to be wronged of there succession therintill

2. Whither it sall be an imputation to his majesties honour in restoring the erledome of Stratherne to the succession of Malis Grahme from qhom it was taken be K[ing] James the first a vertuous & just prince to be blotted with the aspersion of injury oppression and avarice and so to have bein justly slaine by Robert Grahme tutor to Melisse for usurping that erledome wrongously

3. Seing the erledome of Stratherne after recognition to the crowne was annexed therto be act of parl^t qhither it be expedient that these acts of annexation be reduced qhilk most be done before Menteeth attaine to this erledome

4. In the raigne of King Ja. 4 anno 1508 it was thought expedient by parl^t that the erledome of Stratherne sould be sett in few to the tennents then kyndly possessors therof for increase of policy & augmentation of the kings rental and soumes of money then payed to the king in composition for the fewes and since the fewes have payed there few dewties to the kings chalmerlains and fra age to age have payed compositions to the exchecker at

the entrie of airis, built houses planted yards parks woods & other policy serving there prince at all tymes as at Bannockburne with King Ja. 3d Floddon with King Ja. 4 and after at Pinky qhither then is it agreeable to justice that so many honest gentlemen could be ruined altogether in there estates if that erledome be againe separate and evicted from the Croune.

5. It is to be considered what diminution it will be to his majesties rent and obedience qhen so many lands and men shall be subjected to ane seing they will hold of him if he attaine therto, the erles of Montrose Perth Tullibarne the vicount of Dupplin the lord Madertie the lord of Glenorqhie Keirs Clennegies Duncrub etc.

6. It is to be remembered that King Ja. 6 would never grant the style of Stratherne to any subject farre lesse the erledome itselffe saying always to such as requested for it he had no more for the blood & slaughter of King James the first.

Therafter Sir Joⁿ perused the registers and drew furth a minut of qhatsumever gifts his lo[rds]hip had procured from his majestie at his entrie to be ane counsellor qhilk having communicate with Sir Ja. Skeene and Sir Arch^b Achesone conjunct secretar with Sir W^m Alexander he was advysed by them to crave the assistance of master Maxwell and Sir Robert Dalzell qho were his majesties servaunts then going from Scotland to court qho in no termes would ingadge till they had the e[rl]e of Haddingtouns opinion qho assured them that there would be no hazard in informing the king and that it would be good service to his majestie to informe him therof as followes :—

Menteeth having extracted some old wryts out of the castle renewed a pretence to the erledome of Stratherne and moved his majestie theranent that he might gett satisfaction for his said right qhilk he pretended therto and for that hes not only gotten 23,000. lib. stirl. and ane pension of 500. lib. stirling per annum for life but also hes gotten a new gift of a part of the said erledome as lykwise the king accepted from the said erle a renunciation of all right that he could pretend to that erledome as air to umqhill David e[rl]e of Stratherne in the qhilk he reserves his right of blood qhilk he declares he renunes nawayis, therafter he retoured himselffe generall air as he was bound be the renunciation to doe to the said David and last he procured ane new ratification fra his majestie under the great seale of his said blood, which thing being ry^ly considered it will be found that his majestie hes bein greatlie wronged in many things qhich if his majestie will put to tryall shall be sufficiently cleared.

Master Maxwell having shewen this paper to his majesty he immediatly sent back Sir Robert Dalzell post to Ed^r with ane paper subscribed with his awin hand of the tenor following—

Robin Dalzell qheras I have bein informed by yow and Ja. Maxwell that the grant of the erledome of Stratherne quich I have given is greatly prejudiciall to me both in honour and matter of state insomuch that he either hath or may serve himselfe air to King Robert the 2d Therefore (since [this] doth seeme to lay an heavie aspersion upon ane man qhom I both doe and will esteeme till I see evident cause in the contrair, he having done me many good services) I command yow to produce your authors that I may either punish them for this great aspersion or reward them for this good service in so important a discovery otherwise I most take James and yow for my authors judging yow as ye sall prove your allegations. Make haste in this for I most not suffer a bussines of this nature to hing long in suspence Whytehall 2 October 1632.

Sir Robert having come to Ed^r the 4 day convened these informers before Sir Tho. Nicolsone of Carnock Sir Lewis Stewart & m^r Andr. Aytoun qhere having laid before them the paper contening the queres desyring there answers therin Sir Thomas at the hearing of the first article red, rose up excusing himselfe that he would heare no more of that, swearing with a great oath that they would all be hanged qho were accessorie to that bussines or had hand in prosecuting that service and went instantly out of the house, the other two condescended to heare the questions and to give there judgments theranent under there hands quich they did upon his warrand subscribed by himselfe and the saids lawyers of quhilk the tenor followeth—

I Sir Robert Dalzell gentleman of his majesties privy chalmber as having warrand and direction from his majesty to produce my authors qho did informe me and Ja Maxwell of Innerwick one of his majesties bedchalmber that in there opinion his majestie may seeme prejudged in honour and state be the renunciation accepted from the e[rle] of Stratherne with the provisions and reservations therein contened service and retour qherby the said erle is served nearest air of blood to umqhill David erle of Straerne infestment of Orchat granted to the said erle and patent of honour qherin his majestie under his hand and seale hes agknowledged the said erle to be undoubted air of blood to the said umqhill David doe requyre yow in his majesties name Sir

Ja. Skeene of Curriehill president of the Session Sir Archb. Achisone of Clantairne secretar to his majesty Sir Joⁿ Scot of Scotstarbet director to his majesties chancellarie our authors of qhom the said James and I heard the samyn that seing his majesty hes directed me to take the advyse and opinion of Lawyers upon the premisses that ye will propone all such questions difficulties doubts & scruples that any of yow hes or can find in the wryts forsaidis circumstances consequences & dependances therof to the end his majestie may be resolved theranent qhilk undoubtedly his majestie will accept for good service for doing qherof these presents sall be to yow ane sufficient warrand Subscryved by me at Ed^r Nov^r 1632 before m^r Andr. Aytoun of Logie and master Lewis Stewart advocat Sic subscribitur Ro^t Dalzell Mr And. Aytoun Mr Lewis Stewart.

The propositions anent the erledome of Straerne. [P. 11.]

1. It is craved if a generall service of this erle of Straerne as air to David e[erle] of Straerne eldest lafull sone of the first marriage to K[ing] Robert the 2d be a sufficient title to the erledome itselffe qhilk he hath renuned in his majesties favours or gives to his majestie any better right than he had before. It is answered that the generall service of this erle of Straerne gives no right of the erledome of Straerne to the said erle and as to the renunciation granted to his majestie be the said erle it is of no effect and gives no right to his majestie seing the granter of the samyn had no right to the said erledome because the same was annexed to the croune by K[ing] Ja. 2d, since qhich tyme it hath bein continuallie bruicked be his majestie and his predecessors as there annexed propertie, bot by the contrair does weaken his majesties right in accepting a right from him and agknowledging a necessity of renunciation qhere there was no need.

2. It is demaunded if the granting of a new right by his majestie of the lordship of Orchat hes not wronged the king and all these who hes right from his majestie and his predecessors of any part of the said lo[rdship] It is answered that it hes wronged his majesty to give that away qhilk was his awin and qherunto the said erle had no right in respect of the annexation forsaid and also will wrong these qho have right from his majestie and his predecessors by continuall pleyis against them and denudeth his majestie both of property and tennendrie of the said lo[rdship].

3. It is requyred qhither the said erle may purchase himselffe

retoured and infest as nearest and lafull air to David erle of Straerne in the said erledome conforme to the clause obligator contened in the said renunciation. It is answered that the said erle can nowayis purchase himselffe to be infest in the said erledome because of the annexation of the same to the croune as said is.

4. Is it not boldnesse that the said erle sould have served himselff air of blood to David erle of Straerne eldest lafull sone of the first marriage to K[ing] Robert the 2d qherby he is put in degree of blood æquall to his majestie. It is answered in our judgment the boldnes seems too great.

5. It is craved that if the erle of Straerne may serve himselff air to K[ing] Robert the 2d seing he is alreadie served air to David erle of Straerne eldest sone to King Robert the 2d : it is answered that in our judgments if the cace were among subjects we see nothing in the contrare.

6. It is craved qhither the king is prejudged in honour and state by agknowledging the said erle to be undoubted air to David erle of Straerne and consequently to be in degree of blood æquall to his majestie It is answered that apparantly if his majesty had known the consequence of it for reason of state he would never have done it and it seems to us his majesties honour to be interested in agknowledging any subject to be equall in blood to himselffe.

Both quich being delyvered to Sir Robert Dalzell he returned the next day to court to give accompt to his majestie.

Traquair¹ fearing that the plot had bein against himselffe desyred my lord Durie to draw a meeting betwixt the said 3 informers and himselffe to dine and then shew them that he saw some great bussines brewing among them and only desyred to know if any of them had any quarrell against himselffe qherof they clearing that they had none in the midst of the dinner a servaunt in the outward roome came to speake with Traquair quich having done he returned demaunding if any of them had bussines at court seing he had spoken with one qho would carefullie delyver there letters the secretar and president suspecting nothing of the particular Sir Joⁿ Scot doubted that there purpose was discovered by Sir Tho. Nicolsone qho was cousin german to the kings advocate and that night Sir Joⁿ advysed with the e[rl]e of Haddingtoun and was counselled be him to ride up himselffe and carrie with him all the papers concerning that bussines seing the persons to qhom they had delyvered a part of them was illiterate and not

¹ John Stewart, first Earl of Traquair.

able to answer against such things as might be objected against these papers, quilk made Sir Joⁿ conveene Sir James and Sir Archbald and having gotten under there hands a paper giving him commission to repair to his majestie for clearing these matters contened in there papers obliging themselfs in there lifes and estates to stand to qhatsumever the said Sir John sould say to his majesty in that behalffe in there names and that instant night before ten of clocke within 3 days of Chrystmas rode that night to Diriltoun and the nixt morning tooke post at Cockburnspath and the 5 day came to Hampton Court qhare his majesty resided qho being broght in to the bed chalamber by m^r Maxwell he had a long conference with his majestie concerning the said matter and shew him the paper quilk he had caused m^r W^m Drummond of Hawthornedenne his brother in law wryte quich he desyred instantly to be red in his presence qherof the tenor¹ followeth—

‘It is to be considered if Henry the 6 K[ing] of England by his exceding favour in restoring blood and allowing the descent and title of Richard d[uke] of Yorke qho openly in parl^t therafter made clame for the croune² as his awin right wold if he could have reclaimed that approbation quilk established the dukes title The sone of Anna Mortimer qha came of Philippa daughter and sole heyre to Lyonel d[uke] of Clarence 3^d sone to Edward the 3^d was to be preferred in succession of the kingdome to the children of Joⁿ of Gaunt 4^t sone to King Edward: the lyke may be allegit in the title of the erle of Stratherne

‘The children of the first marriage by common law are to be preferred in succession to the children of the 2^d for the marrying of Elis[abeth] Mure did but legitimat and make her children succeed after the children of the first marriage. As for the au^{ty} of ane parl^t it is to be considered if the au^{ty} of parl^t may conferre and untaill a croune from the lauffull airis therof to the nixt apparant airis or if any oath given unto a king by mans law sould be performed qheras it tendeth to the suppressing of truth and right quich stands by the law of god than if one parl^t hath power to untaill a croune qhither may not another parl^t upon the lyke considerations restore the same to the ryteous airis. It is to be considered if a subject might safely capitulate with his prince that is to say give over and quytclayme all right and titill quilk he hath

¹ Cf. text as appearing in *Works of Wm. Drummond*, ed. 1711, pp. 129-131.

² Richard, third Duke of York, claimed the crown in 1460.

to his soveraignes crowne his right being sufficient and if by his capitulation his airis be bound and if it be honorabill for a prince to accept his conditions.

‘The trouble qhich Edward Ballioll sone to Joⁿ Ballioll raised in Scotland is yet recent in history¹ notwithstanding that his father had resigned to King Robert and his airis all the right and titill qhilk he and his airis had or might have to the crowne of Scotland and after resigned the same in favours of Edward king of England

‘It is to be considered if the pope the king of Spayne or France seeking occasion to trouble the state and peace of this iland sould entertaine ane of the airis of the erle of Straerne as queene Elis[abeth] did Antonio prior of Crato² qha claymed the crowne of Portugall; qhither they had not a fayre bridge to come over to this ile and trouble it.

‘It is to be considered if the navy sent by queene Katharin of Medices under the charge of Strossi & Brissac to the Terceraes ilands³ to purchase possession of the kingdome of Portugal as belonging to her as air to the [P.12] house of Boulogne be a descent of 2 or 300 yeirs might have bein justified by the sword if she had prevailed and it is fresh in all mens memorie qhat clayme was made by Philip the 2^d of Spayne for his daughter the infant to the crowne of France during the civil warres therof So the duke of Guise⁴ in the raigne of Henry the 3^d french king deducing his genealogy from Charles the great aspired to the crowne of France. Perkin Varbeck⁵ calling himself Richard d[uke] of Yorke aspired to the crowne of England

It is to be considered if queene Mary of England qha cutted off the head of la[dy] Jane Gray⁶ and q[ueene] Elisab[eth] qha did the same to Mary queene of Scotland⁷ her nixt kinswoman were living would have suffered any to enjoy the opinion of being nearer to the clame of there crounes then themselffs.

‘It is to be considered also if a subject serving himselfe air to a crowne indirectly and in crafty coloured termes notwithstanding of qhatsumever protestations in the contrair may be accused of hight

by the oversight of the prince & negligence

of his advocat

¹ Years 1332-1356.

² Antonio, claimant to the throne of Portugal, received and assisted in England in 1581.

³ This was the disastrous expedition to the Azores in Antonio’s interest in 1582.

⁴ Henry of Guise, 1550-1588.

⁵ ‘The Flemish Counterfeit,’ 1491-1499.

⁶ In 1554.

⁷ In 1587.

treason and qhither a prince may justly keepe under the race of such qhose aspiring thoughts dare soare so nigh a croune as they have bein kept these 200 yeirs by gone for reasone of state unlesse the prince exalt them to give them a more deadlie blow and extirpat them and there whole race suborning mercenary flatterers to make them aime above there reach *dum nesciunt distinguere inter summa et precipitia princeps quem persequitur honorat et extollit in altum ut lapsu graviore ruat.*'

Sir Robert Dalzell being present said that Menteeth was so insolent in his speaches that it could be proven be famous witnesses that he was heard say that [he] hed the reedest blood in Scotland meaning that he was nearest to the croune qherat the king seemed to be commoved dismissing them at that tyme, only m^r Maxwell is said to have heard his majesty say it was a sore matter that he could not love a man but they pulled him out of his armes

In this interim the purpose of Sir John his coming to court being divulged Mortoun & the chancellor consulting therabout agreed to doe there best endeavour to oppose him in that particular lest the lyke might happen to themselffs and understanding that Menteeth was come to Ware kepted intelligence with him & undertooke to free him from any hazard provyding he would undertake to deale with his majestie to gett Mortoun made knight of the garter qhilk he promised qherupon they dealt with his majestie to contemne such frivolous accusations notwithstanding qherof the king appoynted another dyet to heare Sir Joⁿ his farder accusations against Menteeth who shew to him certane quotations from history clearing that his majestie was abused both by his advocat Sir Tho Hope and the said erle and perswaded to give out great soumes of money to them both for making of a renunciation shewing his patent of honour extracted out of the chancellarie and his awin letters written for that effect of which the tenor followes—

To the Advocat.

After that we had conferred with our trustie and welbeloved cousin and counsellor the erle of Menteeth considering his titill & right of the erldome of Straerne in that qhich doth particularly concerne us as ye wrote unto us to be of such importance that it is not fitt for us to neglect the same seing he hath willingly sub-

mitted himselfe to us to be disposed upon as we please in all these lands belonging therunto that are of our propertie we desyre to be secured of the same leaving him to prosecute his right against all others for all other lands quilk he can justly clayme be vertue therof Our pleasure is that ye draw up ane surrender of all Lands of our propertie comprehended within his erledome to be signed by him or any other or any such right as ye sall thinke requisite for our suretie to be registrat for that effect and as after dew consideration we intend to give him reasonable satisfaction for the same so we are willing that ye assist him in his other actions so farre as ye can lauffullie doe. We bid yow farewell. At Hampton Court 29 Sept. 1629

To the erle of Menteeth.

Wheras ye are willing to surrender up unto us your right of all these lands that are of our propertie Lyand within the erledome of Straerne we have written to our advocat to draw up ane surrender of all them that are contened within your erledome to be signed be yow Leaving yow to prosecute your right against all uthers for all other Lands qherunto ye can justly clayme right and as yow have freelie submitted yourselffe unto us to be disposed upon as we please in all these Lands that are of our propertie so we intend after dew consideration to give yow a reasonable satisfaction for the same and have willed our advocat to assist yow in all your other actions so farre as he can lauffullie doe so we bid yow farewell etc.

To the clerke register.

Trustie and well beloved counsellor qheras our right well beloved cousin and counsellor the erle of Menteeth president of our counsell is for some important considerations knowne unto us to search for some wryts amongst our evidents & rolls qherof ye have the charge Our pleasure is that ye to that purpose make patent to him what records evidents or wryts qhatsumever ye have in your custodie & charge within our castle of Ed^r or elsewhere and that ye give unto him such therof as sall be found be our advocate to concerne the purpose for quich we have granted unto him this licence together with any extracts that they to this effect sall requyre and this salbe your warrand, Dated at Whitehall 9 Nov^r 1629

'Trew Relation'

To the advocat.

Wheras we have both heard and found by experience your affection for furthering of our service since your entrie therto since qhich tyme the estate of our affairis hes requyred in your charge great paynes and trouble but understanding the estate of our coffers to be such at this tyme that no money can be conveniently payed by us yet we intend to give unto yow the soume of 2000 lib. stirlin so soone as we can conveniently doe ye same qherof we have thocht good hereby to give you notice so expecting from tyme to tyme ye will continue as ye have begun to advance our service in your hands we bid yow farewell 9 Nov^r 1629

(To be continued.)

Reviews of Books

1. A BIBLIOGRAPHY OF THE BOOK OF COMMON ORDER AND PSALM BOOK OF THE CHURCH OF SCOTLAND, 1556-1644. By William Cowan. Forty copies reprinted for sale from the publications of the Edinburgh Bibliographical Society. 4to. 1913. 21s.
2. LISTS OF FIFTEENTH CENTURY BOOKS IN EDINBURGH LIBRARIES. By members of the Edinburgh Bibliographical Society. Fifty copies reprinted for sale. 4to. 1913. 12s. 6d.

IN occasionally reprinting for sale contributions to its transactions the Edinburgh Bibliographical Society does well. It appears to be matter for consideration whether it ought not to do better, by reprinting—for sale or otherwise—more frequently. The two latest of its reprints are welcome; we trust they may shortly be followed by others.

Mr. William Cowan is well known as book collector and as bibliographer, and his contributions to the meetings of the Society of which he is a distinguished member are both informative and authoritative. In the introductory notes to his latest contribution Mr. Cowan tells briefly the history of the origin and the growth of the *Book of Common Order*, the authorised manual for public worship in the Church of Scotland from the Reformation until 1645. Information concerning the *Book* is to be found in many works dealing with the history of the Church in Scotland; Mr. Cowan set out to give, for the first time, bibliographical particulars of all the editions of the work that were printed before it was superseded by the *Westminster Directory*. That, as it turned out, was impossible. Certain editions have not been found to exist in even one example, while others are known to survive in only one copy, and that copy imperfect—illustrating how difficult is the preparation of a bibliography of books printed even so late as the seventeenth century. Now that these facts are stated in print, copies of some of the editions referred to may come to light: that, at least, has happened before and will doubtless occur again.

Popularly known as *Knox's Liturgy* and as the *Psalm Book*, the *Book of Common Order* was first printed by John Crespin at Geneva in 1556. The earliest edition printed in our country was that of 1562, from the press of Lekprevik; and editions came subsequently from the presses of Bassandyne, Charteris, Hart, Raban and others. The last edition printed before the *Liturgy* was superseded by the *Directory* was that of Evan Tyler (1644). Mr. Cowan enumerates seventy editions of the *Book*, and to his collations adds a wealth of notes that makes his bibliography of an important and interesting Scottish volume one of the most scholarly and valuable contributions to scientific Scottish bibliography.

298 Salmon: Borrowstounness and District

In view of the fact that there are no Scottish incunabula, and that other branches of our bibliography wait attention, it is surprising that so much consideration should be given in Scotland to fifteenth-century-printed books. The late Mr. J. P. Edmond, when President of Edinburgh Bibliographical Society, advocated the desirability of registering all the incunabula in the 'great libraries' of Scotland; and the Society has made a beginning with the lists for Edinburgh, though it has not limited itself to the 'great' libraries of the capital.

The arrangement of the work is not the ideal one, for the lists are printed separately, instead of being incorporated in one, with references to the location of copies. An eleven-page index of names of towns, of printers, of authors, and of titles of books makes reference easy, however. Each list is arranged topographically—by countries, beginning of course with Germany; and by towns, under each country—the specimens of the handiwork of each printer being grouped under his name. References to Proctor, Hain, Copinger, and the others are given throughout the volume.

A summary of the several lists shows that in the eleven Edinburgh public or semi-public libraries there are some 792 works that were printed before 1500. The University Library leads the way with 266 items; the Advocates' Library is close behind with 241; the Signet Library has half that number. The capital city boasts of a 'Mazarin' Bible—it might well have been indexed at M., by the way—and of fourteen 'fifteeners' printed in England: only one of them—Higden's *Polychronicon*—is from the press of Caxton, and even that is a very imperfect copy. The Hunterian Museum alone contains half as many 'fifteeners' as these eleven libraries in Edinburgh together can show, and no fewer than thirteen of these are Caxtons. It is on an occasion such as this that we are best able to appreciate William Hunter's great work and Glasgow's great good fortune. J. C. EWING.

BORROWSTOUNNESS AND DISTRICT, BEING HISTORICAL SKETCHES OF KINNEIL, CARRIDEN, AND BO'NESS, c. 1550-1850. By Thomas James Salmon: with illustrations and maps. 8vo. Pp. xi, 476. Edinburgh: William Hodge & Co. 1913. 6s. net.

THE local historian is a person to be encouraged. He may often be deficient in a sense of proportion and more often be a chronicler of very small beer, but his efforts are not on that account to be despised: on the contrary it is just this small beer which escapes the notice of the more general writer, but which often throws a vivid light on the manners and customs of bygone times.

Mr. Salmon, it may at once be said, is a favourable specimen of his class, and has written a book which deals with his subject in a most careful and painstaking way. He professes to begin his story about 1550, but in reality he gives us a glimpse of the district from early Roman times, though the town of Bo'ness itself did not exist before the middle of the sixteenth century. Mr. Salmon says that we begin to get traces of it about the end of the sixteenth century and beginning of the seventeenth, but there is mention of it long before that time. It was a coal port at least as early as 1547, as in the Lord Treasurer's accounts there is an entry of a payment

to 'Maister Johnne Forsytht' to provide boats to bring coals from Borrowstounness to Leith for the Castle of Edinburgh, and the ferrymen of the place were frequently employed during the regency of Arran to convey soldiers and munitions of war across the Forth for public purposes.

The village of Kinneil was the predecessor of the present town, and the mansion house of Kinneil belonged to the Hamiltons. Arran himself inhabited it, and there are various entries in the Lord Treasurer's accounts relating to it. The governor's children were carried there in a boat in August 1546, and in December his wife went from St. Andrews to the house. The governor, too, spent considerable sums of the public money in repairing and furnishing the place. Kinneil was not the only place in the district which belonged to a Hamilton family. The Grange, originally a possession of the Abbey of Culross, was also a Hamilton domicile: they inhabited it till 1750, when it passed into other hands, being ultimately acquired in 1788 by William Caddell, the first manager of the Carron Company, a man of much activity and enterprise, who developed the coal and salt industries to a large extent. The manufacture of salt, however, is now a thing of the past at Borrowstounness.

Carriden, one of the most important places in the locality, was also originally in part the property of the Church, but these and other lands which have from time to time been added to them have gone through the hands of many proprietors, no less than thirteen families having at one period or another been in possession of the lands. There is a long and interesting account of the parish from the pen of the minister in an appendix. There was a church built at Borrowstounness in 1638, but it did not attain to the dignity of a parish till 1649, when Parliament separated it from Kinneil, and at the same time created a body which came to be called in a few years the 'Representatives,' with power to tax the parishioners for providing a yearly stipend of 800 merks for the minister. In 1669 the church and parish of Kinneil were suppressed, and the two parishes were united. This probably gave the Representatives more to do, but they proved themselves equal to the task, and they governed the ecclesiastical finance of the parish for many years without any disturbance. It was inevitable, however, that a body of this kind could not carry on indefinitely without getting into trouble at some period of its career, and in 1761 they were plunged into a litigation, the details of which are minutely given by Mr. Salmon, which lasted eight years, and it was not the only one. But the Representatives still continue as an active body, and the ministers' ordinary stipend is apparently considerably augmented from the revenue of property in their lands, which has increased in value from the time at which they first acquired it.

There is another curious body in Bo'ness of a municipal, not ecclesiastical type. They are not nearly so old as the Representatives, but they are important enough to have a considerable proportion of the volume devoted to them. In 1744 the municipal government of the town commenced by the establishment of a body of Trustees, with power to levy a duty of two pennies Scots on every pint of ale or beer which should be brewed or sold in the town, for the purpose of repairing and improving the harbour.

Originally styled the Trustees for the two pennies, they exist now under a much more commonplace appellation, and they no longer tax the beer of the inhabitants of the Burgh, that duty being reserved for the Chancellor of the Exchequer. Like most similar bodies they had not their troubles to seek, and their history is punctuated by 'excursions and alarms' of various kinds. They seem, however, to have performed their duty creditably enough and in a straightforward manner which might be imitated with advantage. This, for instance, is how they reported on the sanitary conditions of the town in 1844:—'Gardner's Land, horrid: Slidry Stane, a noxious drain: Marshall's property, horrid: Robertson's Dughill, disgusting,' and so on.

Bo'ness has produced both witches and 'martyrs,' the latter in the form of Covenanters, who suffered for their belief, and they were the progenitors of a small and obscure sect of fanatics called Gibbites, who condemned everything as wrong both in Church and State. It is pleasanter to turn from these to the chapter devoted to more distinguished and eminently saner persons who have been connected with the district. Of these the best known are perhaps Col. James Gardiner, the hero of Prestonpans, who was born at Burnfoot, Carriden, and James Watt, who, though not a native of the place, constructed his first engine, not to his own satisfaction, at the Carron works. Professor Dugald Stewart also is included in the list on the ground of having lived at Kinneil House for the last twenty years of his life.

There are many other interesting facts in the history of Bo'ness which are chronicled in this volume. The author has performed his task with praiseworthy accuracy and in great detail, and his work is sure of being appreciated by all who take an interest in what is now a thriving and prosperous burgh. The volume has many interesting illustrations, not the least curious of which is a very quaint portrait of Captain Donald Potter, a retired naval officer who came to live at Bo'ness in 1814, and who had a relic of Admiral Howe's great victory over the French fleet in 1794 in the shape of a cannon ball, which, according to his instructions, was to be built into his tombstone after his death.

J. BALFOUR PAUL.

A CALENDAR OF THE COURT MINUTES OF THE EAST INDIA COMPANY, 1650-1654. By Ethel Brine Sainsbury. With an Introduction and Notes by W. Foster, C.I.E. Pp. xxxii, 404. Demy 8vo. Oxford: Clarendon Press. 1913. 12s. 6d. net.

IT is satisfactory that the valuable series of the Court Minutes of the East India Company is making progress, since each additional volume adds to the usefulness of those which have already appeared. Thus, in the present issue, further information is obtainable concerning the means adopted by the Company to secure some payment on account of the forced loan on pepper which had been demanded from it by Charles I. in 1640. The settlement of the claims against the Dutch Company go back to disputes dating from the reign of James I. While there is much that links this period with the past there are also indications of future developments, perhaps the most important of which was the idea of territorial acquisition in India in the

form of 'a nationall interest in some towns in India'—a scheme which Cromwell was said to favour. However, both in the state of the English money market at the time and in the internal condition of the Company, an idea of this kind could be little more than a dream. The union with Courteen's Association, as well as the change in the proprietary through politics, involved many cross currents of opinion amongst the stockholders, the most important of which was the proposal to abandon the joint-stock form of organisation and to adopt the regulated one. Thus there was a dispute within the Company which anticipated that between it and the Levant Company thirty years later. Moreover, the attitude of the State to the Company was not defined. All through the period covered by this volume there was considerable doubt as to whether the monopoly would be recognised. Added to all this, there were the uncertainties of the Dutch and Spanish Wars, in the first of which the Company lost a number of ships, so that, altogether, the position of the governor and committees were beset by many anxieties. All these difficulties and the measures adopted in dealing with them are recorded in the minutes and memoranda of the Company, which present a vivid picture of the internal history of the adventurers during a time of great stress and financial difficulty.

W. R. SCOTT.

A HISTORICAL GEOGRAPHY OF THE BRITISH COLONIES. By Sir C. P. Lucas, K.C.B., K.C.M.G. Vol. III. WEST AFRICA. Third Edition, revised to the end of 1912 by A. Berriedale Keith, D.C.L. Pp. 427. With five Maps. Vol. IV. SOUTH AFRICA. New Edition. Parts I. and III. History to 1895. Pp. viii, 331. With fifteen Maps. Crown 8vo. Oxford: Clarendon Press. 1913. Vol. III., 8s. 6d.; Vol. IV., 6s. 6d.

THE third edition of Sir Charles Lucas' standard work, now in course of publication, has been revised and enlarged to include the history of our West and South African possessions to the end of 1912. The main interest of the new volume on West Africa lies therefore in the additional chapters in Volume III., which deal with the progress of the various colonies and protectorates during the opening years of the twentieth century.

Nigeria, as the largest dependency, naturally claims the fullest treatment, and the story of the annexation and pacification of the vast region between the Niger and Lake Chad is well and clearly told. The difficulties of the young administration are carefully recounted, and the efforts which have been made to preserve to the natives the forms at least of pre-British government are sympathetically detailed. The success which of recent years has attended the new policy of working through the natives in judicial matters as well as in administration and taxation, is justly claimed as new and positive proof of that conspicuous ability of the British as a ruling race which has hitherto been exemplified mainly in our Indian possessions.

The triumphs of the British administration in Northern Nigeria in settling equitably the land question and the problem of domestic slavery are curiously in contrast, however, with the inefficient steps taken by the

local government to curtail the liquor traffic in Southern Nigeria. The author quotes the conclusions of the Liquor Committee (1909) as 'hardly open to any serious criticism.' The findings of that Committee, however, were obviously dictated by considerations of revenue, and are contrary not only to humanitarian principles and to the expressed desire of the more enlightened native chiefs, but also to the whole tendency of legislation in South Africa, where the natives are in a similar, if not a higher stage of culture. Some reference to the South African liquor laws (*v.* Vol. IV., part iii., p. 39) might at least have been made in stating the case for the continuance of the liquor traffic in West Africa.

Of Volume IV., part i., now issued, is a reprint with corrections of the second edition, and brings the history of South Africa down to 1895. The second part of the new edition now in course of preparation will carry on the history of South Africa to the present day. The third part, now issued, deals with the historical geography, economics, and government of British South Africa, and includes for the first time a separate account of Swaziland and Northern Rhodesia. The chapters on the various territories have in each case been brought up to date, with trade statistics for 1911. The main interest of the new edition, however, centres in the four chapters which are devoted to a summary of the affairs of the Union of South Africa. An interesting historical account is given of the native land question and of the various attempts that have been made by the various states to find a solution. One notes with satisfaction that the Union Government has recently (1913) introduced important changes into the law of land tenure, has scheduled large areas of land for native occupation, and will in due course assign the rest of the land either as native or non-native areas. The native will enjoy his fullest rights within the native areas, and will be discouraged from settling in non-native areas. It has been found impossible to revive in a satisfactory form the ancient native communal system of land tenure, and the individual native may now become permanent owner of his land on terms which vary somewhat in the different reserves.

But while the native land question thus appears to be within sight of at least temporary settlement, there remain the two important problems of the native labour supply and the position of Asiatics. The author does not disguise the ominous aspect of these questions in a land where Europeans are much in a minority and to which emigration cannot at present be encouraged. It can only be hoped that the Union Government may in time achieve as satisfactory a settlement of these problems as it appears to have done in the case of native and European lands.

J. D. FALCONER.

ANCIENT TOWN-PLANNING. By F. Haverfield. Pp. 152. With Frontispiece and thirty-six Illustrations. Demy 8vo. Oxford: Clarendon Press. 1913. 6s. net.

MODERN social reformers may be a little surprised to have it suggested that they can learn anything from students of ancient history. But the town-planning enthusiasts who are wise enough to possess themselves of this

volume will find that Professor Haverfield has a great deal that is interesting to teach them. Written in a direct and incisive style, the book brings together all the relevant evidence from Babylonian down to late Roman times. The facts are scattered and fragmentary in the extreme, but under skilful handling they are so arranged as to produce a picture that is well worth studying carefully.

Professor Haverfield does wisely in laying stress on the enormous difference between the problems that the ancient town-planners had to deal with and those which confront their twentieth-century successors. With it all, however, the analogies are sufficiently close to render this compact body of information profitable for doctrine and for instruction, if not sometimes also for reproof.

The illustrations, like the facts, have been collected from many sources, and the whole volume has obviously involved an amount of scholarly research that bears no sort of relation to its size. The type and general 'get-up' are excellent, except that the index treads on the heels of the text with a haste that is positively indecent.

GEORGE MACDONALD.

THE NORTHERN HIGHLANDS IN THE NINETEENTH CENTURY. Newspaper Index and Annals (from the *Inverness Courier*). Vol. III.—1842 to 1856. By James Barron. Pp. li, 420. 4to. Inverness: Robert Carruthers & Sons. 1913.

INVERNESS is specially fortunate in its chroniclers. Mr. Evan M. Barron's *Inverness in the Fifteenth Century*, published in 1906, gave an excellent although necessarily succinct account of the chief events and the social conditions of the capital of the North during the period indicated. Thereafter there appeared, in 1911, Mr. William Mackay's *Life in Inverness in the Sixteenth Century*, a work which displays careful research, scholarship, and literary skill. The book now under review is the third of a series compiled by Mr. James Barron, largely from the columns of the *Inverness Courier*, wherein is presented 'something like a continuous history of the Northern Highlands' during the period 1800-1856.

The great bulk of the present volume consists of an Index to the *Inverness Courier*, in which all the noteworthy events of the period are summarised. In addition, however, three very interesting contributions form an Appendix. The first is 'The Letter-Book of an Inverness Merchant, 1745-46,' which Dr. Carruthers printed in the *Courier* of August, 1846. 'The plodding, money-getting style of the letters,' observes the editor, 'in the midst of all the excitement of the Forty-five, makes Duncan Grant seem like a Bailie Nicol Jarvie in the Highlands,' as indeed he was, but without the charm of the Bailie. Not less interesting is the next item, the journal of an English man-servant, who accompanied his mistress, the widow of a Major Macleod, and her children, on a visit to the Major's brother, who lived at the farm of Arnisdale, on Loch Hourn, in the spring of 1782. Note may be taken of the fact that he explained Loch Hourn to mean 'Hell's Loch,' which is the generally accepted translation. An eminent authority on Gaelic place-names, however, in reviewing Mr. Scott Moncrieff Penney's *Handbook for Travellers in Scotland* (*Scottish*

Geographical Magazine, Feb. 1914), takes a different view, asserting that 'only an editor of ultra-Calvinistic principles would translate Loch Hourne as the loch of hell, because the word really means a kiln or furnace.' The third item in the Appendix is a report of the condition of the Highlands in 1791, issued by the Society for Propagating Christian Knowledge.

The very informative Introduction by Mr. Barron, of some forty pages, adds much to the value of the book.

DAVID MACRITCHIE.

A NATIONAL SYSTEM OF EDUCATION. By John Howard Whitehouse, M.P. Pp. 92. Demy 8vo. Cambridge: University Press. 1913. 2s. 6d. net.

As most people are aware, another attempt is to be made to put the English educational system on a better footing. Unfortunately all such attempts get entangled in the maze of party politics, which find their way into schools of all kinds, training colleges, and elsewhere. Hence it is that rival manifestoes have made their appearance, and that innocent seekers after truth have to be on their guard when reading very recent books and pamphlets on education. At the same time, Mr. Whitehouse has given, in moderate compass and with conspicuous fairness of tone, an excellent summary of the leading educational issues in England: his book cannot be ignored by whoever wishes to be an intelligent onlooker at the impending conflict. There is a useful Index.

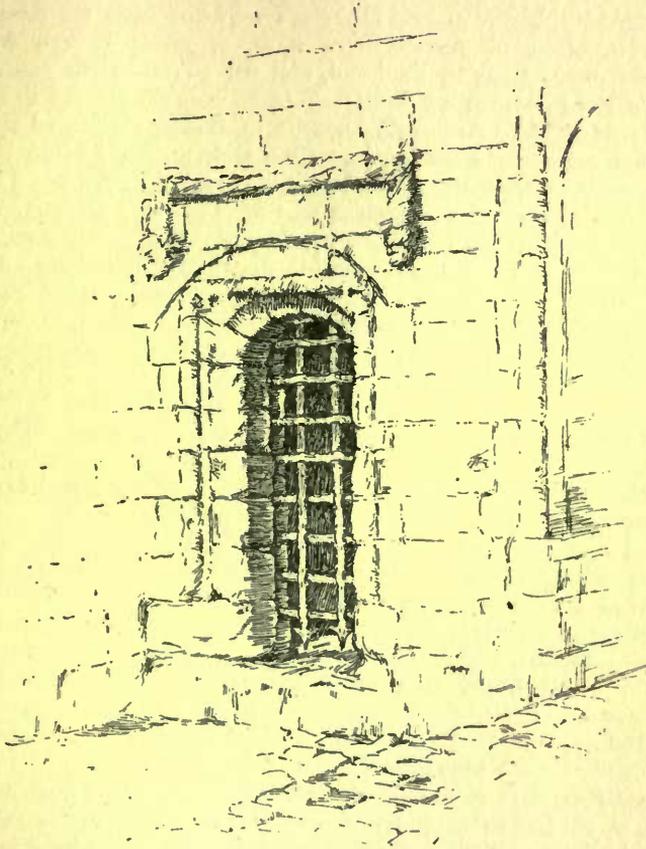
A. M. WILLIAMS.

STIRLING CASTLE: ITS PLACE IN SCOTTISH HISTORY. By Eric Stair-Kerr, M.A. Edin. and Oxon., F.S.A. Scot. Pp. viii, 219. With numerous Illustrations. Crown 8vo. Glasgow: James MacLehose & Sons. 1913. 5s. net.

In this volume Mr. Stair-Kerr sets forth in a clear and attractive manner the events which went to make Stirling Castle one of the great historic places of Scotland. The story of Stirling Castle is in a great measure the history of Scotland, and the author has been careful to avoid expanding his volume into a national treatise, and has adhered closely to the narrative of events that concern directly the ancient stronghold on the rock.

In the opening chapter the author takes passing but adequate notice of the various associations, more or less mythical, which are attached to Stirling by the early chroniclers. The castle definitely comes into authentic history in the reign of Alexander I. (1107-1124), who dedicated a chapel within its walls. Alexander died in Stirling Castle, leaving the crown and a prosperous realm to his brother, David I., who made the fortress one of his chief residences, many of his charters being dated 'Striuelin.' During the period of national prosperity that ensued Stirling did not take an important place, but in the reign of William the Lion it emerged into prominence in sad and humiliating circumstances. William, captured at Alnwick in 1174, was confined by Henry II. of England in the Castle of Falaise, in Normandy. After several months conditions of peace were arranged, and William was set free upon signing the Treaty of Falaise, by which he swore to be the vassal of the English King, and agreed that the Castles of Roxburgh, Berwick, Edinburgh and Stirling were to be garrisoned by

English soldiers. This document was in its effects one of the most far-reaching that ever was penned. It gave substantial grounds for the subsequent claims of the English Edwards to the overlordship of Scotland, and was thus a prime cause of those disastrous wars between Scotland and England which for four centuries curbed the prosperity of England, and caused Scotland to be a backward, poverty-stricken land, a prey to the attacks of foreign enemies from without and to the spoliation of contending



JAMES IV. GATEWAY

factions within. Not until the eighteenth century was nearing its close did the last embers die out of the fire which the unfortunate Treaty of Falaise helped to kindle.

Mr. Stair-Kerr's chapter on the War of Independence shows the importance which was attached to Stirling as a stronghold in those stirring times: it was the prize for which Stirling Bridge and Bannockburn were fought. During the days of the Stewarts, from Robert II. to Queen Mary, Stirling

Castle was at its zenith. Here the Court remained for long periods, the Palace, the Parliament House and other buildings were erected as we know them now, the Royal Gardens were laid out in great splendour by the old Tabyll Round, below the Castle to the south, and the King's Park was the scene of many a merry hunt. Tournaments and games, pageantries and morality plays, dancing and music occupied the days and nights. Nor was the tragic note wanting, as when the blood-stained Heading Hill witnessed the execution of Duke Murdoch and his sons, or when James of the Fiery Face plunged his dagger in Earl Douglas's body and flung the corpse out of the window. Pathetic scenes there were, as when Queen Margaret, holding the infant King by the hand, met the nobles at the gateway, and rung down the portcullis ere from behind its bars she refused to surrender the castle; or as when Archibald Douglas of Kilsplindie panted up the hill beside the King as he rode to the castle, seeking, but finding not, some kindly recognition from the set face of his sovereign. Amusing incidents happened too, as when the French Abbot of Tunland attempted, with a pair of wings of his own making, to fly from the battlements, and fell among the refuse heaps of the Castlehill; or when the Gudeman o' Ballengeich sallied out on some of his unkinglike adventures among his subjects.

With the departure of James VI. for England, in 1603, Stirling ceased to be a royal residence. It was still a place of importance, however, so long as there was fighting to be done. It figured largely in Cromwell's campaign, and although Oliver got no nearer than Torwood, his next in command, General Monk, besieged the castle and forced its surrender. During the Jacobite troubles of 1715 and 1745 Stirling Castle again came into prominence, and with the imprisonment and execution of Baird and Hardie, the Radical martyrs of 1820, the castle passes out of history.

There is a very interesting chapter containing a comparison of the castle of Stirling with those of Dumbarton and Edinburgh. Dumbarton was prominent as a dwelling place of princes before the other castles emerged from the haze of tradition, but the War of Independence brought the three strongholds into line. All three were the scene of romantic exploits and heroic feats of arms, and each was at one time or another the refuge of sovereigns in distress. Dumbarton dropped earliest out of the stream of national history, and Stirling and Edinburgh both became places of less importance after the Union of the Crowns.

Mr. Stair-Kerr devotes to the subject of Stirling Castle in poetry a chapter which we would like to have seen expanded. It is a suggestive and fruitful theme, and if prose writers had been included, more might have been made of it. The author tells of the visits of Burns, Wordsworth, Scott; and it is to be noted that it is chiefly as a haunt of visitors that Stirling figures in literary history, at least after we have named the ballads, such as *Young Watters*, and the references to the castle in Blind Harry, Barbour, Dunbar, and Davie Lindsay.

We have nothing but praise for the manner in which Mr. Stair-Kerr has executed his task. The illustrations, consisting of drawings of the old buildings of the castle by Mr. Hugh Armstrong Cameron, are excellent, and include several taken from original points of view. DAVID B. MORRIS.

The Early Persecutions of the Christians 307

FORNVÄNNEN, MEDDELANDEN FRÅN K. VITTERHETS HISTORIE OCH ANTIKVITETS AKADEMIEN. 1912. Under redaktion of Emil Ekhoff. Stockholm : Wahlström & Widstrand.

THIS Review, No. 40, for July last, contained a notice of the archaeological communications addressed to the Royal Academy of Science, History, and Antiquities of Sweden, for the year 1911. The corresponding issue for 1912 is now before us, not less interesting to students.

The opening communication deals with agriculture in Sweden in primeval times, and the recent discovery of a pre-historic loaf of bread in Easter Gotland, and of another at Liunga (några förhistoriska Brödfynd). Other papers describe Runic inscriptions; discoveries of Viking swords and brooches of the usual types, and personal ornaments and other remains, in a mound in Södermanland; a study of archaic cave paintings and rock-inscriptions in Sweden and other countries, with samples of elementary art, in human and animal forms, by children, in the way of comparison; Russo-Byzantine paintings in a church in Gotland; the oldest dated Church Bells in Sweden (from the year 1091); a variety of investigations of stone and bronze-age howes (högar) and burial grounds; besides other communications on details of antiquarian research, carefully described and illustrated. The book concludes, as usual, with an account of the additions to the National Museum during the year, and the report of the year's proceedings; the whole exhibiting an aggregate of scientific research and exposition that does credit to the energy, the learning, and the assiduity of Swedish antiquaries.

GILBERT GOUDIE.

THE EARLY PERSECUTIONS OF THE CHRISTIANS. By Leon Hardy Canfield, Ph.D., Tutor in History in the College of the City of New York. (Vol. lv. pt. 2 of the Studies in History, Economics and Public Law Series of Columbia University). 8vo. Pp. 215. New York, Columbia University. 1913. 6s.

THIS monograph follows the plan not only of giving an account of the early persecutions of the Christians in the light of all the available documentary evidence, but also of marshalling the sources in chronological order that the reader may have before him the documents on which the narrative is based. The plan has been carried out with pleasing success. In the first part of the book we have an interesting narration of the trials of Christianity during the first century of its active existence, to which are added abundant footnotes and references, and in corresponding chapters of the second part the authorities are arranged with explanatory comment to assist the student in forming opinions of his own on the author's conclusions. In many instances, when the document has special importance, the text is given in the original as well as in translation. Dr. Canfield deserves the congratulation of scholars on the excellence of his work. His book is a learned and impartial review of the voluminous literature of a very puzzling period on the subject of which it treats. The introductory chapter on the legal basis of persecution, as it obtained in the Empire from Nero to Hadrian, is a dignified examination of the various theories which have been put forward to account for the intermittent and localised outbursts against the new sect. Appended to the book is a useful bibliography.

JAMES WILSON.

308 The History of English Patriotism

THE BATTLEFIELDS AROUND STIRLING. By John L. Shearer, F.S.A. (Scot.). Pp. viii, 96. With several Illustrations and Plans. Crown 8vo. Stirling: R. S. Shearer & Son. 1913. 3s. net.

IT is four years since Mr. Shearer issued an ill-informed monograph upon *Bannockburn*, and he here handles that subject on a smaller scale, but in the same spirit, while extending his unfortunate methods to three other battles in the vicinity. His idea is to shift the sites of each of these to spots favoured by himself on notions of 'conclusive evidence' and 'abundant proof' that are excessively optimistic. In the case of Wallace's victory, he actually argues against those who might think it impossible 'for the two large armies to meet and engage in battle around Stirling rock and by Stirling Bridge' (p. 11). Nobody is likely to bother him with argument on an elementary blunder. Bannockburn 'raged around Bannockburn village' (p. 21), and 'If there was no land or village named Bannockburn, it is very unlikely the English would have taken this stream for the name of the battle, and would much more likely have called the battle the Battle of St. Ninians, or the Battle of Stirling' (p. 34). Mr. Shearer might have learned that the English historians, contemporary and other, do persistently call it the 'Battle of Stirling.' The dissertations on 'Sauchieburn' or 'the Field of Stirling' and 'Sheriffmuir' are of like quality with the rest. The cardinal fact of the frozen morass on the moor is eliminated like the English advance across the Stirling Bridge against Wallace. What if 'Sheriffmuir' was also called of Dunblane? That the village of Waterloo was a mile and a half behind the position on Mont St. Jean is not going to shift the locus of that affair. Mr. Shearer's confidence exceeds his grasp of the material. W. M. MACKENZIE.

THE HISTORY OF ENGLISH PATRIOTISM. By Esmé Wingfield-Stratford, Fellow of King's College, Cambridge. 2 vols. Vol I. pp. xl, 614; Vol. II. pp. xii, 672. With Frontispiece in each volume. Demy 8vo. London: John Lane. 1913. 25s. net.

To these attractive volumes, containing genuine contributions to literature and to philosophic speculation, it is not possible, in a periodical devoted mainly to historical science, to give more than a brief notice; and a brief notice is inadequate for even an enumeration of the topics on which the reader will here find matter for thought. As our author finely says (I. 542), 'Patriotism is as various as the sea,' and our only serious criticism is that, setting no limits to his theme, he has allowed it to expand until it has embraced not only the sea and all that is therein, but earth and heaven as well. Under Mr. Wingfield-Stratford's stimulating and sympathetic guidance, we explore the mysteries not only of English diplomacy and statecraft, but of the English Church and the English theatre, of English commerce and English art and literature, and we hear of movements and their leaders to which neither England nor patriotism dare make any exclusive claim. These volumes have much to say, always well worth listening to, on the Counter-Reformation, the French Revolution and the system of Metternich, on Machiavelli and Calvin, on the Duke of Alva and Napoleon, on Erasmus and Rousseau. The author has invariably his own angle of

observation, and is not unduly influenced either by conventional estimates or by anxiety to upset them; but passes judgment on books, men and institutions with engaging boldness and enthusiasm and with all the easy confidence of youth. The whole treatise is full of good things and is written in admirable tone and temper that cannot be too highly commended; no intelligent reader is likely to peruse it without having his own convictions both strengthened and modified, though it is doubtful whether his conception of what constitutes the essence of 'patriotism' may not remain as elusory as before.

WM. S. M'KECHNIE.

THE LIVING PAST: A SKETCH OF WESTERN PROGRESS. By F. S. Marvin, M.A., sometime Senior Scholar of St. John's College, Oxford. Pp. xvi, 288. Cr. 8vo. Oxford: The Clarendon Press. 1913. 3s. 6d. net.

IN the preface to this unpretentious and fascinating volume the author explains its purpose. The constant accumulation of fresh historical material, and the enlargement of our conception of history, tend to hinder its effective study. He seeks to supply a clue which will aid both student and teacher. He does not profess to have made a new discovery. To Kant's theory of a world-community, in which individual freedom and a common end for mankind are reconciled, he adds the rising power of science as a collective and binding force. The clue he offers is thus the growth of a common humanity, and, within that, the growth of organised knowledge applied to social ends. Here, he believes, may be found such guidance in history as Newtonian gravitation gave in celestial mechanics. History, once little more than a record of kings and battles, is made the record of a general life, of which the student himself is part.

The book consists of twelve chapters or essays, forming, in chronological order, a connected enquiry and exposition. In the introductory one, which he calls 'Looking Backward,' he chooses three chief lines, on which to follow the advance from primitive to civilised man. These are: the growth of knowledge, of power over nature, and of social organisation—the last including law and government. The second essay is on 'The Childhood of the Race,' under which title is described by far the longest stretch of human existence. Here progress can be noted even before history begins. The improvement in tools and weapons and in social organisation is evident in the neolithic age. The slowness of progress is also evident, as well as its growing acceleration with every advance. He next considers the millenniums during which great communities were formed and the records of history begin; the early world of thought revealed by the interpretation of hieroglyphics; the beginning of writing, and of the measurement of the land and of the heavens in Egypt and Chaldea. He finds the life and thought of these, to us, as Herodotus, pre-eminently theocratic ages, to be 'built up of earlier elements of immense antiquity, the spontaneous beliefs in fetishes and spirits which mark the earlier stages of culture.' The task of organising and holding together large societies was passed on to the Persians and the Romans. For the Greeks, to whom the author devotes an admirable chapter, turned from traditional authority to freedom and enquiry. To them the last millennium B.C. belongs. Then philosophy and science,

between which their early thinkers knew no distinction, were born, and humane feeling and the kindred conception of ideal beauty in art appeared. At the threshold of scientific progress, says Mr. Marvin, stands the enquiring Greek. He next deals with the Romans, in an equally fine essay. The Roman millennium begins later than the Greek, and extends into the fifth century A.D. Transformed, it lasts for another millennium in the East. Its legacy is Roman Laws. Another millennium covers the Middle Ages, to which the sixth essay is devoted, when a spiritual power overcomes the temporal, and Dante is the chief of the thinkers who express a new ideal. But the Middle Ages show no progress in knowledge of the laws of nature, or in intellectual advancement, though much in social force and unity, a development less essential for the coming conquests.

The seventh essay is on 'The Renaissance and The New World.' As Dante at the close of the Middle Ages, so Shakspeare at the close of the Renaissance sets forth the spirit of the period. The next essay is on 'The Rise of Modern Science.' Italy became to the world of the fifteenth century what Greece had been to the world two thousand years before. The ninth, tenth and eleventh essays are on the later Revolutions, industrial, social and political, and the progress which has followed them. Science organises industry, both in machinery and men. A new spirit of humanity and progress has appeared. Governments consciously adopt an aim never before conceived, the well-being of every individual. Social organisation, specialised knowledge, the utilisation of natural forces, intercommunication, rapidly advance.

The final essay is entitled 'Looking Forward.' Mr. Marvin finds our own the age in which man's collective force and knowledge have reached their highest point; and, side by side with the advance in knowledge and prosperity, and the growing unification of the world, he sees 'a steady deepening of human sympathy, and the extension of it to all weak and suffering things.' And, after a fine summation of what has gone before, showing how the study of growth, from the Past, having carried the mind backwards towards the childhood of the race, our interest, in the Future, is in the child of to-day, 'the Living embodiment of human origins.'

Mr. Marvin's arrangement of his subject is a natural one, and he uses it with a success that gives his work peculiar value and distinction. His writing is of the quickly recognised sort that inspires confidence in his knowledge and judgment, and content in his guidance. It abounds in proofs of erudition and reflection. His incidental sketches of the growth and influence of language; of the origin and development of Roman Law, and its influence on historical study; of the Feudal System; of the policy of land inclosure; of the effects of the French Revolution; of the New World as a link between advancing Western Europe and the older civilisations of the East; his instructive measurements of advance by the comparison of an earlier with a later figure in the same line of progress; his classifications; for example, that of the Revival of Learning, the 'scientific movement developed by distinguished persons and patronised by princes,' as aristocratic, that of the union of science and industry, as popular; all are effective and luminous.

Spanish Inquisition in the Canaries 311

Each of the chief essays is a masterly and brilliant treatise on its subject, and the book as a whole excellently and attractively fulfils its purpose. It offers a useful clue to the study of history, by exhibiting the movement of the collective forces of mankind in its task of subduing the powers of nature and turning them ultimately to the common good. It is itself a compact philosophy of history, wide in view, happy in expression, fertile in suggestion.

There is a useful Appendix on Books, and an Index, chiefly of proper names.

ANDREW MARSHALL.

ENGLISH MERCHANTS AND THE SPANISH INQUISITION IN THE CANARIES :
Extracts from the Archives in possession of the Most Hon. the Marquess of Bute. Edited for the Royal Historical Society by L. de Alberti and A. B. Wallis Chapman, D.Sc. (Econ.). Pp. xviii, 174. 4to. London : Offices of the Society, 6 & 7 South Square, Gray's Inn. 1912.

THIS work, one of the Camden series of the Royal Historical Society, presents extracts from original documents detailing the judicial procedure of the Inquisition in the Canary Islands towards the end of the sixteenth century. The first part consists of an English translation of the records of examinations of suspects and witnesses selected for publication, and this is followed by the Spanish text. The Introduction is in two parts, the first dealing with the ecclesiastical aspects of the subject, and the second mainly with its economic and commercial bearing. The evil reputation of the Holy Office arose, so far as these islands are concerned, not so much from excess of cruelty, as from secrecy and slowness of procedure, so that the accused person never knew for how many years his trial might drag on. England was at war with Spain, and yet English ships and traders did not cease to visit the Canaries. As Dr. Chapman tells us, their object was three-fold, 'first food and water, secondly piracy, and thirdly trade.'

In these records of evidence of English heretics, or suspected heretics, the ubiquitous Scot comes repeatedly into view. For example, Bartholomew Cole, who had been put to the torture, confesses that the 'Englishmen hold commerce and trade with Spain by means of the Scotch, the merchandise and ships being dispatched in the name of Scotchmen.' He mentions two Scottish traders, George Fausset and Archibald Dawson, and 'knows that the said Scotch carry passports from the King of Scotland and cannot say whether these are forged or not, but thinks that they may be.' According to Cole, 'no importance need be attached to the said passports because, even though they may really have been given by the King of Scotland, they are so easily obtained that they would be given for any bribe.' It took this interesting heretic six years, although reconciled to the Church, to get out of the clutches of the Holy Office.

These records are important from the light they shed upon trade activity under difficulties during the last twenty years of the sixteenth century.

JOHN EDWARDS.

CLIO, A MUSE AND OTHER ESSAYS LITERARY AND PEDESTRIAN. By G. M. Trevelyan. Pp. 200. Demy 8vo. London: Longmans, Green & Co. 1913. 4s. 6d. net.

THE essay from which this volume takes its name is a strong and eloquent plea for the writing of history as an art and the reading of history as a pleasure. Mr. Trevelyan regrets the results which have followed from the precepts of teachers of a quarter of a century ago, who spoke slightly of historians like Macaulay or Carlyle as merely literary. These teachers maintained that history was a science and that its value lay not in producing pleasant reading, but in the laborious investigation and accurate record of what actually took place in the period of time under record. But, and this is the drift of Mr. Trevelyan's argument, it is simply impossible for any historian to reproduce *all* the facts of any period in the past. Some selection is necessary, and the true historian is the one who selects or discovers and describes the facts which are significant, and sets them out in clear order and true connection, so that the reader may vividly apprehend both the actual course of events and the feelings and passions of the people concerned. But that history should be accurate it is not necessary that it should be dull. That it should omit no essential fact it is not necessary that it should present the facts in a confused or disorderly form. The historian must be an artist in narrative.

The attempt to treat history as a 'science' was perhaps natural at a time when great quantities of evidence were being discovered or made available, and it was obvious that views formerly held by even great historians required to be corrected or cancelled. But Mr. Trevelyan makes clear his point that there is a great difference between 'History' and 'Science.' The history of men cannot be handled like science—like physical science at all events—in respect that no man is exactly like another, and that the exact circumstances of society at any given time never exactly recur. Hence it is impossible to draw from the records of the past any gain of a merely utilitarian sort or deduce 'laws of cause and effect which are certain to repeat themselves in the institutions and affairs of men.'

The value of history is educational, it is true, but not in the sense of providing us with a series of examples of conduct, political or personal, which shall be safe guides to-day. We want to know what happened in the past, and therefore narrative is the essence of history. The neglect of narrative has too often permitted the publication of treatises which are little better than the pointed note-books of historical students, laborious and conscientious, no doubt, but more laborious to read than to write. The dreary treatises so produced weary, and in the end revolt the reader. Hence, a result which Mr. Trevelyan deplures, the neglect of history by the ordinary reader to the narrowing of his mind and the cramping of his sympathies. After he has mustered and winnowed his facts, the historian must have the art of telling us his story. He must bring up out of the past the figures and the deeds of men, and hold us by that sympathy with their hopes and fears which it is his art to make us feel. 'To recover some of our ancestors' real thoughts and feelings is the hardest, subtlest, and most educative function that the historian can perform.' 'To give a true picture

of any country, or man or group of men in the past, requires industry and knowledge, for only the documents can tell us the truth, but it requires also insight, sympathy, and imagination of the finest, and last, but not least, the art of making our ancestors live again in modern narrative.' It is when it achieves this aim that history is educational, and may become a school of political wisdom. For, though it cannot provide examples from the past which we may mechanically copy, and thereby hope to solve the problems of to-day, it can 'broaden the outlook' and breed enthusiasm and suggest ideals. 'It can mould the mind itself into the capability of understanding great affairs and sympathising with other men.'

Mr. Trevelyan says that good historical reading is often the result of hard writing, but whatever pains may have gone to the preparation of this plea for history as literature, they are not inflicted on the reader. The essay as it stands displays the zest with which it has been written. There is no lack of method or illustration by example in the statement of the writer's case. But this is no dry *précis* of a technical argument. It is a piece of flowing prose charged with literary feeling, inspired by the love of noble and well-ordered expression, the art of telling of great things in a great way. Readers will find at p. 26 a fine example of Mr. Trevelyan's own way, if not of writing history, at least of giving expression to the reflections that history suggests. Speaking of 'History and local associations,' he refers to the gardens and quadrangles of St. John's College, Oxford, with their reminiscences of the fugitive court of Charles I. In a few sentences of moving eloquence suffused with a passion of sympathy for men as men, he indicates the tragic passions and no less tragic destinies of both sides in the great quarrel of the seventeenth century.

The other essays in the volume call for less notice here. But the essay on 'Walking' is like a summons to take the road and be off over the hills and far away. It will set many a reader on getting out his big boots and his maps and planning tramps, for the long days that will soon come round.

'The Middle Marches' sketches lightly, but clearly and firmly, the outlines of 'Border' life as seen from the English side. But the distinction of English from Scottish is merely geographical, so far as border life is concerned. It was one life that was led on either side of the Cheviots. It is due to the genius of Scott that that life is best known as it was seen from north of Cheviot and north of Tweed. But the 'riding' and other Ballads are a common heritage to men of the race that dwell on either side of the border line. Mr. Trevelyan proves himself 'seized' of his share in that heritage when he writes of the men and women among whom the Ballads arose; and he has caught the very feeling of the landscape and the figures that moved across it.

The perusal of the volume has given unmixed pleasure.

ANDREW RUTHERFORD.

THE BOOK OF THE OLD EDINBURGH CLUB. Fifth volume. Pp. x, 198, 25. With numerous illustrations. 4to. Edinburgh: printed by T. & A. Constable for the members of the Club. 1912 (issued 1913).

THE energy of the Old Edinburgh Club is an encouragement to all collectors of local records. It may have been a matter of surprise that more has not been done in the past to secure both in pictorial and narrative form a record of some of the older Edinburgh buildings, and undoubtedly the materials which were available a generation ago were very much greater than they are now; but the Old Edinburgh Club is doing its share vigorously to repair the omissions of previous citizens.

The volume of its papers recently issued is full of interesting matter. Mr. Moir Bryce has a long and learned paper on Saint Margaret of Scotland and her Chapel in the Castle of Edinburgh, for which he has generously given numerous engravings. The other papers in this volume are the Site of the Black Friars' Monastery from the Reformation to the present day, by Mr. William Cowan; Extracts from the Original Records of the Old Tolbooth, by Mr. John A. Fairley; a short paper on Moubray House, by Mr. Andrew E. Murray, and some letters from John Bonar to William Creuch concerning the formation of the Speculative Society, with Notes by the Rev. Henry Paton.

Each of these papers has its own value for the historian and the antiquary, and no one who is interested in the literary life of Edinburgh can fail to be attracted by Mr. Paton's paper and the letters which mark the beginning of a society which has for 150 years (not 160 as stated in the volume) been associated with the literary life of Scotland. For Mr. Paton does not exaggerate when he says that the Society has included 'some of the most eminent literary and judicial talent in Edinburgh, and men of the highest standing and most distinguished careers in all the professions.'

We hope that the success of the Old Edinburgh Club may induce other towns in Scotland to pay more attention to their local history. A great deal has already been accomplished, but much more remains to be done.

INSULAE BRITANNICAE—THE BRITISH ISLES, THEIR EARLY GEOGRAPHY, HISTORY, AND ANTIQUITIES DOWN TO THE CLOSE OF THE ROMAN PERIOD. By A. W. Whatmore. Pp. xvi, 375. With four maps. Demy 8vo. London: Elliot Stock. 1913. 20s. net.

THIS book purports to be an attempt to review the geography, history, and antiquities of the British Isles, from the earliest times to the withdrawal of the Romans, but as a matter of fact antiquities other than those to which the author assigns a Roman attribution come in for scant notice. It reveals in its compilation no small amount of research in the works of classical authors, and in a no less degree ingenuity in identifying places mentioned, or believed to be mentioned, by them. To the extent to which the author has confined himself to an epitome of statements relating to Britain, arranged in numbered paragraphs and in chronological sequence, he has produced a useful work of reference, but when he allows himself to speculate in etymology and topography he is not a safe guide to follow.

Such statements as that 'the round towers of Ireland were probably connected with pillar worship,' or that 'St. Columba was apparently a circle-god, whose church of Iona was a place of circle worship,' are as little likely to receive credence as that the 'Deil's Dyke' in Galloway was the turf vallum of Lollius Urbicus. To fit a theory that the Catrail was the wall of Hadrian, 80 miles in length, Mr. Whatmore does not hesitate to add 58 miles to the present length of that construction, and to state that it extended from Wetherall in Cumberland probably to the vicinity of Leith.

To a student of Roman Britain sufficiently versed in his subject to discriminate between fact and conjecture the book may prove of use and interest.

ALEX. O. CURLE.

LES ORIGINES POLITIQUES DES GUERRES DE RELIGION: II. La fin de la magnificence extérieure; Le roi contre les Protestants (1555-1559).
By Lucien Romier. Pp. v. 464. With two illustrations and map.
Royal 8vo. Paris: Persin et Cie, 1914. 15 fr.

IN our notice of the first instalment of M. Romier's history reference was made to the pleasure with which many readers would anticipate the appearance of succeeding volumes (*S.H.R.* xi. 105), and it is with unfeigned regret that we have observed that in this second volume the author has accomplished the task which he set before him. The first volume dealt with the eight years between the accession of Henri II. and the Truce of Vaucelles and the second and concluding volume brings the narrative down to the Treaty of Cateau-Cambrésis and the premature death of the King. To the modern mind the history of one reign is apt to appear an arbitrary and abstract subject, and at first sight this point of view is justified in the case of Henri II., whose negative and baffling character lay at the mercy of distracting and hostile influences up to the eve of his disappearance from the European stage. But in a peculiar sense Henri II. by the spasmodic exercise of his will, which flared up like the flame of a dying torch at the very hour of his death, set his seal on an epoch and closed the page of the Italian wars. The talent of M. Romier is seen at its best in the field of diplomacy, in the history of the hot personal struggle between the Constable de Montmorency and the Guise family which ushered in the wider and impersonal conflict of the Religious Wars, and in this respect he is justified in bringing his work to what may appear a premature close. For a generation Italy was the cock-pit of Europe, and M. Romier portrays with remarkable skill the heated atmosphere of the peninsula, distracted by the intrigues of the Tuscan and Neapolitan *fuorusciti* before it sank under the weight of the Spanish domination. The Republic of Montalcino was 'the end of an auld sang,' the romantic side to the French *retraite d'outre monts*. One of the sub-titles of M. Romier's second volume is *Le roi contre les Protestants*, but this serves more as a forecast of the future than a description of the field with which he deals. It was only in the last months of his life that Henri II. turned his attention to the domestic concerns of his kingdom. He was fated to disappear just when he was beginning to realise that France held within her forces which had significance deeper and wider than the fascinating possibilities of his Italian adventures.

The volume opens with the French King's rupture of the Truce of Vaucelles, in which he made himself the blind instrument of the ambitions of the Guise family, of the equally blind hatred of the Pope for the Spanish oppressors of his native country, and of the sympathies of his Italian wife for the fuorusciti, Tuscan and Neapolitan, who thronged his court. The futile campaign of the Duke de Guise was interrupted by the overwhelming defeat of St. Quentin. The subsequent capture of Calais only served to salve the wounded *amour-propre* of Henri, and the Treaty of Cateau-Cambrésis marked an unlimited recognition of the Spanish claims. In his over-mastering desire to recover Montmorency, his guide, philosopher and friend, from his captivity, Henri withdrew from Savoy, which was prospering as a French province, and left his Italian allies at the mercy of Spain and the Medici. For France the Treaty was *La fin de la magnificence extérieure*, and for Italy it marked the failure of the last attempt of the Papacy to influence the course of secular politics by the direct use of secular weapons. Readers of Baron Hübner's masterly study of Sixtus V. will recognise that in the next generation the Papacy maintained an unflinching opposition to Spanish claims, but the forces which it wielded were indirect, financial and diplomatic.

The key to M. Romier's work is found in the seventy pages which he devotes to 'l'avènement politique de la Reforme Française.' While the long dynastic struggle between the Hapsburgs and the Valois was terminated at the instance of the latter by a treaty which reflected the conflicting ambitions of secondary actors such as the Duke of Savoy, Montmorency and the Guise family, a new force was stirring in France. In its earlier stages the French Reformed movement was economic, intellectual and moral, and had it been directed by a leader of genius, would have offered no grounds for governmental repression. But the forces of the new spirit fell into the incompetent hands of disaffected Princes of the Blood, and seemed to justify the view which the government adopted, that the disorders of Germany were about to be repeated in France.

M. Romier's luminous sketch of the opening phase of the Religious Wars will encourage his readers in the hope that he will continue his adventures in the archives of Europe and provide them with a diplomatic history of the period from the Treaty of Cateau-Cambrésis to the death of Henri IV.

DAVID BAIRD SMITH.

THE RISE OF SOUTH AFRICA. A History of the Origin of South African Colonisation and of its Development towards the East from the earliest times to 1857. By G. E. Cory, M.A. Vol. II. from 1820 to 1834. Pp. xvi. 489. With 38 illustrations and 2 maps. Demy 8vo. London: Longmans, Green & Co. 1913. 18s.

WE welcome the second instalment of this valuable addition to history. It is the more interesting as it succeeds the first volume, which dealt with a population almost wholly Dutch or 'Africander' in origin, although under British rule after 1806. This one, on the other hand, traces the newer phase when colonists of British race went out to South Africa and settled there, though by no means forgetting the country of their birth. The

romance of the settlements of these emigrants is well told. Many were driven to emigrate by poverty, many by the end of the Napoleonic wars. Colonel Graham was the first 'Africander' to embody the principles of Lord Selkirk in 1813, and to recommend the Zuurveld (which he had subdued) as suitable for exigent Highlanders, and Mr. Benjamin Moodie (an Orkneyman) followed with an emigration movement or labour agency four years later. Scottish expeditions continued, until finally Lord Bathurst obtained the Governor, Lord Charles Somerset's, welcome of settlements in South Africa, instead of turning all the emigrants towards America as had been the trend before. We have here a good account of the early settlers, their origin and their hardships, the Kaffir wars and their jealousies—for English and Dutch factions soon evolved. The fourteen years of work of all kinds is recounted in a way that is fascinating to read. We learn how schoolmasters came out in 1820 from Scotland,—though many were later tempted away by hopes of wealth from their schools,—and how the clergy came, and sometimes made trouble. The trials of the early governors are not forgotten, and a good account is given of general progress, in spite of Africa being 'the grave of great men's reputations.' It would take too long to deal with the book in detail, but it should be read by anyone interested in the history of colonial enterprise.

A. FRANCIS STEUART.

IRISH SEAL MATRICES AND SEALS. By E. C. R. Armstrong. With eighty illustrations. Pp. 135. Dublin: Hodges, Figgis & Co. 1913.

THERE has been, it is interesting to note, a great revival of interest in sigillography in recent years. Few works appeared on the subject from the time when, in 1639, Oliver Uredius published at Bruges his great work on the seals of the Counts of Flanders. Nothing of its kind is finer than this magnificent collection of highly artistic seals or the manner in which they were engraved. The volume appeared just as the custom of appending seals to documents was getting into desuetude, and for the next two hundred years little interest was taken in the art of the seal engraver. But in 1850 Henry Laing published his first volume of Scottish seals, followed some years after by another. It was an exceedingly well-compiled catalogue, considering it was the work of a pioneer in the subject, and it has been of the utmost use to students of Scottish history. Since then, not only in Great Britain but abroad, numerous works on seals have appeared. Dr. de Gray Birch's long and elaborate catalogue of the seals in the British Museum is a monumental work, while Mr. W. R. Macdonald's *Scottish Armorial Seals* has put him in the front rank of experts on the subject.

The present volume is chiefly a collection of seal matrices. So far as one can gather, there seem to be remarkably few impressions of seals in Ireland. But matrices are in some respects more satisfactory than impressions, as details are always seen in the former which bad sealing and rough usage often render indistinct in the latter. Though it cannot be said that Mr. Armstrong has had very first-class material on which to work, he has presented the two hundred or so specimens which he has managed to get together with the skill of an accomplished archaeologist. He admits that

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the technique of the Irish matrices is hardly so elaborate or fine as that of English or foreign examples, and indeed there is nothing in the armorial family seals in the volume which can for a moment compare with those given by Mr. Barrington de Fonblanque in his *Annals of the House of Percy*, or by Sir William Fraser in his *Douglas Book*.

As might be expected, a large part of Mr. Armstrong's examples are drawn from ecclesiastical sources, and some of these, such as the seal of Barrett, Bishop of Elphin, show a quite adequate amount of artistic feeling and expression.

The illustrations give a very satisfactory rendering of the various seals mentioned : first the matrix is given, then a side view, including the handle (a useful and interesting feature of the work), and then the impression of the seal itself. It is curious, as the author observes in his introduction, that better work was not produced in the way of Irish seals, considering the wonderful skill displayed by the early Irish metal workers, as exemplified in several splendid examples of that art which have come down to us, such as the Tara Brooch and the Ardagh Chalice. It does not even appear to be certain whether the matrices here described were made in Ireland at all, but it is unlikely that there were not some exponents of the art left in a country which had such a fine artistic tradition. The seals are well and carefully described, and the volume does credit to the author's ability and knowledge of the subject.

J. BALFOUR PAUL.

THE LIFE OF WILLIAM PITT, EARL OF CHATHAM. By Basil Williams. In two volumes. Vol. I. pp. xii, 408 ; Vol. II. viii, 421. London : Longmans, Green & Co. 1913. 25s. net.

THIS is one of those good books which it is unnecessary and almost impertinent to praise. It will take its place among our best political biographies, beside Miss Foxcroft's Halifax, Fitzmaurice's Shelburne, Morley's Gladstone. The book is even more than this : it is a fine piece of historical writing. The middle of the eighteenth century is perhaps the only age when history can best be read in political biography. The lives of Cecil, Bacon, Eliot or Cromwell are most profitably studied in the great histories of Ranke and Gardiner. The biographies of the men most intimate with affairs in recent times tend towards an independence of their own. But a balance can be struck between biography and history when we turn to the eighteenth century. The difference in form and spirit between biographical and ordinary historical writing is of course very great. Mr. Williams' work is consistently biographical. From the first page to the last we see the political game and the problems of war and empire as Chatham saw them. The book contains nothing that is irrelevant or redundant. It is fine history because the author never strains after effect, never shows himself, never forces a judgment upon his readers. The duty of a contemporary biographer is to interpret. This biography is so perfect in art and plan that Chatham interprets himself, and we really seem to be in the eighteenth century.

Mr. Williams is not what is called a brilliant writer. The reader who

feels impelled to read his book through will find that an interest in the subject, and no mere inducement of style, has driven him on. When an accurate writer achieves this, he combines literary with scientific history. The only valid point which a literary critic can make against a piece of 'scientific history' is that an interested, or a possibly interested reader, who is prepared to think for himself, will be discouraged by its prolixity or confusion of thought or absence of insight; in other words, by its dulness or stupidity. The only valid point that a 'scientific historian' could ever wish to make against a 'literary history' is that it makes an essentially interesting piece of reality an excuse for casual emotion and artifices of style. In his preface Mr. Williams acknowledges the inspiring encouragement of Mr. George Trevelyan. If Mr. Trevelyan had realised that he was encouraging an effort of sound scientific history, we venture to think that he would have greatly modified the perversities in a recent essay.

In the course of a very careful reading of Mr. Williams' book I marked many passages for comment, and two or three, including the treatment of Carteret's foreign policy, for discussion. But detailed criticism is unnecessary. Like several recent writers, including Dr. Rose, Mr. Winstanley, and Mr. Harris, he has used freely the Bridport, Carteret, Egerton and other papers among the Additional MSS. in the British Museum. His familiarity with the literature, architecture and topography of eighteenth century England is part of his familiarity with Pitt himself. The study of Governor Pitt, his hero's grandfather, and of Madras in the late seventeenth century, is a valuable essay in the influences of heredity and environment. I should like also to note the page upon Pitt's study of and views on history (i. 215, cf. ii. 259), and the sentence in the second volume (p. 125) which is the keynote of the book: 'Not George III.'s birth in Great Britain but Pitt's continual success in the conduct of our public affairs united those who were real lovers of their country and dealt the final blow to Jacobinism as a political creed.'

The careful and elaborate Appendix (ii, 335-351) upon Pitt's speeches makes one wish that Mr. Williams would prepare an authoritative edition of these invaluable but badly reported orations.

F. M. POWICKE.

THE CONTEMPORARY ENGLISH VIEW OF NAPOLEON. By F. J. MacCunn, B.A., Lecturer in History at Glasgow University. Pp. viii, 308, crown 8vo. London: G. Bell & Sons, Ltd. 5s. net.

FEW subjects are more interesting to the student of the Napoleonic era than the ideas of Napoleon concerning England and the English. Probably the least reliable authority on the question is the Emperor himself. Peculiarly sensitive to the opinions of himself expressed by English statesmen and English journals, he lavished on the race admiration and execration with equal freedom. His views of our nation sprang from the emotion of the moment rather than from any settled judgment. For it may be truly said that he never understood the English temperament, as he never solved the enigma of English political institutions. To appreciate his attitude towards England one must have a wide knowledge of the attitude of England

towards him. To supply this knowledge is the purpose of Mr. MacCunn's book. He has made a worthy contribution to Napoleonic literature. As a result of careful research, he has not only given us contemporary views of striking interest, but has woven them into a narrative which is characterised by a wide learning. There was no one contemporary view of Napoleon in England. While Tories consistently despised and ridiculed him, Whigs admired him and sorrowed much for him. The journals of that day made no attempt to voice public opinion, but expressed only the view of the writer of the article. Hence, while pamphleteers and newspaper writers were holding the First Consul up to contempt and hatred, the people of England regarded him as a great emancipator. And individual statesmen, poets and travellers who were loudest in their condemnation of him before they saw him, became as ardent in praise of him and his work after having been in his presence. If any emotions can be called national at that day, they were at first admiration, then contempt, then fear, and fear predominated. The 'governing classes' feared him as the personification of the Revolution. The masses, under their tuition, feared him as a modern Attila, to whose ambition the only limit was universal dominion. The varied and ever-varying ideas of his personality, his rule and his ultimate goal, the changing attitude of political parties and leaders, are drawn with great skill by Mr. MacCunn. The chapter on Napoleon's personal character and place in history is the most striking chapter in the book, precise, discriminating and complete. But throughout the narrative is clear and, as far as any Napoleonic study can be, unbiassed, while the copious extracts with which the text abounds are of extreme value.

Mr. MacCunn had a choice to make in his treatment of his subject. He might have made a popular narrative, or a book to be treasured for reference. Without sacrificing too much to his purpose, he chose the latter course. Unfortunately he has not added an index. To few books could an index be of more value.

E. ROSSLYN MITCHELL.

THE BRIDGE OF DEE: ITS HISTORY, ITS STRUCTURAL FEATURES AND ITS SCULPTURES. By G. M. Fraser, Librarian, Public Library, Aberdeen. Pp. 144, with ten Illustrations. Crown 8vo. Aberdeen: The Bon-Accord Press. 1913. 3s. 6d. net.

MR. FRASER continues his excellent work on the antiquities of Aberdeen. His account of the Bridge of Dee is altogether good. Not only has he thrown into a readable form all that patient enquiry and examination could reveal about the Bridge and the roads connected with it, but he has solved the various puzzles of the structure. He is right in thinking that the story he has to tell should be familiar in the schools of Aberdeen. The record of such a bridge is a fine lesson in the development of a community, and also provides many points of contact with the national history. These two lines are now followed in schools with modern methods: admirably, for example, in the Village Hall School, Weybridge.

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IMPERIAL ARCHITECTS. Being an Account of Proposals in the Direction of A Closer Imperial Union, made previous to the Opening of the First Colonial Conference of 1887. By Alfred Leroy Burt, B.A., Toronto University and Corpus Christi College, Oxford. With an Introduction by H. E. Egerton, M.A., Fellow of All Souls College and Beit Professor of Colonial History, Oxford University. Pp. vii, 228. Cr. 8vo. Oxford: B. H. Blackwell. 1913. 3s. 6d. net

THE author, as we learn from Professor Egerton's Introduction, is a Canadian Rhodes Scholar. His subject has therefore a peculiar interest for him, as his treatment of it will have for others. His essay is creditable to his industry and erudition. He writes with ability and earnestness. He begins with a brief review of the development of Imperialism. It is a record of change of fashion of ideas. The impossibility of Imperial Disunion was a fixed idea till the American War of Independence brought about the fixed idea of the impossibility of Imperial Union. This latter fixed idea is now being discarded for an approach to the former. Mr. Burt arranges the Proposals chronologically in two periods, the eighteenth and nineteenth centuries. Those in the former were made before the Independence of the American Colonies. Adam Smith advocated Colonial representation in the British parliament. Burke opposed it. Adam Smith suggested that, as America grew in wealth and population, the Seat of Empire might naturally remove itself to the other side of the Atlantic. This, in the author's opinion, 'is the utterance of a great prophet.'

The 'Imperial Architects' (the title seems rather hyperbolic) of the nineteenth century bear less illustrious names, from John Beverley Robinson to 'Ignotus' and 'A Constant Reader.' Their 'paper plans,' as the author calls them, characterised as 'amateurish' by Professor Egerton, are impartially culled from Report, Pamphlet, Magazine and Evening Newspaper. These plans were all futile. They failed to measure geographical and financial as well as other difficulties. They did not tackle the problem of India. With the exception of Mr. W. E. Forster, no British statesman of the first rank could be persuaded to interest himself in them. But they helped to lead to the First Colonial Conference.

Their futility has no doubt aided in the recognition of the magnitude of the problem. Mr. Burt holds that through them all runs the fundamental idea that the consolidation of the British Empire would make the Colonies feel themselves to be parts of it rather than dependencies. He also holds that the opening of the first Colonial Conference closed the door on ideal Imperialism and ushered in practical Imperialism. But, to realise that, he believes there must be united the wisdom of many minds.

The volume is furnished with a small Bibliography, but lacks an Index.

ENGLISH HISTORY IN CONTEMPORARY POETRY. No. II.—LANCASTER AND YORK, 1399 to 1485. By C. L. Kingsford. Pp. 48. Demy 8vo. No. IV.—COURT AND PARLIAMENT, 1588 to 1688. By Professor F. I. C. Hearnshaw. Pp. 47. Demy 8vo. London: Published for the Historical Association by G. Bell & Sons, Ltd. 1913. 1s. net each.

EACH of these attractive surveys of political song is half anthology, half historical essay, and realises the continuation of a fine enterprise, which it

can scarcely be amiss to ascribe to the inspiration of Professor Firth. The muse of politics, it is true, often lacks finish, but where she fails in grace she often compensates in force and purpose. Mr. Kingsford has deserved so well in the editorship of chronicle that his success with politics in verse was assured beforehand. Professor Hearnshaw has as full a pocketful of satirical song as Mr. Kingsford, and presents it equally well. We quote one of Cleveland's thrusts at our country in 1647 :—

‘Had Cain been Scot God would have changed his doom ;
Not forced him wander, but confined him home.’

A HISTORY OF EMIGRATION FROM THE UNITED KINGDOM TO NORTH AMERICA. 1763-1912. By Stanley C. Johnson, M.A. Pp. xvi, 387. Demy 8vo. London : George Routledge & Sons. 1913. 6s. net.

A THESIS for the D.Sc. Degree in Economics in the University of London, this work is instructive and worth reading. The most interesting parts to us are Chapters I. and II., the Preliminary Survey 1763-1815 and the Historical Survey 1815-1912, and it is astonishing to find how much of America after 1763 was peopled by immigrants from Ireland and Scotland. In Canada emigrants from the latter country, mainly Celts, prevailed ; the Frasers and Montgomeries were the first, these were increased by loyalist migrations from America after the war broke out. Many of the second band were Catholics, who fused with the French Canadians, leaving as sole traces of their Highland descent ‘their names and red hair.’ Lord Selkirk's colonies to Prince Edward Island in 1803, and (less successful) to Hudson's Bay in 1811 followed. All these are recounted in this book, and the more modern system of colonisation, the causes, growth and extent, may also be traced in its well-written pages.

LES CORSAIRES DUNKERQUOIS ET JEAN BART. II. 1662 à 1702. Par Henri Malo. Pp. 518. With several Illustrations. Paris : *Mercur de France*. 1914. 3.50 fr.

M. MALO has been prompt to follow up his first volume (*S.H.R.* x. 430) with its concluding and second volume, which centres upon the Bart family, and specially on Jean Bart, who was at sea in 1667, made his name a terror to the English and the Dutch for nearly fifty years, and died in 1702, leaving a romantic legend of his exploits to brighten the annals of the French marine. His was a name to which the Revolution added fresh tribute, and Napoleon knew to do it homage too. His statue stands in Dunkirk, and his biographer reckons him a typical hero, ‘*sans peur et sans reproche*.’ An appendix gives letters of reprisal and of marque, etc., and there is a moderately good index to the volumes, in which, as Britain is largely the enemy, we hear much that is not so much to our advantage as to ‘la gloire de Jean Bart.’

SELECTIONS FROM THE CORRESPONDENCE OF ARTHUR CAPEL, EARL OF ESSEX, 1675-1677. Edited for the Royal Historical Society by Clement Edwards Pike. Camden Third Series, vol. xxiv. Pp. xv, 162. 4to. London : Offices of the Society, 1913.

THESE Essex Papers from the Stowe MSS. in the British Museum probably derive almost their whole interest from the continuous notices they

contain of affairs in Ireland, where Essex was Lord Lieutenant. In June, 1676, he wrote from Dublin Castle regarding news 'of some seditious Councils that are now agitating in Scotland'—doubtless against the repressive policy of Lauderdale. In 1677 a report is given of a parliamentary discussion at Westminster on that perennial grievance 'ye acts agnst Irish Cattle trade.' Mr. Pike's preface though brief is clear and pointed.

ARCHAEOLOGIA AELIANA. Third series, vol. x. (Centenary Volume, 1813-1913). Pp. viii, 380. With thirty-four Portraits. 4to. Newcastle-upon-Tyne. 1913.

It was a pious thought to commemorate the centenary of the Newcastle Society of Antiquaries by a volume of biographical and historical survey including short accounts of the Society's history, its museum and library, and a select series of personal notices of the men whose names and antiquarian work are the memories of which the present membership at the opening of a second century do well to show themselves proud.

Mr. R. O. Heslop tells the story of the fine Museum which is the glory of the Society. Mr. C. H. Blair describes with a touch of almost equal affection the library. To Mr. Richard Welford and Mr. J. C. Hodgson however has fallen the weightiest task—that which fills 225 pages with 170 condensed biographies enriched with 34 excellent portraits. Among these pictured celebrities we salute John Clayton, Collingwood Bruce and J. P. Gibson, John Hodgson, W. H. D. Longstaffe, Cadwallader Bates and Canon James Raine. May the earth lie light upon them all, and may the second century produce as many archaeological giants as the first!

THE BAYEUX TAPESTRY: A HISTORY AND DESCRIPTION. By Frank Rede Fouke (Bohn's Antiquarian Library). Pp. ix, 139. With 79 Plates. Crown 8vo. London: G. Bell & Sons, Limited. 1913. 5s.

WE are glad to see a history of the Bayeux Tapestry in this new form, as the original book is difficult to procure. The plates are exceedingly good, and help very materially to visualise 'The Conquest.'

SOUTH AMERICA. By W. A. Koebel (The Making of the Nations). Pp. x, 298. With 32 full-page Illustrations and Maps and Plans. Post 8vo. London: Adam & Charles Black. 1913. 7s. 6d. net.

THE writer commences his book on this wide subject with a short sketch of the Indian peoples, made more difficult by the destruction of their pagan civilisation and the 'obliterative enthusiasm' of their Christian conquerors. His real historical starting-place begins with the appearance of Columbus and the Conquistadores. We are given a good account of all the Spanish settlements. The contrast of the Spanish cruelties to their Indian subjects, with the more peaceful settlement of the Portuguese in their colonisation of the great country of Brazil, is well marked. The independence struggle is well described also, and again the difference is shown between the fierce destruction of the Spanish monarchical yoke and the milder establish-

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ment in Brazil of the Republic by the exile of Dom Pedro II. The author has vast ground to cover, and has done his work well, and given some interesting illustrations also.

VOYAGE AUX ÉTATS UNIS DE L'AMÉRIQUE, 1793-1798. By Moreau de Saint-Méry. Edited, with an Introduction and Notes, by Stewart L. Muns, Assistant Professor of History in Yale College. Pp. xxxvi, 440, with Frontispiece. Demy 8vo. New Haven : Yale University Press. London : Humphrey Wilford, Oxford University Press. 1913. 10s. 6d. net.

THIS handsome book is one of the useful series of Yale historical publications, and is of real value. It is interesting to see what the creole historian Moreau had to say about America, where 'the king of Paris during three days' found a refuge until he was enabled to return to France in 1798. A man of culture and a good observer, Moreau was able to see the best and the worst of the country of his exile. It is pleasant to find the criticism 'Les habitans de New York sont en général polis et affables, et le séjour de leur ville est sans contredit le plus agréable de tous les lieux des Etats Unis.' He gives due recognition to the omniscience of Franklin, tells much of interest about Washington and Alexander Hamilton, and of the band of illustrious *émigrés* and strangers, which included his crony Talleyrand and Kosciusko. There is a well-informed account of the state of the Negroes and the attitude of the Churches towards them, and, among other curious observations, one is astonished to find a charge of immorality made against (of all people !) the young Quakers of Philadelphia.

INTERPRETATIONS AND FORECASTS : A STUDY OF SURVIVALS AND TENDENCIES IN CONTEMPORARY SOCIETY. By Victor Branford, M.A. Pp. 424. Demy 8vo. London : Duckworth & Co. 1914. 7s. 6d. net.

THIS book is a glorification of sociology. It is sufficient to take some random headings of its contents to prove this : 'The Citizen as Sociologist,' 'The Citizen as Psychologist,' 'The Sociologist at the Theatre,' 'The Present as a Transition,' and 'The Mediaeval Citizen.' The last essay is both interesting and instructive. It lauds the guilds and the protection they gave to medieval work ; the mutual relation of the guilds and the Cathedral, and *vice versa*. It cites the example of Burgos, when that Spanish cathedral was begun by a French master mason, finished under a German architect, and dedicated to an English bishop. What the author deduces from this is that the medieval man was 'a citizen, a European, and a Christian,' whereas his modern successor is 'a politician, a nationalist, and an idolater,' and he works out his thesis wonderfully well. In this book we read a great deal about the 'outlook tower' of Edinburgh, and of its founder, who, the prefatory note states, is a parent of the work contained in this volume.

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ENGLAND IN THE LATER MIDDLE AGES (1272-1485). By Kenneth H. Vickers, M.A. Pp. xiii, 542. With four Maps. Demy 8vo. London: Methuen & Co. Ltd. 1913. 10s. 6d. net.

HAMPERED as he is by lack of space (he tells us that a hundred pages of his original MS. had to be ruthlessly excised) Mr. Vickers has produced a very desirable chronicle of a long and difficult age. He has recorded not only the Court and military history of his chosen period, but also has put before us the economic and social life, and illustrated it by the quotation from many songs, narratives, and verses of contemporary writers. To the Scottish student the chief interests in this book are his views on Edward I.'s conquest of Scotland, the victory of Bannockburn, and the succeeding reign. In regard to the former he insists upon the English Kings having acted always under the colour of law, but he does not dogmatise actually upon how the law—for Richard I. had 'renounced' the supremacy of Scotland in 1189—stood in regard to his alleged English overlordship.

The invasion of Scotland by Edward III. is well described, and the author quotes Laurence Minot's verse of glee. In the reign of Henry IV. the writer is inclined to palliate the seizure of Prince James of Scotland. Before this we feel that the account given of the reign of Richard II. makes but confused reading, and it might have been simplified. It is not fair, however, to throw stones at a book for a slightly faulty chapter, and this whole work reflects great credit on the author's care, reading (he quotes his authorities generally in footnotes), and skill in writing history. The pedigrees at the end are very meagre and inadequate, and the statement that David II. of Scotland married 'Joan, daughter of Edward III.,' ought to be corrected.

THE MAKING OF THE AUSTRALIAN COMMONWEALTH (1889-1900). A Stage in the Growth of the Empire. By Bernard Ringrose Wise. Pp. xiii, 365. Demy 8vo. London: Longmans, Green & Co. 1913. 7s. 6d. net.

THIS account of the unification of Australia is very welcome. It dates the inception of the movement from the speech at Tenterfield on October 24, 1889, by the veteran Sir Harry Parkes. The book gives a good account of the failure and progress of the project of unification to its happy conclusion, and pays a measure of justice to Sir Harry, its originator, who failed to live to see his darling project a reality. It is well written and more racy than constitutional history usually is.

SELECT PASSAGES ON DUTY TO THE STATE AND KINDRED SUBJECTS. For Reading, Analysis, and Translation in Schools and Colleges. Arranged by J. G. Jennings. Pp. xvi, 214. Crown 8vo. London: Humphrey Milford, Oxford University Press. 1913. 2s. 6d.

THIS work designed for reading, analysis and translations from educative passages contains well-chosen extracts from writers ranging from Aristotle, Plato, Epictetus and Marcus Aurelius, to Ruskin, J. S. Mill, and H. Fielding Hall.

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THE STORY OF KING ROBERT THE BRUCE. By R. A. Mackie, M.A. Pp. 255. With Sixteen Illustrations and One Map. Square 8vo. London: George G. Harrap & Co. 1913. 5s. net.

THIS is an attempt to bring the life of Robert I. before us from the pages of Barbour's *The Bruce* and the *Scalacronica*, and from Froissart and the other chroniclers. It is not always easy to unite the contradictory accounts of the rival English and Scottish writers, and the author is compelled to point out that two days before the murder of Comyn, Edward I. still regarded him as a faithful subject. He indicates also in his preface that he has been forced to abandon a few picturesque tales (e.g. 'The Spider') to weave his historical account the better. The book is well illustrated by M. Meredith Williams.

SHALLOWS. By Frederick Watson. Pp. 311. Crown 8vo. London: Methuen & Co., Ltd. 1913. 6s.

A JACOBITE romance of 1752. We meet several well-known figures, Prince Charlie, Robin Oig the Spy, Lochgarry, and Dr. Archibald Cameron. The sketch of Lochiel's brother is perhaps the best in the book. The author has contrived to give a curious haunting sense of melancholy throughout, well befitting the story of a cause doomed to failure.

SICILIANA: SKETCHES OF NAPLES AND SICILY IN THE NINETEENTH CENTURY. By Ferdinand Gregorovius. Translated from the German by Mrs. Gustavus W. Hamilton. Pp. vii, 346. Crown 8vo. London: G. Bell & Son, Ltd. 1914. 5s. net.

WE welcome this excellent translation of a work by a great historian. To have the view of Gregorovius of what was happening under his own eyes in Naples and Sicily in 1852 and 1853 is invaluable, as also is his account of the 'reforms' and 'counter-reforms' which eventually—after a wonderfully long interval—forced the Two Sicilies to become a part of the kingdom of Italy. The book contains an excellent description of Naples, and shows wonderfully well how the plastic people have always in the long run willingly accepted their foreign rulers. The chapters on Sicily very nearly take the place of the much desired history of that island.

DEMOCRACY IN NEW ZEALAND. Translated from the French of André Siegfried by E. V. Burns. With an Introduction by W. Downie Stewart. Pp. xxiii, 398. With one Map. Crown 8vo. London: G. Bell & Sons, Ltd. 1914. 6s. net.

THIS is an interesting account of the views of an observant Frenchman who visited New Zealand in 1909, when Mr. Seddon's power, 'secure in the solid and double basis of his majority of small holders and working men,' was at its height, and which legislated in a manner which, in the writer's opinion, was democratic rather than socialistic, with 'a perfect débâcle of laws, measures, and experiments.' It is a valuable monograph of a particular epoch by a watcher of politics, and the introduction shows how much the writer's opinions have been borne out by subsequent events.

SONGS OF A BURIED CITY. WITH A NOTE ON MATTERS ROMANO-BRITISH. By H. Lang Jones. Pp. 46. With two Illustrations. Foolscap 8vo. London: J. M. Dent & Son, Ltd. 1913. 1s. net.

In this little book we find keen interest displayed for the obscured part of Caerwent, the *Venta Silurum* of the Romans. The writer has tried to make his readers equally enthusiastic in the by-gone life and in the 'foundations laid by once all-mighty Rome.'

THOMAS OSBORNE, EARL OF DANBY AND DUKE OF LEEDS. By Andrew Browning, M.A. Pp. vii, 107. Crown 8vo. Oxford: B. H. Blackwell. 1913. 2s. 6d. net.

THE Stanhope Essay of 1913 is very welcome published in this form. The first Duke of Leeds, still best known as 'Danby,' was a figure of great prominence, if not of the first magnitude, in the reigns of Charles II., James II., and William and Mary. Playing always for his own hand, Danby was not, however, without patriotism, and he honestly detested the French subsidy received by Charles II. In this brochure we have an admirable account of the rise and decline of his power, and the writer sums up his character as 'neither one of England's heroes, nor one of England's villains.'

In his *Studies in British History and Politics* (Pp. xv, 219. Post 8vo. London: Smith, Elder & Co. 1913. 6s. net) Mr. D. P. Heatley, Lecturer in History in the University of Edinburgh, shows his accurate scholarship, power of suggestion, and wide range of sympathies, by collecting into one convenient volume five studies on *Bacon, Milton, Laud; An American Independence Group; Some Marks of English History; Politics as a Practical Study; and Frederick William Maitland*. While his conclusions are daintily expressed and tentative rather than strenuous or dogmatic, his command of the apt differentiating word and the skill with which he moves in an atmosphere of philosophic speculation give distinction to his writing. To many readers, the discriminating appreciation of Maitland will make the strongest appeal.

All students of the Napoleonic period doubtless possess the large edition of Mr. Rose's *Life of Napoleon I.*; but the appearance of a cheap edition in one volume (pp. xiv, 512; with frontispiece and plans; cr. 8vo.; London: G. Bell & Sons, Ltd., 1913; 6s. net) will be welcome to teachers and many others. Mr. Rose has revised the work and inserted a few notes. The original paging seems to have been retained, and the print is excellent; but the publishers, by using a thin light paper have succeeded in producing a very convenient and handy volume.

In the Romanes Lecture of 1913 on *The Imperial Peace: An Ideal in European History*, by Sir Wm. M. Ramsay (8vo, pp. 28, Clarendon Press, 1913, 2s. net), the contrasts are drawn between Dante's ideal of the Empire with peace as its heart and the devout imagination we call the concert of Europe which has to face the inscrutable factors of nationalism. Sir William incidentally recants some former opinions and now

maintains that the prime direct cause of the ruin of the Roman Empire lay in the failure to solve the problem of inter-communication. Remarkably enough a parallel observation made in *The Early Life of Moltke*: a lecture delivered before the University of Oxford, May 10, 1913, by Mr. Spenser Wilkinson (8vo, pp. 28, Clarendon Press, 1913, 1s. net), is that Moltke's experience as a railway director gave him a unique mastery of the railway system as a weapon of war. The lecturer's conclusion is that military studies are not all a great soldier requires: he must be statesman too.

The Teaching of Indian History (pp. 29; Oxford, Clarendon Press; price 1s. net); by W. H. Hutton, B.D., is his inaugural lecture as Reader in Indian History at Oxford. Its tribute to his predecessor, the late Sydney Owen, is hearty, and of course it deplores the insufficient study of ancient and medieval Indian history and archaeology in the University.

In the Twelfth Annual Report of the Carnegie Trust we are glad to note, from the contributions to history at the credit of beneficiaries, in how varied a degree and with what success the Trust has assisted research. Professor Hume Brown is justified in finding the work thus done 'full of encouragement for the future.' He concludes his report by repeating his suggestion of an annual prize to evoke special talent in various fields.

The *British Review* (January) has an indignant note on the writing of Irish history, provoked by a challenge to the authority of the 'Annals of the Four Masters.' Certainly a seventeenth century redaction is vastly different from a 'fabrication,' but it is open to criticisms, which again may be open to misapprehension.

In the *English Historical Review* (October) Miss Theodora Keith completes a combined enumeration, collation and discussion of the trading privileges of Scottish royal burghs. Professor Haskins produces, from a treatise on canon law, unexpected confirmation of William Cade's position as a money lender, enriched by business *per omnia mundi climata*, including (as we have seen, *S.H.R.* x, 435) Scotland. Professor Liebermann edits an important old text of the *Leges Anglorum Londoniis collectae*, a happy discovery of Professor Tout in the John Rylands library at Manchester. Other themes of the number embrace Archbishop Peckham, the Treaty of Hanover, and a French commentary on Pitt's naval operations in 1757-58 against the French fortified ports on the English Channel.

In the *English Historical Review* (January) Miss M. T. Stead emphasises the note of Manegold of Lautenbach's premonition, circa 1085, of the eighteenth century Social Compact in the doctrine of kingcraft. Mr. G. G. Coulton puts in a strong word for the interpretation of thirteenth century monastic visitation records as meaning exactly what they say on morals, etc., and not as mere echoes of words of style. Sir William Anson deals with the evolution of the Cabinet, and Dr. Holland Rose with Frederick the Great's relations with Britain. Miss M. Deanesly brings fresh light to bear on Rolle of Hampole, and Miss E. J. B. Reid edits an apposite inquisition of 1414 concerning lollardy at Colchester.

The Viking Club maintains its high pitch of vigour and accomplishment. *Old Lore Miscellany* (October) records and illustrates the Orphir cross-slab, bearing alongside the shaft of the cross a sword of a type assigned to the fourteenth century. Thurso kirk session extracts of 1740 are quoted for a local depravity—‘that it is a common practice of filling bridegrooms drunk to that degree that it has proved fatal to severalls.’ Hence the session gave ‘a publick testimony against it.’

Orkney and Shetland Records—vol. i. part xi. pp. lxxv. This special introductory part most usefully rounds off the first volume with an explanatory and historical essay by the editor, Mr. Alfred W. Johnston, briefly expounding the many Norse terms and allusions in the documents. These memories of old history chiefly concern law, taxation, ships, weights and measures, and the classifications of society. On all these heads Mr. Johnston offers well-informed guidance. Perhaps at a future stage it may be well to ask him for a fuller statement of the transition from the udal (*bðal*) law into and through the phase of feudal contact. Also, there is badly needed a historical key chart to the territorial divisions of Orkney and Shetland. Such an equipment would intensify the gratitude of students for the multiplicities of learned energy which, with advantage to the reader, Mr. Johnston constantly manifests.

The *American Historical Review* (October) contains a suggestive essay by Mr. A. J. Carlyle on the sources of medieval political theory, in which fresh grounds are presented for the view that behind the visible structure of medieval society lay the vital sense that political authority was the authority of the whole community. This leads to the further conclusion that the contractual theory of political authority was then no abstract speculation, but was the embodiment of the principle of political liberty, the community being the source of authority. Mr. E. R. Turner continues (see *S.H.R.* xi, 115) his account of the development of the Cabinet, which he finally shows in 1760 as a highly specialised organism evolved from a most indefinite original. Mr. G. S. Callender states the position of American economic history as a study under the changes effected by modern conditions. His most curious point is the anomaly that while interest in economic history has steadily declined among economists, among historians it has as steadily increased. On this side of the ocean there are traces of the same feeling. Some economists are impatient of the tests of history. As usual there is a happy mean. Familiarity with economic science has come to be reckoned a prime quality of the historian’s equipment. Mr. Callender pleads for a closer organisation of historical collaboration with greater definiteness of plan, so as to secure a higher standard of combined political and economic interpretations of history.

The *Iowa Journal* (October) reprints a ‘Personal Narrative’ dating from 1812 relative to transactions with the Indians at old Fort Madison in the war of that time. Some of the writer’s experiences were thrilling enough. One ceremony he witnessed was the plucking of the hair of a Sac Indian,

leaving only a tuft on the top, which was then trimmed up and painted red. The performance, terminating with a dram of whisky, was in honour of a deceased wife, but gave the victim liberty to marry a second.

In the *Revue Historique* (Mars-Avril) M. Flach traces the early relationships of Flanders with the French crown. M. du Dezert writes on the Jesuits of Arragon in the eighteenth century, and M. Lot dissects with great nicety the Chronicle of the pseudo-Fredegarius, the tangled data of which are a complicated puzzle. Three bulletins assemble notices of new works on Latin antiquities, on sixteenth and seventeenth century France, and on Netherlands history. M. Prentout (Nov.-Dec.) studies the Reformation in Normandy, focussing many indications of the prevalence of the new doctrine of the opening sixteenth century, especially among the clergy around Caen, where the university staff itself was a centre point of Erasmians. Bucer called Normandy a little Germany, so Protestant was it. Some historians give the honour of the first Protestant book to a book of Lefèvre d'Étaples, written at St. Germain-des-Prés and published in 1512. Charges of heresy were repeatedly brought against the university from 1531 onward for thirty years. M. Prentout defines 'la Réforme' as a movement not merely political, social and religious, but also, and especially, intellectual. He applauds M. Buisson's dictum, 'La Renaissance et la Réforme au debut ne font qu'un.' (Jan.-Feb.) M. Flach examines the relations of France with the Comté of Flanders, saec. ix.-xv. M. H. Malot shows the corsair ancestry of Jean Bart remarkably oriented towards the evolution of that dashing naval hero of France, while M. Foucin finds the pedigree of the Turgots much less uniform in promise of crowning glory in the economist and administrator. A brisk battle of correspondence is waged between M. Reynaud and M. Grillet over the charge by the latter that the former has systematically belittled and underestimated Germany and its early medieval culture.

We rarely review maps, but we should like to make an exception in order to give a few words of warm welcome to the *Wall Atlas of Modern History*, edited by Professor Ramsay Muir and Mr. George Philip, and recently published by Messrs. George Philip & Son (London, 35s. net). The maps are peculiarly clear, and the editors have avoided the error of trying to include too much. The series includes four maps of Europe about 800 A.D.; at the time of the Crusades; at the time of the Reformation; and under Napoleon. There are maps of England under the Romans, the Anglo-Saxons, and in the Middle Ages. In addition to other more detailed maps, there are two which show the effect of the so-called industrial revolution in regard to the growth of the population and the localisation of industries, with the corresponding growth of cities in these districts.

Presumably the series is meant for school use, but many students of History who have almost forgotten their school days may be glad to have this very interesting and carefully prepared series in their libraries.

Notes and Communications

IRISH PRAISES OF KING JAMES VI. AND I. Among the Trinity College Manuscripts F. 4. 20. (652) there is a small collection of early seventeenth-century verses, some of which are interesting on various accounts. Sir John Davies is the chief contributor. He is represented by some of his Epigrams, and an 'Elegy on the Duke of Richmond who died on Parliament day.'

Some anonymous writers mock Tom Coryat, and Dr. Corbett follows with a certain amount of appreciation of him. Then follow 'Doctor Corbett's encounter with the guards at Windsor,' 'Dr. Corbett against Dr. Price's anniversaries of Prince Henry,' 'Dr. Price's answer,' 'Dr. Corbett's reply,' 'Dr. Corbett's 'Elegy on the death of Lady Haddington.'

To these are added verses by a new writer, indicated here by his initials, J. B. He dedicates his contribution 'To the reverend and learned Dr. Donne, Deane of Paules.

Sir,—It is not out of an oppinion of my worth in this poore trifle, that I presume to make choyce of you for my patron : It is because I assure myselfe that anything that lookes like perfume or spice bestowed upon the memory of your gracious Mr. cannot but be most welcome and acceptable to you. It might have been enough that my owne private devocons could beare witness with mee of myne owne true sorrowe for the losse of his Sacred Majestie, but the example of God himself is more than a commandment and hee when a good Kinge of Judea dyed, vovchsafed to discend soe lowe as to be the author of his Epitaph, for if wee may believe St. Jerome the Lamentations of Jeremy were a funerall Elegy upon the death of King Josias ; haueing such a coppie to wryte after, I could not hold my handes until I had finished this whiche (as it is) I lay at your feet with his handes and his hart who honours and admires you. J. B.¹

CHARLOTTE CARMICHAEL STOPES.

A FUNERAL ELEGY ON KINGE JAMES.

Whoe cannot write an elegy or not singe
A funeral Anthem, when so good a King
Removes his Court, shall every common hearse
Be honored onely by heroicke verse

¹There is an unfinished copy of this same poem in Sloane MS. 1394, p. 176, in which the name is signed in full, 'James Barry'; probably he who was born in Dublin in 1603, and afterwards became Baron Barry.

Irish Praises of

While even the best made for our sovereign looke
 Like some longe Ballade, swolne into a Booke.
 Shall it be his, as 'twas greate Henery's fate
 That none but Poet Skelton should relate
 His worth, whose worke may well deserve that doome
 Th' epitaph is more brazen than the tombe.
 Rather awake dead Muse, thy master's prayse
 May grace thy accents and enriche thy layes ;
 A thought of him had made that Skelton wryte
 More wittily than Chaucer, but a sight
 Of him had forct an obstinate Sadducee
 To sware that there were Angells, and yet hee,
 Hee our blest Angell's dead, why should we then
 Expect eternity, who are but men ?

Let his death teach us what a sea of glasse
 This whole world is, since he our ioye, whoe was
 The soul of it is fled, and could not be
 Freed from that common fate Mortality.
 Could knowledge, vertue, greatnesse or the rest
 Of those poor things which we do count the best
 Had beene preservatives 'gainst death, he then
 Whom we lament had overlived all men.
 For we do celebrat his funerall
 Whoe was more learned, great, and good than all.
 His very name was learninge, and his breast
 As a well-furnished Libery was possesst
 With Artes and Langages, for as whoe lookes
 Into these ragges in print, which we call bookes,
 Shall see that he was the originall
 And they but coppys, he informed them all
 And us, being abler to improve a man
 Then Bodley's Booke Case, or the Vatican.
 What Volumes did he write to Vindicate
 From imputations both the Church and State ?
 What Volumes did he Speake, when every line
 He uttered was so stronge and soe divine
 That had he heard him speake who went to heare
 Divine St. Paule, he would at once inferre
 He were the Paule and so conclude that all
 His writings should be held canonicall.
 Yet he that was all this is deade, his artes
 Nor all the tongues he spake, with those good partes
 Which did adorn him, all these could not adde
 A minute to those blessed days he had :
 Nor could his greatness priviledge him, his descent
 From a most royall line could not prevent
 His unexpected fate, such casuall things
 Are even the best of men, whome we call Kings,

Then let us learn from thence, not to bestowe
Our confidence upon those things belowe,
All of them ioyned together cannot blesse
Their master with a real happinesse.
No man need doubt of that, when he may reade
The truth of it in this, King James is deade,
He of whom Xenophon seemed to prophesy
In his good Cyrus, whom integrity,
Justice, religion, vallor, temperance
Joyned with a constant purpose to advance
The common profit made one miracle
For all heroicke vertues which did dwell
Singly in general worthies, were combined
In him who was the Phoenix of his kinde.
Yet is this Phoenix dead ; is this the end
For which thy hand, my God, did still defend
My Soueraigne, what was it but to showe
Thy providence, that thou preservedst him soe !
But I doe not expostulate, I give
Thy name all prayse, whose goodness made him live
In spite of all his enemies who did thinke
His shipwrecke would have made thy true Church sinke.
Had a man searcht all the recordes of Hell
He would not finde an act to parallell
That powder tragedy, yet I will pause
A while and see, if I can finde the cause
Was it to put Ignatius by that throne
For which he now may pleade prescription,
Perhaps as Germans to advance the arte
Of printinge, which they challenge as a parte
Of their discoveries, make the greatest noyse
In Frankfort Mart, although they write but toys
So these inhumane powder-traitors thought
Because they first that strange artillery brought
Into the world, they by such plotts alone
Might propagate their owne invention,
Or may it not be, as he whoe sometime fired
Diana's Temple, but to be admired
In after ages ; soe these men in hope
To be commended for it by the Pope
As was that French Assassin, or to be
Be-sainted too, and gaine a deitie
Having a proiect to obscure his fame
Would burne the Church that had Appollo's name :
But they did loose theyr endes, and all the glory
Of that defeate, is due unto thy story
Renowned Prince, whose art and care did free
This Kingdom from that strange conspiracy,

Irish Praises of

For this forever shall our Nephewes sing
 Great James was both our Saviour and our Kinge.
 Nor was that all he did, his royall hand
 Hath beene victorious in a foreigne land
 For though his predecessor did possesse
 Some parte of Ireland, 'twas his happynesse
 To gaine it all, for that it may be sayd
 He was the first all Ireland conquered,
 And when he did doe that, had he but knowne
 What a riche country he had made his owne
 If not to settle there, yet well he might
 At least have been persuaded to a sight
 But sure my country, 'twas thy master's happe
 To see thee in a most deceiving mappe
 Yet he improved thee, well, for what encrease
 Of all good things hath his established peace
 Produced in twenty years, I may say more
 Then many hundred years had done before.
 What new schooles raised wherein thy sonnes may strive
 Those many famous titles to revive
 Which whilome thou enjoyedst, when men did come
 Unto thee, from all parts of Christedome
 To learne Divinitye, when every Knolledge
 Had proper to itself a severall Colledge
 What churches have been built, what townes, if I
 Should but remember halfe his piety
 And Zeale to justice, the least action well
 Would merit an eternal Chronicle.
 But I can better weepe, then write, myne eyes
 By this have learned to shed true elegies
 And let them do soe still, they cannot have
 A nobler obiect than King James his grave
 Whom had those Greeke or Latine poets seene
 As they dreamt of him, infinite had been
 Æneas and Ulysses stories, since
 They were but tipes to represent our Prince,
 Who as executor to Christ did see
 The true performance of that Legacy
 Which he bequeathed unto the world, upon
 His sadd and final transmigration
 And that was peace which he pursued so farre
 That he had banished even the name of warre
 And settled a longe Saboath till the pride
 Of that ambitious monarche did divide
 The Christian world, whose labors for a throne
 As Catholique as his religion.
 Is thought in Rome, this made our Lyon roare
 And our blest peacemaker, who before

Becalmed all Europe, then began to trye
 What fier and sworde could doe ; if I might pry
 Into the arke of state, I should divine
 That my dear Sovereigne had some high designe
 On foraign partes, did not our sinnes prevent
 Our Moses in the full accomplishment
 Of his desiars, God brought him to the hill
 And then he dyed ; it is Joshua must fullfill
 Our prophesies of him, his gracious Sonne
 Must do that which the father might have done :
 May he doe that and more and ever bee
 Blest in his counsell, may felicity
 Crowne all his actions, and religion
 Establishe him in a perpetuall throne.
 And now thou blessed Saint, ore whose sad urne
 I, thy poore prophet have presumed to burne
 This little incense of a loyall hart
 Pardon my weakness, and let this be part
 Of his iust tribute, whoe could wishe to bee
 A Chapman, or a Silvester to thee.
 While others penne the Annalls of the time
 To sett the Comon peoples hartes to rime
 And whoe can do that here, where every face
 Doth labor by a strange and severall grace
 T'expresse it master's sorowe, where all eyes
 Are drowned in teares, where the disconsolate cryes
 Of orphane subiects doe proclaime thy fall
 To be an universall funerall :
 Yet, since it was decreed, we could not choose
 A more convenient time wherein to loose
 So rare a Jewell then in Marche, 't was then
 Great Caesar dyed, that miracle of men :
 In Marche the worlde was borne, and now it dyes
 In Marche againe in thy sad obsequies :
 In Marche was Adam made, and mankinde than
 In Marche Christe dyed, so it demolished man
 Thus wee are all Marche dust, why may not wee
 Be turned to dust againe to ransome thee ¹
 For as in naturall bodyes when the heade
 Receives a mortall wounde, all partes are deade.
 The hand hath lost its feelings and the eye
 Can hardly give intelligence to discrye

¹ The Sloane MS. 1394, f. 179, has interpolated here :

But Heaven forbid that wish since thou art gone
 To an immediate possession
 Of everlasting happinesse and wee
 Have but Life lent us to remember thee.

King James VI.

Approaching dangers, soe in states the death
 Of Princes steales the subiectes breath
 Out of theyr nostrills, hence that generall rott
 Which overrunnes us, we even then had gott
 When we lost thee, when thou our sunne didst sett
 Thy absence from our hemisphere did begett
 A night of sickness, and that night hath slayne
 As many as have made a noble trayne
 Of followers, whoe are gone from hence the faster
 Because they might attend so just a master.
 For as the provident Tartar would not send
 Theyre dead Kinge to his tombe without a frende
 To beare him company, soe are they gone
 Onely as courtiers to waite upon
 Their Prince in his last Progresse, and to see
 Thee reinvested in thy Majesty
 Death hath but changed thy crown, and this translation
 Doth leade thee to a second coronation
 While in thy passage thither thou shalt bee
 Still intertayned with riche Varietie
 Of reall Pageants till thy Chariot shall
 Be drawne by Angells, into Heaven's Whitehalle
 The Ayre shalle welcome thee with a sweet quier
 Of winged queristers, when thou mountst higher
 The Planets to this greate Solemnity
 Shall adde for state their starre-wroughte Canopie¹
 Then some Pythagoras shall time the sphaeres
 To rarer music and to blesse thyne eares
 The saynts themselves shall singe, whilst thou above
 Them all are placed, to be inthroned by Jove
 Where God, thy Lord of Canterbury shall bestowe
 A crowne on thee, and end thy triumph soe,
 Heaven shall with ioyfull acclamations ringe
 Not of *God save*, but *God hath saved our Kinge*
 And least by our neglect the memory
 Of soe admired a Prince might chance to dye
 In future times, fame shall inscribe this on
 His Statuary representation

Wolsey could not devise a monument
 Worthy thy greatness, had the Cardinall spent
 More than all Ægypt's glory upon one
 It woulde not finishe thy Sepulchrall stone :
 The world is thy Tombe, all Poetry shall bee
 Thine epitaph, all Prose thy History.

¹ Here the Sloane MS. ends.

GENESIS OF LANCASTER (*S.H.R.* xi. 205). In the notice of Sir James Ramsay's *Genesis of Lancaster* there is on the second line of page 205 an error which the reviewer regrets that he overlooked. The characterisation quoted is that of Edward II., not Edward III.

THE GREAT SEAL OF WILLIAM THE LION. In a recent newspaper correspondence over the national flag, when the writer pointed out that the Great Seals proved that Alexander III. was the first King of Scots to bear the complete royal arms, a lion rampant within a double tressure flowered contrariwise, his father, Alexander II., bearing a lion rampant alone, and his grandfather, William I., displayed a shield devoid of armorial bearings,¹ it was replied that 'a writer on seals states that he recollects having seen a wax impression of the 'Lion' on a seal used during the reign of William I.; and many historians say that this called into being the title 'William the Lion.''²

I have traced this story back to its origin, and found it to be fallacious. In Hailes' *Annals of Scotland* it is stated that, before the days of William, none of the Scottish kings assumed a coat armorial, the Lion Rampant first appearing on his seal, from which circumstance it is probable he received the appellation of the Lion,³ and the reference given is to Anderson's *Dipl. Scot. Pr.* 54. Investigation revealed a reference in Ruddiman's preface to Sir Robert Sibbald's *Answer to Rymer's Second Letter*.⁴ And here I found my prey.

One of the points in the controversy then, 1704, raging over the independence of the Scottish Crown, was whether the French League was really as old as the time of King Achaius and the Emperor Charlemagne, and one of Sibbald's proofs was a statement made by Alexander Nisbet, the well-known herald. Nisbet deponed that he had seen in the Winton Charter Chest a charter by William the Lion to Philip de Seton: 'The seal thereto appended in white wax is a King Inthronised, and on the Reverse he's on Horseback, holding a Sword in his Right hand, and on his left arm a Shield, charged with a Lyon Rampant within a double tressure, counter flourie with Flower de Liss, which is distinctly cut as in our

¹ Letters to the *Stirling Observer*, August-October, 1913.

² Letter by Mr. John Bell, *Stirling Observer*, 4th Oct., 1913. In a brochure, *The Lion Rampant*, etc., by Mr. Bell and Mr. Thomson, this statement is correctly attributed to Nisbet (who repeated it more briefly in his *System of Heraldry*, ii. 99) with the remark that it 'is not now generally accepted, pp. 9-10.

³ Hailes' *Annals of Scotland*, vol. i., p. 168 of 1819 edition. Also Chalmers' *Caledonia*, i., p. 761; Scott's *Tales of a Grandfather*, i., p. 33 of 1892 ed.; Anderson's *Scottish Nation*, iii., p. 643. Hill Burton in his *History*, i., pp. 444-5, says this story was invented by the writers of chronicles 'in the days when heraldry flourished.' This period, presumably, is in the 13th, 14th, and 15th centuries; but the origin of the arms is not attributed to William by Fordun, Wyntoun, and Boece; nor Leslie, Buchanan, Balfour, and Nisbet, who all, if they mention the arms, attribute them to Fergus.

⁴ Anderson's *Selectus Diplomatum et Numismatum Scotiae Thesaurus*, 1739, Ruddiman's preface, note to p. 54.

modern seals.'¹ Could anything be more explicit? Yet his statement is untrue; for there are no armorial bearings on the seal. In Seton's *Family of Seton* the charter is reproduced.² Only a fragment of the seal remains; but there is enough to show that it is the well-known seal of William, who is depicted bearing a shield perfectly devoid of any armorial bearings.³ But why was William called the Lion? Boece explains that the king was 'callit, for his singular justice, The Lioun';⁴ and Fordun gives him several titles, one being Lion of Justice.⁵ C. CLELAND HARVEY.

THE WILL OF MARY STUART. Under the date February, 1577, Labanoff⁶ printed (from MSS. Cott. Vespas., C. xvi. fol. 145) a 'Projet de Testament fait par Marie Stuart.' This document, which had been published previously by William Robertson,⁷ appears to be of indubitable authenticity; the original draft is in the hand of Claude Nau, but many corrections and additions have been made by Mary herself. According to the terms here laid down, James is made heir of Mary, provided he can be brought back to the Catholic faith, but if he continue in his heresy the title is to pass, with the Pope's consent, to the King of Spain or others of his family.

Any legacy to Spain, therefore, was purely conditional, and Mary, who was planning to have her son kidnapped and sent to a Catholic country,

¹ Sibbald's *Answer to the Second Letter*, 1704, pp. 110-112. Nisbet believed the story which assigns the arms, a red lion on a gold shield, to King Fergus 330 B.C., and the addition of the double tressure and lilies to King Achaius in commemoration of the French League: and maintained that, although arms do not appear on early seals, that was simply because the inside of the shield is shown (*Essay on the Ancient and Modern Use of Armories*, 1718, pp. 10 and 17-19). He mentions a boundary stone put up by Malcolm III., bearing his arms, the lion rampant and double tressure, and those of William I. of England, two leopards (*System of Heraldry*, ii., p. 98). This is impossible, as the science of heraldry arose about 1200; although Nisbet places its origin about 410 A.D. (*Essay on Armories*, p. 7).

² Seton's *Family of Seton*, p. 68.

³ This Great Seal of William with the plain shield, the only one known apparently to writers on seals, is figured in Anderson's *Diplomatum*, plates 26 and 28; Raine's *North Durham*, pl. ii., f. 1; *National MSS. of Scotland*, i., No. 29; *Acts of Parl.*, i., p. 88; Facsimile of 2nd Charter to Aberdeen; *British Museum Cat. of Seals*, iv., pl. 1; and Birch's *Scottish Seals*, i., pl. 6 and 7. There are casts of both sides at the Heraldic Exhibition, Provand's Lordship, Glasgow; and I have two examples of it appended to two charters, dating 1166-1171 and 1202-1207. It is described in his *Catalogue of Scottish Seals*, i., No. 9, by Laing, who says it is often met with; Wyon's 'Great Seals of Scotland,' *Journal Brit. Archæol. Assoc.*, vol. 45, p. 107; and the *British Museum Catalogue*, iv., Nos. 14773-5 from 3 Cottonian Charters. It would be interesting to locate and date, as far as possible, the existing examples of this King's seals.

⁴ Hector Boece's *History of Scotland*, translated by Bellenden, Buke xiii., c. 4.

⁵ Fordun's *Scotichronicon* (Skene's ed.) *Gesta-Annal.*, c. vii.

⁶ Lab., vol. iv. p. 352.

⁷ William Robertson, *History of Scotland during the Reigns of Queen Mary and of King James VI.*, vol. iii., App. xxxiii.

did not seriously suppose that his title would be defeated on the ground of heresy. James, it must be remembered, was very young, and probably the scheme was outlined with a view to a Spanish marriage. In any case it was, as its provisions show, a 'project' only.

In the first place, while Philip was made heir in reversion, Henry III. was named Protector of the little Prince; considering the relations of France and Spain, such an arrangement could never have been carried into effect. Again, the settlement made in contemplation of James' death before his mother, though of importance, was never properly worked out. The original intention was to find James' successor either in the Earl of Lennox (Charles Stuart, Darnley's brother), or in Lord Claude Hamilton; but the former was dead before the Will was made,¹ and when Mary discovered this the draft was revised. In one place the name of Arabella Stuart was substituted for that of her father, but in another that of the deceased earl was left standing—proof positive that this document was a rough copy only, and there is no evidence to show that it was ever put into a formal shape.

During the years between 1577 and 1586, the relations between James and his mother varied from time to time, but at the beginning of 1586, Mary, as appears from her correspondence with Mendoza, was plainly very angry with her son. In accordance, apparently, with an old promise² Mendoza had procured from Philip some money for the captive Queen, and had proposed to send to James a part of the grant; Mary, who had previously regretted Spain's parsimony towards him,³ now stated that she would have no money sent to him until he had learnt better his duty towards her.⁴

Such was the state of Mary's mind when she wrote the famous letter to Mendoza (May 20, 1586),⁵ in which she promised, under certain conditions, to make Philip her heir. In a letter of the same date to Charles Paget,⁶ she shows herself much more solicitous about her son's title, but as Paget was notoriously hostile to the Spanish claim, it is best not to rely too much on the version of the affair given to him. If the argument be confined to the letter to Mendoza, it will still appear that the bequest to Spain was only conditional—'*j'ay pris délibération en cas que mon dict fils ne se réduise avant ma mort à la religion catholique (comme, il fauet que je vous die,*

¹ Labanoff states, iv. 355, that he died in December, 1576. But he was dead in April, 1576 (*S.P. Scotland, Elizabeth, xxvii. 5*).

² Thorpe's *Calendar of Papers of Mary Queen of Scots and of Scotland: Elizabeth* (Henceforth Thorpe), vol. ii. 988. May 9th, Mendoza mentions a grant of 24,000 crowns; *Cal. Span. Pap.* iii. 574, shows that only 12,000 were destined for Mary; and Lab. vi. 320, shows that 12,000 were meant for James. As the grant was an old one (*Cal. Span. Pap.* iii. 574) it may be identical with that obtained by Parsons (Knox (Card. Allen), 253, n. 2 and 382); 4000 crowns were ordered to be sent in April, 1586 (*Cal. Span. Pap.* iii. 574), and other 8000 were handed to Beaton (*Ibid.* 629).

³ Knox, *op cit.* 244, Oct. 30, 1584.

⁴ Thorpe, ii. 991, May 28, 1886, and Lab. vi. 320.

⁵ Lab. vi. 309.

⁶ Lab. vi. 313.

que j'en ay peu d'espérance tant qu'il restera en Escosse), de céder et donner mon droict, par testament, en la dicte succession de ceste couronne, audict sieur Roy.'

Mary certainly seems to put a term to the period allowed for James' repentance, but she does not state that she has made a Will disinheriting him, and there is no probability that such a Will was ever made, for on November 23rd¹ the Queen wrote to Mendoza reiterating her desire that Philip should succeed her—'*mon fils ne retournant au giron de l'Eglise*'—and promising to write to the Pope in this sense, but expressing the belief that she would not be able to make a testament (*je ne sais si j'aurais congé de faire testament*). On the night before her death, however, she did make some kind of a Will,² but this dealt with personal matters, and here it suffices to notice that she named as executors Guise, Glasgow, Ross, and her Chancellor Du Ruisseau. Perhaps she considered that with her death James' chance was gone, but it seems more likely that the mother in her triumphed, and that she decided to give her son a longer hour of grace. The last messages she sent to Philip, by Gorion, her apothecary, and by Mistress Curle,³ contained an urgent prayer that the King of Spain would do his utmost to convert her son. It is noticeable that at the supreme moment Mary still clogged the bequest to Spain by the condition 'that her son should be a heretic,' and that she does not seem to have considered that his opportunity for conversion was already past.

Mary's own papers then do not prove, or even imply, that she made a Will disinheriting her son. To the Spaniards, however, such a Will was necessary, and they set about making good the deficiency in every possible way. Apart from the restitution of the bishops, James' actions after his mother's death seemed consonant with the adoption of a Catholic policy. It was reported that he had sent Beaton instructions to seek the aid of France in avenging his mother's death⁴; he refused to receive Cary⁵; he wrote the Duke of Guise.⁶ The Pope was convinced that James would soon be converted⁷; there was even a desire for marrying him to a niece of Sixtus.⁸ Spain, therefore, found it necessary to counteract the efforts of James' supporters in Paris and at the Vatican, and in both places the 'Will' of Mary was a useful card. Philip was rather averse from talking too much about his title lest he should forewarn

¹ Lab. vi. 456.

² Lab. vi. 485.

³ *Cal. Span. Pap. Eliza.* iv. 152, 154. Miss Curle was one of those entrusted with the secret of Spain's reversionary interest; hence the message entrusted to her is the more striking. It was Curle who dealt with the Spanish negotiation (Hardwicke, *S.P.* i. 247). Nau as a Frenchman was not trusted (*Bardon Papers*, Cam. Soc. 77). The editor of the *Bardon Papers* supposes this statement to be untrue, on the ground that the Will of 1577 was in Nau's hand. But that Will, as shown, implied co-operation between France and Spain (cf. Knox, *op. cit.* p. 386. Parsons gives the same account of Nau).

⁴ *Cal. Span. Pap. Eliza.* iv. 81, 90. James did in fact instruct Beaton to feel the opinion of Henry III. on the point (*Courcelle's Negotiations in Scotland*, Bann. Club, 53).

⁵ *Courcelle's Negotiations*, 41, 42, etc.; *Letters of Elizabeth and James VI.*, 46.

⁶ *Ibid.* 54.

⁷ *Cal. Span. Pap. Eliza.* iv. 107.

⁸ *Ibid.* 92.

his enemies,¹ but the story of Mary's testament was current in Paris in November, 1586.² Mendoza reported that Mary's papers had been seized, that the Will had been found in her *escritoire*, and that Wotton, Ambassador to France, was bringing with him copies of this Will, and of Mary's correspondence, duly attested by the signatures of Nau and Curle. Elizabeth, he added, had already sent to the King of Scotland telling him that his mother had disinherited him.³ The Nuncio in France, the Archbishop of Nazareth, was quickly put *au fait* with the situation,⁴ but Philip was inclined not to press his claim till later.⁵ None the less the story of the Will had been bruited abroad in the French capital, and had doubtless produced its effect.⁶

At Rome, too, Olivares had found it of value; he had heard it as early as December, 1586,⁷ and used it to convince Cardinal Caraffa that James' succession was out of the question. In June, 1587, the alleged Will was made the basis of a set of propositions to be presented by Olivares to Sixtus.⁸ The Pope was to be told that though the document itself had been concealed by Elizabeth, Philip had proof of his title in the autograph letter of May 20th, 1586.⁹

Spanish policy, then, had been shaped by the supposition that the Will had been made, and when Mary's servants arrived at Paris in October, 1587,¹⁰ with her last messages and her letter of 23rd November, Spain was put in a quandary. For the long-desired testament was not forthcoming; all the servants brought was the list of bequests made by the Queen on the night before her death.¹¹ Philip was quick to see that, as Spain was already committed, the story of the Will must be maintained; he replied to Mendoza¹² bidding him keep the autograph letter in which Mary referred to the Will *she had made*,¹³ and instructing him to keep the servants within reach—especially Curle—as they would be good witnesses. He also made inquiries about the letter which Mary had

¹ *Cal. Span. Pap. Eliza.* iv. 107.

² *Ibid.* iii. 660 and 644-6.

³ A list of Wotton's papers is to be found in *S.P. Dom. Eliza. Addenda*, 1580-1625, 188. They carried copies of some of Mary's letters, but not of the Will. One seeks in vain in Thorpe's *Calendar*, the *Salisbury MSS. Report*, *Courcelle's Negotiations*, etc., for any letter which accuses Mary of having disinherited her son.

⁴ *Cal. Span. Pap. Eliza.* iv. 32.

⁵ *Ibid.* 60, 83.

⁶ *Ibid.* 71. By April Katherine de Medicis was making inquiries of Mendoza as regards the succession.

⁷ *Cal. Span. Pap. Eliza.* iii. 660.

⁸ *Ibid.* iv. 117.

⁹ It is hard to see how the Spaniards had an autograph letter. Curle said he put it into cipher, though Mary wrote the copy herself (*Hardwicke, S.P.* i. 247).

¹⁰ *Cal. Span. Pap. Eliza.* iv. 152.

¹¹ *Ibid.* 158. As Mendoza names as the executors of this will Glasgow, Ross, and Guise, it is plainly the document already referred to (*Lab.* vi. 484).

¹² *Ibid.* 169.

¹³ 'Con aviso del testamento que *tenia hecho*' (*Teulet*, v. 508). Mary, of course, never said she *had made* a Will.

promised to write to the Pope. Mendoza understood what was required and bent all his efforts to collecting evidence that the Will had existed, and to discovering the contents of the letter to Sixtus V.,¹ which he managed to detain in Paris until he got a copy of it from Beaton.² Philip evidently judged, from his ambassador's account, that this letter was in his own favour, and he ordered it to be duly forwarded to the Vatican,³ but to an unbiased reader the document is far from being a proof that the Will was made. It states,⁴ that Mary would prefer '*le salut public*' to the '*particulier intérêt de la chayr et du sang*, begs the Pope to do his utmost to convert her '*paovre enfant*. It is to the Pope that Mary hands her authority over James, and though she suggests his asking Philip's assistance to constrain her son, if he remain obstinate, she still inclines to the scheme of a Spanish marriage; only in the event of the failure of all these measures is Philip, with the Pope's consent, to become her heir.

Clearly, the case of Spain was none too strong; hence the feverish efforts made by Mendoza to establish the fact that the Will had really been executed. Mary had abandoned hope of James' conversion⁵; Wotton's instructions to the French court bore witness that such a Will had been found, and duly attested by the two secretaries⁶; Elizabeth had shown the Will to Belière, and had afterwards burnt it; Gorion had been present when the council had reproached Mary with disinheriting her son; Nau could testify that Walsingham assured him about the Will, and that the matter had been published in Scotland and France for the purpose of discrediting Mary⁷; Curle had seen in Phelippes' house the autograph Will itself.⁸ All this was evidence that the document had existed, and as late as January, 1590,⁹ Mendoza wrote to Philip proposing that Curle and his sister, Gorion and Beaton, should make a formal deposition of what they knew before the Legate (Caietano) who had just come to France. The King at once agreed,¹⁰ pointing out that all could be done under colour of vindicating Mary's Catholicism, and by August the idea had been carried out,¹¹ but by that time Philip's opportunity was virtually gone.

¹ *Cal. Span. Pap. Eliza.* iv. 178.

² Mendoza was able to report the gist of the letter on Dec. 27, 1587 (*Cal. Span. Pap. Eliza.* iv. 182). He sent a copy of the letter on Feb. 25, 1588, to Philip (*Ibid.* 216-7).

³ Philip told Mendoza to forward it to Rome on Jan. 25, 1588 (*Cal. Span. Pap. Eliza.* iv. 195), and by April it had arrived (*Ibid.* 253-4).

⁴ *Lab.* vi. 453.

⁵ *Cal. Span. Pap. Eliza.* iv. 156.

⁶ *Ibid.* iii. 644-6, and iv. 178. The secretaries attested (Hardwicke, *Pap.* i. 249) papers, letters, and writings. But there is no specific mention of a Will. Nor does the Will occur among the papers given to Wotton.

⁷ *Cal. Span. Pap. Eliza.* iv. 178-9.

⁸ *Ibid.* 182.

⁹ *Ibid.* 665.

¹⁰ *Ibid.* 577.

¹¹ *Ibid.* 585. De Thou (*Historia Sui Temporis*, Lib. lxxvi, Sectio xv.) quotes from the 'Life of Cardinal Lauro,' a statement that a last autograph letter from Mary was ratified at Rome by the signatures of the Cardinal himself and Owen Lewis. The dates, however, are not very trustworthy, and De Thou himself discredits the story of the Will, though he believes Mendoza had been given hopes in letters.

It is patent that if Mary did make a Will, Spain never obtained it; but if, as was stated, Elizabeth had burnt the document, this would be comprehensible enough. On the other hand, is it not possible to argue that the Will was never made at all, and that the story of its being burnt was a fable to account for its non-appearance?

Spain, as has been shown, was anxious to believe in its reality, and Elizabeth was not averse from discrediting Mary in the eyes of Scotland and France. Hence the story of the will obtained an easy currency,¹ but it is significant that Elizabeth does not seem to have sent a copy of the document either to Henry III. or James VI. This fact is in itself suspicious, and if the evidence for the existence of the 'testament' be carefully examined, it will be found to be very slender. The stories gathered by Mendoza might be discounted on the ground that Mary's servants, knowing what was wanted, and hoping for pensions, would say whatever the Spaniards wished. But it is better to take their testimony for what it is worth, and when all suppositions and presumptions are laid aside, it will be found that Curle alone claimed to have seen the document in Phelippes' house. Unsupported this statement might be doubted, but attached to a 'list of papers concerning the Babington conspiracy,'² occurs the mention of a paper entitled 'Her Will.' The fact that this document is grouped with 'the Scots Queen's acceptance of the Association' may lead us to conclude that it was of an old date, and if we admit, as we may, that among the papers taken at Mary's arrest there *was* a Will, it is precisely the date which proves that it was not the Will in question. For, assuming that this document was found, as Mendoza asserts, in Mary's *escritoire*³ in August, it cannot have been regarded by the Queen herself as being of any importance or validity, since she stated on November 23rd, that in all probability she would not be able to make a Will at all. On the whole, it seems likely that the testament seen by Curle in Phelippes' house was none other than the famous 'projet' of 1577; this must have survived somewhere, and it is possible that Cotton bought it along with other papers from Phelippes. Certainly some of the Cottonian MSS. were acquired in this way.⁴

The solution of the whole affair seems to be as follows: The secret correspondence, reopened by Morgan at the beginning of 1586,⁵ was known to the English Government, and any letters not actually intercepted *en route*, must have been found after Mary's arrest. At all events the English Government certainly had several papers in which occurred the threat to disinherit James.⁶ Possibly it had also in its hands the 'projet' of

¹ Thorpe i. 534. D'Esnaval, writing to Courcelles, Sep. 27—Oct. 7, mentions the Queen's Will; but he would have no special information.

² *Hist. MSS. Comm. Salisbury Papers*, iii. 208.

³ *Cal. Span. Pap. Eliza.* iii. 644.

⁴ *Claude Nau's Narrative*, edited by Fa. Stevenson, Intro. xliiii. n.

⁵ *Hist. MSS. Comm. Salisbury Papers*, iii. 129 *et seq.*

⁶ The evidence of *Thorpe's Calendar*, the *Salisbury Papers*, the *Hardwicke Papers*, and the *Bardon Papers*, is conclusive on that point; but in none of these collections is there a document purporting to be the Will itself.

1577, which was evidently unfinished and out of date, and not altogether unfriendly to France. Anxious to justify severe measures against Mary, Elizabeth circulated, on the strength of the recent letters and the old document, a version of the affair which represented the Will as already made. But the actual instrument whereby the Queen had disinherited her son was not produced at the time, and has never appeared since—because it never existed. It suited Spain, and to a certain extent England too, to assume that Mary disinherited James, but she did not in fact do so, though she obviously could, had she chosen, have transmitted the testament to Philip in the same way as she sent her letter of November 23rd—namely, by means of Gorion.¹ She seems never quite to have abandoned hope of her son; possibly she wrote to him in January, 1587.² To Paget,³ to the Pope, to Philip himself, she sent messages urging his conversion, and even if force became necessary, she still hoped for a Spanish marriage for her son. In her last letters she named no term within which James was to repent, so that any grant to Spain was still clogged by a vague condition; beyond this she did not go, and the story of the completed Will was an invention of Spanish state-craft.

J. D. MACKIE.

THE EUROPEAN REVIEW. Under the editorship of Dr. Seton-Watson, a new and ambitious quarterly is projected by Messrs. Constable & Coy. It is to be styled *The European Review*, a Survey of Nationality, and devoted to the interests of the smaller nations and nationalities of Europe. Besides politics, its field will include literature, art and music.

The aim will be to avoid party labels, and in religious questions to preserve neutrality. Special attention is promised to the bearings of religion and economics on racial and national problems.

¹ *Cal. Span. Pap. Eliza.* iv. 153. Froude, *Elizabeth* v. 316-7, represents her interview with Gorion as taking place on the night before her death; his own statement shows that it was much earlier.

² Thorpe, i. 542.

³ Lab. vi. 313. The fact that Mary in this letter proposed to make Lord Claude Hamilton her heir, 'my sonne failing without children,' might be used as a proof that Mary did not contemplate the defeat of James' title, even in the event of his falling into the hands of Spain. But too much stress cannot be laid on this as Paget was given no hint of the possibility of Philip's inheriting.

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David Laing, Antiquary and Bibliographer

DAVID LAING was born in Edinburgh on 8th May, 1793, and died there on 18th October, 1878, in his eighty-sixth year. He was one of the most eminent Scotsmen of his time, and probably did more than any other single man to elucidate the history and literature of Scotland and to settle them on sure foundations. 'He was,' says Professor Masson, writing in 1874, 'easily the prince of living authorities in all matters of Scottish history and biography.' 'The early literary history of his native country,' says Dr. John Alexander Smith, 'together with its ecclesiastical history since the period of the Reformation and the history of Scottish art were his special spheres of research, and in these departments he may be said to have stood almost alone.'

Five and thirty years have gone since he died, and although his work remains, a monument of his genius and industry, the man himself is becoming but a tradition to a generation who knew him not, 'for there is no remembrance of the wise more than of the fool for ever, seeing that which now is, in the days to come shall all be forgotten.' Mr. Goudie's exhaustive biography will therefore be welcomed as an authentic record of his life and of what he accomplished.¹

What manner of man was David Laing is a question which will be put to those who come after us. Friends who could fully and

¹ *David Laing, LL.D.: A Memoir of his Life and Literary Work.* By Gilbert Goudie, F.S.A.Scot. . . . With Introduction by Lord Guthrie, Edinburgh. Printed for private circulation by T. and A. Constable, 1913, 8vo, pp. xlii, 318; 5 illustrations. [250 copies printed.]

adequately have replied have passed away without doing so. He was so well known, he was so much appreciated, and bulked so largely in the eyes of his contemporaries that it seems never to have occurred to anyone that a time would come when his personality might disappear and he should be known only as a worker and master of his craft. As one of those who admired and honoured him while he lived, I may perhaps be allowed to say something regarding him.

I knew David Laing for the last fourteen years of his life. My acquaintance with him began in 1864; when he was one year beyond the three score and ten and I was two and twenty. How he looked at that time may be seen in his portrait by Sir William Fettes Douglas; but the later painting by Herdman is more as I remember him. 'His general bearing,' writes one in 1864, 'is erect and dignified'; honest manliness, says another, was one of his characteristics. This was so. He was genial, bright, active and alert, and singularly accessible; always pleased to see you, always willing to help. He was apt to learn and ready to communicate. He saw your point at once, placed himself in your position, and explained your difficulty not as a mentor but as a fellow student. His information was vast and extended over a wide range of subjects. All of it was at his finger tips. He spoke as if the subject you introduced was the one uppermost in his thoughts, and answered your question without hesitancy. Whatever he knew he knew accurately and could state clearly and precisely. I never met anyone who could handle a book as he did; he knew its place, whatever it was, walked straight to the shelf, took it down, and was at your side again in a trice; the book seemed to open at the place wanted, and with a slight swing he laid it before you and put his finger to the passage. He was never impatient, gave you the attention that was required, but did not waste time on irrelevant discussion, and when he had disposed of your problem he went on with his own work as if there had been no interruption. Always busy himself, he had always time for others. He was consulted by scores of inquirers in my time, and was then, as he had been during the preceding fifty years, adviser general of all those interested in the early literature and history of Scotland.

From Sir Walter Scott downwards everyone consulted David Laing, and everyone did so to profit. In 1843, when Carlyle was engaged on *Cromwell*, he came to Scotland to visit the scene of the

Protector's victory at Dunbar. He wrote to his wife from Haddington on 4th September: 'Before quitting Edinburgh I had gone to David Laing and refreshed all my recollections by looking at his books, one of which he even lent me out thither.' 'His love for all letters,' says Professor Cosmo Innes, 'his willingness to assist all study have brought it to pass that, sitting in that fine Signet Library of which he holds the keys, he is consulted by everybody in every emergency.' 'He was,' says Mr. Thomas Constable, 'the courteous, painstaking, and efficient helper of all who need literary aid.'

Looking back over the work of his long life, we can see that he was the same man at the beginning as at the end. He grew and ripened, but the characteristics of his mature years were plainly visible in the young man.

His father William Laing (1764-1832) was an eminent and successful bookseller, with an extensive knowledge of books, particularly of those relating to Scotland. He was on terms of intimacy with all the literary men of Edinburgh, and with all the bibliophiles in Scotland and many of those in England. In his mother's portrait one recognises the features of the son, and can reasonably conjecture that it was from her that David Laing derived the genial manner, the even temper, the brightness and alertness which distinguished him. From his father no doubt he had his business aptitude, his exactness, his industry, his sagacity, and his common sense.

Introduced to his father's business at an early age, and with his father as instructor, he acquired without effort an extraordinary knowledge of books and of their contents. His father's knowledge seemed to pass to him by absorption; it was assimilated and made his own and added to day by day. When he was but sixteen years of age he had already achieved a reputation for bibliographical knowledge. He was at that time sent to London by his father as his business representative, and attended the sales of the libraries of Richard Porson and Alexander Dalrymple. In the following year he was in Dublin at the sale of Burton Cunningham's books. In 1812 he was present at the Roxburghe sale, for long one of the most famous in the annals of bibliography. Three years later Charles Kirkpatrick Sharpe acknowledges his indebtedness to him. In 1818 John Gibson Lockhart celebrates him in verse:

David the most sagacious and the best,
As all old Reekie's erudites opine,

Of Scottish bibliopoles, who knows the zest
 And name of every title-page Aldine;
 A famous bibliomaniac and a shrewd,
 Who turns his madness to no little good.

Next year he writes of him in prose: 'David Laing is still a very young man; but . . . he possesses a truly wonderful degree of skill and knowledge in almost all departments of bibliography.' He had already in 1815 published his first book, and this was of a bibliographical character, being a reprint of the Catalogue of 1627 of the books presented by William Drummond of Hawthornden to the library of the University of Edinburgh. At the close of his life a writer in the *Athenaeum* says: 'Mr. Laing's knowledge of bibliography was immense. Hardly anything of importance since the invention of printing had escaped his notice, and he was always ready with an answer to anyone who inquired about the best editions or the most perfect copies, and about their value.'

Laing, like Sir Walter Scott, had a deep affection for 'his own romantic town,' and did much to illuminate her history, and to create a living interest in her old streets and buildings and the men and women who peopled them, and gave them colour and story. Amongst the books and documents bequeathed by him to the University of Edinburgh there is a large collection of illustrations of Edinburgh antiquities.

The early literature of Scotland appealed strongly to him, and his best energies were devoted to its study and to bringing it before his countrymen. In 1821 he published the poems of Alexander Scott from a manuscript of 1568; at the time of his death he was engaged upon a new edition of the poetical works of Sir David Lyndsay, which appeared in 1879. In the fifty-seven intervening years he produced a long series of books of a similar character. This work has now been taken up, and is being carried on on the co-operative plan by the Scottish Text Society. Their aim is to provide a correct text, but chiefly as a philological instrument, as a means for studying the Scottish language. David Laing's object was to place before the people of Scotland the writings of her early authors and to interest them therein. 'They are valuable,' he remarks, 'no less in enabling us to trace the history and progress of our language than in assisting us to illustrate ancient manners and amusements, of which they often contain the liveliest representations.' He was particular about his texts

and painstaking in their elucidation, and his editions are a marked advance upon those of his predecessors. There is a tendency at the present day to depreciate his work and to underestimate its value. It was he, however, who laid the foundation upon which later scholars have built, and without which they could not have built. 'To publish the early remains of our national poetry with the correctness and fidelity which is requisite, recourse must be had to ancient and discordant manuscripts where the obscurity of the language, or the labour of decyphering them, is,' he says, 'the least perplexing or difficult part of the undertaking.' Our point of view is continually shifting. Laing's idea of editing differed from that of his precursors just as the ideas of fifty years hence will be different from those of to-day; the opinion then will probably be that the work of to-day is altogether out of joint. Laing's work requires no vindication; *unus vir non cernit omnia*, says the proverb, but in everything that he did he was thorough, conscientious, and illuminating. His care and accuracy have been frequently commended by scholars of the highest eminence. If he did not emphasize points which now seem important it was merely because he was viewing the problem from a different angle. He lighted the lamp and kept it burning brightly during his long life; it was he who stimulated and to a great degree created the interest in the language and literature of Scotland which now prevails.

No country owed more to the Reformation than Scotland. It developed and determined the national character. The life of the Scottish people was profoundly influenced by ecclesiastical questions. Laing, as a Scotsman, was deeply interested in these. His edition of the works of John Knox is monumental. He also edited Row's *History*, Scott of Cupar's *Apologetical Narration* and Forbes of Alford's *Records concerning the Church*, Calderwood's *History*, and the *Letters and Journals* of Robert Baillie, Principal of the University of Glasgow. He was warmly attached to the Church of Scotland, and, though a Liberal in politics, remained faithful to her in the great secession of 1843. On his death the General Assembly recorded their deep sense of the loss the Church had sustained and their appreciation of the services he had rendered in connection with her history and literature. It is to David Laing that patriotic Scotsmen are indebted for the small

I.K. 1572.

tablet let into the causeway of Parliament Square, to

mark that it was within this area, formerly the old burying-ground of St. Giles, that the great Reformer is buried.

We are so accustomed to societies and co-operative organizations of various kinds for the publication of historical, genealogical, and topographical manuscripts for reprinting rare books, for providing calendars, inventories and lists of literary and historical documents that we can with difficulty realize how important a part the older Book Clubs played in preserving and rendering accessible literary and historical material. The first and most important of the Scottish clubs was the Bannatyne, founded by Sir Walter Scott in 1823. David Laing was its first and only secretary, or more correctly honorary secretary,—as there was no remuneration,—and an *ex officio* member of the committee of management.

He was present at the inauguration of the club, being its fourth member, and was present at its dissolution in 1861, thirty-eight years later. Sir Walter Scott was the first president, and held office till his death in 1832. Thomas Thomson, who had been vice-president, was then advanced to the chair, and remained president until he died twenty years later. Scott's personality gave life to the club and made it a social success. No two men were more fitted than he and Thomas Thomson to direct its course, and, while preserving the general idea of the Roxburghe Club, after which it was modelled, to make its publications more generally useful and more national. David Laing, with the same knowledge and the same enthusiasm, was their faithful ally, and to him it fell to carry out the arrangements and transact the business of the club. It was a remarkable trio; they were the three men of the day most conversant with the literature of Scotland; each was an accomplished antiquary; Scott and Laing were unrivalled as bibliographers and bibliophiles, and Thomson was not undistinguished in the same pursuits; all were distinguished for sagacity, shrewdness, and geniality; but Thomson lacked the exactness, method, energy, and business capacity of the other two. The idea of the club had been in Scott's mind for some time. 'I have long thought,' he writes to Robert Pitcairn, 'that a something of a bibliomaniacal society might be formed here, for the prosecution of the important task of publishing *dilettante* editions of our national literary curiosities. Several persons of rank, I believe, would willingly become members, and there are enough of good operatives. What would you think of such an association? David Laing was ever keen for it; but the death of

Sir Alexander Boswell and of Alexander Oswald has damped his zeal. I think if a good plan were formed, and a certain number of members chosen, the thing would still do well.' The plan was no doubt arranged between Scott and Laing, and in a note prefixed to the Rules of 1823 was explained thus: 'The express object and design contemplated in this Association is, by means of an annual sum contributed by the members, to print in a uniform and handsome manner, a series of works illustrative of the History, Topography, Poetry, and Miscellaneous Literature of Scotland in former times.' The long list of works issued by the club shows how well the scheme was carried out. It is to be remembered that the selection of publications did not rest entirely with the committee of management. Many of the books were printed at the expense of individual members, and their personal fancies and wishes had to be humoured. It lay principally with the secretary to find a donor and to guide his choice in a suitable direction. Some of the members were Philistines, and, although pleased to belong to a select literary society, took little or no interest in its objects. Lord Cockburn was one of these. He was an original member, and along with Thomas Maitland, afterwards Lord Dundrennan, his brother-in-law, presented Hector Boethius' *Lives of the Bishops of Morihlach and Aberdeen*, reprinted from the edition which appeared at Paris in 1522. In 1832 he was elected vice-president of the club, when he records in his Journal: 'Very few of us can read our books, and still fewer can understand them; yet type, morocco, and the corporation spirit make us print on, and this quite independently of the temptation arising from the marketable worth of what we get being far beyond what we pay.' His own contribution, printed without preface or note, he probably never read. Maitland was, however, interested in Boece. He reprinted Bellenden's translation of the History in 1821, to which he prefixed a biographical notice of the author. He was for some years a member of the committee of management of the club, and had a high appreciation of David Laing. An ardent bibliophile, he is referred to by Dibdin as 'the folio-aspiring Maitland.' For the Maitland Club, Cockburn and Maitland reprinted the interesting Works of George Dalgarno of Aberdeen on the Education of the Deaf and Dumb, sympathetically noticed by Sir William Hamilton in the *Edinburgh Review* of July, 1835.

The office of secretary was no sinecure. 'I have no wish,' says David Laing, 'to exaggerate the extent of my continuous labour;

but no one can imagine how much of my time was so spent—days and nights, with frequent and sometimes distant journeys—on matters more or less connected with the Club; and wearisome enough work besides, with doubts occasionally springing up in my mind whether a person like myself, having always a very limited income, was justified year after year in thus spending the best period of his life.' Having undertaken the work, he performed it as no other person could have done, and the success of the club was largely due to him. It must be kept in view that down till the year 1837 he was actively engaged in business in Edinburgh as a bookseller, that thereafter, until the date of his death, he was keeper of the Signet Library, a duty which engrossed the whole business day, and he never neglected either his own business or his duties as librarian. On the other hand, he enjoyed excellent health, he worked with great rapidity, he was a master of method, he took each thing in its turn and finished it, he acquired information quickly and accurately and assimilated it at once; he had it all before his mind in orderly fashion and could reproduce it on the instant. Notwithstanding the many calls upon his time and his 'limited income,' he contributed to the publications of the club from its foundation. In 1823 he edited *The Buke of the Howlat*, from Asloan's manuscript collated with the copy in George Bannatyne's manuscript, and presented it to the members. He dealt fully with the poem in a long and carefully written preface, to which Scott contributed an interesting note. The volume was printed in black letter, and was furnished with a quaint title-page designed by Charles Kirkpatrick Sharpe.

In the same year the club resolved that a Miscellany 'be printed in successive numbers and parts, under the joint superintendence of the President and Secretary,' probably 'the tome miscellaneous' referred to in Scott's Club song, to be mentioned presently.

Then hear your Committee, and let them count o'er
 The deeds they intend in their three volumes more.
 They'll produce you King Jamie the Sapient and Sext,
 And the Bok of Dumblaine and the Bishops come next;
 One tome miscellaneous they'll add to your store,
 Resolving next year to print four volumes more.
 Four volumes more, my friends, four volumes more,
 Pay down your subscriptions for four volumes more.

The first tome of the Miscellany appeared in 1827, containing twenty-four tracts relating to Scottish history and letters, and

among them the description of Edinburgh, in 1550, by Alexander Alesius or Alesse, a native of Edinburgh. All of these were furnished with introductory notices and explanatory notes by Laing, which contain a great store of valuable historical, biographical, and bibliographical information, much of which could have been provided by no other person. The account of Edinburgh is copiously annotated and illustrated with a reproduction of an old plan of the city of 1544 and of Gordon of Rothiemay's view of the old palace of Holyrood house engraved by De Witt about 1650. The Miscellany is referred to not as in itself remarkable, but merely in order to show the amount of work which Laing performed anonymously, and as part of his secretarial duties.

Thomas Thomson's besetting sin was procrastination, and a morbid reluctance to commit his opinions to paper. The various books which he presented to or superintended for the club he allowed to go forth without any worthy preface. He took no care 'to put a staff in the hand or a hat on the head' of the stranger, as Scott used to say of his own stories. He promised, made good resolutions, but failed to accomplish. The 'Gray Papers' were printed for the club under his superintendence, and were then kept on hand for five months. The distribution, as explained in a slip issued to the members, 'was delayed from time to time, in the hope that the volume would be accompanied by a short Prefatory Notice, which, considering the quarter from which it was expected, could not fail to have added much to its value.' This note was no doubt from the pen of the secretary, and indicates the character of his troubles. The value of club publications depends to a large extent on the manner in which they are placed before the reader. Laing always endeavoured to provide all the assistance necessary to enable one to take the author's standpoint and to follow his narrative. Thomas Carlyle, speaking of his edition of Baillie's *Letters and Journals*, which was edited for the club, says Mr. Laing 'has exhibited his usual industry, sagacity, correctness in this case, and done his work well. The notes are brief, illuminative ever in the right place; and what he will praise withal, not over plenteous, nor more of them than needed.'

The club was not, like the big societies of to-day, composed of persons who, as a rule, have no acquaintance with each other and only meet to pass accounts, adopt reports, and elect office-bearers. The Bannatyne was a small body of men all known to one another and all on terms of intimate friendship. It met as a

social body quite as much as a business body, and dinners and song helped to give them solidarity.

Laing was as punctual in his attendance at these functions as at business meetings. The club was inaugurated by a dinner in Barry's Hotel, Princes Street, at which Scott presided. As they were separating he recited two or three lines extempore, 'Assist me, ye lads, who love books and old wine.' Being asked to write down the words, he produced in a couple of days the famous Bannatyne Garland, fitted to the tune of 'One Bottle More,' which thus began :

Assist me, ye friends of old books and old wine,
To sing in the praises of sage Bannatyne,
Who left such a treasure of old Scottish lore
As enables each age to print one volume more.
One volume more, my friends, one volume more,
We'll ransack old Banny for one volume more.

At the annual club dinner, it was wont to be sung with full effect by Sir Walter's old friend, James Ballantyne, one of the original members, the whole company joining in the chorus.

'Ane Bannatyne Garlande, brevit be Maister Patrick of the Kingis Chekar,' that is Patrick Fraser Tytler, at that time crown counsel in Exchequer causes, opens thus :

Chairman dear, since we're here,
Once more met in Barry's hottel,
Let us hear, chairman dear,
What we've got in hand ;
Take your claret—never spare it,
Wet your Antiquarian throttle,
Then in glory tell your story,
What's been done or plann'd.

Scott records that at their *gaudeamus* in November of their first year, that is 1823, they drank their wine *more majorum*, with disastrous results to the famous John Clerk, who had just been raised to the bench under the title of Lord Elden.

David Laing in 1824 presented as a garland at the anniversary meeting, *The Poems of George Bannatyne*, a prose tract describing the manuscript, and ending 'Finis, quoth the Secretary.' He also essayed 'A Bannatyne Song for the Anniversary Meeting, 1825—*To be sung to its own proper accompaniment.*' Whether it was sung does not appear. At any rate, it was not enshrined in James Ballantyne's black letter, as were many of the other songs. Of a club dinner in January, 1827, Scott records : 'We

drank to our old Scottish heroes, poets, historians, and printers, and were funny enough.'

The meetings of the committee of management were likewise social functions. 'My dear Peter,' writes Scott to Tytler, 'Not seeing you last night, I had no opportunity to say that a meeting of the Bannatynian Committee takes place tomorrow at five o'clock for business; at $\frac{1}{2}$ past five for a haggis. *Avis au lecteur.* Yours truly, W. Scott.' Again to the vice-president: 'Dear Thomas, The committee of Bannatynians dine here on Friday first, meeting at five for business, and dinner at half past five. Without you we are a tongueless trump.' Without Laing they would have been a knotless thread. Scott continued to take a lively and active interest in all the affairs of the club until the day he set out from Abbotsford on his last journey to the south of Europe on account of his health. At that time he wrote to David Laing: 'I am going away sad enough, as I feel no great certainty of ever returning again; in which case my Presidency shall another take. Always, dear Mr. Secretary, most faithfully yours, Walter Scott.'

Although a hard worker and wasting no time on frivolity, Laing was eminently social, always glad to meet his friends, to entertain and to be entertained. 'When you see my dear friend David Laing,' writes Allan Cunningham, 'greet him kindly from me. He is kind, honest, straightforward and forgiving.' Lockhart, in his account of 1818, says: 'This old gentleman [William Laing] and his son are distinguished by their classical taste, in regard to other things besides books—and, amongst the rest, in regard to wines—a subject touching which it is fully more easy for them to excite the sympathy of the knowing ones of Edinburgh. They give an annual dinner to Wastle, and he carried me with him the other day to one of these anniversaries. I have seldom seen a more luxurious display. We had claret of the most exquisite Lafitte flavour, which foamed in the glass like the cream of strawberries and went down as cool as the nectar of Olympus. David and Wastle entertained us with an infinite variety of stories about George Buchanan, the Admirable Crichtonius, and all the more forgotten heroes of the *Deliciae Poetarum Scotorum*. What precise share of the pleasure might be due to the claret and what to the stories, I shall not venture to enquire; but I have rarely spent an evening more pleasantly. *P.S.*—They are also very curious in sherry.'

Thomas Froggnall Dibden was an early friend. In describing

his visit to Edinburgh in 1838 he records: 'Dining one day with Dr. Lee at the suburban villa of our common friend Mr. David Laing, we were regaled in the evening with a sight—yea a sniff—of some of the rare pieces of the Reformer in possession of our host, of which *Ane Admonition, &c.*, 1554, 12mo, is considered to be his first publication. Most cruelly did Mr. Laing flicker the gilt tooling upon this morocco-coated tome in the eyes of his reverend guest, Dr. Lee. 'Name your price,' said the Doctor, unable to sustain the shock of such a battery any longer, 'and I will give it.' The quondam Biblioplist was obdurate; said nothing; smiled; and passed the book into his inner coat pocket. But Dr. Lee is a match for his host; for he possesses what is *Most Rare*, the *autograph* of the Great Reformer.' In an account of a bibliographical dinner given by Mr. W. B. D. D. Turnbull, none of the speeches, it is said, 'came up to the impassioned eloquence which seemed to flow spontaneously from the lips of Mr. David Laing when he toasted 'The immortal memory of Chapman and Millar, the first printers of Scotland.' I thought the ceiling must have dropt—from the intensity and long continuance of the 'hurrahs' which immediately ensued.' The sobriety of the party is vouched for by the fact that at the conclusion of the banquet there was not one who could not read the most diminutive colophon.

'It was only the other day,' writes one shortly after his death, 'that he gave a dinner to a number of his brethren of the Society of Antiquaries on the occasion of the visit of his friend Professor Daniel Wilson of Toronto to Edinburgh, and it was curious to see the old man sipping his Madeira with as much relish, and enjoying his old-world talk as keenly as Lockhart in his 'Peter's Letters' records his doing some sixty or more years ago.' 'In company,' says another, 'he was extremely happy and could both give and take a joke.' He had a merry laugh. One day I had been to the Edinburgh University Library to examine their manuscript of Fordun. On my way back I looked in at the Signet Library to see David Laing. I told him what I had been doing, and that Mr. Small had pointed out the *Ballad of the Nine Nobles*, which, he said, he had just discovered, and proposed to publish. He chuckled and remarked with a smile, 'Mr. Small is always making some discovery. Why, I printed it more than fifty years ago,' and put his *Select Remains of Ancient Popular Poetry of Scotland* into my hands.

It might have been thought that the management of the

Bannatyne Club, in addition to the care of his own business, would have been sufficient to absorb the energies of one man, but David Laing found time for a great deal more. He was a fellow of the Society of Antiquaries of Scotland for over fifty-four years. He acted as treasurer, vice-president, and secretary. He placed its financial affairs upon a sound basis, and enriched its proceedings with a long series of communications of the highest importance, beginning in March, 1824, and ending in May, 1878. He did not confine his labours to the Society or to the Bannatyne Club, but did much excellent work for the Abbotsford Club, the Wodrow Society, the Shakespeare Society, the Spalding Club of Aberdeen, and the Hunterian Club of Glasgow.

Besides all this, he prepared and published a large number of books on his own account, principally relating to the early literature of Scotland. His *Select Remains of the Early Popular Poetry of Scotland*; his *Fugitive Scottish Poetry*; and his *Early Metrical Tales*, published between 1822 and 1826, are of the same character as the reprints which Professor Arber provided for English students fifty years later. The first of these he inscribed 'as a slight but sincere tribute of respect to THE DISTINGUISHED AUTHOR, to whom, of all others, the Literature of his Native Country is most deeply beholden.' For the last Sharpe etched a characteristic frontispiece.

Laing was also deeply interested in the fortunes of the drama in Scotland, and in the early history of Scottish art, and did much to illustrate both of these subjects. In 1854 the Royal Scottish Academy elected him their honorary Professor of Antiquities, and in 1861 he was translated to their honorary chair of Ancient History. During that year and the next he delivered three most interesting lectures on Scottish art and artists. He bequeathed to the Academy an important collection of drawings and sketches by the Old Masters, which were arranged by a committee of the Academy and bound in nineteen folio volumes, and were in 1910 transferred to the trustees of the National Gallery. To the National Gallery itself he left several pictures. In 1855 he advocated a national exhibition of Scottish portraits, in which he was supported by Thomas Carlyle, who wrote him a long letter upon the subject; and the formation of a National Portrait Gallery for Scotland was a matter which he had very much at heart. Although he did not live to see the project carried into effect, he bequeathed to the Society of Antiquaries a large number of portraits to be held by them until they could be properly exhibited

as a contribution to such a collection. His friend, William Douglas, afterwards Sir William Fettes Douglas, P.R.S.A., painted his portrait in 1863 and presented it to the Academy, and it is now in the National Gallery.

This and the portrait by Herdman bring vividly before us the personality of David Laing, and present the aspect of the inner man as seen by two great artists. Carlyle, in the letter referred to, says that in all his historical investigations 'it has been, and always is, one of the most primary wants to procure a bodily likeness of the personage inquired after; a good *Portrait* if such exists: failing that, even an indifferent if sincere one. In short, *any* representation, made by a faithful human creature, of that Face and Figure, which *he* saw with his eyes, and which I can never see with mine, is now valuable to me, and much better than none at all. This, which is my own deep experience, I believe to be, in a deeper or less deep degree, the universal one; and that every student and reader of History, who strives earnestly to conceive for himself what manner of Fact and *Man* this or the other vague Historical *Name* can have been, will, as the first and directest indication of all, search eagerly for a Portrait, for all the reasonable Portraits there are; and never rest till he have made out, if possible, what the man's natural face was like.' A portrait, he says, lights up biography and puts some human interpretation into it. Remembering how David Laing lived and wrought, and how he bore himself in his intercourse with the world, these portraits enable us to look beyond the surface and to get a glimpse of the inner man.

Reference has been made to David Laing's proficiency as a bibliographer. He was likewise an unwearied, skilful, and successful book-hunter. With unrivalled knowledge and untiring energy he was able to bring together and place upon his shelves almost all that was worth having in a collection of early Scottish printing and literature. He had in perfection the qualities which distinguished the thrice-honoured 'Snuffy Davy'; 'he had the scent of a slow-hound, and the snap of a bull-dog. He would detect you an old black-letter ballad among the leaves of a law-paper, and find an *editio princeps* under the mask of a school Corderius.'

Booksellers' catalogues of a hundred and a hundred and fifty years ago were more serious affairs than those of our day. As a rule they appeared but once a year; they were divided into

sections something after the style of the French catalogues, and embraced many thousands of volumes. William Laing issued such catalogues from 1786 onwards. In 1795 he published David Macpherson's excellent edition of Wyntoun's *Orygynale Chronykil of Scotland*, and on the editor's death, in 1816, he purchased his library. In 1819 he issued a Supplement to his Sale Catalogue of 1818, 'containing several recent purchases and importations from the continent, with an extensive collection of books connected with the history and literature of Scotland, including, with some other libraries, that of the late David Macpherson, Esq.' The Scottish section extends to 105 pages and contains 1554 numbers; the portion relating to 'Literature preceding the Union with England, A.D. 1707,' has 338 numbers and 39 pages. There can be little doubt that David Laing assisted in the preparation of this Supplement, if it was not actually his work. I have his own interleaved copy, in which many additional Scottish books are noted. He must have passed everyone of the books through his hands, and have made himself acquainted with their character and contents. There is a copy of the Supplement in the Signet Library which was evidently used in the shop, as in many cases the names of the purchasers are noted. Amongst them were Sir Walter Scott, George Chalmers, Dr. John Lee, Patrick Fraser Tytler, Dr. Hibbert, Richard Heber, the Right Hon. Thomas Grenville, Lieutenant-General Munro, Governor of Madras; R. P. Gillies, Archibald Constable, George Ticknor, of Boston, the historian of Spanish literature, who was in Edinburgh in 1819; the Royal Library, Copenhagen; the Advocates' Library, the Signet Library, Ogles & Co., booksellers, London, for many years the agents and correspondents of William Laing; E. Charnley, bookseller, Newcastle-on-Tyne; A. Brown & Co., booksellers in Aberdeen, and the well-known John Wylie & Co., booksellers in Hutcheson Street, Glasgow. David Laing was thus in a position which enabled him to cultivate and mature to the highest point his inborn taste for books. The catalogue of 1818 contains an excellent collection of works on bibliography, and other catalogues had the like, so that the best bibliographical information was in his hands.

Besides several journeys to London in addition to those previously alluded to, he visited the Continent professionally in 1816 and again in 1819. In the latter year he extended his journey to Copenhagen 'to arrange some long outstanding accounts with Dr. Moldenhawer of the Royal Library'—which, as we have seen,

was a customer of William Laing—and likewise to Sweden. James Wilson, the well-known zoologist, brother of 'Christopher North,' accompanied him on both occasions, and on the former Adam Black was of the party. The latter records that in Paris they spent most of their time in the bookshops and on the Quais, 'where they secured many valuable books in beautiful old bindings, remains of the noble libraries of princes and aristocrats, confiscated during the great Revolution.' Laing also carried off a quantity of prints. In Paris he had an adventure. Locked into the Tuileries by accident, he was challenged by a watchman, who struck him a whack on the side of his head, knocking off his hat. 'Fortunately David had learned at the High School how to use his fists, and he now did so.' Adam Black was a lifelong friend, and when in later years the *Encyclopaedia Britannica* had passed into his hands, David Laing wrote a number of articles for it.

William Carew Hazlitt records that 'there was a time, and not so distant, when Edinburgh, and even Dublin, yielded their proportion of finds, and the Duke of Roxburghe and General Swinton, David Laing and James Maidment, obtained no insignificant share of their extremely curious and valuable stores from their own ground.' The capital of Scotland, he adds, 'has lost its ancient prestige as a cover for this sort of sport, and is as unproductive as an ordinary English provincial town.' The latter statement may be questioned, but the former is true. Glasgow in those old days was also fair ground for the book-hunter. William Blackwood spent a year, 1798-99, in Glasgow as agent of Muddell & Company, the publishers, and writes to Archibald Constable of his finds of rare old books.

David Laing paid visits in quest of books to all likely places. Shortly after his death a London bookseller told me he had served his apprenticeship in a town in the north of England and remembered him well. When he came to the shop he took off his coat, and ransacked the shelves from floor to ceiling, and generally carried off a large parcel.

William Laing, as we learn from Mr. Goudie's memoir, was not a collector. His son must have been one from an early date, no doubt from the time he could afford to pay for his purchases. Dibdin's narrative indicates that he had a good library in 1838, and it was only in the previous year that he abandoned book-selling as a business. He then disposed of his stock by auction, but he probably retained for his private collection whatever was

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worth taking and which was not already there ; and during the next forty years he can have lost no opportunity of making additions, and no one had ever a greater gift of what Horace Walpole styled serendipity, the luck of falling on what you want, by which, for instance, Scott dropped on a Leipsic collection of Spanish Ballads recommended to him by Ticknor.

In 1818 the librarianship of the Faculty of Advocates fell vacant. Sir William Hamilton strongly urged the appointment of Dr. Benecke, then professor and librarian in the University of Göttingen, but after some negotiation he declined nomination. David Laing then offered himself as a candidate with the support of Sir Walter Scott, but in the meantime other candidates had been in the field, and the electors had to some extent committed themselves, and after much delay the appointment was given to David Irving, a man of considerable erudition and bibliographical knowledge. He had been a law tutor or coach for many years, and had written a good Introduction to the Civil Law, and it may have been thought that a man with a special knowledge of the literature of law was desirable. Irving was sent to Göttingen to learn something of library administration, but his management of the Advocates' Library was not a success, and gave rise to much complaint.

In 1821 David Laing was assumed by his father as a partner and so continued until the death of the latter in 1832. He thereafter carried on the business until 1837, when he received the appointment of keeper of the large and admirably selected library of the Society of Writers to the Signet.

David Irving retired from the librarianship of the Advocates' Library in 1848, when David Laing was again a candidate, but withdrew when he became aware of the duties proposed to be assigned to the librarian, some of which he considered to belong to the position of a subordinate. Speaking forty-six years later of his failure in 1820, he says : ' I did regret my want of success, feeling at the time, and ever since, that I could have done much for the Library which it required and still requires.' This will not be questioned. His knowledge of books and of literature, his exactness and long business experience, would have been of the greatest benefit to the Faculty, and, on the other hand, the position would have been very acceptable to Laing, for, although private property, the library is after all a national institution.

When the University of Edinburgh required assistance in the re-arrangement of their library, it was to David Laing that they turned, and he carried out what they desired in an admirable manner. Sir Alexander Boswell laments, in 1819, that the Advocates had not long ago seen their way to form a collection of books relating to Scotland. 'Even now, as a national library, they ought to direct their attention to such books as relate to the history and progress of the literature of Scotland, for there should not be a book in existence connected with either that is not to be found in that collection.' This was Laing's idea, and he sought to carry it into effect as respects his private library. Had he been at the head of the Advocates' Library, his energies would have found scope in making it what Sir Alexander pictured. James Maidment, speaking of the dispersion, in 1827, of the extraordinary collection of Broad-sides which had been formed in the preceding century by the indefatigable Robert Mylne, says: 'It is a subject of regret that so singular a collection should have been divided, and it affords one proof amongst many of the inexcusable neglect of those who at the time had charge of the interests of the Advocates' Library, as the entire mass, many articles of which were unique, might have been deposited in that national establishment at the expense of a few pounds.' Certainly David Laing would not have allowed them to slip, and, as it was, he purchased a portion on his own account.

The Scottish section of George Chalmers' library was 'one of the most valuable collections of works on the history and literature of Scotland ever formed by a private individual' prior to his time, and he was loathe to see it dispersed. He had it in his mind to bequeath it to the Advocates, but he was so much disappointed by the appointment made in 1820 that he did not do so, and it was ultimately sold by auction in 1840. Had Laing been keeper of the Advocates' Library it is highly probable, therefore, that they would have become the possessors of this collection, and that he himself would have followed his old friend's example, and bequeathed to it what of his was characteristically Scottish. When, upon Laing's death, it became known that his library was in the market it seemed to me that it would be a national misfortune if it was broken up. Sir William Hamilton's library had been acquired a few years before for the University of Glasgow by twenty citizens subscribing £100 each; I went accordingly to the late Mr. A. B. M'Grigor, LL.D., and

suggested that we might try to find a hundred men or more to subscribe £100 each to buy David Laing's collection. He entered warmly into the plan, and I wrote to the law agents of the estate asking at what price the executors would dispose of it by private treaty. The reply was that the trustees must sell by auction, and the scheme accordingly fell through. It now appears that by codicil dated 19th June, 1875, he directed, after certain bequests of manuscripts and other collections, that the whole of his printed books should be sent to London for sale by public auction, where he says 'such books are more highly appreciated and more carefully catalogued than in this place.'

What ailed him at the Edinburgh auctioneers does not appear. They were a notable fraternity. John Ballantyne, Scott's 'Rig-dumfunnidos,' presided in the rostrum for several years, and, amongst other libraries, sold in 1813 those of James, second Duke of Queensberry, and Alexander Hunter Gibson of Blackness. His sales by auction, he advertised, 'are conducted on the most liberal principles.' Then came D. Speare, who sold several large libraries, and prepared some good catalogues. He was succeeded by Charles Tait, 'the sententious Tait,' as Burton styles him, 'a man of taste and a collector.' It was he, or rather his firm of C. B. Tait and Son, who disposed of Thomas Thomson's library. The firm then became C. B. Tait and T. Nisbet. Thomas Nisbet, 'the great Nisbet,' was a celebrated auctioneer of literary property, whose catalogues were quite equal to any produced in London. C. B. Tait and T. Nisbet sold the libraries of W. B. D. D. Turnbull, of Lord Dundrennan, of Charles Kirkpatrick Sharpe, and of C. B. Tait himself: Nisbet disposed of those of Lord Cockburn, Lord Rutherford, and Principal Lee (the sale of 1859-63). Nisbet's successor, Thomas Chapman, was just as competent, and passed under the hammer a large number of libraries rich in books relating to Scotland. Just about the date of the codicil, Mr. Chapman assumed his son as a partner, and Laing may have thought that T. Chapman and Son might not maintain the reputation of Thomas Chapman and Thomas Nisbet. What might have been the fortune of a sale in Edinburgh one cannot say; the London one was an eminent success, the books realising £16,537 and the prints £270.

The Laing catalogue, prepared in London, does not rise above mediocrity, and gives an inadequate view of the library as a

Scottish collection. The sale catalogues of the libraries of James Gibson-Craig (1887-88) and of John Scott (1905), also sold in London, are much better, but assistance in the preparation of the latter was obtained in Edinburgh. The catalogues of Lord Rutherford's library by Nisbet (1855); of Professor William Stevenson, by Thomas Chapman (1874); of Maidment (1880) and of Whitefoord Mackenzie (1886), both by T. Chapman and Son, are quite as good, and more useful as aids to Scottish bibliography than the London ones.

The Laing sale attracted an unusual amount of attention and the books brought excellent prices. The character of a library is too apt to be judged by its money value. David Laing possessed some rare and some very remarkable books, but they were acquired not on account of their rarity or other accidental qualities, but because they were necessary to form a Scottish collection, or related to some other subject, e.g., early printing, in which he was specially interested.

Barbour's *Bruce*, Edinburgh 1571; Blind Harry's *Wallace*, Edinburgh 1661; Sir David Lyndesay's *Dialog betuix Experience and ane Courteour*, [St. Andrews 1554]; his *Works*, Paris 1558; Roland's *Seven Sages*, Edinburgh 1620; Lauder's *Compendious Tractate*, [Edinburgh 1556]; *Psalmes in Meter*, Edinburgh 1596; Archbishop Hamilton's *Catechisme*, Sanct Androus 1552; *Confession of Faith*, Halyrud House 1580; Nicolay d'Arfeville, *Navigation du Roy d'Ecosse*, Paris 1583; King James' *Essayes of a Prentise*, Edinburgh 1585; The Edinburgh Bible of 1633; are all books of the greatest rarity, and together sold for £743 15s., but are all such as should find a place in a typical Scottish library.

The differences in the values of books is remarkable. Henry Balnaues' *Confession of Faith*, Edinburgh 1584, was sold in Chalmers' sale in 1840 for 24s. and at Laing's fetched £7 2s. 6d., and its description in the Chalmers' catalogue is the better. In the Scott sale a copy—presented by Boswell of Auchinleck to Archibald Constable—made £5 10s., but was afterwards returned as imperfect. Laing's copy of Zachary Boyd's *Last Battell* sold for £52 10s; Whitefoord Mackenzie's for £48 6s; and Scott's for £13 15s (slightly imperfect), while Chalmers' copy with two others of Boyd's works brought only £2 3s; Nicol Burne's *Disputation*, Paris 1581, produced £24 10s. at Laing's; £14 at Scott's and 18s. at Chalmers' sale. Laing, through Thorpe, purchased Chalmers' copy of *The Confession of the Fayth*, Edinburgh 1561, for £5 15s. 6d.; and Knox's *Exposition upon the Fourth of*

Matthew, London 1583, for £2 10s.; at his own sale the former produced £62 10s. and the latter £20 10s. Knox's *Admonition*, [from Wittenburge by Nicolas Dorcaster], which Laing flickered before the eyes of Dr. Lee, he bought at the Heber sale for £6 11s.; it realised £65 at his own. Another of Laing's books referred to by Dibdin was Knox's *Liturgy* (Geneva) 1561, which, he says, was presumed to be the only perfect copy known. At this sale it brought £45 10s.

Laing had many books interesting from association, e.g., the *Metrical Psalms* of 1603, with the autograph of Sir David Lyndesay; Pinkerton's *History* with notes by James Chalmers, and a letter from Ritson stigmatising Pinkerton as 'a forgeër, impostour, and the greatest lyeër of all'; Ritson, it will be remembered, had peculiar views upon spelling; Cicero's *Academicae Quaestiones*, Paris 1544, with the autograph and notes of George Buchanan and the autograph 'D. Lyndesius'. This I purchased, and have now presented to the library of the University of Glasgow that it may again join the stately row of books which also bear Buchanan's autograph, and once formed part of his library, and were presented by him to the University in 1578.

Another interesting book was the first edition of Lord Stair's *Institutions of the Law of Scotland*, the dedication copy to Charles II. bound in red morocco with the Royal Arms on the sides. The late Earl of Stair was naturally anxious to get it, and, in his eagerness to make sure, he inadvertently instructed two agents who bid against each other, until it was knocked down to the sturdier at £295. A similar contretemps occurred recently in Edinburgh, over an old chair, of doubtful genealogy, which a deceased peer coveted, and for which two spirited agents made him pay a ransom.

The auction room, says Caillot, 'est tout à-la-fois le mont de piété, et la bourse de la librairie.' The dispersion of a library such as Laing's is a harvest for collectors, but its retention for national objects would be better for the community. Lord Cockburn regrets the inevitable sale. 'In Edinburgh at least the pleasure of collecting seems to be the only pleasure that collectors are destined to enjoy. Glenlee, I understand, made a sort of entail of his library by a strange but effective trust, so that his heirs cannot sell, having only the use of it. This has saved his library *as yet*, but, with this exception, all the considerable Edinburgh collections have been dissipated by the hammer of

the auctioneer. Thomas Thomson's, so rich in history, went first. Then Macvey Napier's, small but very choice, in moroccoed literature. Next Kirkpatrick Sharpe's, which is announced, composed chiefly of antiquarian oddities. A few days ago that of a strange person called Turnbull, gorgeous in local histories, went; and in a few days more that of my friend Thomas Maitland (the late Lord Dundrennan) will be separated into its atoms. His, to my taste, was the best of them all, consisting of above 5000 of the most readable volumes, in the most beautiful order. And there was Principal Lee's (the sale of 1842), loaded with historical and chiefly Scotch varieties, but all in abominable condition. I could name some more that must one day be sacrificed, one very fine one in particular. Scott's made the narrowest possible escape.'

The library at Abbotsford was arranged according to a classification made by Sir Walter, which, although defective, was retained, as he had accustomed himself to it. In and prior to 1827 he had a catalogue, with index of subjects, prepared by George Huntly Gordon, his amanuensis and librarian. After Scott's death the additions between 1827 and 1832 were incorporated by J. G. Cochrane, librarian of the Loudon library, and the catalogue was then printed and presented in 1838 by Major Sir Walter Scott, Bart., to the members of the Bannatyne Club, 'as a slight return for their liberality and kindness in agreeing to continue to that [the Abbotsford] Library the various valuable works printed under their superintendence.' At the same time copies were provided for the Maitland Club, as the contribution of John Gibson Lockhart. The descriptions of the books might have been made fuller, but the catalogue was intended for Sir Walter's own use, and not as a contribution to bibliography. It is, however, of value as a record of many rare and curious books relating to Scotland, and is of much interest as indicating the material with which Scott worked, and from which he acquired his marvellous knowledge of Scottish history and life.

Lord Neaves, in his Memoir of Principal Lee, refers to the then recent sale of his library of upwards of 20,000 volumes, and adds, 'I believe there was not one of his books he did not know, as well as it could be known, the authorship, the occasion, the object, and the import. The subject of Bibliography had been from his early years a favourite study; and his habits of assiduity and perseverance, as well as his capacious and retentive memory, enabled him to prosecute it with singular success. Nor was his

intellectual power overlaid or paralysed by the immense mass of his acquired knowledge.' This applied still more exactly to David Laing. He had all the erudition of the Principal, his skill in bibliography, and thorough acquaintance with the insides of his books and turned all to the best account, which we must regret that Dr. Lee did not do. His long projected work on the ecclesiastical and literary history of Scotland, for which he had collected material for more than forty-five years, never appeared. A catalogue of Laing's library would have been of no use to himself, but it would have been of immense service to scholars. He could not personally have undertaken so great an enterprise, but it could have been carried through with proper assistance. The idea, however, probably never occurred to him.

Other scholars were alive to the value of a catalogue. It was the anxious wish of Dr. Parr that his library should remain entire, and that it should be purchased by some opulent and liberal nobleman, or, preferably, by some public body. Dr. Edward Maltby, his pupil and friend, and afterwards bishop of Durham, pointed out that it might be difficult to keep the books together, and that, if they were, they might be absorbed in some mightier mass, such as the British Museum, and so lose their individuality. He accordingly recommended him 'to prepare a *catalogue raisonnée*, with such observations upon any book as his well-stored mind and accurate memory would readily suggest.' Parr acted on this suggestion, and a catalogue was drawn up in which he inserted a few observations here and there. These were mostly of a desultory character, and few of them are of any real importance, but they indicate how valuable such a catalogue could be made by an owner possessed of discrimination and learning, who could at first hand tell something of the books and their authors.

The sale catalogue of Laing's library is helpful as regards the more costly books, but is of little or no use as regards thousands of others which have not a similar market value, and which are quite as necessary for purposes of research. It is the latter which require to be recorded. Had they been described as carefully as Laing would have insisted on, and had he added notes on the more interesting articles, we should have had a pharos to Scottish bibliography and a monument worthy of the library, and less cause to regret its dispersion. When speaking of a catalogue of the projected Scottish National Portrait Exhibition, Carlyle writes to Laing: 'What value and excellence might lie in such a catalogue, if

rightly done, I need not say to David Laing ; nor what labour, knowledge, and resources, would be needed to do it well ! Perhaps divided among several men (with some *head* to preside over all), according to the several *periods* and classes of subject ;— I can perceive *work* enough for *you*, amongst others, there ! But, on the whole, it could be done ; and it would be well worth doing, and a permanently useful thing.' This is quite as appropriate to a catalogue of a library such as that which David Laing had formed.

David Laing was not a gossip, he did not deal in reminiscences, or retail stories to casual listeners. He had met most of the interesting men of two generations ; many of them he knew intimately. From his father he had heard much of those of an earlier generation, and had a fund of information regarding them, which he was quite ready to communicate on proper occasions. He would, however, have thought it a breach of confidence to write about his friends and acquaintances. Even had he thought otherwise, 'Recollections' are generally unsatisfactory ; the writers seem to miss the point ; they tell what is of little moment, and omit what we want to know. His reticence as to Thomas Thomson is remarkable. He was on the most intimate terms of friendship with him ; their tastes and pursuits were the same ; they had worked together for many years ; Thomson had been one of his father's executors, yet when it came to providing material for his life he told nothing. Cosmo Innes acknowledges his assistance, but Laing gave us no picture of the man, no anecdote, no side-light of any kind. One of the most striking features of Boswell's immortal biography is the store of curious information that he obtained from Johnson about the many literary men, distinguished and obscure, with whom he had come in contact. Talker as he was, Johnson would not have communicated it had he not been forced to yield it up by the quick wit of Boswell. David Laing was always ready to give information and to answer questions, in order to clear up a difficulty or the like ; but it is a question whether he would have responded even to a Boswell.

No one has more fitly answered the question, What manner of man was David Laing ? than the Rev. Dr. William Robertson, in words addressed to the congregation of New Greyfriars after his death : 'He lived in great measure withdrawn from the eyes of

the world, and owing to his modesty and retiring disposition, few, except those who were themselves walking in the same path of literature, or were interested in its results, were acquainted with the singular talents he displayed in his own department, with the successful labours which he prosecuted, and the untiring zeal almost up to the moment when the sands of his glass were to be counted by grains, or with the singularly voluminous evidence of his genius and his industry which he has left behind him. Widely known beyond the brilliant circle of literary men and archaeologists he was not. It is strange how completely his own retiring habits excluded him from general fame, and it may be that comparatively few even of this congregation were at all aware that the grave, unpretending old gentleman whom they were accustomed to see for long years in his place among them, was unquestionably in his own selected walk the most distinguished man of his generation. . . . He did not work either for money or for fame. . . . Utterly devoid of noisy ambition or love of notoriety, his life was one of singular industry, and honour, and usefulness. . . . Not only his latter end, but his whole life was peace. . . .

Let me add in the words of the poet,

From his cradle
He was a scholar, and a ripe and good one ;
Exceeding wise, fair spoken and persuading ;
So excellent in art, and still so rising,
That Christendom shall ever speak his virtue.

DAVID MURRAY.

Layamon's Knowledge of Runic Inscriptions

IN a recent monograph¹ I endeavoured to show that the runic crosses at Ruthwell and Bewcastle were erected in the twelfth century, in opposition to a traditional opinion, dating from the middle of the last century, that they are to be ascribed to the seventh. In support of the latter view Dalton² has recently said: 'Runes would have been unintelligible in the twelfth century.' As I remarked in my monograph:³ 'That runic inscriptions were carved in England in the twelfth century is generally admitted. Such are those on a tympanum at Perrington (1150 or later), the so-called Dolfin runes at Carlisle Cathedral (doubtful), those on the Bridekirk font, and those on the Adam grave-slab at Dearham'; and I cited, by way of substantiation, such scholars as Collingwood and Vietor, who favour the early date for the two runic crosses.

That a writer of the early thirteenth century was familiar with the idea of runic monuments is clear from a passage in Layamon's *Brut* (ca. 1205), where he describes a stone erected to commemorate the victory of a mythical British king, Marius, over an equally mythical Pictish king, Rodric, as carved with 'strange runic letters' *sælcude runstaven*). This same word for runic letters had been used three times in Old English poetry, in its plural form *rūnstafas*. Thus in the epic poem of Beowulf⁴: 'And on the guard of shining gold was rightly graven, set forth and told in runic letters, for whom the sword had first been made, that best of blades.' The other two instances are in the poetic riddles. *Riddle* 42 (43), the *rūnstafas* mentioned are those that spell the words *hana*, 'cock,' and *hæn*, 'hen'; in *Riddle* 58 (59), the runic letters in question are said to be three in number. The passage from Layamon is as follows (9946-9975, written as long lines):

¹ 'The Date of the Ruthwell and Bewcastle Crosses': *Trans. Conn. Acad. of Arts and Sciences* 17. 213-381; cf. *The Bewcastle Cross*, New Haven, Conn., 1913.

² *Byzantine Art and Archaeology*, Oxford, 1911, p. 236, note 3.

³ P. 32 = 244.

⁴ 1694-7, Tinker's translation.

Þis folc wes isomned, and þe king fusde ;
 Ferde into Scotlonde, þere he Rodric king fond.
 Heo fuhten swiðe feondliche, and feollen þa Peohtes,
 And Rodric þer wes ofslagen, and seoððen mid heorsen todrazen.
 Þer dude Maurius þe king a wel swuðe sællech þing :
 Uppen þen ilke stude þer he Rodric vordude,
 He lette aræren anan enne swuðe sælcuð stan ;
 He lette þeron graven *sælcuðe runstaven*,
 Hu he Rodric ofslah, and hine mid horsen todroh,
 And hu he þa Peohtes overcom mid his fæhtes.
 Up he sette þæne stan ; zet he þer stondeð,
 Swa he deð al swa longe swa þa world stondeð.
 Nome him sucte þe king, and hehte þene stan Westmering ;
 A muchel dæl londes, þe þer lið abuten,
 Nom þe king to his hond, and hæhte hit Westmerelinge lond.

Layamon's verses are ultimately founded upon Geoffrey of Monmouth (A.D. 1139-1148) 4. 17, who makes Marius the son of Arviragus, and thus refers the event to the first century of our era :

'Successit ei in regnum filius ejus Marius, vir miræ prudentiæ et sapientiæ. Regnante postmodum illo, quidam rex Pictorum, nomine Rodric, de Scythia cum magna classe veniens, applicuit in Aquilonarem partem Britanniæ, quæ Albania appellatur, coepitque provinciam illam vastare. Collecto igitur populo suo petivit eum Marius; illatisque præliis ipsum interfecit, et victoria potitus est. Deinde erexit lapidem in signum triumphi sui, in provincia quæ postea de nomine ejus Westimaria dicta fuit; in quo inscriptus titulus ejus memoriam usque in hodiernum diem testatur.'

Geoffrey's account was soon paraphrased by Wace (1155), *Brut* 5294-5307, but in neither writer is there any question of runic letters.

Geoffrey and Wace are the only predecessors on whom Layamon could have drawn for his statements regarding the stone, for William of Malmesbury, in the prologue to the Third Book of his *Gesta Pontificum* (1125), has a quite different account :

'In aliquibus tamen parietum ruinis, qui semiruti remansere, videas mira Romanorum artificia; ut est in Lugubalia civitate triclinium lapideis fornicibus concameratum, quod nulla umquam tempestatum contumelia, quin etiam nec appositis ex industria lignis et succensis, valuit labefactari. Cumbreland vocatur regio, et Cumbri vocantur homines, scripturaque legitur in fronte triclinii: 'Marii Victoriæ.' Quod quid sit hesito, nisi forte pars Cimbrorum olim his locis insederit cum fuissent a Mario Italia pulsi.'

As William of Malmesbury is somewhat scornfully told by Geoffrey to keep to his Saxon kings, about whom he knows something, and not meddle with Geoffrey's British kings, since

he has not 'that book in the British speech which Walter, Archdeacon of Oxford, did convey hither out of Brittany' (12. 20), one can readily understand why Geoffrey declines to follow him here. William knows of a refectory, made by the Romans, still standing at Carlisle, in Cumberland, bearing on its façade the legend *To the Victory of Marius*, who is assumed by William to be the Marius of the Roman civil wars. Geoffrey, on the other hand, tells of a stone, still standing in Westmorland, erected by Marius, a British king of the first century, to commemorate his victory over Rodric, a Pictish invader.

After Layamon's time, we hear nothing of either the stone or the refectory for nearly a century and a half, but in the fourteenth century the chroniclers again take sides. Higden (*ca.* 1342) corrects William of Malmesbury by an appeal to Geoffrey.¹ In the *Brut*, or *Chronicle of England*, written not far from 1350, which was of great reputation till after the time of Caxton, and was followed by Fabyan and Holinshed, Marius has become Westmær, and the location of the monument, Steynesmore (Stanemoor, Stainmore). Thus the story runs:²

'Hit bifelle so þat tydynges come to him [Westmer] oppon a day, þat þe Kyng Rodrik of Gascoigne was comen into þis lande wiþ an huge noumbre of peple, and was duellyng in Steynesmore. . . . And after this bataile þat is above-saide, when Rodrik was dede, Kyng Westmer, in remembraunce of his victorie, lete arere þere, bisides þe way, a grete stone in hye—& zitte it standeþ, and evermore shal stande—and lete grave in þe stone lettres þat þus saide: 'The Kyng Westmere of Britaigne quelled in þis place Rodrik his enemy.' . . . And at þat stone bigynneþ Westmerland, þat Westmer lete calle after his owen name. And when Westmer hade so done, he duelled al his lifyme in þat contre of Westmerland, for he lovede þat contre more; and when he hade regned xxv. zere, he deide, & liþ at Karleile.'

About 1367, the *Eulogium Historiarum* gives a substantially identical account, but calls Gascony Aquitaine (Geoffrey's Scythia), and presents a different text of the inscription (ed. Haydon, *Rolls Series*, 2. 261-2):

'Successit ei in regnum filius ejus Marius, vir miræ prudentiæ et sapientiæ. Ipso regnante venit quidam rex de Aquitannia, nomine Rodrik, cum magno exercitu in partibus Boreæ ad ipsum debellandum; quod ille audiens exercitum copiosum Britonum colligit, et versus regem alienum se dirigit, et ei obviavit in quodam vasto quod vocatur Staynesmor. Illis coeuntibus cædes fit magna, sed victoria Britonibus remisit. Rex Marius regem Rodericum propriis manibus trucidavit, unde lapidem magnum erexit in titulum, in quo usque hodie visa est talis scriptio: 'Her the king Westmer

¹ *Rolls Series*, 2. 70; cf. 4. 416.

² Ed. Brie, *E.E.T.S.* 131. 36-7.

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slouth [*var.* slow] the king Rothinger.' *Primo vocabatur Marius, deinde victoria habita vocabatur Westmarius a quo dicitur Westmerland, nam illam partem patriæ multum de cætero dilexerat.*

Fordun (2. 28), writing before 1384, paraphrases William of Malmesbury concerning the refectory, though he calls Marius a patrician of the Britons, as well as general of the Roman legions. Hector Boece,¹ John Leslie,² George Buchanan,³ and others, celebrate Stanemoor only for the supposed meeting there of William the Conqueror and Malcolm Canmore, though, as Collingwood points out,⁴ this meeting actually took place at Abernethy.

Camden⁵ reproduces William of Malmesbury; Marius he strangely thinks to be either Arviragus, or that Marius, one of the so-called Thirty Tyrants, 'who was saluted Emperor in opposition to Gallienus.'⁶ He also favours the reading *Marti Victori*, rather than *Marii Victoriæ*.

Milton, in his *History of Britain*,⁷ after referring to Geoffrey's story, adds: 'But these things have no foundation.'

Hutchinson⁸ refers to William of Malmesbury's triclinium at Carlisle, and adds that it 'is now so perfectly destroyed as not even to have left the site, or one memorial where it stood, remaining.'

It appears significant that no one who follows Geoffrey, with the single exception of Layamon, refers to the inscription as written in runes. Geoffrey and Wace would no doubt have thought of Latin or Celtic, perhaps rather the former. The fourteenth-century writers seem to assume that the inscription was written in the English of their own period. The author of the *Eulogium* even makes out a kind of rhyme, or at least assonance, by changing 'Rodric' to 'Rothinger.' His version gains a certain plausibility from the consideration that it might readily be transposed into Old English:

Hēr se cyning Westmær
Slōg ðone cyning Rothinger.

Run(e) is a fairly common word in Layamon, and is mostly employed by him in such senses as 'communing, converse,' 'counsel,' 'instruction,' 'rumour,' 'whisper,' but in at least three

¹ 12. 10; A.D. 1527.

² Bk. 6; 1578.

³ Bk. 7; 1582.

⁴ *Early Sculptured Crosses*, p. 265.

⁵ *Britannia*, 5th ed., p. 705; ed. Gibson, 1722, 2. 1025.

⁶ Cf. Milton, *Hist. Brit.*, ed. Bohn, p. 225.

⁷ Ed. Bohn, pp. 220-1.

⁸ *Hist. Cumberland* 2. 650.

instances (3196, 25340, 32000) is used for 'letter, character.' In the first of these, the 'runes' of a letter written by Lear are precious to Aganippe, the future husband of Cordelia; in the second, the Roman senators counsel the emperor to write 'runes,' and send his messengers with them through many kingdoms; in the third, Æthelstan establishes hallmoots and hundreds, and the names of the towns [on the Welsh border?] in Saxon 'runes' (*Saxisce runen*), just as the Saxons renamed London (7111-2), and Æthelstan gave men Saxon names (32007-8). One of the two meanings of the compound *leodrun(e)* in Layamon is 'charm, incantation'; thus Vortigern, when in sorry straits, bade his wise men (15498-9) cast lots and try incantations (*fondien leodrunen*), and accordingly they proceeded to cast lots *with* their 'folk-runes.' Two hundred years before, the word had been used in the same sense, for in the *Saxon Leechdoms* (2. 138) there are directions how to counteract an 'evil folk-rune' (*yfelre leodrūnan*) by writing a certain writ in Greek letters, and by other means. Even *rūn-stafas* is to be found in this sense in Old English. Ælfric,¹ in retelling Bede's story of Imma, the Mercian soldier who, having been taken captive, was enabled to burst his bonds through the efficacy of masses sung by his brother, tells how the earl who had Imma in charge asked him whether he had broken the bonds by magic or 'runic letters' (*ðurh rūn-stafum*); here Bede² has the earl inquire whether the prisoner knew the liberating rune (*ālȳs-ēndlice rūne*), and had with him the letters (*stafas*) written out, about which stories were current (*litteras solutorias, de qualibus fabule ferunt*), where the *rūne* and these *stafas* are equivalent.

Something of magic or mystery, then, may still have been connoted by Layamon's *runstaven*, and the notion would be still further intensified by the word *sælcude*, 'strange, marvellous.' Considering his extensive journeys through England (27-8), it is tempting to conjecture that the then recent erection of our two runic crosses on the Border, each within twenty-five or thirty miles of Westmorland, suggested the traditional old term to Layamon, when elaborating the story that originated with Geoffrey, three-quarters of a century before; but whatever we may think of such a hypothesis as that, it is certainly interesting that he describes the inscription on a monument in this region by a term for runic letters which we first encounter in the poetry of four hundred years earlier. With this in mind, we shall hardly think it surprising that there was sufficient knowledge of runes at

¹ *Hom.* 2. 358.

² *Ecl. Hist.* 4. 22.

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the command of a powerful leader, fifty or sixty years previous, to enable him to secure the carving on the Ruthwell Cross of a few phrases from such an early poem as *The Dream of the Rood*, especially as it is well known that Old English works were still copied and studied in the twelfth century.¹

ALBERT S. COOK.

¹ Morsbach, *Mittelenglische Grammatik*, p. 11.

Narrative of a Journey from Edinburgh to Dresden in 1814

HAVING undertaken,¹ in the way of my profession, to execute some business at Dresden, & in its vicinity, I resolved to travel unattended, with a small Portmanteau, containing nothing but a few Shirts, Stockings & Neckcloths, &c., and some papers connected with the object of my Mission.

It was necessary to proceed by London, and on the 11th of May 1814, I set out from Edinburgh at 5 o'clock in the morning, in the Union Coach. Among others I was glad to find as a Companion of my Journey Mr. Pr. John Playfair, a man not less celebrated as a Literary Philosopher of the first rank, than remarkable for the elegant affability of his manners and conversation. This Coach travels with much expedition. Passing through

¹The writer of this Narrative, William Anderson, was born in Edinburgh about 1765, the youngest son of James Anderson and Sarah Cargill. He married in 1808 Elizabeth, eldest daughter of James Grahame of Mugdock Castle, Dunbartonshire.

He served his apprenticeship to the Law partly in the office of Messrs. Hill in Glasgow and partly in Edinburgh. He practised as a lawyer in Edinburgh for over thirty years. He was an accomplished scholar and transcribed from Black Letter numerous chartularies of ancient Scottish Abbeys for the Advocates' Library. In politics he was a strong Whig, and among his intimate friends were Lord Cockburn and Sir Adam Ferguson.

His journey to Dresden and back in 1814, on which he travelled as quickly as he could, partly post, partly by *Diligence*, and faster than the mail, occupied fifty-nine days, of which, however, in consequence of enforced delays, only thirty-six were spent in actual travelling, when his progress was at the average rate of eighty-eight miles a day. The journal, in which he recorded the events of each day from his leaving Edinburgh till his return, is a MS. of 138 closely written folio pages. The passages here given amount to considerably less than a fifth of the whole.

The winter of 1813-14 had been one of the longest and coldest on record. The war had now, for the time, ceased on the Continent. Napoleon, defeated at Leipzig in September, 1813, and pursued into France by the Allies, who entered Paris on 31st March, abdicated at Fontainebleau on 11th April, and was banished to Elba. He landed there in the week before that in which Mr. Anderson set out on his journey.

ANDREW MARSHALL.

Musselburgh and Haddington, we breakfasted at Dunbar, and leaving behind us the early and rich lands of East Lothian & the Northern Corner of Berwickshire, we entered on Coldinghame Moor.

At half past ten o'Clock we found ourselves in the Turf Inn at NewCastle, kept by Loftus & Coy., Collingwood Street. In the course of this day we travelled one hundred & sixteen miles; and we could not help remarking that all Northumberland was very far behind the Lothians in vegetation and in agriculture; and the Malt liquor once so desirable here, & of late so highly improved in Scotland, is now in this part of England, either very execrable, or not at all to be had.

After looking at the old Castle and Church, and having breakfasted, we left NewCastle on the twelfth of May at nine o'clock in the morning.—Our Bill for supper & lodging & breakfast, was 10/6;—

The Country, still bleak & backward, displayed however the broader features & character of England in the distance; while the ragged Hedges making a bad fence, & composed of Hawthorn, Honeysuckle, Crabs, Hazel &ca. formed a strong contrast to the well dressed Hedges which we had left in the North. The rapidity of our movement prevented us from paying much attention to the various modes in which steam is here applied to the Carriage of Coals. In some, machinery is necessary to move the waggons along the rail ways.— In others, a small Engine self-propelled drags after it many Carts without foreign aid.—

We were set down in York about 10 o'Clock at the York Tavern & Hotel, kept by Pulleyn, a very good House, with an abundant Larder. Although we had travelled between 80 & 90 miles to day I was glad to find that Mr. P. was quite vigorous; & we took tickets to Stamford in the Highflyer, which was to start for London at 7 o'clock tomorrow morning.—

We arrived, by Hartford, Hoddesdon, &ca, at London about 4 o'Clock (May 14), and were driven furiously through the narrow & crowded Streets of the city, to Rickards Hotel, the White Horse, Fetterlane, where after dining on bad Soles and very indifferent Beef Steak, the worthy Professor went in search of Lodgings; and I went to pay a visit to my Brother at Hammersmith.

After proper recommendation, and on payment of £2. 7. 6 str., I got from the Foreign Office an ample passport signed by Lord Castlereagh.

I also got a document of as important a description, from Messrs. Coutts, being a letter of credit for £1000 Str. on Brussels, Cologne, Frankfort, Dresden and Paris, by which means I would never be obliged to carry much specie in my pockets at one time. Mr. Coutts likewise procured me a little foreign coin, for which I paid at the rate of 20 guineas in paper, for 18 Napoleons in gold. This was extremely high, the Napoleon being only worth 16/8d, if we suppose our Guinea to be worth no more than 21 shillings. Being thus fortified and having a sufficient quantity of Notes of the Bank of England for immediate use, I repaired to the White Bear in Piccadilly, where I took a place for Dover in what they called the Paris Coach, & prepared to leave this great city without having even attended the Theatres, or seen Mr. Kean, or the Indian Jugglers, or any thing of Interest, except the Exhibition, which, with the exception of a very few paintings by Wilkie, Nasmyth, and Raeburn, contained nothing at all remarkable; but was perpetually crowded (notwithstanding the meagre entertainment it afforded) with the whole fashionable & vulgar World of the Metropolis.—

At seven o'clock in the morning of the 21st of May we set out for Dover. At Canterbury I found myself set down to dinner in a public room with ten or twelve French people returning from captivity. We reached Dover about 9 o'clock. The 22nd of May was excessively cold, and so boisterous that none of the packets could leave the Harbour. I was thus condemned to spend a Sunday at Dover.

On the morning of the 23rd as I stood on the Quay a genteel little man requested me to purchase a large Bag of French Crowns. I was somewhat suspicious of them, but agreed to take a few.— He said they would cost a guinea for six, & I produced some notes of the Bank of England. He refused these, & said he would only take guineas. When I told him I had none, he disappeared. This man was a Custom House Officer who wished to discover by this *finesse* whether or not I was carrying Gold out of the Kingdom, contrary to Law, that he might have seized it. A short time before a traveller was congratulating himself to his Companion that he had forty guineas in his pocket, which had escaped at the Custom House. A revenue Officer was unfortunately at his elbow, who immediately requested with a low bow that he would have the goodness to give him those forty guineas which he had been talking of, & this requisition was unavoidably complied with.

About 2 o'clock we saw the spires of Calais, and in half an hour entered its harbour. I secured a place in the Diligence to St. Omer, for which we set off at 5 o'clock in the morning of the 24th of May. The conveyance was a kind of deep Gig, covered with canvas, containing three and the driver, on a front & back seat, drawn by one Horse. The harness was of common ropes. Beside me on the back seat sat a French Officer returned from England, with a long rapier & a pair of Horse pistols double shotted, '*pour se defendre contre les voleurs,*' & for which he had paid at Chatham four fifths of his whole fortune. The other who sat with our *conducteur*, was a travelling Merchant from the centre of Paris. The conversation of these gentlemen was horribly hostile to the reign of Louis. The Soldier declared that there must be a civil war, & avowed himself openly for Napoleon. The Merchant was a pure democrat of the fiercest cast, whom nothing would please but the overthrow of all Kings.¹ We met many conscripts travelling home through the mud, perfect boys & scarcely able to crawl with fatigue; quite tame, nothing terrible about them.

At Cassel (May 25) the Dunkirk diligence made its appearance, a monstrous Machine carrying nine inside passengers, drawn by four Horses, with a *conducteur* or Guard, besides the Postilion. We were shifted into this Vehicle, in which there were already five passengers, two officers who had been severely wounded, & taken by the troops of Blucher at Chalons sur Marne, & Craone, a sort of Lady, & two fellows from Norman-Cross. These Gentlemen from England treated me with much insolence, & complained bitterly of their wage while prisoners. The only point of hardship however that they could specify was, that women were not allowed to enter the *depot*, and they found great fault at the same time, that an English Girl valued a guinea as lightly as a lass of Flanders would a ten sous piece. The wounded Frenchmen were extremely polite, and drew very feeling pictures of the battles where they suffered, and of the hardships they endured while in the hands of the enemy. What eyes! What shrugs! What contorsions, & selfish lamentations!

It was nearly ten o'clock before we left Cassel, and entered on a Country finer still than any we had travelled through. I was told with a triumphant sneer '*que ce pays vaut bien l'Angleterre,*' & certainly there can be no comparison. The whole road however was disgraced by marks of Catholic Superstition, & the bigotry of the people. Everywhere we saw crucifixes, virgins, & Saints of

¹ Ils sont tous des scelerats. Il faut les mettre à bas.

every description. We soon entered what was formerly Austrian Brabant (May 26), and at the Village of Roncq were met by a great Body of French Soldiers returning from Holland, with their Cannon & Tumbrils, looking as proudly as their situation would permit; but it had rained incessantly for several days, as it did now; and nothing can be conceived more wretched than the appearance of these men. Many of them, very young, not above 14 years old, could scarcely drag their naked legs after them. Leaving Menin the country is not so much wooded, but extremely beautiful. The Lint crops resembling carpets of velvet were most carefully weeded. On a little field of not more than two acres, I counted upwards of a hundred Weeders, sitting in one straight line, close to each other, dressing the rich sandy loam with a kind of knife round every stalk of the lint. Every one of these people had a basket on their back into which they threw the minutest weed.

Numberless Jesus & Marias still occurred along the Road, as we passed through the Communes of Beveren & Desseleheim. The Forest Timber here is chiefly Oak and Poplar. Beans are less frequent, for which Lint seems to be substituted. The Houses and Hamlets are all better & more substantial than those in England. I observed with regret every Cottage marked with a particular number in figures, evidently to facilitate Conscription, contributions & other purposes of Military despotism. Coming nearer to Ghent we encountered a large Transport of miserable French sick & wounded from the North whom it was painful to look at.

I observed occasionally in the plantations hereabouts, Scots firs, larches, & Silver firs, which are uncommon in the Netherlands, and appeared to have been introduced as rare trees.

About 7 o'Clock we entered the great & ancient city of Ghent or Gand.

On the 27th of May I rose early, & was waited upon by a *Commissionaire* offering his services. A *Commissionaire* is much the same as one of that class of People called *Cadies* in Edinr. who are now with us mostly extinct.— Their business is to hang about Inns & Hotels, & attend at Coffee Rooms & Market places, soliciting Strangers, in the most engaging manner to use their assistance in viewing the curiosities of the Town, saying that they know every fine thing that deserves to be seen, & insinuate in a sly whisper that they can introduce you to a very pretty Girl not more than sixteen years of age, who sings charm-

ingly, & whose Aunt is just gone to spend a day or two in the Country.— It was one of these convenient gentlemen who conducted me through the Streets of Ghent this Morning.

My Commissionaire carried me to look at an immense Cannon in the middle of a Street, supported upon three grooved stones placed under it, at equal distances.— It was made at Mons. Its length is upwards of 20 feet & the diameter of the Calibre about 2 feet. In Edinr. Castle there was a large gun of this description called Mons Meg, which Town, I suppose, was long ago celebrated for the manufacture of these large pieces.

This guide of mine was an intelligent Conscript, who had lost his hand at the battle of Hanau during the French flight from Leipzig. He affected to be very well pleased with Bonaparte's overthrow; but when I questioned him as to the truth of the story that eighteen Citizens of Ghent had been shot for insurrection, he assured me it was not so; that General Maison, though entitled by the laws of war to have given up the place to be sacked, had behaved 'en brave et honnête homme' & had killed none of the Citizens.—

We arrived at the Barrier of Brussels between six & seven o'clock in the evening. A Revenue Officer carefully searched the Vehicle for Contraband goods, and a young soldier dressed in a kilt, or 'jupon' as they called it here, hating excisemen as all Highlanders do, reviled him very bitterly during his search, in good plain Scots. I called out 'where do you come from?' & the Soldier thinking he had been detected in a fault answered very sheepishly 'from Bamff.'

A Deputation had just returned from Paris, where they had been to wait on the allied Sovereigns, anxious to learn the fate of their Country. They had got no satisfactory answer, but some how or other a rumour prevailed this morning that the Netherlands were to be united to Holland. With this the people were greatly dissatisfied. Enemies in religion, and rivals in commerce, & hostile from long opposed Interests, the Brabanters hate the Dutch; & a great ferment was excited by the idea of this Union. I am told the people are equally averse to their old Masters the Austrians.— The French had squeezed & pillaged them into a detestation of their sway;—and too weak to stand independant, the presence of a British Army commanding in their capital behaving in the most exemplary manner, had created in all ranks an eager desire to be placed under the government of England.— This was the report of my guide; & I knew perfectly, from observation as well as

information, that the Inhabitants were happy & proud to have our officers in their houses, at the same time that they dreaded a visitation of the Prussians as a curse. On our common Soldiers, particularly the Highlanders, the effects of the kindness of the Natives were singularly marked. From sinewy, lean, raw-boned fellows, they had become fat & pury with the good & greasy feeding of the Country; & the seams of their clothes seemed as if ready to burst with their encreased size & plumpness.

Journeying by way of Liége and Aix la Chapelle, about half past five on 31st May we were stopped at the gates of Cologne, where I was obliged to make a declaration of my business.

For the great extent of the Town the present population is small, being estimated at 40,000; but its adventitious Military Occupants filled the Streets at this moment. They swarmed with Russian Troops of all descriptions. As I walked along, five Cossacks, foaming with fatigue & intoxication, rode straight up to me, the first having his pike within a foot of my head. He called out '*Snaps*' '*Snaps*' with a threatening attitude & aspect. Luckily a person behind pointed cross the Street to a Tavern, to which they immediately repaired to get what they wanted, which was neither more nor less than a dram. As I did not answer their enquiry, which I did not understand, these drunkards might have abused & stabbed me on the spot. When intoxicated they are very ungovernable, & quite the reverse when sober. Besides their pikes, these men had each two horse pistols stuck in their belts fully 20 inches long, a short Gun slung over their shoulders, a sword hanging at their side, & their thick short whip, which of itself is no inconsiderable weapon of Offence.

At Coblantz (June 1) we found ourselves in the midst of 1000 Cossacks just arrived to bivouac. We filed through them with difficulty & some danger; owing to the quickness of their motions & the length and sharpness of their confounded pikes, which they were handling with no regularity, as their different Tartar-like Bands manœvered and wheeled about in search of their positions for the night.

Finding it impossible to sleep, as soon as the day broke on the 2d. of June, I opened my Window looking into the Court or Square of the Hotel, which I saw filled with Cossacks, some of them lying asleep along with their Horses in the open air, others sharpening & polishing the points of their pikes, & others more innocently employed, drawing & carrying water for the Kitchen maids, with the greatest alacrity.

We had no sooner ordered breakfast than the Infantry of the Russian General Winzingerodis Corps, accompanied with their Artillery & baggage, began to march off through the Town, & defiled by a narrow part of the Street, almost level with the Window of our Room. They consisted of many Regiments each having fine Bands of Music. Their banners were almost all in tatters, shot to pieces;—some of them carried nothing but the staff with a fragment of the flag tied round it. Almost all the plumes of the Grenadiers had suffered the same fate. Their cannon, muskets, bayonets & every piece of metal about them was pure & shining. Their coats were all sufficiently patched & colourless but quite whole. They all wore loose white pantaloons perfectly clean, and seemingly new. Some of the Regiments had whiskers, &ca. & others none. The sound of their drums was harsher & more terrible than ours. These Instruments were struck by men not by dwarfs; and indeed in this great body of Infantry, consisting of 14 or 15,000 there were not fifty who had the appearance of boys. My Companion observed that these were very different troops from the *Carmagnols*, a nickname given by the Germans to the French Soldiers, an opinion to which I readily assented, altho' I had never seen any French Regiment in a state of Organisation. My Companions ranged farther, & I durst not, however partially I felt, say that any British Battalion looked like those men who were passing before my eyes. For strength, determination & fierceness of Countenance, and steadiness & quickness of March, all combined, they exceeded any thing I had seen. I strained my memory, but nothing would do, unless perhaps I might be allowed to cite our 42d. Regt. in the year 1789, who were then all picked men, & who passed me at a trot on their route from Perth to the Forth, travelling loose at the rate of five miles an hour. The waste of war has not left us these, nor their equals. The immensity of the Russian Empire enables its ruler to supply the Havoc of a battle with men of the same description with those who have fallen.

It cleared a little, & we proceeded to the water side. Here the same bustle continued to prevail. A rear guard of Cossacks & Tartars to the number of about 2,000 men with their baggage & disabled Horses, still remained on this side, & half the population of the Town had turned out to look at them. It was a sight certainly worth while. Some of the Cossacks were drunk, others in deep distress lamenting over their lame horses that crawled beside them,—many of them were naked swimming about &

diving under the water. The greater part, driven by their Officers, were embarking with their booty, which appeared to be very trifling; while a number of others, some completely naked, others in their cloathes dared the great River & swam over on Horseback. The distance was such, that we saw with difficulty the heads of the Horses & their Riders, when they approached the opposite bank. I considered this as a wonderful exertion, not called for from necessity, but denoting the confidence & impatience of these men. Besides the horse on which they sat, some of them drove five or six loose Horses before them; others led the same number behind them, & they all crossed safely without an accident. One of these Cossacks offered to sell me his poor lame Horse for a crown.

At this moment the French Garrison of Magdeburgh was returning occupying all the boats they could get below, without venturing to encounter the Cossacks on the great flying Bridge. A great proportion of them, wretched & maimed spectres without legs or arms, found great difficulty in getting out of the boats & landing on the rough bank of the River. As we got nearer to Frankfort we overtook six or seven Regiments of Cossacks, Bashkirs, &ca. with their cumbersome & ill assorted baggage, along which there were several small Tartar Boat-shaped Waggon, conveying Women & Children, much way worn & war worn, & falling to pieces from the waste of time. The delay we here experienced was very great, but in the first instance, among the Cossacks, it could not be attributed to our Guard or Postillion, who treated them with the roughest Language, & drove through them as if they had been a parcel of sheep. Entering among other Troops, of a more formidable description, Horse Lancers, Artillery, with ammunition and forage, Waggon, Officers Carriages, pressing along & completely choaking up the Road, we found it impossible to pass. The Officers & Soldiers of the different Corps, all wearing green boughs in their caps & helmets in token of their Victories, looked so fiercely at our great heavy vehicle, that we did not venture to desire them to make way for us. Slowly approaching the City the crowd encreased more & more, & we moved for miles as if we had been following a funeral.

At Frankfort (June 4) my first object was to secure a place in the Coach which went towards Dresden, and I got the 4th Seat in that which was to leave Frankfort for Berka at six oClock on Monday morning, there being no travelling on Sunday.

The great vice, & seemingly the total occupation of the whole men

of the Districts through which I had passed is to smoke. Every person is furnished with a large ornamented pipe, the head of which generally resembles the but-end of a pistol. Their Tobacco is very bad, almost all grown in France or Flanders; & although by the Regulations it is expressly forbidden 'aux voyageurs, comme aux Conducteurs, de fumer du Tabac dans les Diligences' I never saw fewer than four or five pipes smoking in the Coach at the same moment;—& an instant & deadly quarrell would have ensued from any remonstrance against the beastly & horrid practice.

At Hanau (June 6), here and there, some long narrow mounds covered with no crop, pointed out the spot where the slain had been buried; & a number of Carrion Crows were seated on & seemed to be much delighted with these *tumuli*. They had actually uncovered some of the dead, & were tearing the rotten flesh from their bones.

At the dawn of day on the 8th of June we had got through the Mountainous woods of Thuringia, & reached the Town of Eisenach about four o'clock in the morning. The Cold was intense, unequalled by any I had ever experienced at this season of the year, & we had almost constant showers. We continued to pass through small Villages, parts of which had been destroyed.

The whole of this district of Saxony, called Thuringia, was much farther back than the early Counties of Scotland. The May or Hawthorn flower was scarcely in its prime. The Oaks & ashes were not in full leaf. The Oats & barley were just appearing above the soil. This Season however had been particularly severe, perhaps more so here than in Scotland.

At Gotha a person worthy of credit from his appearance, who with another was drinking Coffee in the Room where we dined, assured me that they had buried more than a Thousand people this last spring who had died in consequence of the epidemic distemper brought among them by the French Army. I ventured to remark that it was a severe season, which had probably occasioned the death of all these old people. The good man exclaimed in a rage, that none of the old people had died; that they were almost all young people of both sexes who had suffered; & that the rascally French had been the sole cause of all their calamities.

The Army of the Duke I was told amounted to fifteen hundred men & such of them as I saw were the oldest & tallest & leanest Soldiers, that had ever come under my observation.

We soon entered upon a most extensive uninclosed plain, badly cultivated, without any Trees. Very frequently the ridges or furrows were crooked, and the ground was by no means clean. We saw Oat & barley crops & unploughed Land designed for fallow, as far as the eye could reach. They said that the greater part of these Lands belonged in property to the Farmers, which may be the reason that their system of Agriculture is so bad. We here met with toll bars, where *Chaussée Geld* was demanded.

We were most vexatiously detained at Erfurt (June 9) for more than seven hours. To pass the time we drank some good ale at the *Weissen Ross*, or White Horse, a house equal to the Kaiser. My companions insisted on paying for the Ale as I did not smoke. In return I entertained them at the *Emperor* with a bowl of Rum punch, made with very good liquor, & a *citron de Genoa*. Neither they nor any person about the house had ever seen the mixture before, but they all professed that they liked it vastly, & only objected to its strength. I was constantly surprised at the uniform sobriety of all these Foreigners. They drink very little, & their wines are weak; & it is scandalous to impute the beastly vice of drunkenness to the Germans, as they do in Britain. In Scotland & England there is ten times more intoxication than among the people of the continent; & I can declare, that with the exception of a few straggling Cossacks, I never saw a man much the worse of liquor in France, Flanders or Germany.

The road was occasionally very hilly, & we did not contrive to make out three miles within the hour. Indeed, we dismounted from the carriage, & walked the greater part of the way to the essential injury of my boots & other equipments; but the cold was still intense, & to walk was the only way to get the better of it. We had got greatly before our Vehicle, & had arrived at a few houses at the foot of a long pull, where we were suddenly encompassed by more than Five Hundred French Soldiers returning from Poland almost all without stockings or shoes, & otherwise in a very ragged condition; but they were all in high spirits, & shewed no despondency on account of the length of the Journey before them. Some of them, Officers or Serjeants looked very saucily at us, & I confess I was more afraid of these fellows than of the poor Cossacks.

At dawn (June 11), we passed Makranstadt, the village where the French first made a halt after their defeat at the terrible Battle of Leipzig. A thick fog covered all the plain & the wooded meadows through which the Elster & the Pleisse circulate round

the South West side of this great city. The Poles, our two fellow-passengers, who were in the battle, could not point out therefore anything very distinctly to us. Capt. Smotzensky said he was with his father the General, on the staff of Poniatowsky, & was present when the Prince lost his life. He said he crossed the same Stream where the Prince sunk, without any Horse, & ran in his boots & great coat all the way to Makranstadt a distance of six or seven miles. He said that many of the Poles were shot in the River which was not ten yards broad, but deep, with steep muddy banks like a wall of seven or eight feet high, so that tall & active men only could possibly get through. He also said that he was struck by a musket ball when in the Water, but not hurt, as it did not penetrate the necks of his great coat. He persisted that the Bridge was blown up by the Corporal as stated in Bonaparte's famous Bulletin, & that he saw it spring in the air (*sauter*).

There are however in fact four bridges over four distinct small Streams all of which I saw & passed. Two of these Bridges were destroyed & now repaired, & two were not injured. They are all in succession within less than a mile & a half of the Town, over different branches of the Pleisse & the Elster, & it is difficult to say which of these two Bridges was alluded to by Bonaparte. He talks as if there had been only one, but each of the four was equally important, & when two were destroyed, it is plain that it must have been done by design, & not by error, unless you can suppose two blundering Corporals, as well as two blown up Bridges. That the great Road must thus have been impeded at a most critical moment, is known to all, but every one had their own story with respect to the manner in which it took place. It is clear to me, without any doubt, that the Emperor had ordered them all to be destroyed; & voluntarily wished to sacrifice his rear guard & the Poles, to secure the retreat of the rest of his army.

On June 12th we entered Dresden about twelve o'Clock. My passport was taken from me at the Barrier, & I was examined as to my business. Russians under Prince Replin garrisoned & commanded the City. All the few cannon they had remaining on the Ramparts, were firing on account of the signing of the Peace on the 30th of May, so that nearly thirteen days had elapsed before the news from Paris had arrived.

I now got a *Card of Safety* from the Police, which was to continue in force for eight days, with an intimation, that when I

intended to leave Dresden this Card must be returned, & my passport would be redelivered.

On the 14th of June I was occupied as on the former day with business till dinner time. An Advocate of the name of Meissner dined wt. me, an intelligent man, whom it was necessary for me to employ professionally. This Gentleman assured me that Dresden in the course of last year had lost a full fifth of its whole Inhabitants. He himself lost his wife & all his family consisting of three children. The French army which composed the Garrison under General St. Cyr, amounted, with their followers, to Thirty Thousand men at least, who ultimately were literally starving. Their whole regular allowance was a handful of rice a day per man and they eagerly searched for & ate ravenously from the dirt in the Gutters, the parings of potatoes & Turnips, & any other offall that they were lucky enough to meet with. At the same time the Inhabitants of the Town were tolerably well off, which shews the great desire the French had to conciliate Saxony & the excellent discipline of their Soldiers. A Malignant fever however ensued, which spread over the city, & which proved fatal to many of the People. The Town then contained upwards of 60,000 Souls but now not above 45,000. Vestiges of this fever still remained, and had occasioned several recent deaths. The place in fact lies low, & may not be well aired. I confess *les puanteurs* were most oppressive even to me a native of Edinburgh. Like those of the latter Town, they were not light & volatile, but inflicted a kind of pestilential, deadly and horrible weight upon the whole nervous system. I have no doubt the fever had thus continued so long; & I believe the best antidote against it, is more than a *modicum* of the richest & strongest white wine the Country can afford.

This dreadful disease raging in the Capital & their other Towns; the imprisonment of their Sovereign; the occupation of the Palace, & indeed of their whole Territories by the Russians; the occasional exaction of large sums of money, all contributed to throw a general gloom over the Country; but laying those evils out of view, which in fact were chiefly imaginary, the generality of the Saxons had every reason to be pleased with their Condition. Comparatively speaking, they were extremely comfortable, though like their Neighbours they were certainly suffering from the effects of the war. It struck me however as it must be obvious to every one, that the Money sent from this Country to alleviate the losses of the Peasantry went entirely into the pockets of the

Russians ; because if these exactions by Prince Repnin had not been levied from the richer Inhabitants, long after the Country was evacuated by the French, these opulent people would have been perfectly able & perhaps inclined to contribute to rebuild the Villages of their own Peasantry, which had been burned during the late battles. In other words, the ingenious & mean addresses of these Germans to the generosity of the British, induced us to repay the two or three Millions of *Dahlers*, which the Russians had compelled them to produce.

The greater part of the 15th of June was spent with Mr. Meissner on business, & at the Bankers. Every thing I could do was concluded by dinner time. I now determined to return home immediately, & being resolved, however hazardous, not to travel any more at the rate of three miles an hour in a German diligence, I ordered Post Horses for Meissen, returned my *Carte de Sureté*, for my passport, packed up my Clothes & my papers, & desired the Waiter to bring me a Note of what I owed the House. Every thing was very quickly despatched ; & to shew the Expence of this kind of living, I engross a copy of the Bill, which I thankfully paid to the Hostess of the '*Goldenen Engel, No. 199 Wilsdruffergasse.*'

1814	Not :	D.	G.	F.
June 12	Du papier	-	3	-
	Diner, 1 Bout. de vin et la bier	2	10	-
	Souper ½ Bout. du vin et la bier	1	-	-
	Logement 12 Gros. Bougis 8 gr.	-	20	-
13	Dejeunée	-	12	6
	Diner, 2 Bout. du vin la bier et rum	5	9	-
	Souper et la bier	1	8	-
	Logement	-	12	-
14	Dejeunée	-	12	6
	Diner, 2 Bout. vin et du rum	5	9	-
	La Bier	-	4	-
	1 Bout. Chateaux Margoux	1	8	-
	Logement	-	12	-
15	Dejeunée	-	12	6
	Diner 1 Bout. la bier } 1 Bout. du vin }	2	10	-
		<hr/>		
	Domestiques	D	22. 22.	6
			3 4	-
		<hr/>		
		D	26. 2	6
		<hr/>		

The above in Sterling money, including what I paid to my *Valet de place*, amounted to about four guineas and a half, deducting also the heavy Exchange which I paid for my drafts on London.

I now set off extra-Post, & bid adieu to Dresden, retracing the beautiful Road to Meissen, in a delightful Evening. Having advanced a few miles, we met the Princess Elizabeth of Saxony, a decent looking Creature taking an airing in an open Carriage, with two or three attendants on horseback.

After leaving Meissen on 16th June I could not help again here remarking the good condition of all the Soldiers of the allied Armies. With the exception of a number of old Skinny Cossacks, they were all sleek & fat, from good feeding.

At a pretty village called Scherin, we left the Elbe & entered on a dusty Road, & the day became burning hot. There was here a great conveyance of goods by Waggons not unlike those in England drawn by 4, 6 & 8 horses, & all these contributed to impede the progress of my little vehicle. I here saw many people employed in casting peats for fuel out of a bog, just as in Scotland; & on the whole I remarked that the Scots Peasants & those of Saxony nearly resembled each other. They were honest enough, but lazy, stupid & consequential.

At Weissenfels (June 17) I saw a scene in the Suburb which gave me great amusement. A Cossack had been detected stealing some trifling article in a Shop. He was instantly apprehended, & as I came up he was under the gripe of a little Squat Saxon Thief Catcher, who held him like a Bull dog. This man was surrounded, & seemed to stand alone among a hundred Cossacks, upwards of a dozen of whom were striking him, & looked as furiously as possible; but such contemptible blows I never witnessed! They struck with their open hand on the poor man's head & Shoulders; but so gently, that they seemed to be afraid of hurting their fingers. I firmly believe that Mr. Crib or Mr. Belcher could have knocked down the whole of these puny assailants, hardly ever to rise. A tall Officer of the Cossacks at length was seen walking rapidly towards us. His men no sooner saw him than they fled like Mice from a Cat, & left their Companion in Custody for punishment. All these Cossacks were of course unarmed. By a judicious & humane regulation, their pikes & pistols & other Weapons, were deposited in the Meadows & Avenues round the Town, on the spot where they bivouacked, & a proportion of them were then allowed to go into the Place

for their rations. It was three oClock before we got through the Mob which this fray had collected.

We crossed the Multa, without alighting from the Carriage, on a Boat or Flying Bridge, like what I have seen on the Dee at Kirkcudbright. This River is about sixty or seventy yards broad. I observed many wild Ducks, Hares & partridges in the course of this day's Journey, the same as we have in Scotland. The Trout which abound in the Streamlets which flow into the Elbe, are considerably different from ours. They are thicker, with larger fins & very thick Skins.

A mile from Weimar (June 18) on the right stands the Gallows, with a place for beheading Criminals, & another for breaking them on the Wheel. On this last a post was erected with a wheel placed horizontally upon it, & on this wheel was sitting, the naked figure of a man, with something like a ragged shirt over the Shoulders. I thought it had only been a representation in wood but I learned that it was the real skeleton of a Robber, who had been here broken on this wheel nine months ago. Are these public executions, hanging in Chains, exposing on the Wheel, &c. politically right or useful? Do they tend to prevent or diminish the Repetition of crimes? I think not.

At Eisenach (June 19) I was awakened on Sunday Morning the 19th of June before two oClock, by the loud drums of the Russian Infantry, proceeding on their march; & there was a continued succession of Troops through the Town, till near seven. I particularly remarked a great number of foot Artillery men conducting brass pieces, six or nine pounders. Each of these guns was drawn by six capital Horses, two & two. Every gun was followed by three Caissons or small Tumbrils, each drawn by three horses abreast. Thus, besides baggage and forage Horses, every gun had fifteen Horses, & about twelve Men. All the Limbers & wooden parts of their equipment, were handsomely painted a pea green colour, & the cannon were as bright & shining as if newly cast. During the whole of this time it rained incessantly, & it was surprising to see the clean & entire condition of the Men's clothing, considering the immense length of their march, & the dirty weather which they had so frequently encountered. This circumstance was a strong proof of the rigour of their discipline.

On our way to Gravelotte (June 23) we met with two or three hundred French Cuirassiers of the Imperial Guard, ornamented still with the Eagles of Napoleon. The cuirasses of polished Iron seemed to be very badly formed, making the men look clumsy,

& as if they were all pot-bellied. These defences were however able to resist a Musket ball, which was the most important object. The men were quite stout & plump, & did not appear to have suffered from the fatigues of the war. Their horses were by no means in a good condition. Many of these Soldiers were accompanied by good looking women riding, with a leg on each side of the horse, according to the fashion of the Country.

The next post was a village called Manheule where a pretty little well dressed Girl of 14, compelled us to purchase her whole stock of Cherries, Almonds, apples raisins & Nuts, with a few Cakes. The whole basketfull was forced on us for 6d. Between this village & Verdun we for the first time met many French Prisoners returning from England. I knew them by the yellow dresses with which our Government had clothed them.

We reached Verdun under a storm of rain about 5 oClock.

The war which has so materially injured other Cities on the Continent has been of essential service to this Town. It was one of the greatest depots of Englishmen on parole, & the sums they spent in the place were immense. It abounds in Grocers & Confectioners & its staple commodity is packages of *BonBons* and sweet meats for children.

At Chalons (June 24) I learned at the inn that Masters of the Post Houses were extremely dissatisfied;—that they had been outrageously plundered of every thing by the Armies; & that there was very little travelling extra-Post, which made them very exorbitant in their demands although limited by regulations. A common driver of a small Cabriolet assured me that he had lost more than 1000 francs in eight days by the requisitions of the Allies; & every Account I had corroborated this & similar statements. In all respects this Country had suffered more than any part of Germany. Appearances proclaimed it. Houses, Villages, & Bridges were every where burned, blown up & utterly destroyed. Scarcely a young man was to be seen, but only women of all ages, & old men in mourning.

The market (June 25) I found filled with all kinds of Butcher meat, Poultry, Game, fresh water fish, fruits & vegetables. The best beef sold for 5d. Str. per pound, veal sold at the same price. They asked 7d. for a live carp about 3 pounds weight which was swimming in a Tub. The fruits & the vegetables were extremely cheap. I had looked long for frogs but saw none till I was leaving the market. A pretty little Girl whom I accidentally followed had a string of them nicely skinned & prepared for a

fricassée, on the top of her basket. She carried them into a milliners shop close by the *Cloche d'or*. When dressed with eggs as friars Chickens these frogs are excellent.

On June 26 before 12 o'clock we galloped along the *Boulevards* of Paris, & they set me down in the *Rue de la paix*, ci devant, *Napoleon*, at the *Hotel Bourbon* formerly *Napoleon*. This was a large Inn under repair, but much resorted to, & they cruelly demanded three guineas a week for my accommodation, which consisted of three paltry apartments badly furnished. I could have been much better off for 15/-, but as I had determined to go by the first Coach for Calais, I did not calculate on the expence. In the *place de Carousel*, the Duke of Berri¹ was reviewing a number of Regiments of the Horse Imperial Guard, all newly clothed, & the men had in their countenances a degree of fierce & disdainful pride, which I had not remarked among the Troops of the Allies. This was the first time they had appeared in Paris since the Russians ceased to govern it. Their Horses were good & strong but not well matched, either as to age or appearance. As the Duke rode along there was a continued '*hai, hai, hai*' no louder than ordinary conversation, which I would have supposed an expression of insult, had I not been told that these were their acclamations of joy & enthusiasm, & ought to be interpreted into '*vive le Duc de Berri*' '*Vivent les Bourbons*.'

On 29th June, exactly at 12 o'clock, we set out from Paris, and at 12 o'clock on 1st July we reached Calais. After dinner we walked to the end of the long wooden pier, where there were a number of British transports lying to receive some of our troops from the South of France.

We sailed with a light and contrary wind as soon as day broke on the morning of Saturday the 2nd of July. The passage was slow but agreeable, and we did not enter the harbour of Dover till 12 o'clock.

We reached London about 7 o'clock on 3rd July, and on the morning of Monday the 4th we left Fetter Lane in the Highflyer about half-past six.

On the 7th we dined at Berwick, and here we met with the celebrated Mr. Gow the fiddler and his assistants, who had come all the way from Edinburgh to play reels &c. to the gentry of the Merse, who had been giving a grand assembly in this Town.

When we descended from Coldingham Muir, & approached Dunbar a wonderful alteration for the better, was obvious, on the

¹ Stabbed & killed 13 Feby. 1820.

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crops of every description. Except in a few places of Kent, & in the neighbourhood of Paris, none of the wheat during the whole of that track, I mean from Paris to the Lothians of Scotland was nearly so good or so far advanced, as we now saw it. Good soil & better methods of cultivation can alone account for this superiority in the appearance of the Scots Harvest, for in spring & the early part of summer the climate was very severe here as well as in England, & on the continent.

On Friday, the 8th of July, we left Haddington in a post chaise & pair, & reached Edinburgh about nine o'Clock. On driving to my own door I found the Letter carrier in the act of delivering an Epistle which I had despatched from Paris on the 26th of June, three days before I left it. What was more surprising the letters which I wrote from Dresden on the 13th & 15th of June, did not arrive till the 20th of July, being twelve days after my return.

Scotstarvet's 'Trew Relation'¹

The patent of honour.

TO all men to whom these presents shall come, health, whereas we calling to mynd that our well beloved cousin and counsellor W^m erle of Menteeth president of our secret counsell stands served and returned undoubted heir of blood to umquhill David erle of Straerne his grandsires forgrandomes father the sone lauffull of umquhill King Robert the 2^d our predecessor of happie memory To the which David erle of Straerne and his heirs the said Robert the 2^d his father by 2 diverse chartours one daitit at Ed^r 19 June the first yeir of his raigne, the other at Perth the 3^d Julij the forsaid yeir disposed the said erledome with all annexis and pertinancies therof and albeit the forsaid erle of Menteeth as heir forsaid had good right to the said erledome yet he for the humble respect which he carried to our royall and sacred persone by his letters of renunciation daited the 22 Jan. 1630 registrat the 2^d of March thereafter [P. 13] Renounced all right and title he had or might pretend to the said erledome in favour of us and our successors reservand to the said erle the Lands & barony of Kelbryd and others mentioned in the said renunciation with this expressed provision that the forsaid renunciation should not be prejudiciall to him and his heirs of there right and dignity of blood belonging to him as heir of Lyne to the said umquhill David erle of Straerne as the said renunciation in itselfe mair fully proports and we earnestly willing that the forsaid W^m erle of Menteeth his heirs mail and successors may enjoy the right and title of the erledome of Straerne and succeed to the samyn title place and dignity dew to them be the said two chartours and infeftments forsaid granted be the said King Robert the 2^d to the forsaid David erle of Straerne and his heirs of the said erledome in so farre as concernes the title place and precedency dew to them as erles Therefore wit ye us to have ratified and approved and be the tenor herof ratifies and approves the forsaid

¹ Continued from *Scottish Historical Review*, vol. xi. p. 296.

title honour dignity and place of ane erle to the said e[rl]e of Menteeth his airis maill and of talzie qho sall henceforth be styled and called erles of Straerne & Menteeth in all tymes coming and that they sall bruick joyse and possesse the forsaid title and dignitie in all assemblies conventions and parl^{ts} and all other meeting places qhatsumever with the same priviledges degrees and places qhilk belonged to the said David erle of Straerne and his airis granted to him be King Robert the 2^d his father and with precedency and priority before qhatsumever other persons create and made erles after the dait of the said 2 chartours and all qho cannot produce elder infestments letters patents and documents for there title and dignities of erles anterior to the forsaid twa chartours In witness qherof etc.

The Renunciation.

Be it kend etc Me W^m e[rl]e of Menteeth lo[rd] Grahme of Kilpunt president of his majesties counsell & hight justice of Scotland fforsameckle as umqhill King Robert the 2^d be his chartour under the great seale gave to his sone David and his airis the erledome of Stratherne to be halden in free regalitie with all fees forfactors and other liberties Lykeas also the said King Robert be an other chartor granted to his said sone and airis the said erledome with addition of the 4 poynts of the croune as in the saids chartours of the daits forsaid extracted furth of the register of the great seale of Scotland under the subscription of Sir Joⁿ Hammiltoun of Magdalens knight his majesties clerk of register bearis and forsameckle as I the said erle of Menteeth am undoubted air of blood and successor to the said umqhill David erle of Straerne being descended Lineally from Patr[ick] Grahme and Eufame Stewart daughter to the said David and therby having good and undoubted right to clame the said erledome yet notthesse considering that the said erledome has bein bruicked be his majestie and his predecessors as ane part of the annexed propertie continuallie since the deceis of King Ja: the 2^d and that the heritors and possessors holds there Lands of our Sov[eraigne] lord the kings majestie and his predecessors and calling to mynd the extraordinar favours bestowed upon me by my gracious Sov[eraigne] Charles King of Great Brittain etc. and that it hath pleased his gracious majestie to bestow on me such satisfaction therfore as his majesty in his gracious wisdome thocht expedient Therefore wit ye me in all humble affection and respect to my sacred soveraigne to have

renuned Lykeas etc all right and interest qhatsumever qhilk I or my airis have or may pretend to the said erledome in speciall favours of my sacred & gracious soveragne his airis and successours to remane with them and the croune for ever provyding always that thir presents be not extended to the Lands & barony of Kilbryd Lyand within the said erledome and I bind and ablise me and my forsaidis to make surrender of the said erledome in favours of his majesty and his successours ad perpetuam remanentiam and to that effect make & constitute my prors with power to them to compair before his sacred majesty or his majesties commissioners appoynted for ressavng of surrenders or resignations and there in all humility and submissive reverence as becomes to surrender and resigne Lykeas etc provyding thir presents prejudge not me nor my forsaidis of our right and dignity of blood pertening to us as airis of lyne to the said David erle of Straerne And als I bind & obliss me and my forsaidis if need beis to obtaine ourselffs served retoured and saised in the said Lands as air to the said umqhill David and for doing therof gives power to my said prors in most ample forme and to restorat and renew and for the mair securitie etc subscrivit at Halyrudhouse the 22 Jan 1630 before thir witnesses Sir Thomas Hope of Craighall advocat Sir Colen Campbell of Lundie Sir Joⁿ Gordoun of Lesmore and master W^m Maxwell wryter herof.

By serving himselff air to the eldest sone of the first marriage he might have served himselffe air to the father of that sone

He intended summons of reduction & improbation against his majesties vassals of the lordship of Orchat for recovering of there superiorities and property. He had his genealogie drawne qherin his majestie was placed on the left hand qhilk Sir Joⁿ shew to the king qho was somqhat commoved therwith

Menteeth coming to court prostrate him selffe to his majestie agknowledged his fault and gott a favourable acceptance by intercession of Mortoun & the chancellor Only he was told by the king that he behoved to quyte that title of Straerne and take that of Airth qhilk he did. This being notified to Sir Joⁿ Scot he intreated m^r Maxwell to gett him accesse to take his leave of his majestie qherat his majesty quarrelled him for so long concealing it and for giving out the brevis to qhilk he answered that he had revealed it soone enough for any amends was lykely to follow and for the other it was the dewtie of his place and that the wrong was by sending back the retour So Sir Joⁿ having kissed his majesties hand returned at which tyme nothing was done but

only a command given to Menteeth to dash out of his windowis the armes of the erledome of Straerne.

In the nixt session his majesty sent order for raising summons of reduction of that retour and service led at Menteeths instance and joyned with the advocat Sir Lewis Stewart and having gotten exhibition of all his wryts gott a decreet of reduction therof and ordinance to cancel them all, but the 15 noblemen and barons qho were upon the assyse finding themselffs in hazard to be convict of error gave in defenses to the Lords as follows

Absolvitor from the summons because the assysers were *in optima fide* to serve the said erle *affirmative* seing they offered them to prove that by transaction made betwixt the king and the said erle for the 2 baronies of Orchat & Bradwell and confirmation of the lordship of Kilbryd and the soume of 3000 lib. stirlin the said erle did grant the renunciation to them produced at the service [P. 14] by the kings advocat qho did mediat the said bargaine by his lettres to his majestie and did by his majesties speciall warrand forme the said renunciation bearing expresse reservation of the said erles rights & dignity of blood and obliging the said erle to serve himselfe air to the said David and to procure himselfe to be infest in the said erledome as air to the said David for strengthening the kings right therunto and qhilk soume & satisfaction in generall termes is agknowledged by the said erle in the said renunciation to have bein gotten and received from his majestie for making the said renunciation and they seing his majesties advocat compeir for his majestie and produce the said renunciation registrat in the publick registers be the compeirance & consent of his majesty's advocat and also knowing perfytlie that his majestie in the chartour of Orchat & Bradwell did under his hand science and prudence agknowledge the said erle of Menteeth to be nearest and Lafulfull air to the said erle David and that the said chartour was dictitated by his majesties advocat and subscribed by the lords of his majesties exchecker & ordained to passe the great seale and the king therin promitted *in verbo regis* never to come in the contrair nor to doe any action contrare the same they did no wrong to serve affirmative Lykeas they offered they offered them to prove that therafter his majestie has not only agknowledged the said erle to be dewly served as nearest & Lafulfull air to the said erle David but also by patent under his hand & great seale hath granted to him the title honour & precedencie of the said erle David making the service and retour to be the narrative of the said patent and swa being now major and compeiring by his

advocat cannot come in the contrare therof to accuse the inqueist of errour for doing that qhich his majestie had solely and publickly by his awin hand and great seale done and commissioners of exchequer agknowledged and standing upon publick record at all the registers and seales usuall in such caces

As lykwise the Shirreff of Ed^r before qhom the said service was deduced did crave absolvitor from the summons by the subsequent paper :

1. The said Shirreff did na wrong becaus he offers him to prove that the procuracion for serving of the said brevis were formed by the kings advocat or at his direction and written by his awin sisters sone his servaunt

2. That by the advocats speciall letters written to his majestie it was informed that the purchase of the erle of Straernes titile of that erledome was a matter of such importance that it was not fitt for his majestie to neglect it and that his majesty therupon directed his particular missive to the advocat for purchasing the said right

3. That for the same effect the said advocat delyvered a letter to the clerk register commanding to make patent the registers and to give to the erle such wryts as sould be in the castle or elsqhere qhilk the said advocat sould find to concerne that purpose with the extract of all others that the said erle sould crave

4. That the same tyme his majestie by his letter gave the advocat promise of 2000 lib. stirl. for his paynes

5. That the information of the brevis sent to the chanc[ellarie] was dyted and wrytten be the said advocat himselffe or servaunts and that the saids brevis were taken by them furth of the chancellarie.

6. That the renunciation produced to the said shirreff was formed and penned by the said advocat himselffe and written be m^r W^m Maxwell his servaunt and that the samyn was insert in 3 registers at the least presented and given in therto be the said advocat or his servaunts at his direction

7. That the signator of Orchat was penned by the direction of the said advocat and was docted be him (qhilk his majestie is only accustomed to reade) and in the docket thir essentiall words are left out (that the erle of Straerne was undoubted air of blood to the said erle David) althogh the samyn were insert in the chartour

8. That the samyn chartour is granted with consent of the kings thesaurer and a clause insert therin obliging his majestie never to move action clame or processe upon the same

9. That the patent of honour is lykwise dyted and penned be the said advocat qherin his majestie is made baith to approve the services and retour and agknowledge and accept of the forsaid renunciation and that the samyn was lafullie subscrivit publicklye in the exchecker be ane sufficient number of the haill officers and being written and sealed at the great seale was delyvered to him by the vicepresident. And so the Shirrefe did no wrong in his office

Who all by there mediation and intercession with his majestie by there freinds at Court procured from his majestie a letter to the llo. [lords] of session for freeing & releiving them of all hazard & danger they might incurre by being upon that service as followes :

Right trustie & welbeloved etc we greet yow qheras we were pleased to give order to our advocat to raise summons at our instance for reducing of the service and retour of W^m erle of Menteeth air to umqhill David erle of Straerne by the qhilk summons the nobles barrons & uthers that were upon the inqueist upon the said service are conveened upon wilfull at leist ignorant error and forsomuch as we are fully perswaded that the saids persons of inqueist proceded therin bona fide upon warrand standing then unreduced qhilk was sufficient ground for the assisours for serving the said erle *affirmative* and namlie that there was a renunciation granted be the said erle to us of the annexed propertie of Stratherne qherin the said erle is designed air to David erle of Straerne and la[dy] Eufame his allegit daughter and to the said umqhill Patrick allegit erle therof and allegit spous to the said Euphame qhilk renunciation was then standing registrat in the books of exchecker and in the publick register of renunciations and was produced be an advocat to the assyse the tyme of the service who protested that the said service sould be led in corroboration of the renunciation & no otherwise qhich protestation was admitted be the judge and lykwise it was perfytly knowne to a number of the said inqueist that there was a signator past in the exchecker qherupon infestment after followed by the qhich we disponded to the said erle of Menteeth as undoubted air of blood to David erle of Straerne the lands & baronies of Orchat & Bradwell. In respect of the qhich warrand standing then unreduced and of our advocats compeirance and not opposing of the said service the assysers in the duty of there offices could not uthewise proceed but by servings *affirmative* for the tyme. And therfor it is our pleasure that the saids noblemen barrons & uthers be declared

free & quyte of all errour discharging all payne & censure that they may incurre therupon : and for farder security we requyre yow that ye admitt and sustaine there reasons as relevant and proven to give them a perfytt absolvitor from all errour and that accordingly ye pronounce in there favours but prejudice always of our action of reduction commanding yow to insert these presents in your books of sederunt for there better warrand and exoneration for doing qherof these presents sall be a sufficient warrand. Whitehall 22 Feb. 1633.

[P. 15.] Notwithstanding of all quich Menteeth continued still in his grandour and hail places and his majestie himselve was litle better secured be that decreet of reduction seing that pedigree can be made out to the full by the wryts evidents and securities lying in other noblemens chartour kists vassals of the erledome till the tyme that his majestie tooke resolution for going to Scotland for accepting the crowne therof about quich tyme Mortoun thesaurer expecting the accomplishment of Menteeths promise to gett him made knight of the garter and finding that he had fooly¹ fayled to him therin and that instead of doing for him in that particular he was doing for himselffe and his awin posterity to purchase them that honour he was therby so exasperat that he and the chancellor had ther addresse to the Queene informing her of all the forsaid passages done and acted be the said erle in prejudice of her royall children assuring her that if these impediments were not totally removed and Menteeth censured and punished for so hight ane presumption it would not fail to be hazardsome to the Prince and his descendants qherupon she made her addresse to his majesty and gott his promise that he sould take a course therwith befor his return to England quilk effectually he did by giving order some dayis befor his returne to the lord Westoun the erle of Caerlile & secretary to conferre with Sir Joⁿ Scot and view all his papers qho in obedience of his majesties command having red them at full lenght at the going out of the toun the lord Westoun affirmed with an oath to the rest there present that he wanted nothing but sharpe sword to be king. Within few dayis thereafter his majestie proceeded in Holyrudhouse to make tryall of the words spoken be Menteeth that his blood was reddest blood in Scotland and that the king was obliged to him for his crowne and having found that such speeches were uttered be him by the witnessing & depositione of the erle of Southeske & Ethie and the countesse of Marre whom his majestie sent for to that effect

¹ Fooly, Foully.

his majestie after taking journey to England sent doune a missive letter declaring his mynd to the counsell concerning the said matter and therupon the act following was made be them

At Ed^r 8 Nov^r 1633

The qhilk day George erle of Kinnoul lord hight chancellor of Scotland declared to the lords of his majesties privie counsell that he had Lately received ane letter from his majesty concerning his royall will and pleasure against W^m erle of Airth for some treasonable speeches spoken be him and the fault committed be him in his service to the erledome of Straerne qhilk letter he exhibite to the lords and declared that he had written for the said erle to come & heare his majesties will concerning him qherupon the said erle compeirand and his majesties letter being red to the erle he acquiesced with all due reverence to the samyn and made a surrender of all places honours priviledges & immunities as also of his pension out of the exchecker : his offices were the presidentship of the counsell of justice generall and extraordinar lord of the session : and for mair securities subscribed his dimission of the said places and consented that the same should be registrat in the buicks of counsell & exchecker *ad futuram rei memoriam* qherupon the lord chancellor asked instruments.

The Kings letter to the chancellor.

Ry^t trustie etc qheras upon the commission for tryall of some treasonable speeches be the erle of Airth we find sufficient prooffe to beleve the same and in regard lykwise that he by his awin agknowledgment confesseth in effect als much Togidder with the great fault committed in his service to the erledome of Straerne as is contened under his hand in his late submission we therfor find that he is not worthy to enjoy the charges qhich he hath formerly borne in the state by our gift nor pension allowed to be payed to him out of the exchecker qherfore we have thought good hereby to signifie the samyn to yow and it is our pleasure that ye requyre the said erle in our name to surrender up into our hands those his charges of presidentship of our counsell justice generall and place in session to be disposed off as we sall appoynt as lykwise the gift of the said pension and in the meanetyme ye confyne him to his awin house and the bounds belonging therunto qhich are not neere to Halyrudhouse qhere the publick meetings of our estate are kept : and for your so doing these presents sall be your sufficient warrand. From our court at Whytehall 9 Oct^r 1633.

The dimission.

Be it kend etc Me William erle of Airth fforsameikle as it hath pleased his sacred majestie by his hightnes letter direct to my lord chancellor of the dait etc to declare that qheras his majestie upon the commission for tryall of some treasonable speaches spoken by me hes found sufficient proofes to beleve the samyn and that I have by my agknowledgment confessed als much in effect Togidder with the great fault committed by me in my service to the erledome of Straerne in regard therof his majesty by his letter hes found that I am not worthy to enjoy the charge qhilk I have formerly borne in the state nor yet the pension payed to me furth of the exchecker and hes commanded the lord chancellor to requyre of me to surrender into his majesties hands my charges & places etc Therefore and for obedience to his majesties sacred will & ordinance wit ye me to have resigned & surrendred Lykeas etc and for the mair securitie etc sic subscribitur Airth.

(To be continued.)

Some Darien Letters

LIEUTENANT ROBERT TURNBULL, the writer of the following letters, went to Central America as a member of the original colony sent to Darien, so that he arrived there in November, 1698.

Colonel John Erskin, to whom two of the letters are addressed, was a Director of the Company. An unfriendly writer¹ describes him as 'Colonel John Erskin, Governour of Sterling Castle and Darling of the Kirk,' adding that he was a man of Honour and Worth but a Stranger to Trade.

Turnbull was lieutenant to Captain Thomas Drummond, and went with him to New York when the first colony abandoned the settlement on 20th June, 1699.

They returned to Darien² to meet the second colony, which arrived there in November, 1699, so the second letter was probably written from New York.

Captain Drummond had taken part in the Massacre of Glencoe, and the counsellors of the second colony reported that he was 'thought a man unfit for their service, because of his behaviour at Glenco.'³

Robert Turnbull reached home safely after his adventures, as he gave evidence before a Committee of Directors of the Company in July, 1701.⁴

J. J. SPENCER.

¹ Herries, *Defence of the Scots abdicating Darien*, 1700, p. 12.

² Borland's *History of Darien*, p. 30.

³ Byres, *Letter to a Friend at Edinburgh from Rotterdam*, 1702, p. 151.

⁴ *Darien Papers*, pp. 225-6.

America
Fort of St. Andrew in Caledonia
11th Apryll 1699.

Honored Sr

I have written thrice to you before this. In non of them I gave you a discriptione of the pleace. Honest Major Cunningham & Leut Ferguson being the Bearers & now Mr McKey on of the Councilleres going home I shall likewyse refere you to him as I did to the rest. Only I shall give you one short accompt of some of the advantages of this pleace. every Moneth in the year some treese bears wholsome fruits. So that we may say that through the woods thr is allwyse florishes, green fruit & ryp fruit the whole year. But hardly any of them could be transported to Scotland except a very fyne sort of almond large & full as holsome as any in Europ they fall from the treese in March and Apryle in great abundance. Ther is lykewyse abundance of very fyne silk Cotton and is ryp in Janry & Febry.—The woods is very full of weild beasts such as Dear, Bouffes, weild syne, Rabbits & Goatt yr ar lykwyse very fyne foule as Turkie, phesant, partridges, pigeons, duck & Mallett, pelicans, paraccetts of all sorts great & small, some ar full prittie qr of you may expect a pt qn the great Shypp returns. qn we came first here we was obliged to have sloups to provyd us wt Turtill But now takes them in abundance wt our own boats, our Bays round about is wounderfully weil stord wt all sort of fishes both great & small & much mor delitious than any in Europ so that if ye send us bread aneuch (?) we can fend oyr provisions we are certainly situated betwixt Carthagin & Portabell qk is in the midle of the goldn world in the West Indies. So if you take care to send us good able men wyse and honest Councillors there is no fear but you and the rest of the adventurers in the stock shall be the happiest people in the world in a very short tyme. All of us are very much oblided to yr honest friend Capt Thomas Drummond for his great Care in making and overseeing our fortifications. its come now that length that our fort has 24 great guns mounted allreadie. he and Capt Vetch are deservedly made Councillors. So I hop things will go very weile Mr McKey will informe you what is past betwixt us and the Spainard, honest Mr Seaton gives his humble service to you. I earnestly desyr you may be pressing at the Minds of Scotland to send some of the breethrin heir; Because of the fear at the Spaniard we have no traid hitherto so yr goods are all in my custodie except one Gun that I sold to the natives for about 3 lb. and 2 pr pistoles for 4 lb. to the Jameca ships for the natives do not esteem pistoles. I would not have sold them so cheap but they lying so long in my hand Capt Vetch advyst me reather to sell them cheap than that they showld spoyle for it is very hard to keep armes in this Country. If you send any oyr armes lett them be long fuses for the natives esteems no oyr, Linin cloth lykwyse is ane good comodity heir. I have sent you some of this Countrey gold qck the natives weares in their noses. And A Cup to yore Ladie qck the Indian Queens pents att ther great Solemnities to drink out of. If ye send any men heir to work yor plantatione let the working Tuells be as followes viz for on man and so for moe as ther is occasione. on broad axe & ane narrow, ane

how, ane pickax, on irone spead, on shoffe, on great Sa and ane hand Sa, on Hok 2 Chisells, on iron mell, 2 masheet knives shorter and stronger than they that was don for the Company 2 gemletts great and small 2 borrels lykwyse 2 litle hammers & 2 fyles three squaird 2 yron wegges. Ane good wright and ane gardiner will do wonderfull weile. If ye send any number of men send unblecht coursse harne to be yr Cloth & ane nett or two for fishing wt. Twyne to help or make mor, lykwyse some fishing hooks great and small. ye must lykwyse store them wt shoes for this country burnes them, If you can have ane honest boy to keep Compts it will lykwyse do weile. If you please you and Sr Pat. Scott may joyne for men and yr necessades you must send ane Kettle wt Dishes and Spoons. If any woomen come over on of yr wyves will do weile to have a care of the rest to make yr victualls reddie, to wash yr linings and to nurss them qn they are sick. I wish wt all my heart (If your conveniencie & all allow) would come heir for ane start for I am not able to demonstratt the ritcheess of this pleace as weile under as above the ground. Whatever goods I have of yors heir shall be imployed on yor plantatione or oyrwyse as you shall order them. I know some of the honestest of the Councillers will assist me in yr affair so begging pardon for the trouble I give you for Causing delyver the enclosed to my fayr under yr caver

I am Sr

Yor. Most Obleidgd and humble Set.

ROT. TURNBULL.

Pray cause thank John Currie Gun Smith in Glasgow for the pistolls he made wer extraordinar good. I mean the pistolls he made to the Company.

For The Honorable Colonell John Erskin

Governour of the Castle of Stirling

at his Loadings Edr. Scotland.

Sir,

I need not show you what misfortouns we have met with or the reason of my going back to Caledonia for Captan Drumond will give you ane full accompt of all these things. I could have no libe(rty) heir to sell anie goods therefore I left them with ane freind of myn in Staten Eyland in the Province of New York And I have ordered him to sell ym to best Advantage and what Tobaco he can have readie before Capt. Drumond sails he is to send i(t) to you. I have sent you with Capt Drumond ane Indian Woomans nose piece of Guld weighting abo(ut) half ane ounce ther is four pair and ane oad pistol of yours in Capt Thomas Drumonds Cabing aboard of the Caledonia ther is likeways the flints but I have ord. my friend to call for them and sell ym. here as for the pistolls they would not give the pryme Coast here(?) neither do I believe he can get the flints Ashore for I could not get anie thing Ashore my self but I put first in the Sloup I broght ane Parit and A h Indian Rabit but becaus non would be cairfull of I left them with my friend. I desire you would wryt to me for I long to heir from my freinds. Ih wryten to my faither and sister but I cam in such ane heast the Sloup being saild befor

I knew of it and was obliged to follow her in a small boat. We intend to be back heir God willing in three or four months therefor if you wryt to me derect your letter to Luvetennant Robert Turnbull at Ca Stillwell in Staten Eyland to be left at the poast hous of New York this with my humble Services to you and yr leadie is all from

Sr

Your Most Obeidyant Servant

ROB. TURNBULL

from on board the Ann of Calidonia Sept 21 1699

For

Colonell Ersken Governour of Stirling Castell
at his Lodging in Ed Scotland.

Dear Cusson

I cannot ingraitude but writ to you (to give you thanks for all your favours and perticular for the fain bisskit that you sent to me) but reley I am qu unable having on Thursday the fiftin of this Instent received a most daingerous wound from the Spaineards at an Ingagement we had wt them. I shall not take upon me to give an discription of it but so far as I was concerned my selfe know then, that on Sunday the Elevent Capt Alexr Campbell of Phanab araved here from London having an Comisshion to be on of our Counselores we Informed him ye Spainarges wer coming to atake us by land and were w/in some fewe days Jurneise of us so on twosday ye thertint Instant he drew out two hunder men and about thertty Ingies that was in the fort at that time of whom I gatt the Charge because I could speek a little of yr. language we crost the bay in boats and yt afternoon march about 4 myls up ye Loberaqu la and yr was met by Capt. Pedro wt 20 Ingies he was in good order having an fain Coat on him yt ye Company of Scotland had formerly sent him we lodged at his house all yt night & ye nixt morning went on towards ye enemie I was ordered to march on ye front wt ye volunteers and wt Capt Pedro and Capt Brownlie and about 30 Ingeons ye rest being devided among ye partie this being ye fourtent we marched over an great hill and crost ye River yt. runs to ye South Seas and yn on of our Ingiens Spyes came in and told us ye Spainards were on ye tope of ye nixt hill Cuting down trees to strengthen themselves so I sent and told Capt Campbell and he march up wt the pairtie and halted yr a little ye Ingiens were for halting all day and lying in Ambushcad telling us the Spainards wold com that waye the morrow but it being about ye mille of ye day Capt Campbell was unwilling so marched up the hill about two mylls farder till we cam to a little watter yn the Ingens wold march no farder for they sd ther was no more watter for a dayes journye farder so we lodged yr all night ye next morning Capt Campbell was very willing to march but ye Ingens would not upon any accompt telling us yt. if we marched up the hill we wold be all killed from Ambuskads: Capt Campbell wold have two of some men to go and se wher the Spainards were. Ye Ingins told they had sent forrit Spyes but wold send no more I used all ye perswadions I could promissing ym great rewards and telling ym I wold go wt them my selfe they told me I wold be killed I told

them it was no matter though I was killed so yt the Comander could have perfit Intelgence yn the lawght at me so I saw d. nothing wold do wt ym I turned myselfe to ye leadre and told ym in yr language yt so they wer great brags of yr Stoutnes in Callidonia yt now I sawe they were all cowards then they wer so made at that calling all yr Ingens together running up the hill as if they wold Ingade ye Spainards ymselves but I got ym pasified and they imedeatly ordered two or yr Ingns to go wt me so I marched up the hill wt twelve of our own Gentlemen I marched in two hours to ye tope of ye hill till I came wt in a bow shot of ye Spainards yn I heard ym cutting down trees and speeking very fast for ther out sentries had run in and told ym of my march yn I retreated (?) about two pair of buttoos (?) and lodge myselfe in a convenient post yn I wrot to Capt Campbell that if he pleased he might march for ough that I could understand ye Spainards was not to march yt night and that wold be a convenient pleace to Ingadge we being on the tope of the hill and they on ye desent he imedatly sent an reinforce to me and a litle after came himselfe I took him forward to ym and let him her ym speak and he said he wold ingage ym Imedeatly I asked him wt. post I should have he told me wt I pleased yn I disired to goe on first so I got the comand of all ye Gentlemen I had formerly I marched Imedetly down upon ym who had only wan Sentre advanced runing in wt. out firing I marched on till I cam wt in 20 foot of yr brestwork where ye Spainards lay over wt yr arms presented makeing Synse to me to advance yn I fired upon ym and had only time to prime again till I was shot from an Ambushkad from ye left hand ye ball is lodged in ye right shoulder ye Company had no loss by falling the Gentlemen making no stop but went on most bravly neither did the Spainards showe ymselves to be Cowards standing till our Gentlemen did gripe yr fire loock by ye musele but then Capt. Campbell coming down so furiously wt ye rest of ye Officers and Shoulders yt the Spainards were forced to give waye wt considerabell loss for yt we wer Maisters of yr fort that they had been making for 3 dayes As also yr amunition and provisions: we had seven men killed and about seaven more wound besyd Capt. Campbell and me yr were more of ye Spainards however I shall referre you to ye Counsell publick leaters they having discours to ye Spanish prisoners

Yr is now lying befor our bay 12 Spanish Shippes several of ym of considerable force we know not wt they intend but we beleeve they are waiting for the land armye qt we defet however we ar still expecting yr coming in upon us this wt my humbell Service to you and your kind lady is all from

Cuson

Yor reall friend an servt

ROT. TURNBULL.

Feby. 1700.

Reviews of Books

HERALDRY IN SCOTLAND, including a recension of *The Law and Practice of Heraldry in Scotland* by the late George Seton, Advocate. By J. H. Stevenson, Advocate, Unicorn Pursuivant. Two vols. Vol. I. xxxi, 200, Vol. II. xiv, 314, with upwards of 300 Illustrations. Crown 4to. Glasgow: James MacLehose & Sons. 1914. £4 4s. net; Edition de Luxe, £10 10s. net.

THE subject of Scottish Heraldry is not one which has attracted the attention of many writers. Apart from mere collections of arms the earliest heraldic author in Scotland was Sir James Balfour, Lyon, who has left us some interesting 'tracts,' which do not however deal so much with abstract heraldic law as with the proper conducting of funerals, coronations, and other solemn functions. Sir George Mackenzie published his *Science of Heraldry*, together with his *Observations on Precedency* in 1680, nearly a century after the appearance of the *Boke of St. Albans*, which may be considered the first English work on the subject. Sir George's work, though undoubtedly able, is more that of an accomplished amateur than of a professional and practical herald.

It was left for Alexander Nisbet, whose essay on cadency appeared in 1702 and his great *System of Heraldry* in 1722, to do for Scotland what Gwillim had done for the sister country a hundred years previous. But Nisbet wrote at the very end of the great period of heraldry. The science for the succeeding hundred and fifty years sank to a comparatively low ebb, both in public estimation and in the ability of its exponents. No author in Scotland during the remainder of the eighteenth century and more than the first half of the nineteenth approached the subject, though editions of Nisbet, more or less garbled, appeared from time to time.

But in 1863 Mr. George Seton published his *Law and Practice of Heraldry in Scotland*—an admirable work with an admirable title which we are sorry, Mr. Stevenson has, from motives of convenience which he explains, thought it necessary to alter. The work, interestingly and attractively written as it was, at once caught on with the public and was soon out of print. Mr. Seton was in one respect unfortunate in the time at which his book appeared. Within four years of its publication the Act of 1867, which made sweeping changes in the administration of the Lyon Office, was passed, and he had not therefore the opportunity of commenting on the alterations in the constitution and practice of the office then introduced.

But Heraldry, thanks no doubt to some extent to Mr. Seton's book, was coming into its own in Scotland again, and the Lyon Office,

under the able administration of Dr. George Burnett and his Lyon Clerk-Depute, Mr. Stodart, regained the confidence of the public. Neither of those gentlemen, however, published in his lifetime any work on Scottish Heraldry, unless we except Mr. Stodart's large collection of Scottish Arms with its valuable, though somewhat desultory, notes. The silence of authors on the subject remained unbroken till 1900, when the present writer, who had been appointed Rhind Lecturer in Archæology, published his lectures under the title of *Heraldry in relation to Scottish History and Art*. This was, however, only a humble attempt to give a popular exposition of the subject on very simple lines, and there was still much room for a work which would deal with Scottish Heraldry in a fuller and more scientific way than had previously been done.

This desideratum Mr. Stevenson has supplied in the two handsome volumes now before us. It is specially gratifying that such a work should proceed from the pen of a member of the Lyon Court, and it is the largest and most important armorial work for which any person holding an official heraldic appointment in Scotland has been responsible: for it must be remembered that neither Mackenzie, Nisbet, or Seton were officers of arms. It may be said at once that Mr. Stevenson has performed the somewhat difficult task of pouring the old wine of Seton into the new bottles of the present treatise with ability and discretion. If he has not Mr. Seton's 'facile pen,' he at all events expounds his subject with commendable clearness, if not always with brevity, and his pages are from time to time illumined with a mordant humour of the *très sec* brand. He does not often fall into mistakes in style, but the double possessive on p. 27 might with advantage have been eliminated in proof.

But away with such niggling criticism, and let us examine the contents of the work itself, which will be found quite invaluable to students of Scottish heraldry, and will no doubt take its place as the standard book on the subject from its own point of view. After a preliminary discussion on the rise of armorial bearings and their ultimate recognition in law, the author proceeds to a description of the officers of arms in Scotland and their respective duties, though there is a rather meagre notice of one part of the Lyon Court, the messengers-at-arms, formerly a large, though now, owing to recent legislation, a very attenuated body of men, the regulation of whom once kept the Lyon Office very busy. The jurisdiction of the Lord Lyon in the matter of arms is next dealt with, and this chapter concludes with an account of how the laws of arms may be enforced—a particularly useful piece of work, considering that these are thought by too many people to be a mere dead letter—and there are also some specially trenchant remarks on the flying by private individuals of the Royal Arms of Scotland, a practice which unfortunately was more or less homologated by a recent order issued from the Scottish Office.

There is an interesting chapter on what may be termed Heraldry as an applied art, and under this heading armorial seals, coins, carvings, and the like are dealt with, including armorial MSS. and the official Register of Arms itself. With regard to armorials it may be noted that with the exception of Sir David Lindsay's MS. (now in the Advocates' Library,

though it should be in the custody of the Lyon as it was an official document belonging to the Lyon Court), the oldest Scottish armorial is that of Sir Robert Forman who was Lyon from 1561 to 1567, though he had been made a Pursuivant in 1540. Mr. Stevenson gives the date of this MS. as 1566 and he is probably right, though he tells us on another page that the late Dr. Burnett puts it down as having been compiled between 1508 and 1530; but parts of the book may have been compiled at different dates. There is a reference in this chapter to the traditionary fire which is said to have destroyed many of the records of the Lyon Office. It is more probable however that, if they were at all lost, as Mr. Stevenson also chronicles, they were destroyed by water, together with many other Scottish Records, in a shipwreck when being brought back from England after the Restoration.

The chapter on the procedure in the Lyon Office in the matter of Arms is specially well done and exceedingly useful to an intending petitioner, though the statement on page 128 of what happens when an entailor entails arms which are non-existent seems rather contradictory. In one case we are told that the Court of Session found that the heir, in order to inherit, must apply to Lyon for a grant of arms 'of the description' provided in the entail, even though the arms entailed were non-existent. But in the next sentence, it is said, that no provision in an entail can impose on Lyon the function of confirming to the heir what was not in existence: two statements hard to reconcile.

These matters over, the Unicorn begins to amble briskly through the variegated parterre of Heraldry proper, and the achievement as a whole, consisting of the shield itself together with what Nisbet calls the 'exterior ornaments,' crest, helmet, mantling, supporters and motto, is fully and learnedly discussed. Scottish Heraldry has always been proud of its eminent simplicity and sanity, seldom if ever do we find the shield encumbered with a multitude of small charges, or the crest surcharged with meaningless figures as is too often the case in modern heraldry elsewhere. Lovers of heraldic conundrums may ponder the various blasons given of the arms of John Stewart, Lord of Lorne (A.D. 1448), and see if they can suggest any better. It is impossible to go into detail regarding Mr. Stevenson's treatment of the achievement, but his remarks are suggestive and pertinent and worthy of the most respectful attention. Following these the author has devoted a short chapter to the Classification of Coats of Arms. This is a thing which has appeared in all heraldry books, but the divisions of arms into those of alliance, vassalage, dominion, etc., are more academic than practical, and we should have liked to see the author cut himself adrift from these fetters and embody the information in other parts of his work.

The great and interesting question of the differencing the arms of cadets is here considered. Mr. Stevenson gives seven methods of differencing to Mr. Seton's four, but as a matter of fact both authors arrive very much at the same conclusions. They both include the quartering of the paternal coat with other arms: Mr. Stevenson puts this under the head of 'addition of new charges,' though perhaps the quartering of an entirely new coat beside the paternal arms can hardly be described as the addition of a new charge. It is, however, rather surprising that he does not enter into greater

detail with respect to that method of differencing which is perhaps the most common of all in Scottish Heraldry, the surrounding the shield of the parent house with a bordure. Mr. Stodart's ingenious elaboration of this method of differencing which can be carried through a number of generations of a widely ramified family, if not with scientific accuracy (for Heraldry is not an exact science) at least with good general results, is only mentioned in a short footnote, and might with advantage have been discussed more at length. Indeed the word 'bordure' does not occur in the Index at all.

Space will not permit of more than a mere mention of the learned chapters on the right to supporters and the succession to arms. The latter subject involves the thorny question of the right of the heir male to the heraldic honours of the family as against the heir female, and we gather that Mr. Stevenson agrees with Mr. Seton in rather preferring the claims of the latter, though a definite decision applicable to all cases is hard to come by.

It is a pleasing feature of these volumes that the latter part of them is even more interesting than the first. Passing over many points on which it is tempting to expand we may direct particular attention to the chapter on the Royal Arms in Scotland, a subject which exercises a singular fascination over a large section of the public, if one may judge by the frequent letters to the newspapers, and which indeed is a hardy perennial, as few months pass without it cropping up in some form or another. The author's remarks are sound and well balanced, and though he admits that the question is one on which a good deal may be said on both sides, and that the terms of the Treaty (or rather the Act) of Union are not so explicit as they might have been, he comes to the conclusion, rather contrary to the view expressed in the former edition, that the Scottish method of marshalling the Royal Arms on this side of the Tweed has substantial justification. At all events it is approved by the King in Council in every reign when sanctioning the design of Great Seal of Scotland, and this may be held as governing the practice.

Not the least important part of this work is that containing the appendices. They contain information which was not in the previous edition, and which can be got nowhere else. We would specially mention the list of Scottish cases dealing with armorial rights, beginning with the action raised by certain barons against the Lord Lyon in 1673 regarding their right to supporters, and ending with the case respecting the chiefship of the clan Macrae, which was heard in the Lyon Court, with a formidable array of witnesses and counsel, so recently as 1909. There is also a trenchant and illuminating paper on the subject of the Proclamations of the Accessions of Kings at Edinburgh. It contains much that is not generally known about proclamations, and contains statements about that of 1910, which the Lord Provost insisted on reading himself, which may not be to the liking of the municipal authorities of the capital, but which are none the less true. It is an admirable exposition of the points involved in making a proclamation.

Not the least attractive part of these two volumes will be, to many people, the number and beauty of the illustrations. Mr. Seton's book was published before the refined art of wood engraving had been swept out of existence by the greater adaptability and cheapness of modern process work,

and the illustrations which appeared in the first edition of the book are now included. In addition to these, there are many illustrations of seals and an interesting photogravure of the various insignia of the officers of arms; another excellent plate, perhaps the best in the book, is that of the ivory chessmen in what is stated to be the 'Museum of the Society of Antiquaries of Scotland, Edinburgh,' but of which the proper title is 'the National Museum of Antiquities, Edinburgh,' and the British Museum. These quaint figures all carry shields with armorial bearings, and as they are said to belong to the eleventh or twelfth century, they are very early specimens of arms.

Of the illustrations in colour, all of which are excellently reproduced, mention may be made of the shields on the *Armorial de Gelre* as showing the archaic treatment of the early heraldic artists: and these may be compared with the illustration of the Swinton arms taken from a recent volume of the *Lyon Register*. The latter, together with the photo engraving of the Great Seal of Edward VII., which was designed and engraved in Scotland, show that in later years Scottish heraldic art has risen to a high level, and has made a great advance on what was usually done even a few years ago. If further proof were needed, it is supplied by the admirably clear and vigorous drawings of various shields in black and white which are to be found in several of the plates. We must not omit to note, too, the interesting illustration of the seventeenth century 'Hearn' tabard in the Victoria and Albert Museum, and the beautiful fourteenth century enamelled centre plate of the Bannatyne Mazer in the possession of Sir Malcolm Macgregor of Macgregor. Mr. D. Y. Cameron has contributed a fine etching, reproduced in photogravure, of the Royal Arms of Scotland carved on a buttress in Melrose Abbey, which forms a worthy frontispiece to the work.

A few misprints and one mistake in fact, have been corrected in an errata slip. We have noted some more, but they are not of much importance. Joseph Pont, on p. 113, should be James Pont.

We heartily congratulate the Unicorn Pursuivant on the successful completion of what must have been a laborious task, and high praise is also due to the publishers for the way in which the books have been produced.

J. BALFOUR PAUL.

THE REIGN OF HENRY THE FIFTH. By James Hamilton Wylie, M.A., D.Litt. Vol. I. (1413-1415). Pp. 589. 8vo. Cambridge: University Press. 1914. 25s. net.

THIS first instalment of Dr. Wylie's history of Henry V. is invested with a melancholy interest, by reason of the sudden death of the learned author within a few weeks of its publication. All historians will regret the loss to their science, and the regret will be embittered in the case of those who, like myself, have also to mourn a faithful friend.

It is now some forty years since Mr. Wylie began to find profitable use for the strenuous leisure of a busy school inspector's life by studying the reign of Henry IV. amidst the congenial fifteenth-century environment of the Chetham Library at Manchester. It is sixteen years

since the publication of the fourth and last volume of his remarkable history of that reign completed on adequate lines Mr. Wylie's first great contribution to our scholarly studies of a mediæval period. Since then he has been known to be engaged upon a continuation of that work, and after his release from official tasks, and permanent settlement in London, he was making such good progress, that there was every reason to hope that a few years more would have seen the publication of a study of the whole reign of Henry V. as minute, elaborate, and careful as that which the author had devoted to the previous reign. It is sad to think that this volume is likely to remain a fragment, so far as the greater part of the reign is concerned. But, possessing some knowledge of Mr. Wylie's methods of work, I cannot forbear expressing a hope that there may still remain among his papers enough shaped material to enable a subsequent volume to be issued, which, among other things, will give us his account of the Agincourt campaign, on which he had lavished an immense amount of care and research. If this proves impossible the loss to scholarship will be doubly severe.

The present volume carries on the story from the accession of Henry V. in March, 1413, to the moment when, with conspiracy detected, traitors punished, his large and efficient army duly mustered, and his testament carefully drawn up, the young king took ship at Southampton in July, 1415, filled with the hope of making effective his claim on the French throne. The methods of the book are precisely those of Mr. Wylie's *Henry IV.* There is the same elaboration of carefully worked-out detail; the same abundant, perhaps over-abundant, citation of authorities; the same love of telling the story in contemporary phrase that reflects the author's ever-increasing grasp on the literature of his period; the same anxiety to leave nothing out that, if sometimes carrying him away from the main thread of his narrative, enriches his chapters with a multitude of carefully culled illustrations of habits, manners, modes of thought, and other historical byeways. Altogether, it is an eminently personal and individual way of writing history, but it is the method that Dr. Wylie found best suited to his gifts, and in which he persevered for the whole of his literary career. It gives us such a mass of historical information that no one who has any aspect of fifteenth-century history to investigate can afford to neglect the great variety of material so lavishly heaped up in these pages. To take three instances only: the account of Henry V.'s foundation for the Briggittines at Sion might well give new light to a specialist in monastic history; the topographical details of the Lollard rising in the fields between Holborn and St. Giles' would be helpful to the most minute of London historians; and the menu of the coronation feast deepens our knowledge of mediæval gastronomy. But graver matters, though interrupted by such things, are never neglected. Whatever can be said against Dr. Wylie's method, it would be a most excellent thing if every reign of English history had been subjected to the thorough and accurate examination which he has devoted to the period between 1399 and 1415. And from the point of view of his own fame, the rigid self-suppression of this fashion of writing history sets in the background the

vigorous style, the shrewd judgment, and eye to the picturesque which Dr. Wylie undoubtedly possessed.

The present volume is set forth on an ample page with excellent type, and makes accordingly a much more direct appeal to the lover of good book production than do the corresponding volumes on Henry VIII.

T. F. TOUT.

THE KING'S COUNCIL IN ENGLAND DURING THE MIDDLE AGES. By James Fosdick Baldwin. Pp. xv, 558, with 10 facsimiles of typical documents. Demy 8vo. Oxford: Clarendon Press. 1913. 18s. net.

A DISTINGUISHED scholar has expressed the opinion that a detailed study of the feudal *curia regis* is the chief need of early English history. From the *curia* grew the House of Lords, the Courts of Law, Chancery and Court of Star Chamber. The Privy Council was definitely organised last of all, although in a very real sense it is the oldest institution of all, the *curia regis* itself, the expression of the fundamental idea of counsel. The Privy Council as a clearly defined institution, and its later developments in the seventeenth and eighteenth centuries, have lately received much attention. Professor Cheyney in his recent volume has described the Council in the reign of Elizabeth, Mr. E. I. Carlyle has analysed various aspects of the seventeenth century Council, Mr. Temperley and Mr. E. R. Turner have studied the origin of the Cabinet, and Sir W. Anson has recently discussed the working of the Cabinet in the eighteenth century.

In the book under review Professor Baldwin has filled the gap between the reigns of King John and King Henry VIII. He has revised the tentative inquiries of the distinguished scholars who, from Sir Francis Palgrave onwards, have worked at the nature and jurisdiction of the King's Council; and, if the results of his great labour are sometimes rather meagre, he has for the first time opened to students the way to an almost unexplored region. He has fully illustrated, for the first time, the wealth of information in the filed records, as distinct from the Chancery enrolments. His familiarity with the ancient petitions, the Chancery warrants, the filed documents known as Council and Privy Seal, and other collections in the Public Record Office, is the most striking feature of the book. Quite apart from its considerable achievement as a piece of historical writing, Dr. Baldwin's work carries us a long step forward in the understanding of medieval procedure.

Of the sixteen chapters of the book, six are chronological surveys, and the rest deal with the relations between the Council and its offshoots, with terminology, records, procedure and other antiquities. There are eighty pages of unedited documents, including a valuable journal of proceedings in the King's Council, kept by the clerk, Master John Prophet, between January, 1392, and February, 1393 (pp. 489-504). Another important document contains the articles of inquiry sent by Edward III. from Flanders in 1339 and the answers made by the Council (p. 476).

Professor Baldwin insists again and again upon the absence of sharp distinctions in the history of medieval institutions, and especially of the

King's Council. Occasionally he seems to lay too much stress upon this point. For example, it is quite true that the Great Council was simply the King's Council in its enlarged form, but it does not follow that the distinction in fact between the one and the other was not clearly understood, and that those writers who have dwelt upon the importance of the Great Council as such in later medieval history have been betrayed into a confusion. The description of Wykeham in the Rolls of Parliament as 'capitalis secreti consilii ac gubernator magni consilii' (quoted p. 108, note) is surely more than a 'curious reference.' As the author shows, practical conditions were sufficient to prevent the logical straightforward development which periods of crisis frequently made possible. On the one hand the reluctance to assume responsibility, the difficulty of distance, the influence of class distinctions, etc., caused the failure of the various parliamentary plans for the maintenance of an official Council. On the other hand, the right of the greater tenants of the King to attend his Council, the objection to foreigners, bureaucrats, and men of low degree, the development of Parliament and its support of the common law, prevented the establishment of a Privy Council, armed with definite judicial powers, exercising legislative as well as administrative functions, such as we find in the sixteenth century. If we take for granted the permanence of an undifferentiated King's Council from the eleventh to the fifteenth centuries, the most striking impression made by Professor Baldwin's studies is the far-reaching effects both of revolutionary crises and of technical changes. The King's Bench was definitely separated during the barons' war in the reign of Henry III. (p. 63). During the reign of Richard II. the official element in the Council, the clerks and foreigners, disappeared or ceased to predominate (pp. 75, 83, 87). The Great Council ceased to be regarded as 'an extra-parliamentary session of the House of Lords,' in the later years of Edward III., because the writs of summons were transferred, with the whole clerical work of the Council, from the Chancery to the office and clerks of the Privy Seal (p. 107). The same change marks the separation of the Chancery, so far as it was separated from the Council.

Professor Baldwin's book will be an essential work of reference for all students of English history. In the chronological chapters alone, although they are perhaps the least important, several well-known episodes are treated with surprising freshness. The Ordainers were at first parliamentarians, and only reluctantly tried to control the Council; the Good Parliament is the real starting-point of the attempt to control the Council by Parliament; Richard II.'s declaration that he was of age made little difference to the Council; Henry IV. was at first an autocrat, and disregarded Council and Parliament alike; Henry V., as Prince of Wales and as King, believed in a strong aristocratic Council, working in harmony with Parliament; the decay of the Council in Henry VI.'s reign did not begin until 1445; the Duke of York tried to revive the Council; Edward IV. practically disregarded it, so that the records of its work fail under the Yorkist Kings, and Chancery recovered a great deal of lost ground; economic and social circumstances enabled Henry VIII. to form a real Privy Council for the first time; the Court in Star Chamber was the

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historical development of the medieval King's Council : these are some of the points brought out by Professor Baldwin. His book suffers somewhat from a monotony of emphasis, and, it may be added, from repetition and excessive detail. But these are very small matters.

F. M. POWICKE.

THE HISTORY OF ENGLAND FROM THE ACCESSION OF JAMES THE SECOND.

By Lord Macaulay, edited by Charles Harding Firth. In six Volumes. Vols. I. and II. Vol. I. xxxvi, 516. Vol. II. xx, 522, with many Illustrations. Royal 8vo. London : Macmillan and Co. 1913 and 1914. 10s. 6d. net per volume.

'DURING the last fifty years,' says Professor Firth in his prefatory note, 'so much new material on the history of the period has been published, and so many new sources have become accessible, that there is room for a critical study of Macaulay's History, and some need for one. But an illustrated edition of a British classic is not the proper place for a critical commentary, and it has seemed best to reserve any critical observations for a separate publication.'

The wisdom of Professor Firth's decision is scarcely open to question. The task of reading Macaulay's History amid the distraction of footnotes exposing errors, indicating the existence of additional information, and suggesting re-considerations of the author's conclusions, would be a useful and instructive exercise for the student of history, but can scarcely be recommended to the general reader as a method of approaching a great book which was written to be enjoyed. There can be equally little doubt that, in a critical commentary, Professor Firth's knowledge and judgment will find greater scope and more worthy form than in the disconnected footnotes and appendices of an annotated edition, and it will be a great misfortune if the pressure of other work should prevent him from redeeming what we are perhaps justified in regarding as a promise. Meanwhile, his editing has been confined to the choice of a text and to the more serious problem of selecting the nine hundred illustrations with which the six volumes are to be equipped.

Professor Firth knows more about the social history of the seventeenth century than any other great student has ever known, and the resources upon which he draws are inexhaustible. It would doubtless be possible both to criticise and to defend the selection of portraits ; for ourselves, we are willing to accept Professor Firth's considered judgment ; but we do not imagine that it is possible to quarrel with the choice of other illustrations—from contemporary broadsides and caricatures, from historical medals, from illustrated books of the seventeenth and the early eighteenth century, from the Pepysian collection, much used by Macaulay, from historical manuscripts, and from similar sources, English, Scottish, Dutch, and French. They supply the interested reader with precisely the kind of information he desires, and in our modern slang, re-create the atmosphere which Macaulay created for himself when he wrote and in which it is most easy to appreciate his writings. Some of these reproductions of MSS. and printed papers, for example, the Petition of the Seven Bishops and the King's answer, make it

possible even for the Tory reader to understand how Macaulay was, in a phrase used by Bishop Ken, 'so bigoted to the Revolution.'

Every school library should possess a copy of this edition of Macaulay, not merely because it will stimulate interest and increase knowledge, but also because it gives in tangible shape something like an initiation into the methods of history.

The illustrations have been admirably reproduced, and our only regret is that full-page plates in colour have been preferred to photogravures for the more important portraits.

ROBERT S. RAIT.

SELECT CHARTERS AND OTHER ILLUSTRATIONS OF ENGLISH CONSTITUTIONAL HISTORY FROM THE EARLIEST TIMES TO THE REIGN OF EDWARD THE FIRST. Arranged and Edited by William Stubbs. 9th ed. Revised throughout by H. W. C. Davis. Pp. xix, 528. Crown 8vo. Oxford: Clarendon Press. 1913. 8s. 6d. net.

A REVISED edition of this mainstay of all British schools of history is long overdue. The first edition, appearing in 1870, had defects inseparable from the work of a pathfinder in a peculiarly dense forest. Seven reissues have supplied the steady demand for an indispensable tool, without serious attempt to embody the results of modern research. It seems doubtful whether that formidable task could be performed to universal satisfaction even by an editorial committee of experts; but if it had to be undertaken by one man, probably no better selection could have been made than that of Mr. Davis, whose adequate equipment for the work of revision will be admitted on all hands. The reverence, caution, and conservatism with which he has approached the book as originally published by the master are admirable qualities, although some seekers after the most recent lights may think that he has carried them to excess. The alterations, always judicious and carefully weighed, are surprisingly few. A great deal of the voluminous *Dialogus de Scaccario* (the full text of which can now be readily found elsewhere, and Mr. R. L. Poole's fine commentary was recently noticed in this *Review*) has been omitted. A few documents, comparatively unimportant, have been abridged or dispensed with. The valuable space thus gained has been in part utilised for the inclusion of a few texts, such as the *Rectitudines Singularum Personarum*, whose crucial importance could no longer be ignored; by some unobtrusive additions to Dr. Stubbs' brief introductory notes; and by references to recent authorities. Good use has been made of the epoch-making researches of Prof. Liebermann into Anglo-Saxon lore.

There are probably few medievalists who will not regret that Mr. Davis's conception of his editorial duties has not allowed him a freer hand in supplementing and correcting a book of reference they are accustomed to keep constantly at their elbow. Every reader, doubtless, will have his own list of additional texts he would have liked to see included. In light of Dr. Round's criticism of Stubbs, for example, the Charter granted by Henry II. to the citizens of London should certainly have found a place. Recent re-statements of the relative values of the various steps in the formation of the Parliament of the three estates in the thirteenth century might have received

more emphasis. On p. 169 some reference seems called for to Mr. G. J. Turner's recent criticisms of Stubbs' account of the various Commissions issued to the Justices of Assize; while the suggestive commentaries of Prof. G. B. Adams of Yale, on Henry I.'s *Order for holding the Shire and Hundred Courts* and other texts, were worthy of mention.

A few corrections are unostentatiously made; but numerous mistakes have been left unnoticed. In Stephen's Second Charter, 'Roberto comite de Warwic' ought to read 'Rogerio' (see Round, *Geoffrey de Mandeville*, p. 230; Davis, *Eng. Hist. Rev.* xxi. 150-2). Obvious blunders, again, in chapters 13 and 18 of Henry III.'s Charter of 1217 are left uncorrected. Seldom does Mr. Davis alter Stubbs' texts for the worse; but the printer's substitution of 'vi' for 'nisi' on p. 129 makes sad nonsense of a well-known clause of Henry I.'s Charter to the men of London, while he gives no reason for omitting the numbers usually prefixed to the last three chapters of John's Magna Carta. Only a small-minded critic, however, would consider these elementary slips as seriously detracting from the good measure of success with which Mr. Davis has performed an exacting task.

WM. S. McKECHNIE.

THE REIGN OF HENRY VII. FROM CONTEMPORARY SOURCES (University of London Historical Series, No. 1). Vol. I. Narrative Extracts; Vol. II. Constitutional History; Vol. III. Foreign Relations. Selected and arranged in three volumes, with an introduction by A. F. Pollard. Crown 8vo. London: Longmans, Green & Co. 1914. 10s. 6d. net.

IN these three volumes practically all the most valuable contemporary material for the study of the reign of Henry VII. is, for the first time, made easily accessible. The introduction, though confined to seventy pages, is not merely a preface to voluminous and heterogeneous texts, but an admirably written essay on the most interesting topics of the reign—a reign the importance of which has often been somewhat obscured by the more lurid contrasts of the succeeding epoch. Lacking in the flamboyancy of Henry VIII. and Elizabeth, the victor of Bosworth seems at times a drab and commonplace figure, but, as Prof. Pollard points out, he knew his business and prescribed for England just what she required—'a sedative toned with iron and administered with unflinching resolution.' The materials here collected from very miscellaneous sources provide a clear proof of the accuracy of this opinion, and these three volumes will take their rank among the best books on the Tudors which have yet been produced.

Volume one consists of narrative extracts from English, French, Italian, and Spanish sources. The doggerel verses of Skelton provide, on at least two occasions, a burlesque interlude to the more serious prose (pp. 57 and 75), and on page 205 there is a very interesting character-sketch of the king, from that acute observer Pedro de Ayala. Some passages may well bear quotation: 'The king is growing very devout [26th March, 1499]. He has heard a sermon every day during Lent and has continued his devotions during the rest of the day. His riches augment every day. If gold coin once enters his strong boxes it never comes out again. He always

pays in depreciated coin. All his servants are like him, they possess quite a wonderful dexterity in getting other people's money. He is so clever in all things . . . that it is a miracle.'

In a letter re-printed in volume two, p. 4 (the two letters, by the way, need not have been separated), Ayala is even more explicit on the same subject: 'The king looks old for his years but young for the sorrowful life he has led. One of the reasons why he lives a good life is that he has been brought up abroad. He would like to govern England in the French fashion, but he cannot. . . . Although he possesses many virtues, his love of money is too great.'

The reports of the Spanish Ambassador figure largely in these volumes, and it is curious, in view of Elizabethan opinion on the 'Inglese italianato,' to note in the above letter that Ayala associates virtue with a foreign upbringing.

For the student who has some interest in the social life of the period, Prof. Pollard's second volume is the most important. There are copious extracts from the Plumpton and the Paston correspondence, while several of the Star chamber cases reveal, as nothing else could, the general insecurity of life and property at a time when 'over-mighty subjects' had not yet been completely curbed by executive control. The plaint, for instance, of the Abbot of Eynsham against Sir Robert Harcourt (vol. ii. pp. 90-108) is a tale of misdeeds which in uncouth phraseology, quaint detail, and vivid narrative suggests a parallel with some of the most graphic accounts of outrage to be found in the Anglo-Saxon Chronicle. . . . 'And so incontinent came [they] to the yates of the said monasterie and shott in arrows puttyng the Prior and sub-Prior in ieopardie of their lives, and hewed at the said yates with their billes and lyfted them out of the hookes with their hawberkes. Then thei within the yates as the porter with oder sett tymbre ayenst the gate and did under sett it ageyn. And then thei made an out Cry and called for Strawe and Firzes for to sett fire on the yates and the said monasterie' (pp. 93-94). Such a passage, which might well have come from the pen of a pious Saxon scribe of the ninth century, reminds us that the Tudors had for inheritance all the accumulated lawlessness of the fifteenth century. Contemporaries, especially foreigners, were impressed with this fact. The *Italian Relation* records (p. 47) that 'it is the easiest thing in the world to get a person thrown into prison in this country, for every officer of justice, both civil and criminal, has the power of arresting anyone, at the request of a private individual . . . nor is there any punishment awarded for making a slanderous accusation. Such severe measures ought to keep the English in check, but, for all this, there is no country in the world where there are so many thieves and robbers as in England.' The same writer criticises the English system of trial by jury in suits to which an Italian was party on the ground that the verdict generally went in the foreigner's favour because, of the composite jury chosen to try the case, the Italians could starve out the Englishmen!

Careful accounts of daily expenditure form one of the best sources of information for the historian who does not confine his attention to Acts of Parliament and diplomatic Treaties. In this connection the extracts

from Henry's Privy Purse Expenses (vol. ii. pp. 227-233) have some significance, though their brevity is tantalising. Thus one would like to know more about the 'fello with a berde, a spye,' who on December 24, 1491, was paid £1 for his services, and why a person named Carter was paid (Jan. 2, 1492), only 7s. 4d. for 'writing of a boke,' while no less than £2 was paid on June 4th of the same year 'to a Spaynarde that pleyed the fole.' An unexplained donation of £5 on two occasions to Ringely, 'abbot of mysreule,' is in contrast with, on the one hand, the payment of 2s. 'to a woman that singeth with a fidell'; and, on the other hand, of £30 'to the young damoyzell that daunceth.' Judged by his household expenses, Henry was capricious as well as parsimonious. The most extravagant items seem to be 4s. for a shave on June 22nd, 1496, and £30 to a merchant 'for a par of organnes.' He appears to have lost occasionally at cards, though never very heavily, and we are not told the amount of his winnings. He was superstitious enough to pay 13s. 4d. for a prophecy, but only half that sum to a conjuror who ate live coals, while his patronage of letters is represented by payments to 'Hampton of Wourecestre for making of balades' (£1), to 'a Walshe rymer' (13s. 4d.), to 'the pleyers with marvels' (£4), and to the 'Blynde Poete' (£3 6s. 8d.). He even contributed to a dowry (Jan. 24, 1496, 'to the Juewes, towards hir marriage, £2).

The third volume deals mainly with foreign policy, and among its most important documents are the actual texts of the 'Intercursus Magnus' and the 'Intercursus Malus.' If there were no other evidence, these would prove that Henry did much for the economic expansion of England, and that the foundations of modern English diplomacy were laid in these years.

Prof. Pollard is to be congratulated on his scholarly achievement. More and more is it being realised that English History can be intelligently understood only in relation to the sources, and these three volumes fulfil that function for the reign of Henry VII. But the reader may sometimes feel a little regret that Prof. Pollard has undertaken this work primarily as a compiler, and that his volumes are so distinctly a 'source book' and little more. Might not the introduction, especially the section dealing with the constitution, have been expanded even if at the expense of omitting some less important documents? After all Brewer has already shown how the publication of documents can be combined with an exhaustive commentary. But if this be true, Prof. Pollard's fault is one of omission rather than commission, and may be owing to undue modesty.

DAVID OGG.

THE CONFEDERATION OF EUROPE : A STUDY OF THE EUROPEAN ALLIANCE, 1813-1823, AS AN EXPERIMENT IN THE INTERNATIONAL ORGANIZATION OF PEACE. By Walter Alison Phillips, M.A. Pp. xv, 315. Demy 8vo. London : Longmans, Green & Co. 1914. 7s. 6d. net.

A SERIES of six lectures delivered in the University Schools at Oxford last year has been amplified into a book the meaning of which is well expressed in its sub-title, 'A Study of the European Alliance, 1813-1823, as an Experiment in the International Organization of Peace.' The author

is no lover of war, but he feels that the cause of peace suffers from the extreme statements of its advocates, and he believes that the attempts made a century ago to produce a united Europe are not without their moral, both for extremists and for the 'numerous and eminent people whose object is to restrict as far as possible the cases of war.'

Mr. Phillips begins by refuting the view that it has been left to the 'New World' to become the nursing-ground of peace and human brotherhood. This is easily done by reference to the Holy Roman Empire, and to the later schemes which modelled themselves upon the 'Grand Design.' One may be pardoned for doubting whether, in the intensely practical mind of Henry IV., the 'Grand Design' had ever the complete form given to it in Sully's *Memoirs*, but the conception was undoubtedly a reality, and undoubtedly the parent of many subsequent devices for the organization of Europe. Having thus cleared the ground, the author discusses his main theme—the European Alliance of 1813-1823. In tracing the genesis of Alexander's idea of Union to the Instructions given to Novosiltsov (1804), he differs from all previous writers, and by declining to believe that a selfish ambition was the main motive of the Czar's action, he crosses swords with several eminent historians. In both cases, however, he ably justifies his conclusions.

The history of the ten years of joint action makes abundantly clear the difficulties which must stand in the way of every European confederation. Granted that it exists to guarantee peace, is it to guarantee abstract principles of justice, or the principle of nationality, the rights of peoples or the rights of governments, progress or the *status quo*? Granted that it may interfere with national independence only in the interest of universal peace, how can it define an internal occurrence with an external effect? Are the Powers to be equal at the central Congress, or is the influence of the various governments to be made proportional to their actual strength? These and many other questions were very real to the confederated Powers of a hundred years ago, and in their settlement each of the allies, while striving to be 'European,' followed a policy in accordance with her own genius. Austria was conservative—rather opportunist, Russia varied from ideal Jacobinism to reactionary absolutism, Prussia followed the lead of the Czar, and Great Britain opposed to all a '*real-politik*' based upon national rights and ancient treaties.

The end of all was failure, and the author concludes that until the growth of similar institutions within each State has supplied a common basis for a system of guarantees (and, perhaps, we might add, a common 'ethos' for conducting European affairs) European unity must remain an unattainable ideal. The ideal, however, is not without its value. The increased respect for treaties, the development of joint action, the added authority of international law—these are practical results of the labours both of the old Confederation and the modern Peace Organizations.

J. D. MACKIE.

Powicke : The Loss of Normandy 423

THE LOSS OF NORMANDY (1189-1204). Studies in the History of the Angevin Empire. By F. M. Powicke, M.A. Pp. xix, 603. With Five Maps. Demy 8vo. Manchester: Sherratt & Hughes. 1913. 15s net.

THE researches of Professor Powicke in the early medieval period have been crowned with distinction by the concurrent approbation of the most exacting historical scholars in England. He is accepted as a historian of grasp, insight, originality, and force who has messages of his own, patiently communicated to him from early records, to be communicated by him in turn to ourselves. His chief contribution to history so far is this comprehensive survey of the manner in which the luckless King John lost the province of Normandy, a disaster which required a good deal of maladroitness and unpopularity on both sides of the Channel to incur. It was an emphatic counterstroke to the conquest of England by Duke William of Normandy that his great-great-grandson and successor John, sometimes nicknamed 'Soft-Sword,' should by his laxity forfeit the ancestral territory of the dynasty. How this came to pass is Professor Powicke's theme.

Yet the object is less the story itself than it is to describe characteristic Norman institutions and feudal administration, the political conditions which enabled Philip Augustus to condemn his vassals and the military organisation which failed to defend Normandy from the aggression of its suzerain, with the result that it ceased to be an appanage of England and became irretrievably a province of France. Old authorities said that it was because of his nephew Arthur's alleged murder that John 'perdist sa seygnurie.' Professor Powicke, although not eager to convict the uncle, evidently is constrained to accept tradition and lay the murder at his door, and although the feudal confiscation of Normandy because of John's contumacy had been pronounced in 1202, there can be no doubt that Arthur's death in 1203, whether followed or not by a second condemnation for murder, materially weakened John's power to resist the invasion of the duchy by the French king. In fact, John, whose English baronage refused to follow him, made surprisingly poor show of fight, and the French king's conquest of Normandy was complete. Contributory factors were John's fits of lethargy and suspicion and his persistent uxoriousness. Indeed, his 'mad' marriage with Isabella of Angoulême, affianced to Hugh le Brun of Lusignan, if it made him heir to Angoulême, had ensured him the enmity of the Lusignans, whose defection 'was the proximate cause of John's downfall on the Continent.'

But Professor Powicke's design is far deeper than that of narrating the story of that debacle. He has studied the institutions of Anjou and Aquitaine and the administrative features of Normandy, especially in its military organisation, and with an eye to the correlative influence upon England, so thoroughly that every chapter of his book illuminates the constitutional history of the twelfth and early thirteenth centuries. For instance, the present critic would select the many interspersed references to the Duel and the Trêve de Dieu as peculiarly valuable material for the correction of misconceptions about the degree of prevalence of private war whether in England or on the Continent. Even nearer the centre of

feudal study is his recurrent and instructive examination of the Castle, which, perhaps with more insight and at any rate with more penetrative research than any of his predecessors, scarcely excepting Maitland and Round themselves, he has shown to be the legal and administrative heart of that military age. It is in these chapters of his critically analytic yet constructive interpretation of Anglo-Norman chronicle and economic government and diplomacy, all combined, that he has found his task—a task which reaches forward and backward with the promise and assurance that the whole is wisely in hand. Incidentally it is to be noted how minutely the poem *Guillaume le Maréchal* is used to annotate and establish the annals.

Five admirable maps show clearly the orographical, political and military features of the terrain. A primary qualification for such work is a double familiarity with French and English records and with the localities. In both respects the equipment of Professor Powicke appears to be excellent, and there is no question about the firm hold he has taken of the problem of feudal evolution. A subtle but far-reaching distinction he draws is that the dukes of Normandy, although they only secured by degrees the control of the jurisdiction exercised by their vassals, established for themselves rights rather of sovereignty than of merely feudal lordship within their 'regnum.' The reaction of this upon the policy of the early Norman kings in England must be apparent: English rule was mindful of a tradition which knew the aspirations of the fief as well as the concept of sovereignty, especially as regards the institutions of justice. We in Scotland remember, on the other hand, that with us the great fief got far too much of its own way, and *regalia* were conferred with prodigal sacrifice by the Crown. It is not on such lines alone that the Scottish student will be forced to comparisons of Scottish with Norman administration. The great offices of Seneschal Constable and Marshal, under both, develop or decline differently from what they did in England. They were in the personnel of government not altogether unlike what the castle was in territorial administration. Perhaps no subject broached prompts more to thought than the hint deduced from the reign of John, intimating the great influence which the military organisation exerted on future experiments in political representation. In more senses than one, and in promise as well as in fact, history gains much by *The Loss of Normandy*.

GEO. NEILSON.

ENGLAND SINCE WATERLOO. By J. A. R. Marriott, M.A., Lecturer and Tutor in Modern History and Economics at Worcester College, Oxford. Being Vol. VII. of *A History of England*. In seven volumes. Edited by Charles Oman, M.A. Pp. xxi, 558. Demy 8vo. With Genealogical Table and ten Maps. London: Methuen & Co. 10s. 6d. net.

FROM the Preface we learn that, should the reader be occasionally disappointed, the author is not always to blame. Cervantes is said to have whispered to a friend that, had it not been for the Inquisition, he could have made *Don Quixote* a much more interesting book. Mr. Marriott has

had a fate perhaps as hard. His book, he says, had engaged him for many years. He wrote it as he wished it to be. But the volume, being one of a series, must be made to measure. Paragraphs, as he tells us, were excised, chapters omitted, references restricted.

The title of the book is not to be taken too literally. Almost a hundred years have passed since Waterloo, but Mr. Marriott brings the formal argument of his work to its 'logical conclusion' at the end of seventy. He devotes an Epilogue to a sketch of events from 1885 till 1901. On the last twelve years he is silent.

Accepting these limitations, readers will find that the plan of the book is admirable and its execution masterly. The author justifies his claim to be 'saturated' with his subject. What is better, he holds it in orderly arrangement, and is able to set out its parts in their relations and proportions. He thinks that the characteristic differentia of English history in the period he has chosen may probably be found in the conjoined ascendancy of Science and Industry, in the advent of Democracy, and in the extension of Empire. The on-coming of Democracy and the growth of Empire will, he says, to all time distinguish the Victorian era. It is however the on-coming of Democracy which he makes most conspicuous in his work.

He divides it into three books. The first and shortest he entitles 'The Aftermath of War.' Here, after a brief account of the settlement of 1815, the chief lines of development during the next two generations (which the history proposes to describe) are summarily sketched in an introductory chapter. There follow a chapter on internal affairs in the period of 'economic recoil' after the war; a chapter on Britain's dealings with the Continental Powers from 1815 to 1830; and one describing the last years of the Tory régime.

Book II., which occupies almost half the volume, is entitled 'The Reign of the Middle Classes.' He gives this reign a generation,—thirty-five years. It begins with Parliamentary Reform, which Mr. Marriott calls 'the cleansing of the Augean stable.' He describes the unreformed House of Commons as it was, its anomalies in distribution and vagaries in franchise, the enormous power these gave to the Government and to the great land-owners. Yet, if he does not liken them to that Mexican President of whom it was justly said that he had an ardent desire for his country's prosperity, *not forgetting his own*, he admits that he cannot defend their methods. But he holds that neither reformers nor reformed realised what was being done. It was not understood for two generations that the point of transition from Aristocracy to Democracy had been passed in 1832.

In Book III. the reign of the Middle Classes is succeeded by the visible advent of Democracy, and its usher is Mr. Disraeli. The Acts of 1867 and 1884 added more than three million voters to the roll. In partnership with Democracy he places Empire, a curious, but not an unprecedented conjunction. For half a century Great Britain has been pre-eminently a great European power. Now the diplomatic centre of gravity changes. We are concerned less with Europe, and more with Asia, America and Australia. We become absorbed in *Weltpolitik*.

The author's gift of orderly arrangement is happily exhibited in his

agreeable plan of sometimes abandoning strict chronological sequence in his book and telling separate stories separately where he can. Accounts of Ireland, Canada, South Africa and, more especially, India are instances of the convenience of this method.

Despite its enforced limitations this is a good history. Its author has method. He masses his material in battalions and marches them in order. He has the gift for classification and arrangement which clarifies study. This is style in its best exhibition.

ANDREW MARSHALL.

THE OLD SCOTS NAVY, from 1689 to 1710. Edited by James Grant, LL.B., County Clerk of Banffshire. Pp. lix, 448. With Frontispiece. Demy 8vo. London: Printed for the Navy Records Society. 1914.

THIS is a welcome contribution to Scottish history. The Scottish Navy has had little attention from historians, and Mr. Grant's work shows that research into its records makes available a wealth of material.

The Scots Navy of this period was small; this adds interest to its record, as the reader follows in an intimate and personal way the story of the men and the ships.

Throughout the book one matter is always prominent—the difficulty of governing the country in the years preceding the Union. English ships were frequently lent to assist the Scots ships in protecting the coasts, and the question of their control while in Scottish waters gave constant trouble. English ships tried to compel Scots ships to strike to them, and also claimed the right of searching Scots merchant ships, both claims being resented by the Scots. Finally, the seizure by England of the Scots East Indiaman *Annandale* and by Scotland of the English ship *Worcester* raised national feeling to a dangerous extent on both sides of the Border.

Further complications arose over the question of the exchange of French prisoners taken by Scots ships, and the fact that many Scotsmen served in the English Navy had to be borne in mind by both Governments.

The chapter devoted to the siege of the Bass is particularly good, and throws much new light on this curious episode. The lists of the names, rates of pay, and discharges of the crews of the *Royal William* and *Royal Mary* are also valuable.

The historical novelist might here find material for many portraits, such as Captain Thomas Gordon, whose Jacobite sympathies did not prevent him from doing brilliant service against French ships, and who ultimately entered the Russian service and became an admiral and Governor of Cronstadt; or the sturdy merchant skipper, John Spence of Leith, who refused to salute the Royal Navy because his crew had been impressed.

Mr. Grant has had some difficulty in deciphering the place-names in some of the documents he transcribes. Is not the Point of Cornwall (page 9) the Point of Corsewall? Geiga and Lara (page 22) Mr. Grant presumes to be Gigha and Jura, but it is more probable that Gigha and the adjacent isle of Cara are meant. On page 72 the 'Collihoe' Stone looks like the Caillich Stone, still well known to yachtsmen, and duly saluted by them.

J. J. SPENCER.

THE PASSING OF THE GREAT REFORM BILL. By J. M. Butler. Pp. ix, 454. With eight Illustrations. Demy 8vo. London: Longmans, Green & Co. 1914. 12s. 6d. net.

THIS is a specially good account of the 'Revolution by Law' of 1832, when the old aristocratic system ended and the 'feet of the nation' set 'in the path that leads to democracy.' Mr. Butler, in this erudite book, a very fine piece of work, has presented a wonderfully interesting narrative of this extraordinary political change. He shows how the idea of political liberty, to which many were friendly at first, received an awful check from the excesses of the French Revolution, and though the Sacred Fire was kept alive by Fox and his followers, it had no chance until the end of the Napoleonic wars. The poverty at the end of this period and the unpopularity of George IV. allowed it again to blaze forth, and it was encouraged by the exertions of men like Francis Place, Attwood, and perhaps Cobbet, who got the ear of the unrepresented People and made 'liberty' a popular cry in spite of the unwavering hostility of the King, the Duke of Wellington, and the Church. Encouraged by the Revolution of 1830 in France, which sent Charles X. to Holywood, the movement grew and the Tories fell.

Then came the struggle of the Whigs for Reform under Grey. His policy was, says the author, hated by 'Society' as the Fiscal policy of Mr. Lloyd George has been hated by the same section yesterday and equally vituperated. Barely carried in the Commons (a curious account is given of the turbulency of the last Unreformed Parliament), the Bill was thrown out by the unchanging Lords. Then came strange scenes, Riots, and the Guards and other regiments refusing to fire on mobs. Immense feeling on both sides, Revolution and mob law foreseen by the Tories and the Millenium in sight of the Reformers. The forcing of the unwilling King to threaten to create Peers made the Bill pass, and the quiet result showed that most fears had been unnecessary or premature. The book is well illustrated with portraits of the leaders. It gives much food for thought, and should be read by all who wish to know how 'the Atlantic beat Mrs. Partington.'

A. FRANCIS STEUART.

MAGNA CARTA. A Commentary on the Great Charter of King John. With an Historical Introduction. Second Edition, revised and in part re-written. By William Sharp M'Kechnie, M.A., LL.B., D.Phil. Pp. xvii, 530. Demy 8vo. Glasgow: James MacLehose & Sons. 1914. 14s. net.

DR. M'KECHNIE's commentary on Magna Carta was published in 1905, and was greeted by all scholars as a substantial and solid addition to the material available for the minute study of the most famous document in English history. It is a matter for some congratulation that the first edition of it should now have become exhausted, and still more a subject for satisfaction that Dr. M'Kechnie has fully availed himself of the opportunity which reprinting the book has given him.

The second edition is a real second edition, and the statement on the title-page, 'revised and in part re-written,' if anything, understates the facts. The somewhat careful comparison of parallel passages in the two issues

shows in what important respects the new edition has improved upon the old. To begin with, it is seventy pages shorter, and this space has been gained, not by ruthless excisions, but by the deliberate removal of a good many doubtful points, and by the careful compression of paragraphs which originally, perhaps, rather tended towards over elaboration. If Dr. M'Kechnie has a weakness, it is for presenting every possible view which has ever been held by scholars on the subject which he is treating. Sometimes, perhaps, he seems more anxious to set out these various points of view than to give us a clear-cut opinion of his own. We might, therefore, have expected that, after a careful and exhaustive study of all that has been written on this subject during the last ten years, our author would have enlarged his commentary. On the contrary, he has shown so strong a sense of proportion and self-restraint that, without omitting anything of importance, he has put more matter and more judgments of his own into a volume of much more manageable size. All through the new edition there is a stronger suggestion of mastery and authority.

Although it cannot be said even now that Dr. M'Kechnie has solved all the riddles involved in the interpretation of the Great Charter, he has undoubtedly approached much nearer in that direction than he did in 1905.

Let us take a few concrete instances. In 1905 Dr. M'Kechnie's commentary on the thirty-fourth clause of the Charter failed somewhat owing to the imperfect distinction made in it between the writ *praecipe* and the writ of right. In the present edition the fundamental difference between the two writs in origin and antecedents is made absolutely clear. The only complaint that can be made with regard to this section now is that the form of the writ of right is not given in a note, just as the form of the writ *praecipe* is. It is not every student who uses Dr. M'Kechnie's book who would be able, or willing, to turn up the relevant passage in Glanvill to which our authority refers. Again, the comparison of Chapter L. in the two editions shows an even more marked improvement. Thanks to Mr. G. J. Turner, Dr. M'Kechnie now knows all about the provenance of Gerard of Athée and his kinsfolk, whose military gifts made the Tourangeon villages of Athée, Cigogne, and Chanceaux names of terror to the English of King John. Topography is, however, still not Dr. M'Kechnie's strongest point, or he would not have spoken of the 'city' of Loches, nor called Bytham 'Biham,' or Benson 'Benzinton.' It is impossible to leave the comparison without testifying to the minute acquaintance which Dr. M'Kechnie shows of the relevant literature of the last ten years, and of the judicious use which he has made of it. It will be going too far to say that the second edition has made the first obsolete, but it is such a substantial improvement on it that the wise will always have recourse to it in future.

To conclude with a somewhat broader criticism, the book as it stands is of a very high character. It would, perhaps, have been still better had Dr. M'Kechnie aimed at working out the results of Magna Carta in later history with the same completeness that he has shown in examining its antecedents and immediate consequences. Here there is still room for additional work. A wider acquaintance with the administrative history of the thirteenth and fourteenth centuries would have enabled Dr. M'Kechnie

to work up points as to which he is either silent or content with repeating shortly the traditional point of view. This is notably the case when he treats of the history of the two Benches, and still more when he deals with the Exchequer as a court of law. It is somewhat disconcerting to read of his treatment of the Exchequer 'as a third Bench or court of justice,' at a time when it only held pleas incidentally and remained strictly and primarily the office of revenue. The whole treatment of the later history of the Exchequer is somewhat perfunctory. It is a mistake to say that the 'formal sessions of the Exchequer for auditing the sheriffs' accounts could only be held at Westminster.' They were held wherever the Exchequer happened to be. When Edward I. removed the Exchequer to Shrewsbury by reason of the Welsh war, and when both that king and his son kept the Exchequer for long periods at York on account of the troubles with Scotland, it was not simply the Exchequer in its legal aspect or the Exchequer in any special or limited sense, but the whole Exchequer that was moved. Perhaps it is not fair to reproach Dr. M'Kechnie for not emphasising these points, which he might reasonably regard as outside his theme. Nevertheless, all subsequent history, as Stubbs once suggested, is a commentary on the Great Charter, and, as it seems likely this excellent book will reach a third edition, it is perhaps worth while suggesting the sides on which it could be still further strengthened.

T. F. TOUT.

A HISTORY OF ENGLAND FROM THE DEFEAT OF THE ARMADA TO THE DEATH OF ELIZABETH. With an Account of English Institutions During the Later Sixteenth and Early Seventeenth Centuries. In two volumes. Vol. I. By Edward P. Cheyney. Pp. x, 560. Demy 8vo. London : Longmans, Green & Co. 1914. 16s. net.

UNTIL a few years ago no satisfactory account of the last years of Elizabeth's reign existed. Lingard's *History* was written, of course, before the State papers in British and foreign archives had been properly examined. Then came two or three chapters in the *Cambridge Modern History* and, in 1910, Professor Pollard's excellent summary in the sixth volume of the *Political History of England*. These called attention to, rather than discussed, the material. Professor Cheyney, of the University of Pennsylvania, has in the meanwhile been at work upon a full and adequate survey of the whole period.

The first volume of Mr. Cheyney's very important book is divided into four parts. Part I. deals with royal administration, especially in the later years of Elizabeth. Part II. is a history of military affairs between 1588 and 1595. In Part III. the author deals with exploration and commerce in Elizabeth's reign as a whole. Part IV. is entitled 'Violence on the Sea,' and contains sections upon reprisals, contraband and piracy, and an account of the naval war with Spain from the year 1589 to Drake's last expedition in 1596.

The first part opens with a study of Queen Elizabeth in 1588. These few pages are the least satisfactory section of the work. Professor Cheyney has very little admiration for Elizabeth, and is puzzled by her inscrutability ;

hence his analysis is laboured, and his clear straightforward style becomes heavy. It will always be difficult to understand the paradox of Elizabeth's position. She was thoroughly incompetent and greedy in small things, yet as a queen could stir all that was intelligent and generous in her subjects. How incompetent she could be is shown in several places of this narrative. She is rightly blamed for the comparative failure of the Portugal Expedition (p. 188); throughout the period of her co-operation with Henry IV. she showed little understanding of the political and none at all of the military requirements of the situation, 'judging the whole operation from a personal point of view, in which the absence of her favourite from Court was the principal feature' (p. 265). Similarly in naval policy she seemed 'devoted to a defensive, dilatory and self-supporting war, where every opportunity and indication of the time was in favour of a vigorous offensive that would soon have compelled peace' (p. 550). Professor Cheyney notes that the Queen never crossed the Channel, 'never saw Scotland, Ireland or Wales, and during her seventy years of life was never more than one hundred and twenty-five miles from her birthplace' (p. 12, cf. p. 54). Perhaps the secret of the strength no less than of the irresolution and credulity of this parochial-minded mistress of Drake and Cavendish is to be found in the fact that the Court was her parish.

The sections upon the Royal Household and Court, the Ministers, the Privy Council, and the courts depending upon it, are the best and most original part of the volume. Among the excellent descriptions of Hunsdon, Burleigh, Walsingham and the rest, the character sketch of Raleigh is particularly impressive (p. 26). The description of the frivolity and waste of time at Court (p. 38), of the endogamy and nepotism among the courtiers (pp. 48-9), of the Queen's essential absolutism (pp. 63-4), help greatly to a clearer understanding of the political difficulties and advantages of the Ministers. A very attractive study of Lord Howard reminds us that for a time he held a semi-royal position unique in English history (p. 42). The importance of the Privy Council, its relation to the Star Chamber, and the composition and functions of both, are discussed with great clearness. It is noted that in Elizabeth's day there were no committees of the Privy Council (p. 69). The Council alone had the power of investigating by means of torture (pp. 70-1). The presence of the judges in the Council in Star Chamber, and its method of procedure, were important in differentiating this court and in the employment of its wide powers. The ordinary charges against the court that its proceedings were secret and arbitrary, and its punishments vindictive, are shown to be based upon misunderstanding (pp. 100-1). Throughout these chapters the patriarchal character of the government is insisted upon. The Queen at times directed the judgment of the Lord Chancellor in Chancery (p. 130). Lord Burghley once proposed the establishment of a court for the general reformation of all abuses (p. 139). There was a good deal of friction between the common law courts and the other courts, especially the Courts of Admiralty and Requests, but there is little trace of the common law theory of the State. Yet the rule of Queen and Council was sometimes called in question. So early as 1598 some critics wished England

to be governed after the Queen's death 'as one of the popular Italian states' (p. 64).

The most interesting and important pages of Part II. deal with the nature of the English intervention in the Netherlands, the details of the co-operation between Henry IV. and Elizabeth, and the quality, enlistment and payment of the Elizabethan armies. The English Government ceased after a time to insist upon a share in the civil administration of the United Provinces; the powers of Sir Francis Vere in 1589 were not so political as those of Willoughby (p. 235). The chief advantage of the Dutch alliance to the English was the training of a body of seasoned troops, who became more effective than even the 'denationalised' veterans under Parma. At the beginning of the period treated by Professor Cheyney 'there were probably not a thousand men who had actually seen foreign military service' (p. 160). Hence veterans in the Netherlands were frequently drafted off to join other expeditions. In August, 1591, ten or twelve thousand English troops were scattered in the service of the 'common cause' between Brittany and the Netherlands. This was distinctly a war period for England. 'The coming and going of soldiers, the creation of a group of "men of the sword," as a contemporary chronicler called the officers, the appearance of the soldier as a stock character on the stage, and a new element of disorder in the country, the growth of martial law, and the pamphlets that were published recounting military adventures and experiences gave one additional phase to the many-sided interests of these last decades of the reign of Elizabeth' (p. 260). Mr. Cheyney returns several times to the organisation of these rather unsatisfactory forces (see especially pp. 184, 220, 229, 285-6). Among the various expedients for recruiting he notes the literal interpretation of feudal leases (p. 256). In spite of inexperience, desertion, disease, Elizabeth's troops played an almost decisive part in the struggle against Spain and the League (see pp. 304-6). A general survey of this kind is the more welcome because local historians and isolated narratives naturally convey an impression of the weakness and secondary importance of the English allies.¹

In Parts III. and IV. Professor Cheyney covers familiar ground, and shows the same mastery of his complicated theme. The history of the Russian company and the early travellers to the East Indies is particularly good. The different types of enterprise, the question of contraband, the legal nature of letters of reprisal are fully dealt with. Readers will notice the beginning of the appeal to Magna Carta against monopolists (p. 328), the experiment of a special coinage for the trade in the East (pp. 448-9), the importance of the Baltic trade to Spain (p. 477), and the curious fact that the rebellion of the Dutch was largely financed by the trade between Spain and the Netherlands (pp. 479, 484).

Professor Cheyney's book, when it is completed, will fill the gap between the famous works of Froude and Gardiner. But it does not suggest comparison with them. Its arrangement is different. It lacks the vigour and

¹Compare, for example, the full narrative of the Breton war between the Loyalists and the League in M. Barthélemy Pocquet's continuation of De la Borderie's *Histoire de Bretagne* (vol. v. (1913), pp. 166 *seqq.*).

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charm of Froude's style, and the leisurely wisdom of Gardiner's; yet the quiet force of its learning makes it an impressive as well as a useful study. The writing is rather dry, but it is never dull; its note of competence is slightly professional, but not academic. In its detachment, control of fact, concreteness and clearness, the book stands beside the best work of American and British scholarship.

It will be easier to illustrate Professor Cheyney's mastery of the unpublished and published authorities when he has issued his second volume.

F. M. POWICKE.

A SELECT BIBLIOGRAPHY FOR THE STUDY, SOURCES, AND LITERATURE OF ENGLISH MEDIEVAL ECONOMIC HISTORY. Edited by Hubert Hall, F.S.A. Pp. xiii, 350. Demy 8vo. London: P. S. King & Son. 1914. 6s. net.

THIS bibliography will be extremely useful to students of English medieval economic history. A large section describes the published and unpublished sources, both public and local, and the lists, indexes, calendars, etc. which are available are also given. The description of the character and classification of unpublished sources is particularly valuable. There are also sections giving bibliographies of bibliographies and of various branches of historical study, palaeography, archaeology, etc., and of histories of other European nations. Inventories of state archives of other countries are also given, and descriptions of their character and arrangement and selections from some printed sources. Part III. is a bibliography of modern works on economic history, including a number relating to continental countries.

Some of the Scottish sources which might be useful for English history are described, but neither the list of unofficial original sources nor of modern works is exhaustive. Some collections of burgh charters are not mentioned, nor are Cochran-Patrick's *Records* relating to Coinage and to Mining, and Jamieson's *Dictionary* is omitted. No books published after 1910 are included, and so Dr. Maitland Thomson's valuable edition of the first volume of the *Register of the Great Seal* is not given.

THEODORA KEITH.

THE CATHEDRAL CHURCH OF GLASGOW: A DESCRIPTION OF ITS FABRIC AND A BRIEF HISTORY OF ITS ARCHI-EPISCOPAL SEE. By P. M'Gregor Chalmers. Pp. xii, 95, with many illustrations. Crown 8vo. London: G. Bell & Sons. 1914. 1s. 6d. net.

FOR this number of their excellent Cathedral Series the publishers have been happy in their selection as author of Mr. M'Gregor Chalmers. Alike as archæologist and church architect, he is thoroughly equipped for dealing with such a subject, while his extensive knowledge of the building described is borne witness to in the careful analysis and lucid description of the many details of special interest. From the conjectural visit of S. Ninian in the fourth century, and the first settlement by S. Kentigern in the sixth, when by the 'Mellindenor' he founded his early Church, down to the present day, the history of the See is graphically sketched in the first chapter; the second and third are devoted to a detailed descrip-

tion of the exterior and interior features of the Cathedral as it now stands, while the fourth and concluding chapter gives a chronological list of the Bishops, Archbishops, and Protestant ministers who in turn have ruled its destinies, with special reference to those to whose pious labours the fabric owes its being.

In his analysis of the work, Mr. Chalmers, in some instances, describes as facts what at best should be regarded as but reasonable surmises, and where contrary theories to his own have been advanced they are quietly ignored. There is room for surprise also at his approval, or at least acceptance without demur of the painted glass in the windows. While executed before the revival of the glass-designer's art in this country, and when nothing better could be obtained elsewhere, and while commendable as the outcome of a whole-hearted and generous zeal on the part of the donors, it yet remains that they are glaring examples of what such glass should *not* be, and, alike in scale and character, extremely hurtful to the internal effect of the Cathedral. It is also remarkable that, while the book has only been published within the present year, and the finely achieved reconstruction or restoration of the roofs of nave and choir was completed in 1912, and had been in progress for several years before then, nothing beyond the barest reference to this important work is included. An appreciation of the fine craftsmanship displayed, and a description of the salient features, particularly of the interesting series of bosses of the choir roof might have been looked for, and would have made the book more complete as a record and work of reference.

As a whole, however, it is one to be warmly commended, alike to the student of medieval architecture, the dwellers in the city so fortunate as to possess such a magnificent and interesting example of the art, and the many visitors from other parts who will find in it a guide-book interesting, succinct, and, in the main, trustworthy.

The illustrations, which are numerous, and comprise plans, elevational drawings (the latter unfortunately without scales), and photographs, are excellent, and add much to the interest and usefulness of the work.

ALEXANDER N. PATERSON.

CHURCHES IN THE MODERN STATE. By John Neville Figgis, Litt.D., D.D. Pp. xi, 265. Crown 8vo. London: Longmans, Green & Co. 1913. 4s. 6d. net.

In this treatise Dr. Figgis, whose earlier writings have gained for him a recognised position as a learned student of the history of political philosophy, applies to the present ecclesiastical situation in England certain considerations on the nature of corporate personality. To readers of Gierke and F. W. Maitland his thesis presents no novelty, and he makes no claim to do more than clear the atmosphere by directing the attention of the general reader to a point of view from which he can form theoretical opinions on contemporary tendencies. Though Dr. Figgis disclaims the intention to apply his observations to a concrete situation, his treatise is *tendancieux* in the most worthy sense of the term, and no reader can fail to note its application to the present position of the Church of England. To

Scottish readers the conclusions which Dr. Figgis draws from the decision of the House of Lords in the Free Church case may appear somewhat sweeping in view of the abstract and doctrinaire grounds upon which the appeal was argued, and the failure of the appellants to lead evidence in the Court below. But this is a secondary matter, and the course of recent events will lead readers to doubt whether the semi-political semi-juristic *panacea* of Dr. Figgis is sufficiently far-reaching to meet the situation summed up in the charge of the Bishop of Oxford and the reply of Professor Sanday.

DAVID BAIRD SMITH.

THE COLONISING ACTIVITIES OF THE ENGLISH PURITANS, THE LAST PHASE OF THE ELIZABETHAN STRUGGLE WITH SPAIN. Yale Historical Publications, Miscellany I. By Arthur P. Newton, Lecturer in Colonial History, University of London. Pp. x, 344. With three Maps. Demy 8vo. New Haven : Yale University Press. London : Humphrey Milford, Oxford University Press. 1914. 10s. 6d. net.

MR. NEWTON'S valuable contribution to a phase of British colonial history hitherto insufficiently studied will gain a cordial reception. Taking as his starting-point the treaty with Spain of 1604 and concluding with the Peace of the Pyrenees of 1659, he deals in a masterly fashion (omitting no detail interesting in itself or illuminating the general subject in hand) with the early Puritan attempts to colonise, which resulted in the establishment of a definite British foreign policy. The express intention of the treatise is to demonstrate the continuance of the Elizabethan tradition of adventure and hatred for Spain in the colonising spirit of the Puritans who endeavoured to combine an ideal community with commercial success. The story of the Providence Company, its foundation in 1631, at the instigation mainly of the Earl of Warwick and John Pym, its varied fortunes, the difficulties encountered in Spanish attacks and internal discords, coupled with lack of men and money, its gradual degeneration into a mere organised scheme of piracy and its final failure, either as a sanctuary for the godly from Laud's persecutions or as a financial undertaking, is a subject of exceptional interest, especially in view of Mr. Newton's chapter on the abiding influence of the Company's enterprise on the Protectorate's foreign policy in prosecuting Cromwell's 'Western Design' of crushing Spanish supremacy. With the Restoration in 1660, the place of Spain, as Britain's rival in the West, was taken by Holland, and a new era of commercial strife inaugurated.

The maps and index are somewhat inadequate, but for the volume, as a whole, we have nothing but praise.

J. G. HAMILTON GRIERSON.

ELIZABETH AND MARY STUART : THE BEGINNING OF THE FEUD. By Frank Arthur Mumby. Pp. xiv, 407. With eight Illustrations. Demy 8vo. London : Constable & Co. 1914. 10s. 6d. net.

It was a brilliant idea of the author of this excellent book to collect from various sources the contemporary letters on the subject of the early relations between the two Queens, Elizabeth and Mary. One gets delightful translations of the despatches from the Spanish Ambassadors, Feria,

Quadra, and the courtly Guzman de Silva deploring Elizabeth's continual double dealing, falseness, and dissimulation on both religion and her marriage overtures. (Quadra said she 'must have a hundred thousand devils in her body, notwithstanding that she is for ever telling us she yearns to be a nun.')

We are given also admirable English letters like those of John Jewell, the Protestant, rejoicing in the change of religion which gave him, though 'the least of the Apostles,' the Bishopric of Salisbury. We find here the stinging apologies of Knox, which probably the Queen never received, the oft-quoted account of Elizabeth's Court by Sir James Melville, much scandal about Queen Elizabeth and Dudley (the favour shown to Pickering soon faded), and the shameful offer of the latter as husband to Queen Mary.

Three things in this book strike the reader. One is that perhaps Elizabeth favoured sub-consciously the Darnley marriage more than she avowed even to herself. The second is her extraordinary success in temporising with religion and her suitors. The third is how strangely she kept the Howards of Norfolk, near relations to herself, as they were through her grandmother, at a respectful distance. The letters are all interesting to read, and in them we see both courts live. We have scenes both grave, like the pathetic death of Queen Mary's mother, the lonely Regent of Scotland, and the sad history of Lady Catherine Grey; and gay, such as the progresses to the Court of Elizabeth, at which she danced 'high and disposedly.' We have also an account of Queen Mary's life as a 'bourgeois wife' at St. Andrews as told by Randolph. The rivalry between the two Queens with Elizabeth meddling in the affairs of Scotland is also well illustrated, and it is easily seen that a tragic conclusion could follow.

The author must be congratulated on his choice of the letters. We only notice two small slips in his editing. On page 301 'Lord Grey' should surely be 'Lord John Grey,' and we think that on page 344 the 'worthy Beaton' was the Archbishop and not, as he supposes, the beautiful 'Queen's Marie.' The book is illustrated with portraits which have been well selected.

A. FRANCIS STEUART.

TRANS-ATLANTIC HISTORICAL SOLIDARITY. Lectures delivered before the University of Oxford in Easter and Trinity Terms, 1913. By Charles Francis Adams. Oxford: Clarendon Press. Pp. 184. 1913. 6s. net.

FOR the student of political science these truly original studies on various aspects of the American War of Secession possess a value altogether out of proportion to the size of the slender volume that contains them. But the unusual and varied nature of their charm is of too subtle a kind to be easily summarized in a short review; while the style has a peculiar and attractive flavour of its own.

The tie that binds the various threads together, as the title of the book clearly suggests, is the manner in which the Old World and the New act and react on each other. This is best brought out in the pages devoted to the supremely interesting story of how bitterly the blockade of the cotton-growing southern States affected the operatives of Lancashire, and how the sympathy of middle and lower-class English public opinion with the

suppression of slave-ownership prevented the British Government from interfering in favour of the Confederate States at a critical moment when intervention might have turned the scale. Mr. Adams' account of how the situation was saved for the north by the personal antipathies and mutual jealousies of Lord Palmerston and Mr. Gladstone (then sharing with Lord John Russell the chief power in the British cabinet), is of quite extraordinary interest. Two points, however, might perhaps have received more emphasis; the facts that Abraham Lincoln, in gaining sympathy for the north by emancipating the slaves of southern owners, was securing support by the expedient (more popular to-day than it was in 1862) of being generous with his opponents' property rather than with his own; and that if the fears of retaliatory outrages by the enfranchised negroes were falsified, this was only because their slavery was not so unmitigated an abomination as Lincoln's friends declared it to be.

Among the other matters of general interest are the subtle discussions of the conception of sovereignty, allegiance, nationality and state-rights that lay at the heart of the struggle between north and south, and the penetrating and generous tribute paid to the Confederate General Lee, whom Mr. Adams, an old opponent in actual war, ranks with the select band of the greatest commanders the world has ever seen. Altogether this is a book of an interest that is quite unique.

WM. S. MCKECHNIE.

ACCOUNTS OF THE LORD HIGH TREASURER OF SCOTLAND. Vol. X.
1551-1559. Edited by Sir James Balfour Paul. Pp. lxxxv, 572.
8vo. Edinburgh: H.M. Stationery Office. 10s.

ARRAN had been Regent for over eleven years (see *S.H.R.* ix. 319) when the Dowager Queen Mary of Lorraine on 12th April, 1554, acquired the reins of government. The Hamilton interest had had a long ascendancy in preferments and perquisites. Extravagance and nepotism, 'the gredie procedings of the Governour and his broder,' now quickened the change. An outstanding note of the accounts in this well-glossed and well-indexed volume is the difference between Arran's profusion of costly private charges on the treasury compared with Mary's much restricted personal claims. Besides, the energy of the new Regent is obvious, whether in enterprises against the north, in justice-ayres in the south, or in fortifications of the coast, which ran counter to Scottish treaty obligations and precipitated warfare anew. Civil war, however, does not yet even appear to threaten. A naval expedition was undertaken in 1554, and the accounts contain the charges for equipment of the ship 'callit the Lioune in hir voyage to Strathnaver for assegeing of the hous of Burro.' This was Borve Castle, which was taken and its captain hanged.

Next year the queen herself went to circuit courts on the Border. In 1558 bonfires were set ablaze everywhere on July 3 in celebration of the marriage of the young Queen Mary and the Dauphin on April 29. The rejoicings in Edinburgh included the shooting of Mons Meg, and there is an entry for 'the monting of Mons furtht of hir lair to be schote.' Arran had made a great step to permanent adjustment with England when he completed the work of an international commission dividing the Debatable

Land. But Mary's regency, conditioned by its French auspices, auxiliaries, and entourage, soon declared itself for a policy of war with the 'auld enemy.' Her proposed invasion of England was abortive through the refusal of the Scots nobles, but there were hostilities on the Border. In January, 1559, money gifts are registered to 'William Hoppringle for the wynnynng of ane Inglis standart,' and to David Young for winning another. To a considerable degree the Border is the centre of interest in this volume. In Arran's time, in 1552, masons were paid 'to pas and wirk at the tour of Annand,' from which it may be inferred that, in place of the church steeple blown up by Wharton in 1547 for being 'noisome unto the English,' there was being built that squat circular castle which appears on a well-known military sketch, circa 1563. Musters ordered at Jedburgh in 1553 and Dumfries in 1554 led to heavy ameracements of absentees. While it is true, as the Lyon King says in his preface, that the interest of the present volume is less in general events than in special details (inclusive of wardrobe and household entries of unusual variety), he has found material for an introductory essay very successful indeed in its outline of the course of events to which the arrival of John Knox was about to open an entirely new departure and development.

MÉLANGES D'HISTOIRE offerts à M. Charles Bémont par ses amis et ses élèves. Cr. 8vo. Pp. vi, 668. Paris: Librairie Félix Alcan. 15 frs.

THIS is truly a noteworthy 'festschrift' of historical studies presented to a most distinguished, energetic, and successful scholar and master by friends and students, who thus congratulate him and themselves on his completed quarter of a century of teaching at the École Pratique des Hautes Études, Paris. We in Britain know his work too, and participate in the dedication 'en hommage et en souvenir' which no fewer than 190 professors, archivists, and notables in historical work, especially on its educational side, have united to render. The group, while mainly French, includes English, American, German, and Russian names.

The spirit of the tribute is delightful, and its weight and value in detailed historical contribution is fully equal to the quality of the men who offer it and to an occasion which required that the co-operative bundle of essays should be a solid miscellany of researches of which even M. Bémont might well be proud. And so it is: for the forty-eight pieces comprise first-class propositions and demonstrations, some of them from English archives and a preponderance of them touching subjects either wholly English or relative to interconnected matters in France. Many of these are of great interest and several of high importance, so that the 'Bémont Mélanges' will take a place somewhat like Bentley's *Excerpta Historica*, the *Reliquiae Antiquae* of Wright and Halliwell, or the Furnivall *English Miscellany*, which last was a festschrift also.

Only a few of the contents can be indicated here. The order is chronological, and the book opens with F. Lot's cross-examination of Hengist and Horsa, concluding that English history A.D. 441-596 is 'une page blanche.' F. Liebermann, a veteran on his own territory, discusses anew the laws of Ina. Next comes a paper sure to be much canvassed: it is P. Lauer's

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re-editing of the poem by Bauderi of Bourgueil or Dol, written not later than 1107, in which he describes what is now maintained to have been the Bayeux tapestry itself. The case presented is persuasive, and, in any view, the poem is well worth while being made more accessible were it only for the line

Hostis equo abjecto cuneum densatur in unum,

which some years ago was a sound document for Harold's shieldwall at Hastings. After this Ch. Petit-Dutaillis claims that the forest law of England was mainly of Norman origin, C. H. Haskins edits customs of Portswood manor, Hampshire, under Henry I., and Jean Marx tracks an anecdote in Wace's *Roman de Rou*. Other papers edit annals of Tewkesbury, a suspected bull of 1183 regarding Burwell Priory, Lincolnshire, a late and unskilful redaction of the story of the battle of Poitiers, and fifteenth century liturgical pieces on the cult of St. John of Bridlington, who died in 1379, and the connection of whose name with a very curious collection of political prophecies remains—as becomes a prophet—obscure.

H. F. Delaborde writes a most interesting essayette on 'touching for the evil.' These 'bons francais' are very good indeed; but really it is hard to have them claim that the English king's cure of the evil was, like the English forest laws, an adaptation from the other side of the Channel. Sorcery trials of the fifteenth to the seventeenth centuries are described. Documents edited in whole or in part include material covering 'Jones Hameton' (John Hamilton) and one 'Marcolet,' Scotsmen in France in 1482 (the former dirked a fellow-archer): a letter of Scottish Cistercian abbots in 1498 about their provincial chapters: the narrative of an unrecorded English expedition to America in 1527: inquisition proceedings for the burning of William Tindale, the reformer, in 1536: new state papers of Queen Elizabeth: negotiations of the Marquis of Huntly in the Catholic interest with the French in 1629: and a journal of the siege of Louisbourg, Nova Scotia, in 1758. Even this bald and partial enumeration will be enough to call attention to the *Mélanges* as a repertory of texts and studies which cannot be overlooked, and which entitles those who organised it to a grateful recognition, enhancing the honour it confers on M. Bémont, to whom we tender sincere congratulations.

HISTORICAL GEOGRAPHY OF SCOTLAND. By W. R. Kermack. Pp. viii, 134. With six Maps. Crown 8vo. Edinburgh and London: W. & A. K. Johnston, Limited. 1913. 2s. 6d. net.

WITH a coloured map and with charts showing Scotland in 1300, the clans of the sixteenth century, and the route of Prince Charles Edward's raid into England in 1745, this little volume pleasantly joins geography to history. It develops the topographical causations. Features such as fords, and roads, equally with mountains and rivers, castles, churches, and burghs, receive attention. But it is time we had a map of the shiring of Scotland, to be followed some day by a more elaborate chart of the chief baronial jurisdictions. Mr. Kermack writes so shrewdly in general that his derivation of Cunningham in Ayrshire from 'cuinneag,' Gaelic for milk-pail, may perhaps be forgiven. We are not sure about some doctrine laid down

about the borders on the authority of Mr. Howard Pease ; for instance, the styling Otterburn a Warden Raid. But we cheerfully own Mr. Kermack's endeavour to be abreast of modern inferences.

VIRGINIA UNDER THE STUARTS, 1607-1688. By Thomas T. Wertenbaker, Ph.D. Pp. xi, 271, with Map. Med. 8vo. Princeton : University Press. London : Humphrey Milford. Oxford : University Press. 1914. 6s. 6d. net.

It was in 1606 that the fleet of three small vessels left England to colonise the 'faire meadows' of Virginia, and the adventurers founded their first settlement Jamestown the next year. At first, as this excellently worked history shows, their hardships were great ; quarrels among the executive, harsh rulers, and famine were only some of their troubles. Greater misfortune was the hostility of the Indians, which was only ended, for a time, by the romantic episode of Pokahuntas.

The writer gives a good description of the establishment of representative government (somewhat in opposition to the King's will) and the struggles that the Colonists had with the Crown, up to the end of the Stuart period, to regain it. A curious episode was the expulsion of the Governor Sir John Harvey in 1635, and his restoration was one of the dubious acts of Charles I. Still under a succeeding Governor, Sir William Berkeley, Virginia showed much loyalty to the King, partly, no doubt, from the influence of the Church of England in the settlement, but most from the royalist feelings of the Governor, who yielded to the armed forces of the Commonwealth only.

The author found a difficulty in this portion of his history on account of the paucity of official letters between the colony and the mother country, but he writes a very good narrative nevertheless. Bacon's rebellion is the next phase treated of, and the encroachments of the Crown, from 1677 to the end, are well described. We notice two slight errors in nomenclature. 'Lord John Berkeley' should be 'John, Lord Berkeley,' and 'Effingham' and 'Howard' should be 'Lord Howard of Effingham.'

THE ANCIENT ROMAN EMPIRE AND THE BRITISH EMPIRE IN INDIA ; THE DIFFUSION OF ROMAN AND ENGLISH LAW THROUGHOUT THE WORLD. Two Historical Studies. By James Bryce. Pp. 138. Demy 8vo. London : Humphrey Milford, Oxford University Press. 1914. 6s. net.

The sure and excellent reasoning bestowed upon these two historical essays, reprinted from other volumes, and their clear and plain style make them a pleasure to peruse. In the first, every note of likeness between the two very different, though often contrasted, Empires is emphasised, while at the same time each difference is indicated.

The second essay, dealing with the diffusion of the two types of law throughout the globe,—the only two, the author points out, except the law of Islam, which have conquered the world,—is equally fascinating to read, as it is written by a master hand.

THE LORD ADVOCATES OF SCOTLAND, SECOND SERIES, 1834-1880. By G. W. T. Omond. Pp. xxiv, 360. London: Andrew Melrose Ltd. 1914. 21s.

AFTER an interval of more than thirty years Mr. Omond has given to the public a second series of his Lord Advocates of Scotland. The idea of dealing with this aspect of Scottish history was a good one, and has been well carried out. His aim, as he now tells us, was 'not to give a series of complete 'Lives,' but to trace the history of an office, the holders of which enjoyed peculiar opportunities of influencing the development of the law in Scotland: to describe the various arrangements which, since the Union, have been made for the conduct of Scotch affairs; to record the part the Lord Advocates took in politics and legislation; and to combine with all this some account of their personal history.'

The position of a Lord Advocate, especially prior to the revival of the office of Scottish Secretary, was one so involved in the great public movements of his time, that anything like the story of his career means the political history of the period covered by it. We have here consequently a narrative of the Scottish nation subsequent to the great triumph of 1832, and brought down to comparatively recent days. The period is one of great interest. Between 1834 when John Archibald Murray became Lord Advocate and 1881 when John M'Laren resigned the office, an enormous advance in many directions had been made. If we compare it with the period similar in duration which preceded it the contrast is indeed great. Not a little of this advance is due to the work of Lord Advocates, and that upon both sides in politics. The names of M'Neill and Inglis, as well as of Rutherford and Young, deserve a place in the list of reformers. Nor was it the blame of the man in office that the reforms he aimed at had sometimes to be left to his successor to carry out. The difficulty which all of them had to contend with, and which still exists, was the neglect in Parliament of Scottish business, occasionally attributed to the absence of a Secretary, but which was never due to the fault of the Lord Advocates.

The most important national event recorded in this volume is the Ten Years' Conflict ending in the Disruption of 1843. The evil effects of the divisions, and the prejudices called into existence by that catastrophe, upon subsequent legislation is well illustrated here. If a sound system of education was so long delayed, it was mainly due to the jealousy of the Churches, while the changes which the Disruption brought about had their share in rendering a revolution in our Poor Law system necessary.

Mr. Omond's account of the great struggle for spiritual independence is excellent, not too long and so clear that even an Englishman could understand what the matter in dispute was. It is also very fair and does not throw all the blame upon the one side. It is melancholy to find how much mischief might have been avoided had our Scottish Judges been more judicial, and Parliament realized what it all really meant.

If some of the holders of office recorded in this volume were obscure individuals who owed their preferment to political or family interest, the majority were men of whom any people might be proud—learned, eloquent, accomplished, and untiring workers. Viewed solely as Lord Advocates

those on the Liberal side were probably the most distinguished, for Inglis and Watson made their fame as judges. But it is curious to note how unequally the judicial honours fell to be distributed between the two parties. All the Whig officials, with the exception of Moncreiff, had to content themselves with ordinary judgeships—whereas on the other side several afterwards sat as Presidents in Court of Session divisions, and no less than three found their way as Lords of Appeal to the House of Lords. Of course this was really due to the time at which vacancies occurred.

A number of the Lord Advocates will always be associated with the Statutes which they had the good fortune to see passed into law. The brilliant Lord Rutherford, forgotten, we fear, as a man, will be remembered by the Rutherford Act. Duncan M'Neill gave us our present Poor Law and got rid of some of the absurdities of our feudal system. Lord President Inglis, perhaps the greatest of our judges, reconstituted our Universities, and Lord Young at last succeeded in establishing provisions for a universal, compulsory and free education.

This book forms an interesting volume from beginning to end. It is characterized by great ability and much research. We only wish the author had continued his work to even a more recent date.

W. G. SCOTT MONCRIEFF.

THE BERRY PAPERS: BEING THE CORRESPONDENCE HITHERTO UNPUBLISHED OF MARY AND AGNES BERRY (1763-1852). By Lewis Melville. With numerous Illustrations. 448 pp. London: John Lane, The Bodley Head.

To those interested in Horace Walpole's circle the names of his 'twin wives' are ever green, and Mr. Melville's book will be welcomed as telling more about these attractive ladies of Scottish *bourgeois* descent, who became so notable for over sixty years in London Society, and whose *salon* included everyone of note who was fortunate enough to be invited to it.

Mary Berry, the eldest sister, stands out as the leader—very like 'Miss Deborah' in 'Cranford,' while the gentle Agnes was more like 'Miss Matty.' Walpole's friends became their friends, and his cousin Mrs. Damer (whose letters, rather *triste* though they are, yet yield some new lights on old 'Lord Oxford's' quips and cranks), their chief correspondent. The editor gives a valuable collection of letters to and from the Misses Berry. The letters of the young Lord Hartington (his correspondence began when he was twelve!) connect Walpole's circle with Devonshire House. They are well edited with many notes. Unfortunately, however, Mr. Melville is a bad proof reader, and one finds many misprints. It is difficult for instance to distinguish in 'Madame de Goutant' the well-known Mme. de Gontaut, nor should the bright Lady Charlotte Bury's second husband twice appear as 'Berry.' The editor would have been well advised also to have had the French in the book revised, as from it, in the way much of it is printed, one would hardly guess that Miss Berry had been, as she was, 'a perfect Frenchwoman in her language.'

It was the privilege of the writer of this review to talk lately to an aged but delightful survivor of Miss Berry's *salon*. She told him, among other

curious details, that Miss Berry was proposed to by Sir John Stanley of Alderley (probably before the O'Hara affair) but that she refused him; that she appeared on her eightieth birthday with a gown and cap of *bouton d'or*, and had a 'very grand presence,' while her sister was 'prettier and more delicate.' Mr. Melville's book must be read by all interested in Walpoleana. He does not mention that the Lovedays of Caversham were the Misses Berry's cousins, and could have made more of their genealogy, but, after all, kinship played but a small part in the social career of the two ladies, and he gives much information that must be new to many of his readers. The book is copiously illustrated, and one or two of the portraits lent by Mr. Broadley are interesting.

A. FRANCIS STEUART.

HISTOIRE DES COMMUNES ANNEXÉES À PARIS EN 1859, PUBLIÉE SOUS LES AUSPICES DU CONSEIL GÉNÉRAL : GRENELLE. Par M. Lucien Lambeau. Pp. iii, 485, with several Illustrations. Paris: Ernest Leroux, éditeur. 1914.

THIS is the third of the series of monographs by M. Lambeau on the Communes annexed to Paris in 1859, following those on Bercy and Vaugirard, of which latter Grenelle at one time formed a part. Its history, if not so picturesque as that of Bercy, is an equally valuable contribution to the archives of the city. Grenelle, whose name derives problematically from *garenne* or from *granelle*, is a wide plain situated between Paris and Issy, or between Vaugirard and the Seine, and in 1824 was still covered by fields and grain crops.

Originally given by Clovis in the sixth century to the Cathedral of St. Peter and St. Paul, it formed later the lordship of Ste. Geneviève, was afterwards possessed by the Royal Military School, and became national property at the Revolution. Grenelle (which now includes the Invalides and the Champ de Mars) has been visited like the rest of the outlying districts near the river by severe flooding: it has been used as a vegetable garden and granary for the City, as a hunting ground for the aristocracy, as a manœuvring centre for troops, as a camp for volunteers at the Revolution, and as a place of execution: at the present day it forms a fraction of the fifteenth 'arrondissement' of Paris.

It was owned and managed after the Revolution by astute men of business who saw the possibilities of its situation: hence its development has been steady and continuous, with the result that it took the standing of a city by 1829, and much against its will was incorporated with Paris itself thirty years later.

MARY LOVE.

Textkritische metrische und grammatische Untersuchungen von Barbour's Bruce, a work of which the second part has already appeared as a doctorate dissertation, is a very full study by Fr. Wilhelm Mühleisen (8vo, pp. xvi, 222; Bonn, Carl Georgi, 1913) upon the orthography, versions, metre, and rime of *The Bruce*. Dr. Mühleisen's interests are strictly philological and his mode analytic. For every purpose of grammatical criticism his painstaking dissection will be invaluable, and his avoidance of broad conclusions, especially as regards points of controversy, will make him serve both sides

in the greater number of the many questions. But this general aloofness is, perhaps, more apparent than real. He contends for many convergent reasons that the Cambridge MS. (C) of Barbour is by another scribe than the John Ramsay who wrote the Edinburgh MS. (E). He very impartially weighs the merits and demerits of C and E separately, or together, as against H (Hart's printed version of 1616), whether *per se* or as supported by either C or E. He has compiled an interesting pedigree of the texts, in which strangely he omits the printed version of 1571. A capital *facsimile* folding sheet shows on one page in parallel the handwritings of C and E, and of the *Wallace*, written by Ramsay, the scribe of E. The treatise will be very welcome for its promise of service to future critics of John Barbour.

Bell's English History Source Books (G. Bell & Sons, cr. 8vo, 1s. net each; see *ante*, *S.H.R.* x. 432) have had added to the series: *The Welding of the Race*, 449-1066: editor, Rev. John E. W. Wallis; *The Growth of Parliament and the War with Scotland*, 1216-1307: editor, W. D. Robieson; *From Palmerston to Disraeli*, 1856-1876: editor, Ewing Harding. The extracts continue to be selected on a judicious and interesting principle, and they tell the story well. We are further glad to note that special volumes are to be devoted to Scottish history on a similar plan. The first of these is *The Scottish Covenanters, 1637-1688*: editor, J. Pringle Thomson. One advantage of the system is that it is possible to let both sides speak when the epoch is—as usually—an age of conflict or controversy. Free trade in opinion ensures contemporary colour in the selections.

The Freedom of the Press in Egypt, by Kyriakos Mikhail (Smith, Elder & Co., 1s. net) is 'an appeal to the friends of liberty.'

Farquharson Genealogies, No. 1, Achriachan Branch, by A. M. Mackintosh. (Pp. viii, 44. Nairn: George Bain, 1913.) This is a section, with annotations added, from the Brouchdearg MS., and represents a very large body of pedigree-study from the end of the sixteenth century to 1733.

Notes and Queries for Somerset and Dorset (December), concluding its thirteenth volume and its twenty-sixth year, shows unabated force of variorum research. Items include odd confirmation of a local tradition about a crossroads burial. A familiar letter of 1727 from a newly married man to an old acquaintance has a delightful review of previous abortive aspirations. 'Sometimes I liked my Mistress better than she did me, another was fond and I was indifferent.' At last he married 'dear Betty,' who joins in these frank greetings to their common friend, which read like a letter of Steele's in *Tatler* or *Spectator*.

Berks, Bucks, and Oxon Archæological Journal (October and January) is strong in the lore of churches, and gives reproductions of several good brasses and many architectural features, including a tympanum, somewhat of the Dalmeny type. The Bisham palimpsest brass, with its reference to Halidon

Hill (see *S.H.R.* ii. 483), is shown in a very distinct plate. Canon Oldfield edits 'Instructions,' written early in the eighteenth century for the traditional forms of procedure of the Manor Court of Stanton Harcourt, Oxfordshire.

In the *Publications of the Clan Lindsay Society, Edinburgh*, No. 7, vol. ii., 1913: editor, John Lindsay, M.D. (Edinburgh: Lindsay & Co., 17 Blackfriars Street), there is a biographical note on the late Ludovic, Earl of Crawford (1847-1913), by Mr. W. A. Lindsay, K.C. The editor himself contributes a long genealogical and territorial account of the Lindsays of Wauchope and Barclay. It rakes wide for Lindsay material of all kinds, and the heap is considerable.

Aberdeen University Library Bulletin (January) is chiefly concerned with a classified list of current serials.

The Aberdeen Book-lover (Messrs. D. Wyllie & Son, Aberdeen) is the latest demonstration that books beget magazines, and it falls into line with other bibliographical enterprises of the same northern district. Photographs of Deeside authors, and notices of northern literature, supply themes not likely soon to be exhausted. The editor is Mr. R. M. Lawrance, a student of clans and their patronymics.

The *Juridical Review* for February lightens its learned load of law with whimsicalities out of the early black books of Lincoln's Inn, and with the retold tale of Lady Grange's abduction to St. Kilda. The 'Persona Ficta,' re-introduced by Mr. Herbert A. Smith of Oxford, continues to maintain his puzzling abstract yet eminently concrete attraction.

The American Historical Review (January) opens with a rather dubious article on what is called Truth in History, concerning which Mr. W. A. Dunning plays with the fascinating but dangerous philosophical superiority of the old general idea over the minor modifications of fact rediscovered by research. Students, not of Indian history only, will appreciate Mr. A. A. Macdonell's investigations into the early phases of caste. A British theme of perennial moment follows in the wake of Mr. Goddard Orpen's seven reasons for answering affirmatively the question, 'Did the Norman occupation make for the progress of Ireland?' Mr. W. E. Lingelbach pieces together much new matter on economic causes, effects and movements during the Napoleonic wars. An important text from the archives of the Indies at Seville is edited with good accompaniment of footnotes. It is the Journal of Jean Baptiste Truteau, 1794-1795. He was a schoolmaster who accompanied an exploratory expedition up the Upper Missouri River, and wrote a good report, very full of material facts, not only on the geography of the journey but also about the Indians, who required very cautious handling. There was chronic mistrust and a tendency to panic.

In the April issue of the same *Review* M. Henri Pirenne offers a tentative hypothesis regarding the social history of capitalism in and since the Middle

Ages. He seems to be on the right track in tracing a series of changes not only in the groups of capitalists but in the nature of capital itself at every change—and they were very many—in economic organization. In his view continuous development ought not to be a foregone postulate: the permanence of a capitalist class, linked in spite of alterations of person and form, in an endless chain down through the centuries is, he maintains, 'not to be affirmed.' Mr. Dana C. Munro performs a much needed work of analysis and reconstruction, although still to some extent hypothetical, on the expeditions known as the Children's Crusade of 1212, a movement wherein the element of myth obviously bulks large. M^{me} Inna Lubimenko writes on the correspondence of Queen Elizabeth with the Russian Czars relative to numerous schemes of mercantile and marine intercourse between the countries. An interesting if impracticable project of colonial government made in 1623 is edited from a Sackville MS. by Mr. A. P. Newton. It is styled 'A forme and polisie to plante and governe many families in Virginea,' and it derives special interest from its blending of theoretic precepts from Moses and Aaron, the Romans, and King Alfred down to the latest concepts of Jacobean constitution-mongers.

Maryland Historical Magazine (Sept.), in a further instalment of Rev. Jonathan Boucher's letters, reaches the stage when the rising tide of rebellious feeling in America made the continued residence of a loyalist, such as he was, irksome in the extreme to himself. In early summer, 1775, he writes of the situation as most alarming. For six months he dared not venture out of his own house unarmed, 'no,' says he, 'not even to my Church.' Then came 'a kind of Association Test or solemn League and Covenant' requiring every man to testify his approbation of opposition by arms. Hence his abrupt departure from Maryland and his letter dated from London in October, 1775. Another letter of his of 27 November following is peculiarly noteworthy for its full-dress view of the situation as it had presented itself to a victim on the spot. 'They are easily satisfied,' he says, 'who can be contented to ascribe the present Disorders in America either to the Stamp Act or the Duty on Tea. These perhaps indeed first fairly brought Them to Light but in Fact the seeds of Them are coæval with the Colonies Themselves. There is a Principle of Revolt in all Colonies and in those of G. Britain which may be said to have been planted in imperfection more than in any others. The main Point our Ancestors seem to have attended to was the getting Them settled at all. It does not seem even to have occurred to them that in Process of Time such Bulky Adjuncts of the Empire must of Necessity wrestle with us for Pre-eminence: & of course in forming their Governments no precautions were taken to prevent it.' The entire letter is instructive. He thought all would depend on the issue of the first general action. 'I know Washington well,' he says, '& can say of him what I can of few of his Compeers that I believe Him to be an honest Man. In the military Line it is not possible his Merit can be considerable: He will however atone for many Demerits by the extraordinary Coolness and Caution which distinguish his Character.' Mr. Boucher's estimate of him was, as a forecast of his history, by no means amiss.

The issue for December and March continues the letters. Boucher, now (1776) fallen upon evil days, and—exiled from America—then back in England in financial straits, is no whit less keen a critic of the events American which had occasioned his misfortunes. One of his letters contains a shrewd criticism of Thomas Paine's pamphlet *Common Sense*, in which he detects power 'that almost atones for its silly and its wicked Reasoning.' Thomas Cresap (1717-1823), a Maryland pioneer and centenarian, has a spicy biography devoted to him by Mr. Lawrence C. Wroth. In Braddock's campaign of 1755 he did not give entire satisfaction to the English officers, if we may accept the indications of one of them who styles him 'Colonel Cressop, a Rattle Snake, Colonel, and a D—d Rascal,' which, as Mr. Wroth sententiously observes, 'is not precisely a complimentary account.'

British Supremacy and Canadian Autonomy, by Professor J. L. Morison, is Bulletin No. 9 (October, 1913) of Queen's University, Kingston, Canada, and very clearly illustrates the complete failure of British Statesmen to forecast the possibilities of Colonial attachment to the mother country. The tendency from 1840 until 1860 was painfully indifferent and separatist, and Professor Morison evidently considers, with good reason, that the people of Canada were wiser than the politicians. Bulletin No. 10 (January, 1914) is *The Problem of Agricultural Credit in Canada*, by H. Mitchell. It favours the *Landschaft* system (under which owners form an association which is the real borrower in the public market), and explains the modifications with which it has been introduced in Saskatchewan.

A Smithsonian Institution publication of unusual general interest and value is Mr. William H. Babcock's essay ('Publication 2138') entitled, *Early Norse Visits to North America* (large 8vo, pp. 213). Including ten plates, mostly consisting of very early charts of the Atlantic islands and American sea-board, it is a full discussion of the traditions, records, facts, and probabilities of all the voyages before Columbus made his great rediscovery. Nansen's views receive a good share of criticism, and the new study is a solid repertory of evidence closely sifted.

Another antiquarian contribution to the same collections is 'Publication 2229,' by Mr. J. Walter Fewkes, on *Great Stone Monuments in History and Geography* (large 8vo, pp. 50), in which by comparison of monoliths, etc., in Europe, Asia, Africa, and America, an attempt is made to show a unity of mental action among men.

In the Johns Hopkins University series, Dr. Ralph Van Deman Magoffin has written *The Quinquennales: An Historical Study*, in which he has collected the literary and lapidary records of a municipal office which first gained firm place under Sulla. The quinquennalis had functions of audit allied to censorship; oftenest he was elected, but sometimes he was an imperial nominee; his office was high and dignified. 'There are in all 937 recorded quinquennales': and Dr. Magoffin's constructive diligence goes far to reconstitute for us their place in the Roman system.

The *Iowa Journal* (January) traces the Mormon trails westward through Iowa, 1846-1853. Other subjects are the (continued) history of the Iowa codes of law, 1875-1897, and the Iowa State seals, 1838-1847.

The Caledonian (New-York) for January contains an illustrated article on the Glenriddell MS. of Burns, by selling which the Liverpool Athenaeum made itself notorious, and by his generous announcement of his intention to restore which to Scotland, the American purchaser, Mr. John Gribbel, has earned what may not unfitly be styled the nation's gratitude.

In July last the *Revue d'Histoire Ecclésiastique* (of Louraine) had the concluding section of M. Flamion's examination of a recent thesis by M. Guignebert on heterodox lines regarding the tradition of St. Peter's sojourn and death in Rome. A very appreciative report is given of the London Historical Congress. In October the *Revue* began an article which will merit close attention. It is by Ch. Mœller, and its title is *Les bâchers et les auto-da-fé de l'inquisition depuis le moyen âge*. At last there comes an elaborate reply to Dr. H. C. Lea's massive studies of the Inquisition. The direct bearing on controversial aspects of the question is not prominent in the first instalment, and M. Mœller is careful to say that the subject is approached with no wish to challenge the good faith of Dr. Lea's facts, drawn from a vast range of reading and from materials in part inedited. But he goes on to make unequivocal the clerical attitude towards the great American historian by stating that 'it is needful to distinguish between his facts and the interpretation with which he surrounds them, and which is impressed with a covert but continuous *malveillance* against everything which belongs to the Catholic Church.' At present it is not requisite to scrutinise the argument in details. One general point is the indication that the spectacular side of the auto-da-fé was in Spain ('the true home land' of the institution), a great popular attraction, comparable with a fire work or a bull fight. A chief line of argument is that by its very nature the stake was a punishment not inflicted by the Church but by the civil power, to which by the ecclesiastical condemnation the victim was 'relaxed.' How far this technical distinction will serve to restrict the responsibility of the Church by transferring it to or sharing it with the State is a problem on which the casuist need never fail to find rationalia. This will be the more evident when it is remembered how closely in Spain the civil authority was concerned in the foundation of the Inquisition, and how strangely that dreaded institution combined royal and papal sanctions—its complete incorporation of the double authority of Church and Crown, although not infrequently defiant of both Pope and King. (*S.H.R.*, iv. 323; vii. 297.) The reply to a reinterpretation of Dr. Lea's facts lays its foundations in Roman civil history, and the imperial punishment of Manichæans by fire under Diocletian. As a penalty, the State in its recrudescence in the eleventh century for heresy, may be interpreted as a survival. 'Il y a solution de continuité.' It will be interesting to resume the survey of the orthodox Catholic contention as the case develops, and especially if, as is highly probable, it provokes rejoinder. In the October number M. Mœller's article closes with a full examination of the case of the Netherlands

under Charles V. The Emperor's policy is heartily reprobated. The Inquisition there was confessedly more pitiless than that of Spain. Again, however, there is developed the plea that it was a lay matter, the personal work of Charles carried on with the obstinacy of which he was himself conscious, and under a complete illusion as to its virtue and possibilities. He does not cite Motley's dry observation that the distinction between papal, episcopal and Spanish inquisitions did not then 'convince many unsophisticated minds,' but he presses into view the civil liability for much more than the merely executive part of the system. At the end he puts into skilful relief the parallel abuses of witchcraft under the dominion of Lutheran theology which gave the Devil a dominant rôle in human affairs, and his peroration is a tribute by Macaulay to Voltaire and his humanitarian colleagues for their battle against the forces of cruelty and superstition. Glancing over the lines of argument adduced we seem to see that no negative is offered to Dr. Lea's facts, and that the only question is that of responsibility. This will naturally present much less difficulty to some thinkers than to others!

Bulletins de La Société des Antiquaires de l'Ouest for 1912 and 1913 contain, along with more purely local contributions, an article by M. Alfred Richard, in which he maintains that the trident found on tombs, coins, etc., of the Merovingian age is a sign of the Trinity.

Mr. Isaac Jackson has contributed to *Englische Studien* an essay, 'Sir Gawain and the Green Knight, considered as a 'Garter' Poem,' summing up results of several years' study of the famous and perplexing poem. He has no difficulty in establishing the fact that the observances, symbols, and whole phraseology conform, with sometimes literal, sometimes poetical exactness, to the pageantry of the Round Table or Order of the Garter instituted by Edward III. according to a contemporary MS. source in 1344. There is real difficulty in his identification of the Green Knight's castle with Beeston, Cheshire; but much ingenuity and some research appear in a proposed identification of a figure in the poem with the Black Prince, as well as in some interpretations relative (1) to the scandal of Edward III. and the Countess of Salisbury, and (2) to the romantic marriage of the Black Prince with Joan, the Fair Maid of Kent. Mr. Jackson's data point to the end of 1362 as the period of writing this great poem. His thesis merits attention, and certainly is successful in its demonstration that 'Sir Gawain' is saturated with the Court atmosphere of Edward III.'s day.

Archivo Ibero-Americano (Marzo-Abril) is a Franciscan bi-monthly publication (Madrid, Redacción y Administración, Cisne 12) of historical studies on the Franciscan Order in Spain. One continued article traces the foundations in various parts of the country. An illustration shows a coarse figure of the saint as a sort of corbel in the Cathedral of Cuidad Rodrigo. The life of Friar Jerónimo de Mendieta, historian of New Spain (Mexico), 1525-1604, the story of certain foreign missions, and the MSS. of the Franciscan primatial library at Toledo are themes of papers. The contents also include discussions, notes, and specially a 'Crónica Franciscana.'

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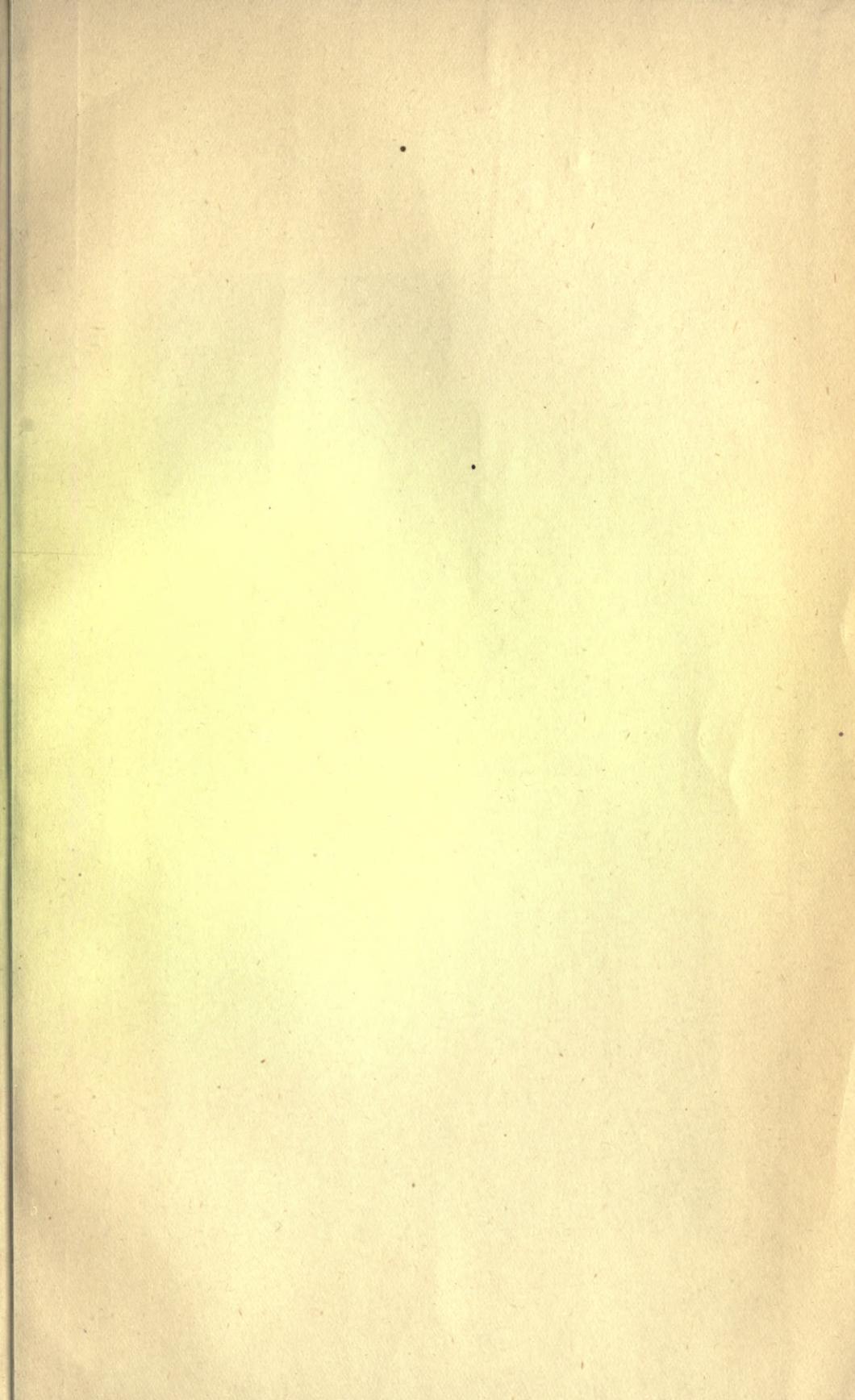
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