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The Author of 'Lancelot of the Laik'

IN 1865 I edited, for the Early English Text Society, a Scottish Metrical Romance, entitled *Lancelot of the Laik*, supposed to be written about 1490-1500. Nothing is known as to the authorship of the poem. Recent researches enable me to suggest that it was certainly written by the author of the *Quair of Jelousy*, edited by D. Laing, in vol. ii. of the *Bannatyne Miscellany*, printed by the Bannatyne Club in 1836. The editor (rightly, as I think) attributed that poem to James Auchinleck, who graduated at Glasgow in 1471, and died in 1497. No doubt he was the James Affleck mentioned as 'a makar' by Dunbar. I think it probable that *Lancelot*, as being a much more ambitious and longer poem, was the later of the two; and I shall assume this result for convenience, though it will not at all affect the arguments. If we date the *Quair* about 1490 and the *Lancelot* about 1495, these are mere guesses; but they are in accordance with probability. It must be remembered that of the latter poem we possess a mere fragment of 3486 lines. If it was ever completed, it must have consisted of more than 10,000 lines at least, quite enough to justify Dunbar's particular reference.

I shall denote the *Quair of Jelousy* by J., and *Lancelot of the Laik* by L., for brevity. I find in both poems most minute resemblances in style, prosody, vocabulary, grammar, and phonology. I could exhibit these at such a length and in such minute detail as to render their common authorship almost a matter of certainty. But such details are tedious and wearisome; and I

think it may suffice to exhibit, side by side, some of the passages in which the poems resemble one another. I will, however, give one of the grammatical details by way of specimen.

In the *Kingis Quair* we find the pp. of the verb 'to take' in the monosyllabic form *tak* or *take*, or in the dissyllabic form *takin* (st. 24); and in no other form. But in J. and L. the infinitive is both *tak* and *ta*. *Tak* occurs in rime; J. 154, L. 473. *Ta* occurs in rime, J. 73; in L. we can infer it from *tais*, 'takes,' riming with *gais*, 'goes, fais, 'foes'; 1095, 1141, 3005. But the pp. is not only *tak* (in rime), J. 452, L. 296; it is also *tane* or *tone*, J. 575, L. 1054, 1060, etc. The riming of words ending in *-on* (from A.S. *-ān*) with the French *dispone* (J. 266, L. 154) is noticeable. As to word-forms, I will merely cite *destitute* (in rime), J. 523, L. 96, 193; used instead of *destitute*.

Both poems afford rather frequent reminiscences of Chaucer. Note, for example, Chaucer's line in the *Knights Tale*, A 1500:—
'And, for to doon his observaunce to May.'

The *thirteenth* line of the *Quair* is:—

'And unto Maij to done their observaunce.'

The author of L. has not forgotten it; see lines 12-16:—

—'to schew the kalendis of May, . . .

The old wsage of lowis [love's] obseruans.'

But, of course, the fact that both poems copy Chaucer is of no great significance. The only curious circumstance here is that both poems make a similar reference just at the very same point, at the same distance from the beginning.

I here notice the fact which gave one the first hint, viz. the extraordinary prolixity in the style. J. begins with a portentous sentence thirty-two lines in length. L. begins with a succession of long sentences, of which the first extends to sixteen lines at least, followed by *And* and ten lines more. Clause follows clause, quite loosely joined together, as though the object were to avoid coming to a full stop. This should be particularly observed, as well as the monotonously excessive use, in both poems, of a cæsura at the end of the fourth syllable.

J. begins with an Introduction, in ten-syllable couplets, of 190 lines. L., which is mainly a translation from the French, begins with a general introduction of 195 lines, with a more particular introduction having reference to the subject. It is *here* that we should look for the parallel passages; and they are not difficult to find. I now quote them, keeping to the order in J.

1. The felde oureclad hath with the tender grene,
 Quhich all depaynt with diverss hewis bene; J. 3, 4.
 Of quhiche the feild was al depaynt with gren; L. 46.
2. His courss, ascending in the orient
 From his first gree, and forth his bemis sent; J. 9. 10.
 His hot[e] courss in-to the orient,
 And from his spere his goldine stremis sent; L. 5, 6.
3. Tho was the ayer sobir and amene; J. 18.
 —in the lusty aire,
 The morow makith soft, ameyne, and faire; L. 63, 64.
4. And namely on the suffraunce' and the peyne
 Quhich most hath do my carefull hert constreyne; J. 25, 26.
 The sharp assay and ek the inwart peine
 Of dowblit wo me neulyngis can constrein; L. 35, 36.
5. The quhich as now me nedith not report; J. 27.
 Quhich to report I tak not in my cwre; L. 266.
6. And to no wicht I will compleyne nor mene; J. 30.
 And in myself I can nocht fynde the mene
 In-to quhat wyss I sal my wo compleine; L. 41, 42.
7. —that was rycht wele besene; J. 36. —that wess weil besen; L. 45.
8. The cristall teris, etc.; J. 50. As cristoll teris; L. 62.
9. The scharp[e] deth mote perce me through the hert,
 So that on fute from hens I nevir astert; J. 67, 68.
 And through and through persit to the hart,
 That all his tyme he couth it not astart; L. 227, 228.
10. With that she sichit with a rycht pitouss chere; J. 95.
 He wepith and he sorowith in his chere . . .
 Gret peite was the sorow that he maad; L. 695, 697.
11. And to myself I thocht in this manere,
 Quhat may this mene? Quhat may this signifye? J. 120, 121.
 . . . and to myself thocht I,
 Quhat may this meyne? Quhat may this signify? L. 159, 160.
12. For sche, for fairhede and for suete-having; J. 133.
 that sche In fairhed and in wertew doith excede; L. 576, 577.
13. How evir it stonde, yit for this ladies sake
 Sa mekle occupacioun schall I tak; J. 153, 154.
 Som trefy schall thoue for thi lady sak,
 That wnkouth is, als tak on hand and mak; L. 145, 146.
 Among al vtheris I schal one honde tak
 This lilit occupatioune for hire sak; L. 167, 168.
14. And gif I do, it is of negligence,
 And lak of connyng and of eloquence; J. 161, 162.
 Quhen that thai here my febil negligens,
 That empit is, and bare of eloquens; L. 179, 180.

4 The Author of 'Lancelot of the Laik'

Observe particularly that these are not instances of copying, but examples in which the same author, whilst using again his old rimes, takes the opportunity of slightly varying his phrases. This is why the similarities are so convincing.

Neither have I exhibited all the parallelisms. Further on, in J. 245, 246, we find *for to endite*, riming with *to write*; whilst in L. 205, 206, *for to write* rimes with *endite*. J. 573 ends with *thou thee dispone*; so does L. 154. J. 549 ends with *walking to and fro*; L. 43 ends with *walkith to and fro*. Many more such similarities may easily be found, and the reader may persuade himself as to the identity of the authorship of the two poems much more effectually than I can do it for him, by simply examining the question for himself.

I will just mention one curiosity of rime which is found in both poems. We find that, in the *Canterbury Tales*, Chaucer five times uses the tag *atte laste* (at the last), as furnishing a convenient rime to *caste*; see A 2429, B 508, B 904, E 1954, G 1314; but in none of these examples is the verb used with reference to the eyes or face. But in the *Quair of Jelousye* we find these two examples:

—till, at the last,
Myne eye estward agayne the sonne I cast; 33

—till, at the last,
With that hir voce and eyne to hevin sche cast; 57

Lancelot of the Laik has two similar examples:

—at the last,
Efterward¹ one syd he gan his Ey to cast; 1005

—atte last;
And in the knychtis wentail haith it cast; 1055

Perhaps it is worth saying that there is no example of this rime in the *Kingis Quair*, which (as I believe I can prove) exhibits the phonology of an earlier date. Anyone who wishes to examine this question will find much assistance from the essay by Dr. F. J. Curtis on the *Rimes and Phonology of the Middle-Scotch Romance Clariodus*, reprinted at Halle in 1894 from volumes 4 and 5 of *Anglia*. He shows clearly the artificiality of the form *tōn* in the sense of 'taken.'

WALTER W. SKEAT.

¹The word 'Efterward' is so written in the MS. that the 'er' is only denoted by a little curl. Considering that the long *s* (*f*) and *f* are constantly confused, I suspect that the scribe should have written 'Estward,' as in the other poem. Surely it is remarkable that this correction will mend the scansion of the line and give a clearer sense.

The First Historian of Cumberland

THE family of Denton, from which the subject of this notice was sprung, is not unknown in the annals of English exploits in the southern counties of Scotland during those tumultuous years when Balliols and Bruces struggled for the crown of the northern kingdom. The name is territorial, dating back, perhaps, to the twelfth century, and was adopted from the manor or parish of Denton in Gillesland, which remained in possession of the family till the opening years of the sixteenth century. Offshoots which settled at Newcastle-upon-Tyne served English interests on the eastern border with as much success as the parent stem in the west.

The proverb recorded by Camden that 'opportunity makes the thief' has a wider range: it brings out the mettle in a man or a family, and nowhere is it seen better exemplified than in the political unsettlement of Scotland, when individual families achieved undying fame. The international estrangement gave scope for special service on both sides of the Border, and the Dentons of Denton, like many of their contemporaries, rapidly rose to places of honour and influence in their country's story. The feudal service due from the tenement of Denton in the fourteenth century appears to have been one knight, for in 1304 John of Denton was summoned to render that quota for a foray into Scotland.¹ A few years later the same person was commissioned with others by King Edward, while he was sojourning at Lanercost, to raise 140 men in Eskdale and Gillesland for the pursuit of Robert Bruce and his accomplices,² and in 1335 a representative of the family in Newcastle had the privilege of keeping the Earl of Moray at Bamburgh and delivering him to the sheriff at York.³

In course of time branches of the family were distributed in several places in Cumberland, often serving as sheriffs of the county, knights of the shire, and burgesses of the city of Carlisle in many

¹ Bain, *Cal. Scot. Doc.* ii. 1437. ² *Cal. of Pat. Rolls* (1301-1307), p. 498.

³ Bain, *op. cit.* iii. 1173.

Parliaments. Sir Richard of Denton, one of the most conspicuous men in Cumberland of his time, assisted at the arrest and execution of Andrew de Hartcla, the unfortunate Earl of Carlisle, in 1323, for his supposed treacherous dealings with Bruce.¹ But the most distinguished military personage of this lineage was a direct ancestor and namesake of the subject of this notice who won renown in Scotland. It may be permissible to allow John Denton, the father of Cumbrian history, to recount his deeds of prowess.

It may be stated summarily that, according to his descendant,² John of Denton had a grant of 'the forest of Garnerie and Kirkpatrick and Agingrey in Scotland' from Edward Balliol, King of Scots. His letters patent thereof were sealed in the Isle of Eastholm.³ He was also steward of Annandale under Humfrey de Bohun, Earl of Hereford, to whom the whole seigniory, which was anciently the Bruces' lands, was given by Edward Balliol or John Balliol his father. Denton deserved so well in these wars between Balliols and Bruces, competitors for the crown of Scotland, that Balliol, then king, preferred him to that forest, late the lands of the Bishops of Glasgow, and to Kirkpatrick, late the lands of Sir James Frissold, adherents to the Bruces' faction. The Earl of Hereford gave him the stewardship of Annandale,⁴ the principal office in that seigniory, because he had first entered the same and held it for the Earl in spite of the Bruces. When Balliol was banished from Scotland, Denton still held the principal house of the seigniory till it was fired under him, beaten and undermined till it was ready to fall, whereupon his heirs, in remembrance of this exploit, adopted for their crest a castle or tower sable, flames issuing out of the top thereof, and a demi-lion rampant with a sword in his right paw issuing out of the flames.⁵

¹ *Chron. de Lanercost* (Maitland Club), pp. 250, 251.

² John Denton, *Account of Estates and Families in Cumberland*, p. 94.

³ The date of these letters patent was apparently in 1348, for on 20th and 21st September in the sixteenth year of his reign, King Edward Balliol issued from Eastholm similar letters patent respecting lands in Galloway, which were afterwards inspected and confirmed by Edward III. (*Cal. of Pat.* 1354-1358, pp. 142-3). Denton, the historian, must have been quoting from family documents when he made the statement in the text.

⁴ On the death of the Earl of Hereford, Edward III. placed the castle of Lochmaban and the lordship of Annandale in the custody of John of Denton in 1362, which he was to hold till the heir came of age (*Rot. Scotie*, i. 861b).

⁵ When this heraldic crest was exhibited to Dugdale at his visitation in Carlisle in 1665, he noted that there was 'no prooffe made of these armes.' Colonel George Denton, who attended, was not an antiquary, but had his grandfather been present, who told the story, Norroy King of Arms might have been satisfied.

Cradled in these family traditions, young John Denton, the future historian, grew up at Cardew Hall, the residential seat of a considerable estate in the manor of Dalston, acquired by his ancestors in the fourteenth century, and within a short distance of Rose Castle, the *caput* of the manor and historic residence of the Bishops of Carlisle. Unfortunately the exact date of his birth has not been ascertained, but as his father was seven years of age in 1540,¹ it may be assumed that the eldest son saw the light soon after the middle of the sixteenth century. While a youth he became a page in the household of Bishop Barnes of Carlisle (1570-1577), his father's neighbour and feudal superior. Early associations with Rose Castle and its archives probably inoculated him with the virus for records and record-searching which afterwards proved the passion as well as the bane of his life. After a course of training in the law, most likely at Gray's Inn, under his kinsman George Lamplugh, to whom he was obliged in after years, owing to his litigious propensities, to mortgage his property, he succeeded his father, Henry Denton, in the Cardew estate in 1584. As a country gentleman he was placed in the commission of the peace, and living so near Carlisle and Rose Castle he became on friendly terms with the bishops and prebendaries, as well as the diocesan and capitular officials.

After the death in 1595 of his wife, who was the daughter of a family of distinction in that neighbourhood, Denton's antiquarian and legal tastes were quickened by his appointment as an agent in Cumberland for the discovery of concealed lands on behalf of Queen Elizabeth which necessitated frequent journeys to London on that business. About the same time (1598) his kinsman Dr. Henry Robinson was promoted to the see of Carlisle, who gave him free access to the diocesan archives. His social connexions brought him into contact with the principal families of the county and afforded him opportunity of making himself acquainted with the contents of their muniment rooms.

But the field on which he reaped the richest harvest and from which he drew the bulk of his historical materials was the Tower of London, where the national records were then stored, and where he spent much of his time in 1600 and 1601 in prosecution of the duties of his office. From the public records in the Tower he acquired a wealth of historical knowledge relating to the descent of manors and families in his native county, which he subsequently digested in formal shape and left behind him in

¹ *Chancery, Inq. p.m.*, 34 Hen. VIII., file 65, Nos. 18, 19.

manuscript. In 1887 a copy of the manuscript was printed¹ under the title of *An Account of the most considerable Estates and Families in the County of Cumberland, from the Conquest unto the beginning of the reign of K. James [the First]*, by John Denton of Cardew. The print covers 159 octavo pages. Though there were seven copies of the manuscript before the editor, no attempt was made to collate them with a view of ascertaining the best text. In some of the copies it is stated that the account was brought up to 1610, seven years before the author's death. This brief sketch of environment may be taken as the general background for a picture of the first historian of Cumberland.

Denton's legal training and special knowledge of the territorial history of Cumberland gave him pre-eminence among his neighbours as an authority on disputes about land and tithes. In course of time he was embroiled with successive Bishops of Carlisle on matters connected with the manor of Dalston, of which he was one of the largest landowners. His official work as an agent for concealed lands disturbed the social amenities of several families in the county. It may be truly said that before his death in 1617 John Denton was a mischievous influence in Cumberland.

There is a legend that Denton wrote his history during the time of his imprisonment in the Tower upon a contest between him and Bishop Robinson of Carlisle. The supposition is very unlikely. Refusal to do suit at the bishop's manor-court, or to grind corn at the bishop's mills was scarcely an offence to merit such high punishment. His visits to the Tower appear to have been for another purpose; he went there as one of the Queen's agents to study the public records. We have 'a note of suche recordes as Mr. Denton hath seene and had notes of by warrant of Mr. Attorney Generall, bearinge date the xxxth of January, 1600.' The document² is endorsed 'serches *pro Regina* by Mr. Aturnye Geinralls warrant to Mr. Denton, 1600, 1601.' Those who take the trouble to glance at the list of evidences consulted by him will come away with unfeigned respect for his patience and industry. All the chief classes of rolls and records from the reign of King John to that of Edward IV., useful for his business, were supplied to him. If the custody of the national records then and now be compared, students, accustomed to

¹ As one of its Tract Series by the Cumberland and Westmorland Archaeological Society under the care of Mr. R. S. Ferguson, F.S.A., Chancellor of Carlisle.

² *S. P. Dom.* Elizabeth, vol. cclxxix. folio 70.

work from original materials, can well imagine the difficulties under which he carried on his labours.

Evidence of the unpleasantness caused by Denton's work on behalf of the Crown may be gathered from a letter of one of his confederates in 1608 to the Earl of Salisbury. As the communication throws a much-needed light upon the methods then in fashion, it would be a pity to abridge it.

R^t honorable, my duety in all humble manner remembred. May it please yo^r lo[rdship]. I understand y^t S^r Willfryd Lawson haithe used slanderous and hard speaches against one Mr. Denton, a justice of peace in Comberland, and my selfe, onely because we offred by the meanes of the Bushop of Bristoll, who therwithe acquainted his Majesty to advaunce his highnes revynews in landes yearly 3000^{li} w^{ch} is intayled and belonging to y^e Crowne, deteyned and wrongfullye possessed by y^e said Lawson and soundrye others asshalbe proved by auntyent recordes, intayled and attaynders.

Now to hinder the Kinges title frome tryall, he plottes to disgrace us behind our backes by odyous enformacions to yo^r lo[rdship] and other honorable persons wherein he can reape no credet. Yt is not fit the Kinges revynews shold be concealed and still wrongfullye possessed upon his untrue suggestions, who threatnes by impresonment and other unlawfull proceedinges to hinder Mr. Denton and me in y^e sayd service.

My humble sewt to yo^r lo[rdship] is y^t his Majesty may have an honorable, open and lawfull tryall, where the best in the countrye may be commissioners and jurors, wherbye yt shall appere y^t the Kinges Majesty seekes nothing but his auntyent Crowne landes, w^{ch} we have ben willed by comaundm^t to mayke knowne and prosecute on his Majesty behaulfe.

In the meantyme I humble pray yo^r l[ordship] to geve no credett too malycious reportes, pryuet lettres nor backbyting wordes, and y^t yow will suspend yo^r honorable iudgment upon us untill the truth be tryed, and yo^r l[ordship] therwith better acquainted, and I shall ever, according to my duety, pray for yo^r lo[rdship's] healthe in honorable estate long to contynew, xvjth May, 1608.

Yo^r l[ordship's] humble to comaund
in all dewtyfull svice

ANT : ATKINSON.

Post scriptum. Ther be S^r John Dalston and gentlemen of good sort in Comberland now in London y^t will maike knowne unto his Majesty and yo^r lo[rdship] y^t the Kinges title is lawfull and ho[nora]ble and y^t Mr. Denton and myselfe are much abused by skandelous reporte of S^r Willfryd Lawson our aidverserye.¹

[Addressed]

To the R^t honorable Robert Thearle of Salesburye, Lord Highe Treasurer of England at Court, eleswhere give theise.

[Endorsed]

Anthony Atkinson to my Lord, 1608.

¹ *S. P. Dom.* James I. vol. xxxii. fol. 50.

At a later stage of Denton's career, it was given in charge against him that in the time of Queen Elizabeth he claimed to entitle her to the lands of Sir Wilfrid Lawson, under which pretence he obtained leave to search all the records of the Crown, and that thereby he was stored to fill his country full of broils, without any benefit to the Queen.

We have little to do here with the merits of our antiquary's disputes with successive Bishops of Carlisle respecting the feudal status of his property. Denton maintained that Cardew was a manor of itself, independent of the lordship of Dalston, which was an appurtenant of the see of Carlisle. Throughout this controversy he appears to have manifested a churlish distemper and a lack of intelligence not to be expected of him. In an unguarded moment he alluded to Bishop May (1577-1598) in the hearing of two of the bishop's friends as 'little John May.' When reminded of this irreverent treatment of ecclesiastical dignities, he pleaded that his reference was not meant to be contemptuous: it was only a pleasantry on the bishop's shortness of stature.

Denton's repudiation of the services due to his feudal superior was at last grappled with in earnest by Bishop Henry Robinson (1598-1616), his kinsman. The depositions on commission, taken at Raughtonhead¹ on 5 Oct., 1612, and at Dalston church² on 14 April, 1613, afford exhaustive evidence on the tenurial problem. But with this aspect of the litigation we are not concerned. The legal proceedings which followed are much more to our purpose. John Denton in the witness box, examined on his dealings with local and historical evidences, is an interesting figure. The Elizabethan archivist was at bay, and he had to face the music.

When the bishop's legal advisers were preparing the case for the prosecution, it was found that many charters and other evidences of the see of Carlisle were missing, and suspicion of malfeasance, having regard to his former associations with Rose Castle, fell on Denton. Descriptive particulars of the lost deeds, as entered on counsel's brief, are as follows:

Charters lost or embezzled from the Bishops of Carlile wherof mencon is made in both ancient and nue repertories.

Carta H. 3 super concess[i]one] 14 ac[rarum] in Haithuaite et Fornscale Hailme.³

¹ *Excheq. Depositions by Commission*, 10 James I., Michaelmas, No. 17.

² *Ibid.* 11 James I., Easter, No. 1. ³ *Chart. Roll*, 36 Hen. III. m. 7.

- Quieta Clamacio Michaelis de Hartcla de manerio de Dalston.¹
 Quieta Clamacio Th. Dermun de terris infra baroniam de Dalston.
 Carta de tofto in suburbio Carlile.
 Carta de terra in Milholme.
 Carta Lovell de fornella in Dalston.
 Carta R[egis] E[dwardi i] de fonte de Welton.²
 Carta R. 2 de bruerio concesso tenentibus Episcopi infra forestam de
 Ingl[ewood].³
 Carta Regis H. de dimidia carucata terre in suburbio Car[loli] in feodo de
 Dalston.
 Carta Regis super testamento Walteri episcopi.⁴
 Carta Regis de una acra contigua et nunc inclusa in parco suo de Rosa.⁵
 Carta Regis super diversis in maneriis dimitentis post mortem Episcopi.⁶
 Carta de tenementis in Foxle haineing.
 Carta Nicol Sissons de terris in Raughton.
 Carta H. filii H. Thranghole pro terris in Raughton.
 Carta Roberti Bacon militis pro terris in Raughton.
 Quieta Clamacio Dermun [pro] terris in Raughton
 Carta Symonis de Raughton.
 Carta Rayneri de Raughton.
 Carta Regis E[dwardi iii] de largitione parci de Rosa.⁷
 Perambulacio manerii de Dalston—⁸lent to Denton by my lord and restored
 as he thinketh, but by some indirect course conveyed before this sute
 begun.
 Carta Johannis de Bormeton [*sic*], vicker de Denton in Gilsland, super terris
 et tenementis in villa de Cardew. This was to be had in Bishop Barnes
 his time, whose servant this Denton was, but it is supposed gotten *in*
tempore Episcopi nunc.
 Carta Willelmi filii Walteri de terra in Raughton (*cancelled*).
 Q[uieta] Clam[acio] Henrici de Thrangh[olme] de terris in Brackenthuaite
 (*cancelled*).⁹

From the descriptive enumeration here given, it will be seen that copies of the royal grants, as Denton could have told them had he been so minded, might have been obtained from the duplicates enrolled in the King's archives.¹⁰ What answers he

¹ This quit-claim would be of immense interest in view of the pleas in Bench, of which it was the settlement.

² *Pat. Roll*, 20 Edw. I. m. 21.

³ *Pat. Roll*, 20 Ric. II. pt. i. m. 32.

⁴ *Pat. Roll*, 29 Hen. III. m. 4.

⁵ *Pat. Roll*, 23 Edw. I. m. 7.

⁶ *Chart. Roll*, 20 Edw. I. m. 14.

⁷ *Pat. Roll*, 31 Edw. III. pt. 3, m. 8.

⁸ In the margin this record is noted as being in 'Libro l. 49.' A copy is still in existence in Carl. Epis. Reg. Kirkby, MS. fol. 289.

⁹ Document in the diocesan registry of Carlisle.

¹⁰ In the preceding notes attempt has been made to trace some of them, despite the imperfect descriptions. With a little care the rest could be identified. The loss of private grants is of course irreparable.

made to the interrogatories respecting these deeds and kindred matters will be noticed presently. One important point is made clear by this table of missing evidences. The lost registers of the bishopric were not in question.

It is satisfactory to have a picture of the Cumberland historian though it is drawn by the hand of an adversary. As a contemporary estimate of his character it is probably unique. The following notes are entered on the brief for the prosecution, in his dispute with Bishop Robinson, as a guide to counsel in cross-examination.

Mr. Denton was servant to Bishop Barnes, in whose time the charter of Jo[h]n Burden, vicare of Denton in Gilsland, who gave the lande in Cardewe to Jo[h]n of Halghton, Bishop of Carlile, and his heires, was amongst other the Bishop's evidence as appeareth *in repertorio* Barnes.

Denton being the nowe Bishop's kinsman was permitted to peruse all the evidences belonging to the Bishoprick, before himself went to take possession of his Bishoprick. So soonē as the nowe Bishop came to his place, Denton had the veweing and marshalling of all his evidences and was trusted to have access unto them att his pleasure.

The nowe Bishop lent unto Denton one ancient survey or perambulation of the time of H[enry] 3, which he confesseth Denton restored againe, but the same is since embezelled, so that it can not nowe be found. Denton went about to corrupt and persuade John Blackett, the nowe Bishop's secretarie, to bring unto him the most ancient Leger booke,¹ which the Bishop hath, wherin the services of the tenants of the manor of Dalston and Denton's ancestors of Cardewe are expressed.

About 41 Elizabeth [1598-9] Sir Edward Dymock being about to take a lease of the soake of Horncastle in Lincolnshire from the nowe Bishop,² nether of them cold conceave howe to make a good lease for want of a particular. Denton being present as a principall assistant or counsellor to my lord desired that he might go to his owne house and he wold satisfie them howe that lease might be made, w^{ch} he then did and brought them a particular, and a lease was made accordingly. In the time of Queen Elizabeth, he intituled her to the lands of Sir Wilfride Lawson, Kt., under which pretence he obtained warrant to search all the Records of the Crowne, by which meanes he is stored to fill his countrie full of broiles, and yett did not benifete the Queene anything.

He hath had the secrett fingering of all the evidences of the church of Carlile.

He hath insinuated himself into as many of the gentlemen's evidence in his countrie as wold give him any credit.

He hath whole loads of old evidences gotten heere and there.³

¹ By this book is meant the first of the series of Episcopal Registers now in the diocesan registry of Carlisle.

² A draft copy of this lease still exists in the diocesan registry of Carlisle.

³ Document in the diocesan registry of Carlisle.

There is nothing very definite in this catalogue of suggested misdemeanours, though it looks as if there was a touch of malice in the penultimate clauses. The charge of having had 'the secret fingering of all the evidences' of the capitular body seems somewhat vague. Was it relevant to the suit that defendant was acquainted with the muniments of the local squires? We can forgive, however, all this forensic embroidery in view of the last charge levelled at the unfortunate antiquary. Admirers of Denton's contribution to the history of Cumberland will thank his persecutors for telling that Cardew Hall had been stored with whole loads of old evidences gotten here and there.

As Denton's depositions, in answer to the charges of embezzling the evidences in the episcopal and capitular repositories, have been printed in the appendix, little need be said here by way of elucidation. He repudiated the charges of having had, at any time of his life, private access to ecclesiastical records; they were so strictly kept that nobody was allowed to consult them except under official supervision. To repeated questions how he had got such and such information, his triumphant answer was that he had recourse to 'the records about London,' as any subject for his money might have had at his pleasure. The allegations about the misappropriation of the evidences, which he rejected with vigour and straightforwardness, completely broke down, and no blame was attached to him in that respect. Denton had pursued his studies in the Tower to some purpose. Though he was mulcted in damages on the tenurial question, his integrity as a student of records was left without stain.

When we come to estimate the value of Denton's contribution to local historical knowledge, there is a hazard of raking up the hot ashes of controversy. It should never be forgotten that he had no predecessors. John Denton may be rightly called the father of Cumberland history. Like an illustrious pioneer in the same field, it was his fate to travail a lonely and untrodden path. By the authors of the early county histories of Cumberland he was accepted as an unquestioned authority. His manuscript 'Accompt' was embodied without acknowledgment by his distant kinsman, Thomas Denton of Warnel, who compiled a historical survey of Cumberland in 1687 at the instance of Sir John Lowther, a work which still remains in manuscript. The history of Nicolson and Burn, published in 1777, is indebted to the labours of John Denton for nearly all their historical data on the

early territorial descent of the county. The researches of Denton were simply transferred without criticism or cavil.

The other county historians follow Nicolson and Burn like sheep through a gap, with the notable exception of Messrs. Lysons in 1816, who made some use of the 'Perambulation' of Thomas Denton in that department in which his information was first hand, viz. when he discoursed on contemporary events. Throughout the series of county histories, definite historical statements on the early medieval period may be traced in the main to the fountainhead at Cardew Hall. It is readily admitted that each of the county histories has a value of its own, especially those of Nicolson and Burn and the Messrs. Lysons, but on a general view of the series it may be assumed that the work of John Denton, so far as the idea of a county history came within his purview, lies beneath the surface as the bed-rock of them all.

When the Archaeological Institute met at Carlisle in 1859, a paper was read by John Hodgson Hinde, vice-president of the Society of Antiquaries of Newcastle-upon-Tyne, on the early history of Cumberland,¹ which came like a bolt from a cloudless sky. Mr. Hinde was a scholar of considerable repute who had done much original work for the history of the northern counties of England. The right of a student, who had edited with skill and learning the Pipe Rolls of Cumberland and Westmorland, to 'lay down the law' on the subject of his dissertation, few will deny. In pointing out 'the inaccuracy, not to use a harsher term, of the authorities which have hitherto been relied on, in tracing the general history of Cumberland,' he indicated that many of the misstatements 'originate with the *Chronicon Cumbriæ*, but these are amplified and augmented by succeeding compilers, especially by two persons of the name of Denton, whose manuscript collections have been the main source from whence modern historians of the county have derived their information as to the early descent of property, and the genealogy of its possessors.'² This appears a heavy indictment to be grounded on the few instances of inaccuracy that Mr. Hinde thought fit to give, but it has been enough to raise up a whole crop of servile imitators, whose only title to consideration is their temerity in depreciating the elder Denton's authority.³

¹ Printed in the *Archaeological Journal*, xvi. 217-235.

² *Ibid.* pp. 234-5.

³ It is only fair to make two notable exceptions. When Chancellor Prescott, in his edition of the *Register of Wetherhal*, disagrees with Denton, he shows cause for his dissent. Mr. F. H. M. Parker, in his edition of the *Pipe Rolls of Cumberland*,

It should be premised that John Denton made no claim to be a political or ecclesiastical historian. The title prefixed to his work shows that his aim was to trace the descent 'of the most considerable estates and families in the county of Cumberland.' His manuscript is without doubt fragmentary and unfinished: a good text is still a desideratum: there is no evidence that it was intended for the public eye. So far as can be judged the 'Accompt' was drawn up as a guide for himself in his investigations on behalf of the Crown. Every reader, acquainted with original sources, must acknowledge that Denton worked from the best evidences he could find in the limited sphere of his undertaking: he was not a second-hand expositor of other men's collections: he had no opportunity, like Mr. Hinde and his imitators, to establish his infallibility by criticising the labours of his predecessors.

When original evidences were not available for his purpose, he had recourse, and that very sparingly, to second-rate documents, the chief of which was that much maligned tract known as the *Chronicon Cumbrie*.¹ It is rather singular that the statements of Denton, which have called forth the loudest lamentation, were taken from that document. In estimating the sources of his admitted errors, the *Chronicon* may be accepted as a specimen of the authorities by which he was led astray.

It is well to remember the nature and character of this compilation. Some of Denton's detractors describe it as a monkish legend. It is nothing of the kind, though we are indebted for its preservation to the literary instincts of the medieval churchmen of Cumberland. Speaking in a general way, the greater part of it, except the few preliminary flourishes of the exordium, is of the utmost historical value. This is not the place to test its statements, but it may be briefly said that the tract must be judged in the light of the environment from whence it emanated. This source of some of Denton's errors is a legal document of the early part of the fourteenth century, compiled, like other documents of that period, for submission to the King's Courts in proof of the territorial descent of the Honor of Cockermouth from the fount of tenure to the date of the great dispute.² In the absence of direct

has pronounced Denton's work as 'a wonderful record of wide and painstaking research.' It is significant that both writers are students of original sources.

¹A trustworthy text of this short document is very much needed. It has been too often printed from corrupt sources.

²See my arguments in *Vict. Hist. of Cumb.* i. 297-8, which have been accepted by such an authority as Dr. William Greenwell in *Hist. of Northumberland*, vii. 29.

evidence for the earlier devolution of manorial history, Denton accepted the authority of the compilation. Does his credulity merit the indignation of his quasi-faultless successors?

Denton, following his fourteenth century authority, introduced William the Conqueror as the original source of Cumberland tenure—an error which has brought simpering blushes to the cheeks of so many of our local antiquaries. The bulk of them have held this statement so near their eyes that they can see little good in its author. As there is no direct proof for the presence of William I. in Carlisle, it might well be maintained that there is none against it. But it has been generally accepted, thanks to the elaborate and consummate arguments of Professor Freeman, that the Conqueror had no connexion with the district now known as Cumberland. The tradition mentioned in the *Chronicon*, however, has a very respectable lineage and, in the judgment of the writer, appears, like the tract itself, to be of legal origin. In the records of the early medieval courts of England the Conqueror occupies a prominent position as a source of tenure. It is well known that when the early justices itinerant came on circuit to Carlisle, they would have nothing to do with local frontier customs, but insisted on their interpretation by the legal standards of the rest of the kingdom. This obstinacy of the judges has so confused and obfuscated the great service of cornage that scholars have been at loggerheads about its true nature for the past three centuries. It was probably in this way that William the Conqueror was imported into Cumbrian legal phraseology and stuck fast in the Cumbrian mind.

It will be sufficient if only two instances be given of the occurrence of this legal fiction outside of its adoption in the *Chronicon Cumbrie* which Denton regarded as genuine history. So early as 1227 a Cumbrian magnate pleaded in court that he claimed no more for his manor than his ancestors died seised of, from father to son, from the first conquest¹ (*a primo Conquestu*). The latter phrase must have been regarded in judicial circles as the origin of tenure. The popular conception is illustrated in the parley between William Wallace and the citizens of Carlisle half a century later. 'My master William the Conqueror,' said Wallace's messenger, 'demands the surrender of the town.' 'Who is this Conqueror?' replied the citizens. 'William whom ye name Wallace,' was the rejoinder. 'Tell him,' said the citizens, 'that if he wishes to come after the manner of the good

¹ *Coram Rege Roll*, 11 Hen. III., No. 27, m. 4.

Conqueror and besiege the place, he can have, if he is able to take them, the city and castle and all their belongings.'¹ In view of the prevailing tradition and of the source from which it appears to have originated, the error of Denton cannot be regarded as a serious blunder. If the whole compilation be examined from the viewpoint of sources, it will be discovered that the author had some authority for his statements,² not the best perhaps, but at least authorities on which he relied. Imagination plays a wonderfully insignificant part in his dry record.

In taking a general view of Denton's place in Cumbrian history, no writer that has yet arisen can approach in completeness his contribution to its earlier periods within the limits he had set himself. It would be absurd to say that he made no mistakes. Errors there are in his work, of identification, of genealogy, of manorial descent. The marvel is, when his surroundings and opportunities are considered, that there are not many more. The chief charm about him is that he was a record scholar, marshalling 'his whole loads of old evidences gotten here and there' into order and telling his story with the triteness and circumspection of a lawyer. He stands alone among the Cumbrian students of the past as having worked through the chief classes of the national records. It is a welcome refreshment to turn to his pages and read in English the very words of 'the records about London' which he procured at his own expense. Justice has not been done to John Denton either by his editor or by his critics. The whole tendency of recent depreciation makes a demand on the Cumberland and Westmorland Archaeological Society, which is responsible for printing a copy of his manuscript, that some competent student should undertake a new edition with the double purpose of producing a trustworthy text and of substantiating or disproving from original sources its historical statements. In view of the indebtedness of Cumberland to the labours of one of its sons, this reparation is the least that is due to his memory. The county has produced so few native-born students of its history, that it can scarcely afford to allow the most imposing figure amongst them to occupy an uncertain place in its annals.

¹ Walter of Hemingburgh, *Chronicon* (Engl. Hist. Soc.), ii. 42.

² Another example may be cited. When Denton states that the priory of Lanercost was founded in 1116, he was evidently following an early list of dated foundations given in the chartulary of that house. On the other hand, it may well happen that a copyist of Denton's autograph had in error mistaken 1161 for 1116.

APPENDIX

Depositions of John Denton Esq^{re} to Articles &c., 24 of Nov. 1615.

1. *Serving of Bushope Barnes.* To the first inter[rogatory] he saith that he was servant to Bushope Barnes as his page, and to his remembranc the evidences then belonging to the Bushopbrick of Carlile were then in the custodye of John Barnes his brother & very strictlye loked unto, so as neyther this examynate nor any other to his knowledg had nor could have private accesse to his evidences but in the presents of the said Bushope him self & the said John Barnes or thone of them.

Bushope Maye. And he verylye thinketh the said Bushope left them to the next successor, John May, late Bushope of Carlyle. And this examynate further saith that he never had any such interest or allowanc with the said John May that he ever had or could have accesse to any parte of the said evidences, saving such certayne leases of tythes & other things mayd to this examine & to his use by the said Bushope Maye as he now remembreth.

2. To the [second] inter[rogatory] he saith that he remembreth that he had certayne Rowles of Accompts & Rentalls of lands in Dalston in his possession, some on paper, some on parchement, at such tyme as the said Nycholas Tomlynson of Haukesdayle in Cumberland came to this examynate's house, w^{ch} this examynate then had by delyvery of the plaintiff, all w^{ch} this examynate did delyver or cause to be delyvered agayne to the plaintiff, wherof he veryly thinketh one of the said Rowles was sythenc reddye to be produced agaynst him this examynate at the hearyng of the cause in thexchequer between the plaintiff & this examynate.

What Rowle ment of Tomlynson speches. But what Rowle or accompt Tomlynson meaneth of, this examynate knoweth nott. And what speches the said Tomlynson then had this examynate doth not remember.

3. *Curwen & Sandes.* To the [third] interr[ogatory] he saith that the said Christoffer Curwen & Henry Sandes came to this examynate's house, wher they had some speches consernyng John May, late Bushope of Carlile, w^{ch} was a man of lowe stature, and, therefore, this examynate did name him to them by the name of lytle John Maye, without any such splentick or scornefull thought as they pretend, of w^{ch} they have sythenc mayd a more hard construction then was ever ment or intended by this examynate. And thinketh that they sythenc so misinterpreted his words & meanyng out of their owne distemper after the words ware spoken, because this examynate stood agaynst them in defenc of the tytyle & wardshipe of John Lamplughe, his kynsman,

being an infant, comytted in truste to this examynate & others by his unkell, whose heir he was. And to aggravate the plaintiff's displeasure the moer agaynst this examynate, w^{ch} said Sandes did also in his said displeasure comytt a servant of this examynates to close prison, for geving warnyng at Dalstoun Church of a Court to be holden by this examynate, pretending some unlawfull behavior w^{ch} he could nott prove or make good before the Justices of Assisses before whom the same was called to examynation. And for the booke mencond in this interrogatory, this examynate knoweth nott what book is ment, butt saith that he had & hath sene in the hands of John Smythe of Carlyle and Mr. Walkwood, prebendary, dyvers bookes and peces of bookes, some in parchment & some in paper, w^{ch}, as he thinketh, belonged some to the Priory of Carlyle and some to the Deane & Chapter of Carlyle, w^{ch} came to this examynates handes, parte by delyvery of them selfs and parte therof sent unto him, this examynate, by their then servants or such whome they used, whose names he now remembreth nott. All w^{ch} this examynate delyvered & sent to be delyvered to them agayne. And veryly thinketh that one of those bookes is the booke ment and mencond in this interrogatory and contayned as this examynate now remembreth leases mayd by the Pryor and Convent and by the Deane & Chapter of their owne proper landes, with some fewe confyrmatyons of Bushopes leases, and nott any other matter consernyng the Sea to this examynates now remembranc.

*Booke ment
unknowne.*

Book ment.

To the [fourth] interr[ogatory] he saith that Rowland Toppin 4. & John Stoddart of Carlyle, this examynates tenants, holding a lease of certayn tythes from the Deane & Chapter of Carlile ware impleaded by the now plaintiff in his eccleasesticall court for the same tythe or some parte therof as they reported, who, repaying to this examynate to knowe what he could say unto the matter, did delyver unto them such of his owne evidences as conserned the soyle of some parte of the same and told them that yf they could procure of the Deane & Chapter their distributions yt wold make the matter playne to whome yt belonged. After w^{ch} the said Toppin, as this examynate now remembreth, brought to this examynate certayne distributions of the Deane & Chapters under seale, w^{ch} compared together mayd apparrant the same tythe in question to belong to the Deane & Chapter, and nott to the Bushope, and so is by them enjoyed to this daye as he thinketh. From w^{ch} distributions certayne notes were taken for the good of the sayd Toppin & Stoddart w^{ch} were the same mencond in this interrogatory that Bleckett did see at this examynates house. And further saith that, after such notes taken, this examynate was called before thre of the prebendaries, and their did agayne see the said distributions w^{ch} were then by them as owners

*For
contributions.*

*Notes from
distributions
for Bleckett.*

- taken into their possession agayne, where he thinketh the same are as yett remayninge. And further saith, that emongst w^{ch} sealed writyngs a perfect bounder betwene the Kinges majestyes landes and the plaintiffes mannor of Dalston appeared playne, and how much is encroched their upon the Kinge.
- A perfect bounder.*
- And that the myll now claymed as Dalston myll standeth upon the Kinges land and nott upon any parte of the mannor of Dalston. And saith that he, this examynate, hath nott any of the evidences, notes or writynges in his custodye, nor knoweth who hath the same.
- The mill.*
5. To the [fifth] interr[ogatory] he saith that the John Bleckett, in the interrogatory named, came to this examynate to *John Bleckett.* Cardewe, to entreat him to derect the s^d Bleckett what thing was fyttynge for him to begg in lease of his lord the Bushope of Carlyle. And this examine moved him to gett a tythe in lease about Carlyle. And did aske him withall whether he did knowe such a booke as is menconed in this interrogatorye. And moved him to entreat a sight of that book, because that this examynate did think that yt did conserne his estate, in this, viz., whether the mannor of Cardewe, in the parishe of Dalstoun, was reported in the coppie of the Kinges grant menconed in that book mayd to the said sea of Carlele, to be parcell of the mannor of Dalstoune, yea or no. And the *Bleckett.* said Bleckett told this examynate that those bookes were in his maysters custodye. Wherupon this examynate resorted to the records about London, and fyndyng their the said charter upon record, their appeared nott in the same any report of the mannor of Cardewe nor of any landes within the same did belong to the sea of Carlyle. And that from the Kinges records this examynate hath his information and that the landes in question is held of the Kinge & nott of the plaintiff nor of the sea of Carlyle.
6. To the [sixth] interr[ogatory] he saith that he doth nott remember that the said Warrick did shewe to this examynate any evidences that this examynate knoweth to belong to the sea of Carlyll. Butt this examynate did advise the said p[ar]son *For Warrwick.* Warrwick & afterward the said plaintiff him selfe, and was a meane that the plaintiff attayned dyvers evidences w^{ch} belonged to the said sea from the handes of John May, sonn to the late John Maye, Bushope of Carlile, amongst w^{ch} was that Rowle in parchment in the said interrogatory menscond, w^{ch} never came to this examynates handes sythenc the same was delivered to the said plaintiff. And that the copies w^{ch} he tooke was notes to lead him, this examynate, to the records them selfs about London, which when he had found to be agreable to his evydenc, this examynate no further esteemed of the said notes, butt disposed them to other uses as he thinketh was lawfull for him to do. And some copies he hath from the said records remaynyng in
- Rowle menconed in the interrogatory.*

or nere London as any subiect for their money may have at there pleasures, w^{ch} copies were taken sync his answere putt in to the plaintiffs bill of complaint. And for the evidences of the said John Burden, this examynate saith that he receyved them *John Burden.* from his father, in whose handes he had sene them fortye yeares ago, and came to this examynate as of right, after the descease of his father, whose heire he is, w^{ch} evidences he showed both to the plaintiff and also to John Dudley at a court holden at Dalstoun. Which John Burden is reported by the said evidences to be lord of the mannor of Cardewe with the appurtenances, and lykewise of the landes in Cardewe w^{ch} were John Pantryes, who had them of the gifte of John Hawton, Bushope of Carlile, w^{ch} held the same of the King as appeareth by recordes about London, and to hold in capitie in fee and nott as parcell of his sea of Carlile. To w^{ch} John Burden this examynate is heire *de facto et de sanguine* of all his landes in Cardewe & the mannor of Cardewe.¹

¹ Document in the diocesan registry of Carlisle. It is a pleasure as well as a duty to thank the Lord Bishop of Carlisle and Mr. A. N. Bowman, his courteous registrar, for permission and facilities to consult the diocesan archives.

Chronicle of Lanercost¹

ON the feast of S. Barnabas the Apostle² there happened a memorable instance of the untrustworthiness of the Welsh. While my lord King Edward was besieging with a great army the lofty castle of Edinburgh, huge machines for casting stones having been set all round it, and after he had violently battered the castle buildings for the space of three days and nights with the discharge of seven score and eighteen stones, on the eve of the festival named, he chose a certain Welshman, his swiftest runner, whom he reckoned most trustworthy, committed to him many letters and, having provided him with money, ordered him to make his way to London with the utmost dispatch. This man was named Lewyn (as befitted his fate³), which in English is pronounced Lefwyn. Now, going straight to the tavern, he spent in gluttony all that he had received for travelling expenses. Early on the morning of the vigil, being Sunday,⁴ he made himself a laughing-stock to the English by ordering his comrade to carry his shield before him, declaring that he was not going to leave the place before he had made an assault upon the garrison of the castle. Presenting himself, therefore, with a balista before the gates, he cried upon the wall guard to let down a rope to him, so that, having been admitted in that manner, he might reveal to them all the secrets of their enemy. The constable of the castle, as he informed me, was taking the air when this rascal intruder was brought before him, holding out in his hand the case with the royal letters.

‘Behold, my lord,’ said he, ‘the secrets of the King of England; examine them and see. Give me also part of the

¹ See *Scottish Historical Review*, vi. 13, 174, 281, 383; vii. 56, 160, 271, 377.

² 11th June.

³ There is here some play on the name which is not apparent to modern wits.

⁴ *Mane diei festi*—literally ‘early on the feast day,’ but as S. Barnabas’s day fell on a Monday in that year, we must read ‘Early on the morning of the vigil.’

wall to defend, and see whether I know how to shoot with a balista.'

But when the others would have opened the letters, their commander forbade them to do so, and straightway, standing on a high place, called loudly to men passing that they were to make known in the king's court that one of their deserters had proposed to those within [the castle] that they should perpetrate a deceit, to which he [the constable] absolutely declined to consent for honour's sake.

Sir John le Despenser attended at once to this announcement, and to him the traitor was lowered¹ on a rope, with the letters intact, and the manner of his [Lewyn's] capture was explained to the king when he got out of bed. Now that prince greatly delighted in honesty. 'I gratefully declare to God,' quoth he, 'that the fidelity of that honourable man has overcome me. Give orders that henceforth no man attempt to inflict injury upon the besieged, and that no machine cast a stone against them.'

Thus the king's wrath was soothed, for he had previously vowed that they should all be put to death. So sleep came to the eyelids of those who had watched for three days, many of them having vowed that, for security, they would so continue while alive. On the morrow, by the royal indulgence, the besieged sent messengers to King John [Balliol] who was staying at Forfar, explaining their condition and demanding assistance. But he [John] being unable to relieve them, gave leave to each man to provide for his own safety.

But let me not be silent about the punishment of the afore-said traitor, Lewyn. He was taken, tried, drawn and hanged on a regular gibbet constructed for his crime. This tale I have inserted here in order that wise men may avoid the friendship of deceivers.

Pending the report of the messengers, King Edward raised the siege and marched with a small force to Stirling, where he found the castle evacuated for fear of him, the keys hanging above the open doors, and the prisoners imploring his mercy, whom he immediately ordered to be set at liberty. And so, in the king's absence, after fifteen days' siege, the Maidens' Castle² was surrendered into the hands of Sir John le Despenser, a place whereof it is nowhere recorded in the most ancient annals that it

¹ *Demittitur* in Stevenson's edition, probably a clerical error for *demittitur*.

² *Castrum Puellarum*, one of the names for Edinburgh.

had ever been captured before, owing to its height and strength. It was called Edwynesburgh of old after its founder, King Edwyn, who, it is said, placed his seven daughters therein for safety.

Now when it had been laid down by the Scots to their king [John] that he was neither to offer battle nor accept peace, but that he should keep in hiding by constant flight, King Edward, on the other hand, strengthened his resolve that neither the ocean should bear him [John] away, nor the hills and woods hide him. Rather than that, having him surrounded by land and sea at Kincardine, he compelled him to come to Montrose, subject to King Edward's will and judgment. There he renounced his kingly right, and, having experience of dishonest counsellors, submitted to the perpetual loss both of his royal honour in Scotland and of his paternal estates in England. For, having been sent to London with his only son, he led an honourable, but retired life, satisfied with the funds allotted to him from the king's exchequer. By divine ordinance these things were accomplished on the morrow of the translation of S. Thomas the Martyr,¹ in retribution for the crime of Hugh de Morville, from whom that witless creature² [John] was descended; for just as he [Morville] put S. Thomas to death, so thereafter there was not one of his posterity who was not deprived either of his personal dignity or of his landed property.

Also on the same day³ fell the anniversary of my lord, Alexander,⁴ formerly King of Scotland, who descended from the other daughter of the illustrious Earl David, besides whom there proceeded from that sister no legitimate progeny of the royal seed to her King Edward,⁵ who alone after William the Bastard became monarch of the whole island. It is clear that this succession to Scotland [came] not so much by right of conquest or forfeiture as by nearness of blood to S. Margaret whose daughter, Matilda, Henry the elder, King of England, married [and became] heir, as is shown by what is written above.

¹ 8th July.

² *Acephalus*.

³ 8th July.

⁴ *i.e.* Alexander II., who died 8th July, 1249.

⁵ *Qui ex altera germana filia descendit David illustris comitis, ultra quem non processit ex illa sorore legitima soboles regalis seminis regi suo Edwardo.* It seems impossible to make sense from this passage. Probably something has dropped out or become garbled. 'The illustrious Earl David' might either be King David I., who was Earl of Northumberland, and reigned in Cumbria and Strathclyde till he succeeded his brother, Alexander I., or King David's third son, who was Earl of Huntingdon.

On the same day as the abdication King Edward gave a splendid banquet to the nobles and commons; but inasmuch as in this life sorrow is mingled with rejoicing, the king received on that day news of the death in Gascony of his brother, my lord Edmund, a valiant knight and noble, who was genial and merry, generous and pious. It is said that his death was brought about by want of means, because he had with him a large body of mercenaries and but little ready money. He left two surviving youths, Thomas and Henry, his sons by the Queen of Navarre; of whom the elder took in marriage with her entire inheritance the only daughter of my lord Henry, Earl of Lincoln, who then possessed the earldoms of Lancaster and Ferrers in right of his father, and those of Lincoln and Salisbury in right of his wife.

About the same time there came an astonishing and unprecedented flood in the Seine at Paris, probably a presage of things to come, such as is described above as having happened in the Tweed.¹ For of a sudden, while men were not expecting it, and were taking their ease in bed, the floods came and the winds blew and threw down both the bridges of the city in deep water with all upon them, which consisted of the choicer houses, superior merchandise and brothels of the costlier class; and, just as in the Apocalypse, all this wealth was ruined in a single hour, together with its pleasures and luxury, so that the saying of Jeremiah may be most aptly applied to them, that the iniquity of the people of Paris was greater than the sin of the people of Sodom, which was overwhelmed in a moment, nor could they avail to protect it.²

It is quite certain that this people had given such offence to the Lord that they suffered punishment, not only for their own transgression, but because of the corruption of their nation, the consequence of whose pride is to undermine obedient faith throughout the world. Having the appearance of piety, they deny the power thereof; they make a mockery of the sacraments; they blaspheme with sneers the Word of Life made flesh by a virgin mother; they boast of their iniquity more openly than did Sodom; and, as said by the Apostle Jude, they defile the flesh, they spurn authority, and they blaspheme majesty.³ These things did the

¹ Pp. 273, 274 *ante*.

² History repeated itself in the inundation of Paris during the winter 1909-10.

³ The severity of the chronicler's censure may be traced to its source in the friendly relations between France and Scotland.

Virgin of virgins, as I consider, intend to avenge terribly—she who, dwelling between the river banks of that city, has wrought so many signs of salvation for that people, especially in quenching the fires of hell, wherein no one worthy of her protection remains abandoned beyond the ninth day.

In honour of the Glorious Virgin I will relate what took place at an earlier time, in the tenth year of King Edward's reign; at least it was then made manifest, but not yet completed by the actual events. Now, that turbulent and distracted nation, I mean the Welsh, thinking to wreak their long-standing spite upon the English, ever incur severer penalty for their wickedness. Thus when led by a certain David, they were endeavouring to kindle mischief in the realm of King Edward, and to turn his friendliness into hostility, that energetic prince [Edward] mustered a force and, marching against the enemy at Worcester, commended himself and his troops, with many oblations and consecrations, to the keeping of the Glorious Virgin. Immediately the Queen of Virtues granted the petition of the suppliant, and, appearing one night to a cleric named John, of the Church of S. Mary of Shrewsbury, as he was sleeping, with her own hand laid upon his bosom a closed letter fastened with a seal. Also she commanded him—'Rise early, and carry for me the letter I have given thee to King Edward who is quartered at Worcester. Thou mayst be sure he will not withhold from thee a suitable reward.'

On awaking he actually found the letter exactly according to the vision. He remembered the mission commanded to him, but bethought him of his own humble degree and hesitated to take the journey.

The command was repeated to him and a reward was added. He had a beloved comrade (a certain cleric J——, named de Houton, who, being still alive in the Minorite Order, constantly describes the course of this incident) to whom he said:—

'I beg that you will bear me company as far as Worcester, for I have some business to attend to at the king's court.'

But, whereas he never mentioned the sacred declaration of the Blessed Virgin, his friend refused his request, not being aware what reason there was for it. The Virgin, footstool of the Holy Trinity, appeared for the third time to her sluggish servant, reproached him for disobedience, and as a punishment for his neglect foretold that his death would be soon and sudden. Terrified at this, he made his will, appointed executors, charging them to

forward the heavenly letter with the utmost haste, and then expired suddenly.

Nobody could be found who would dare to present himself to the king's notice except an insignificant tailor; who, however, was graciously received by the king, and did not retire with empty hands. But when the king, by the hearth in his chamber, had mastered the contents of the letter, he knelt thrice, kissing the ground and returning thanks to the Glorious Virgin. 'And where,' cried he, 'is that cleric who brought this dispatch, and whom the Virgin's word commends to me?'

The substitute having informed him that the messenger was dead, the king was much grieved. As to what the Queen of Glory promised to him, he was not fully informed, except this, that then and ever after he should successfully prevail over his enemies; and from that day to this he has observed a solemn fast on bread and water every Saturday, through love of his protectress. Moreover, he began to build in London a costly and sumptuous church in praise of the same Mother of God, which is not yet finished.

But let me return to my theme. After the abdication of John de Balliol, as has been described, King Edward caused it to be announced that, throughout his progress, no man should plunder or burn, and further, that a fair price should be paid for all necessary supplies. He marched forward into Mar to the merchant town of Aberdeen, where some cunning messengers of the King of the French, detained in some port, were taken and brought into the king's presence, having many duplicate letters addressed to the King of Scots as well as to his nobles. Although he [King Edward] would have paid them out for their guile, he restrained those who would do violence to these men, and, having restored to them the letters which had been discovered, he sent them by rapid stages to the neighbourhood of London, that they might see and converse with the king of whom they were in search, and telling him what they had found, might return by another way to the country whence they came.

With kingly courage, he [King Edward] pressed forward into the region of the unstable inhabitants of Moray, whither you will not find in the ancient records that any one had penetrated since Arthur. His purpose was to explore with scattered troops the hills and woods and steep crags which the natives are accustomed to count on as strongholds. With what piety and frugality he performed all these things, let his pardons, condescensions,

bounties and festivals testify. Having brought all that land into subjection he returned to Berwick on the octave of the Assumption¹ where the homage of the people of Alban² was repeated to my lord the King of England and his son and successor ; also it was renewed again by a charter with all the seals of the nobles, which remains confirmed by a solemn oath made in touching two pieces of the Lord's cross. But that ceremony of swearing, not being imbued by the faith of those who performed it, was worthless to them, as their open acts made manifest in the following year.

Now something very pleasing to our people took place through the aid of the Glorious Virgin on the day after the Assumption.³ After the men of the Cinque Ports had conveyed some knights and foot-soldiers bound for Gascony, they encountered on the high sea three hundred vessels bound from Spain to France with much valuable cargo. Our people, who had but four score vessels, attacked them and put them all to flight, capturing out of that fleet eight and twenty ships and three galleys. In one of the galleys they found sixty score hogsheads of wine. In celebration, therefore, of that victory accorded them by God, they forwarded part of the wine to the knights campaigning in Gascony, bringing the rest to London for consecration, whereof my informant drank some, a man of truthful conversation and learned in religion. Events of this kind ought to be plainly described to those who delight in vanities, and, having no experience of heavenly matters, lightly esteem intercourse with the higher powers. For few may be found in our age who deserve to share the sweetness of divine revelation, not because of God's parsimony, but because of the sluggishness of the spiritual sense.

Now in this year there happened to a certain holy virgin, long consecrated to the life of an anchorite, a revelation which ought not to be passed over in silence. In the district of Shrewsbury, about six miles from the town, there dwelleth that holy woman, Emma by name, who is accustomed to receive visits from holy men ; and at the festival of S. Francis⁴ (which is observed rather on account of the merit of the saint than of the Order itself, whose dress she weareth), on the vigil of the saint she admitted two friars of that order to hospitality. At midnight, the hour when the friars are accustomed to sing praises to God, the holy

¹ 22nd August.

³ 16th August.

² *i.e.* Scotland.

⁴ 16th July.

woman rose from her bed, remembering in her pious heart that on such a feast day a similar obligation lay upon her who had become a recluse, and how much honour was shown to the saint throughout the divers regions of the world. Kindled in spirit by these [thoughts], she called her handmaid and told her to bring a lamp for the morning praise. The lamp having been brought and placed twice upon the altar of the oratory, a sudden gust extinguished it, so that not a spark of light remained. Now the patron of that church is the Herald of Christ and more than a prophet,¹ to whom the recluse was bound by more than common love, and, as will be shown presently, had experienced much intimacy with the friend of Christ. Therefore, while she was wondering why her lamp should be extinguished, she beheld a ray of heavenly light coming through the window of his oratory, which was next the church, which, surpassing the radiance of the sun, beautified with a heavenly lustre the features of her maidens, who lay in a distant part of the house, notwithstanding that the maidens themselves were weeping because of the abundance of the celestial illumination. The Prior¹ came in that he might bear witness about the light, so that all men might believe through him. The lamp was burning, shedding light and reassuring the astonished woman. 'Behold,' said he, 'thou wilt presently have a mass.' That saint, as often as he appeared to this handmaid of Christ, held in his hand a roll as a token and badge of his office, wherein was contained in order the holy gospel of God—'In the beginning was the Word.'

After the declaration of the Baptist there followed immediately such a transcendent radiance as would rather have stunned than stimulated human senses, had they not been sustained by grace; in which [radiance] appeared, with a wonderful fragrance, the Mother of Eternal Light, environed by a brilliant tabernacle, in token, as I suppose, that He who created her would find rest in her tabernacle; and four of the Minorite Order bore her company in her propitious advent, of whom the chief was S. Antony, an illustrious preacher of the Word, and with him were three others, natives of England, famed either by their lives or by their wisdom.

The Queen of the World took her place, as was proper, over the holy altar of the choir; the others prepared themselves to perform the mass. Then S. Antony led off in vestments of indescribable [richness], and the others sang with such marvellous sweetness and thrilling melody, that many blameless persons in

¹S. John the Baptist.

a distant part of the town wondered at the harmony, not knowing whence it came.

Now the introitus of the mass was this, pronounced in a loud voice—‘Thou art the King of Glory, O Christ!’ and what follows, as far as—*Te ergo quis famulis* and *subveni quos pretioso*, et cætera. The woman remembered that this was thrice repeated, but the collect and epistle and the other parts of the mass she could not so well recollect. And when she asked what were the names of these persons, and inquired of the holy Baptist why S. Francis was not present, she received this answer—‘Upon this his festival he himself has to intercede with God for numerous persons who are invoking him as a new saint, therefore he was unable to come on this occasion.’

At the time of preparing the sacred mystery in the aforesaid mass, S. Antony elevated the Host with great dignity and honour, whereat the holy Virgin¹ prostrated herself with the others devoutly and low. At the close of the office, the Queen of Mercy descended gently to the sister,² and comforted her with heavenly converse and confidences, besides touching her beads³ with her blessed hand. But whereas those who die in the sweet odour of Christ may be reckoned unhappy above all others, while some ignorant persons may cavil at the divine revelations accorded to this humble woman, to show what a slander this is against the Lord, the forerunner of Christ said as he departed: ‘Inquire of those who sneer at divine benefactions whether the Evil Spirit can perform such sacred mysteries, and rouse the friars who are slumbering here, to whose senses thou mayest exhibit the light wherewith we have purified this dwelling.’

The holy woman immediately performed his bidding, and and from the third cockcrow almost until the morning light they [the friars] beheld with their eyes the whole interior of the church illumined with celestial radiance. One of them, desiring to know the source of this light, looked through the window of the church, and saw what seemed to be a burning torch before the image of the blessed Baptist, who was the herald of Eternal Light.

I will relate something else that happened to this holy soul, worth listening to, in manner as I heard it from those to whom

¹ It is not clear whether the reference is to the Mother of God or to Emma herself.

² *Ad sponsam.*

³ *Numeralia devotionis.*

she related it. While she was yet very young and a novice in the discipline of Christ, she still sometimes experienced carnal impulses, and was deluded by tricks of the devil; yet she could not be overcome, because she always had the Forerunner of the Lord as a guardian against the wiles of the Deceiver. Accordingly when she lay sick with a pain in her side, it happened that John the Saint of God foretold that the serpent would appear to her in disguise, and he placed in her mouth an exorcism which should dispel the illusion. No sooner had the saint departed, than Satan appeared without delay in the guise of a certain physician, announced his profession and promised a speedy cure. 'But how,' said he, 'can I be certain about the nature of your ailment? Allow me to lay my hand on the seat of your pain.'

The maiden persisted in declining these and other persuasions, and exclaimed: 'Thou dost not deceive me, oh Lord of Iniquity! wherefore I adjure thee by that sacred saying of the gospel—'the Word became flesh'—that thou inform me who are the men who hinder thee most.'—'The Minorites,' said he. When she asked him the reason he replied—'Because when we strive to fix arrows in the breasts of mortals they either frustrate us entirely by their opposition, or else we hardly hit our mark.' Then said she—'You have darts?'—'Undoubtedly,' quoth he, '[darts] of ignorance, and concupiscence and malice, which we employ against men, so that they may either fail in their actions, or go wholly to the bad, or conceive envy of the righteous.' Then she said—'In virtue of the Word referred to, tell me how much the said proclamation of the gospel hindereth your work.' Then the Enemy, groaning heavily, replied—'Woe is me that I came here to-day! The Word about which thou inquirest is so puissant that all of us must bow the knee when we hear it, nor are we able afterwards to apply our poison in that place.'

Since mention has been made here of the protection of S. Francis being faithfully invoked, I will allude here to two incidents which took place in Berwick, about three years before the destruction of that town. That same city was formerly so populous and busy that it might well be called a second Alexandria, its wealth being the sea and the waters its defence. In those days the citizens, having become very powerful and devoted to God, used to spend liberally in charity; among other [objects] out of love and reverence they were willing to provide for the Order of S. Francis, and allotted a certain yearly sum of money from the common chest for the honourable celebration of every

festival of the blessed Francis, and further for the provision of clothing for the poor friars dwelling in their city, whereby they fulfilled the double object of charity, and of performing devout service to the saint who began life as a trader,¹ expecting that even in the present [life] greater profits from trading would be the result of their costly piety. Nor did their conjecture play them false nor their hope deceive them, seeing how they increased in riches; until, as [the hour of] their expulsion drew nigh, they were persuaded by the suggestion of certain persons of corrupt mind (who became the source of calamity, not only to these citizens, but indeed to their whole country) first to diminish their accustomed charity and then to reduce it by one half. But whereas Sir John Gray, knight as well as burgess, who had departed this life many years before, was the promoter of this charity, God warned the populace of their imminent danger in manner following.

In the year preceding the Scottish war there appeared unto Thomas Hugtoun, a younger son of the said knight, the vision of his father, lately deceased, among the bands of holy friars in a certain abode of delight, and similar in carriage and dress to the rest of the Minorites. And, while he recognised the figure of his father but marvelled because of the change in his condition, the following reply was made to his perplexed meditations. 'Thou marvellest, my son, because thou never didst hitherto behold me attired in the dress of the Minorites; yet thou must learn hereby that I am numbered by God among those in whose society I have taken most delight. Go thou, therefore, instead of me to our neighbours in Berwick, and summon them publicly on behalf of God to revive and restore that charitable fund which I had begun to expend in honour of the blessed Father Francis; otherwise, they shall speedily experience, not only the decay of their worldly possessions, but also the dishonour of their bodies.'

Roused from his sleep, Thomas immediately described to his townspeople the revelation made to him, urging them to mend their ways. As they paid no heed to him, events followed in order confirming the vision; for first their trade declined, and then the sword raged among them.

Something else happened testifying to cause and effect and to the honour of the saint. One of these burgesses, deploring the disrespect paid to the saint, offered to provide at his own expense,

¹ *Ex mercatore converso.* S. Francis was the son of an Italian merchant trading with France, whence the son's name, Francesco.

the things necessary for the saint's festival ; which thing he had no sooner undertaken than he was struck with a grievous malady affecting his whole body, pronounced by all the physicians to be incurable. Then the friars having persuaded him to put his trust in the saint and to hope for recovery, he directed that he should immediately have all the limbs of his body measured in honour of the saint, and in less time than it takes to tell it, he sat up healed, complaining of nothing except a headache. 'And no wonder !' exclaimed his wife, smiling, 'for his head is the only part of him we left unmeasured.' The line having been applied again, immediately he was freed from all pain. The same individual, being delivered a second time, is in good health at the present time, while his fellow-citizens were cut in pieces by the sword ; and all this through the merits of S. Francis.¹

On the morrow of the Epiphany² the clergy assembled in London to hold council upon the answer to be returned to my lord the king, who had imposed a tax of seven pence upon the personality of laymen, while from the clergy he demanded twelve pence in the form of a subsidy ; which was agreed to reluctantly, the clergy declaring that, while they would freely submit to the royal will, they dared not transgress the papal instruction.³ And thus all the private property and granaries of the Archbishop of Canterbury were confiscated by the king's authority, even to the palfreys reserved for the primate's riding ; to all of which this virtuous man patiently submitted. Also, all ecclesiastics were deprived of the king's protection, and all their movables given over to the hands of laymen. Yet was this inconsiderate action speedily checked by the hand of God ; for there occurred two calamities on the vigil of the Purification,⁴ [namely] a defeat of our people in Gascony, where Sir John de Saint-John⁵ and very many others of our countrymen were captured ; also stores provided for them, and shipped, were sunk in mid-ocean. When

¹ See under the year 1285 for another instance of the cure by measuring for S. Francis.

² 7th January.

³ *i.e.* the Bull of 29th Feb., 1295-6—*Clericos laicos*. The papal sanction was required for any tax upon the clergy.

⁴ 1st February.

⁵ The King's Lieutenant of Aquitaine. The actual date of his capture was 28th January. He was released after the treaty of l'Aumône in 1299.

this news was published, bringing much matter of grief to king and country, a certain just, grey haired man, drawing conclusion from a similar event, told me what I repeat here.

‘In the time,’ said he, ‘of Henry the father of Edward, when something similar had been executed in ecclesiastical affairs throughout the province, on pretext of aid to those who, resisting the affection of beloved wives and children, had long before set out to rescue the Holy Land from the Saracens, it happened that Bishop Robert Grosstête of Lincoln, [a man] beloved of God, was to perform solemn ordinations at Huntingdon during Lent. One of the Minorite Order, who still survives greatly aged at Doncaster, was present there, received ordination, witnessed the course of events, and describes what took place in the following manner.

‘After mass was begun,’ said he, ‘and the bishop was seated on his throne, he who had to read out the names of those who were to be ordained and presented to the bishop, came forward with the roll; and whereas he was very slow in reading out the list, the bishop leaned his head upon the side of the seat, and fell asleep. Those, however, who were near him, bearing in mind his fasting and vigils, interpreted the prelate’s repose as an omen; and it was manifest when he awoke how wakeful had been his mind during sleep. For after the clergy had waited wondering for some time longer, he was gently awakened by a certain secretary, and, as he opened his eyes—‘Eh, God!’ he exclaimed, ‘what great evils has this extortion from the Church of God entailed upon the Christians fighting with the Saracens for the rights of God. For in my sleep I beheld the overthrow of the Christian host at Damietta and the plunder of treasure unjustly collected.’

The confirmation of this oracle followed in a few months, when the sad news arrived of the slaughter of my lord J. Longspee and others, whereof thou mayst read above.¹

Thus spake my informant: it is to be feared what may happen to funds collected by such pillaging. Nevertheless, the king did not abate the tax; yea, he commanded that inquisition be made, so that in whatsoever place, whether occupied by monks or other persons, should be found hoards of gold or silver, brass,

¹ See the Chronicle of the year 1249, where the defeat and capture of S. Louis is recorded. In that passage Longespee is called *illustris comes de Longa Spata*. Excuse for somnolence might have been found in the bishop’s advanced age, he being then in his 75th year.

wool, cups, spoons, or other utensils, they should be rendered into royal possession by marks and inventory ; all which was afterwards carried out on the morrow of S. Mark's day.¹

Holy Writ saith that 'vain are all men in whom is not the wisdom of God'; whereof verily the present times afford proof. For we know that in these days there hath been found a certain member of that ancient and accursed sect the Ambigenses, named Galfrid, who led astray many from the faith and hope of salvation, as he had learnt from others. For he entered houses and clandestinely taught about destiny and the constellations, disclosing thefts and mischances, so that in the estimation of weak-minded persons he was reputed to be something great, whereas in reality, he was a most nefarious necromancer. Also he took care to dwell and spend his nights apart, and to lie where he could often be heard as it were, giving questions and answers to divers persons. He used to make light of the doctrine of God and to ridicule the sacraments of the church ; for it was ascertained that during sixteen years he would neither partake of the Holy Communion nor witness it, nor afterwards when he was mortally sick did he even deign to be confessed. This wretched man's errors having frequently been exposed by Holy Church, he was forced to flee through divers countries and districts, all men driving him forth, even John of Peckham himself, Archbishop of Canterbury, interdicting him from remaining within the bounds of his diocese, until at length he stopped at the monastery of Stone in Staffordshire, being received into hiding rather than to hospitality. After he had spent his execrable life there for a long time, he fell at length into a last illness; and not even then would he cease to cling to the devil who appeared to him, or to say—'Now thinkest thou to have me? or that I will come with thee? nay verily, for I will by no means do so.' But on the day of the Purification of the Blessed Virgin² this infamous man was being constrained to leave the world in deadly torment, when two of the Order of Minorites turning aside thither stood beside his bed, urging him beseechingly and gently that he would confess, assuring him of the mercy and grace of God ; but he persisted in turning a deaf ear to the counsels of salvation. And when they perceived by his breathing that he must speedily give up the ghost, they cried aloud in his ears, bidding him at least invoke the name of the Lord Jesus for the sake of mercy. They continued their clamour, persisting in shoutings, yet he never fully pronounced that sweet name, but

¹ 26th April.

² 2nd February.

only with his last breath he twice said feebly, 'Miserere!' and so bade farewell to this life.

At the beginning of Lent so great was the scarcity in Rome, that the citizens, knowing that the stores of the church were laid up in the Capitol, broke into the same, and plundered the corn and salt which they found, forcing their way in with such violence that sixty of them were crushed to death, after the manner of the famine of Samaria.¹ And because the Pope appointed a certain senator against their will, with one accord they would have set fire to the papal palace and attacked the Father of the Church, had it not been for the exertions of a certain cardinal, who assuaged their madness and caused the Pope to alter his decision.

On the very day of the Annunciation² the council assembled again in London [to decide] what they would give freely to my lord the king. But certain of the prelates without
A.D. 1297. the knowledge of the archbishop, had pledged themselves to submit to the secular authority, with whom the Abbot of Oseney was implicated. When he had presented himself and the archbishop had kissed him, he [the archbishop] was informed by the clergy that the abbot, contrary to the will of the church, had seceded from the unity of the clergy. The archbishop therefore called him back and rebuked him, revoking the kiss which he had given him in ignorance. He so terrified the transgressor by the words of just rebuke that, retiring to his lodging in the town, he suffered a failure of the heart; and, while his attendants were preparing a meal, he bade them recite to him the miracles of the Glorious Virgin, and departed this life before taking any food. There seems to be repeated in this man the story of Ananias, who was rebuked by Peter for fraud in respect of money.

Hardly had a period of six months passed since the Scots³ had bound themselves by the above-mentioned solemn oath of fidelity and subjection to the king of the English, when the reviving malice of that perfidious [race] excited their minds to fresh sedition. For the bishop of the church in Glasgow, whose personal name was Robert Wishart, ever foremost in treason, conspired with the Steward of the realm, named James,⁴ for a new piece of insolence, yea, for a new chapter of ruin. Not daring openly to break their pledged faith to the king, they

¹ ii. Kings vii. 17.

² 25th March.

³ Albanacti.

⁴ Father of Walter Stewart who, by his marriage with Marjory, daughter of Robert I, became progenitor of the Stuart dynasty.

caused a certain bloody man, William Wallace, who had formerly been a chief of brigands in Scotland, to revolt against the king and assemble the people in his support. So about the Nativity of the Glorious Virgin¹ they began to show themselves in rebellion; and when a great army of England was to be assembled against them, the Steward treacherously said to them [the English]—‘It is not expedient to set in motion so great a multitude on account of a single rascal; send with me a few picked men, and I will bring him to you dead or alive.’

When this had been done and the greater part of the army had been dismissed, the Steward brought them to the bridge of Stirling, where on the other side of the water the army of Scotland was posted. They [the Scots] allowed as many of the English to cross the bridge as they could hope to overcome, and then, having blocked the bridge,² they slaughtered all who had crossed over, among whom perished the Treasurer of England, Hugh de Cressingham, of whose skin William Wallace caused a broad strip to be taken from the head to the heel, to make therewith a baldrick for his sword.³ The Earl of Warenne escaped with difficulty and with a small following, so hotly did the enemy pursue them. After this the Scots entered Berwick and put to death the few English that they found therein; for the town was then without walls, and might be taken as easily by English or Scots coming in force. The castle of the town, however, was not surrendered on this occasion.

After these events the Scots entered Northumberland in strength, wasting all the land, committing arson, pillage, and murder, and advancing almost as far as the town of Newcastle; from which, however, they turned aside and entered the county of Carlisle. There they did as they had done in Northumberland, destroying everything, then returned into Northumberland to lay waste more completely what they had left at first; and re-entered Scotland on the feast of S. Cecilia, Virgin and Martyr,⁴ without, however, having been able as yet to capture any castle either in England or Scotland.

Now before Lent in that year⁵ the earls and barons of England prepared themselves for war against the Scots, in the absence of the king, who was in Gascony, and came upon them

¹ 8th September.

² *Ponte obturato.*

³ Other writers say the skin was cut up into horse-girths.

⁴ 22nd November.

⁵ 1297-8.

unawares at Roxburgh Castle, which they were then besieging with only a weak force. Being informed of the approach of the English, they took to flight at once ; but the earls remained some time at Roxburgh, but afterwards with one accord turned aside to Berwick and took that town. Howbeit, after the earls had left Roxburgh, the Scots came by night and burnt the town, and so they did to the town of Haddington, as well as to nearly all the chief towns on this side of the Scottish sea,¹ so that the English should find no place of refuge in Scotland. Thus the army of England was soon compelled to return to England through lack of provender, except a small force which was left to guard the town of Berwick.

¹ Firth of Forth.

(To be continued.)

The History of Divorce in Scotland

THE variety of divorce laws in the United States is a favourite subject for observation and animadversion. Newspaper and magazine writers are fond of pointing out that in the State of Washington the Court can grant divorce, if satisfied that, for any cause, the parties can no longer live together; that New York has divorce only for adultery; and that South Carolina has no divorce at all. We are apt to forget how great is the dissimilarity between the divorce laws of England, Ireland, and Scotland. The ignorance of well-educated people on the subject is astounding. An English squire, university bred, recently asked me why I had been made a member of the Royal Commission on Divorce in England. 'You know,' he gravely said, 'you can't have had any experience; and this Commission is confined to England. You have no divorce at all in Scotland. You are like Ireland!'¹

Consider how important the differences are: *First*, in England and Scotland divorces are granted by courts of law; in Ireland the remedy can be obtained only by Act of Parliament. *Second*, in England divorce is given only for adultery; in Scotland desertion, wilful, without lawful excuse, and so long continued as to imply a permanent abandonment of the marital relation, is considered sufficient ground for divorce, being thought to come equally within the principle enunciated in Shakespeare's description of adultery,—'such a deed as, from the body of the contract, plucks the very soul.' In Scotland it is considered that not only does desertion, like adultery, involve a

¹ A book, elaborate and learned, like that by the late Dr. Luckock, Dean of Lichfield, entitled *The History of Marriage, Jewish and Christian, in relation to divorce and certain forbidden degrees*, may furnish one explanation. He discusses the laws of the United States and the British Colonies, of Austria, Belgium, Denmark, Germany and Switzerland; and he never alludes to the Scotch system, which has stood the test of 350 years' experience, under conditions similar to those in England.

breach of an essential condition of the contract, expressed or implied in marriage, but that it is a repudiation of all its obligations, both towards the deserted spouse and the deserted children. If the objects of marriage are companionship and the procreation of children, while adultery deteriorates or destroys the first, desertion frustrates both. *Third*, in Scotland the sexes are in a position of absolute equality; in England a wife cannot, like a husband, get divorce for adultery only, but must prove, in addition to adultery (1) incest, (2) bigamy, (3) rape, (4) unnatural crimes, (5) cruelty, or (6) desertion; a long list, which, yet, it is admitted, must be added to, if the principle of inequality is to remain. *Fourth*, in England, however clear the adultery of the defendant, the plaintiff, although in no way to blame for the defendant's fall, may, in the option of the judge, be deprived of his or her remedy, if he or she has been guilty of adultery, of unreasonable delay, of cruelty or of desertion, however unconnected with the subject of the action. This was also the rule in Scotland from the Reformation to the end of the seventeenth century; but, when the point came to be contested, it was held by the Commissary Court, apparently on grounds of public policy, that recrimination, or mutual guilt, however relevant as an answer in a question of separation, was no bar to divorce, although affecting patrimonial consequences. The intervention of the King's Proctor in England, an official unknown in Scotland, is almost always connected with this disqualification. If the English were assimilated to the Scots law, that office might be abolished, and cases of collusion could be left to the Attorney General, as they are dealt with in Scotland by the Lord Advocate. *Fifth*, in Scotland, through the operation of what is known as the Poor's Roll, the remedy of divorce is available to the poor; in England, contrary to the manifest intention of the 1857 Act, it is open only to those who may be called well-to-do.

There does not appear to be any movement in Ireland for conferring divorce jurisdiction on the Courts of that country. The Church of Rome, while it nullifies marriage for many causes which the Greek Church and all Protestant churches consider insufficient, holds that marriage, once validly constituted between baptized Christians, whether celebrated by the Church or not, is absolutely indissoluble, even by the Pope. The preponderance of Catholics in Ireland may be one reason for the acquiescence of the people of that country in the present system, which places

them in the same position as England occupied before the Divorce Act of 1857.

In Scotland, there is no widespread demand for any substantial change in the divorce laws, although there is much opinion in favour of certain minor alterations, and some opinion that the grounds of divorce should be extended, so as to include some or all of the following, namely, (1) habitual cruelty, (2) habitual drunkenness, (3) incurable lunacy, and (4) habitual crime, in addition to the grounds already existing, namely, adultery and desertion. It will be observed that in three of these additional cases, as in the cases of adultery and desertion, there is grave moral fault; lunacy often is, but may not be, due to personal wrong-doing.

In England, the Royal Commission, appointed in 1909, is now sitting, under the presidency of Lord Gorell, to consider the whole subject of the law and practice in matrimonial causes in England. While, however, the terms of the Commission are general, four main questions appear to be involved, *first*, as in Scotland, should men and women, in matrimonial causes, be put on a position of equality? *second*, as in Scotland, should the remedy of divorce be made available to the poor, and how can this be done? *third*, as in Scotland, should desertion be made a ground for divorce, in addition to adultery, and, besides adultery and desertion, should divorce be obtainable for all or any of the four other causes above mentioned? and *fourth*, should newspapers be allowed, as at present, to publish the prurient details of divorce cases, or should publication by them be limited to a statement of the names of the parties, the nature of the offence charged, and the judgment of the Court? Being a member of that Commission, I shall, of course, confine myself in this paper to admitted facts, and state no opinions as to what course ought to be recommended by the Commission, or adopted by the country, in regard to any of these debatable and much debated questions.

Manifestly the conditions of the life of the people in Scotland are nearer those in England than the conditions in any other country. Therefore it is natural that importance should be attached to evidence of the actual working in Scotland of laws, which are now proposed by some to be enacted for England. Have equality of the sexes, access of the poor to the Divorce Court, and an additional ground for divorce, namely, desertion, produced the rush to the Divorce Court, and the deteriorated

view of the sanctity of marriage which some predict would be the effect, if these practices, existing in Scotland for 350 years, were introduced into England? An enquiry into practice necessarily leads to an enquiry into the history of divorce law in Scotland, to see when it was introduced, by whom, and on what grounds, and whether its operation has been generally accepted as beneficial by persons of widely different points of view, or whether there has been, at one or more periods, serious dissatisfaction with it, and proposals for its alteration or abolition.

Divorce in Scotland is contemporaneous with the Reformation. Before 1560, the Ecclesiastical Courts granted permanent separations; and they declared marriages null, not only as now, because of nonage, insanity, impotency, prior marriage still subsisting, and propinquity of relationship, but on other grounds, such as pre-contract, sponsorship, and relationship to the fourth degree, to such an extent that it is declared, in Chapter xiii. of the *First Book of Discipline*, that 'the parties conjoined could never be assured in conscience, if the Bishops and Prelates list to dissolve the same.' But there is no proved case of any departure from the principle of marriage being indissoluble. In no known instance did they decree divorce, in the sense of dissolution of a marriage, once validly contracted, with liberty to remarry. The position is stated plainly in Archbishop Hamilton's Catechism, which was published shortly before the Reformation (I modernize the spelling):

'The bond of matrimony, once lawfully contracted, may not be dissolved and loosed again by any divorcement or partising, but only it is loosed by the death of the one of them; for truly the partising and divorcing, which Our Saviour says may be done by fornication, should be understood only of partising from bed and board, and not from the bond of matrimony; . . . and, in the meantime, whosoever marries her, he commits adultery.'

On the Reformation taking place in 1560, divorce jurisdiction for adultery was exercised by the Church Courts of the Reformed Church till 1563, and thereafter by the Commissary Court from its institution in that year down to 1830, when the jurisdiction was transferred to the Court of Session. Later statutes assumed the right of divorce for adultery, of which an Act, passed in 1563, is an illustration. It has this statement: 'Also declares that this Act shall in nowise prejudice any party to pursue for divorcement for the crimes of adultery before committed, according to the law.' But no statute authorising divorce for adultery was ever passed by the Scots Parliament, and the

right to divorce in Scotland on that ground is still a common law right. When, by the Scots Parliament of 1560, the jurisdiction of the Pope in Scotland was abolished, it was assumed that the prohibition of divorce for adultery went with it, as a Romish doctrine inconsistent with Scripture. In the *First Book of Discipline*, believed to have been chiefly written by John Knox, divorce for adultery is stated to be a remedy open to members of the Reformed Church (Laing's *Knox*, ii. 248). This is the way it is put: 'Marriage, once lawfully contracted, may not be dissolved at man's pleasure, as our Master Christ Jesus doth witness, unless adultery be committed; which being sufficiently proved in the presence of the Civil Magistrate, the innocent, if they so require, ought to be pronounced free, and the offender ought to suffer death, as God hath commanded.'¹

The absence of a statute, introducing divorce for adultery in Scotland, has a bearing on an old controversy in England. Down to the general Divorce Act of 1857, the separate English Divorce Acts passed by Parliament were, in practice, only obtained in cases of adultery, although, of course, Parliament, if so minded, could have passed them for any cause. The parliamentary bills were not opposed on the ground that marriage was in its nature indissoluble; they were dealt with on their merits. And, if Parliament was satisfied that certain costly preliminaries had been gone through in the civil and ecclesiastical courts, and that the guilt alleged was established, the bills were passed into Acts. But, among jurists, the question has been discussed whether, by the law of England, there being no courts empowered to grant divorce, marriage must be considered to have been then indissoluble. Dr. Lushington, in his evidence before the Divorce Commission which led to the 1857 Act, said 'the law of England having provided no Courts which have the power to dissolve marriages, it necessarily follows that, by the law of England, it must be indissoluble.' Yet Archdeacon Paley, in Chapter vii. of his *Moral Philosophy*, treating of divorce, talks of the law of England confining the dissolution of the marriage contract to the single case of adultery in the wife. Those who maintained the affirmative strongly founded on the absence of

¹The plain principle was that, if the law of God were carried out, the guilty person should be put to death, in which case there could, of course, be no question about the right of the innocent spouse to remarry; but, if God's law were not carried out, the innocent spouse ought not to suffer from the State's unfaithfulness to God's command.

any statute authorising divorce. But divorce for adultery has been granted in Scotland for 350 years, without any statute authorising the remedy.

Divorce for desertion is in a different position. If it does not stand on statute, there is a statute, passed in 1573, authorising it. John Knox died in November, 1572. Calvin, Beza, Melancthon, and other Continental Reformers, whom Knox knew in France, Germany, and Switzerland, favoured divorce for desertion as well as for adultery, being of opinion that the liberty of divorce, conceded by St. Paul in the case of a Christian husband deserted by a heathen wife, must be equally, if not *a fortiori*, conceded when the deserter is a Christian. But, as already mentioned, Knox, in his *First Book of Discipline*, restricted the remedy to the case of adultery, which he, and the Reformers generally, both in Britain and the Continent, were agreed in considering allowed by Christ. It does not appear whether any decrees of divorce for desertion had been granted before the statute of 1573. But at least one process, namely, that of the Earl of Argyll, Chancellor of Scotland at the time, for divorce on the ground of desertion against his wife, Jean Stewart, the Countess of Argyll, half-sister of Mary, Queen of Scots (the lady who acted as sponsor for Queen Elizabeth at the Catholic baptism of James VI.), had been begun before the statute was passed. At an interview at Lochleven, Knox agreed, at the request of Queen Mary, to endeavour to reconcile her half-sister and the Earl. He succeeded for the time, but in the end an action was raised and the Earl got his divorce. It may be that the statute was thought desirable, because there was doubt as to whether divorce for desertion was competent by the then common law of Scotland, and also because it was desired, retrospectively, to confirm divorces for desertion which had been already granted, as well as to make Argyll certain of his freedom. This is suggested by the action of the General Assembly in 1566. They were asked whether a woman might marry again, whose husband had departed from her to other countries, and had been absent for nine or ten years; and they replied that she must first produce a sufficient certificate of his death (*Book of the Universal Kirk*, Bannatyne Club, i. 80).

The same conclusion seems to follow from the action of the General Assembly of March, 1573, in connection with the Earl of Argyll's proposed divorce. The Assembly arranged with the Earl that certain of the Reformed Churches should be consulted

‘upon his lordship’s own expenses,’ the Assembly to decide in accordance with the opinion thus obtained (*Book of the Universal Kirk*, i. 262). This the Earl seems to have thought better of, and to have preferred the speedier and more certain course of getting the statute, which was passed in the following month of April. The course adopted had the curious result that, when the General Assembly met in August, James Paton, the titular Bishop of Dunkeld, one of the members of Assembly, was accused ‘for voting in Parliament anent the Act of divorcement lately made, in prejudice of the Assembly, who had suspended their judgment in this matter till farther advisement’ (*Book of the Universal Kirk*, i. 270). It had also the other curious result, that, in the very same month of August, the Earl married Jean Cunningham, daughter of the Earl of Glencairn.

The statute of 1573 runs as follows (modernizing the spelling): ‘At Holyroodhouse, 30 April, 1573. Anent them that diverts from others, being joined of before in lawful marriage.

‘It is found and declared by our Sovereign Lord’s, his Regent’s Grace, the three Estates, and whole body of this present Parliament, that, in all time bypast, since the true and christian religion was publicly preached, avowed and established within this Realm, namely, since the month of August, the year of God 1560, it has been, and in all time coming shall be, lawful that whatsoever person or persons, joined in lawful matrimony, husband or wife, diverts from other’s company, without a reasonable cause alleged or deduced before a judge, and remains in their malicious obstinacy by the space of four years, and, in the meantime, refuses all privy admonition—the husband of the wife, or the wife of the husband—for due adherence [then follow operose provisions for civil and ecclesiastical procedure, now abolished by the Conjugal Rights Act of 1861] the malicious and obstinate defection of the party offender to be a sufficient cause of divorce, and the said party offender to tyne and lose their tocher et donationes propter nuptias.’

The statute professes to be declaratory of the law which had existed since 1560. The existing records do not enable us to know whether this was a correct statement, or whether the phrase was inserted to prevent the suspicion that the statute was procured by, and passed in the interest of the Earl of Argyll, on account of the exigencies of his divorce suit. The entries in the General Assembly records, already referred to, for which I am indebted to Dr. Hay Fleming, leave the impression that the question of divorce for desertion was looked at as difficult, on

Scriptural grounds, and that, while the statute of 1573 was not opposed by the Churchmen, it was sprung upon them between the meetings of the General Assembly, in breach of an agreement for delay. Lord Fraser, in his *Law of Husband and Wife*, volume ii. page 1208, calls the Earl of Argyll's action 'the proximate cause of the statute.'

Three suggestions have been made about the Scots law of divorce, which require consideration.

First, that the law originated in political considerations, and from motives of public policy, rather than out of regard to the teaching of Scripture. In view of the constant appeal to Scripture in Reformation days, in matters much less important than marriage and divorce, this view would seem difficult to maintain. Moreover, so far as divorce for adultery is concerned, it is inconsistent with the terms of Knox's *First Book of Discipline* above quoted, and so far as divorce for desertion goes, it cannot be reconciled with the absence of any protest by the Church against the passing of the statute of 1573, and any effort to seek its repeal. It was an age when the Church's power was at its height. The Church, sometimes asked and sometimes not asked, knew no line between ecclesiastical and civil in the active interest it took in legislation. Only once is there a possible indication of protest. This is to be found in an Act of the General Assembly of 1596, in which there are included, among the common corruptions of the Realm, 'adulteries, fornications, incest, unlawful marriages and divorcements allowed by public laws and judges' (*Book of the Universal Kirk*, iii. 874). Possibly, but not certainly, divorces for desertion were referred to by 'unlawful divorcements allowed by public laws and judges.'

Second, it has been suggested that the Scots Reformers and legislators did not act on their own independent judgment, but blindly accepted the views of the Continental Reformers. This is disproved by the remedy being limited in Knox's *First Book of Discipline* to cases of adultery, contrary to the views of most of the Continental Reformers, and to the later extension (if it was an extension) being restricted to cases of desertion, although many Continental Reformers maintained that other causes of grave moral fault should also be included.

Third, it is sometimes hinted, rather than asserted, that the result of the change made at the Reformation must have been to destroy, or at least to impair, the popular sense in Scotland of the permanency of the marriage tie. Surprise has even been

expressed how, under the Scots law, marriage can be regarded as a permanent contract. This view ignores the fact that divorce is a remedy for an abnormal state of matters, arising after marriage, which is never contemplated by the parties themselves at the time of marriage, and is never alluded to in the marriage service, any more than in the marriage contract, if there be one. It is a remedy for a position which cannot come into existence, except through the voluntary wrong-doing of one of the parties. Accordingly, from the Reformation, both Church and State in Scotland, in unison with the feeling of the people, have dealt with the relation as a permanent one. After the parties accept each other as spouses, both Presbyterian ministers and Episcopalian clergymen always pronounce the words, 'What (or whom) God hath joined together, let not man put asunder.' The permanency of the relation between married people is no more impaired by the existence of reasonable divorce laws than is the permanency of the tenure of ministers, professors, judges and town-clerks by the knowledge that, in their deeds of appointment, the words 'ad vitam' are followed by 'aut culpam.' In no country is there a stronger sense than in Scotland of the sacredness of the marriage tie. Divorce may, or may not, be a justifiable remedy for grave matrimonial wrong, making it reasonably impossible, in the interests of the innocent spouse and the children, that the marriage tie should continue. I express no opinion. But the case of Scotland proves that its existence and enforcement, for desertion as well as for adultery, does not in any way deteriorate the public view of the importance and obligations of the married relation. It may be added that the Scotch statistics of divorce for both causes (which include a certain number of cases where the defender, who cannot be found, is, in fact, dead), furnish no ground for alarm. In relation to the increase of population, they may be called stationary. The numbers of divorce cases brought in Scotland from 1898 to 1908 are as follows :

1898	-	-	153	1904	-	-	193
1899	-	-	175	1905	-	-	182
1900	-	-	151	1906	-	-	174
1901	-	-	171	1907	-	-	203
1902	-	-	223	1908	-	-	201
1903	-	-	201				

Lord Fraser's views in reference to Scotland, expressed at page 1141 of his second volume on *Husband and Wife*, are still

applicable: 'The conjugal relation has stood not less but infinitely more secure and sacred, since separations *a mensa et thoro* for adultery, which were extremely common under the Popish jurisdiction, fell into disuse; and the number of actions for divorce *a vinculo* has, in proportion to that of the population, remained nearly the same at all periods since the Commissaries were first appointed in 1563 down to the present time.'

Coming now to post-Reformation times, one observation must be made. Except during Cromwell's Protectorate, Scotland has had an Established Church ever since the Reformation, or, according to some, seven years after it. The Established Church was Presbyterian from 1560 (or 1567) to 1610, Episcopalian from 1610 to 1638, Presbyterian again from 1638 till Cromwell's 'usurpation,' Episcopalian again from the Restoration in 1660 till the Revolution in 1688, and since then Presbyterian. From the Established Church there have been secessions, which have themselves suffered internal division. In addition to the Presbyterian Establishment and Presbyterian dissent, there has been, since the Revolution, a non-established Episcopalian Church, and also representatives of those bodies, Independents, Methodists, Baptists, Quakers, whose chief strength is in England. Yet no attempt has ever been made either within or without the Established Church, whatever body was in power, to alter the Scots law, allowing divorce for adultery and for desertion. No complaint has ever been made of the law being contrary to Christian principle, or that it tended to weaken the sense of the permanence of the marriage tie, or that it prejudicially affected public morality in any other way. All sections of Protestants,—Presbyterians, Episcopalian, Independents,—have availed themselves of the remedies provided by the law, and in no case has this led to ecclesiastical discipline, or to denial of Church privileges, or to refusal, on the part of ministers or clergymen to re-marry the innocent party. In two respects, the Church, Presbyterian and Episcopalian, has co-operated with the State in the administration of the divorce laws. Every applicant for admission to the Roll of poor litigants after mentioned has to produce a certificate of character, etc., and these certificates can only be got from the minister and elders of the Established Church of the parish to which the applicant belongs. In addition, by an Act of 1609, the appointment of the judges, who exercised jurisdiction in divorce and other matrimonial causes, the judges of the Commissary Court, was vested in the bishops of the Church of

Scotland, at that time Episcopal, by whom the patronage was regularly dispensed, until the Revolution in 1688, with, of course, the exception of the Cromwellian period.

In the 17th century the whole matter was reconsidered. Fortunately or unfortunately, what is called 'John Knox's Confession of Faith' of 1560 was superseded by the Westminster Confession of Faith, which was adopted by the Scots Church in 1647, and ratified by Act of Parliament in 1690 as part of the 'Revolution Settlement.' In that Confession, framed by the Westminster Divines, numbering 106, of whom only 8 were Scotsmen, Divorce is thus treated: 'Chapter XXIV. of Marriage and Divorce, *Article 5.* Adultery or fornication, committed after a contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that contract. In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce, and, after the divorce, to marry another, as if the offending party were dead. *Article 6.* Although the corruption of man be such as is apt to study arguments, unduly to put asunder those whom God hath joined together in marriage, yet nothing but adultery, or such wilful desertion as can no way be remedied by the Church or Chief Magistrate, is cause sufficient of dissolving the bond of marriage; wherein a public and orderly course of proceeding is to be observed; and the persons concerned in it not left to their own wills and discretion in their own case.'

Appended to these articles of the Westminster Confession are the proof-texts, from the 5th and 19th chapters of St. Matthew's Gospel, and from the Epistles to the Romans and Corinthians, usually founded on in support of these views. No reference is made to the corresponding passages in the Gospels of St. Mark and St. Luke, which, by omitting the exception 'save for fornication,' contained in St. Matthew's report of Christ's words, introduce the Biblical difficulty.

Reading between the lines, it looks as if Article 5, limiting divorce to adultery, had been originally meant to be exhaustive. Then seems to have come an amendment to include desertion; and the cautiously expressed Article 6 is added, with this view. Article 5 may have been the work of one of the English members, and Article 6 an addition proposed by one of the Scotch representatives. In the 1560 Confession, divorce was competent, but only for adultery. Seventy-four years, favourable experience of divorce for desertion as well, had convinced the Scotch

Church that the new Confession should include desertion, in addition to adultery, as sufficient ground for divorce.

Among Scots writers on divorce the most learned was the great Patristic scholar Dr. John Forbes of Corse, born 1593, died 1648, son of Patrick Forbes, Bishop of Aberdeen. After a course of study at Aberdeen, Heidelberg, Sedan, and other Continental universities, he was Episcopally ordained, and acted as Professor of Divinity at Aberdeen during the Episcopal period. Deprived of his professorship through his refusal to sign the National Covenant, and exiled to Holland, because he would not sign the Solemn League and Covenant, his attachment to Episcopacy was shown by the sacrifices he made in its defence. His Latin writings gained Forbes a European reputation, and his *Irenicum amatoribus veritatis et pacis in Ecclesia Scoticana* was highly commended by Archbishop Ussher. In his *Theologiae Moralis libri decem, in quibus precepta Decalogi exponuntur, et casus Conscientiae explicantur*, which is contained in his collected Latin writings, published in two volumes at Amsterdam in 1703, he defends divorce for adultery and for desertion, on scriptural grounds, and discusses the teaching of Christ and St. Paul, and the views of the Fathers, and medieval divines and jurists, with ample citation of authority in Greek and Latin (Book VII. chap. xiii.). His whole argument is characterized by ability, learning, and a rare absence of the *odium theologicum*.

The historian, Dr. Gilbert Burnet, Bishop of Salisbury (nephew of Sir Archibald Johnston of Warriston, the leader of the so-called extreme party among the Presbyterians), was born at Edinburgh in 1643. He was minister of Salton for four years, and Professor of Divinity in Glasgow University for five years, in connection with the Episcopal establishment. Burnet's views in favour of divorce can scarcely fail to have been influenced by his Scotch training, and by his favourable experience of the working of the Scots system. He says in his *Exposition of the Thirty-nine Articles*: 'The law of nature or of nations seems very clear that adultery, at least on the wife's part, should dissolve it. Our Saviour, when he blamed the Jews for their frequent divorces, established this rule that whosoever puts away his wife, except it be for fornication, and shall marry another, committeth adultery, which seems to be a plain and full determination that, in the case of fornication, he may put her away and marry another. This doctrine of the indissolubleness of marriage, even for adultery, was never settled in any Council before that of Trent. The canonists and school-

men had, indeed generally gone into that opinion. But not only Erasmus, but both Cajetan and Catherinus declared themselves for the lawfulness of it. Cajetan, indeed, used a salvo, "in cass the Church had otherwise defined," which did not then appear to him. So that this is a doctrine very lately settled in the Church of Rome. Our Reformers have had prepared a title in the new body of the Canon law, which they had digested, allowing marriage to the innocent party; and upon a great occasion there in debate, they declared it to be lawful by the law of God. If the opinion, that marriage is a sacrament, falls, the conceit of the absolute indissolubleness of marriage will fall with it.'

On certain minor details there was post-Reformation legislation. (I do not deal with recent changes in procedure, nor with the recent Sheriff Court Act, making actions of separation competent in the Sheriff Court.) On the 19th of March, 1600, the General Assembly, 'because the marriage of convicted adulterers is a great allurement to married persons to commit the said crime, thinking thereby to be separate from their own lawful half-marrows, to enjoy the persons with whom they have committed adultery,' deemed it expedient 'that a supplication be given in to the next Convention, craving an Act to be made, discharging all marriages of such persons as are convicted of adultery, and that the same be ratified in the next Parliament' (*Book of the Universal Kirk*, iii. 953). This supplication resulted in an Act, passed by Parliament on 15th November, 1600, which, it will be observed, is more limited in its application than the Assembly contemplated. The Assembly desired prohibition of all marriages between 'convicted adulterers'; the statute only prohibited such marriages when the name of the paramour appeared in the decree. In point of fact, the Act has proved a dead letter, for, rightly or wrongly, the name of the paramour is never, or almost never, inserted in the ultimate decree. The Act runs thus: '7th Parliament of James VI., 1600, chapter 20. Anent the marriage of adulterous persons. Our Sovereign Lord, with the advice of the Estates of this present Parliament, decerns all marriages, to be contracted hereafter by any persons divorced for their own crime and fact of adultery from their lawful spouses with the persons *with whom they are declared by sentence of the ordinary judge* to have committed the said crime and fact of adultery, to be, in all time coming, null and unlawful in themselves, and the succession to be gotten by such unlawful conjunctions to be unhabile to succeed as heirs to the said parents.'

I close with a reference to the Scots system under which, not merely in divorce cases, but in all civil suits, those who are unable to bring actions at their own charges, can obtain justice without expense, except the cost of witnesses, provided only they can present a *prima facie* case. Counsel and agents are provided for them, and no Court fees or reporters' fees are charged. This system has no real parallel in England, and largely owing to the want of it, or of some equivalent, the Divorce Act of 1857 (which was passed to enable all persons to obtain divorce who could not afford the large expense involved, even in an unopposed case, in obtaining an Act of Parliament) has proved a dead letter, so far as the poor, or even a class who could scarcely be called poor, are concerned.

Among the old Scots statutes, or, for that matter, the statutes of any country or period, there are none showing a stronger sense of justice than the Act of James the First of Scotland, passed in 1424, four hundred and eighty-six years ago, which originated the present system in favour of poor litigants. Modernizing the spelling, it runs thus : 'If there be any poor creature, for fault of cunning, or expenses, that cannot nor may not follow his cause, the King, for the love of God, shall ordain the Judge, before whom the cause shall be determined, to purvey and get a leal and wise advocate to follow such poor creature's causes ; and, if such causes be obtained, the wronger shall assythe both the party skaithed and the advocate's costs and travail.'

CHARLES J. GUTHRIE.

Letters from Francis Kennedy, Abbeyhill, to Baron Kennedy at Dalquharran, Mayboll

Relative to the seege of EDINBURGH 1745

THE following letters are the property of Mr. John C. Kennedy of Dunure, to whom the Editor is indebted for allowing them to be printed. They had been in the hands of Mr. Kennedy's family since they were written.

Mr. Andrew Lang, who has seen the proof, writes: "The author of the letters to Baron Kennedy was a friend of Pickle the Spy, who alludes to him in his epistles to English officials. As Mr. Francis Kennedy speaks of 'The Prince,' not 'The Pretender,' it appears that he and Baron Kennedy were not enthusiastically Whiggish; Mr. Kennedy reports favourably about the conduct of the Highlanders in and near Edinburgh; and of the military qualities of his Royal Highness. The 'french minister' mentioned in the letter of October 19 is M. Boyer d'Eguilles, who represented France in the Jacobite army. Prince Charles entered England, as he wrote to King James, with no belief, or very little, in the Earl Marischal's arrival 'with a very great army from France.'"

The Editor is indebted to Mr. A. Francis Steuart for the following note with regard to Mr. Francis Kennedy, the author of these letters.

"Francis Kennedy of Dunure (the writer of these letters) succeeded his two elder brothers, General James Kennedy of Dunure, and Thomas Kennedy of Dunure, advocate, a Baron of Exchequer in Scotland. The latter died 13th May, 1754 (leaving a widow, Dame Grizel Kynnymound, who died 3 Feb., 1758, aged 70), and his brother Francis was served heir special in Abbeyhill (whence the letters are dated), with the Manor place and Brewery in the Parish of South Leith, 29 Jan., 1762. He did not live long after this, as 'Thomas Kennedy of Dunure'

was served heir general 'to his father Francis Kennedy of Dunure' 2 October, 1765. The testament of 'Mrs. Isobel Edmonston, relict of Francis Kennedy of Dunure,' was recorded at Glasgow, 29 May, 1778."

I

To The Honorable Baron Kennedy.
at his house near Mayboll

When I wrote to my Dearest Brother on Saturday last, the town of Edin: was in the utmost Consternation from the Castle firing down the town & burning some houses, but as the blockade is removed people seem a little eased of their terror & enjoy some more quiet than they did last week, however the Castle still fyre about the West Port & Grass market & wherever they Spye any Highlanders, so that the Innocent Inhabitants very often Suffer in going to places within view of the Castle, where there may happen at the Same time to be Highlanders, which makes me think that it would not be very advisablę for you to be at Foulbridge till the Highlanders are quite gone from this, & when that may be no body that I see can pretend to tell. most people of fashion that are not engaged with the Prince are out of town & every body within reach of the Castle have left their houses, tho since this last Proclamation its thought they will return to them when the Highland Army is gone——. Im still Confin'd to the house & know nothing of whats passing but from the newspapers which Mr A——s sends you & what else he can pick up worth writing, she & her family are still here not thinking it safe to return to her house as yet, All is safe & well hitherto at Foulbridge. I'm still in an undetermined way about my time of leaving this, for Mr Monro has ordered me some things to buye to make me easy, & save the trouble of undergoing another painfull operation which I doubt anything will do. I have sent twice to enquire after Miss Cathcart who is very well but out of town with all her Companions in some place of safety in the Country. I beg when you see Sir John youl tell him this & make my excuse for keeping his house so long. all the family here are well & make their Complements to your Lady & you. I beg mine in the most affectionate manner & that youl believe me to be ever my Dearest Brother with the most dutifull Affection Entirely yours.

Abbey hill the 8 Sept 1745

(this letter is doqueted as from Francis Kennedy)

II

To The Honorable Baron Kennedy
at Dalquharran near Mayboll

Dear Brother

I got here on Tuesday afternoon very wet & fatigued, & found your friends here pretty well considering the Allarms & fears every body are in. this will come to you enclosed in a letter from Mr A——s who is to send you the newspapers by which youl see the situation we are in here better than it is possible for me to write. his Wife & family left their house on Tuesday night & has slept here ever since, & the people in the toun are removing their things very fast, the Castle having already thrown some bullets into the toun, one of which fell on Mrs Alvey's house which made her quit it. she sent back your things to fowl-bridge thinking them safer there than in the toun. I have been in the utmost torture ever since yesterday afternoon by a return of my old distemper which has kept me all night from any sleep, so that Im not in a Condition to write a longer letter. I hope if I was once free of my pain to set out again soon for Dalq: but at present Im not able to say any more but to beg my Compliments & all of this family to your Lady & that youl believe me to be ever with the most Dutifull affection Entirely yours

FK

Abbey hill the 3d Oct 1745

III

I wrote to my Dearest Brother a short line on Thursday last in very great pain. it is at present not so violent tho Im apprehensive I shall be obliged to undergo such another terrible operation as I suffered two years ago, You are happy to be at Dalquharran enjoying peace & tranquillity while we are here in a state of War, for the Castle is in a manner besieged by the Highlanders who expect, as Im told, to oblige it to surrender by hindering any provisions to be carryed up to them—& the Castle for these 4 days past have been fying all round them upon every place where they suspected or saw the Highlanders—— I dont hear that many are killed on either side, but the Castle has burnt & beat down houses about Livingstons yeards, the West port, & Grass market & the Castle hill towards the north Loch as far

down as James's Court & this siege is like to be carryd on till the Castle surrenders. so you may judge what kind of situation the Inhabitants both of town & Subburbs are in, & how inadvisable it is for you to think of coming to town till things are upon a more peaceable footing. I dont hear but the greatest care is taken to hinder the Highlanders from committing any disorders, & the inhabitants of the town seem to dread nothing so much as there leaving Edin: since they have no magistrates to keep the peace & order of the town when they are gone. they say there are some dissensions amongst the officers of the Castle about the vigorous orders that came to destroy the town, some for executing them & others preferring to quit their commissions rather than do so creul an action, of which last number is Genrl: Guest tho he persists as strongly as any to defend it to the last extremity. but you will have a more particular account of what is doing from A——s who is going about to hear what is doing which I cant do. he will send you the newspapers which dont come out so regularly as usual. Your Gardner was here today in great fears for your house because of an allarm he had got that the Highlanders had threatened to burn all the houses without the west port for assisting the soldiers that sallied from the Castle to take some of the people that were lodged in Livingstons yeard to prevent carrying up provisions to the Castle, but as I dont believe they will be allowed to do any such thing, I desired him to keep at home with the maid & keep the doors shut & if any Highlanders should come to offer any disorder to show them the P——s protection which your neice got & sent out there before I came here. Lord Kilkerran's house has also a protection which Mrs Murray got for it, & several other Government people have the same to prent the disorders that wrong headed people might be ready to committ, & which Im told the P—— is very desirous to prevent. I can hear nothing of Newton so that probably he has gone home again. all your old Hay is carryd away. there came a message here on Wednesday from Lord Elcho to Lady Wallace telling her that he must have your hay for the Prince's use which he would not take before acquainting her. Smith came afterwards to me to know what he must do. I told him if the person that came for the hay showed him orders from Lord Elcho, to deliver it but not otherwise & I doubt if they stay long here the other stack will go the same way. in these troublesome times we must be content to make the best composition we can. all the family here desire to make their Complements to your Lady & you. I beg the same &

that you'l believe me to be my Dearest Brother ever with a most dutifull affection Entirely yours FK.

Abbey hill the 5 Oct 1745

IV

Im told that the P—— is so hardy & Vigilant that he is like to kill the most robust Highlander. he lys every night in a tent no better than the poorest soldier, gos frequently thro his camp to see that the men have their necessarys rightly provided for them, in order to give an Example to his officers which they are not so ready to follow as their Interest, now they have gone so far, should oblige them to.

I have just now received My Dearest Brothers letter of the 6 Oct: by the Carryer & am sorry to see by it that none of the 3 letters I wrote was come to your hand. It is true I got to toun on Tuesday but so wet and fatigued with the journey that I was not able to put pen to paper to write to you that night. next day I was seized with a return of my old distemper & have been mostly Confined to the house ever since. I wrote you a short line on the Thursday, a longer one on Saturday & another on Tuesday thereafter, all which I sent to Mr A——s to enclose to you with the news papers & what other news he could pick up, which he told me he forwarded duly, so that I hope before now you have got them, I therein told you that your neice had got a protection for your house immediately upon the Highlan Armys coming here which was better than having any Highlanders to protect it while it was within reach of the Castle since they fired at all of them they saw, so that your house & everything in it is safe. no body could tell me anything about Newton so that I believe he went out of toun before I came to it. I told you in my former letters how improper & even dangerous it was for you to come to toun while the Castle was blockaded. they have retired the blockade & given over Im told any thought of taking the Castle since it endangered so much the inhabitants of the toun, & are come to a resolution on both sides not to fyre but at those that attack them, so that things are in a more peaceable way than they were last week & people think that the Army will remove from this as soon as all their body of highlanders & others are come here, but how peaceable and safe the toun & suburbs will be after they are gone is a question I dont yet hear is resolved, so that I believe it will be best to suspend your journey till you hear the

Army is gone & know what footing people are upon in this place as to preserving the peace & order of the town. I was not able to write to you last night because I had the operation performed yesterday upon my posteriors, I hope in God it will free me of any more pain of that kind for the future. I have heard no manner of news but what we get from the papers which Mr A——s tells me he sends you duly as they come out, which is not so regular as usual. whenever Im able to ride I purpose to set out for Dalquharran. All your friends here are well & desire their Complements to your Lady & you. I beg to make mine to her in the most affectionate manner & that you'l believe me to be my Dearest Brother ever with a most dutifull affection Entirely yours FK

This letter, in the way Im in, has you may easily believe been no easy task.

Friday Oct the 11 1745

V

I received only this morning My Dearest Brothers letter of the 10th, & tho' I now put pen to paper to thank you for it, yet as Im still confined to the house I know no more nor so much of whats passing as you do at Dalquharran. the folks that are in the house with me go as seldom abroad as I do, so that whatever storys have been told you or wrote about a certain persons aggrieving frequently at a Certain place must be false, at least since I have been here so that you need be in no uneasiness upon that account. The protection that was got for your house has been very sufficient hitherto & I hear of no disorders committed on any gentlemans house that had them. there has been some hay ordered in from all the gentlemans houses near the town I hear, but I hear of no pillaging any where not even at Newliston unless the taking of horses or arms be such, which they take every where & chuse to take their hay rather from the rich than the poor. however if it be true what is told this day that the Army is soon to leave this I believe there will be no fear of your new stock of hay. I shall send Sam tomorrow with the money you ordered for you maid, I hope in a few days to be able to venture abroad & as soon as I am able to bear riding endeavour to get to Dalq: by easy journeys. I have seen no

news papers this week for they dont come out as usual. Mrs Alves went back to her house yesterday. She will send you what news papers come out, which I shall send word to him to continue, all the family here are well & desire to offer their Complements to your Lady & you, I beg mine to her in the most affectionate manner & that you'll believe me to be ever with a most dutifull affection

Entirely yours FK

Abbey hill the 15 Oct 1745

Mrs Alves told me your plate was in the Castle & that all the other things that were removed out of your house to hers are carried back again.

VI

I wrote to my Dearest Brother on Tuesday last & sent it to Mr Alves to forward to you under cover of his frank, I have been seldom abroad since tho' I thank God I grow better of the ailment, but excessively low spirited, however I would fain hope that I shall be able to leave this on munday or Tuesday next, but whether to make the journey on horseback or to hyre a chaise I have not yet determined, tho' I believe I shall be obliged to do the last. Things here seem to be in great quietness & its now talked for certain that the Prince with his Army will march from this the beginning of next week, they say they are all in high spirits & very confident of success. There is another ship (besides the one that brought the french minister) come to a port near Monross with more money & arms & some officers, they expect to enter England with a body of men superior to any can be brought against them, & that Lord Marshall is to land in England with a very great army from France. this force together with the commotions in London & other parts of England makes some people think that the dispute will be decided without much bloodshed, the others dread the contrary. howevr vast numbers of people of all ranks every day flock to the Abbey & the number of the Princes friends have increased beyond most peoples imagination. I pray God Conduct all in the way that may be most for the good of our country. I have not yet heard how the toun of Edin: is to be governed after the Army leaves it, but as it is not to be expected that

they will leave any force behind sufficient to guard it against the attempts of the garrison of the Castle to regain it, it will probably be left to govern itself. I hope none of your new hay will be touched & before I leave this I shall desire David Smith to carry as much of it out as to fill the loft at Foulbridge. I must refer you to the news papers for any other thing, & beg to offer my most affectionate Complements to your Lady & that you'll believe me to be my Dearest Brother ever with a most dutifull affection

Entirely yours FK

All this family desire to make their Complements to your Lady & you.

Saturday the 19 Oct: 1745

Roderick Dhu : his Poetical Pedigree

ONE indirect result of the study of sources has been to widen the canons for legitimate imitation and borrowing, and to make critics less eager to shout 'Stop the thief' when identities of episode or phrase imply a necessity of relationship between some part of an author's work and some antecedent performance by some one else. There is and has always been a ceaseless re-use of poetical idea, method, and idiom. Without it poetry would be perilously near to an impossibility. Of course there are ways of taking which constitute the conveyance into a theft and deny to the plagiarist the license and excuse of an imitator, but such distinctions are not the present theme. What is proposed here is to illustrate by a fine example from Sir Walter Scott how that brave and genial romancer drew his quota of tribute from an Elizabethan translator of a sixteenth-century poet, who in his turn had made levy upon a Latin classic, who in like wise in his time had made Homer his creditor.

Probably it has occurred to but few, any more than it did to me, to turn the searchlight of criticism on the question how Sir Walter came by his Roderick Dhu and FitzJames, and their duel, always to me a well-remembered and favourite encounter. But some time ago, when reading Edward Fairfax's rendering of Tasso, my attention was strongly drawn to certain passages in that classic of translation, *Godfrey of Bulloigne, or The Recoverie of Jerusalem, Done into English Heroical Verse by Edward Fairefax, Gent.*, dedicated to Queen Elizabeth in 1600. The result is a conclusion indicated by the parallel columns below, showing that the English poet-translator, who gave models of harmony to Waller, who was ranked with Spenser by Dryden, and who was an educative force with the youthful Scott, has an additional claim upon poetical literature in respect of his part—no small one—in the framework of the combat between the Saxon and the Gael in the *Lady of the Lake*.

FAIRFAX'S TASSO.

The Egyptian Argantes.

For he was stout of courage, strong of
hand,
Bold was his heart, and restless was his
sprite,
Fierce, stern, outrageous, keen as
sharpened brand. ii. 59.

[There is an altercation, in which
Argantes taunts the crusader Tancred
with reluctance to fight]:

Yet shalt thou not escape, O conqueror
strong
Of ladies fair, sharp death to avenge
that wrong. xix. 3.

[Tancred answers]:

The killer of weak women thee defies.
xix. 5.

[Tancred, in order to settle matters
by single combat, conducts Argantes
through the crusading host to the
appointed place of duel]:

And thus defending 'gainst his friends
his foe
Through thousand angry weapons safe
they go. xix. 7.

[The journey to the place of duel]:

They left the city, and they left behind
Godfredo's camp, and far beyond it
passed,
And came where into creeks and bosoms
blind
A winding hill his corners turned and
cast;
A valley small and shady dale they find
Amid the mountains steep, so laid and
placed

LADY OF THE LAKE.

Canto V.

Like the Egyptian, Roderick Dhu, as
his name implies, was dark. Mention
is made of his 'sable brow' (stanza 9).
His 'dark eye' is named in a variant
MS. reading of stanza 14. The
'gloomy, vindictive, arrogant, un-
daunted' Roderick, to quote a reviewer's
description approved by Lockhart (note
to stanza 14), is one in character with
Argantes.

In a like altercation with FitzJames
Roderick holds the latter's valour light

'As that of some vain carpet knight.'
(st. 14.)

He had just told him, too,
'My clansman's blood demands revenge.'
(st. 14.)

Compare Roderick's corresponding
play on the taunt about the head of a
rebellious clan, etc. (st. 12). It is the
same retort.

While not claiming for Tasso or
Fairfax the splendid picture of 'Ben-
ledi's living side'—one of the most
gorgeous ever achieved by Walter Scott
or any other poet—one may be per-
mitted to say that the thousand angry
weapons, stilled by request of Tancred,
so that he and Argantes alone may try
their quarrel hilt to hilt, have obvious
possibilities of relation to the pageant
of bonnets and spears, lances, axes, and
brands, of Scott's plaided warriors in
stanza 9.

Along a wide and level green (st. 11). . .

The Chief in silence strode before
(st. 12). . .

For this is Coilantogle ford.

(st. 11 and 12).

Observe that in both duels there is a

FAIRFAX'S TASSO.

The Egyptian Argantes.

As if some theatre or closed place
Had been for men to fight or beasts to
chase. xix. 8.

[This was one of Tasso's numberless
adaptations from Virgil]:

Gramineum in campum, quem collibus
undique curvis
Cingebant sylvae; mediaque in valle
theatri
Circus erat. *Aeneid*, v. 288.

[The duellists arrive]:

There stayed the champions both with
rueful eyes,
Argantes 'gan the fortress won to view;
Tancred his foe withouten shield espies,
And far away his target therefore threw.¹
xix. 9.

[Description of the combat]:

Tancred of body active was and light,
Quick, nimble, ready both of hand and
foot;
But higher by the head the Pagan
knight
Of limbs far greater was, of heart as
stout.
Tancred laid low and traversed in his
fight,
Now to his ward retiréd, now struck
out,
Oft with his sword his foe's fierce blows
he broke,
And rather chose to ward than bear his
stroke. xix. 11.

[Throughout this combat Tasso had
in view Virgil's account of the fight

LADY OF THE LAKE.

Canto V.

long march of both men, unaccom-
panied, to the fighting place.

Each look'd to sun and stream and
plain

As what they ne'er might see again.

(st. 14.)

Ill fared it then with Roderick Dhu
That on the field his targe he threw.

(st. 15.)

Observe that Tancred's generosity is
the clear suggestion of Roderick's.

Fitzjames's blade was sword and shield.
He practised every pass and ward,
To thrust, to strike, to feint, to guard,
While less expert, though stronger far,
The Gael maintained unequal war.

(st. 15.)

[Not Roderick thus, though stronger far,
More tall and more inured to war.

MS. variant, st. 15].

¹With Fairfax's xix. 9 compare the rendering in John Hoole's translation referred to *infra*:

Here both the warriors stopped; when pensive grown
Argantes turned to view the suffering town;
Tancred, who saw his foe no buckler wield,
Straight cast his own at distance on the field.

FAIRFAX'S TASSO.

The Egyptian Argantes.

between Dares and Entellus. The prototype of Tancred here is Dares, that of Argantes is Entellus.

Ille pedum melior motu fretusque
juventa
Hic membris et mole valens.

Aeneid, v. ll. 430-1.]

With a tall ship, so doth a galley fight
When the still winds stir not the
unstable main,
Where this in nimbleness, as that in
might,
Excels; that stands, this comes and
goes again,
And shifts from prow to poop with
turnings light.
Meanwhile the other doth unmoved
remain,
And on her nimble foe, approaching
nigh,
Her weighty engines tumbleth down
from high. xix. 13.
[Cf. *Aeneid*, v. 437. Stat gravis
Entellus, nisuque immotus eodem.]

[Argantes and Tancred in grips]:
His sword at last he let hang by the
chain,
And griped his hardy foe in both his
hands.
In his strong arms Tancred caught him
again,
And thus each other held, and wrapped
in bands
With greater might Alcides did not
strain
The giant Antheus on the Lybian sands.
xix. 17.

Such was their wrestling, such their
shocks and throws,
That down at once they tumbled both
to ground. . . .
But the good Prince, his hand more fit
for blows,
With his huge weight the Pagan under
bound. xix. 18.

LADY OF THE LAKE.

Canto V.

And as firm rock or castle-roof
Against the wintry shower is proof,
The foe, invulnerable still,
Foiled his wild rage by steady skill.
(st. 15.)

Roderick, hardly fairly, when Fitz-
James has offered quarter, springs at
him.
And lock'd his arms his foeman round.
Now gallant Saxon hold thine own!
No maiden's hand is round thee thrown!
That desperate grasp thy frame might
feel
Through bars of brass and triple steel!
(st. 16.)

They tug, they strain, down, down
they go,
The Gael above, FitzJames below.
(st. 16.)

Observe that in both combats the
combatants get into hand grips, and
the tall dark man is uppermost when
the wrestlers fall.

Roderick Dhu : his Poetical Pedigree 65

FAIRFAX'S TASSO.

The Egyptian Argantes.

[Argantes grows desperate] :
And with fierce change of blows re-
newed the fray,
Where rage for skill, horror for art, bore
sway. xix. 19.

[Argantes sorely wounded] :
The purple drops from Tancred's sides
down railed,
And from the Pagan ran whole streams
of blood,
Wherewith his force grew weak, his
courage quailed. xix. 20.

[Tancred asks Argantes to yield] :
Yield, hardy knight, and chance of war
or me
Confess to have subdued thee in this
fight.¹ xix. 21.

[Argantes at this grew fiercely indignant] :
And all awaked his fury, rage, and
might,
And said, 'Dar'st thou of 'vantage speak
or think,
Or move Argantes once to yield or
shrink.
Use, use thy 'vantage ; thee and fortune
both
I scorn, and punish will thy foolish
pride. xix. 21, 22.

[Argantes grasps his mighty weapon
with both hands and strikes a heavy
blow] :
His fearful blow he doubled ; but he
spent
His force in waste, and all his strength
in vain,
For Tancred from the blow against him
bent
'Scapéd aside, the stroke fell on the
plain.

LADY OF THE LAKE.

Canto V.

Fierce Roderick felt the fatal drain,
And shower'd his blows like wintry rain.
(st. 15.)

But hate and fury ill supplied
The stream of life's exhausted tide.
(st. 16.)

No stinted draught, no scanty tide,
The gushing flood the tartans dyed.
(st. 15.)

Cf. also 'fatal drain' and 'exhausted
tide,' quotations *supra*.

Then yield to Fate, and not to me.
(st. 13.)

Dark lightning flash'd from Roderick's
eye.
Soars thy presumption then so high . .
Homage to name to Roderick Dhu ?
He yields not, he, to man nor Fate?
(st. 14.)

Down came the blow ; but in the heath
The erring blade found bloodless sheath.
(st. 16.)

Observe that in this, the crisis of each
combat, the deadliest blow of all falls
'on the plain' in the one case, and in
the other buries itself 'in the heath.'
It is a culminating point of many coin-
cidences which are certificates of Scott's
tenacity of recollection, perhaps even
when he was least aware that his

¹ With Fairfax's xix. 21 compare Hoole :

Yield, dauntless chief, enough thy worth is shown,
Or me or fortune for thy victor own.

FAIRFAX'S TASSO.

The Egyptian Argantes.

With thine own weight overthrown to
earth thou wert
Argantes stout, nor could'st thyself
sustain.¹ xix. 24.

[Tasso was here partly following Virgil's account of the overthrow of Entellus. *Aeneid*, v. 444. But Tasso's phrase, *e si lanciò in disparte*, receives a more specific rendering in Fairfax's 'stroke fell on the plain.' Scott's 'heath,' therefore, follows Fairfax's 'plain,' and does not connect with Tasso's *disparte*.]

[A second offer by Tancred]:

The courteous prince stepped back, and
'Yield thee' cried;
No hurt he proffered him, no blow he
strake.
Meanwhile by stealth the Pagan false
him gave
A sudden wound, threatening with
speeches brave.
Herewith Tancred furious grew, and said,
'Villain, dost thou my mercy so
despise?'² xix. 25, 26.

This, it will be noted, was the second tender of mercy or quarter made by Tancred.

[Tancred, in a later battle, bears his shield]:

. . . his heavy, strong, and mighty targe
That with seven hard bulls' hides was
surely lined. xx. 86.

[The shield of sevenfold hide belonged to Ajax, but it is needless to urge Tasso's debt to Homer or to the *Aeneid* v. 404-5.]

LADY OF THE LAKE.

Canto V.

imagination was running in the leash of memory. In Tasso and Scott, Argantes and Roderick respectively collapse, and fall exhausted with the abortive blow.

Roderick's sword is struck out of his hand in the fencing, and FitzJames a second time tenders him quarter.

'Now yield thee, or by him who made
The world thy heart's blood dyes my
blade!'

'Thy threats, thy mercy I defy,
Let recreant yield who fears to die.'

(st. 16.)

Thereupon Roderick darts at Fitz-James, and the death-wrestle above quoted ensues. The whole episode varies considerably from that in Tasso, in whose work it follows the wrestle.

Not dissimilar from Tancred's was Roderick's discarded targe:

Whose brazen studs and tough bullhide
Had death so often dash'd aside.

(st. 15.)

¹ With Fairfax's xix. 24 compare Hoole:

A second stroke the haughty pagan try'd;
The wary Christian now his purpose spy'd,
And slipt elusive from the steel aside.
Thou spent in empty air thy strength in vain,
Thou fall'st, Argantes! headlong on the plain.

² With Fairfax's xix. 25 compare Hoole:

Again his hand the courteous victor stay'd;
Submit, O chief! preserve thy life (he said).

As regards the use made of Tasso in what may be called the scaffolding of the great duel scene between Roderick and Fitz-James, it is right to note that Sir Walter has many learned annotations and not a few citations of romance in the appendix to the *Lady of the Lake*; but though in Note 3Y he mentions Ariosto, and hints plainly enough a poetical relationship of Fitz-James to Zerbino, 'the most interesting hero of the *Orlando Furioso*,' he tells no tales about Tasso or Fairfax, and throws out no sign of kinship on the part of his own heroes with Argantes and Tancred.¹

In his unfinished autobiography Scott made repeated references to Tasso. On leaving school he threw himself into 'irregular and miscellaneous' studies. 'Among the valuable acquisitions I made about this time,' he says, 'was an acquaintance with Tasso's *Jerusalem Delivered*, through the flat medium of Mr. Hoole's translation.' Through the same translator he was introduced to Ariosto. Not long afterwards he wrote an Essay, in which he 'weighed Homer against Ariosto,' and gave Ariosto the preference. He set himself to Italian, and we know from many passages in his writings in after life that he made skilful use of his knowledge of Italian authors, particularly Ariosto. When he became acquainted with Fairfax's translation of Tasso does not appear exactly, but the folio edition of 1624 is in the library at Abbotsford. Fairfax himself is the subject of curious but appreciative mention in Scott's *Letters on Demonology and Witchcraft*, letter viii., in reference to his actively credulous attitude towards the occult. Under James VI. and I., that ardent enemy of witches and subtle critic of the powers of darkness generally, there were of course very many prosecutions. Among them was one, happily unsuccessful, which (as Sir Walter records) was instigated against six of his neighbours 'by a gentleman, a scholar of classical taste, and a beautiful poet, being no other than Edward Fairfax of Fuyistone in Knaresborough Forest, the translator of Tasso's *Jerusalem Delivered*.'

¹Zerbino, son of the king of Scotland, plays a gallant and considerable part in the *Orlando Furioso* from Book XIII., where Isabella reveals her love of him, on to Book XXIV., where in twenty-two stanzas he dies by the magic blade, 'Durindana,' in the hand of the Tartar Mandricard. Scott's footnote (note 3Y), above cited, mentions that James V. 'is generally considered as the prototype of Zerbino,' and calls upon the readers of *Ariosto* to give credit 'accordingly for the amiable features of the prototype reflected in the poetic creation.' The call was justified, and Scott himself would have been the last to disclaim a converse obligation on the part of his own lovers to another Italian poet.

The blank verse translation by Hoole, with its formal, full-dress eighteenth-century periods, it is difficult to think of as stimulating such an imagination as Scott's. It is indeed, as he said, a flat medium, whereas not only is Fairfax's version a live poem, which Scott admired, but there are some turns in Scott where the suggestion of relationship extends to words. The 'rueful eyes' of Tasso's combatants (xix. 9) (neither equating Tasso's simple epithet *sospeso* applied to Argantes, nor Hoole's more literal 'pensive grown') seem to pass almost literally into Scott's well-known couplet. The second 'Yield thee' (xix. 25) of Tasso in Fairfax is lost in Hoole, but verbally present in Scott. And as it was neither in Tasso's own text nor in Hoole's translation, but only in Fairfax (xix. 24) that the blow 'fell on the plain,' it is most significant of all that at the like crisis Roderick's bloodless dagger dies 'in the heath.' This be it said, is a most uncommon, indeed almost unromantic, terminal blow in a chivalric combat.

The foregoing points, almost all consecutive, common to Tasso or Fairfax on the one hand and Scott on the other, may for clearness be here noted and numbered. 1. The complexion and build of Argantes and of Roderick. 2. The altercation and 'carpet-knight' taunt. 3. Safe conduct by the one to the other for the duel. 4. The march to the place. 5. The 'rueful' glance of the champions before they begin. 6. One combatant with a shield, the other without; the shield discarded: 'his target therefore threw'; 'his targe he threw.' 7. Tancred's lithe, active fencing, like FitzJames's. 8. The strength of Argantes and Roderick. 9. Argantes, like Roderick, heavily wounded and bleeding. 10. The wrestle; the grip of Argantes described, like the grip of Roderick; the fall; Tancred, like FitzJames, below. 11. A desperate culminating stroke by Argantes, as by Roderick. 12. The blow falling wide 'on the plain,' 'in the heath.' 13. Two separate offers of peace or mercy by Tancred ('Yield thee') as by FitzJames. 14. Resentment of Argantes, as of Roderick, at the suggestion. 15. The abortive blow leaving Argantes and Roderick both prostrate.

So in the page of Scott we can count some of the birthmarks of Roderick Dhu, rejoicing the more in our Fairfax and our Tasso, perhaps recognising more clearly than before the vivifying imagination and realising power of Scott, who indeed borrowed, but nobly bettered what he borrowed, at every turn of the well-told tale. He poured blood anew into the arteries of the some-

Roderick Dhu : his Poetical Pedigree 69

what pallid combatants of the Italian poet. So far does Scott's creative sense transcend Tasso's that in this duel Scott almost seems to absorb Tasso, and yet give no sign of the fact, so perfect is the assimilation, so living are the new figures of romance. The rod of the mightier magician has swallowed that of the less, but the incorporation remains a glory of Tasso, a proof of the eternal affinity of the poets, a beautiful type of imaginative tradition and the unity of literature.

GEO. NEILSON.

Reviews of Books

THE SCOTTISH STAPLE IN THE NETHERLANDS : an Account of the Trade Relations between Scotland and the Low Countries from 1292 till 1676, with a Calendar of Illustrative Documents. By M. P. Rooseboom. Pp. x, 237. Calendar of Documents CCXXXI. With Illustrations. Royal 8vo. The Hague : Martinus Nijhoff. 1910. 15s. nett.

SCOTCH students will welcome this very useful and business-like volume, in which some two hundred and thirty pages of a summary of the Staple history is followed by another two hundred and thirty pages of documents taken from various sources in Holland, Flanders, and Scotland. The method is simple, direct, and thoroughly well carried out, and the book will be a valuable aid to the history of Scottish commerce.

Mr. Rooseboom has confined himself within definite limits, and it is not in any spirit of criticism that we venture to point them out. His main thesis is the course of negotiation in the Netherlands for Staple privileges, and there is no attempt to give any account of Scotch trade either as to its merchandise or its development. Nor is there any mention of the contemporary settlements of Staplers or Adventurers from England in neighbouring ports to those chosen by the Scotch. Yet we can hardly doubt that the Scotch sale both of wool and cloth must have played a considerable part in the commercial conflicts that arose when England in her new industrial policy was endeavouring to push her cloth in the Netherlands, and as a consequence to limit the supply of wool. The English effort to seize the market was in full force at the end of the fifteenth century and throughout the sixteenth century, and thus covered the time when the Scotch negotiations as to their own Staple town were of the most complicated kind. These conflicts, and the rise of a powerful class of protected manufacturers in England, must have profoundly affected the policy of traders as shrewd and active as the Scotch ; and the outline given by Mr. Rooseboom's documents will need to be filled up by later students.

Mr. Rooseboom speaks of a trade with Flanders in raw wool carried on by the monks of Melrose and of Scone in the twelfth century. This commerce was probably of very early date. For example in the seventh century an English noble, Egbert, who had gone on pilgrimage to Ireland and there made a vow never to return to his own native land, desired to go as apostle to the Frisians, then the chief trading people of the northern seas. His project was to sail round Britain and start for Frisia without

touching England, which meant either that he must take a trading ship direct from Ireland or start from an Alban port. His proposed voyage, and the interest taken by the Northumbrians of that time in the Frisians, seems to imply some intercourse with that mercantile and sea-faring people. Mr. Rooseboom speaks of a medieval trade in raw wool only between Scotland and Flanders, but there was certainly a trade in Scotch cloth in the thirteenth century, and probably long before. In 1282 it was ordered in Flanders that English cloth should be marked with three crosses, Scotch with two, and Irish with one; and there are other references to Scotch trade in the valuable collection which contains this notice—*Espinas and Pirenne, Recueil de documents de l'industrie drapière en Flandre*. Brussels, 1906—a collection which is not quoted in this book. The absence of special mention of cloth in the charters quoted by Mr. Rooseboom does not imply that there was no such trade, since they are all drawn up in general terms, allowing freedom to merchants and merchandise without special description. The few extracts from Acts of Parliament given are after 1526, and relate only to the Staple towns. To complete the lessons indicated by this book it would be necessary to examine not only statutes, but every source which could throw any light upon economical conditions in Scotland and on the growth of its industries.

Mr. Rooseboom's picture of Scotch trade in the Netherlands during the sixteenth century shows a world of keenest commercial rivalry. The earlier Scotch merchants had their centre at Bruges; the final effort of Bruges in 1407 to secure the monopoly of their commerce happened in the same year as the grant by Antwerp to the Adventurers of a house in perpetual succession. This is one of the many coincidences which do not enter into this book, but might throw light on the Netherlands policy. From a declining Bruges the trade passed in a few years to Middelburg, and thence to Veere, where it was to remain for some two hundred and fifty years. Antwerp bid for the Scotch Staple in 1539, offering lavish privileges. Middelburg immediately competed with offers as rich and full as those of Antwerp, and for the next twenty years kept on renewing its temptations to the Scotch merchants. In 1545 Bruges joined in the rivalry to secure the coveted Staple, all the towns outbidding one another in offers of privileges. But Maximilian of Burgundy distanced them all in his offers and secured the continuance of trade in Veere. New negotiations opened in 1578 with demands for an honourable and commodious place to be appointed for preaching and prayers according to the Scotch religion, and that the Scotch should have jurisdiction in criminal cases over all the men of their own nation. Everything asked for was given, and Veere again secured the monopoly. A new controversy in 1611 between Veere and Middelburg for the Scotch Staple was decided again for Veere in 1612 on terms of extraordinary liberality for the Scotch. Once only did the Staple remove from Veere, when it was carried to Dordrecht in 1668, only to return, after a limited and struggling existence, to Veere in 1675. The Scotch may perhaps not have cared for the proximity of the English Merchant Adventurers, established at Dordrecht since 1655.

The keenness of competition shows the wealth and importance which

attached to the Scotch trade at that time. There is mention of a fleet of seventeen ships from Scotland with merchant goods, besides three or four hundred persons, merchants and sailors, who had to be provided lodgings in free houses according to contract. A document of the merchant burghesses of the Free Royal Boroughs of Scotland and traffickers to the Low Countries in 1642 bears four hundred and forty-nine signatures. And in 1639 Cunningham, a Scotch merchant at Veere, was able to supply the Scottish army with '12 great brazen cannon, 49982 lbs. weight of cannon-ball, 15673 lbs. of match, 15416 lbs. of saltpetre, 6965 swords and 52 pairs of pistols'; and three years later to send over for the subduing of Ireland '6000 muskets, 4000 pikes, 10000 swords, and 10000 swordbelts.' The trade in Scotch plaids, kerseys, and cloth had so increased that two measurers were appointed instead of one. Under James VI. weavers were smuggled over from Leyden and Amsterdam to start the manufacture in Scotland of the finer kinds of cloth. The Scotch no doubt were shrewd bargainers and keen business men. Their community maintained a close connection between theology and trade. The minister appointed to the church at Veere had his post and duties as official of the Staple; besides his relations with the elders and deacons, he was a police officer under the direction of the Conservator, and as such obliged to keep an account of all goods arriving from Scotland, and to collect the dues not only for his own stipend but for the Conservator's salary. Scotch thrift gave offence on the continent. The inveterate custom of the merchants to leave their best garments at home, and travel in their evil and worst clothes to the dishonour of Scotland, brought down on them an order, repeated in 1529, 1532, and 1565, that if they had not proper apparel in the Netherlands the Conservator should have fit clothing made for them, and pay himself out of their goods. The merchant was forbidden, too, to carry home his own wares, but must hire some other to do it; and if he bought his meat in the market he might not bring it home in his sleeve or on his knife's point. The Scotch trader was evidently 'not slothful in business.'

The result of the union of Scotland and England in 1603 was to check the competition of Scotland in the foreign trade by closing her independent relations with any foreign country and her power of separate commercial legislation. It was in vain that the Scotch towns attempted to secure that the Conservator, or supervisor of their trade in the Netherlands, should be elected by the boroughs and not nominated by the king, now the king of England. In the course of the next half century the Conservator in Veere became more and more a political agent of the English king, and scarcely in any sense a representative of the Scotch boroughs. The boroughs were even forced to yield to the pressure of James in the matter of the ministers banished from Scotland for religion's sake, who had taken shelter in the Low Countries, where the merchants of Veere were accustomed to provide them with the means of living: they agreed to restrain that 'impertinent and undutiful supply.' It was an uneasy life for traders, pressed on one side by the severity of James, who required a testimonial from every passenger or

merchant taking ship for Scotland that he was a professor of the true religion established in Scotland; and on the other side by the military despotism of Spanish generals, who ordered the quartering of soldiers on the free houses of the Scotch, whether they were Catholics or not. But the financiers of the Netherlands were destined to play a considerable part in later English complications.

It is to be hoped that this book will prove the beginning of new researches as to Scotch industry at home, and the intercourse of her people with Europe.

Alice Stofford Green.

FREDERICK WILLIAM MAITLAND, DOWNING PROFESSOR OF THE LAWS OF ENGLAND. A BIOGRAPHICAL SKETCH. By H. A. L. Fisher. Pp. 179. With Frontispiece. Demy 8vo. Cambridge : University Press. 1910. 5s. nett.

IN a volume of less than 200 pages, Mr. Herbert Fisher has paid an admirable tribute to the memory of his distinguished brother-in-law. His sketch is perfect in tone and tact, and is written with both rare literary felicity, and a restraint that, if anything, is almost excessive. All that Mr. Fisher has attempted to do he has accomplished most successfully. He has given a most vivid and lifelike sketch of Maitland's singularly brilliant and charming personality which, with all its brevity, is yet full enough to give even those who have not the advantage of knowing Maitland, a clear, if not a very coloured, conception both of his attractiveness and of his greatness. He has set forth in order the simple incidents of the scholar's life and career, and analysed the chief conclusions of his various books. He has been at great pains in making us realise Maitland's point of view, not only in relation to the medieval studies in which he won enduring fame, but also as regards the very numerous political, academic, and speculative matters in which Maitland had a keen interest and decided opinions.

Altogether, Mr. Fisher has written the model of a scholar's biography. It is perhaps the only appreciation of a scholar of our times of which we can honestly complain that it is too short. In particular, we wish that Mr. Fisher had been able to give us more of Maitland's own letters. The few that he has printed have all the charm and vividness of Maitland at his best. We could have wished also that Mr. Fisher had been able to add a little to his personal touches, and in particular to tell us a little more of Maitland's table-talk. There are few scholars who were privileged to enjoy his acquaintance who have not derived from their personal intercourse with him a fresh stimulus and a new insight into their work. If Maitland did not found a school in the sense in which a German or French professor founds a school, it is not too much to say that all medieval students who read his books, and talked to him about the subject which he knew so well, were in a very real sense his disciples. That he did not attempt to found a school, is surely to be set down to the ill-health which forced him to consecrate his little strength to his individual work, and not to his acquiescence in the rather conventional view of the 'climate of an English University' being

unfavourable to historical technique, wherein we see the note of the Oxford tutor rather than the mind of the Cambridge professor.

There is only one serious complaint that can be made as regards Mr. Fisher's excellent book. It is, we think, to be regretted that he has made no attempt to appreciate the permanent contribution which Maitland has made to the study of English medieval history. As an expositor of what Maitland set out to do, as an analyst of what Maitland thought and wrote, Mr. Fisher leaves nothing to be desired. But only in one or two vague and general sentences does he aspire to be critical. Maitland was one of the greatest scholars that England has ever seen, and probably possessed a brighter and keener intellect than any other scholar who, with adequate equipment, consecrated his life to unravelling the story of England's early history. He was so great a man that he had a right, like Oliver Cromwell, to demand of those who would paint his picture that they should paint him truly like himself, and 'remark all the roughnesses, pimples, warts, and everything.' Such a picture of Maitland has not yet been painted. It is certainly not to be found either in the indiscriminating eulogy which Mr. A. L. Smith printed two years ago, or even in the present more balanced volume. It may well have been that Mr. Fisher thought his personal connection with Maitland was too close to make him the man to do it. It is probable also that such a reasoned appreciation can only come from a scholar whose chief life-work, like that of Maitland, is devoted to the study and exposition of the unpublished records of the English Middle Age. It is not, however, quite an adequate tribute to the memory of a very great man to be content with summarising in a few sentences his chief published conclusions without indicating the extent to which they are disputable, or even the extent to which Maitland himself recognised their provisional character. For Maitland, like everybody else, had the defects of his qualities. Sometimes his temperament drew him, as Mr. Fisher himself points out, 'too far on the path of scepticism.' Sometimes his very fixed and clear-cut convictions impaired his sympathy, or limited his interest. There were whole fields of medieval English history which hardly existed for him. Often the very quickness of his intelligence, his extraordinary delight in analogies and allusions, the facility with which he would take a hint suggested, perhaps, by his reading in quite different fields, led him to over emphasis, or to the neglect of the proper qualification of the doctrine that he was expounding.

Thus Maitland's study, let us say, of Dr. Keutgen's learned and scholarly work would at once suggest to him the question whether there was not something to be said for the 'garrison theory' as a possible explanation of the origin of the English borough. Every one knows with what brilliant ingenuity he put together the English evidence on this subject in *Domesday Book and Beyond*. There is little doubt that he went too far, and he confessed so much in a note to *Township and Borough*, and freely admitted in conversation and private correspondence that he was a little shaken in his faith. It is just the same with his attractive doctrine that the Domesday manor was the unit of geld assessment. To Mr. Fisher now, as to Maitland then, this

view is rightly 'an ingenious hypothesis,' but it would have been as well to add that it is a hypothesis which is regarded as tenable by but few scholars. Similarly, as regards Maitland's doctrine that the Domesday hide contained 120 arable acres, we should remember not only the larger hides of the south-east, which of course support Maitland's general theory of the nature of the Anglo-Saxon settlement, but also the clearly proven small hides of south-western Wessex, which can only be properly explained on Maitland's lines by the distinction subsequently developed by Prof. Vinogradoff between the 'fiscal hide' and the hide as a unit of land measurement.

It was clearly not Mr. Fisher's business to elaborate the lines of criticism here suggested, but had he even briefly indicated their substance, or had he so much as added to his bibliography references to such criticisms of Maitland as have been written by Miss Bateson, Mr. Round, and Prof. Tait, he would have done something towards indicating those 'warts and roughnesses' in Maitland's historical methods which Maitland himself would have been the first man to recognise and desire to be recorded. Even a man of Maitland's calibre cannot be expected often to attain that scientific certainty of demonstration attained in his refutation of the doctrine of Stubbs that Roman Canon Law was not recognised as binding on the ecclesiastical courts of medieval England. However, Mr. Fisher goes much too far when he says that 'the case for the legal continuity of the church of England was demolished by Maitland,' though he certainly destroyed an argument on which many upholders of the doctrine of 'continuity' placed very great reliance. Yet we may accept Maitland's demonstration, and even give general adherence to the doctrines expressed in his wonderful contribution to the *Cambridge Modern History* without quite endorsing Mr. Fisher's judgment that Maitland brought a 'thoroughly impartial mind' to a task which, however unwillingly undertaken, he discharged with manifest enjoyment. Mr. Fisher apparently holds the quaint conceit that theological detachment is the condition of impartiality, as if it might not have its own partisanship, quite as dangerous, and nowadays almost as common, as the partisanship of the churches. We should not allow our admiration for this great scholar to lead us to regard him, as many of us were taught a quarter of a century ago to regard Stubbs, as an almost infallible exponent of history from whose judgments and methods there could be no appeal.

It is to be regretted that the book has no index.

In conclusion, let us thank Mr. Fisher once more for the manner in which he has discharged his labour of love. Whatever reason we may have to supplement any of his statements, there is absolutely no cause for traversing them. He may be warmly congratulated in having shewn us—and that we feel sure he will regard as the real object of his task—not only the eminence and originality of Maitland, but also the charm and beauty of his character, as well as the passionate love of truth, the courage, the heroic struggle against disease, the sympathy, and the modesty, of the great man who crowded into a short life of broken health more distinguished achievement than was attained by any other historian of his generation.

T. F. TOUT.

76 Corbett : The Campaign of Trafalgar

THE CAMPAIGN OF TRAFALGAR. By Julian S. Corbett. Pp. xvi, 473, with Charts and Diagrams. 8vo. London : Longmans, Green & Co. 1910. 16s. nett.

It is hardly an exaggeration to say that if there had been no battle of Trafalgar the naval campaign of 1805 would be very much better understood than it is. That most people have thoroughly erroneous ideas about it is partly because the true relation of the battle to the campaign is not grasped, and partly because Nelson's share in the campaign, invested with the special interest attaching to his personality, has unduly eclipsed the work of other men who, like Barham and Cornwallis, really played greater parts. The most conspicuous naval victory gained by England over the combined forces of France and Spain, the crowning moment in Nelson's career, to some extent the decisive battle of the Napoleonic wars, inasmuch as the destruction of the largest portion of his fleet made it impossible for Napoleon to revive his schemes for the invasion of England, and so drove him to have recourse to the 'Continental System' and all that it involved, Trafalgar was nevertheless merely the epilogue to the campaign of 1805, so far at least as that had as its object the invasion of England. That great project to which Napoleon had devoted so much thought and labour only to be countered by his less famous opponents with no less ingenuity and a much more accurate appreciation of the essentials of naval strategy, had been foiled two months before Trafalgar, and it is not that battle but Calder's action of July 22nd off the Spanish Finisterre, tactically incomplete though it was, which has the best claim to be called the decisive blow of the campaign as far as concerned the invasion of England. To students of naval history, these points are familiar enough ; but it is to be hoped that Mr. Corbett's admirable account of the campaign, told with all his vigour and vividness in narrative and all his lucidity in argument and exposition, will do much to make the true version of the story more universally recognised. And while Nelson's work is in no danger of being undervalued, certainly not by Mr. Corbett, it is high time that adequate justice should be done to the even greater services of Barham and Cornwallis, to say nothing of lesser men. But this is just what Mr. Corbett's study of the campaign does. It goes without saying that he has availed himself of the great mass of materials, published and unpublished, dealing with the naval side of the campaign, but what is of special value is that he has brought the naval events into their true connection with the military and the diplomatic, and that the different features of the story are arranged in their proper proportion.

One is accustomed to expect something new in Mr. Corbett's books, not merely new facts brought to light by his researches, but new constructions put on old facts and new solutions of old puzzles. His wide knowledge, his ingenuity and his insight help him to bring fresh light to bear on the most familiar points, and it would have been surprising indeed had he not found reason to call for a reconsideration of some of the salient features of the Trafalgar campaign. His most important new contention is that one should not regard the campaign, as one of mere defence against invasion, not as a merely naval campaign, but as essentially offensive and closely connected

with the development of the Third Coalition. Among the schemes under discussion by the Allies was included the expulsion of the French from Southern Italy by a joint Anglo-Russian force. England's contribution to this project was the force under Sir James Craig, some 6,000 to 8,000 strong, which sailed for the Mediterranean early in 1805, and, after various perils on the way, an episode well told by Mr. Corbett, ended by occupying Sicily on the collapse of the Coalition after Austerlitz and maintaining its hold on that island till the conclusion of peace in 1814.

According to Mr. Corbett this combined action with Russia is the key to the events of the year. He regards all Napoleon's plans for a naval combination to give him command of the Channel as wholly impracticable (p. 15), as a desperate attempt to free himself from the toils Pitt and the Czar were weaving round him, in the hope that the threat of an invasion would cause England to keep her troops at home and paralyse her proposed offensive. This is certainly a view of the case for which there is much to be said, but one cannot help feeling that Mr. Corbett goes a little further than is quite reasonable. He is much too positive about the hopelessness of the invasion to be altogether convincing. Admitting that Napoleon failed to grasp the great difficulties of wind and tide and that the arrangements for the invasion were never quite completed, still he had achieved many of his greatest successes by attempting things which his enemies had believed impossible. There is nothing in the version which ascribes all the luck to the English, and represents Napoleon's non-success as an inexplicable marvel. The chances were certainly very much in our favour, but there is a great difference between the 'most unlikely' and the 'impossible,' and if we had not had strategists like Barham and Cornwallis to direct the operations of a strong and thoroughly efficient fleet Napoleon's discomfiture might not have been such a certainty: the favourite does not always win. But, quite apart from this there is another caution to be urged against accepting in full Mr. Corbett's estimate of Craig's expedition. One cannot overlook its numerical weakness, even when one allows for its possibilities as an 'amphibious' force. Despite Mr. Corbett's comments on it, there is a good deal in Napoleon's criticism: 'plans of continental operations based on detachments of a few thousand men are the plans of pygmies.' The lesson of the Seven Years' War is that mere diversions cannot produce any decisive effect, there must be something substantial behind; as Mr. Corbett himself has shown their efficacy lies more in the threat than in the performance, and a threat with nothing behind it is of a short-lived efficacy. Pitt did attempt a true counter-stroke after the abandonment of the invasion, not with Craig's little force but with the much larger and equally little-studied expedition to the Weser under Cathcart, which was ruined by the precipitation of the Czar in fighting prematurely at Austerlitz and by the fatal delays and hesitation of Prussia, though it must also be allowed that it would have had a better chance had it landed a month earlier. However, while we should still regard the foiling of Napoleon's invasion-project as really more important than the counter-stroke with Craig's force, Mr. Corbett has certainly made out a clear case for his theory that it was this counter-

stroke which led to the actual battle of Trafalgar. But for the need to do something to check this Anglo-Russian attack on Naples, there would have been nothing to make the French quit Cadiz and give Nelson the chance to bring them to battle. Otherwise they might have remained quietly on the defensive in Cadiz, imposing on the English the difficult and exhausting task of keeping up a blockade. A passive defensive inside a well-protected port was, as Mr. Corbett has shown, the strategical alternative which the French always found most effective as a reply to the naval supremacy of England, and unless some stroke such as Craig's expedition could be struck at a vulnerable point it was bound to produce a deadlock.

Seeing then how important Sicily was as the key to the diplomatic and strategical situation in the Mediterranean, not merely being essential as the source of supply for our fleet but providing a point where England might have given the Coalition effective aid on land, one criticism often directed against Nelson must be modified. He is charged with having left the Straits open to Villeneuve through undue over-anxiety for Sicily and Sardinia. Mr. Corbett shows that this was in accord with his instructions, and he approves of his action in not leaving the position in which he covered those islands until he had positive intelligence of Villeneuve's course (p. 60). Yet one hardly feels inclined to make quite as light as Mr. Corbett does of the risks of leaving the Straits open (p. 55). Of course his whole view is coloured by his conviction that there was no serious danger of invasion, and that the projected offensive was the more important consideration, but one must point out that the special feature which governed the strategical situation was the inefficiency of the Allies. Their unreadiness to face a pitched battle was the true guarantee against invasion and Nelson's justification for leaving the Straits open. Had they been able to face the English on equal terms with as good chances of success as the French fleets had between 1778 and 1783, Nelson's strategy would have been most dangerous, both in leaving the Straits open—it is a little strained by the way to speak of Nelson as having 'driven Villeneuve through the Straits' (p. 97)—and also in returning to Gibraltar from the West Indies instead of making for Brest and Ferrol. Mr. Corbett does not discuss the route taken by Nelson at any length, but the chart certainly suggests that had Nelson made for either of those ports he must have fallen in with Villeneuve on the way. Certainly had he not left so many frigates in the Mediterranean he would have had a better chance of locating Villeneuve either in the West Indies or in Mid-Atlantic. But especially in view of what Mr. Corbett says of the tradition of concentrating on the Western Squadron, it does look as if Nelson was wrong in making for Gibraltar. It was not for the Mediterranean that Villeneuve was likely to be making, but for one of the ports where he would find another detachment of the Allied fleet. The return to the Straits was taking Nelson well out of the way to do any effective service while the crisis was being decided elsewhere. Luckily Villeneuve's fleet was not battleworthy enough to beat Calder or to attempt to come up to Brest even when re-enforced by the Ferrol ships. It was the inability of the Allies to face even weaker forces with any prospect of success that was at the root of their failure, though one must remember that

in discussing attempts at co-operation between a blockaded squadron and would-be relievers one must keep clear of the analogy of a besieged fortress by land where the relievers can almost always count on the garrison co-operating (p. 133). At sea this is not the case. The wind that was fair to bring Villeneuve up would keep Ganteaume from coming out, and so the separate portions of the Allied fleet would be exposed to defeat in detail. And Mr. Corbett makes a good point when he shows (pp. 180 and 189) how the dangers of opening a port for a short period, as Cornwallis did from July 12th to 24th, were not as great as they might appear. As he shows (p. 192), even if Ganteaume had ventured to come out while Cornwallis was standing to the westward on the chance of meeting Villeneuve, the chances were all against his escaping disaster if he entered the Channel.

The tradition of concentrating on the Western Squadron is a point of which Mr. Corbett makes a good deal. He shows that Orde's action in doing this when driven off from Cadiz by Villeneuve, a step somewhat vehemently and hastily condemned by Nelson, was not only fully in accordance with the established rule of the service, but exactly anticipated the orders Barham was drafting for him (p. 64). But one cannot follow Mr. Corbett in his statement that the blockade of Brest was merely 'incidental' to the work of the Western Squadron in 'holding the approaches to the Channel.' The all-essential task before the Western Squadron was to keep Ganteaume well watched and held in check. Ganteaume would not come out and fight, he had therefore to be blockaded, and it was largely to the efficiency with which the blockade was maintained that the impotence of the French fleet for harm was due. It is curious to find Mr. Corbett using language which rather belittles the blockade and seeming to attach a value to mere positions in themselves, as though he were of Jomini's school of strategists. Undoubtedly the control of the approaches to the Channel was important, but had Cherbourg been the headquarters of the French Atlantic fleet, the Western Squadron would not have been found off Ushant.

The very able defence which Mr. Corbett brings forward for Cornwallis' much criticised division of his fleet on August 16th really seems to bring out the fact that where the French squadrons were there was the place for the main fleets of the English. The division in question took place after Nelson and Calder had fallen back on Cornwallis, at the time when Villeneuve was off Ferrol and was expected to be coming north. Admiral Mahan¹ and Mr. Leyland² have condemned Cornwallis for dividing his force and sending Calder with twenty of his thirty-eight battleships to resume the blockade of Ferrol, arguing that this violated the great principle of concentration and risked defeat in detail. Napoleon himself called the move 'une insigne bêtise,' and yet Mr. Corbett is able to show good cause for approving highly of it. The stroke was 'well within fair risk of war' (p. 252). There were plenty of British

¹ *Influence of Sea Power upon the French Revolution and Empire.*

² *Blockade of Brest* (Navy Records Society).

cruisers about the Bay—Ferrol was never left unwatched—and there was very little chance of Villeneuve escaping observation or ‘playing prisoners’ base’ with Calder and Cornwallis. And had he fallen in with either division, would the collection of ships he had with him—it cannot be called a fleet—have been equal to tackling eighteen or twenty British battleships? Jervis had won St. Vincent against greater odds. Moreover, as has been shown, Ganteaume could hardly have been able to take part in an action between Cornwallis and Villeneuve. But the great thing was that as long as the British fleet was concentrated off Ushant, Villeneuve was free to go where he would. To have kept the whole Western Squadron concentrated would have been to adopt a mere defensive and to leave the initiative to Napoleon, who might have used Villeneuve with effect in the Mediterranean (p. 250). The division did not give Villeneuve the interior position; he already was between Cornwallis and the Mediterranean Squadron under Collingwood. What the detaching of Calder to the southward did was that it deprived Villeneuve of his liberty of action, a very urgent need which might well have justified a more risky step. And after all, the division was not merely approved by Barham, in making it Cornwallis was only anticipating the instructions Barham gave.

There is much more of which one might write. The praise given to Barham is not more than is fully deserved. The account of the battle is full of interest and a valuable contribution to its controversies. The charts are excellent and a great help to the reader. The attention given to the workings of the cruisers is very well bestowed: it enables Mr. Corbett to show on what intelligence the Admiralty and the commanders acted and how it was collected. The record of Allemand’s cruises and narrow escapes is really astonishing; he, at least, could not complain of his luck. Lastly, though one would have preferred not to end a review with a criticism, when the book is one of such real interest and value, it seems a little too positive to say that the decision to attack Austria was quite independent of Villeneuve’s failure to reach Brest. It was taken after a letter from Decrès in which the Minister of Marine expressed his conviction that Villeneuve must have gone to Cadiz (p. 275). The admiral’s letter of August 3rd had shown that he was contemplating a retreat to Cadiz. His non-appearance off Brest may well have led Napoleon to leap to a conclusion which M. Desbrière¹ has well described as ‘la merveilleuse intuition montrée par l’Empereur,’ even if, as he adds, ‘jamais décision plus grave ne paraît avoir été prise sur des motifs moins solides.’ Napoleon would not have realised, as a sailor would, that the delay might easily be explained by adverse winds; he knew Villeneuve was none too confident of himself or his fleet, and he may have realised that the admiral not merely had not come but was not coming. Mr. Corbett thinks it was on September 1st that Napoleon got definite news that Villeneuve was in Cadiz; but it was on August 29th that he heard of Cornwallis dividing his fleet and remarked ‘quelle chance a manquée Villeneuve,’ as though speaking of a thing past. Had he any more positive information then than on the 23rd or 24th?

C. T. ATKINSON.

¹ *Trafalgar*, p. 112.

ENGLAND AND THE FRENCH REVOLUTION, 1789-1797. Johns Hopkins University Studies in Historical and Political Science. Series xxvii., Nos. 8-12. By William Thomas Laprade, Ph.D. Pp. 232. 8vo. Baltimore: The Johns Hopkins Press. 1909. One dollar.

MR. LAPRADE has given very careful research to the subject of his monograph. He set out meaning to relate the effect of the French Revolution on the social and political life of England, but his research has led him to the conclusion that the influence of the Revolution in social matters was practically *nil*, and that in political matters it did little more than serve as a *deus ex machina* to the political purposes of William Pitt. His conclusions are disappointing and lead one to ask, if this be all, why not say so in fewer words? The answer would seem to be that Mr. Laprade has in the course of his study become so much interested in the politics of English ministers, and especially of their great leader, William Pitt, in the years from 1789-1797, that he has found in them his real subject. His researches have led him to believe that Pitt and his colleagues 'used' the French Revolution 'for their own political purposes as a pretext for reviving the old-time struggle with France for supremacy in the commercial and in the colonial world.' In other words, that they forced a war on France. In adopting this view Mr. Laprade separates himself from the accepted historical opinion. He has therefore to build up his own theory with elaborate care. English history has regarded Pitt as essentially a peace-minister. 'His enthusiasm,' says Lord Rosebery, 'was all for peace, retrenchment and reform. . . . To no human being did war come with such a curse as to Pitt, by none was it more hated or shunned,' and what Lord Rosebery has said later historians have endorsed. Such is not Mr. Laprade's view. Pitt, he maintains, incited Holland against France on the question of the opening of the Scheldt, broke the commercial treaty of 1786 between France and England by his Alien Bill of 1792, refused what Mr. Laprade considers a satisfactory explanation by France of the famous decrees which in November, 1792, threatened all established governments, and 'cultivated the fears' aroused in England by revolutionary societies and seditious writings. Finally he 'took advantage' of the execution of the king for the action which he expected would force the English to declare war—'he arranged to hold a meeting of the Privy Council immediately after the execution of Louis XVI. that an order might be issued requiring Chauvelin to leave England.' One cannot but respect the industry which Mr. Laprade has devoted to the working out of his theory, but, unfortunately, in the whole course of his enquiry he writes as if conducting a case against Pitt and his colleagues. With the writer's other conclusion, 'That the uprising in France played but a minor rôle in the domestic history of England,' historians will be less inclined to quarrel. The English and Scottish revolutionary societies had little direct permanent effect on the life of England, and what they had can hardly be ascribed to the French Revolution. It was due rather to the spirit of the time, to the influence of the American Revolution, and to the writings of men who, like Priestley and Paine, had formed their opinions before the French

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Revolution broke out. Their indirect influence was seen in the repressive measures to which the English Government had recourse. The account given of these Societies by Mr. Laprade forms the most interesting and instructive part of his book. But here again, in taking the side of the Societies as against the Government, he is too much inclined to discount the dangerous element and to leave untold the inflammatory oratory. Contemporary pamphlets quote passages that could not lightly be passed over. It must not be forgotten by the historian of the twentieth century that the standpoint of the eighteenth century was not and could not be ours. The monograph is full of points too detailed to be taken up in a short notice, and should be read by those interested in the politics of the time. It is furnished with an Index and an ample Bibliography.

SOPHIA H. MACLEHOSE.

THE GREAT CIVIL WAR IN LANCASHIRE, 1642-1651. By Ernest Broxap, M.A. Pp. xv, 226. With Map and Plans. 8vo. Manchester University Press. 1910. 7s. 6d. nett.

THIS is a history the compilation of which must have involved much labour and research, as the exactitude of detail shewn in it is quite beyond what is usually found in similar works. The period to which it relates is a difficult one for the historian desiring to give an account of the whole struggle between King and Parliament, for it was not a war carried on by one leading general, with forces concentrated for one main struggle.

In many respects it was a war conducted piecemeal in different localities, to which the two contending parties in each district of the country were allies respectively to those in other parts of the land, and gave assistance when able to assist without weakening their own power of resistance to their local adversaries. This was markedly the case in Lancashire, which was in the war before others joined issue, and remained in it till the struggle had waned and died out elsewhere. Lancashire was then an unimportant county, with much moor, and isolated by the natural configuration of the land from the eastern part. This led to the contest being local, though having an important bearing on the whole campaign.

In Lancashire the struggle was a class one, as indeed it was in degree everywhere, but the parliamentarians in that county had to meet the powerful royalists who clung to the great county magnate, Lord Derby, who drew to himself almost all the then so powerful aristocratic element. There was great reluctance in Lancashire to open war, both partisans probably realising that when once begun the fight would be bitter and the issue doubtful. But once the combatants took the field, there was resolute determination on both sides, and there was much of up-and-down in the events which followed, and of these the author has given a clear and graphic account. His love of accuracy and detail—or rather his conscientiousness in working it out—to some extent may detract from the interest of the book to the general reader, but the lover of history will be grateful to him for so full an account of a section of the great war, which had a telling influence on the subsequent course of events. For had the revolutionists been effectively crushed in Lancashire, as they well might

have been if generalship had been better on the royalist side than it was, the whole course of events might have been affected, either to cause prolongation of the royalist resistance, or even failure of their opponents to obtain the mastery.

The opening of the campaign as reported at the time is ludicrously like the modern accounts of events in newspapers, where the reporter sees what the other reporter for the other side does not see. Lord Strange's visit to Manchester for negotiation is reported as a scene of joy, 'acclamations, bonfires, streets strewed with flowers,' Lord Strange entering unarmed in his coach, with only his ordinary attendants. The other side's report described his 'coming in a warlike manner, attended by many horsemen, with cocked pistols and shouts that the town was their own.' It is not surprising that on that very afternoon there was crowd and melee, shots fired at Lord Strange, a royalist knocked off his horse and his assailant killed. This was the lighting of the match that kindled the flame, which for years burned fiercely throughout the county. Had Lancashire been left to fight its own battles, it is probable the royalists would have crushed the opposition, but orders from headquarters caused a large force of royalists to be moved elsewhere, with disastrous effects upon their cause. Those opposed to the King were not of one mind among themselves, and might easily have been overawed into submission had power of forces been maintained. Instead of which Strange, in loyal obedience, allowed much of his power to be carried off to other parts of the land.

There is not much interest attaching to the field fights. There were few combats that could be called pitched battles. There was much of what may be called running fighting. Interest concentrates on the sieges. Of these two stand out prominently—the siege of the town of Manchester, and the siege of Lathom House, the seat of the Derby family. The siege of Manchester by the royalists affords a strong illustration of the folly of dividing forces, and enabling defenders to meet attacks made with too small forces to act rapidly and effectively. The author goes into great, perhaps too great, detail in describing this siege, as such minute treatment makes the account wearisome to the non-technical reader, and there is little of instruction for the soldier.

The siege of Lathom is a much more interesting episode, as it is full of incident, and has the romance attached to it that the defence was conducted bravely and skilfully under the leadership of a woman, the Countess of Derby, a daughter of the Duc de Touars, and granddaughter of William the Silent; a brave woman, whose answer to the besiegers is worth recording—'Though a woman and a stranger divorced from my friends, I am ready to receive your utmost violence, trusting in God for protection and deliverance.'

But her celebrated later answer is historical: 'Tell that insolent rebel, he shall have neither persons, goods, nor house; when our strength and provision is spent, we shall find a fire more merciful than Rigby, and then, if the providence of God prevent it not, my goods and house shall burn in his sight; myself, children, and soldiers, rather than fall into his hands, will seal our religion and our loyalty in the same flame.' It is a pleasure to

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know that this brave lady repelled the besiegers successfully till succour came. Lathom only fell in a later siege, when the inspiration of the Countess no longer upheld the garrison.

Sufficient has been said to indicate the interest and value of this history. It is written in a clear style, and there are many verifying and interesting notes from contemporary writings.

J. H. A. MACDONALD.

THE RECORDS OF THE TRADES HOUSE OF GLASGOW, A.D. 1605-1678.

Edited by Harry Lumsden. Pp. xxvii, 574, 4to. Glasgow: Printed for the Trades House of Glasgow. 1910.

No obscurity surrounds the origin of the body known as the Trades House of Glasgow. A little over three hundred years ago, or to be exact, on 9th February, 1605, an award was pronounced by arbiters who had been appointed to treat and decide concerning the privileges of the merchants and craftsmen within the burgh and the settlement of controversies between them; and by this award, familiarly known as the Letter of Guildry, it was provided that there should thenceforth be in the city a dean of guild, a deacon convener, and a visitor of maltmen. The deacon convener was to be chosen by the town council from a leet presented by the deacons of the respective crafts, and when appointed he was directed to convene the whole deacons of crafts 'and their assisteris,' as occasion required, and with their advice to judge betwixt them in matters pertaining to their crafts and callings, and to make acts and statutes for good order amongst them. The several deacons and their assistants were at first called the Deacon Convener's Council, and it is the record of their proceedings down to the year 1678 which is now published. At the first recorded election of the council the deacon convener nominated the whole deacons of crafts, the visitor of maltmen, and other nine persons, 'to be his counsellours to convey with him and to advyse in all things that sall concerne the glorie of God, the weale of this burgh, and their particular weale, nocht hurtand the weale of ony wther within this burgh.' As latterly constituted, the council consisted of 14 deacons and 40 assistants, making 54 members in all. About half a century after it was first formed, the Council began to assume the name of the Crafts House or Trades House, by which latter it is now invariably designated.

Though the Glasgow of 1605, with Stockwell Street at its western limit and with a population of about 7,000, was inconsiderable when viewed from a modern standpoint, it is described in a contemporary document as having then 'becum well peopled and hes ane greit traide and trafficque,' and it had 'speciall plaice and voice as ane frie citye of the kingdome.' There were 213 burgesses of the merchant rank and 363 of the trades rank. Only those burgesses who were members of the incorporations were allowed to practise their craft as masters, and their seals of cause regulated the employment of journeymen and apprentices. The earlier seals of cause always stipulated for contributions to specified altars, but subsequent to the Reformation the dues which, as described in one of these documents, were 'of old superstitiously bestowed on their blind

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devotions,' were applied towards support of the poor. While the individual crafts incorporations were still to continue in charge of their own decayed members, the letter of guildry provided for the maintenance of hospitals by both merchants and craftsmen for so many of their respective poor. The new deacon convener and his council lost no time in purchasing a site for their hospital. By the expenditure of 'diveris and greit sowmes of money,' the ruinous and decayed hospital at the Stablegreen, founded in the beginning of the previous century by Sir Roland Blacader, subdean, was procured for the purpose, but within a couple of years that design was abandoned, and the manse of the parson of Morebattle was acquired and fitted up as the almshouse. The endowments of Blacader's hospital appear in the early accounts as the 'craftis auld rental, extending to £26 9s. 4d.,' and a sum of 10 merks was paid 'for translatting of the hospitalis fundatioun in Inglishche.' The minutes and accounts now printed show how the work of starting the new hospital proceeded and how a voluntary contribution was collected to meet the expense. Slates were carted from the Broomielaw, having probably been brought from Argyllshire in boats, nails were brought from Bannockburn, quarriers were paid for stones, 5s. 4d. was paid 'to the wrichtis for aill quhen they began to lay the hospitall wark,' and the like sum for other two quarts when they finished the job. After the hospital had been set agoing six poor men were lodged in it, getting yearly pensions of £48 each besides allowances of clothing, 'sarkis' and 'schoone.'

In the accounts for the year 1607-8 the gross charge, including £133 of borrowed money, a legacy of £3, and £152 contributed by the crafts, amounted to £449 Scots, or £37 sterling, a small beginning for an institution which to-day has assets valued at £158,261, and an annual revenue of £7,895. Successful speculation in land, beginning with the purchase of Gorbals in 1650, was one of the chief means by which this wealth was accumulated.

With the exception of one or two lost leaves, the first MS. volume of records, embracing the period 1678-1713, is complete, and its contents are given in full. This is commendable, though it results in the printing of much routine matter, such as procedure at the annual elections, reports on the yearly accounts, regulations for the contributions leviable from the several incorporations, and details as to the investment of funds. Loyal support was usually given to schemes having the general welfare of the town in view. A sum of £500 was raised for one of the town's ministers, contributions were made towards the expense of defending the thirlage rights of the city at a critical juncture, the deacons gave money for supplies of arms and armour, and assistance was given in carrying out a resolution of the town council instructing the removal of stones from Dumbuck ford for improving the navigation of the Clyde. An example of the way in which the deacon convener's council settled disputes occurs in 1638, when seven members of the coopers' incorporation complained that the rule under which purchases of imported material ought to be dealt equally to poor and rich had been infringed. The council ordered that the deacon of the coopers, accompanied by two or three honest men of the calling, should in

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future purchase such material and divide the same equally among the poor and the rich, 'without respect of persons,' it being lawful for any poor cooper to sell his lot at a profit if he was unable to pay the price. At another time the council cordially approved of the proceedings of the incorporation of wrights in trying to repress and punish an incorrigible member who had 'malitiouslie' called his deacon a 'pendicle.'

This carefully edited volume, with its valuable information on points of local history, commercial and industrial development, has its attractive appearance enhanced by well-executed facsimiles of portions of the original record.

ROBERT RENWICK.

ANCIENT CHURCH DEDICATIONS IN SCOTLAND (Scriptural Dedications).

By James Murray Mackinlay. Pp. xxiii, 419. Demy 8vo. Edinburgh: David Douglas. 1910. 12s. 6d. nett.

In a Prefatory Note the author defines the object of this volume as twofold. 'In the first place, to give some account of the Cathedrals, Parish and Collegiate Churches, Chapels, Hospitals, and Monasteries, under the invocation of saints mentioned in Holy Scripture; and, in the second place, to trace the influence that these saints have had on ecclesiastical festivals, usages and symbolism.'

The result is a *catalogue raisonné* which partakes more of the nature of a work of reference than of a definite and articulated treatise. There is room for an authoritative work on the Consecration of Churches, and it is unfortunate that Mr. Mackinlay has confined himself to the topographical side of his subject. An historical introduction, in which the evolution of the subject of Consecration from the early Roman and Gallican rites through the legislation of the Medieval Church would have been traced, would have added greatly to the interest of his researches. The special field which he has chosen offers admirable illustrations of the difficulties which presented themselves in every country to the Canon lawyers, and the general rules which were framed to meet them throw light on Scottish usages which at first sight seem somewhat arbitrary. The conflicting claims of national and Roman saints, *e.g.*, had to be met in many fields. But within his self-imposed limits Mr. Mackinlay has dealt adequately with his subject, and the material which he has collected has a permanent value for local historians.

DAVID BAIRD SMITH.

NEWS LETTERS OF 1715-16. Edited by A. Francis Steuart, Advocate.

Pp. xv, 157. 8vo. Edinburgh: W. & R. Chambers, Ltd. 1910. 5s. nett.

At the time of its occurrence the Jacobite rising of 1715 was allowed to pass with small comment, while the offenders were leniently dealt with by the reigning powers. Consequently few records were left of the affair, and consequently, in turn, historians have said comparatively little on the subject. But albeit lacking the romance of the great rising thirty years later, the 'Fifteen is distinctly an interesting episode, and the mere fact that it has been so slightly handled heretofore lends an additional fascination to any sidelights thereon.

The News Letters now set forth by Mr. A. Francis Steuart are printed from originals in the possession of Mr. Charles E. S. Chambers, who inherited them from his grandfather, Dr. Robert Chambers, the well-known historian. They formerly belonged to Sir Archibald Steuart Denham of Coltness, Bart., and it was to him they were addressed from time to time during the rising. The writer's own name is not disclosed, but it is evident that he was an enthusiastic Whig; and, though any literary gift is conspicuous by its absence from his correspondence, the latter is none the less valuable historically because of this limitation. It furnishes accounts, of course, of the raising of Mar's standard, of the Jacobites' abortive attempt to take Edinburgh Castle, and of the battle of Sheriffmuir; while ever and anon it leads from these highways into less familiar byways, and gives information anent various recondite matters. It is useful, in particular, in the light it throws on the genesis of the 'Fifteen, and in what it tells of the less important parties implicated therein. It shows, moreover, to what a large extent mercenaries from Holland and Switzerland were employed to quell the rebellious clans, while it illuminates the behaviour of the government troops during their sojourn in Scotland, and the degree of discipline maintained amongst them. On this subject the writer gives nothing but praise, speaking with marked enthusiasm of the equipment of the soldiers, and saying of certain of them: 'I scarce think there is a more showy regiment in Europe.' Of the insurgent Highlanders he writes less generously, describing them as 'a crewell enemie'; but one can hardly blame him for this misconception, for was it not universal at the time, both in England and in lowland Scotland?

As regards the editor's own part of the book, here and there he is inclined to be disappointing. He mentions Sir James Steuart Denham, who eventually succeeded to the estate of Sir Archibald, first as a 'cadet,' and then as a 'relative' of the latter. Now Sir James is so very interesting a figure in history—for he practically founded the science of political economy—that one is naturally anxious to know the precise consanguinity between him and the owner of the MSS. The *Dictionary of National Biography* offers no information on this head, so it is a pity that Mr. Steuart says nothing, and the same is true of another section. This describes attempts to suppress Jacobite plots and plans in and around Edinburgh, and it speaks of 'neer catching some ringleaders had been at the principall Chainge House at Wrightshowses.' What a pity that Mr. Steuart does not give any elucidation on this passage, for one cannot but wonder if the writer refers to the ancient 'Golf Tavern,' which overlooks Bruntsfield Links to this day. The veteran building was lately demolished, but, as its street is still named 'Wright's Houses,' one would fain believe that the present hostelry is a relic of Jacobite hopes, and that it was here the culprits met to drink the health of the king over the water.

These are infinitesimal matters, however, and in the main the editor has done his work excellently. His volume cannot be called indispensable to students of Jacobite history, yet it is one which most such will read with interest, and will surely care to possess.

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ENGLAND BEFORE THE NORMAN CONQUEST. Being a History of the Celtic, Roman, and Anglo-Saxon Periods down to the year 1066. By Charles Oman. Pp. xx, 679, with 3 Maps. Demy 8vo. London : Methuen & Co., Ltd. 10s. 6d. nett.

PROFESSOR OMAN'S latest book marks a new stage in the writing of Early English history. Within recent years, thanks to the work of scholars like Haverfield, Stevenson, Chadwick, and Maitland, the conclusions of older historians have been everywhere undermined, but while tentative local reconstructions have been attempted, until the appearance of this volume, no general summary of results had been made. But now Mr. Oman has given us a book which, without pretending to any original detailed research of its own, gives the general reader a fair statement of the results arrived at by scholarship since J. R. Green, and Freeman, and Stubbs wrote their histories. It has not, of course, the picturesque style and pious fervour of Green's *Making of England* and *Conquest of England*, nor does it surrender so pleasantly to the charms of Bede's *Ecclesiastical History* as Green does in some of his best pages. But by way of substitute we have a sane, restrained, and scholarly narrative, which attempts little fine writing, and refuses to give speculation, however fascinating, where plain fact alone is justified.

For practically the first time, the general reader is given an account of Roman Britain, not merely interesting, but authoritative, and Mr. Haverfield's supervision of the Roman sections lends an additional force to Mr. Oman's work. In the same way, the grain has been sifted from the chaff in Mr. Chadwick's recent highly speculative work, and much of what is soundest in that scholar's *Origins of the English Nation* may be found here, related in sober fashion to the main body of Early English history.

In work demanding so much readjustment and replacement, errors in judgment, or unfortunate changes in emphasis were to be looked for—the more naturally because Mr. Oman owes no special allegiance to this period. But, on the whole, he must receive praise as an extraordinarily skilful *improvisatore*. His earlier pages, on Celtic Britain, show more difficulty, are less certain in their information, than the rest of the book. The rather culpable neglect to mention, in any adequate way, Early English literature, coupled with a little slip in a reference to Beowulf (on page 403, where Hygelac appears as Beowulf's elder brother) suggests either that he does not know, or that he does not care, for one important aspect of his subject. The chapters on ecclesiastical history, while moderately comprehensive, hardly do justice to the church in Ireland and Iona. And, to bring the ungrateful task of fault-finding to an end, while Mr. Oman's caution in social and constitutional reconstruction is admirable, it has, in two instances at least, made him inadequate as a substitute for Stubbs or Freeman. The pages which deal with the early English monarchy (352-358) are hardly illuminating, and in no sense do justice to the most important of all Mr. Chadwick's contributions to early constitutional history; and distinctly too little has been made of Maitland's *Domesday Book and Beyond*, more especially with reference to the origins of feudalism.

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But when all has been said, the book stands out as a sound and authoritative account of the most difficult period in British history. Considering how few Mr. Oman's opportunities for picturesque narrative have been, compared with those allowed by earlier canons of scholarship to writers like J. R. Green, the book is wonderfully interesting, and proves once more how unusual a gift its author has for popularising the researches of more plodding minds. As a populariser, Mr. Oman cannot expect to have the easy power of the great scholars, whose work he is assisting to supersede; for, with all his faults, J. R. Green's knowledge of, and sympathy with, Anglo-Saxon England, gave all he wrote on his subject an air of distinction; and the virile understanding and profound learning of Dr. Stubbs made even his errors in Early English history profitable. One naturally expects to find history interpreted more narrowly where the resources of the writer are restricted. But, after all, the comparison is unfair; and as a text-book, or accessible account of the period, the volume takes a distinct place of its own.

One peculiarly pleasing feature in Mr. Oman's work must receive some recognition. His field of inquiry is one, famous of old for acrid controversy, and scholars of name have lost their tempers and their manners over the very issues discussed in these pages. But even where the conclusions of earlier scholars had to be set aside, Mr. Oman has done it without an unfair reflection, and not even the suggestion of personal abuse.

The book is provided with an adequate index, but it is hardly possible to praise the system (or confusion of systems) on which modern and ancient place-names are allotted in the three maps at the end of the volume.

J. L. MORISON.

THE PARISH REGISTERS OF ENGLAND. By J. Charles Cox, LL.D., F.S.A.
With twenty-four illustrations. The Antiquary's Books. Pp. xx, 290.
Demy 8vo. London: Methuen & Co., Ltd. 1910. 7s. 6d. nett.

THERE was no need for a well-informed antiquary like Dr. Cox to make an apology for undertaking a book on the parish registers of England, for few men living are better equipped by knowledge and experience for the task. Nor can it be said that such a book is outside the scope of the series of which the author is editor, and to which he has already rendered valuable service. The various branches of English antiquities comprehended in 'The Antiquary's Books,' so far as the scheme has been accomplished, have been treated in such a scholarly and popular way that the volumes may be regarded as indispensable to the working student as well as the general reader. The latest contribution to the series is worthy of high rank among the volumes already published.

Dr. Cox has entered the lists in competition with some eminent pioneers in the same field, and we do not think that his claim for respectful consideration has been strengthened by a half-hearted appreciation of the labours of some of his predecessors. It would have been better if he had frankly stated that each of the previous manuals had a value and individuality of its own. Workers on parish registers owe too great a debt to

Ralph Bigland, *Somerset Herald*, who published his observations so long ago as 1764, and to John Southerden Burn, who wrote on parish registers in 1829, to forget how much help they had received from a perusal of their pages. If the successors of these pioneers have produced more trustworthy and comprehensive compilations, much was no doubt due to the work already done, and to the greater opportunities which have arisen in recent years by the printing of so many registers in various parts of the country. Despite the praiseworthy efforts of Mr. Chester Waters, carried on in a spirit that almost amounted to heroism, and when every recognition for painstaking research and accurate knowledge is accorded to Mr. Meredyth Burke and Dr. Cox for their respective contributions to the history of parish registers, one cannot help feeling that Bigland and Burn will hold honourable niches among them, and that students will turn to their pages on some points where the others have failed to give the required guidance.

The importance of some record like a parish register of baptisms, marriages, and burials had been long felt before Thomas Cromwell, the famous minister of Henry VIII., brought the institution into being in 1538. In vain have we looked in Dr. Cox's pages for a discussion of the forerunners of the parish register in England. Perhaps the author believed that 'there were no snakes in Iceland.' Anyhow we should like to have the explicit opinion of an expert of the public records, as Dr. Cox undoubtedly is, on the calendars of parish churches and the entries in missals and psalters which meet us, notably in proofs of age, during the medieval period. The hazard of a forecast is small that the institution had been slowly growing and taking shape in men's minds till the psychological moment came with the destruction of the religious houses and the necessity for parochial registration dawned on King Henry's astute adviser, who made it compulsory on the English clergy. It is thought by many students that the arguments of Mr. Chester Waters on this matter will not stand the test of more recent knowledge.

Notwithstanding a sincere admiration for Dr. Cox and his book, we take leave to dissent from his views on the origin of Bishops' Transcripts. It is to be regretted that the old story of the Injunctions of 1597 has been accepted and handed on. A more careful scrutiny of diocesan registries will reveal the existence of transcripts at a much earlier period than the date indicated by the author. Genuine transcripts will be met with in the parochial bundles of such repositories at various dates from 1560 onwards, perhaps from a much earlier period. Dr. Cox has noticed the abortive attempts in 1563 and 1590 to establish a general registry in each diocese. These projects should have suggested to him that the idea of Bishops' Transcripts at that period was not only in the air, but very much on the firm ground. If he takes up his Cardwell he will find that Archbishop Parker inquired in 1569 'whether your ministers keepe their registers well and do present the copy of them once every yeare by indenture to the ordinarye or his officers.' In 1571 a precisely similar injunction was given by Archbishop Grindal in his metropolitical visitation of the province of York. There is little doubt that Bishops' transcripts, as well as parish registers, were in existence as an institution long before they

received definitive recognition by synodical or other authority. The existence of numerous genuine transcripts in several diocesan registries before the date assigned for their origin, when read in the light of the archiepiscopal injunctions in both provinces, should convince Dr. Cox that the old theory to which he has given his adherence needs revisal.

The volume is well arranged in chapters under separate titles according to subject-matter. Among the appendices there is a list of parish registers beginning in 1538, and another in 1539, while a third gives a list of those wholly or partly in print. The illustrations are as curious as they are valuable. The most interesting are perhaps the facsimiles of some title-pages of registers. The portrait of Thomas Cromwell, the founder of parish registers, fitly occupies the chief place. The motto of the volume that 'every parish must have a history, every parish has a register, every person has a parish,' is not the least happy of the proverbial sayings of Bishop Stubbs. There is a good index.

JAMES WILSON.

THE BARDON PAPERS: Documents relating to the Imprisonment and Trial of Mary Queen of Scots. Edited for the Royal Historical Society by Conyers Read, Ph.D., with a Prefatory Note by Charles Cotton, F.R.C.P.E., M.R.C.S. Pp. xlv, 139. 4to. London: Offices of the Society. 1909.

THE Bardon Papers are certain MSS. discovered in 1834 at Bardon House, Somerset, and now in the British Museum. Though they reveal nothing of cardinal importance not already well known in regard to the imprisonment and trial of the Queen of Scots, they supply a number of details of various interest; and while they further confirm the reluctance of Elizabeth to assent to her execution, they render, if that were possible, still more evident the determination of her accusers to secure it by hook or by crook. At the same time they contain no really fresh evidence as to Mary's innocence or guilt. They leave the matter where it was, wherever that may be.

The annotation of the documents by Dr. Conyers Read is careful and illuminating; and his introduction supplies all that is necessary for an intelligent perusal of them, in addition to what may be termed supplementary matter. On one or two points his statements are, however, not quite accurate, or stand in need of qualification. Every one will not agree with him that it is difficult to answer the question as to whether Mary was guilty of connection with the murder of Darnley, if that be what he means to affirm; nor will every one agree with him that the answer to this depends upon the question of the authenticity of the casket letters, if that be what he means to imply. Many have had no difficulty in answering the former question in the affirmative, even when not fully persuaded as to the letters; and as regards even the letters, Mr. Lang himself—who is supposed to be prejudiced rather in favour of than against Mary, if he be prejudiced at all, which of course he will deny—has confessed, admittedly with reluctance, that he has no option but to assign to her the fatally incriminating Glasgow letter.

It is hardly correct to say of the Duke of Norfolk that, while nominally a Protestant, 'he was well known to be strongly Catholic in his sympathies.' On the contrary, Maitland and other Protestants projected his marriage to Mary because of his Protestantism. The duke was strong in nothing; he was merely a wobbler, whom in the end the Catholic conspirators purposed to make a Catholic, and whom they and Mary befooled for their own purposes. And is there much difficulty, as Dr. Read states, in guessing Mary's motive in encouraging him? She might, or might not, intend to marry him, but she at least desired to utilize him as an instrument in securing her liberty.

It seems rather rash to affirm that D'Aubigny's fall 'destroyed perhaps the best chance Mary ever had of realizing her hopes.' Unless Dr. Read is able to fathom the mystery of D'Aubigny's real aims, unless he knows that D'Aubigny was more devoted to Mary than to James or to his own self, he can hardly indulge in even a perhaps as to the destruction of the 'best chance,' for was it so much as a chance?

Dr. Read is of opinion that it would be rash to attempt any definite pronouncement as to Mary's guilt or innocence of the Babington murder plot, though, judging from what is otherwise known of her, he thinks she 'would not have been deterred by any nice moral scruples.' Now, to those who have not given full attention to the various items of cumulative evidence, this may seem a remarkably judicial verdict; but a verdict of not proven, unaccompanied with a careful summary of the evidence, has no more claims for acceptance than a verdict, in similar circumstances, of either innocent or guilty. Its impartiality depends wholly on the character of the evidence; and since there is no room here for adequate discussion of this, I refrain from expressing an opinion, beyond the remark that Mary must have been a phenomenally weak, soft, or angelic woman if she did not approve of Elizabeth's assassination; that her approval of it, if she did approve of it, can hardly in the circumstances be deemed a crime; that, therefore, the question of her innocence or guilt is a very minor matter indeed: a minor matter as regards herself, and a minor matter, also, as regards her accusers, who, whether she was guilty or innocent, were the begetters of the crime, real or imaginary, for which she suffered execution.

T. F. HENDERSON.

THE BOOK OF ARRAN. Edited by J. A. Balfour, F.R. Hist. S., F.S.A.Scot. Pp. xiv, 295. With numerous Illustrations. 4to. Published for the Arran Society of Glasgow by Hugh Hopkins, Glasgow. 1910. 21s. nett.

HALF a century has elapsed since Mr. Bryce, mathematical master in Glasgow, was requested to prepare a geological guide to the Valley of the Clyde for the members of the British Association. Out of that production was developed by the same author, *The Geology of Arran and the other Clyde Islands*, a work scientific in conception and popular in form, than which no more entertaining local guide-book could be obtained anywhere. One feature of the book was the supplement of sections dealing with the history of the Isle, and of chapters devoted to its Fauna and Flora contributed by

various writers. That excellent book was a model precursor of this now under review. In some respects the modern *Book of Arran* is like the old in being a collaborated work by experts in various branches of science. Their up-to-date results and conclusions, with photographic and engraved illustrations of first merit, are edited by Mr. J. A. Balfour, who has personally contributed seven chapters of great interest, dealing with subjects within the pre-historic and historic periods.

The Introduction, entitled 'The Building up of the Island,' is the work of Sir Archibald Geikie; Professor Thomas H. Bryce describes 'The Sepulchral Remains'; Mr. R. F. Coles delineates 'The Cup and Ring-marked Stones'; Mr. F. C. Eeles discusses the 'Effigy of an Abbot at Shisken'; Mr. C. E. Whitelaw, architect, describes 'The Castles'; and Dr. Erik Brate, Stockholm, contributes an interesting chapter on the 'Runic Inscriptions in the Cell of St. Molaise.' Treatises on the recondite subjects so dear to antiquarians are sometimes so dull and soporific that few trouble to read them. But these archaeological essays, although written with great precision, are presented in such lucid and simple terms that ordinary readers, whether interested in the locality or not, cannot fail to be fascinated in their perusal. The charming introductory chapter by Sir Archibald Geikie affords an educative account of the geological up-building of an Isle, no small part of whose romance lies in the fact that it has been detached from the mainland at a late period of its history. A diagram indicates the results of the seven distinct periods of eruption, and the resultant lie of the land after the schists, grits, and conglomerates found settlement, the sandstones took their bed, the upper measures were fixed, and the irresistible lava stream burst up through all these strata and cooled down on those ragged peaks, so grand to the eye of the traveller. The picture given of the elements at their formative work is almost cinematographic in its realism. The glamour of the scene is on the writer himself, and the eye of a poet guides the hand of a scientist.

With similar ease and grace of style Professor Bryce glides in and out the chambered cairns which he lays bare in order to memorialise them better with fascinating photographs from his camera. Here again the reader is on solid ground, facing the evidences of the past carefully set out, measured to a hair's-breadth, weighed, tabulated, compared, and judiciously pronounced on. Chamber and cist, skull and skeleton, urn and tool, are critically examined, and in this valley of Dry Bones, the deft anatomist raises up the aboriginals, restores flesh and feature, declares their sexes, displays broad-head and narrow-head, in order to assert that 'a new and pure race appeared in Scotland at the beginning of the Bronze age, bringing with them the beaker urn and a new form of culture. In stature these new people do not appear to have greatly exceeded the earlier Iberian settlers, and in complexion they were probably dark like them.' Only by experience and a long residence in the West can one comprehend all the significance of the weighty conclusion of the learned professor;—'As an ethnic factor, the broadheads have left very little trace of their presence. The dominant type in the later population of Bute and Argyll has always been dark and dolichocephalic. This type was, of course, strongly rein-

forced from Ireland, but the district remained, in the main, true to the characters of the earlier settlement.'

The Report on 'The Cup and Ring-marked Rocks at Stronach Ridge, Brodick,' prepared by Mr. Coles for the Society of Antiquaries, is here reproduced without any further comment or suggestion as to the meaning or origin of these mysterious memorials. The Editor, dealing with the Proto-historic period, gives a short sketch of Viking burials with reference to a find at King's Cross Point. Another interesting chapter on 'An Irish-Celtic Monastery,' gives the Editor an opportunity of drawing attention to the discovery of an early monastic establishment near Kilpatrick, and to his suggestion that this may be the site of that monastery on Aileach founded by St. Brendan. Very instructive, also, are the Editor's other contributions to the volume, namely, 'Chapels and Sculpture Stones,' 'The Holy Isle,' 'Miscellanea,' etc.

Mr. F. C. Eeles, in a very informative chapter 'On the Effigy of an Abbot at Shisken,' clearly disposes of the tradition that this monument represents St. Mollo. The figure, now preserved in the Church at Shisken, is none other than a medieval priest in his eucharistic vestments, as antiquarians have long decided. The notes by Mr. Eeles on the forms of vestments on West Highland monuments are very valuable.

From an architectural point of view Mr. C. E. Whitelaw has done justice to 'The Castles,' but it is a pity that space did not permit of references to the part they played in the national and local story. It is unfortunate that the present state of the Norse Runic inscriptions in the cell of St. Molaise, Holy Isle, does not permit of Dr. Erik Brate making more of them than suggestive interpretations. A catalogue of Arran place-names, in their amended form, is a necessary accompaniment, as also is an excellent map. Altogether this superb volume is a credit to the Arran Society of Glasgow, and to its Editor, is a delightful guide-book to the antiquities of a wonderful isle, and should be in the hands of lovers of accurate research.

J. KING HEWISON.

MEMOIR OF THE RIGHT HON. SIR JOHN M'NEILL, G.C.B., and of his second wife, Elizabeth Wilson. By their grand-daughter. Pp. xiv, 426. With Illustrations. Demy 8vo. London: John Murray. 1910. 15s. nett.

SIR JOHN M'NEILL, whose name is associated with British interests in Persia, well deserved a monograph, and the book before us has given a satisfactory one. He was born in 1795, and, being the third son of the Laird of Colonsay, was a true Highlander. In early life he shared the frugal life of the other islanders, and of this simple life Professor Mackinnon gives us a very interesting account. At the age of twelve he went to Glasgow and then to Edinburgh to follow the medical profession. In Edinburgh (to show his strength, he once, it is said, for a wager, walked thence to Glasgow and back in twenty-four hours) he made the acquaintance of the family of Wilson, the best known member of which became 'Christopher North,' and having obtained his degree, married Miss Robinson, of Clermiston—an imprudent match, the bridegroom being nineteen, and the bride two years

younger—and with his wife went to India in the service of the East India Company. His young wife died in 1816, and he himself joined the Field Force at Baroda, and saw some active service against Holkar and the Pindarees.

In 1820 his long career in Persia began, as he was attached to the British Mission in Teheran. After returning home in 1822 he married Elizabeth Wilson, whose brothers were his dearest friends, a charming Scottish lady (whose name is rightly associated with his in this book), in whom he found an admirable wife and ally, and in 1823 went with her to Persia, from whence her lively letters (she was a friend of Lockhart and the Blackwood 'group') make agreeable reading. M'Neill took part in the negotiations for peace after the Russo-Persian war, and had considerable influence in altering the tortuous policy of Persian finance. In 1831 he was made Resident at Bushire, brought his weight to bear on old Fattah Ali Shah, and was Envoy to Khorassan.

During a visit to Europe he wrote a *brochure*, *The Progress and present position of Russia in the East*, which became famous later during the Crimean War. Then, parting from his wife and sole surviving child, he again went out to Persia—but this time as Minister Plenipotentiary and Envoy Extraordinary—in 1836. The complications between the Afghans and the aggressive Persians brought him, though successful, into disfavour with the new Shah, and he left for home, remaining there two years, and there was created G.C.B. for his services. He returned to Persia for his last term in 1841, retiring next year, having pursued a policy crowned with success.

Forty-one years of retirement followed, but he was never idle for a moment. He wrote, he was a Commissioner of the first Scottish Board of Supervision, and he inquired into the potato famine (his report gives what the author calls 'the final word on the Crofter Question'), and he interested himself in Highland emigration. In 1855, in his sixtieth year, he was sent out to the Crimea to inquire into the working of the Commissariats. This brought about a friendship with Miss Florence Nightingale, and, as he wrote to his wife 'enough remained to be done to make me thankful I agreed to come here.' His dignified behaviour in the storm which followed the publication of the Reports is very temperately told. Honours fell thickly on him in the evening of his life, but his beloved wife died in 1868. He continued, however, to be of use to the world, and died as lately as 1883, being tended by his third wife, the Duke of Argyll's sister, Lady Emma Campbell, and his fame has caused him to be claimed (in 1903) as Mrs. Eddy's great-grandfather by a very misguided Biographer of the Founder of Christian Science!

The editor has done her difficult work well, she has given a glimpse into Persian and Russian history and politics sufficient for her subject, and she has inlaid her work with extracts from delightful family letters with great skill. We think she is not wrong in having used the old orthography of Oriental names instead of the more modern forms, but she should have seen to their uniformity, and corrected not only some misprints but also the spelling of the names of the German, Russian, and Austrian nobles mentioned in her very readable biography.

A. FRANCIS STEUART.

HERALDRY SIMPLIFIED : AN EASY INTRODUCTION TO THE SCIENCE AND A COMPLETE BODY OF ARMORY. By W. A. Copinger, M.A., LL.D., F.S.A., Dean of the Faculty of Law in the University of Manchester. Pp. 379. Illustrated by nearly 3000 examples. 4to. Manchester : University Press. 1910. 10s. 6d. nett.

DR. COPINGER endeavoured to present within moderate compass all he could find in the best authorities, in such a way as to enable anyone from his volume alone, to acquire a competent knowledge of English heraldry. And we regret that the reputation which the distinguished author gained by other works is not likely to be enhanced by this volume.

The book proceeds, so far, on the lines of *Clark's Introduction to Heraldry*, and there is a very full chapter extending to about fifty pages giving hints on the compilation of pedigrees, and setting forth in detail all the well-known sources of genealogical authority. A new feature appears to be the arrangement of the common charges in alphabetical order, the examples being so placed that when the description is too long to be printed underneath it appears on the opposite page.

Throughout the book there are statements which we are inclined to challenge, and inaccuracies which we are afraid we cannot always attribute to the printer. We give a few instances. In referring to arms of pretension the author says: 'On the union with Ireland the arms of France were first omitted, and the ensign of Ireland substituted in the third quarter of the royal arms of Great Britain.' Now, there was no such substitution; the arms of Ireland have occupied the third quarter in every reign since the accession of James I. In describing subordinate ordinaries, he says: 'The Orle is an insulated border in the shape of the Shield to which when the half fleur-de-lis is affixed it becomes a Tressure.' This is incorrect: the tressure is not more than half the breadth of the orle and, clearly, the orle itself may be borne flory. Again, 'the Flanch is formed of two curved lines on each side of the Shield. They take their beginning from the corner of the Chief, and from thence swelling by degrees until they come to the middle of the Shield, and thence proportionably declinary to the Sinister base point.' Should a beginner try to portray flanches of this pattern he would make the curved lines meet at the fess point, and would then continue both lines downwards to the same point, on the same side of the shield! In treating of borders, the author gives a dozen examples before he explains what a border is, and would seem to contradict his glossary by stating that 'a border is never metal upon metal.' A border enurny, he proceeds, is one charged with 'lines,' evidently meaning lions, while in another case the border is stated to be 'charged with entoyre of bezants' instead of 'charged with bezants,' or 'entoyre of bezants,' one or the other. And in speaking of ostrich feathers, he says that a plume of three heights should consist of twelve feathers, six, five, four, and three, an arithmetical and heraldic feat that we do not attempt.

Dr. Copinger's examples are occasionally too brief to be clear, as in this case, 'Text R. by a sprig of Laurel.' At other times they are unnecessarily full, as for example, 'Two fishes in saltier debriused by another in pale, the tail erect, or, as sometimes termed, "teste a la Queve or Queue," or a trien

of fishes lying cross, the heads and tails interchangeably posed, anciently blazoned Tres trouts, etc., paly bendy, barony.'

Again, as simplicity was his aim, would it not have been better to have avoided variations in the spelling of certain words which frequently recur? Sometimes close together, we find dawnset, dancettée, dancette; nebulé, nebulée, nebuly; tортаaux, tортаeaux; beveled, bevelled, etc.

As regards the illustrations we hardly share the author's complacency. They are not above the average, and we have seldom seen a more puerile representation of a shield with supporters than is to be found on page 243.

On account of faults such as we have indicated we hesitate to say that the volume, whatever its merits, may be considered a safe and only guide to the study of heraldry.

WILLIAM D. KER.

LES SOURCES ITALIENNES DE LA 'DEFFENSE ET ILLUSTRATION DE LA LANGUE FRANÇOISE,' de Joachim du Bellay. Par Pierre Villey. Sm. 8vo, pp. xlviij, 162. Paris: Honoré Champion. 1908.

THE series, appropriately named 'Bibliothèque Litteraire de la Renaissance,' promises to enhance the credit of the publisher by its special contributions to medieval and renaissance study, and to the criticism of such authors as Petrarch, Rabelais, and Montaigne. As a search of sources the present work is of unusual interest, and very clearly shows the use made in 1549 by Du Bellay of Sperone Speroni's *Dialogo delle Lingue*, by wholesale incorporations of it in the famous *Deffense et Illustration*.

M. Villey's admirable introduction, moreover, demonstrates that the adoption of the Italian's arguments and refitment of them from the case of Italy to the case of France was only one stage of the important general movement by which the vernacular tongues became decisively victorious over Latin as the vehicle for the highest thought in politics as well as literature. Du Bellay had probably read the *Prose della lingua volgare* of Pietro Bembo. Born about 1500, and dead in 1588, Speroni, writing in 1542, was expanding the thesis of Bembo's *Prose* in favour of the vernacular. The *Prose* had been written in 1502, although not published until 1525.

In mode, and to some extent in national spirit, Speroni's book follows the *Cortegiano* of Castiglione, published in 1529, adopting the dialogue form, and justifiably making Bembo the chief spokesman for the Tuscan dialect. When transferring the argument to its new requirements, Du Bellay had no need to establish the supremacy of any one form of the French tongue: that was settled, and the speech of Paris was the national language. Pleading for French, with arguments translated page after page from Italian, the *Deffense* was a direct instance of the Italianisation so abundantly evident in other aspects of European culture at the time, and so familiar to us through its later manifestations in the England of Shakespeare. But underneath was a keenness of national sense which made the argument live and conquer, and which was also the dominant factor in the Scottish parallel already commented on (*S.H.R.* vii. 429), viz. the *Complaynte of Scotland*, adapted from the French, and published in the same year as Du Bellay's adaptation from Italian. M. Villey's shrewdness of criticism can hardly be better exhibited than by quoting his two verdicts: (1) that

contrary to previous opinion, Du Bellay's work had 'almost no originality' (except to apply to French what had previously been applied to Italian); and (2) that the glory of the work was its fortune to be 'the programme of the *Pléiade*.' As a collation of sources and a crisp, learned, and satisfying analysis of the results, M. Villey's little book is a capital exposition of the art of historical literary criticism.

ALL constitutional subjects have a special antiquarian interest, sometimes acute, as in the case of the coronation oath. Scotland's concern in the subject may safely be reckoned vital in view of the part that religion played in Scottish history, constitutionally considered, not only from the Reformation to the Union of 1707, but ever since. Dr. Hay Fleming has therefore chosen the fit hour for publishing his *Historical Notes concerning the Coronation Oaths and the Accession Declaration* (pp. 20; The Knox Club, 1910, second edition, price threepence).

The pamphlet traces the position by law and practice in Scotland from 1329, when the long-sought privilege of unction and consecration was granted to Scottish kings at their coronation, down to the Act of Union. By the papal bull of 1329 the privilege of unction was granted subject to an oath by the successive monarchs to exterminate all heretics (*universos hereticos exterminare*). At the Reformation, under a statute of 1567, the kings were required thenceforth at their coronation to 'make their faithful promise by oath in presence of the Eternal God' to maintain the 'true religion' as 'now received and preached within this realm,' and 'to root out all heretics and enemies to the true worship of God that shall be convicted by the true Kirk of God.' Oath in these terms was made by James VI., Charles I., Charles II., William and Mary, and Anne, but not by James VII. and II.

Though superseded by the Act of Union, the Scottish enactment of 1567 is yet unrepealed, and remains, however dormant, on the statute book, in terms of the Statute Law Revision (Scotland) Act of 1906. Some of the anathemas of Roman Catholic councils and confessions are printed for comparative purposes by Dr. Hay Fleming. He would doubtless find instructive suggestion in the coronation oaths of King George of Bohemia in 1458, and the dubiety consequent on the king's silence or indirectness regarding the *Compacta* and the *utraquist* tenets of the bulk of the Bohemian people. The current question in view is too political to be discussed here, but the pamphlet is timely in now offering a short survey of Scots coronation practice. It is a valuable supplement to Professor Cooper's paper in the *Transactions of the Aberdeen Ecclesiological Society* for 1902, itself a mine of Scottish coronation-lore.

In the *English Historical Review* (July) Miss Dilben groups a great many references to the position or office of Secretary in the thirteenth and fourteenth centuries shewing an original connection with the English king's 'secret' council, coming to be associated with a clerk, and from 1307 until 1367 combined with the keepership of the king's privy or secret seal. There were many varieties of the species, however, and Miss Dilben's collection of specimens throws much light on the official evolution.

Bibliographers and book lovers will appreciate Mr. P. S. Allen's account of Bishop Shirwood of Durham, 1450-93, and his library, the gradual acquisition of years of purchases of manuscripts and incunabula, especially of Greek and Latin classics. Mr. H. L. Schoolcraft, in a paper on 'England and Denmark, 1660-1667,' traces the course of Charles II.'s policy in the abortive effort to secure an offensive alliance with Denmark. Mr. J. H. Clapham, writing on the 'Last Years of the Navigation Acts,' begins an explanation of the antecedents of the repeal, and surveys the British treaty relations with the leading European powers. Miss Kate Norgate, carefully working over the papers of the late Mr. T. A. Archer, presents a most interesting parallel collation between the well-known *Itinerarium* of the crusade of Richard I., and the *Song of Ambrose*, which is a French metrical equivalent of the *Itinerarium*. She concludes that the song was most probably a translation from a primitive text of the Latin work.

A first serial article in the *Law Quarterly Review* for July deals with an important subject from rather a fresh standpoint. From the pen of M. de W. Hemmeon, its proposition is that the records of Burgage Tenure in Medieval England prove the development of feudalism in England to have been antedated by a system of land holding in the boroughs, which later came to be known as the burgage tenure. It is shown by the initial section that the incidents of burgage tenure did not include aids or marriage, but did include wardship, and sometimes relief. Heriot, too, was included, meaning not 'the best chattel' (as we say in Scotland, 'the best aught') but a piece of arms, such as a sword, lance, or bill. Escheat and forfeiture, fealty and homage existed, but with characteristic differences from the feudal mode. The *retrait féodal* is occasionally found, and so are alienation fees, usually styled 'sellings'—the latter being small payments answering somewhat to what Scots law calls the taxed entry of a singular successor. The future course of these articles is sure to deserve close attention for their direct and indirect Scottish interest.

In the *Modern Language Review* (July) the biography of Spenser as interpreting, and interpreted by, his *Amoretti* and *Epithalamion* is discussed by Mr. J. C. Smith with a tendency to the view that the *Amoretti* were originally written in honour of Lady Carey, but were rehandled later—as the poets know how—along with the *Epithalamion*, for the praise of another, his bride, Elizabeth Boyle. Mr. Smith concludes his paper with an appeal for the necessity of a historical exegesis of the *Faerie Queene*. A list of Scandinavian personal names used in England, drawn up by Mr. H. C. Wyld, will be found useful for examination of place-name theories. The texts of two Middle High German poems are edited by Mr. L. A. Willoughby, the first a version of the legend of the fifteen signs of the approaching day of judgment, and the second a poem on doomsday itself.

In the *Juridical Review* for July Mr. Valentine completes his study of the Air considered as a realm of law. He inclines to the view that rights of private property in land extending *ad coelum* are restricted by rights of public passage at higher elevations than building structures, and therefore that liability to damage from mishaps will not arise simply because of damage

done, but will only be incurred by negligence on the part of aeronauts. He deprecates legislation, preferring to let general principles adjust themselves for a while in the new medium before any attempt is made at an enactment. Mr. Ferguson, K.C., sketches, without really fresh contribution, the history of the Sheriff in Scotland. His paper indirectly establishes the great need there is for some antiquary to make the story of the great office the theme of an extended monograph. Sir P. J. Hamilton-Grierson gives an account of the medieval church doctrine of *cognatio spiritualis*, or the principle of quasi-kinships constituted by baptism and confirmation. We observe that he makes no reference to Bishop Dowden's Rhind lectures, which dealt intimately with this subject, and are to be posthumously published. A note on Professor Maitland by Professor Millar is a pleasant feature among the reviews.

The *Revue Historique* (July-August) has a study in economic history from 1697 until 1713 in an article by M. Ph. Sagnac on the commercial foreign policy of France from the peace of Ryswick until the treaty of Utrecht—a period when necessity made a relaxation of Protectionism imperative, and gave occasion to many rearrangements of international tariffs.

A series of despatches regarding the Westphalian campaign of 1761 is edited. A discussion is in progress over the word *Gorthonicus*, held with documentary authority by Dr. Henry Bradley to be geographical, a term for Gaul and Gaulish, but now maintained by M. Treich, on an airy argument of philosophy, to be a descriptive epithet. It is always as interesting to see a philologist at work on history as it is to see a historian arguing philology. Dr. Bradley appears to have the documents behind his contention, while M. Treich tries ineffectually to persuade them away.

A further stage is reached in the important question of interpreting the table of penalties in the *Lex Salica*—whether as indemnities to the injured or as fines to the State. The rival theorists have not yet reconciled the anomalies of either interpretation, but the previously current doctrine of indemnity is seriously shaken.

The *Revue des Etudes Historiques* (May-June, 1910) contains an article by M. de Vaissière on the intimate letters of a young French aristocrat of the middle of the eighteenth century—Joseph Marie de Lordat to wit: the letters throw fresh psychological side-lights on the French nobility during that critical period, and some interesting deductions thereupon are made by M. de Vaissière. M. Morane writes on an episode in the troublous history of Poland, and discusses the temperament and character of the Grand Duke Constantin, brother of Alexander I.

Amongst the reviews in this number (chiefly of biographical works) may be noted as of especial interest, remarks on the hitherto unpublished letters of Luise Ulrike, sister of Frederick the Great; on the Recollections of Princess Galitzin; and on the valuable series of Memoirs in the course of publication by M. Funck-Brentano.

Communications

FRANCIS JOSEPH AMOURS. The death of our distinguished contributor, Monsieur Francis Joseph Amours, has deprived Scotland of a profound student of the national literary antiquities. Perhaps there is no other instance of a Frenchman getting so complete a mastery of Old Scots, and thus winning recognition as a foremost authority. He was born on 23rd November, 1841, at the village of Tilleul-Othon, in Normandy, in the department of Eure, the son of Pierre Joseph Amours and Rosalie Adèle Conard. So well were the foundations of his education laid by the good curé of Tilleul-Othon that on going, at the age of eighteen, to the college of Bernay he proved a brilliant student. Under Principal Roger he was dux in all subjects, and carried off the *prix d'honneur* offered by the Minister of Education. He took his degree of Bachelier-ès-Lettres of the University of France at Caen in 1862.

By this time he seems to have given up any idea of entering the church, and he became for a short while a *Régent* in the college of Lisieux. In 1864 he was granted unlimited leave (*congé d'inactivité sans traitement*) from the Minister of Education, who was then the famous historian, Victor Duruy. Passing over into England he taught in a private school in Gloucestershire until 1867. He was then appointed assistant to M. Havet, a well-known French master in Edinburgh, where he resided until 1869, when he was chosen French master in Glasgow Academy. After fifteen years there he was preferred to the like position in Glasgow High School, where he remained until his retirement on a pension after twenty years' service in 1904. During those five and thirty years of active teaching in this country he passed through his hands a very large number of students of French, and there are many who remember with gratitude and admiration (chequered, of course, with the godly fear inseparable from the part) his systematic and thorough methods of instruction and his encouragement of pupils of promise. He long acted also as an examiner in French, at one time for intermediate education in Ireland, and latterly for degree and other purposes in Glasgow University. Side-products of his profession as a teacher were two school books, his *Study of French Verbs* and his *French Primer*, both in considerable demand.

But it was not as a French grammarian that he was to win his chief distinctions. His study of Old French led him to the study of Old English. For a number of years he paid special attention to the Old French words incorporated in medieval English, and drew up an elaborate list of examples he had found. Early in 1885 he appears to have tendered to

Dr. J. A. H. Murray, then at work on the first volume of the *New English Dictionary*, the fruit of his researches. Needless to say, Dr. Murray warmly accepted from M. Amours what he termed his 'generous and enthusiastic offer of help,' and in 1888 the preface to the first volume of the Dictionary contains an acknowledgment for 'a series of references for early instances of French words in Middle English.' So began a connection maintained for five and twenty years, during which the resources of M. Amours' scholarship and reading were steadily utilised in the making of the great Dictionary which is so proud an achievement of collective effort in English study.

The connection of M. Amours with the alliterative poems began, as he himself has said, in the happy accident of his making the acquaintance of Sir Frederick Madden's *Syr Gawayne*, that noble Bannatyne Club volume so fitted to stir a kindred soul to the study of old poetry, and so worthy, by its masterly treatment of palaeographical, textual, and glossarial problems, to be a begetter of equally scholarly work in the archaeology of literature. With its bases equally Old French, Middle English, and Scots, it presented in its collection of archaic verse many of the glossarial and etymological elements on which M. Amours was already working from the philological standpoint. Henceforward he pursued those researches and studies in early Scottish poetry which resulted in his editing the *Scottish Alliterative Poems in Riming Stanzas*, of which the text appeared in 1892, followed by the notes in the complete volume for the Scottish Text Society in 1897. That work needs no commending, having earned its own place by its sanity, accuracy, and complex learning alike in history, philology, and criticism. The alliteratives, before M. Amours took them up, were a 'strange dark book'; his glossaries cleared away much of the obscurity; his notes and introduction brought an un hoped-for mass of explanatory learning to the whole cycle; and, in a word, the volume must long hold place as a master-key for early Scottish literature. Conservative in mood, he never pressed discovery beyond the obvious limits of the evidence, so that his propositions, erring if at all on the side of understatement, are invariably characterised by their safety. He had learned to write English in a diction which had all the clearness of the best literary French without a touch of its rhetoric, and his prefatorial essays are as well turned in phrase as they are restrained in style.

His patient, sure-footed ways of study had set him completely at his ease in a field full of difficulties due partly to the relative scarcity of material and partly to the deliberate selection of archaic forms by certain fourteenth and fifteenth century poets, of whom he became the skilled interpreter. It was no slight conquest to have been made by a Frenchman who in 1864 came to England unable to speak English. His pen had no trace of the French accent, and his speech would only to a quick ear betray the foreigner. His marriage in 1871 with Miss Margaret Marr (now his widow) no doubt furthered his knowledge of the Scottish vernacular, and quickened his power of dealing with its ancient phases. Mrs. Amours thus too has her modest though subsidiary place in the studious successes of her husband.

The alliteratives finished, he set himself with accustomed courage and application to a still longer, although not more difficult, task. Wyntoun, the chronicler, badly needed editing anew, for historical equally with philological reasons, and high gratification was felt by the Scottish Text Society when M. Amours resolved to undertake a parallel double-text edition from the Cottonian and Wemyss manuscripts, with the variants of other texts in foot-notes. How steadily he pursued the task, how regularly the volumes came out successively in 1903, 1904, 1906, 1907, and 1908 (when the text was complete in 2150 pages heavy with footnotes) all critical students of Scots history and literature are gratefully aware. Promise and performance went together with this great editor, and beyond doubt, had not life failed him, he would have brought his studies to the termination in 1911 designed, by the final volume in which the editorial introduction and apparatus would have set the last seal of his learning on *The Original Chronicle of Andrew of Wyntoun*. But he was not to see that end of his splendid labours: an illness beginning last autumn gradually revealed itself as mortal, and he died on 9th September, 1910, grieving only, he said, to leave his wife and his Andrew of Wyntoun. Nine days before his death he was still revising proofs for the *New English Dictionary*. He had toiled till the last also at Wyntoun, and one of his last half-conscious utterances was an exclamation, 'Score all that out; I have not time to finish it.' Happily, however, there was actually finished enough of his task of annotation to make the projected final volume no mere torso, but a virtually full attainment of his purpose, albeit the invaluable advantage of his ripest opinion and research is lost, and the chronicle must be shorn of what would surely have been a critical performance in the discussion of sources, of literary relationships, and of historical values such as to make the introduction a standard of modern historical craftsmanship.

While it may be regretted that Scotland did not by a University honour sufficiently attest her gratitude for an adopted son of such devotion to her service, there was no lack of either public or private appreciation of his learning and merit, or of those sterling qualities of character, that plain 'downrightness,' and that fearless independence mingling with all the clubable virtues which won him his multitude of friends. When in 1904 the French government did itself honour by conferring on this exiled but most loyal son of France the dignity of *Officier de l'Instruction Publique* he was entertained at a public dinner, organised by the Historical and Philological Section of the Royal Philosophical Society of Glasgow. He was then President of that section, in connection with which several of his too few fugitive papers were written, some of them relative to Wyntoun as prior of St. Serf's on Loch Leven. One most gratifying fact of his studies was that his estimate of the old chronicler's personal worth, historical acumen and fidelity, and capacity of poetic expression steadily rose as he critically probed his record to find not only constant and unexpected confirmations of fact but also continual signs of literary power. Perhaps it was not wholly a fanciful conception which saw in the industrious and skilful editor, working with calm and orderly precision by the lamplight at his desk, a vital brotherhood with the chronicler-canon in

the scriptorium of St. Serf's. Certainly no aspect of Franco-Scottish alliance can ever be regarded with heartier satisfaction than that constituted by the association across five centuries of those two, eminently worthy of each other, in their united homage to the history of medieval Scotland.

THE SARACEN MERCENARIES OF RICHARD I.

M. Dieulafoy, in his essay upon Château-Gaillard (*Mémoires de l'Institut ; Académie des inscriptions et belles-lettres*, 1898, vol. xxxvi. pt. i. p. 371, note), has called attention to a passage in one of the continuators of William of Tyre, in which King Richard is said to have brought away one hundred and twenty Saracens (*Mamelos*) from the Holy Land. The passage occurs in a manuscript of the fourteenth century, which has been printed as text D in the edition of the so-called *Histoire d'Heracles*, published by the Académie des Inscriptions (*Recueil des Historiens des Croisades, Historiens Occidentaux*, vol. ii. (1859) p. 196):

Puis que l'ost fu venus et le rei ot rescousse Japhe, un grant descort sorst entre Salahadin et ses amiraus. Dont nos gens ne s'aparsurent jusques a tant que les Sarasins furent deslogies devant Japhe et alerent herbergier au Chastel des Plains. Salahadin oi dire que le roi venoit après lui. Il douta son frere Seif Eddin et les autres amiraus, si ne l'osa atendre, ains se desloja, et s'en ala escheriement envers la Surie Sobal, por garnir le Crac et Montreal que il aveient novelement conquis. Le rei et l'ost alerent herbergier pres d'un chastel dou Temple que l'on nomeit la Toron des Chevaliers. Les Bedoyns s'acointerent dou rei: si pristrent de lui fiance, et li jurerent que il li serviroient leiaument et espiereent, et li fereient assavoir le covine (?) et l'estre de Salahadin et de toute la payenisme, et les Memelos des amiraus oient parler de la largesse et des dons dou rei. Chascun qui se corouseit a son seignor, il s'en fuioient et veneient au rei d'Engleterre. Il fu aucune fois que le rei avait des Memelos bien trois cens, dont il mena o lui bien cent et vingt Memelos outre mer quant il s'en parti de cest pays.

The version (D) from which this account is taken comes from a MS. of the 14th century. In the opinion of its editors it is of eastern origin, like some other continuations of William of Tyre, including the famous Colbert manuscript, and was written in Cyprus before 1267 (*Hist. Occid.* ii. p. vii). Although of no value in determining the text of the original chronicle of Ernoul, upon which, as M. L. de Mas Latrie has shown (*Chronique d'Ernoul et de Bernard le Trésorier*, Paris, 1871), the widespread continuations of William of Tyre are largely based, this Cypriot version is well and specially informed.¹ The allusion to King Richard's Saracen mercenaries cannot therefore be set aside summarily, in spite of the fact that it is not found elsewhere. The context is corroborated by Beha-ed-din, whose narrative shows that Richard was in close communication with Saracen prisoners and ambassadors, after the relief of Jaffa on July 31st, 1192 (Palestine Pilgrims' Text Society's translation of Beha-ed-din, p. 371 *seqq.*). Beha-ed-din also refers to the anger of Saladin on his retreat to Yazur (the Castle of the Plains). The friend-

¹ See Mas Latrie's *Essai de classification (Chronique d'Ernoul*, p. 486) for the place of this MS. in the series of continuators. It is now at Lyons.

The Saracen Mercenaries of Richard I. 105

ship between Richard and the Sultan's brother (El-Adel Saphadin, or Seif Eddin) is a theme of historians on both sides.

The story that Richard took some Mamelukes away with him is confirmed by the Norman Exchequer rolls. On the roll of 1195 the following entries occur (ed. Stapleton, I. 221):

In liberationibus Saracenorum morantium apud Domfront per preceptum Regis, a die Lune proxima post festum Sancti Michaelis usque de die lune post festum Sancti Egidii, c. li. ix. li. vj. so. per breve Regis. . . Gibelino Saresceno in solta pertae equi sui l. so. per idem breve.

Two other entries on this page refer to the Saracens. Again, on the roll for the year 1198 (ii. 301):

Soubresailant et Saracenis suis c. li. xxxv. li. de liberatione sua per breve Regis.

Stapleton, whose caution was as great as his general accuracy, regarded these Saracens as ordinary mercenaries. 'The bands of whatever country,' he says, 'who fought for him, were known by the name of Saraceni, and in this instance [*i.e.* in 1195] appear to have been *Walenses*' (*Observations*, I clix.). The word *Saracen* is certainly found either as a second name or a nickname in documents of this period. Besides the well-known chamberlain of St. Louis, Jean Sarrasin, we have the Roman citizen, Peter Saracenus, whose name occurs frequently in the Patent Rolls of John (*Rot. Pat.* ed. Hardy, p. 126, etc.), and the Alexander, son of William, Sarazein, who was a hostage of John of Courci in 1205 (*Rot. Pat.* 55b). But the term in its general sense was the usual term for the Arabs and Turks in Spain, Sicily, and Syria—and there is no reason to suppose that Richard's Welsh mercenaries were called Saracens.

The names given in the Exchequer Rolls add an element of certainty. Under the curious Soubresailant an Eastern name might well lurk. Fortunately *Gibelinus* can be traced more definitely. Professor Margoliouth has been so kind as to inform me that 'persons are known to have been called *Jibrīnī*' on the ground that they were natives of Bait-Jibrīn. The name Gibelin[us] in Frankish documents is a transliteration of the Arabic *Jibrīn*, in 'Bait-Jibrīn.' Professor Margoliouth adds, 'the individual to whom you refer may well have come from this place.'

I would suggest, then, that the garrison of Domfront in 1195 contained some of these Saracens who had been attracted in Syria by the tales of Richard's generosity.¹

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¹ It is hardly necessary to point out that the presence of Saracens in Richard's army would help to spread belief in the current stories about the Assassins who were supposed to be employed by him. Richard would be most likely to use the mercenaries in siege works and for the manipulation of the Eastern crossbows, etc., which so attracted him. The Exchequer Rolls give at least one indication of travellers of another sort in an entry for 1195: 'Cuidam feminae moranti apud Almanesches quae venit de ultra mare x. li. per idem breve' (i. 184). The phrase 'ultra mare' had almost a technical meaning, to describe journeys to and from the Holy Land.

THE PILLS OF POPE ALEXANDER. In the Cartulary of Glasgow in its oldest shape, the *Registrum Vetus*, there were certain entries, somewhat apart from the business of the See, which Professor Cosmo Innes in editing the *Registrum Glasguense* in 1843 relegated to an appendix. Amongst them was one very interesting reminiscence of early medicine, and yet more interesting and mysterious there was a charm against colic. The latter was the subject of an essay by Dr. Alex. Tille, who, in *Scots Lore*, pp. 61-78, discussed at some length the significance of 'Thebal Guth Guthani,' the words of power which were prescribed as the posy of a ring to be used *contra dolorem ylii*. The former has apparently hitherto escaped examination. The two formulæ are printed on p. 610 of the *Registrum*, and in the preface, p. liv, Professor Innes said of them :

'The medical prescriptions against colic savouring shrewdly of art magical, and the recipe for the famous pills which the Pope Alexander himself had deigned to use, are at least characteristic and amusing. They are both in a hand as old as 1200.'

It is the simplest way of treating the matter to reprint here the prescription for the pills in order to make clear what follows :

Pilule famose.

Pilule iste confecte fuerunt in presentia nostra quarum species electe erant et recentes · earum uero commendationes sunt satis famose · videlicet quia pre omnibus uisum clarificant · auditum corroborant · spiritualia confortant · memoriam reparant · sanitatem custodiunt · regunt pre omnibus corpus humanum. Inuenimus quod papa Alexander qualibet die eis utebatur · earum uero receptio talis est. Recipe calami aromatici · cubebe · nucis muscate · macis · spice · epithimi · carpobalsami · squinanti · masticis · asari · gariofilorum · ana · dragmas duas · turbith · colloquintide · ana · dragmas tres · singulorum mirabolanorum · ana dragmas ij^{ss} · agarici · sene · ana vnciam seriis · aloen citocrini ad pondus omnium. Confice. De usu uero & administratione istarum pilularum secundum quod experti sumus dicimus quod vij · uel · ix · ad quantitatem ciceris uel pisi · in nebulis de quarto · in quartum cum omni securitate precedente vsu oximellis dare possunt. Quamuis quidam aliter sentiant dicentes · propter exhibicionem istarum pilularum dietam assuetam nullatenus esse permutandam. De hora uero sumendi nulla sit hesitatio quia in nocte ante sompnum instantem debent sumi.

Not rashly should the layman adventure himself among the physicians whether in this age or in that of the vague pontiff Alexander, who, lacking his due ordinal number, may be hard to determine. But the presentment of a variant will certainly be admissible as an inoffensive commentary on this prescription, and may supply the best note on the claim of the pill to clear the eyesight, strengthen the hearing, comfort the soul, repair the memory, guard the health, and, above all, regulate the human body. Its variety of ingredients, including calamus root, cubeb, nutmeg, gum, spike-nard, gillyflower, colocynth, myrobalan, agaric, senna and aloes, may be

taken as an assurance that so many simples would probably not all be in vain for at least some of the complex aids of soul and body which the pilule was vaunted to afford.

Written probably at a considerably later date than the *Glasgow Registrum* is a miscellany volume in my possession consisting of expositions of theology and canon law, on 187 folios of paper, $8\frac{1}{2}$ inches by $5\frac{1}{2}$ inches, ascribed by a former owner to the fourteenth century,¹ and probably derived originally from a German monastery. Prefixed is a fly-leaf, which, like the chief part of the first leaf, is filled with things which can scarcely be reckoned theology, and have nothing to do with canon law. With the fly-leaf alone, and only with a part of that, am I at present concerned. Its first item is a prescription for a most comprehensive antidote powder: *Pulis optimus ad omnes malos humores consumendos paulatime et successive*. Next comes another powder against flatulence and gross and phlegmatic humours, to warm the stomach and aid digestion. Item the third is the business of this paper, and here it is:

Pilule gloriosissimi regis Cyclicie quibus utebatur singulis diebus eis etiam utebatur papa Alexander · pre omnibus · visum clarificant · auditum corroborant · spiritualia confortant · singulas superfluitates expellunt · sanitatem custodiunt · humanum corpus ante omnia regunt · accipiantur · vij · uel ix · de tercio in tercium · uel de quarto in quartum · quibus faciend[is] omnem mutare dietam · ter · uel · quater · ducunt. Recipe Calami aromatici · cynamonis cubebe · nucis muscate · spice nardi · macis · carpobalsami · epythimi · viole · asari · garifiali masticis · *oum*² omnium mirabolanorum · an^a ʒ · ij · turbit coloquintidis · an^a · ʒ · iij · sene reu · barbari · agarici · ana · ʒ · ss · aloes epatici · uel citrioni · ad pondus omnium. Confice ad modum pise · cum oximelle · uel ut melius seruetur etiam si volueris in magdalone.

It will be at once apparent that the famous pills of Pope Alexander in the *Glasgow Registrum* and those he shared with the most glorious King of Sicily in my codex are the same. Yet the time-honoured privilege of doctors to disagree is pleasantly illustrated by the fact that the authority in the *Registrum* allowed it as a moot point whether the diet of the patient should be changed, whereas my prescription is definite that it should. Fortified by the kind advice of a distinguished member of the Medical Council, I am enabled to state that the pilule is, in modern medical judgment, 'a perfectly good pill.' The profusion of such active drugs as colocynth, senna, rhubarb (*reubarbarum*) and aloes must have guaranteed efficiency, while the mixture with oxymel no doubt helped to make the pea-like pilule—'or, if you like, pastille'—palatable. It is right to confess that the process of editing this prescription has not been carried out with the scientific severity of actual experiment on the *humanum corpus* of the expositor.

¹ My own opinion is that the work more probably belongs to the fifteenth century.

² This word is expuncted by being underlined. It is proper to state that I have extended the contractions, and that two or three words have given me difficulty and are uncertain.

There remains a slight, yet, as it proves, a by no means whimsical problem of date and of the identity of the 'most glorious King of Sicily' and the Pope, those high historic personages so strangely associated in the prescription for the confection of this momentous pill. The king can hardly have been other than William (son of Roger), King of Sicily from 1154 until 1166, renowned in chronicle (despite his traditional name of William the Bad) for many victories over the Saracens, and specially and personally associated, as Villani and older annalists record, with the great Pope Alexander III. as his ally from 1161 until 1166, during the struggle for the papacy and against the Emperor Frederick—the schism and strife which were to drive Barbarossa, in 1177, to that submission to Alexander at Venice, sometimes reckoned as a second Canossa. In 1161, when the great contest had just begun, and when Pope Alexander, hard pressed, was seeking refuge in France, it was William of Sicily whose fleet secured his passage and supplied him with invaluable sea power. Again, in 1165, when Alexander was returning to France, he betook himself to Sicily and the protection of William, who not only gave the venerable pontiff stately welcome at Messina, but sent him costly presents and furnished him with a noble convoy of galleys for his return to Rome. Not long afterwards, on 30th April, 1156, William died, bequeathing to his holiness that substantial proof of friendship, a legacy of 40,000 sterlings. No wonder, therefore, that he died in good odour with the papal court, and that an old and official biography, the *Vita Alexandri Tertii Papae* (first edited by Muratori, and afterwards prefixed to volume CC. of Migne's *Patrologia*¹) speaks of this king as *Gulielmus illustris et gloriosus rex Siciliae, cujus animam Domino commendamus*.

Thus we may with some security conclude that the *gloriosissimus rex Cyclicie* of the prescription and the *gloriosus rex Siciliae* of the papal biographer are one, and that the pills purport to have rendered corporal and spiritual comfort to King William of Sicily and Pope Alexander III. Perhaps the epilogue of history offers dubious, or at least divided, commendation to the pretensions of the prescription, for although the learned and forceful Alexander lived to a ripe old age, the pills did not avail to prevent William of Sicily from dying at forty-six, of dysentery. G. N.

FURTHER ESSAYS ON BORDER BALLADS (*S.H.R.* vii. 419).

—I scarcely think that Sir George Douglas is right in saying that the weight of metal is with Colonel Elliot in our discussion about Scott and the Border ballads. *Facts* have most weight, and in a little forthcoming volume, *Sir Walter Scott and the Border Ballads*, I am able to show that the facts are very imperfectly known to my opponent. He seems to have overlooked Laidlaw's evidence as to *Auld Maitland*, and that of Hogg's letter

¹ *Patrologia*, Migne, vol. 200, p. 30. For other references to this King William see p. 18. It is noteworthy that the epithet *gloriosus*, above applied to William the Bad, is never given by the papal biographer to his son William the Good, *devotus beati Petri filius rex Siciliae*. He was only a boy of 12 when he succeeded in 1166.

to Scott of June 30, 1802, with Ritson's to Scott of June 10, 1802, and Hogg's holograph MS. of the ballad, addressed to Laidlaw.

The evidence entirely clears Sir Walter from the charge of having been art and part with Hogg in palming off a modern imitation on the world, while representing it to Ellis and Ritson as a genuine antique. Such conduct would have been highly dishonourable.

Evidence of the same nature—a long letter to Hogg of Scott's, and Hogg's manuscript of the ballad of Otterburn—gives the full history of that poem, and I show exactly how Scott edited it: what he excised, and what he took from Herd's and Kirkpatrick Sharpe's traditional copies, with one line from the old English of *circa* 1550.

In the case of *Jamie Telfer* and *Kinmont Willie*, in the absence of manuscript testimony, I have to rely on ballad lore, on logic, and on literary criticism, *faute de mieux*.

A. LANG.

SAINT MAELRUBHA (*S.H.R.* vi. 260-442). The recent litigation concerning Dunstaffnage Castle has resulted in at least one discovery of no small interest, viz. in the recovery of the long-lost name and dedication of the small ancient chapel near Dunstaffnage, now roofless, where generations of the captains of that stronghold have been laid to rest. Interested by the difficulty there appeared to be in identifying some of the land names in the Dunstaffnage Infeftments, the writer of this note compiled three parallel lists in columns of the nine names which occur in precisely the same order in deeds of the years 1502, 1585 and 1609. In the year 1502 'the pennyland of pengyn Kilmor' is named. In 1585 it appears as 'the pennyland of Kilmorrie alias Clazemorrie' (Cladh=burying ground in Gaelic), and in 1609 it appears as the 'pennyland of Kilmoir.' As all the other pennylands named are in immediate proximity to the castle, it is obvious that we have in this name the long-lost dedication of the ancient chapel belonging to those lands.

'Morrie' here conceals the famous name of S. Maelrubha, Abbat of Abercrossan (Applecross), who on his first coming from Ireland was the founder of a large number of churches in what is the modern county of Argyll. Mr. Archibald Scott (*loc. cit.*) has shown how he founded Kilmarrow in Kintyre; Kilarrow in Islay; Kilmalrew in Craignish; Kilmorrie in Strathlachlan on Loch Fyne; Cill Mharu on Eilean-an-t-sagairt, Muckairn; and Cill Ma'ru in Arisaig. To these I have since added Melfort in Argyll (*vide* Papal Registers), and now add as an eighth Dunstaffnage Chapel *alias* Kilmorrie.

As Mr. Scott has already remarked, the dates of these first foundations of this great saint's apostolate lie between the years 671 and 673.

I may add that I recently found evidence in the Argyll charter chest of a long-forgotten chapel dedicated to the Blessed Virgin at Carrick on Loch Goil, on the altar of which a certain payment of a Reversion is ordered to be made. It is described as in the Parish of Lochgoilshead, and was clearly somewhere in the neighbourhood of Carrick Castle, but I have not yet examined the site.

Kilkatrine, Inveraray.

NIALL D. CAMPBELL.

Query

DR. JAMES FEA 'OF CLESTRAIN' (Surgeon in the Royal Navy), author of *Present State of the Orkney Islands*, 1775, and *Considerations on the Fisheries in the Scotch Islands*, 1783. I should be much obliged for any information as to the date of death and place of interment of the above author. Nothing is known in Orkney beyond the fact (mentioned in Hossach's recent work) that he and his wife Grizel Ross purchased a house in Kirkwall in 1772. Presumably he did not live there long. His first book was published at 'Holy-Rood House,' Edinburgh, and his second one in London—'printed for the author at Dover,' so it is stated in the title page. At this time he is described as late Surgeon in the Royal Navy.

His name I find is recorded in Steel's Navy List so late as April, 1796, among the first list of surgeons. I know nothing of his issue beyond the conjecture that a Henrietta Fea, the daughter of a James Fea of Clestrain, is said to have been his daughter. She married William Sutherland of Greenwall, Jamaica, and died in 1806, the same year that she returned to England or Scotland.

William Sutherland was the grandfather of the late Alexander Malcolm Graeme, Esq., of Graemeshall, Orkney, but no records unfortunately are preserved in this family to throw any light upon Dr. James Fea's place of interment.

There would most probably have been an obituary notice in one of the Edinburgh papers.

The Doctor's father, James Fea, was first cousin to the James Fea of Clestrain who captured the pirate Gow in 1725. I should be glad to know who possesses the original letters which passed between Fea and Gow, or of any other Fea correspondence addressed from Edinburgh after the date given above.

ALLAN FEA.

South Lodge, Pinner.

Notes and Comments

'THE Historical Association' does good service by such leaflets as that issued in June (Leaflet No. 21), being 'A Brief Bibliography of Scottish History for the Use of Teachers.' This gives an excellent general guide to historical and literary standard authorities. We welcome such signs of a growing attention to Scottish history among English teachers.

Bibliography of Scottish History.

A MOVEMENT is afoot to clear out and preserve the surviving portions of the ancient church of Southdean, in Jedforest, Roxburghshire. Mr. Adam Laing, 3 Bridge Street, Hawick, hon. sec. of the committee, is acting as treasurer. We commend the scheme altogether apart from any discussion as to whether Froissart's 'Zedon,' in his story of the Battle of Otterburn, was Southdean or was not rather, as some commentators reckon it, Yetholm. Mr. Laing's circular possibly takes the wisest plan of ignoring any division of opinion and pronounces unhesitatingly for Southdean, which certainly lay on the direct road for Otterburn. We trust he will quickly raise the £100 required for the pious object of preserving an undoubtedly old and interesting church fabric. It will be time enough after that to discuss any problems of the itinerary of Otterburn.

The Church of Southdean.

THE Newcastle Society of Antiquaries in their *Archaeologia Aeliana*, edited by Mr. Robert Blair (Third Series, volume vi. 4to, pp. xliii, 302) display varied and excellent work for the year 1909. Pedigrees, documents, heraldry, ecclesiology, and Roman antiquity all find solid contributions. While there are perhaps fewer entries than usual directly touching Scotland and the Scots, there are not a few which will repay examination, even when this Northumbrian register is looked at from the narrowest Scottish standpoint. To begin with, Mr. Crawford Hodgson, dealing with the ancient owners of Eslington near Whittingham, on the river Aln, traces the history of the family of Hesilrig—a name always of interest to us in the North from its part in the story of Wallace. It is therefore with some surprise that we note the absence of allusion to William of Hesilrig slain at Lanark by Wallace. Another Hesilrig somewhat later is found to have been a victim at the 'descomfiture' of Stirling, meaning thereby, no doubt, the battle of Bannockburn. The name, we learn, was probably derived from Hazelrig, in the parish of Chatton, not far from Belford, Northumberland.

Newcastle Society of Antiquaries.

Mr. Dendy edits a great array of extracts from the De Banco rolls, which must be a mine of pedigree lore for North England. About six hundred separate entries reveal many glimpses of litigation by border families from 1308 down to 1855. The list bristles with names often heard of in our Scottish history. In some cases both litigants are Scots, as *e.g.* the pleas in 1363 between David of Strathbogie, Earl of Athol, and Sir Adomar of Athol.

No paper in the series, however, represents more creditable study than Mr. C. H. Blair's long and well-illustrated treatise—*The Armorial of Northumberland: An Index and Ordinary to 1666*. Numerous plates in colour show arms of Balliol, Fitz-Roger, Grey, and Umfraville and derivative shields; there are five plates of shields; and other illustrations are of armorial-bearing buildings, such as the gate towers, etc., at the castles of Alnwick, Bothal, and Lumley. A large body of notes is appended, in which we observe the suggestion regarding the well-known orle of the Balliols. 'This shield,' says Mr. Blair, 'is possibly canting, adopted as a play upon their name from the similarity to the *ballium* of a castle.' A first prejudice against this suggestion may be to some degree dispelled by the consideration that *balliolum* might be a diminutive of *ballium*, and by remembering that the old description of Carlaverock was that it was like a shield, for it had three sides:

Cum nus escus estoit de taile
Car ne ot ke trois costez entour.

Roll of Carlaverock.

But, notwithstanding, the canting inference seems rather a forced interpretation. On the Umfraville cinquefoil, best known to us here as borne by the Hamiltons—doubtless a sign of cadency—the suggestion is made that it originally denoted the herb 'bennet,' anciently reputed to have virtue to put the devil to flight. This one does not find convincing.

Another long paper is a fully illustrated report on the excavations at Corstopitum (Corbridge) for 1909. These elaborate diggings, while they have failed to uncover any great and decisive points of direct evidence, have yielded a very rich return of detail, adding to our knowledge of the life of a Roman garrison town, and deepening the impression of lengthened occupancy which all evidences, direct and indirect, unite to make. Mr. R. H. Forster and Mr. W. H. Knowles give a full and systematic statement of their work in charge of the excavations. Mr. H. H. E. Craster continues his methodical report on the coins, among which is a well-preserved medal of Septimius Severus, struck at Hadriancina in Hellespontus.

Professor Haverfield summarises the smaller finds, including some pottery assigned to the age of Agricola, as well as more numerous fragments dating from the second to the fourth century.

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Edinburgh in 1544 and Hertford's Invasion¹

A CITY set on an hill that cannot be hid. Such is Edinburgh at this day, and such it has been since some Pictish or other pre-historic fortress was first built on that crag in the valley, which seemed to invite fortification, and whose precipitous western steep has from that day to this glowed in the radiance of the summer sunsets. On the east a ridge of land slopes down for about a mile till it finds level ground at the base of Arthur's Seat. It was on the upper part of this declivity, doubtless, that the first dwellings, houses we can hardly call them, were built, sheltering under the walls of the Castle.

Of the development of the town we have but very scanty record. The houses gradually crept eastwards down the ridge, and the city proper ultimately ended at a gate called the Nether Bow Port at the bottom of the High Street. After the foundation of Holyrood Abbey by King David I., about 1145, the Augustinian canons were allowed to build a village near the Abbey, and this became the Canongate, stretching along the ridge from the gate above mentioned down to Holyrood. But for long Edinburgh was a frail little city; it depended for defence entirely on its Castle. Even in the fourteenth century, when there was much desultory warfare between England and Scotland, Edinburgh is said to have contained only 400 houses, though other historians place the figures as high as 4000. Whatever their number may have been, their construction was of the rudest.

¹ An address delivered to the Students' Historical Society in the University of Glasgow, 18th November, 1910.

The Earl of Lancaster's invasion of 1384 seems to have been conducted on lines of great clemency, if we are to believe the account given by a contemporary chronicler, that that general allowed the inhabitants of Edinburgh three days in which to clear out, which they did to such purpose, even carrying off the straw roofs of their houses, that when the English arrived they found nothing but bare walls, which, we are told, 'grieved the soldiers not a little.'

The next year, Froissart says, Richard II. of England came to Edinburgh and stayed there five days, 'and at his departing it was set a fyre and brent up clene; but the Castell had no hurt, for it was stronge ynough and well kept.' It was at this time that a French force arrived under the command of Jehan de Vienne, Admiral of France, to assist King Robert II. Edinburgh was too small to hold all the French knights, and, as Mr. Lang puts it, they were 'boarded out' from Dunfermline to Dunbar. And they were neither then nor on future occasions received with much cordiality. The typically independent spirit of the Scots soon showed itself, and we are told that the people 'dyde murmure and grudge, and sayde, Who the devyll hath sent for them? What do they here? Cannot we mayntayne our warre with Englande well ynoughe without their helpe? We shall do no good as longe as they be with us. . . . They understand not us nor we theym; therefore we cannot speke togayder; they wyll annone ryffle and eat up alle that ever we have in this cuntry; they shall doo us more despytes and damages than thoughe the Englysshemen shulde fyght with us; for thoughe the Englysshe men brinne our houses we care lytell therefore; we shall make them agayne chepe ynough; we axe but thre days to make them agayne, if we may gete foure or fyve stakes and bowes to cover them.' Sturdy Scots!

From all this it may be inferred that Edinburgh at this time was little better than a defenceless village; but within the next hundred years it had improved very much. The Church of St. Giles, which had been burned by Richard II., was not only rebuilt, but liberally endowed. In 1450 the city received a charter from King James granting it the privilege of surrounding itself with a wall. This wall crossed the West Bow, then the principal entrance to the city from the west, ran between the High Street and the hollow in which the Cowgate was afterwards built, crossed the ridge at the Nether Bow, the eastern entrance to the town, and terminated at the east end of the North Loch. In 1478 the

town is spoken of as a very rich place, but of course this must be taken in a very comparative sense. Still there had been, no doubt, much improvement, and the presence of the Scottish Court must have made money circulate to some extent and improved the general standard of living. After all is said, however, according to modern notions it must have been rather a squalid little town. If it was considered dirty in the eighteenth century, it was then much dirtier in proportion to the size of the town. It was, in fact, considered a dirty town even according to the standard of the sixteenth century, which, we may be sure, was not an exacting one. The poet Dunbar wrote a scathing satire on the subject.

It is curious to see from it that Edinburgh suffered then from what has been the misfortune of many Scottish towns; buildings were allowed to be erected without any consideration either for aesthetics (though, of course, the word, if indeed the idea, was not then known) or public health. The ways were ankle deep in mud and all kinds of offal. The Church of St. Giles, then beginning to be quite a handsome and imposing ecclesiastical edifice, was spoiled by a range of buildings called the Luckenbooths having been built in the middle of the otherwise spacious High Street. In this way a filthy lane, open to foot passengers only, was formed between the buildings and St. Giles. This was called the Stinkin' Stile, and it effectually prevented, for about two hundred and thirty years, any view of the really handsome church being obtained. In addition to this the town swarmed with beggars, and Dunbar tells us that

‘Through streittis nane may mak progress
For cry of crukit, blind, and lame.’

The fatal year of 1513 brought black dismay to the capital when the news of Flodden was received: but the burgesses had the same stout hearts as of old, and immediately set about building a new wall to enclose the larger growth of the city. Starting from the Nether Bow on the east it embraced the Cowgate, then beginning to be built, and, on the slope of the hills to the south, the Priory of the Dominicans; from there it ran west along the boundary of the Collegiate Church of Our Lady in the Fields, afterwards to be remembered as the scene of the Darnley tragedy; it then passed near the Maison Dieu, or poorhouse, with its Chapel of St. Mary Magdalene, the only relic, as Mr. Bryce states in his excellent account of the wall, now

remaining of the Pre-reformation religious houses. It then enclosed the house of the Observantine Grey Friars, and turning sharply to the north, then west, and finally north again, finished its circuit at the Castle. The natural features of the locality, the North Loch and the marshy ground about it, were supposed to be a sufficient protection on the north side. Such was the area of the city proper in the years immediately after Flodden, and no important change took place in it for many years. Outside the Nether Port the Canongate stretched down to Holyrood, a burgh in its own right, with handsome houses and pleasant gardens, and possessing no less than three crosses, that of St. John at the head of the street, the Market Cross in the middle, and the Girth Cross near the Abbey. The Canongate had gates, but does not seem to have been enclosed by any wall, at all events by none of a defensive character.

But we have one contemporary account which gives an idea of the size of Edinburgh down to within four years of Hertford's invasion. This was written by a native of the town, Alexander Alasius or Alesse, who was born about 1500; as he left the country in 1532, owing to his having embraced the reformed faith, the account may not be absolutely up to date, and it is but a meagre one at best. He mentions Arthur's Seat, the Calton Hill, which he styles *Collis Apri*, the hill of the wild boar, and the Castle. The last, he says, is impregnable and inaccessible except from the town side; on the rock '*vultures nidificant*,' probably meaning hawks, and the more daring of the Edinburgh boys used to harry their nests. He then alludes to the Abbey of Holyrood, with the adjoining palace of the king lying amid gardens of great amenity by the side of a lake at the foot of Arthur's Seat. There are two large paved streets, one he calls the *Via Regia*, or High Street, and the other is evidently the Cowgate. After alluding to the religious houses of the Grey Friars, the Black Friars, the Church of St. Mary in the Fields, and the Trinity College Hospital, he tells us that the town was built not of brick but of unhewn and square stones, and with the pardonable exaggeration of an exiled native says that the houses may stand comparison with great palaces. After alluding to St. Giles' he comes back to the Palace of Holyrood house, which he describes as '*amplissimus et superbissimus*.' He mentions the Canongate as a suburb, and says that the Cowgate, now an obnoxious purlieu, was the residence of the rank and fashion of the day.

It is to be regretted that our author was not gifted with a more graphic pen ; his description is terse and bald to a degree, but it is better than nothing and is valuable in a way. It can be supplemented by references to a very interesting plan or bird's-eye view of the town taken from the Calton Hill. This has generally been assigned to the year 1544, and is supposed to have been made by some member of Hertford's invading force. Above Holyrood is written the words 'the Kyng of Scottis palas,' a name which we may suppose it retained, though there had been no King of Scots for two years before the date mentioned. It represents the city stretching in two wide streets from the gate of the Castle, before which is a cannon, down to the Nether Port. St. Giles' is in the centre of the High Street, quite in its proper position, and the Church of St. Mary in the Fields to the south, on the site of the present university. Further east, on the confines of the town proper, is another church with a pointed steeple, probably that of the Dominicans or Black Friars. The Nether Port is shown as a handsome gate with a tower on either side, and beyond this, stretching down to the Palace, is the Canongate with trees and gardens to the south. It is curious that all the town within the walls is represented as having red or tiled roofs, while the roofs of the Canongate are coloured dark grey or slate colour ; it is probable, however, that this is intended to indicate that the houses outside the walls were thatched, and not tiled. The contour of Arthur's Seat and Salisbury Crag is very fairly delineated, the immediate foreground being taken up with the Calton Hill, with five divisions of Hertford's troops marching across it with banners flying and accompanied by twelve guns.

Such was the town itself in the middle of the sixteenth century, just before the great invasion. But, we may ask, what sort of people lived there ? Who were the men who bought and sold, who loved and laughed, who fought and quarrelled in its streets ? To reconstruct the locality is easy enough, but to revivify the people is a more difficult task. It is impossible to guess with any certainty at the number of the population, but within its rather narrow limits it was a crowded town, and with all its dust and other disagreeables, which were not a few, it must have been a picturesque and stirring scene. Picturesque, that is to say, in our eyes, and looking at it from our point of view, for I do not suppose the idea of the picturesque ever entered into the heads of any of the inhabitants of that day. The dress of the day amongst the nobles and upper classes was magnificent ; one has only to

read the expenses for the royal wardrobe in the treasurer's accounts to see what a variety of stuffs were used for dresses, and how handsomely they were ornamented. But all this gorgeous display, though it must have often lit up with flash of colour the darkling streets of Edinburgh, was confined to comparatively few persons.

No doubt a royal cortege or nobleman's retinue often swept down from the Castle to Holyrood with much bravery of many coloured silks and velvets and feathers—indeed dress of this sort was at its best in Scotland in the early sixteenth century—but the ordinary folks who sold butter at the tron, linen in the lawn-market, or who kept little shops in crazy little booths, how did they appear? Rough, mannerless and somewhat coarse, no doubt, to our modern minds, characteristics which the march of centuries has not altogether removed from their successors, but sturdy, independent and brave; quick to quarrel, as quick to make it up; fairly well off on the whole, according to the standard of the day, but without many luxuries. Living simply on rather scanty rations, dwelling in dark and dirty houses whose only light at night was from the primitive and evil-smelling *crusie*, though candles were not unknown. They dressed variously; the lower classes probably wore a most sensible costume of tunic and belt, with tight hose and a flat bonnet; but all classes above the actual labouring class strove to dress as well as they could. In the opinion of the government they dressed too well, and the statute book of parliament is crammed from 1429 down to near the time of the union with sumptuary laws restricting the right of wearing certain apparel to a chosen few; but it is needless to say the laws were of little effect. A few years later, in 1581, it was solemnly decreed that considering the great abuse among subjects of mean estate presuming to imitate his highness and nobility in wearing costly clothes, no one, under the rank of nobleman or landed gentleman having 2000 merks or 50 chalders of yearly rent, shall wear cloth of gold or silver, velvet, satin, damask, taffetas, fringes, passments, or broiderie, lawn, cambric, or woollen cloth from abroad. But exceptions were made in favour of the king's household, judges, advocates and writers, sheriffs, magistrates and town councillors, heralds and macers; with charming *naïveté*, however, the act proceeds to say that servants may wear their masters' old clothes, and women any headdress to which they have been accustomed.

Whatever the details of the dress of the mid-sixteenth century

may have been, they must have had the effect of brightening up the somewhat sombre streets of the town considerably. The whole scene must have been stirring: and both sights and sounds were typical of the time. Little smoke hung about the city; coal was no doubt used to some extent, but wood, of which there was plenty at hand, must have been largely used; Edinburgh had not yet earned its sobriquet of Auld Reekie.

Most commodities were sold in the open; shops were comparatively uncommon, though, of course, some trades required their booths. The ring of the sword-slipper's hammer might be heard issuing out of a dark shed lit by the red glow of his forge; and the hollow tap of the cooper's mallet proclaimed the fact that beer was then the staple drink of the commons. Hatters and skinners had their booths near the Tron, while shoes were sold not far off. The flesh market was in the High Street, and 'all pairtricks, plovers, capons, conyngs, chekins, and all other wyld foules and tame' were sold at the Market Cross. Nearer the Castle, at the Upper Bow, cloth, cotton and haberdashery might be purchased; at the same locality there was a tron or weighing machine for the sale of butter, cheese and wool, while on Fridays men who had to defend their country (and who had not in those days?) or support the cause of their feudal lord might be seen wending their way to the Grey Friars to try on breastplate or leathern jack, or choose a serviceable 'joctoleg.'

All through the streets there was a constant stir; vendors shouted their wares, beggars whined and exhibited their sores, clumsy carts jolted over the rough causeway, strings of pack horses laden with country produce came in from the neighbouring farms, pigs ran about grubbing in the mire, and poultry ran hither and thither among the legs of the passengers, while you were lucky if you escaped a drenching from the stoups of water which were carried by stalwart porters from the city wells into the dwelling-houses in the streets and wynds. Such was the Edinburgh of 1544, when the shadow of the great scourge which was to come lay over it.

Some of the circumstances which led up to the invasion of Scotland by the English army under Hertford can be referred to in a few words. Those of the Scottish nobles who had been taken prisoner in the disastrous rout of Solway Moss paid the price of their liberty by agreeing to further to the utmost of their power the interests of the English king in their country. Henry desired a marriage between the infant Queen Mary and his eldest

son, the Prince of Wales, a project reasonable enough in itself, but coupled with conditions that show the low morality and lack of patriotism of the time. Henry demanded that he should be acknowledged as Lord Superior of Scotland; that all fortresses there should be delivered into his hands; that the infant queen should be sent to England till such time as she should attain marriageable age. These demands were subsequently modified to some extent, but they were none the less unpalatable to the Scottish Parliament. On the other side, Cardinal Beaton, able and unscrupulous, represented the National party who supported the Catholic Church, while there was a strong body, which included the Governor Arran, who had leanings toward the reformed faith, and was not averse to the proposed marriage. The latter, however, chiefly from the inadroit way in which Henry had pushed his claims, did not long remain inclined to the propositions of that monarch.

Ultimately, though peace had been proclaimed with England, and it had been agreed that the English marriage would take place in ten years, Beaton succeeded in gaining Arran over to his side, and a council was appointed, the majority of whose members were in favour of an alliance with France. In January, 1544, the English lords made a hostile demonstration at Leith, but Arran and the Cardinal had taken their precautions. The rebel lords had no artillery, and their only hope was to persuade the Governor to come out into the open and settle the matter by force of arms. Arran got his artillery, or some of it, out of the Castle, placed it on the ridge of the High Street, and the result was that the English lords had practically to give up their case. Henry, of course, was furious; he organized an army under the command of the Earl of Hertford; the English Privy Council gave him orders that he was to burn and destroy, 'putting man, woman and child to fire and sword, without exception, where any resistance shall be made against you.' The upper stone of St. Andrews was to be made the nether, 'spare no creature alive therein.' The army embarked in a fleet of 200 sail at Tynemouth on 1st May, 1544, thus avoiding all chance of interception on the Borders. But Scotland was not all unprepared. News of the mobilization of the English ships must have been received at Edinburgh some time before, as on the 21st April messengers had been despatched throughout the country 'charging all manner of men baith to burgh and land to be ready upon twenty-four hours warning baith to pass upon the Englishmen'; and

two days later letters were sent to all the towns on the south coast of the Firth, charging the inhabitants thereof 'to mak fowseis (or trenches) for resisting the Englishe mennis navye under the paine of tinsall of all their gudis'; and later still, on the 1st of May, the very day of the embarkation at Tynemouth, summonses were sent through Fife, Forfar, Kincardine, Stirling, Clackmannan, and Kinross, 'charging all manner of men between sixty and sixteen to meet my lord Governor upon the Burgh Muir of Edinburgh the fifth day of May, to pas upon the Inglishche men.'

This was all too late: on the 3rd of May the English fleet arrived in the Firth. They dropped anchor opposite the Isle of May, landed a strong party, and burned the tower of St. Monans, partly destroying the beautiful church which had been founded by David II. in 1362 as a thankoffering for having been freed from a barbed arrow, according to one account, or for his preservation from shipwreck, according to another. They also took away with them some small boats which were of service to them when they disembarked. Proceeding up the Firth they came to anchor in the lee of Inchkeith.

It is difficult to understand how the Governor and Beaton did not use every endeavour to dispute the landing of the English troops. But this chance was not taken advantage of; indeed not a single effort in this direction seems to have been made, and the English army, early in the morning of the 4th of May, was disembarked and safely landed in the short space of four hours on the coast of Wardie, a little to the east of Granton. The force formed itself into three divisions, and had with them some small pieces of artillery drawn by men, the larger guns being left to be landed later. The first division was under the command of Lord Lisle, the Lord High Admiral of England, the second was led by Hertford himself, while the rear guard was brought up by the Earl of Shrewsbury. They came to the little estuary of the water of Leith, and there they found their progress barred by the Governor with, according to a contemporary English account written to Lord Russell by one of the combatants, five or six thousand horsemen, besides some infantry and some pieces of artillery. It is doubtful whether the Scottish forces really amounted to so large a number. Be that as it may, they did not distinguish themselves, and the whole engagement seems to have been mismanaged by the Scottish leaders. After a few exchanges of artillery fire the Scots broke

and fled, with the loss of two men only, but several of their guns fell into the enemy's hands. It is generally said that Arran and the Cardinal retired to Linlithgow, but the Treasurer's accounts show that the former was in Edinburgh, at all events on the 9th, so that if he did go to Linlithgow his stay there must have been short. The English then proceeded to Leith without further opposition, though in conformity with the order issued by the Governor alluded to, great fowseis or trenches had been dug to defend it. If we are to believe Knox they must have arrived at a most comfortable time for themselves. They had landed at high water early on Sunday morning; the march to Leith did not take long, even allowing for the feeble attempt at opposition. Accordingly it was between twelve and one o'clock when they entered the town, and there, we are told, they 'fand the tables covered, the dinnaris prepared, such abundance of wyne and victuallis besydes the other substances, that the lyck ritches were not to be found either in Scotland or in England.' So says Knox, but I am afraid his language is that of great exaggeration; he always lays on his colours with a heavy brush. Leith was not such a very wealthy or important place in those days, and it is hardly likely that the good folks who inhabited the town would prepare their Sunday dinners as if everything was going on as usual, seeing they must have observed the passage of the fleet up the Firth and have heard the artillery firing before the enemy passed the river. But it is curious to note that the English chronicler of the invasion says that Leith was found 'more full of riches than we thought to have found any Scottish town to have been.'

The next day, Monday, was chiefly taken up in landing the big guns and stores from the ships which were brought into the New Haven. The day following, Tuesday, leaving Lord Sturton with 1500 men in Leith, the English commander began his march on Edinburgh. He probably took the line of what is now termed the Easter Road, and proceeded over the Calton Hill. We know this because the army is represented as crossing this hill in the old map of Edinburgh to which I have alluded. The inhabitants of the town had rallied under the leadership of the Provost, Sir Adam Otterburn of Redhall; a trumpet was sent out of the town demanding speech with Hertford, and shortly after Otterburn, accompanied by a few of the burgesses and two or three officers of arms (perhaps the great Sir David Lindsay, who was then Lyon, was one) came out and informed

the general that the keys of the town should be delivered to him on condition that the inhabitants might go with bag and baggage and that the town should be saved from fire. Hertford replied in very truculent terms, and ended by saying that 'unless they would yield up their town unto him frankly, without conditions, and cause man, woman and child to issue into the fields, submitting themselves to his will and pleasure, he would put them to the sword and their town to the fire.' The plight of the burgesses was indeed a sorry one; they were deserted by their leaders, and had only the Castle to depend upon for protection. In these circumstances the answer of the Provost deserves to be remembered for all time. 'It were better,' said he, 'to stand to their defence than to yield to that condition.'

This account is directly contradictory of another written by a Scots author, which does not attribute to the Provost such gallant conduct. In it we are told that the 'toun of Edinburgh came furth in the sicht' of the English, 'but the Provost, Mr. Adam Otterburn, betrait them, and fled hame.' It is impossible to say which is correct, but I should like to believe in the English version; and I think had the Provost played so despicable a part we should have heard of it from the enemy, who loses no opportunity of chronicling Scottish cowardice.

Hostilities were then begun in earnest. The English account says that the Lords Bothwell and Home had entered the town with 4000 horse; but, not liking the situation, had incontinently galloped out again. As, however, Bothwell was one of the principal intriguers with the English, this is hardly likely to have happened. The English seem first to have attempted to pass through the Leith Wynd Port, which was not one of the gates of the city, but was at the end of the wynd which led up alongside the eastern wall of the town to the Nether Bow Port. In this attempt they were unsuccessful; so, wheeling to the east, they marched round to the Watergate, at the end of the Canongate, near Holyrood. There they met with no resistance, so they poured in, hauling their guns up the Canongate, not, however, without some loss, as some cannons had been brought out of the Castle and mounted in the High Street. According to the English account, the vanguard of their army did not wait for the artillery to be brought up, but assailed the Nether Bow Port sword in hand, drove the town's gunners from the embrasures on the wall, and kept up such a hot fire with their archers and arquebusiers that they checked all defence and allowed time for a

battery to be set up over against the gate, which gave way under three or four discharges from the guns. The enemy then rushed in, and a hand-to-hand fight in the streets took place. The loss on both sides must have been severe. The English claim to have killed 300 or 400 men whom they found in arms, but they did not escape scatheless themselves, as the citizens sold their lives dear. One personal incident in the struggle has come down to us. David Halkerston of that ilk stood at the entry of that wynd which for 300 years bore his name, and fell, sword in hand, doing his best for the town of which he was a distinguished burgess. He and many more cannot but have given a good account of their prowess, and must have inflicted considerable loss on the invaders. But they were overborne by force of numbers, and by the trained and disciplined troops of Hertford. Meanwhile the Scottish artillery had been withdrawn within the walls of the Castle, which, under the command of the valiant Captain Hamilton of Stanehouse, kept up a steady fire down the High Street. But the English managed to get their guns as far as the Butter Tron, at the top of the Lawnmarket, and from there shot at the Castle; but one of them was dismounted by the Castle fire, so, in the gloaming of the day, they sullenly withdrew, not without setting fire to the city in several places.

We can well imagine the consternation which must have prevailed in the town during this fateful day. We have no record as to whether there was much slaughter of the non-combatant inhabitants. No doubt Henry's savage instructions had been to put man, woman and child to the sword, where there was any resistance. But, on the other hand, the English chronicler of the incursion says nothing about a massacre of the unarmed inhabitants; he only states that they slew 300 or 400 of those whom they found armed. No historian, in fact, either English or Scottish, makes any mention of a general slaughter.

What probably occurred was this: as the Edinburgh people beheld the English forces on that May morning defiling over the shoulder of the Calton Hill, or even on the day before, when they heard of the reverse which the Governor and his troops had sustained in the pass of the Water of Leith, it is likely that the women and children, and all who were physically capable of moving, seized what of their possessions they could carry, or, if they had horses, loaded them and made the best of their way out of the city towards the west and south. What a procession it must have been! The old and sick in what carts could be

pressed into the service ; the women and children carrying what they could—a mattress, a cooking pot, a bag of oatmeal, a few of the more valued and most portable of their household gods. Some would take their way along the edge of the swampy ground that led to the lake and village of Corstorphine, guided, if night overtook them on their journey, by the lamp which was placed on the end of the old Collegiate Church there, where the Forrester tombs, still existing, were already placed ; others would strike further south, and go up the wooded banks of the Water of Leith and through its deep depths to the little village of Colinton, or, as it was then called, Hailes. Among these fugitives were likely to be seen the family of the Provost, Sir Adam Otterburn, whose place of Redhall was close by. Many of the fleeing crowd would go still further and seek in the green vales of the Pentlands that shelter and safety which was denied them nearer home. All this is a mere theory, but probably something of the sort took place. The crowd, in thus flying from the doomed town, were in no great danger. The English were strangers to the country, and, even had they so desired, would have found some difficulty in pursuing them. To the north of the town, the side from which the English approached, the North Loch and marshy ground effectually prevented any advance ; while to the west the same conditions of morass and swamp prevailed, rendering any pursuit difficult, if not impossible, except for those who knew the narrow and perilous ways, and had used them from infancy.

All night long the rising flames from the blazing town lit up the darkness. The next day and the next and the day after that there came bands of English from the camp at Leith, 'and began where they left off,' burning and plundering till the sack of the city was complete. It is needless to say that Holyrood did not escape. The Abbey Church was more or less destroyed and ruthlessly ravaged. Amongst the loot then carried off two articles can be traced. Sir Richard Lea of Sopwell, who appears to have been in command of the English pioneers, and as such particularly responsible for the general destruction which occurred, carried off a brazen font and the beautiful lectern of the Church. On the former he caused an arrogant inscription to be engraved, of which the following is a translation :

'When Leeth, a toune of good account among the Scots, and Edinburgh their cheefe Cittie, were on a fire, Sir Richard Lea, knight, saved me from burning and brought mee into England.

And I beeing mindfull of this so great a benefit, whereas before I was wont to serve for the baptising of none but Kings children, have now willingly offered my services even to the meanest of the English nation—Lea the victor would have it so. Farewell. In the year of our Lord 1544 and the reign of King Henrie the Eighth 36.'

The font and lectern were both presented by him to the Church of St. Albans, Hertfordshire. The font, originally a gift to Holyrood of Abbot Bellenden, was destroyed in the English civil wars and melted down. The lectern, however, still remains at St. Albans. It consists of a brass pillar with mouldings, on the top of which is a ball surmounted by an eagle with outstretched wings. Its total height is five feet seven inches, and the spread of the eagle's wings is almost two feet. It is a very handsome piece of ecclesiastical furniture, and its connection with Holyrood is proved by the occurrence on it of four shields, each charged with a lion rampant, of a bishop's mitre and crosier, and of the words *Georgius Crichton, Episcopus Dunkeldensis*.

Crichton was provided to the Abbey of Holyrood so early as 1500, and was appointed Bishop of Dunkeld on or before 1526. He must have presented the lectern to his old Abbey after he became Bishop of Dunkeld. It is impossible that the English can have taken it from the latter place, as they were never so far north, so that it is practically certain that the lectern belonged to Holyrood. The Bishop had a house or official residence in Edinburgh on the south side of the Cowgate, so that no doubt he often attended the services in his old church, and took a continued interest in it. He was fortunate in not living to see the spoliation of his gift, as he died in the January previous to the English invasion, a very aged man. The King's Palace did not escape from the general ruin, and it is said that Norris of Speke Hall, Lancashire, carried off the books from the library of James V., including four large folios, said to contain the Records and Laws of Scotland at that time. But though there are entries in the Treasurers' accounts of various books having been supplied to the Scottish kings, I do not know that any of them, save perhaps James I., and in a lesser degree James IV., were of a very literary turn of mind or accumulated much of a library.

Notwithstanding all this wanton destruction, Scotland's cup of bitterness was not yet full. There being nothing more left to destroy in Edinburgh save the Castle, which proved too strong

a nut for the invaders to crack, they, being reinforced by 4000 light cavalry which had arrived from the Borders, turned their attention to the surrounding country, which, according to the English accounts, they devastated within a radius of seven miles, and left 'neither pile, village, nor house standing unburnt.' Corn and cattle were carried off, and much of the stuff which the flying inhabitants had carried out of the town. An absolute rot seems to have set in amongst the Scots. The beautiful and strong castle of Craigmillar which, it might be thought, was capable of strenuous defence was, we are informed by a Scottish chronicler, 'hastilie geven to the English, promesand to keep the samyne without skaith: quhilk promeis thai break and brunt and destroyit the said hous.' But this was only one item in the wholesale destruction that went on; there is a list of some thirty-three towns, or castles, or houses, which were devastated at this time.

Having done as much mischief as they could, the English force at last prepared to leave. As a final piece of brutality they broke down the pier of Leith 'and burnt every stick of it.' They carried off the 'Salamander' and the 'Unicorn,' two of the best ships in the small Scottish navy; they loaded other prizes besides their own boats with booty, and letting them sail away, prepared to return south by land. Meanwhile the whole of the country on both sides of the Firth had been ravaged, the fortress on Inchgarvie destroyed, and all the boats either burned or taken away. Finally, on 15th May, Leith was given over to the flames, and the army began their march south. Coming to Seton they burned Lord Seton's house there, 'which was right fair: and destroyed his orchards and gardens which were the fairest and best in order that we saw in all that country.' It is, perhaps, doubtful whether this was the Seton Palace near Tranent or another seat of the family, Winton Castle. The latter was built by that George, Lord Seton, who died in 1508; he was a great horticulturist and the flower beds in the garden were surrounded by a hundred painted wooden towers or temples surmounted by gilt balls. A historian of the family says that in the garden 'I have seen fyve scoir torris of tymber about the knottis of the flouris: ilk ane twa cubite of hicht, haveand twa knoppis on the heid ane above ane uther, als grit even-ilk ane as ane rowboull overgilt with gold: and the schankis thairof paintit with divers hewis of oylie colours.'

Haddington met with the same fate; Dunbar seems to

have attempted some resistance, but their fate was even worse. Having watched for the enemy all night, and perceiving them in the act of breaking up their camp in the morning, the inhabitants thought themselves safe and went to bed; but a force was detached from the English army, and succeeded in setting fire to the town, and 'men, women and children were suffocated and burnt.'

On the morning of the 17th May, in a thick easterly 'haar,' the English found themselves at Pease Pass and discovered that it was held in force by a party of Scots under the Earls of Buccleuch, and Home, and Lord Seton. Here at last, one would have thought, was a chance for the Scots. What really happened we do not know; we have only the English account of it. According to that their army calmly waited for the weather to clear, which it did about two in the afternoon, and then set forward in battle array. Far from meeting any determined resistance, it seems that the Scots abode but two shots of a falcon, and then scaled every man his own way to the high mountains, which were hard at their hands, and covered with flocks of their people. We are told that the pass was so narrow that notwithstanding the fact that there was no resistance, the English army took three hours to defile through it. The paralysis of the crowds on the surrounding heights is incredible and inexplicable. Having got through that dangerous passage the army had nothing further to fear, and after doing some further damage in the destruction of the tower of Renton they arrived at Berwick, where they were met by the ships which had sailed round from Leith.

So this particular invasion of Scotland ended. It was not to be the last, if perhaps it was the worst. In the words of a modern historian—'unless we may find some parallel in Tartar or African history to the career of this expedition, it will scarce be possible to point to any so thoroughly destitute of all features of heroism or chivalry.' According to the English account, the total loss in their army was under forty. What it was on the Scottish side is impossible even to guess at, but it must have been very large, and included not only fighting men, but women and children. The loss of life must have been great, but the wanton destruction of property must have been greater still. The burnt lands lay untilled and uncared for for years. The only things that escaped complete destruction were the churches, which generally seem to have been let alone. St. Giles' does not appear to have been

harméd. Newbattle Abbey was, however, burned, but its ruin cannot have been complete, as three years afterwards it was the meeting place of a convention held by the Queen Dowager. St. Monans in Fife suffered a good deal, and the nunnery at Haddington was burned.

But the end was not yet. Scotland was still to suffer much from the fury of the English king; and only a month after Hertford's return to England another expedition under Sir Ralph Evers harried the Borders, captured and garrisoned the Abbey of Coldingham, burnt Jedburgh and destroyed Melrose, and generally worked havoc in the country. But in February, 1544-5, the Governor and Angus got together a sufficiently large force, met the English near Jedburgh, at Lilliar's Cross, or as it is more frequently called, Ancrum Moor, and inflicted a crushing defeat on them, the leaders, Sir Ralph Evers and Sir Brian Layton, besides many other leading Englishmen, being killed in the engagement. Arran and Angus, it is said, overcome with joy, fell weeping into each other's arms.

Subsequent events are not within the scope of this paper—the coming of the French allies, the disastrous battle of Pinkie, and the peace that closed a nine years' war in 1550. It left Scotland exhausted and embittered to a terrible degree, bitterness which had showed itself in some regrettable acts of brutality in the Border fighting. But Scotsmen had suffered dreadfully. Border warfare there always was, but it was conducted on understood principles, and there was very little personal feeling about it. The various English expeditions, however, changed all that, and both invaders and invaded became savage in their warfare.

Scotland suffered as she did during this period because she was not true to herself. Her leaders were divided into two parties.

On the one side were the English lords, as they were called, who were prepared to carry out Henry's scheme as to the marriage of the infant queen, if not to go further and acknowledge his arrogant claims to the suzerainty of the country. It is possible to understand their view: the marriage between the queen and an English prince would unite the country under one crown, and was in itself commendable, especially when considered, as we can, in the light of subsequent events; and as to Henry's claim to suzerainty, such of the Scottish nobility as had been in England, and many of them had as prisoners of war, must have been struck with the prosperous, orderly, and settled state of the country, where both lordly castle and peaceful grange had an air

of fixity and comfort which was sadly absent in the faction-rent country of their birth. They may have argued, Better a settled government under a strong king than independence with the ever-present fear of finding your house beset by enemies and your roof tree blazing overhead. All this may have been wrong, was indeed wickedly and traitorously wrong in the eyes of many of their countrymen ; but it is understandable.

On the other side, there was a strong patriotic party, the position taken up by which, with regard to the proposed marriage of their queen with the English prince, is well illustrated by a conversation which has been recorded between Sadler, the English ambassador, and Sir Adam Otterburn, the Provost of Edinburgh, at one time King's Advocate, and reputed to be one of the wisest men in Scotland. Sadler was discoursing on the benefits which would ensue to the two kingdoms if the marriage took place, when Otterburn interrupted him by asking: 'Why think you that this treaty will be performed?' 'Why not?' said Sadler. 'I assure you,' replied Otterburn, 'it is not possible, for our people do not like it. And though the Governor and some of our nobility, for certain reasons, have consented to it, I know that few or none of them like it; and our common people utterly dislike it.' Sadler said he could not understand this, considering that God's providence had given England a young prince and Scotland a young princess, by whose union in marriage 'these two realmes, being knytte and conjoynd in one, the subjects of the same, which have always been infested with the warres, myght live in welth and perpetual peas.' 'I pray you,' Otterburn replied, 'give me leave to ask you a question: If your lad were a lass, and our lass were a lad, would you be so earnest in this matter? Could you be content that our lad should marry your lass, and so be king of England?' Said Sadler: 'Considering the great good that might come of it, I should not show myself zealous for my country if I did not consent to it.' 'Well,' said Otterburn, 'if you had the lass and we the lad, we could be well content with it, but I cannot believe that your nation would agree to have a Scot to be king of England. And, likewise, I assure you that our nation, being a stout nation, will never agree to have an Englishman to be king of Scotland; and though the whole nobility of the realm would consent to it, yet our common people and the stones in the street would rise and rebel against it.'

Such were the principles of the great mass of the Scottish people. Flodden had not crushed them, and they were as deter-

mined as ever to be independent of the southern kingdom. At the head of the patriotic party was the great Cardinal Beaton—the infamous cardinal, if you like to call him so—fighting, no doubt, in his own interests and in those of the Church, of which he was certainly no ornament. But he was at the head of the national party, and the nation, you will remember, had not yet broken from the old Church. His associates were determined that, come what might, Scotland would not subject herself to the rule of an alien king; and they opposed strenuously, to the best of their power, all his schemes, and spurned all projects of ultimate union between the two countries. He was backed up, as Mr. Andrew Lang points out, by the patriotic feeling of the great mass of the people, by the influence of the Queen Dowager, by the tradition of the country, and he could rely on the support of France for whatever that was worth. In resisting the English claims, we may at least give him credit for unrivalled tenacity, unwearied resolution, and great political courage. He had much against him, but he won in the end. But it was the last fight of the old faith. Soon the country adopted the principles of the Reformation, which lives like his did much to bring about. The union of the crowns came in the natural course of events. Scotland, ‘under God’s providence,’ as Otterburn expressed it, instead of being put under the foot of an English king, gave hers to England. So the way was opened to the more modern history of our great kingdom.

J. BALFOUR PAUL.

Jacobite Songs

THE little collection of Jacobite songs here reprinted is only known to exist, as far as I can learn, in a single copy, now in the Library of the British Museum. The verses are more rude but more vigorous than those in *Loyal Songs* (1750), published without printer's name or name of place: that volume is not very scarce. It will be observed that many of the most poetical Jacobite verses, such as 'It was a' for our rightful king,' appear neither in the printed collection of 1750 nor in that of 1779. Burns, Lady Nairne, and other singers represent merely sentimental and hopeless Jacobitism; while several pieces in our collection are later modifications of verses sung in honour of James III. and VIII. The latest here is doubtless the third, of 1772, the date of the marriage of Charles III. to Louise of Stolberg. The collection does not contain the Jacobite version of *Auld Lang Syne*.

The Notes offer more particular remarks: I may here repeat that, while comparing *The True Loyalist* with Hogg's versions and notes in *Jacobite Relics*, I have been confirmed in my opinion that Hogg was, as in the case of what he gathered in the way of ballads for Scott, a much more honest editor than he is commonly supposed to have been.

A collection of Jacobite contemporary songs in Gaelic, with literal translations in prose, down to the beautiful Lament on the death of Charles, would be of much literary interest. From the few examples which friends have translated for me, I am led to suppose that the Celtic Muse is much more poetical than that of the 'Eminent Hands' who contribute to *The True Loyalist*.

ANDREW LANG.

THE TRUE LOYALIST ;
OR,
CHEVALIER'S FAVOURITE :

BEING A COLLECTION OF
ELEGANT SONGS,
NEVER BEFORE PRINTED.

ALSO, SEVERAL OTHER
LOYAL COMPOSITIONS,
WROTE BY EMINENT HANDS.

PRINTED IN THE YEAR M,DCC,LXXIX.

THE ROYAL OAK TREE

(To the Tune of *The Mulberry Tree*)

YE true sons of SCOTIA together unite,
And yield all your senses to joy and delight ;
Give mirth its full scope, that the nations may see
We honour our standard, the great Royal Tree :

All shall yield to the Royal Oak Tree :

*Bend to thee,
Majestic tree !*

Chearful was He, who sat in thee.

And thou, like him, thrice honour'd shall be.

When our great Sov'reign C—s was driv'n from his throne,
And dar'd scarce call the kingdom or subjects his own,
Old Pendril, the miller, at the risk of his blood,
Hid the King of our isle in the king of the wood.

All shall yield, etc.

In summer, in winter, in peace, or in war,
'Tis acknowledg'd, with freedom, by each British tar,
That the oak of all ships can best screen us from harm,
Best keep out the foe, and best ride out the storm.

All shall yield, etc.

Let gard'ners and florists of foreign plants boast,
 And cull the poor trifles of each distant coast ;
 There's none of them all from a shrub to a tree,
 Can ever compare, great Royal Oak, with thee.

All shall yield, etc.

[Hogg gives, in *Jacobite Relics*, Series i. p. 10, a copy all but identical with this version. 'It was taken from a curious collection of ancient MS. songs in the possession of Mr. D. Bridges, Junior, of Edinburgh. It is probably of English origin. . . .' For

'Honoured was he who sat in thee,'

our version has 'Chearful.' There are slight variations in Stanza III.]

A SONG

ON a bank of flow'rs on a summer's day,
 Where lads and lasses met ;
 On the meadow-green, each maiden gay,
 Was by her true-love set ;
 Dick fill'd his glass, drank to his lass,
 And C—'s health around did pass :

*Huzza! they cry'd, and a' reply'd,
 "The Lord restore our K—g."*

To the King, says John : Drink it off, says Tom,
 They say he's wond'rous pretty :
 To the Duke, says Will : That's right, says Nell :
 God send them home, says Betty :
 May the Pow'rs above this crew remove,
 And send us here the lads we love :

Huzza! they cry'd, etc.

The liquor spent, to dance they went ;
 Each youngster chose his mate :
 Dick bow'd to Nell, and Will to Moll ;
 Tom chose out black-ey'd Kate.
 Name your dance, says John ; Play it up, says Tom,
 May the King again enjoy his own :

Huzza! they cry'd, etc.

G—e must be gone, for he can't stay long,
 Lest cord or block should take him ;
 If he don't, by Jove, and the Pow'rs above,
 We're all resolv'd to make him :
 Young G—e too must his dad pursue,
 With all the spurious plund'ring crew :

Huzza! they cry'd, etc.

[Hogg (*Relics*, i. 49) has a version with historical differences. In Stanza 1. Jamie's health, not Charlie's, is drunk. In the second stanza they drink to the Queen and the Prince; in ours to the King and the Duke. Hogg's lines apply to James VII., Mary of Modena, and the Prince of Wales; ours to James VIII., Prince Charles, and his brother Henry, Duke of York. Our final stanza, on George I. and his son, is not in Hogg, whose version is obviously earlier than the accession of the House of Hanover. Hogg's is the version in *A Collection of Loyal Songs*, printed in the year 1750.]

A BIRTHDAY ODE

(September 21st, 1772)

Do thou, my soul, with steady patience wait,
 'Till God unvail his firm resolves of Fate :
 Then C—s shall reign, possess'd of ev'ry grace,
 And fair L—a brighten ev'ry face
 With rising branches of a royal race.

Fly hence, despair ! thou bane of happiness !
 Let chearing hope each faithful heart possess :
 Toss round the glass with joyous mirth and mein,
 And gladly sing, *God save the King and Queen* :
 Bless them with children virtuous and fair :
 May they be ever heaven's peculiar care.

[The birthday apparently of Louise of Stolberg, wife of Charles III.]

A SONG

(Tune : *An thou wert mine ain thing*)

DIVINELY led thou need'st to be,
 Else you had ne'er come o'er the sea
 With those few friends who favour'd thee,
 And dearly they did love thee.

Thy fortitude sure none can shake ;
 A crown and glory is thy stake ;
 And God thy trust, who soon can make,
 Ev'n they who hate thee, love thee.

Fame shall reward thy clemency,
 Whilst Gladsmuir-green is near the sea ;
 And the triumphant victory
 Gain'd by the Clans that lov'd thee.

Go on, great P—ce, ne'er fear thy foes,
 Though hellish plots they do compose ;
 The gods themselves do them oppose,
 And smile on those who love thee.

Thy great ancestors do look down
 With joy to see themselves outdone
 By a young Hero of their own,
 Begetting who's most lovely.

O happy Scotland! shall thou be
 When Royal J—s reigns over thee,
 And C—s, our P—ce, who favours thee,
 And dearly ay will love thee.

[This was apparently composed in the hopeful period between Preston Pans and the Retreat from Derby.]

A SONG

THOUGH G—die reigns in J—ie's stead
 I'm griev'd, yet scorn to shew that;
 I'll ne'er look down, nor hing my head
 On Rebel W—gs for a' that;
 But still I'll trust in Providence,
 And still I'll laugh at a' that;
 And sing, He's o'er the hills this night
 That I love weel for a' that.

He's far 'yont Killebrae this night
 That I love weel for a' that;
 He wears a pistol on his side,
 Which makes me blyth for a' that:
 The highland coat, the philabeg,
 The tartan-trouze, and a' that,
 He wears, that's o'er the hills this night,
 And will be here for a' that.

He wears a broad-sword on his side,
 He kens weel how to draw that;
 The target, and the highland plaid,
 And shoulder-belt, and a' that:
 A bonnet bound with ribbons blue,
 A white cockade, and a' that,
 He wears, that's o'er the hills this night,
 And will be here for a' that.

The W—gs think a' that Willie's mine
 But yet they maunna' fa' that;
 They think our hearts will be cast down,
 But we'll be blyth for a' that,
 For a' that, and a' that,
 And thrice as meikle's a' that;
 He's bonny that's o'er the hills this night,
 And will be here for a' that.

But, O! what will the W—gs say syne,
 When they're mista'en in a' that,
 When G—die maun fling by the crown,
 The hat, and wig, and a' that ;
 The flames will get baith hat and wig,
 As oft times they got a' that :
 Our highland lad will wear the crown,
 And ay be blyth for a' that.

And then our brave militia lads
 Will be rewarded duly,
 When they fling bye their black cockades,
 That hellish colour truly.
 As night is banish'd by the day,
 The white will drive awa' that ;
 The sun will then his beams display,
 And will be blyth for a' that.

[Hogg's version (*Relics*, ii. 56) 'is copied from Mr. Moir's MSS.' There are considerable variations throughout : our version has six stanzas, Hogg's only five. The version in *Loyal Songs* (1750) is more akin to Hogg's. The period is after the Retreat from Stirling, possibly after Culloden.]

A SONG

(Tune : *To ease his heart, and own his shame*)

THE P—ce did venture once to land,
 With seven under his command,
 For to conquer Nations three ;
 That's the man shall govern me.

Justly may he claim the crown
 His brave ancestors wore so long ;
 Though they thought fit to banish thee,
 The Restoration I hope to see.

It was a curs'd usurping crew
 That from the true K—g took his due,
 And sent him far across the sea ;
 J—s the Seventh, the same was he.

They J—s the Seventh away did send,
 How could that infant them offend ?
 That he too banished must be,
 To 'reave my native P—ce from me.

But his brave son in battle bright
 Shall recover what's his right ;
 All the Clans shall fight for thee ;
 Glorious C—s shall govern me.

Fierce as a lion uncontrol'd,
 As an angel soft and kind,
 Merciful and just is he;
 Glorious C— shall govern me.

[This appears to be a version of Hogg's second set of *To daunton me* (*Relics*, ii. 87). For our first verse the last four lines of Hogg's first stanza give

' At Moidart our young Prince did land,
 With seven men at his right hand,
 And a' to conquer kingdoms three,
 That is the lad shall wanton me!'

Hogg's third set is by far the best and most poetical. All forms show the variations which are the note of popular songs and ballads. Hogg's third set, if merit be a test of age, ought to be the oldest. It has no reference to Prince Charles, King James is the expected hero, and 1688 and 1689 are fresh in the poet's memory.

' To daunton me, to daunton me,
 D'ye ken the thing that wad daunton me?
 Eighty eight and eighty nine.
 And a' the dreary years sinsyne,
 With cess, and press, and Presbyt'ry;
 Gude faith, this had like to daunton me.
 But to wanton me, to wanton me,
 D'ye ken the thing that wad wanton me!

' To see gude corn upon the rigs,
 And banishment to a' the Whigs,¹
 And right restored where right should be;
 O, these are the things that would wanton me.
 But to wanton me, to wanton me,
 And ken ye what maist wad wanton me?
 To see King James at Edinburgh cross,
 Wi' fifty thousand foot and horse,
 And the usurper forced to flee;
 O, this is what maist wad wanton me!

From this version, obviously the oldest, the three others have, in most stanzas, departed for the worse.]

JAMIE THE ROVER

Or all the days that's in the year,
 The Tenth of June I love most dear,
 When roses and ribbons do appear;
 Success to young Jamie the Rover.

Fal deral, etc.

¹ Various reading: 'And a gallows built to hang the Whigs.'

Jacobite Songs

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All in green tartan my love shall be drest,
With a diamond star upon his breast,
And he shall be reckon'd as one of the best ;
Success to young Jamie the Rover.

Fal deral, etc.

As I came in by Lanark town,
The drums they did beat, and the trumpets did sound,
The drums they did beat, etc.,
To welcome young Jamie the Rover.

Fal deral, etc.

There's some who say he's bastardly born,
And others who call him a bricklayer's son ;
But they are all liars, for he's the true son
Of him call'd Jamie the Rover.

Fal deral, etc.

There is in London a huge black bull,
And he would devour us if he had his will,
But we'll toss his harns out over his skull
And drive the old dog to Hanover.

Fal deral, etc.

I need not wonder at Nature's change,
Though he abroad be forced to range,
I'll find him out where'er he remains,
Young Jamie you call the Rover.

Fal deral, etc.

To foreign lands I'll straight repair,
There to find out my dearest dear,
For he alone is all my care
Young Jamie you call the Rover.

Fal deral, etc.

In his Royal Arms I'll lay me down,
In remembrance of the Tenth of June,
And all my pleasure I will crown
With Jamie you call the Rover.

Fal deral, etc.

Though all my friends should me despise,
Yet to his praise my voice I'll raise,
For he's a jewel in my eyes,
Young Jamie you call the Rover.

Fal deral, etc.

Andrew Lang

J. and S. I must confess
 The thistle and crown, his motto is ;
 Of all the swains he deserves the praise,
 Young Jamie you call the Rover.

Fal deral, etc.

[Hogg has a version of this pleasant song for the White Rose king. His first verse, in the second three lines, reads

‘In tartans braw our lads are drest,
 With roses glancing on the breast.’

Where ours has

‘All in green tartan my love shall be drest,
 With a diamond star upon his breast.’¹

In Hogg, ‘Auchindown’ takes the place of our ‘Lanark town’ (a Whiggish and Covenanting centre). Auchindown, says Hogg, is a ruined castle in Glen Fiddon, in Banffshire, a Jacobite place mentioned in another song :

‘At Auchindown, the tenth of June,
 Sae merry, blythe, and gay, sir !’

This song (*Relics*, i. 80) is, in the last stanza, of the later Jacobite period. The poet is ready to fight for

‘Our Jamie and our Charlie.’

Our *Jamie the Rover* is of the period of the youth of James III. and VIII., and, in fact, appears to regard James II. and VI. as ‘Jamie the Rover.’

Hogg, as to ‘the great black bull,’ reads :

‘We’ll twist his horns out of his skull,’

whereas our text has

‘But we’ll toss his harns out over his skull,’

‘harns’ meaning brains.

Both versions are contaminated by references to ‘the old rogue’ or ‘old dog’ in connection with Hanover. In short, we have here variants of a song perhaps dating from 1716, but altered in various ways to suit new circumstances, and arranged by singers or copyists.]

A SONG

PR—CE C—s is come o’er from France,
 In Scotland to proclaim his daddie ;
 May the heav’n’s pow’r preserve and keep
 That worthy P—ce in’s highland plaidie.

O my bonny, bonny highland laddie,
 My handsome, charming highland laddie,
 May Heav’n reward, and him still guard
 When surrounded with foes in’s highland plaidie.

¹The king himself.

Jacobite Songs

First when he came to view our land,
The graceful looks of that young laddie,
Made a' our true Scots hearts to warm,
And choose to wear the highland plaidie.

O my bonny, etc.

But when G—die heard the news,
That he was come before his daddie,
He thirty-thousand pounds would give
To catch him in his highland plaidie.

O my bonny, etc.

He sent John C—pe straight to the North,
With a' his army fierce and ready,
For to devour that worthy P—ce
And catch him in his highland plaidie.

O my bonny, etc.

But when he came to Inverness,
I told him he was South already,
As bold's a lion conqu'ring all,
By virtue of his highland plaidie.

O my bonny, etc.

From Inverness to Aberdeen,
Where he found their ships just and ready,
To carry him to Edinburgh,
For to devour him in's highland plaidie.

O my bonny, etc.

But when he came to Edinburgh,
East Lothian was his first land ready ;
And then he swore that in Gladsmuir,
He wou'd devour him in's highland plaidie.

O my bonny, etc.

A parcel of Scots highlanders,
And country lads that were not ready,
The task is small you have to do,
To catch him in his highland plaidie.

O my bonny, etc.

Our worthy P—ce says to his men,
For God's sake, haste, and make you ready,
And gratify C—pe's fond desire
He hath to see me in my plaidie.

O my bonny, etc.

Likewise says he unto his men,
This day if you'll fight for my daddie,

Andrew Lang

By heav'n's pow'r I'll set you free
From tyrants, in my highland plaidie.

O my bonny, etc.

Then they went on like lions bold,
Without regard to man or baby,
For they were bent with one consent
To fight and keep him in his plaidie.

O my bonny, etc.

John C—pe cries then unto his men,
For God's sake, haste, and make you ready ;
And let each man fly as he can,
For fear he catch you in his plaidie.

O my bonny, etc.

Some rode on horse, some ran on foot,
And some, wi' fear, their heads turn'd giddy ;
And some cry'd, Oh ! and some, Woe's me !
That e'er I saw a highland plaidie.

O my bonny, etc.

When C—pe was then a great way off,
He said, Since I was a young babie,
I never met with such a fright
As when I saw him in's highland plaidie.

O my bonny, etc.

[This is a shorter variant of Hogg's *O my Bonnie Highland Laddie*. Hogg takes it 'from Mr. Hardy's MSS., collated with that from Mr. John Wallace of Peterhead' (*Relics*, ii. 115, 335). There are many variations. The subject is the strange march of Cope to Inverness while the Prince was entering Edinburgh, and the victory of Prestonpans.]

A SONG

MY Grand-Sire had a riding mare,
And she was ill to sit,
And by there came an airy blade,
And slipped in a foot.
He put his foot into the stirrup,
And gripped sickerly ;
And ay since syne, she's prov'd unkind,
And flung and gloom'd at me.

When my Grand-Father was deth—n'd,
And put from Nations Three,

There was not a single plack of debt,
 And all accompts were free.
 But now the cr—wn's in debt, aboon
 One Hundred Millions and Three;
 I wonder what ails the wicked beast
 To have such spite at me.

When William fell, and brain'd himsel',
 They call'd my Aunty Ann;
 Give me the mare, the riding gear,
 The halter in my hand;
 Then peace and plenty will abound,
 Throughout the Nations Three;
 We'll drive them up with whip and spur,
 Because they slighted me.

Preston-pans, Falkirk, and Inverurie,
 These were battles three;
 But at Culloden we were all defeat,
 And forced for to flee.
 The poor men they were all defeat,
 Fled to the mountains high;
 You may be sure my heart was sore
 When none could stay with me.

But one poor maid, with gown and plaid,
 Convoy'd me through the isles;
 By heaven's care I was preserv'd
 From all their crooks and wiles:
 Then into France as by ill-chance,
 Though I was welcome there,
 The cruel darts of th' usurper's arts,
 Did still pursue me there.

I hope to God that I will mount,
 My brave ancestor's th—ne;
 And then I will attended be
 By lords of high renown.
 My brother Henry will likewise be
 Honour'd as well as me;
 And we'll make the W—gs change their notes,
 And turn their tunes to me.

They gave the Qu—n the cordial drop
 To hasten her away;
 And then they took the cursed *oath*,
 And drank it up like whey;
 Then they sought the Brunswick race
 Which we may sorely rue:
 They got a horse, a cripple *ass*,
 A Cousin German Sow.

[There are seven stanzas here in place of four in Hogg's version (*Relics*, i. 82). In Hogg's text the father, not the grandfather, of the speaker tries the mare; the speaker is James VIII., not Prince Charles. The absurd scandal about the poisoning of Queen Anne is in our seventh, but in Hogg's second stanza. Our song has no 'sow' (some German mistress of George). The remarks on the national debt caused by our Dutch deliverer is not in Hogg's version (our stanza 11.), and the allusions to Prince Charles's victories and to Flora Macdonald in our song are absent from Hogg's. The generation of 1745 has retained and expanded a chant of the generation of 1715.]

A SONG

OVER yon hills, and yon lofty mountains,
 Where the trees are clad with snow,
 And down by yon murm'ring chrystal fountain,
 Where the silver streams do flow.
 There, fair Flora sat complaining,
 For the absence of our K—g,
 Crying, Charlie, lovely Charlie,
 When shall we two meet again?

Fair Flora's love it was surprising,
 Like to diadems in array;
 And her dress of the tartan plaidie
 Was like a rainbow in the sky;
 And each minute she tun'd her spinnet,
 And Royal Jamie was the tune,
 Crying, C—s, Royal C—s,
 When shalt thou enjoy thy own?

When all these storms are quite blown o'er,
 Then the skies will rend and tear,
 Then C—s he'll return to Britain
 To enjoy the grand affair:
 The frisking lambs will skip over,
 And larks and linnets shall sweetly sing:
 Singing, C—s, lovely C—s,
 You're welcome home to be our King.

[There may be some connection between this too artless ditty about Flora Macdonald and Hogg's *Lament of Flora Macdonald* (*Relics*, ii. 179). Hogg says that he got the original of the *Lament* 'from Mr. Niel Gow, who told me they were a translation from the Gaelic, but so rude that he could not publish them. . . . On which I versified them anew,' says the honest Shepherd, 'and made them a great deal better without altering one sentiment' (*Relics*, ii. 369).

The original Gaelic may have been excellent: our version is, at least, unpretentious, but Hogg's is too conscientiously noble and sublime, though it has been popular as a song: and has a Gaelic substratum.]

A SONG

THE K—g he has been long from home,
 The P—ce he has sent over
 To kick th' usurper off the th—ne,
 And send him to Hannover.

*O'er the water, o'er the sea,
 O'er the water to Ch—lie;
 Go the world as it will,
 We'll hazard our lives for C—lie.*

On Thursday last there was a fast,
 Where they preach'd up rebellion;
 The masons on the wall did work,
 To place around their cannon.

O'er the water, etc.

The Wh—gs in cursed cabals meet,
 Against the Lord's Anointed;
 Their hellish projects he'll defeat,
 And they'll be disappointed.

O'er the water, etc.

Sedition and rebellion reigns
 O'er all the B—tish nation;
 Why should we thus like cyphers stand
 And nothing do but gaze on?

O'er the water, etc.

Brave Britons rouse to arms, for shame,
 And save your K—g and nation;
 For certainly we are to blame,
 If we lose this occasion.

O'er the water, etc.

The P—ce set out for Edinburgh Town,
 To meet with C—pe's great army;
 In fifteen minutes he cut them down,
 And gain'd the victory fairly.

O'er the water, etc.

[Comparing this song with Hogg's text (*Relics*, ii. 76) we ask, is ours the unworthy original, improved by Burns and Hogg into the best of loyal poetry; or is ours quite a distressingly different set of words to the same tune? Hogg's version, except for the last stanza, is, with slight verbal changes, No. 187 in Johnson's *Museum*, Vol. ii. (1788). Hogg says, 'I do not know if the two last stanzas have ever before been printed, though they have often been sung' (*Relics*, ii. 290). The penultimate verse appeared, as Hogg should have known, in Johnson's *Museum* (*ut supra*). If Mr. Henderson is right in saying 'Hogg's set is merely Ayrshire Bard (in Johnson) *plus* Ettrick Shepherd,' then

the Shepherd, in the last stanza, wrote the most perfect verse in the whole of Jacobite poetry. The ardent sincerity of loyal self-sacrifice was never worded so well. Cf. Henderson, in his and Henley's *Burns*, Vol. iii. p. 328. The chorus, and stanza 1., in both Hogg's and the *Museum's* versions, seem to me popular and traditional; the third may be by Burns; the fourth, if not Hogg's, is popular and traditional. I myself think that Hogg dealt fairly with what he collected, whether songs in the *Relics*, or ballads for Scott's *Minstrelsy*. His letters to Scott, with ballads (June 30, 1802; September 10 [1805]), are candid and explicit; he tells the Sheriff how he collected, what he got 'in plain prose' mixed with broken stanzas, and how he harmonised them. He is equally candid in what he says of *The Lament of Flora Macdonald*, already quoted from the *Relics*.]

A SONG

(Tune: *Nansy's to the Green-wood gane*)

YE W—gs are a rebellious crew,
 The plague of this poor nation;
 Ye give not God nor Caesar due,
 Ye smell of reprobation:
 Ye are a stubborn, perverse pack,
 Conceiv'd and nurs'd by treason,
 Your practices are foul and black,
 Your principles 'gainst reason.

Your Hogan-Mogan foreign things
 God gave them in displeasure;
 Ye brought them o'er and call'd them k—gs,
 They've drain'd our blood and treasure.
 Can ye compare your King to mine,
 Your G—die and your W—lie?
 Comparisons are odious,
 A docken to a lillie.

Our Darien can witness bear,
 And so can our Glenco, Sir;
 The South Sea it can make appear
 What to our King we owe, Sir:
 We have been murder'd, starv'd, and rob'd,
 By those your k—gs and knav'ry;
 And, all our treasure is stock-jobb'd,
 While we groan under slav'ry.

Did e'er the rightful St—t's race,
 Declare it if you can, Sir,
 Reduce you to so bad a case,—
 Hold up your face and answer:
 Did he who ye expell'd the throne
 Your islands ever harass so,
 As those whom ye have placed thereon,
 Your Brunswick and your Nassau?

By strangers we are rob'd and kill'd,
 That ye must plainly grant, Sir,
 Whose coffers with our wealth are cramm'd,
 Whilst we must starve for want, Sir.
 Can ye compare your K—g to mine,
 Your G—die and your W—lie?
 Comparisons are odious,
 A bramble to a lillie.

Your P—ce's mother was a whore,—
 This ye cannot deny, Sir;
 Or why liv'd she in yonder tour,
 Confin'd there 'till she died, Sir.
 Can ye compare your Queen to mine?
 I know ye're not so silly;
 Comparisons are odious,
 A docken to a lillie.

His son is a poor matchless sot,
 His own papa ne'er lov'd him:
 And F—kie is an idiot,
 As they can swear who prov'd him.
 Can ye compare your P—ce to mine,
 Your F—kie and your W—lie?
 Comparisons are odious,
 A mushroom to a lillie.

[This is a version of Hogg's *The Rebellious Crew* (*Relics*, i. 112). Hogg copied this song from an 'old printed ballad which I found among Mr. Walter Scott's original Jacobite papers' (*Relics*, i. 284). Hogg probably softened the language of our stanza vi., and, in the third line from the end, wrote

in place of our
 'A thing so dull and silly,'
 'Your Feckie and your Willie.']

A SONG

AND from home I wou'd be,
 And from home I wou'd be,
 And from home I wou'd be,
 To some foreign country.
 To tarry for a while,
 'Till heav'n think fit to smile;
 Bring our K—g from exile
 To his own country.

God save our lawful K—g,
 And from danger set him free;
 May the Scots, English, and Irish,
 Flock to him speedily:

Jacobite Songs

May the ghosts of the martyrs,
 Who died for loyalty,
 Haunt the rebels that did fight
 Against their King and country.

May the Devil take the D—tch,
 And drown them in the sea,
 Willie butcher, and all such,
 High-hanged may they be.
 Curse on the volunteers
 To all eternity,
 Who did fight against our P—ce
 In his own country.

May the rivers stop and stand
 Like walls on ev'ry side;
 May our highland lad pass through;
 Jehovah be his guide.
 Lord, dry up the river Forth,
 As thou didst the Red sea,
 When the Israelites did pass
 To their own country.

Let the usurper go home
 To Hanover with speed,
 And all his spurious race
 Go beyond the seas.
 And we'll crown our lawful King
 With mirth and jollity;
 We'll end our days in peace
 In our own country.

[Hogg's version is a charming song, 'bearing strong marks of the hand of the ingenious Allan Cunningham.' It is perfectly modern in tone. Our version may have been sung at Avignon, Sens, and many other asylums of the exiled Jacobites.]

Two Glasgow Merchants in the French Revolution

DURING the Revolutionary Era the French Republic extended to the persecuted democrats of Great Britain and Ireland as hearty a welcome as Louis XIV. had accorded to the Jacobite exiles. Thus there gradually came together in Paris a band of discontented 'Patriots,' mostly English and Irish, but including some Scots, whose presence served to confirm the idea prevalent in France that nothing was wanting to set up separate republics in the United Kingdom but the appearance of French forces in London, Edinburgh, and Dublin.¹ The late Mr. Alger in his *Englishmen in the French Revolution* brought together some curious facts regarding the life of this colony in Paris. The adventures of two Glasgow merchants, as revealed in the documents preserved in the Public Record Office, London,² and the French Foreign Office, Paris,³ not only add some touches to his interesting sketch, but also throw fresh light on the condition of affairs at home which sent not a few Scots into voluntary or enforced exile.

During the period 1795-1798 to which the documents refer, Scotland lay at the feet of its *de facto* king, Henry Dundas. The French Revolution evoked considerable enthusiasm in Scotland. The members of the Dundee Whig Club were among the first to congratulate the French nation on the advent of the new *régime*, and Glasgow sent £1200 to the National Assembly. The industrial class awoke to a sense of its political rights, and, organised in societies known as Friends of the

¹The 'Scotch Directory' was to consist of Muir, Sinclair, Cameron, Simple [Lord Sempill?], a Sorbelloni [sic]. Ferguson [Adam Ferguson?] was to be Minister for Foreign Affairs, Macleod [M.P. for Inverness] for War, and Campbell [the poet Campbell?] for Marine. *v. Hist. MSS. Comm., Dropmore MSS.*, vol. 4, 1905, pp. 69 and 70.

²*Home Office (Scotland) Correspondence*, vol. 16.

³*Archives, Correspondance Politique*, vol. 592.

People, agitated for parliamentary reform. Some of the wilder spirits, however, did not conceal their desire for even greater changes in the constitution, and as the drama of the French Revolution developed into tragedy, all projects of reform at home were denounced as revolutionary. The dread thus inspired in the middle and upper classes enabled Dundas not only to repress all democratic activity throughout the country, but also to win support for the war against France, and for those arbitrary measures which reduced the government of Scotland to the despotism which bears his name. Whoever ventured to dispute the wisdom of such a policy was branded as a Democrat, a Croppy, or a Black Neb, imbued with French principles.

Yet although the democrats were effectively silenced, the following narrative affords one proof that they continued to cherish their opinions in secret; and the undercurrent of discontent with the existing state of affairs thus preserved among the industrial class, coming to light in the Radical War of 1819, contributed one element to the victory of reform in 1832.

About the end of May, 1798, the Sheriff-Depute of Edinburgh informed the Duke of Portland that two brothers, John and Benjamin Sword, had been arrested on a charge of holding improper communications with the enemy. John was apprehended on board a vessel in Leith bound for Embden, and his brother Benjamin at Glasgow. Failing to give a satisfactory account of some letters seized at the same time, they were confined to prison till they should do so. 'They are both wealthy,' wrote the sheriff, 'having retired from trade at Glasgow, the one as a Spirit and Muslin Manufacturer, the other a Tea China man, and notwithstanding their success in trade are both dissatisfied with their country and anxious to settle themselves somewhere else.'

The reasons for the dissatisfaction were partly family but largely political. In a letter to a friend in America, dated Langside House, December, 1795, John Sword, after detailing some family matters which had occasioned him much distress, proceeds to give his opinion of the political state of Scotland at that time. 'I see there will be new matter springing in our nation of great magnitude, which will produce events more momentous to the nation at large, until at last they produce a Revolution as compleat, though I hope not so sanguinary,

as that in France, the wonder and admiration of all nations on Earth. . . . I am therefore now resolved to give you a letter with a few of my remarks on the volutions gone and going on through our nation. . . . Had the Government and order of things in this country been as they were 20 years ago, I would have been in business ere now, but such a change has taken place within these few years as seldom has to any country. Our newspapers which you no doubt frequently see will have shewn you into what a state of Sin and Misery this blessed war has brought us. The numberless additional taxes to enormous amount, and to crown the matter the progress our Ministers have made in Arbitrary government is infinitely beyond whatever could have been supposed to happen in this country formerly a land of liberty. It would tire your patience to enumerate in the most concise manner a tythe of our late oppressions. This very last week a Bill has passed making it felony to complain of any part of the Minister's conduct, although it can clearly be made appear that a family that expends £250 per ann. pays above £100 taxes. It is far from improbable a civil war may soon be the baleful consequence. Were the few lines I have now wrote on this subject exhibited to our gracious, upright, and infallible Mr. Pitt, I would have reason to congratulate myself if I came off as easy as Mr. Muir or Mr. Palmer by a 14 years' mission to Botany Bay. My family affairs with those of a public nature have made me resolve not to hasard the remains of my property in trade in this country. I have long wished to see North America but never had it so much in my power as at present, and I am now almost resolved to see it in the ensuing summer.'

In his next letter, dated 30th January, 1796, he still talks of going to the New World, 'where,' he says, 'I may spend the remainder of my life free from that weight of oppression that hangs like a millstone round the neck of this devoted country. You cannot imagine with what vast strides this country is progressing to destruction, the numberless arbitrary laws enacted by our Ministry to shield them from the effects of their guilt. Our national debt is now between 3 and 400 millions Sterling. The interest paid on that is above 16 millions. If it is reckoned what expense attends the collection of it, it will be found 4 millions more. This is sunk to all Eternity. To this add the maintenance of our civil list, including all the expensive, very expensive, squandering members of it, and you will have

a sum equal to the rent of the whole landed property in Britain. And yet this is exclusive of our necessary expenses of Government, of places and pensions, etc., etc. Of the extent and amount of these last, the best arithmeticians, the most inquisitive accomptants, and the most expert clerks are ignorant. The sum is incomprehensible. The number of pensioners with the amount they receive is quite unknown. That the sum is astonishing is well known, for these very pensions that cannot be kept hid from the public—and it is a well-known fact that not one fourth part of the pensions are published, perhaps not one tenth—demonstrate to what amount the whole may be conjectured. Here one person gets £60,000 or £70,000 p. annum, another £30,000 or £40,000, many £25 and £20,000. Great numbers from £5 to £15,000, and these of less consequence are innumerable. The Government of our country is now so outre that extortion and imposition cannot be checked. Every article is taxed in twenty different shapes. Instance the article of Stamp paper. 20 years ago and less this duty was comprehended within 7 or 8 articles. At present there are 89 articles and on these 7 or 8 articles which were formerly taxed, the tax is now 3, 4, and some of them tenfold advanced. This is only one instance among many. Almost every species of our manufactures are taxed. The consequence is very visible to every person that will indulge a thought. The indefatigable industry of the British Nation will weather the storm a little. It cannot be long. Our Government now in a manner despotic—for can it be called anything else when it is publicly known beyond contradiction that members buy seats in Parliament for a majority of these members, and this majority pass any law that Pitt chuses to propose?—I say, this Despotic Government of ours requires such immense treasure to preserve the despotism, to bribe the numberless dependant tribes, that our industry is thereby swallowed up, and it must very soon pass to destruction and like the baseless fabric of a vision leave not a wreck behind.¹ Already the wages of every branch of manufacture is very much enhanced and yet the poor artificer can scarcely live. . . . I do not

¹The Edinburgh Whigs held equally pessimistic views regarding the fate of their country. Hence the significance of the title, 'The Pleasures of *Hope*,' by the official poet of the Whigs, Thomas Campbell. On his return from abroad in 1801 he too had to make a declaration before the Sheriff of Edinburgh to clear himself of the suspicion of being a spy.

pretend to prophecy, but from the situation in which we are circumstanced, and from which we cannot disengage ourselves, I will bett all I am worth in the world this must happen within 20 years, and it would not in the least surprize me were my prognostications to take effect in one fourth part of that time.' In a letter to the same friend, dated 10th October, 1796, he still harps on the burden of taxation. Manufacturers could not pay the taxes. This had brought the 3 Per Cents down from 96 before the war to 56, and it was expected that the next loan would bring them down to 40. When the peace came there would be such emigration to France and America as would depopulate the country, and give the finishing stroke to the public credit.

We learn nothing further of the two brothers till their arrest in 1798. Rumours of an expected invasion by the French, and of plottings by the society of United Scots, kept the Government officials in a state of nervous apprehension; and when it was known that John Sword was setting out for the continent, probably for France, which, it was affirmed, he and his brother had visited the previous year, the two were promptly arrested. It was not difficult for them to invent a story of adventure not too improbable for those troublous times. According to John's first declaration, he was on the road to Germany where he intended to settle with his wife and child. It was true that he and his brother had been abroad in August, 1797, but they had not been in France. They had visited various towns in Germany. At the end of March or the beginning of April, 1797, they had left Greenock for Charlestown in South Carolina. The vessel was taken by a French privateer called the 'Vengeance' about the 17th May. A prizemaster was put on board and the vessel sailed for Nantes. Off the coast of Ireland, however, they were retaken by the British frigate 'Apollo,' and carried into the Cove of Cork. This narrative was declared by them in their second declarations to be 'a cock and bull story,' and in their third declarations they each gave, with slight variations, a more or less veracious account of their wanderings in France.

The two brothers sailed from Leith for Hamburg at the end of August, 1797. On their arrival at Hamburg they purchased their admission as burgesses with a view to enabling them to proceed to France. Acting on the advice of friends, they tried to pass themselves off as Americans or as connected

with America. The ambassador, however, refused to give them passports. They therefore proceeded to the Hague, where they obtained passports for France. 'After two trials they got to Paris via Dunkirk and Lisle.' Thence they went to Nantes *via* Tours. The two merchants had learned that English goods brought into that port by French privateers were selling very cheap, especially coffee and sugar, and they hoped by making large purchases for America to realise a considerable profit. There was one serious drawback to such a business venture. No one would insure the goods, as they were very liable to be retaken the moment they left the port by the same privateer from whom they had been purchased. A more profitable speculation was to be made in land. At Tours 'Emigrant' property was selling at three or four years' purchase, Church lands at six years', and patrimonial property at nine or ten years' purchase. Money could be borrowed at three, four, and five per cent. John Sword, according to his brother's story, was 'exceedingly keen' to become the possessor of a convent, a church, and a dozen acres of land at the low price of £700. The iron and lead of the buildings alone would have made up the price. Benjamin, however, persuaded his brother to have nothing to do with it, and after three or four weeks' stay in Nantes they left for Paris.

During their sojourn in the capital they called on Thomas Paine, 'not from any previous knowledge of him,' John was careful to add, 'but merely out of curiosity.' Paine informed them that Thomas Muir was in Paris, and they paid him a visit, having known him as a student in the University of Glasgow. 'Muir appeared to live in style and kept his carriage.'¹ During an evening spent in the company of Paine and Muir,² a long

¹ On 31st August, 1793, Muir was sentenced by the High Court of Justiciary of Scotland to fourteen years' transportation to Botany Bay for sedition in connection with the Society of the Friends of the People. He escaped from Sydney on 11th February, 1796, and after almost incredible adventures, arrived at Bordeaux in December, 1797. He was ostentatiously welcomed by the French Directory, who granted him a pension. In a begging letter to the Minister for Foreign Affairs, Muir explained that the loss of one eye, and the imperfect vision of the other, necessitated his keeping a carriage (*Archives*, vol. 590, f. 144).

² In the British Museum collection of coins and medals a farthing, inscribed 'The Three Thomases, 1796,' represents Thomas Paine, Thomas Spence (a publisher of Paine's works), and Thomas Muir hanging on a gibbet. On the reverse is the legend, 'May the three knaves of Jacobin Clubs never get a trick.' *v. The Writings of Thomas Paine*, ed. M. D. Conway, vol. iii. p. xi.

discussion ensued on religion 'which Paine reprobated, while Muir endeavoured to defend it.' Benjamin Sword even affirmed that Muir was intoxicated on that occasion. This led to the breaking up of the party, and prevented Muir from keeping his promise of introducing the brothers to the notorious Miss Williams, then living in Paris as the wife of Stone.¹

Thanks to the proverbial clannishness of their race, the Glasgow merchants were introduced to another Scot, a certain Mr. Rose. A gardener by trade,² his master's influence had secured for him the post of usher to the Constituent Assembly, and he had served in the same capacity the succeeding assemblies of the period. Under his guidance the Swords visited the Council of the Ancients, and the Council of Five Hundred, and were present at the *levée* of the Directory 'to which every one was admitted.' Rose informed them 'that he was the person who had been sent by the Convention to apprehend Robespierre, which he accordingly did and gave them many particulars respecting the business.' He talked with great freedom regarding the Convention and said that he expected another convulsion. The usher dropped a hint that he might serve his country and make some money by giving information. On being asked if he knew Mr. Rose of the Treasury, he smiled and said that Mr. Rose knew him, and waived the subject. At the end of a month the brothers left for Scotland *via* Dunkirk, where they met another type of the ubiquitous Scot in the person of a Mr. M'William, originally from Ayr.

Two letters in the Archives of the French Foreign Office complete our knowledge of the Swords. One is addressed to 'Citoyen Graham à Paris,' presumably a Glasgow man, the other to Thomas Muir. In the former, John Sword takes as gloomy a view as ever of the state and prospects of his country. 'The fate of Britain is wearing nearer and nearer its crisis. New taxes come out every day, not by the channel of the House of Commons, but by the fiat of the Privy Council. Every one of them fall short of what it was taken for and new ones are framed to make up the deficiency, which also fall short of their intention. All ranks, even the creatures of the Ministry, are now complaining of their burdens. This voluntary gift which has made so much noise has been as great an oppression as the

¹ *v. sub voce* John Heerford Stone, *Dict. Nat. Biog.*

² 'It is from Scotland,' said Voltaire, 'we receive rules of taste in all the arts—from the epic poem to gardening,' Hume Brown, *Hist. of Scot.*, vol. iii. p. 371.

most oppressive of the taxes ; for in the first place every creature of Government is obliged to subscribe largely and they are indefatigable in forcing others to subscribe, threatening them with ruining their business, their trade, and interest, if they do not, and many who have persevered in refusing to subscribe have actually been ruined by the malice of Pitt's vermin. They have influenced all the public and private banks, so that thousands of traders who cannot pay their bills are forced by their bankers to put down their names to this gift, and threatened not to get a single bill discounted if they do not. The soldiers and sailors are likewise *compelled* to put down their names to this famous gift, and thousands of names appear in the newspapers as Patriotic contributors to this gift who curse the ministry (the authors of it), curse the purposes to which it is applied, and would give twice the amount of their subscriptions to bring the heads of the ministers to the block. But this is no news to you. Citizens John M'Kenzie, John Pattison, John Monteith, and a hundred more in Glasgow would give all the cloaths on them to be as clear of the country as you and I are.

'The manufactures are much in the decline, and if the French Republic could stop them from Hamburgh, and the American and West India markets, they might soon make what sort of a peace they pleased. The whole nation would be in arms, and indeed nothing prevents this just now but unabated efforts of the ministers bribing the landed Gentlemen to act against their own interest. I need not tell you that if the War Establishment continue two years longer in England, the Bank of England paper will be of as little value as the lowest price of American or French paper ever was, and it is in the power of the French to hurry on this event by a method which I could clearly point out.'

In the other letter dated Embden, 31st August, 1798, 15 Fructidor, an 6, to Thomas Muir, he gives a full account of his sufferings, and reveals more regarding his visit to Nantes than he had communicated to the Sheriff-Depute of Edinburgh. 'I have endured a part of the persecution you so unjustly suffered. I have occupied the same apartments in Edinburgh Jail which you have done before me and have been put to great inconveniences with my family and to great expenses. But I thank God all the malice of my persecutors have not been able to prevent me from securing as much of my property as to enable me to carry on my plan of my muslin manufactory upon a moderate scale, or even to live with œconomy upon the remains

of the fruits of my industry without emerging again into bustle, labour, and anxiety.' He goes on to relate that he was set at liberty for six months, bail being fixed at 4000 merks. Owing to the strenuous exertions of his advocate, Mr. Henry Erskine, he had been allowed to proceed to Germany to look after his affairs. The Lord Advocate had promised that if nothing further appeared against him he would not be brought to trial, but that if he was to be tried, Mr. Erskine was to advise him in due course. 'The only thing they can prove against me is my having been in France contrary to law, but my intentions, or any conversation I had with my work people about going there, I trust will not be discovered; so that if no action is commenced against me by the 29th of November, my bail bond is then discharged, and I fly to the glorious land of liberty, justly the admiration of Europe and of the whole world.' His purpose in writing to Muir was to use his influence with the French Government to help him in another unlucky piece of business. The ship by which he had intended to reach Embden at the time of his arrest had sailed without him, had been captured by a French privateer, and carried into a Dutch port. There the cargo, including Sword's belongings, had been condemned. This he held to be unjust, as they were not contraband seeing they were intended for France. The prizemaster, however, had taken the goods ashore, and most of them had probably been 'embezzled by the motley crew of renegadoes from Asia, America and Europe—not one Frenchman among them.' His plan of setting up a muslin factory in France made him anxious to secure his property. 'When I was in Paris,' he writes, 'you may perhaps remember that I acquainted you I had applied by a petition to the Minister of the Interior stating my intentions of erecting a muslin manufactory¹ at Nantes, and requesting

¹ During Muir's visit to Paris in 1793, the government spy in Edinburgh credited him with having bought ground on behalf of seven proprietors of a cotton mill in the West of Scotland. The machinery and workmen were to be removed to France. *Home Office (Scotland) Correspondence*, vol. 7, March, 1793, P.R.O., London. The idea was doubtless taken from Paine's *Rights of Man*, which had an enormous circulation in Scotland at this time, especially among the industrial classes. 'France and America bid all comers welcome, and initiate them into all the rights of citizenship. . . . There is now erecting in Passey, three miles from Paris, a large cotton factory, and several are already erected in America. Soon after the rejecting the Bill for repealing the test-law, one of the richest manufacturers in England said in my hearing, "England, Sir, is not a country for a dissenter to live in—we must go to France."' *The Writings of Thomas Paine*, ed. M. D. Conway, vol. ii. p. 328, author's footnote.

permission to go to Scotland to settle my affairs, to collect and bring my property to France, to engage a few of my best tradesmen to teach these in Nantes, and to return myself with my family and furniture. The Minister gave me leave to go to Hamburgh via Calais and Dunkirk, to go to Scotland via these, and to return by Hamburgh.

These two letters were duly forwarded to the Minister for Foreign Affairs; but further documents are lacking to reveal whether John Sword was successful in his suit, or whether he was forced to join his brother Benjamin in his native city, there to remain under the hated rule of Pitt and Dundas.

HENRY W. MEIKLE.

Chronicle of Lanercost¹

WHEN the Scots heard of the sudden and unexpected retreat of the English after Easter,² they set themselves down before the castles of Scotland which were held by the English, to besiege them with all their force, and A.D. 1298. through famine in the castles they obtained possession of them all, except Roxburgh, Edinburgh, Stirling, and Berwick, and a few others; and when they had promised to the English conditions of life and limb and safe conduct to their own land on surrendering the castles, William Wallace did not keep faith with them.

Meanwhile, truce was made between the King of France and the King of England, and the king returned to England, and finding how the Scots had risen in his absence, he assembled an army and directed his march towards Scotland, and having entered that country, he passed through part thereof.

So on the festival of the blessed Mary Magdalene³ the Scots gave him battle with all their forces at Falkirk, William Wallace aforesaid being their commander, putting their chief trust, as was their custom, in their foot pikemen, whom they placed in the first line. But the armoured cavalry of England, which formed the greater part of the army, moving round and outflanking them on both sides, routed them, and, all the Scottish cavalry being quickly put to flight, there were slain of the pikemen and infantry, who stood their ground and fought manfully, sixty thousand, according to others eighty thousand, according to others one hundred thousand;⁴ nor was there slain on the English side any nobleman except the Master of the Templars,

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

² 6th April.

³ 22nd July.

⁴ Walsingham estimates the loss of the Scots at 60,000, Hemingburgh at 56,000—both preposterous figures, far exceeding the total of Wallace's forces. The only trustworthy data whereby to estimate the English losses is found in the compensation paid by King Edward for 111 horses killed in the action.

with five or six esquires, who charged the schiltrom of the Scots too hotly and rashly.

Having thus entirely overcome the enemies of our king and kingdom, the army of England marched by one route to the Scottish sea,¹ and returned by another, in order to destroy all that the Scots had spared before. But on the approach of winter the king dismissed the nobles of England to their own estates, and undertook the guard of the March himself with a small force for a time. But before Christmas he returned to the south, having disbanded the aforesaid guards upon the March.

VERSES.

Berwick, Dunbar, and Falkirk too
Show all that traitor Scots can do.
England exult ! thy Prince is peerless,
Where thee he leadeth, follow fearless.²

PRAISE OF THE KING OF ENGLAND.

The noble race of Englishmen most worthy is of praise,
By whom the Scottish people have been conquered in all ways.
England exult !

The Frenchmen break their treaties as soon as they are made,
Whereby the hope of Scotsmen has been cheated and betrayed.
England exult !

O disconcerted people ! hide yourselves and close your gates,
Lest Edward should espy you and wreak vengeance on your pates.
England exult !

Henceforth the place for vanquished Scots is nearest to the tail
In clash of arms. O England victorious, all hail !
England exult !³

¹ Firth of Forth.

²

VERSUS.

*Berwike et Dunbar, nec non Variata Capella,
Monstrant quid valeant Scottorum perfida bella.
Princeps absque pare cum sit tuus, Anglia, gaude ;
Ardua temptare sub eo securius aude.*

³

COMMENDATIO REGIS ANGLIA.

*Nobilis Anglorum gens est dignissima laude,
Per quam Scottorum plebs vincitur—Anglia gaude !
Fœdera Francorum sunt frivola, plænaque fraude,
Per quam Scottorum spes fallitur—Anglia gaude !
Gens confusa pete latebras ac ostia claude,
Edwardus ne te videat rex—Anglia gaude !
In bellis motis pars contigit ultima caudæ
Devictis Scottis—superatrix Anglia gaude !*

OF THE IMPIETY OF THE SCOTS.

O Scottish race! God's holy shrines have been defiled by thee,
 His sacred temples thou hast burnt, O crying shame to see!
 Think not that thou for these misdeeds shalt punishment avoid,
 For Hexham's famous sanctuary polluted and destroyed.
 The pillaged house of Lanercost lies ruined and defaced;
 The doers of such sacrilege must cruel vengeance taste.
 Let irons, fire, and famine now scourge the wicked race,
 With whom henceforth nor fame nor faith nor treaty can have place.
 The Scottish nation, basely led, hath fallen in the dust;
 In those who forfeit every pledge let no man put his trust.¹

OF WILLIAM WALLACE.

Welsh William being made a noble,²
 Straightway the Scots became ignoble.
 Treason and slaughter, arson and raid,
 By suff'ring and misery must be repaid.³

About the feast of the Nativity of the Blessed Mary the King of England married the Lady Margaret, sister of the King of France, whereby the [two] kings became A.D. 1299. friends.⁴

In the same year died Oliver, Bishop of Lincoln, and Henry of Newark, Archbishop of York. Master John of Alderby succeeded Oliver, and Henry of Corbridge, Doctor in Theology [succeeded Henry in the see of York].

1

DE IMPIETATE SCOTTORUM.

*Per te fœdata loca sancta Deoque dicata;
 Templaque sacrata, sunt, proh dolor! igne cremata.
 Esse nequiverunt destructio damnaque multa
 Ecclesiæ celebris Haugustaldensis inulta.
 Desolata domus de Lanercost mala plura
 Passa fuit, fiet de talibus ultio dura.
 Ferrum, flamma, fames venient tibi, Scotia, digne,
 In qua fama, fides, fœdus periere maligne.
 Sub duce degenero gens Scotica degeneravit,
 Quæ famam temere, fœdus, quæ fidem violavit.*

²Wallace is usually honoured by the knightly prefix 'Sir'; but there is no record of his receiving knighthood.

3

DE WILLELMO WALEYS.

*Postquam Willelmus Wallensis nobilitavit,
 Nobilitas prorsus Scottorum degeneravit.
 Proditio, cædes, incendia, frausque rapinæ
 Finiri nequeunt infelici sine fine.*

⁴8th September.

About the same time Pope Boniface wrote to the King of England demanding that he should hand over to his custody John de Balliol, whom he was keeping under restraint, and the King complied with the Pope's demand in obedience to the Roman Curia.¹

In the same year the Pope issued the statute beginning *Super cathedram, et cætera*, to promote concord between the prelates of the Church and the Orders of Preaching and Minorite Friars.

The King prepared an army for an expedition into Scotland, and during that march the Queen was delivered of her first-born son Thomas, in the northern parts about Brotherton, from which town the son there born derived his sobriquet. A.D. 1300. Howbeit the King did nothing remarkable this time against the Scots whose land he entered, because they always fled before him, skulking in moors and woods; wherefore his army was taken back to England.

In the same year William of Gainsborough, an Englishman, was summoned to the Curia, as reader in theology at the palace before the Cardinals; upon whom, after the lapse of two years, the Pope bestowed the bishopric of Worcester.

In the same [year] about the feast of S. John the Baptist,² my lord Edward King of England came to Carlisle with the nobles and great men of England. With him came Sir Hugh de Vere, and he stayed a while at Lanercost, and thence the King marched through the district of Galloway as far as the Water of Cree. Also he took the castle of Caerlaverock, which he gave to Sir Robert de Clifferd, and he caused many of those found within the castle to be hanged.

This, the sixth year of Pope Boniface, was the year of Jubilee.

In Rome each hundredth year is kept as jubilee;

Indulgences are granted and penitents go free.

This Boniface approved of and confirmed by his decree.³

In the same year as above a formal embassy arrived at the Roman Curia from the King of England: to wit—the Earls of

¹ John de Balliol was committed to the custody of Sir Robert de Burghesh, constable of Dover Castle, who took him to Whitsand and delivered him to the Papal nuncio. (*Fœdera*.)

² 24th June.

³

*Annus centenus Romæ semper jubilæus ;
Crimina laxantur, cui pœnitet ista donantur ;
Hoc declaravit Bonifacius et roboravit.*

Seland, Lincoln, and Bar,¹ the Bishop of Winchester, Sir Hugh le Spenser, Galfrid de Genevilla and Otto de Grandison, knights; and the Archdeacon of Richmond and John of Berwick, clerics.² The ambassadors of France were as follows—the Archbishop of Narbonne, the Bishop of Auxerre, the Counts of Saint-Paul and Boulogne, Pierre de Flota, and others.

In the same year was born Thomas of Brotherton, son of King Edward.

[Here follows in the Chronicle the famous letter of Pope Boniface VIII. to Edward I., in which he claims that ‘the Kingdom of Scotland hath from ancient time belonged by undoubted right’ to the Church of Rome, commands King Edward to desist from any attempt to infringe upon its independence, to release the Bishops of Glasgow and Sodor, and other clerics whom he had imprisoned, and to submit within six months to the Papal judgment all documents and other evidence which he may be able to produce in support of any claim he may have upon the kingdom of Scotland or part thereof.

The spirited reply from King Edward’s Parliament of Lincoln, 12th February, 1300-1, indignantly rejecting the Pope’s claim to interfere in the temporal affairs of the kingdom, is also transcribed at length in the Chronicle; but, as it is given in *Fædera* and elsewhere, it is not necessary to repeat it here.]

At the beginning of summer the king assembled an army against the Scots and placed one part of the force under command of my lord Edward, his son by his first wife and Prince of Wales, and under command of divers nobles of A.D. 1301. England who were in his company, and these entered Scotland on the west; but [the king] kept the other part with himself and entered by Berwick. The Scots, however, dared not fight with

¹ *Barensis*: which might be from *Bara*, the Latinised form of Dunbar: but there is no record of Sir Patrick ‘with the blak berd,’ 8th Earl of Dunbar, being employed on this mission, although he was certainly in King Edward’s service at this time.

² This embassy was sent to counter the Scottish mission earlier in the year. The chronicler’s list of names does not exactly correspond with that set forth in King Edward’s letter to Pope Boniface (Rymer’s *Fædera*), which included John, Bishop of Winchester; Friar William of Gainsborough; Gerard, Archdeacon of Richmond; John of Berwick, Canon of York; Amadis, Earl of Savoy (Sabaudia); Henry de Lacy, Earl of Lincoln; Sir Galfrid de Genevill, Sir Galfrid Russell, Sir Otto de Grandison, Sir Hugh le Despenser, Sir Amaneus, lord of le Breto; Master Reymund, *vasatensem* of Arnald de Rama; and Peter, Canon of Almeric of S. Severin’s of Bordeaux.

either army, but fled as they had done the previous year. Howbeit they took some fine spoil from the English and did much other mischief; wherefore the king, considering that whatever he gained in Scotland during the summer he would lose in winter, decided to spend the whole winter at Linlithgow and elsewhere in Scotland, and did so. The Scots were brought far nearer subjection by that occupation than they had been before.

In the same year the Queen bore another son named Edmund, and after her purification joined the king in Scotland.

Also in these times fresh dispute took place between the Kings of France and England about the land of Gascony, but at last they came to an agreement after the truce had been renewed several times.

In the same year—

BISHOP BONIFACE, servant of the servants of God, to his venerable brother in Christ the Archbishop of Canterbury, greeting and apostolic benediction. Not without cause do we hold it to be very grave and most contrary to our wishes that prelates of the Church, who are under obligation through the nature of the pastoral office to set an example to others of praiseworthy conduct, presume with damnable audacity to proceed by uneven ways to nefarious actions, and, giving themselves the rein, do not shrink from perpetrating deeds whereby the Divine Majesty is offended, his glory disparaged, their own salvation endangered, and the minds of the faithful are unsettled by a grave scandal.

Wherefore we are actuated by becoming motives and exhort [thee] to consider advisedly how we may apply the speedy remedy of this warning, for the correction or punishment of the excesses of the prelates themselves, as justice requires.

For indeed we have learnt by trustworthy report, which has now many times been brought to our hearing, that Walter de Langton, Bishop of Coventry and Lichfield, forgetful of pastoral integrity, unmindful of his own salvation, careless of good fame, and, as it were, the destroyer of his own honour, has not feared to perpetrate, nor does he cease from committing, deeds as wicked as they are atrocious, and so nefarious that they must either produce disgust with horror in those who hear about them or else cause a loathing of such abomination; wherefore we do not consider it meet either to describe them now in these letters or to relate them by word of mouth. Wherefore, being unwilling, as indeed we ought to be, to wink at such things as offend God and scandalise men if they receive encouragement from the truth, we must proceed by careful consideration to inflict deserved punishment upon these persons, lest they gain strength through lapse of time. In accordance, therefore, with the law as we perceive it and have decided to enforce, we have issued these apostolic scripts, strictly enjoining upon thy fraternity that, in the virtue of

obedience, thou shalt without delay cause the said bishop to be summoned under our authority, either by thyself, or by another, or by others, to appear in person before us, within the space of three months, counting from the day of this citation, on pain of deprivation of the pontifical office (which we will that he shall incur *ipso facto* should he prove disobedient in this matter), to submit humbly and effectually to our decrees and precepts and those of the apostolic see upon all and several matters set forth, and upon any others which may happen to be brought forward or objected against him.

Take thou care in thy letters, describing the course of events, to inform us fully and faithfully of the day on which thou receivest these presents, the citation and its form, and whatsoever thou doest in this matter.

Given at the Lateran, on the 8th of the Ides of February,¹ in the sixth year of our pontificate.

The French, desiring unjustly to subdue the Flemings to themselves, invaded that country with an army on several occasions; but the Flemings, boldly encountering on foot the mounted force, inflicted upon them much slaughter and won some marvellous victories, killing notables and nobles of France, to wit, the Counts of Artois, of Eu, of Boulogne, of Albemarle; and lords, to wit, Jacques de Saint-Paul, Godefroie de Brabayne and his son, Jean de Henaud, lord of Teyns, Pierre de Flota and Jean de Bristiach, barons; and many other knights, [with] upwards of 20,000 men, of whom 3,500 were men-at-arms.² A.D. 1302.

About the Ascension of our Lord³ the King of England came with an army against the Scots; but they dreaded lest he should remain with them not only in summer but in winter; wherefore all the nobles of Scotland were compelled to come before him, and he received them to his peace. He remained in the country until the Nativity of the Glorious Virgin.⁴ A.D. 1303.

In the same year Pope Boniface declared the King of the Teutons⁵ to be Emperor; and this he did, as was said, for the

¹ 6th February, 1300-01.

² This was the battle of Courtray, 11th July, 1302, memorable as the first occasion when infantry, fighting in the solid formation afterwards adopted by the Scots, successfully withstood the onslaught of armoured cavalry. It caused as much sensation in military circles of the fourteenth century as did the introduction of breech-loading rifles by the Prussians in the war with Austria in 1866.

³ 16th May.

⁴ 8th September.

⁵ Albert I., Duke of Austria. 'The Holy Roman Church and the Holy Roman Emperor are one and the same thing in two different aspects. . . . As divine and eternal, the head of Catholicism is the Pope, to whom souls have been entrusted; as human and temporal, the Emperor, commissioned to rule men's bodies and acts' (Bryce's *Holy Roman Empire*). The reference in the text is to a

humiliation of the King of France and the French. But the King of France and the men of his realm, clerics as well as laity, wrote many lengthy complaints against the Pope, and pledged themselves to prove all that they wrote.

But in the meantime the Pope, whom all the world feared as a lion because of his wisdom and courage, was captured and imprisoned by the Colonnas, because he had expelled cardinals who were of their kin from the College of Cardinals and made them incapable of holding any degree or dignity in the Church. In the following October¹ he died, whether by a natural death or, as is more probable, through grief. Within a few days Cardinal Nicholas, of the Order of Preachers, was appointed in his place, and was named Benedict the Eleventh; and because it appeared to him that the aforesaid statute of Boniface had been issued to the detriment of the aforesaid two Orders, and was too much in favour of prelates, he quashed it and issued a new one, which begins thus—*Inter cunctas*, etc. And he died in the same year on the festival of S. Thomas the Martyr,² and was succeeded (though not immediately after his death) by the Archbishop of Bordeaux, who was named Clement the Fifth, from whose time the Roman Curia has been removed to Avignon.

On the festival of S. Hieronymus³ Thomas of Corbridge died, and William of Greenfield succeeded him in the arch-
A.D. 1304. bishopric. Shortly before this, to wit, about the Nativity of the Blessed Virgin Mary,⁴ the King returned from Scotland to England, having received the Scots to his peace.

William Wallace was captured by a certain Scot, to wit, Sir John de Menteith, and was taken to London to the King, and
A.D. 1305. it was adjudged that he should be drawn and hanged, beheaded, disembowelled, and dismembered, and that his entrails should be burnt; which was done. And his head was exposed upon London Bridge, his right arm on the bridge of

speech made by Pope Boniface on 30th April, 1303, in which he reminded the King of France that, like all other princes, he must consider himself subject to the Roman Emperor. 'Let not the pride of the French rebel which declares that it acknowledgeth no superior. They lie: for by law they are, and ought to be, subject to the King of the Romans and the Emperor.' Boniface had previously declined to recognise Albert I. as Emperor because he had but one eye and was the reverse of good-looking (*est homo monoculus et vultu sordido, non potest esse imperator*): and when Albert's envoys waited upon him in 1299, Boniface exclaimed 'Am I not Pontiff? Is not this the chair of Peter? Am I not able to guard the rights of the empire? I am Cæsar—I am Emperor!'

¹ 1303.² 7th July.³ 30th September.⁴ 8th September.

Newcastle-upon-Tyne, his left arm at Berwick, his right foot at Perth, and his left foot at Aberdeen.

The vilest doom is fittest for thy crimes,
Justice demands that thou shouldst die three times.
Thou pillager of many a sacred shrine,
Butcher of thousands, threefold death be thine!
So shall the English from thee gain relief,
Scotland! be wise, and choose a nobler chief.¹

In the same year, on the fourth of the Ides of February, to wit, on the festival of S. Scholastica virgin,² Sir Robert Bruce, Earl of Carrick, sent seditiously and treacherously for Sir John Comyn, requiring him to come and confer with him at the house of the Minorite Friars in Dumfries; and, when he came, did slay him and his uncle Sir Robert Comyn in the church of the Friars, and afterwards took [some] castles of Scotland and their wardens, and on the Annunciation of the Blessed Virgin next following³ was made King of Scotland at Scone, and many of the nobles and commonalty of that land adhered to him.

When the King of England heard of this, he sent horse and foot to Carlisle and Berwick to protect the Border. But because the men of Galloway refused to join the aforesaid Robert in his rebellion, their lands were burnt A.D. 1306. by him, and, pursuing one of the chiefs of Galloway, he besieged him in a certain lake, but some of the Carlisle garrison caused him to raise the siege, and he retreated, after burning the engines and ships that he had made for the siege.⁴

But those who were in garrison at Berwick, to wit, Sir Robert Fitzroger, an Englishman who was warden of the town, and Sir John Mowbray, Sir Ingelram de Umfraville, and Sir Alexander de Abernethy, Scotsmen, with their following, over all of whom Sir Aymer de Valence was in command—all these, I say, entered Scotland and received to the King of England's peace some of those who at first had been intimidated into rebellion with Sir

¹ *Sunt tua demerita misero dignissima fine,
Esque pati dignus necis infortunia trinæ;
Qui vastare soles sacras hostiliter ædes,
Et nimis atroces hominum committere cædes,
Turpiter occisus, Anglos non amodo lædes;
Si sapiis ergo duci tali te, Scotia, ne des.*

² 10th February, 1305-6.

³ 25th March, 1305-6. The real date of the coronation was the 27th.

⁴ This does not coincide with anything that is known of Bruce's movements after his coronation.

Robert. Him they pursued beyond the Scottish sea,¹ and there engaged him in battle near the town of St. John (which is called by another name Pert), killed many of his people, and in the end put him to flight.²

Meanwhile the King of England, having assembled an army, sent my lord Edward, his son aforesaid (whom he had knighted in London together with three hundred others), and the Earl of Lincoln, by whose advice the said lord Edward was to act, in pursuit of the said Robert de Brus, who had caused himself to be called King. When they entered Scotland they received many people to peace on condition that they should in all circumstances observe the law; then marching forward to the furthest bounds of Scotland, where the said Robert might be found, they found him not, but they took all the castles with a strong hand. But they hanged those who had part in the aforesaid conspiracy, design and assistance in making him king, most of whom they caused first to be drawn at the heels of horses and afterwards hanged them; among whom were the Englishman Christopher de Seton, who had married the sister of the oft-mentioned Robert, and John and Humphrey, brothers of the said Christopher, and several others with them. Among those who were hanged were not only simple country folk and laymen, but also knights and clerics and prebendaries, albeit these protested that, as members of the Church, justice should be done to them accordingly.³ Then Sir Simon Fraser, a Scot, having been taken to London, was first drawn, then hanged, thirdly beheaded, and his head set up on London Bridge beside that of William Wallace. They also took to England and imprisoned the Bishop of S. Andrews, whom the King of England had appointed Guardian of Scotland, and who had entered into a bond of friendship with the said Robert, as was proved by letters of his which were found; also the Bishop of Glasgow, who had been principal adviser in that affair, and the Abbot of Scone, who assisted the aforesaid Robert when he was received into royal honour. Howbeit in the meantime Robert called de Brus was lurking in the remote isles of Scotland.⁴

¹ *I.e.* the firths of Forth and Clyde.

² 26th June, 1306.

³ Benefit of clergy, *i.e.* to be dealt with by ecclesiastical authority.

⁴ Fabyan and some other English writers state that Bruce spent this winter in Norway. It is usually believed that he spent it in the island of Rachrin, off the coast of Antrim. This belonged to Bysset of the Glens, to whom orders were sent from King Edward in January, 1306-7, to join Sir John de Menteith and Sir Simon de Montacute with his ships 'to put down Robert de Brus and destroy his retreat in the Isles between Scotland and Ireland.' Bain's *Calendar*, iii. 502.

Throughout all these doings the King of England was not in Scotland, but his son, with the aforesaid army. But the King was slowly approaching the Scottish border with the Queen, by many easy stages and borne in a litter on the backs of horses on account of his age and infirmity; and on the feast of S. Michael¹ he arrived at the Priory of Lanercost, which is eight miles from Carlisle, and there he remained until near Easter.² Meantime his kinsman, the Earl of Athol, who had encouraged the party of the said Robert to make him king, had been captured, and by command of the King was taken to London, where he was drawn, hanged, and beheaded, and his head was set upon London Bridge above the heads of William Wallace and Simon Fraser, because he was akin to the King.

After this, on the vigil of S. Scholastica virgin,³ two brothers of Robert de Brus, Thomas and Alexander, Dean of Glasgow, and Sir Reginald de Crawford, desiring to avenge themselves upon the people of Galloway, invaded their country with eighteen ships and galleys, having with them a certain kinglest of Ireland, and the Lord of Cantyre and other large following. Against them came Dougal Macdoual (that is the son of Doual), a chief among the Gallovidians, with his countrymen, defeated them and captured all but a few who escaped in two galleys. He ordered the Irish kinglest and the Lord of Cantyre to be beheaded and their heads to be carried to the King of England at Lanercost.⁴

Thomas de Brus and his brother Alexander and Sir Reginald de Crawford, who had been severely wounded in their capture by lances and arrows, he likewise took alive to the King, who pronounced sentence upon them, and caused Thomas to be drawn at the tails of horses in Carlisle on the Friday after the first Sunday in Lent,⁵ and then to be hanged and afterwards beheaded. Also he commanded the other two to be hanged on the same day and afterwards beheaded; whose heads, with the heads of the four others aforesaid, were set upon the three gates of Carlisle, and the head of Thomas de Brus upon the keep of Carlisle. Nigel, the third brother of Robert, had been hanged already at Newcastle.

About the same time a certain cardinal named Peter came to England, sent *a latere* from my lord the Pope to establish peace

¹ 29th September.

² 26th March, 1307. His writs are dated from Lanercost till 4th March, 1306-7.

³ 10th February, 1306-7.

⁴ Bain's *Cal. Doc. Scot.*, ii., 1905.

⁵ 17th February, 1306-7.

between the King of France and the King of England; and it so happened that both my lord the King and my lord the said cardinal entered Carlisle on Passion Sunday.¹ Then in the cathedral church on the Wednesday following my lord cardinal explained the object of his legation before a very great number of people and clergy, and showed them the excellent manner in which my lord the Pope and my lord the King of France had agreed, subject to the consent of the King of England—to wit, that my lord Edward, son and heir of the King of England, should marry Isabella, daughter of the King of France. When this had been said, uprose William of Gainsborough, Bishop of Worcester, and on the part of the King briefly informed my lord cardinal and all who had come thither of the manner of Sir John Comyn's assassination, praying that he would deign to grant some indulgence for his soul, and that he would pronounce sentence of excommunication upon the murderers; whereupon the legate liberally granted one year [of indulgence] for those who should pray for the said soul so long as he [the cardinal] should remain in England, and for one hundred days afterwards. Then straightway, having doffed his ordinary raiment and donned his pontificals, he denounced the murderers of the said Sir John as excommunicate, anathematised, and sacrilegious, together with all their abettors, and any who offered them counsel or favour; and expelled them from Holy Mother Church until they should make full atonement; and thus those who were denounced were excommunicate for a long time throughout all England, especially in the northern parts and in the neighbourhood where the murder was committed.

On the following Friday, in the same place, peace was proclaimed between the said kings by the Archbishop of York, and [it was announced] that the King of England's son was to marry the King of France's daughter, accordingly as had been previously decreed by my lord Pope Boniface.

In the same year, about the feast of S. Matthew the Apostle,² the most noble King Edward being laid up at Newbrough near Hexham, his consort the illustrious Margaret Queen of England, came to the house of Lanercost with her honourable household. And my lord the King came thither on the vigil of S. Michael³ next following, and remained there nearly half a year. And on the first day of March⁴ they left the said monastery for Carlisle, and there he held a parliament with all the great men of the realm.

¹ 19th March, 1306-7.

² 21st September.

³ 28th September.

⁴ 1306-7.

In the same year Friar N. de M^{or} was sent by the Queen to Oseney.

On Easter Day¹ the aforesaid Dungal² was knighted by the King's hand ; and in the same week Sir John Wallace was captured and taken to the King at Carlisle, who sent him to London, that he should there undergo the same doom as ^{A.D. 1307.} his brother William had suffered. Howbeit, notwithstanding the terrible vengeance inflicted upon the Scots who adhered to the party of the aforesaid Robert de Brus, the number of those willing to establish him in the realm increased from day to day.³ Wherefore the King of England caused all the chief men of England who owed him service to attend at Carlisle with the Welsh infantry within fifteen days after the nativity of S. John the Baptist.⁴ But alas ! on the feast of the translation of S. Thomas, Archbishop of Canterbury and Martyr,⁵ in the year of our Lord aforesaid, this illustrious and excellent King, my lord Edward, son of King Henry, died at Burgh-upon-Sands, which is distant about three miles to the north from Carlisle, in the thirty-sixth⁶ year of his reign and the sixty-seventh of his age. Throughout his time he had been fearless and warlike, in all things strenuous and illustrious ; he left not his like among Christian princes for sagacity and courage. He is reported to have said to the Lord before his death :—Have mercy upon me, Almighty God ! *Ita veraciter sicut nunquam aliquem []⁷ nisi tantum te, Dominum Deum meum.*

Messengers were sent in haste to my lord Edward Prince of Wales, his son and heir, who arrived at Carlisle on the eleventh day, to wit, on the festival of S. Symphorosa,⁸ and on the next day he went to Burgh to mourn for his father, with the nobles of the land and prelates of the Church, who were assembled there in great number.

¹ 26th March.

² Dungal or Doual, one of the Pictish chiefs of Galloway, head of a powerful clan of the same blood as the M'Doualls of Lorn. The lands of Logan in Wigtownshire are still held by his descendants.

³ In this sentence is well expressed the national character of the Scots—they are willing to be lead but will not be driven.

⁴ 8th July.

⁵ 7th July.

⁶ Really the thirty-fifth.

⁷ The verb here is wanting in the original, which leaves the sense doubtful.

⁸ 18th July.

(To be continued.)

Charter of the Abbot and Convent of Cupar, 1220

WHILE my friend, Mr. William Brown, secretary of the Surtees Society, was working on the Citeaux deeds in the archives of the Côte d'Or preserved at Dijon, he copied a charter of the abbot and convent of Cupar, which he most kindly sent to me with the intimation that, if I found it of value as a Scottish document, I should submit it to the editor of the *Scottish Historical Review*. Though the seal is lost, the skin has every appearance of being the original charter. But the whole structure of the composition and some verbal peculiarities of language seem to indicate that it is an abridged transcript of early date. There can be no doubt, however, that the writing as we now have it contains a faithful report of a genuine transaction. As the charter without doubt possesses several features of interest, and as it appears, so far as I can learn, to be new to Scottish history, it is here printed.

Here we have Alexander, abbot of Cupar, and his convent entering into an obligation in January, 1219-1220, with the mother house of Citeaux for the yearly payment at Troyes of thirty marks, which King Alexander II., for the good of his soul, had given to the monks of Citeaux as a procuration for the abbots in attendance there on the fourth day of the General Chapter of the Order. In other words, the monks of Cupar, by their own desire, undertook to act as the King's agents for the yearly render of the benefaction, either by reason of a special grant for that purpose or in consideration of manifold gifts already bestowed by that King on their house.

As the *floruit* of Abbot Alexander is fairly well authenticated, and as several charters or abstracts of charters of King Alexander II. to that abbey are extant,¹ the historical relation of our text to these matters may be passed over. The interest of the deed, as

¹ *Register of Cupar Abbey* (Grampian Club), i. 8-11, 325-9, ii. 282.

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TEXT.

Ego, frater Alexander, dictus abbas de Cupro eiusdemque loci conuentus, omnibus presentes litteras inspecturis, notum facimus quod tenemur Domui Cistercii in triginta marcis sterlingorum legalium singulis annis in posterum in nundinis Tresensibus in festo apostolorum Petri et Pauli persoluentis, quas Uir Nobilis Alexander, rex Scocie, pro remedio anime sue et antecessorum et successorum suorum, in perpetuam elemosinam dicte Domui contulit pro procurandis abbatibus apud Cistercium quarto die Capituli generalis, de quibus triginta marcis prefatus Rex nobis ad uoluntatem nostram plenarie satisfecit. Quod ut ratum et firmum permaneat in posterum presentem cartam sigilli nostri munimine roborauimus. Actum anno gracie M^oCC^o nonodecimo, mense Januario.

TRANSLATION.

I, brother Alexander, called abbot of Cupre, and the convent of the same place, make known to all who shall see the present letter, that we are bound to the House of Citeaux in thirty marks of lawful money, to be paid yearly hereafter in the fair of Troyes on the feast of the Apostles Peter and Paul, which the illustrious Alexander, King of Scotland, for the relief of his soul and of the souls of his ancestors and successors, bestowed on the said House in perpetual alms, towards the cost of maintaining the abbots at Citeaux on the fourth day of the General Chapter: in respect of which thirty marks the said King, at our desire, has given us full compensation. That this (obligation) may continue valid and unalterable hereafter we have confirmed the present writing with the security of our seal. Done in the month of January in the year of grace 1219.

it seems to me, lies in the King's grant to Citeaux. Is this grant unique in Scottish record? Perhaps some student of Scottish evidences will give a definite answer.

My reason for asking the question arises from a study of the Cistercian statutes of 1256. In the twenty-second chapter of the fifth 'distinction' it was laid down that on the fifth day of the General Chapter, before the departure of the abbots, commemoration should be made of the Pope and Emperor and the King of France in whose kingdom the abbey of Citeaux was founded; also of the King of the English, who had bestowed a yearly alms on the chapter; also of the King of Aragon and the Duke of Burgundy.¹ It would appear that the King of Scots was shut out at the date of the statute from the benefit of their prayers. Did the obligation of the monks of Cupar cease at King Alexander's death? If so, it is quite evident that Alexander III. did not renew the grant.

¹ *Cistercian Statutes* (ed. J. T. Fowler), p. 52.

Grants for the procuration of the abbots attending the General Chapter at Citeaux were by no means rare. Mr. Brown has met with several of this sort at Dijon made by English and Irish magnates, to some of which the seals are still appendent. King Richard of England, by charter dated 22nd September, 1189, gave the church of Scarborough to God, and the church of the Blessed Mary of Citeaux 'ad procurandos omnes abbates apud Cistercium per tres dies capituli generalis,' and on a repetition of the grant, dated 11th May, 1198, the object is stated to be 'de qua elemosina uolumus abbates procurari apud Cistercium per tres dies capituli generalis.' As the grant had afterwards passed through all the processes of ecclesiastical confirmation, the appropriation of this church to the House of Citeaux became permanent.¹

Grants of alms in money were by their very nature more precarious than grants of property, spiritual or temporal. The obligation depended on the continued goodwill of the donor and his descendants: ability to pay was a requisite of the first importance. The benefaction of the King of Scotland may be illustrated by similar grants of Irish rulers. In many respects the Irish grants resemble the mode adopted by Alexander II. The King of Connaught employed the abbot of Mellisfont as his agent for the payment of five marks, 'in subsidium et iuuamen procuracionis quarte diei abbatum ad generale capitulum Cistercii quolibet anno conueniencium,' which the abbot would receive from him on 23rd June or 1st May, that the money might be transmitted or brought over and delivered yearly to the House of Citeaux in the time of the General Chapter. The king obliged himself and his heirs, and those who should reign after him in Connaught, to continue the benefaction. The charter of Donagh Cairbreach, King of Thomond, is drawn up in similar form, granting two marks yearly for the same purpose, but nominating the abbot of Monasternenagh (*de Magio*) in the county of Limerick as his almoner, and appointing 1st May as the day on which the Irish abbot should receive the money. Both of the Irish charters may be dated within a few years after that of Cupar.

Perhaps we have here an explanation of the omission of the Scottish king's name from the Capitular commemoration. The names of the Irish kings were also omitted, and the nature of the grants was precisely similar. By King Richard's grant a permanent endowment was made to the abbey, but the yearly

¹ *Cal. of Papal Letters*, i. 120, 476; ii. 177, 190.

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payment of a small alms appears to have been regarded only as an evidence of allegiance and esteem. At all events, the political condition of Ireland at this period was not favourable to the continuance of eleemosynary grants to a distant religious house. The same may be said of the contests in Scotland during the nonage of Alexander III. at the time when the Cistercian statutes were compiled.

There was a special statute which regulated the distribution of the procurations sent to the General Chapter, three portions of which were reserved *pro defunctis* and allotted to the poor. The Cistercians are said to have prided themselves on their solicitude for the departed. Certain formalities were observed at the reception of this yearly tribute, two abbots being appointed for that purpose.

It will be observed that the King of Scotland's benefaction was to be used on the fourth day of the Chapter, that is apparently at the conclusion of the session, for on the fifth day the abbots in attendance were to take their departure.

A puzzling feature of the transaction is the place selected for the payment of the alms. Troyes is a long way from Citeaux, whereas Dijon, the nearest town of importance, was a recognised place of rendezvous for abbots and their trains on the way to and from the Chapter. The custom of holding fish-feasts at Dijon on these occasions had to be prohibited by statute. No abbot, monk, or lay brother could eat fish at Dijon during their stay there: they were also to behave themselves with becoming gravity, and not walk through the streets without urgent cause. Perhaps the Scottish abbots took another route and reached Citeaux by way of Troyes.

There are a few points in this deed of which I can offer no satisfactory explanation. It is well known that remoteness from Citeaux had much to do with the attendance of abbots at the yearly Chapter. According to the statutes¹ of 1256 the abbots of Scotland, like those of Ireland and Sicily, were obliged to attend only every fourth year; the abbots of countries more distant at longer intervals. But the obligation of the abbot of Cupar on behalf of the King of Scots was for a yearly payment. Then again, the Chapter assembled on 13th September, whereas the Scottish render was set down for 29th June, the feast of the Apostles Peter and Paul. The nearest safe-conduct that can be found to the date of the charter for the men of an abbot of Cupar

¹ *Op. cit.* p. 47.

passing through England with money beyond the seas is dated 7th August, 1224, granted at the request of the King of Scots.¹ On the same day a similar protection was granted to the men of the abbot of Melrose.

The best solution of the difficulties connected with this charter that occurs to me is that there was frequent communication about the period in question between Scotland and Flanders for commercial purposes. For example, it is certain that in 1225 the abbots of Cupar and Melrose had ships, freighted with wool and other merchandise, trading with Flanders.² No doubt the Cupar merchants penetrated so far south as Troyes, and as wool was the chief commodity of trade, the date selected for the yearly payment, 29th June, would synchronise well with the time for disposal of that article. The transport of money backwards and forwards was not a thing to be encouraged. In any case, in view of the commercial intercourse between Scotland and Flanders, the natural route for the Scottish abbots, when going to the General Chapter, would be through Troyes, and not by way of Dijon like most of the other prelates. There can be little doubt, however, that some of the abbots of Cupar in the fourteenth century journeyed to Citeaux by way of Dover,³ a route by which they must have inevitably passed through Dijon, but this perhaps may be accounted for by the English predominance in Scotland at that period.

Sir Archibald Lawrie, who has seen a proof of this paper, has been good enough to add the following note.

JAMES WILSON.

The Scottish Cistercian monasteries in 1218-1219 claimed the assistance and protection of the parent house at Citeaux, because in 1218 the Papal Legate sent two English ecclesiastics to Scotland, with powers to release the parish priests and the people from the ban of the General Interdict, but excepted from this release bishops and prelates, including the abbots and abbey churches of the Cistercian order, although these abbeys held many Papal Bulls permitting Mass to be said privately during an Interdict. The result of the Legate's order was that the Cistercians were altogether excommunicated.

The Abbots of Melrose, Newbattle, Cupar, and Kinross, and the Prior of St. Serf's were summoned to Rome in 1218 (*Chron. of Melros.* p. 133) because they disregarded the orders of the Legate. The Abbot of Citeaux successfully exerted himself on their behalf, and to the confusion of the Legate, Abbot Conrad of Citeaux was in 1218 (or 1219?) created Cardinal

¹ Patent R. 8 Hen. iii. m. 5.

² *Ibid.* 9 Hen. iii. m. 5.

³ Close R. 31 Edw. i. m. 6.

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Bishop of Porto, and Gaucherus, Abbot of Longo Ponte, succeeded him at Citeaux.

It is therefore not surprising to find a charter in France which shews that Alexander II., King of Scotland, helped his Scottish monasteries by agreeing to provide thirty marks of silver a year for the expenses of the General Council of the Cistercians.

The King's charter has not been preserved, probably it stated from what source the money was to come, but the king may (and not unreasonably) have said to the Abbot of Cupar, you must take the trouble of seeing that the money is sent and that it reaches the proper hands, and, so to supplement the royal charter, the Abbot of Cupar, for the moment representing the Cistercian houses in Scotland, granted a letter obligatory of payment to the house of Citeaux of the amount of the King's grant.

The time and place of payment, probably unfixed in the King's charter, were in this obligation stated to be the annual Fair of Troyes, held on the festival of the Apostles Peter and Paul, to whom the church of Troyes was dedicated.

Doubtless, as Dr. Wilson suggests, Troyes was a convenient place of payment, having regard to Scottish trade and money dealings.

I venture to doubt whether the document discovered at Dijon, and transcribed by Mr. Brown, is the original granted by the Abbot of Cupar.

It seems to me to be only an abstract, defective in many ways. It has been suggested that '*dictus Abbas de Cupro*' seems to indicate that the deed is a copy. I do not know that '*dictus*' indicates that; in the Register of Aberdeen we find '*Frater Laurentius vocatus Abbas de Melros*.' *Dictus* and *vocatus* may be terms of humility. I miss the usual words of greeting to the faithful sons of the Church. The beginning is abrupt and compressed, '*ejusdemque*' I don't like, it is always '*Et ejusdem loci conventus*.' Then to describe the abbey as '*Domus Cistercius*' is wanting in respect due to the dignified parent abbey, to which the filial houses were very closely bound. I think the original would state that Cupar lay in Scotland, would describe it as a humble daughter of Citeaux, would give the name of the great Abbot to whom and to whose successors the money was to be paid. The writer (or abstract maker) is wanting in courtesy not only to the Abbot but to the King. Alexander and his predecessors were not '*nobiles*' but '*illustres*.' The Abbot of Cupar would write of him as his Lord the King.

I do not like *pro remedio* instead of *pro salute*, and '*pro procurandis abbatibus apud Cistercium quarto die capituli generalis*' is surely wrong. Dr. Wilson translates it, 'towards the cost of maintaining the Abbots at Citeaux on the fourth day of the General Council'; but is '*pro procurandis abbatibus*' tolerable?

'*Ad procuracionem abbatibus faciendam*' or '*exhibendam*' is the usual form. '*Nobis ad voluntatem nostram plenarie satisfecit*' seems disrespectful when written of a King.

The document ends abruptly without witnesses, seemingly without the promised seal or even its tag.

A. C. LAWRIE.

A Roman Outpost on Tweedside

The Fort of Newstead¹

THE Society of Antiquaries of Scotland have crowned their enterprise of the investigation of Roman sites in Scotland by the excavation of Newstead, near the famous Abbey of Melrose, which perhaps owed a good deal of its building stone to the plunder of the much older remains of the Roman buildings in its immediate neighbourhood. Commencing in 1895 with the large fortress-camp of Birrens, in Dumfriesshire, the Society has examined the similar camps of Lyne in Peeblesshire, Camelon in Stirlingshire, Ardoch and Inchtuthil in Perthshire, and two smaller stations on the Antonine Wall, and the results have been published in successive volumes of their *Proceedings*. Some of these results were of more than passing interest; taking them as a whole they might have been considered as affording a fairly good general idea of the character and circumstances of the military occupation of Scotland by the Romans. These were all manageable enterprises, undertaken and carried through by the Society, partly from its own resources, and partly with the help of generous contributions from one of its own members.

But Newstead proved to be an undertaking of an altogether different character in the extent of the work, and the difficulty of the problems which it presented; and the Society would have been quite unable to carry it through had it not been for the generous response made both by the Fellows and by the outside public to their appeal for subscriptions. The appeal has been fully justified by the results. Newstead has far exceeded all the other sites in the direct light it has thrown not only on the Roman invasion and occupation of the southern part of the country, but in the details it has afforded of the everyday life and the arts,

¹ *A Roman Frontier Post and its People; the Fort of Newstead in the Parish of Melrose.* By James Curle, F.S.A. Scot., F.S.A. Demy 4to. Pp. xx, 432, with plans and 97 plates and many other illustrations. Glasgow: James MacLehose & Sons. 1911. 42s. nett.



SHOES.

crafts, and commerce of the colonists there, and of the traders who supplied their wants from abroad. In short, the combined result is a more vivid and complete picture of the Roman life of the first and second centuries, on the borders of a remote colony of the Empire, than has ever before been presented to us.

For this brilliant result the public, no less than the Society, are indebted to Mr. James Curle of Priorwood, Melrose, to whose direction and superintendence the excavation was entrusted, and to whose zealous and painstaking supervision the success of the operations is mainly due. When he undertook the work he had little idea how large an undertaking lay before him, or into how many byeways of archaeology it was to lead; but the more it disclosed itself the more resolutely he stuck to it, until he had the satisfaction of seeing it completed after five years of strenuous work. And now he has given to the world a sumptuous book of over 400 quarto pages, in which are recorded in the fullest detail the facts observed throughout the operations, and the conclusions drawn from them, with admirable illustrations and descriptions of the vast multitude of relics that were found. He has also given full citations of the archaeological evidence relating to the numerous problems requiring further elucidation than was obtainable on the spot. For this he has visited and carefully examined the principal Roman sites and collections in England, and on the Continent, where so much has recently been done to throw fresh light on the details of the Roman military occupation of the confines of the Empire.

He has thus proved himself in all respects emphatically the man for the occasion, and it may be confidently predicted that his book will remain the principal authority on Roman antiquities in Scotland for a very long time, if indeed it is ever possible that it can be superseded.

The story of the site is traced from 1783, when a Roman altar was casually discovered. In 1830 another altar was met with, and in 1846 some rubbish pits were exposed during the cutting of the railway line; but for more than half a century afterwards the memory of the buried altars and the tradition of the pits was all that remained to connect it with the Romans. In 1903 Mr. Roberts of Drygrange, a Fellow of the Society, in some drainage operations on his property encountered the foundations of a large building, and a proposal was made that the Society should investigate the remains thus discovered. The site, on a rising ground at the base of the Eildons (whose triple summit is

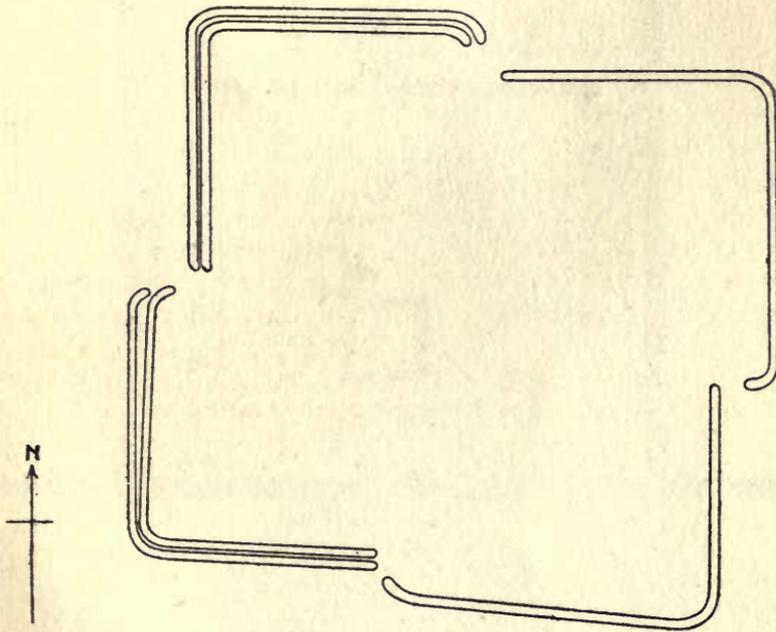
suggestive of the Trimontium of the Antonine Itinerary), commands the passage of the Tweed in the line of the Roman Road over the Cheviots from Corbridge-on-Tyne, which crosses the Oxnam at Cappuck where the remains of a Roman fort had been partially explored by the late Marquis of Lothian in 1886. It was therefore an important site which might reasonably be expected to repay excavation, although no sign was visible on the surface of the fields which had been under cultivation from time immemorial.

The process of unravelling the complicated problems of the successive reconstructions and adaptations of the forts and their defences and interior buildings during the progress of the excavations is most interestingly told by Mr. Curle. The ultimate result was an accumulation of incontestable evidence that Newstead had been by far the most important military station of the Roman army in Scotland, including a great camp of the usual form, fortified by a ditch and rampart, and containing an area of 49 acres. A little way off the north-west corner of this camp lay the remains, wholly underground, of the smaller but more solidly and elaborately constructed forts, superposed the one above the other, which it is the object of the book to describe.

As finally made out, these remains consisted of an early fort on the lower level, with an earthen rampart and two ditches, enclosing an area of about 12 acres, and a later fort of larger size which had been built partly over the site of the earlier one. From the ingenious arrangement of the ramparts and ditches of the early fort for the protection of its four gates—an arrangement that has not been observed elsewhere—as well as from the evidence of the pottery found in its ditches, it was clearly referable to the advance of Agricola. It seems to have been abandoned after a brief occupation, and at some considerable time afterwards and partly on the same site there was constructed the largest known fortress-camp in Scotland, covering with its defences an area of more than 20 acres, with an interior space exceeding 15 acres in extent. It was of the usual rectangular shape with rounded corners, and had four gates, one on each side placed opposite to each other. The outside defences consisted of three parallel lines of ditches from 12 to 23 feet in width and 9 to 12 feet deep, a stone wall 7 feet thick, and an earthen rampart 38 feet wide at the base.

Inside the rampart, and directly behind it, was a wide roadway running all the way round the interior. There were towers at the gateways, and streets or roadways about 40 feet in width

ran across the interior from one gateway to another. The spaces between these streets were occupied by ranges of stone buildings, the chief of which was the Principia, better known in Scotland as the Pretorium, an imposing erection 131 feet by 104 feet—the largest of its kind known in Britain. It had a court in front 70 feet by 62 feet, open above, and surrounded on three sides by an ambulatory 10 feet wide, the roof of which was supported on pillars. In front of the court was an entrance hall of greater length than the width of the court and extending

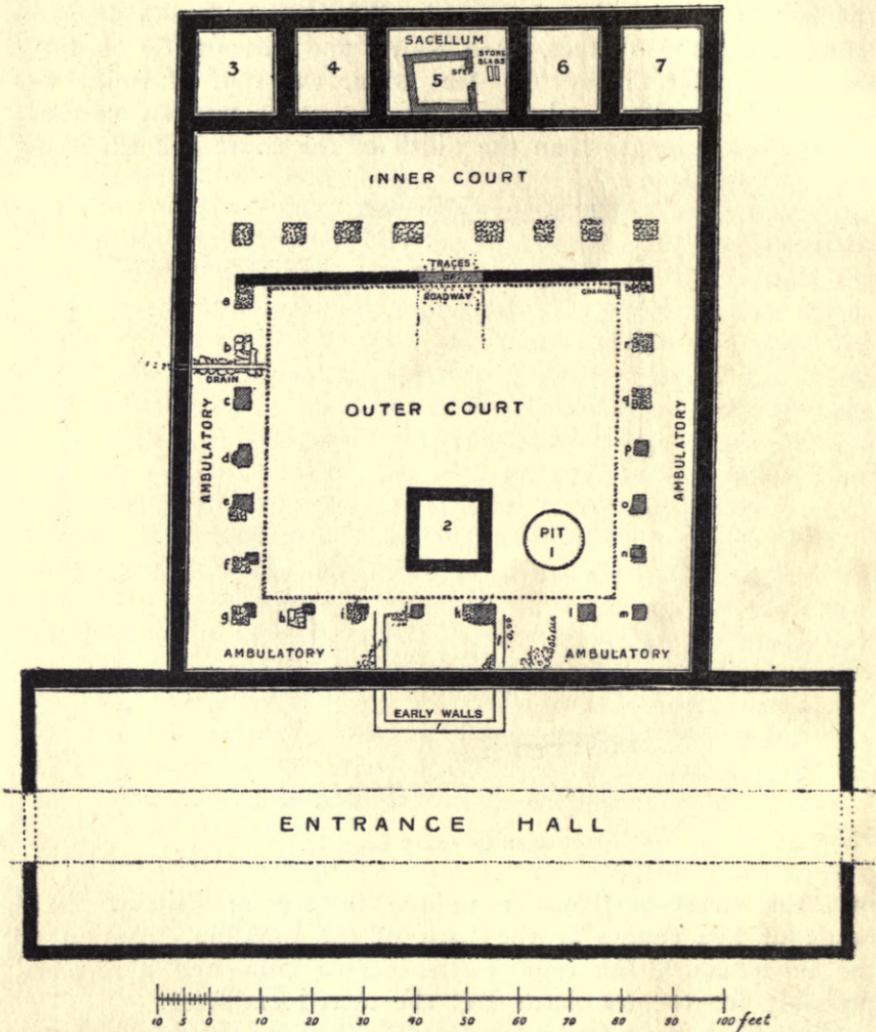


PLAN OF EARLY FORT.

into the street in front—a unique feature in Britain. In a range of five rooms at the back of the building, fronting to the inner court, the one in the centre contained a *sacellum*, probably for the standards and the sacred emblems.

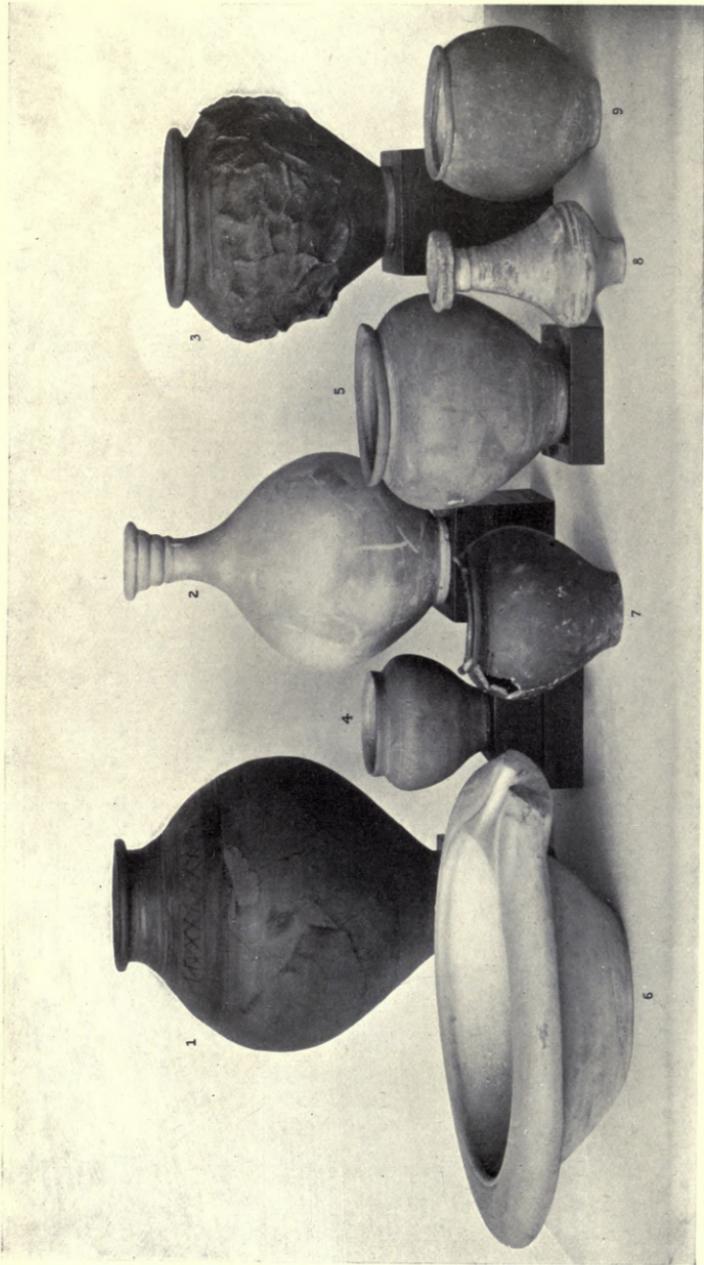
Close by it was a well 25 feet deep, the upper part of which was filled with building stones, among which was part of an inscribed tablet; at 8 feet down was a human skeleton, apparently of a woman, judging from the two brooches that lay near it; at 12 feet down an altar, dedicated to Jupiter, and a brass coin of Hadrian; from this to 22 feet a medley of bones of animals, deer-horns, skulls of oxen and horses, mingled with broken

pottery, soles of shoes, and torn fragments of leather garments ; at 22 feet a human skull and part of another, and some scale armour of brass ; at the bottom an iron breastplate, pieces of



PLAN OF THE PRINCIPIA.

chain mail, and the boss of a shield, two knives, a sickle, and a linch-pin, a quern stone, and two stones having the figure of a boar, the symbol of the twentieth legion, carved on them ; and, finally, the oaken bucket of the well.



VESSELS OF UNGLAZED WARE.

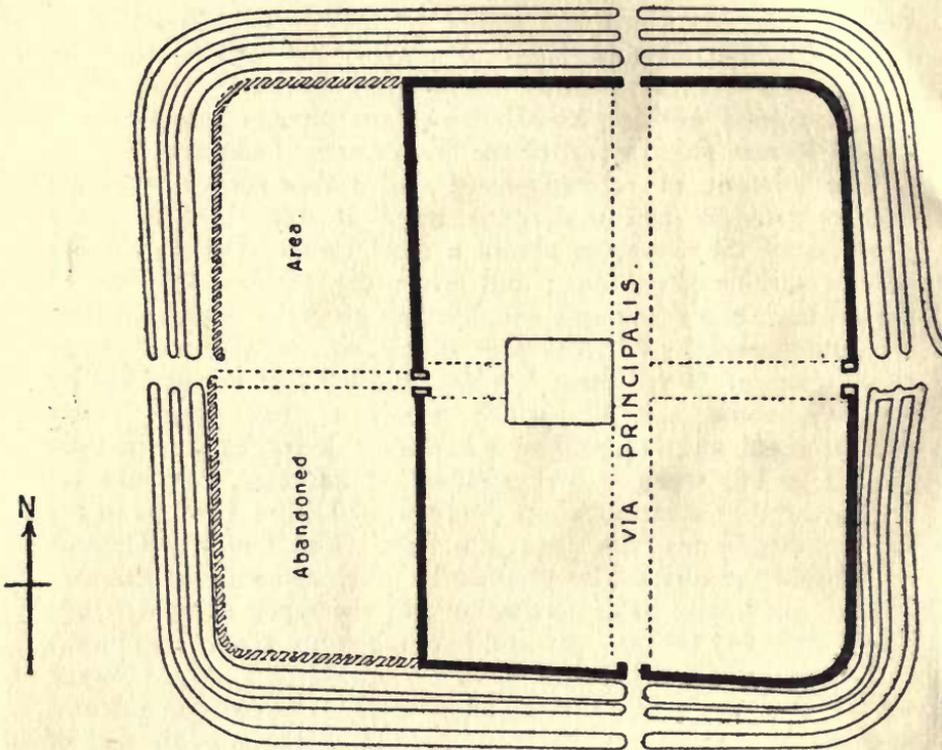


Next to the Principia, the largest building was a dwelling-house built round a central court, probably the house of the commandant. The spaces between the roads leading from gate to gate were occupied by long narrow buildings arranged in rows with streets or lanes between them, serving as officers' quarters, barracks, granaries, storehouses, workshops, and stables. Their arrangement is shown on a large plan by Mr. Thomas Ross, LL.D., architect, and each of the more important buildings is carefully described by Mr. Curle and compared with analogous constructions in similar forts in England and in Germany, so that the reader who desires to study the subject in detail may easily acquire a good working knowledge of the interior economy of a typical Roman frontier fort of the first or second century.

The amount of rearrangement and reconstruction the fort and its defences had undergone made it difficult, during the progress of the work, to obtain a clear idea of the significance of the various alterations; but when the whole testimony of the evidence was sifted and simplified to general conclusions they are summarised by Mr. Curle as indicating five different phases of occupation. First there was the original fort constructed by Agricola, about A.D. 80, which seems to have been partly reconstructed and occupied by a considerable force till some time after A.D. 86, when it was suddenly abandoned, and not re-occupied until the advance into Scotland of Lollius Urbicus in the reign of Antoninus Pius, about A.D. 140. The forces of Urbicus would find the fort and its earthworks much as its earlier garrison had left them, and its re-occupation and the repair of its defences would naturally follow. By and bye, the more settled conditions resulting from the construction of the Antonine Vallum between the Forth and Clyde would admit of a reduction of the garrison at Newstead, which might account for the alteration of the size of the fort by the construction of the reducing wall. Some eighteen or twenty years afterwards there seems to have been a Brigantian uprising involving a loosening of the hold of the Antonine Vallum, and probably the loss for a time of such isolated forts as Birrens and Newstead.

The re-occupation after this opens the final chapter of the history of the fort. There was much alteration and rebuilding, the reducing wall was thrown down and a larger garrison installed. But the reconstructed buildings had less of the character of permanency, and it was evident that the hold on the north was slackening.

‘And then, probably somewhere early in the reign of Commodus (c. A.D. 180) when we know that the British war was pressing heavily, must have come the end. The Roman grasp of the Vallum must have given way, and with it their hold of the supporting forts, such as Birrens and Newstead. How these fell it is improbable that we shall ever know, and yet traces of the catastrophe which overwhelmed them have been revealed to us after the lapse of many passing centuries. It is the secret drawn from the wells and the rubbish pits—a tale of buildings thrown down; of altars concealed,



PLAN OF THE REDUCED FORT.

thrown into ditches, or into pits above the bodies of unburied men; of confusion, defeat, abandonment; of a day in which the long column of the garrison wound slowly southward across the spurs of the Eildons, leaving their hearths deserted, and their fires extinct.’

Three separate lines of evidence concur to sustain and corroborate these conclusions. There is first the evidence of the superposition and relation to each other of the buildings of the fort and its defences. The second line of evidence is derived from the dates of the coins recovered and the relative positions in which



BOWL OF TERRA SIGILLATA.

they were found. Altogether 249 coins were found during the excavation, and these are described with full numismatic detail, and the evidence they afford is critically discussed by Dr. George Macdonald in an appendix of thirty pages. Then there is the evidence of the pottery, which always plays an important part in the determination of the chronology of Roman deposits. The nature of the fabric, the shapes of the vessels and the stamps of the potters all afford critical indications of date, so that single potsherds that may seem to the uninitiated to be the most worthless things possible, may yield important indications of chronology to the archaeologist.

Roman pottery consisted of many varieties of fabric, shape, and ornamentation, the character of which changed with the fashions of the times, but in that which is found in Britain certain forms predominate. Of these the bright red lustrous ware, possessing a colour and lustre almost resembling sealing-wax, is the most important. Formerly spoken of as Samian ware, which is a misnomer, it is now generally known as Terra Sigillata, a pedantic appellation, intended to signify the mode of applying its decoration by stamping the designs on the interior of the mould in which the vessels are shaped, so that the decoration appears on the exterior of the vessel in relief. It was first made in Italy at Arezzo, but the Aretine potteries declined in the first century of the Christian era, and few of their products reached Britain. But coincident with the decline of the Italian potteries there arose a colonial manufacture of this red ware in Gaul, from which an extensive exportation to Britain commenced early in the first century, and continued throughout the whole of the Roman occupation of Scotland. In a critical examination of all the pottery found at Newstead, as luminous as it is comprehensive, and copiously and finely illustrated, Mr. Curle classifies and describes the different types, indicating their relative dates, the Gaulish potteries from which they came, and their distribution on Roman sites in England and on the Continent.

Adjoining the east, south, and west sides of the fort there were large spaces of less regular form measuring about 7, 14, and 20 acres respectively, enclosed and defended by ditch and ramparts. These annexes are a not uncommon feature of the larger and more permanent Roman frontier forts. In such settlements were found the time-expired soldiers, and the traders and camp followers, living in tents or wooden huts, or other flimsy buildings of which no traces now remain. In Britain little has yet been done in the way of examining or excavating these civil

settlements, but the experience at Newstead shows that they may yield even more varied and more important revelations of the civilisation and culture of their occupants and of their military neighbours than the fort itself.

In the west annexe stood the baths of the fort, a large block of buildings 310 feet in length, dating probably from the first advance of Agricola, and provided with all the apartments and appliances pertaining to the luxurious customs peculiar to much warmer climates than that of Caledonia. No other building of any importance was found in these annexes, and the interest attached to them lay not in constructions on the surface but underground, in the wells and rubbish pits so thickly scattered over their areas. The pits varied greatly in dimensions, and from 4 to over 30 feet in depth. Over a hundred of them, including ten in the field to the north of the fort, were cleared out. Their contents were exceedingly miscellaneous, but all the best things found at Newstead came from them. One pit contained at 20 feet down the skulls of two horses, 2 feet lower two chariot wheels with their iron tires and a human skull with a sword-cut in it; lower still, a pair of shoe-soles with tackets, and the antler of an elk, and at the bottom, 23 feet down, an oak bucket with its iron handle and mountings, another horse's skull and the skulls of five dogs and antlers of red deer. Another contained a whole set of smith's tools and the contents of a smithy, including five spear-heads, four pioneers' axes, four scythes, and a sword-blade, with the usual medley of animal bones, a human skull, broken pottery, scraps of leather garments, shoes, and a woman's boot, the uppers of which were finely ornamented in open-work and the sole filled with tackets. Another contained the bones of nine horses, and underneath them the skeleton of a female dwarf whom Professor Bryce judged to have been about twenty-two years of age and only 4 feet 6 inches in stature.

The richest of all the pits was one in the south annexe, 19 feet deep, from which came an iron helmet with visor face-mask, a helmet of brass embossed with a group of figures representing a chariot race, another iron helmet undecorated, the ear-piece of a third helmet of iron, nine bronze discs or *phalerae*, each inscribed with the name of the owner, two shoulder-pieces and two elbow-pieces of bronze, each also having the name of the owner scratched in cursive letters on the inside face; a large embossed circular plate of bronze, two bridle-bits of iron, an iron armlet, a quern of Niedermendig lava complete with its iron



TERRA COTTA HORSE.



spindle and mountings, a quantity of fragments of ornamented pottery and of amphorae, torn pieces of leather garments, deer horns, and skulls of a horse and a dog.

The formidable task of the classification and critical description of the vast amount of miscellaneous material recovered from these pits, or casually found in the course of the excavation of the fort itself, might have daunted many excavators, but Mr. Curle has accomplished it with signal success. His chapters on the altars and their inscriptions, the dress, armour and weapons of the Roman soldier, the tools and implements, transport and harness with its mountings, and miscellaneous odds and ends, are really treatises on the several subjects which leave scarcely any aspect or relation of the objects untouched, and all are brought up to the level of the latest discoveries.

The value of these chapters to the archaeological student is greatly enhanced by the fact that Newstead has yielded such a number of things that are either new, or have been hitherto very imperfectly known in Britain. The visor masks of the helmets, which form such a striking feature of the collection and are so admirably illustrated in the book, are compared with all the known examples, and reasons assigned for attributing their purpose to display in tournaments rather than use in actual warfare. The one still attached to its head-piece, which is embossed with an elaborate representation of carefully dressed and curling hair, shows a fine type of face, and 'even in its present mutilated condition must rank as one of the most beautiful things the receding tide of Roman conquest has left behind it.' It is also certainly the most marvellously fine example of wrought iron-work ever seen in this country. The other face-mask of brass is neither so fine in design or execution, but has its points of distinction, and is by no means an every-day work of art-craftsmanship. The embossed helmet of bright yellow brass with a high triangular peak in front has its head-piece covered with a design, embossed in high relief, showing a nude figure driving a chariot to which are harnessed a pair of leopards, and a winged Victory hovering above.

The varieties of defensive armour found at Newstead include scale-armour of iron and of brass, chain-mail of circular links, both in iron and brass, some being riveted and others welded, breastplates of iron, and shields of which only the ribs or mountings remained. The offensive weapons included swords of two types, probably representing the legionary and the

auxiliary, bronze mountings of scabbards, spear and javelin heads in great variety of form and size, and arrow and bolt heads.

Caltrops have been often said to have been unknown till medieval times, but two of different sizes were found at Newstead. Among the miscellaneous objects of common camp furniture the camp-kettle of beaten bronze of various sizes, with its iron bow-handle, was greatly in evidence, and occasionally had the name of its owner scratched or punctured in it. Besides these culinary vessels of homely type there were two large and highly ornate vessels of bronze of the kind to which the Greek name 'Oenochoe' might be applied. They are really fine works of art and must have come from Italy.

By no means the least interesting parts of the book are those in which there can be traced the commingling of the native culture, and native products, with the culture and products of the purely Roman civilisation. For instance, a picture may be drawn in outline of the appearance of the valley of the Tweed, and the details of the flora and fauna filled in from the reports on the vegetable and animal remains found on the Roman level, and identified and described by Mr. H. F. Tagg of the Botanic Gardens and by Professor Cossar Ewart of Edinburgh University, who discusses with the ripe knowledge of an expert in the subject the characteristics and probable descent of the breeds of horses, cattle, and sheep whose remains were found at Newstead. Then we have the native inhabitants revealed, if not by their individual remains, by the Late Celtic decoration of a sword-hilt, and the ornaments of one or more sword-sheaths and harness mountings. The presence of native women and children is testified by their boots and shoes, by the evidences of spinning and weaving and basket-work, and by the personal ornaments. The brooches, or fibulae, beads, etc., have a chapter to themselves, and their enamelled ornamentation is of great beauty and interest.

It is impossible in a brief notice like this to touch upon all the points of interest that have arisen during the progress of the excavations, or are connected with the exposition of the character and relations of the objects found. Let it suffice to say that the outstanding characteristics of Mr. Curle's book are thoroughness of treatment and breadth of expert knowledge, the fruits of experience and resolute research.

JOSEPH ANDERSON.

Reviews of Books

ANNALS OF THE REIGNS OF MALCOLM AND WILLIAM, KINGS OF SCOTLAND, A.D. 1153-1214. Collected by Sir Archibald Campbell Lawrie. Pp. xxxvi, 459. 8vo. Glasgow: James MacLehose & Sons. 1910. 10s. nett.

IN *Early Scottish Charters* Sir Archibald Lawrie's aim was not merely to produce correct texts, but to make the charters serve as annals of the period, by putting each of them, as far as possible, in its true historical connection. For the succeeding period, corresponding roughly to the English reigns of Henry II., Richard I. and John, charters are many, chronicles contemporaneous and circumstantial, and English records increasingly voluminous. He has, therefore, begun with providing the setting; that is, a series of extracts from the chronicles and records, arranged so as to give a chronologically accurate outline of the history. Many papal Bulls are included, some as historically valuable, some (I take it) simply because they can be dated, and therefore can be safely used as landmarks. And all chronicle notices of even rather obscure persons are given; thus the charter student is provided with materials which hitherto he could only have obtained by laboriously collecting them himself. I congratulate the editor on what he has accomplished, and hope that the reception of his work may be such as to encourage him to proceed.

But the outline history from primary sources is of more general interest. By restricting his period, he has been able to give practically complete what his predecessors, including Mr. A. O. Anderson, could only give in selection. Naturally, most of the book is in Latin; Gaelic extracts, being few, are given in Gaelic and English, old French extracts, being many, in English only, whereby space is saved but colour lost. For the plan of the work precludes the selection of passages not referring to Scotland, even for the sake of their literary charm. So the lighter vein is rare; we have, however, St. Cuthbert's vengeance on the sacrilegious bull-baiter of Kirkcudbright (p. 90), and the curious tale of King Malcolm and his mother (p. 102); this latter introduced, I suspect, as an argument against the authenticity of an often-quoted Kelso charter. The editor's proneness to scepticism in such matters, so marked a feature of his previous book, is still at work, but not so much in evidence here as there. In one case, indeed, that of the Bull of Pope Adrian IV. subjecting the Scottish Bishops to the metropolitan jurisdiction of York, a quite surprising complacency is shown. The Bull was rightly included

190 Lawrie : Annals of Malcolm and William

by Haddan and Stubbs in their collection, for its genuineness is not altogether impossible. But its best friends could put the case no higher. It is 'one of a series of late copies, stands in bad company, and is itself a very questionable document,' so says Cosmo Innes; it is not a verdict, but the observation is undeniably just.

The bulk of the book is derived from English historians, who (as the editor remarks), tell us little or nothing of the internal affairs of Scotland. But they are far from exhibiting uniformly an anti-Scottish bias; clearly King William, in spite of his determined attitude in the affair of the rival Bishops Hugh and John of St. Andrews, stood well with the church; better perhaps than any of the English Kings, his contemporaries. And in those days all historians were churchmen.

Both Malcolm and William were all their lives pro-Norman, if not pro-English. And William, after the fiasco of 1174, though sometimes on bad terms with his southern neighbour, always avoided actual conflict. From 1210 onwards his policy, if not surrendering the independence of Scotland, certainly tended to compromise it. That what he did was *contra voluntatem Scotorum* (p. 366), is easily credible. But the Treaty of Norham inaugurated that *tempus pacis* to which men afterwards looked back as the golden age. To attribute his policy to fear of Celtic reaction, seems to me to transpose cause and effect; the texts imply rather that it was the King's compliance with England which provoked his magnates, or some of them, to complicity with Macwilliam. As to the story of an English contingent sent in 1212 to co-operate against that rebel, the editor seems suspicious, and so am I. Why are the English records silent on the subject? But if there was such a contingent, however small, it is not hard to believe that it readily obtained (in England) full credit for the success of the campaign.

The remarks in the preface as to the legislation attributed to our early Kings, are interesting, but will not command universal assent. To call Thomas Thomson 'most arbitrary of editors' is somewhat hasty. That great scholar's modesty took the form of an almost morbid dislike of committing himself in prefaces or commentaries; hence he gave the world his conclusions, but rarely his reasons. But if his work were to be done over again by a competent modern, from the same materials, the result would perhaps differ only in minor details. If such a task is to be usefully undertaken, it must be on the lines of Miss Bateson's work for the Selden Society, and from the standpoint of Sir Thomas Craig—the history of Scottish law must be treated as part of the history of the law of Europe.

J. MAITLAND THOMSON.

SIR WALTER SCOTT AND THE BORDER MINSTRELSY. By Andrew Lang. Pp. x, 157. Med. 8vo. London: Longmans, Green & Co. 1910. 5s. nett.

To review this argument fairly it would be necessary to repeat it, and that can scarcely be done in smaller compass than the original. It is an answer to the interesting work of Colonel Fitzwilliam Elliot in *The Trustworthiness*

of the *Border Ballads* (1906) and *Further Essays on Border Ballads* (1910); chiefly, a refutation of the charge made against Scott in the latter book, of having joined with Hogg to 'palm off' the ballad of *Auld Maitland* on the public. The other subjects are the ballads of *Otterburn*, *Jamie Telfer* and *Kinmont Willie*.

The discussion of *Auld Maitland*, which comes first, is the most important, because the evidence there put forward by Mr. Lang has a bearing on all the rest of the *Border Minstrelsy*. Mr. Lang proves conclusively that Colonel Elliot is wrong in thinking that *Auld Maitland* was forged by Hogg, and of course with the exploding of that opinion the allegations against the good faith of Scott are also cleared away. The proof is in Hogg's manuscript copy of the ballad now at Abbotsford, and in Hogg's letter to Scott, dated Ettrick House, June 30 (1802). This letter, which has never been published as a whole, is remarkably interesting both with regard to the tradition and collection of ballads in general, and also the motives and critical skill of Hogg. Hogg, it is clear, was not only thoroughly and genuinely taken up with the pursuit of ballads over the country side, but also an excellent critic. Thus he marks the end of *Clerk Saunders* and the place where Scott's version of the ballad passes into another (*Sweet William's Ghost*)—'All the rest of the song in your edition is another song altogether, which my mother hath mostly likewise, and I am persuaded from the change in the stile that she is right, for it is scarce consistent with the forepart of the ballad.'

It is a pity that Mr. Lang does not give the whole letter, and does not say what he has omitted. It is partly printed in Mr. Douglas's edition of Scott's *Letters* (1894) i. p. 12, but there the technical parts are left out (including the sentence quoted above) apparently as unfit for the 'reading public,' and here Mr. Lang leaves out a good deal of the end of the letter, without remark—all the glorious passage about Hogg and his uncle and how religion interfered with the ballads—'what a deluge was poured on me of errors, sins, lusts, covenants broken, burned and buried, legal teachers, patronage, and what not! In short, my dram was lost to my purpose. The mentioning a song put him in a passion.' There never was such a letter writer as Hogg.

From Hogg's copy of *Auld Maitland* it is proved that his account of his mother's recitation is true; he was not inventing; he takes down what he does not understand. He writes:

'With springs; wall stanes and good o'ern
Among them fast he threw.'

Which Scott corrected:

'With springalds, stanes and gads o' airn.'

There is a grammatical point which Mr. Lang does not mention, which seems to help in the same direction. The ballad uses 'inon' for 'in' or 'on' or 'upon.'

But sic a gloom inon ae browhead.

Earlier we find :

Then fifteen barks, all gaily good,
Met themen on a day.

So printed ; read

Met them inon a day.

This idiom is evidently found in the original. Hogg's copy is what it professes to be ; he wrote down *Auld Maitland* as accurately as he could from recitation.

This still leaves the problem : Where did the ballad come from ? It is not a true ballad ; in style it is a mixture of the ballad and the hack romance. The latter element comes out in the 'springald' verse—

'With springalds, stones and gads o' airn
Among them fast he threw.'

This is prosy grammar, such as historians use. *Auld Maitland* came into oral tradition from a more or less literary source ; it is not the same sort of thing as the ballads which have their whole life in oral tradition ; it belongs to another stock, closely related indeed to the true ballad. That it was handed on in the same manner as the ballads, that Hogg's mother knew it, and repeated it in the same way as her other songs, and that Hogg's account is true, it seems impossible now to question.

The chapters on *Otterburn* also prove Hogg's good faith. 'Hogg had a copy from reciters—a copy which he could not understand.' It may be enough, for the present, to recommend Mr. Lang's demonstration to those who care for these matters ; to do proper justice to it would need as much space as the original chapters themselves. One thing in it perhaps is doubtful. Hogg's version gives 'Almonshire' where 'Bambroughshire' is usually read ; Hogg knew 'Bamborowshire,' but both his reciters insisted on 'Almonshire.' Mr. Lang says, and one would like to believe, that 'Almonshire' is 'Alneshire' or 'Alnwickshire,' where is the Percy's Alnwick Castle. But is there authority in the history of Northumberland for 'Alneshire' ?

In *Jamie Telfer* it is shown that Scott did not tamper with the facts as Colonel Elliot thinks he did ; there are two separate versions of the story, an Elliot ballad and a Scott ballad dealing the honours differently. As for the facts, there are none ; the story is impossible with the geography as given in any version ; though 'in a higher sense' it may be true as a general statement of what might and did happen in raids and recoveries of driven cattle on the Borders.

Kinmont Willie remains as a problem hard to solve. The external evidence that decides *Auld Maitland* is wanting in this case, except what is given in Satchells' narrative, and the relation of Satchells to the ballad may be construed in different ways. It is minutely examined by Colonel Elliot, with the conclusion that Satchells was turned into the ballad by Scott. The other side is presented here, not so as to deny Scott's share in the poem of *Kinmont Willie*, but so as to make it probable that Satchells, in the first place,

knew a ballad on the subject of the rescue at Carlisle, and secondly, that Scott knew a traditional ballad independent of Satchells. The whole discussion brings out, among other things, the dangerous nature of internal evidence and *a priori* judgments on the ballad style. The following example deserves to be borne in mind as a warning :

‘By the cross of my sword, says Willie then,
I’ll take my leave of thee.’

‘It *looks* like Scott’s work,’ says Mr. Lang. ‘But it is *not* Scott’s work, it is in Satchells.’ Mr. Lang argues that if Scott had been making up his ballad from Satchells he would not have left this out. But it does not appear in *Kinmont Willie*.

Mr. Lang has controverted Colonel Elliot on most points, but it would be wrong to overlook the services that his antagonist has rendered to this branch of study ; antiquarians and lovers of poetry will agree that this debate has had good results—not only in prose, but in the three ballads of his own which Mr. Lang has given at the end of his volume.

W. P. KER.

THE PARALLEL BETWEEN THE ENGLISH AND AMERICAN CIVIL WARS.

The Rede Lecture delivered in the Senate House, Cambridge, on 14th June, 1910. By C. H. Firth, M.A., Regius Professor of Modern History, Oxford. Pp. 50. Cr. 8vo. Cambridge: University Press. 1910. 1s. 6d. nett.

PROFESSOR FIRTH was certainly happily inspired in his choice of a subject for his Rede lecture. There is no man better qualified to speak of the Great Rebellion and its consequences, while the knowledge which he displays of the great struggle between North and South is really remarkable. He deals in turn with the political, military, and personal aspects of the comparison, selecting Cromwell and Lincoln as the great representatives of the two contests, and a most interesting and suggestive parallel it is which he draws between them, not altogether to Cromwell’s advantage as a man, though of course Cromwell was a great soldier as well as a political leader. Both struggles are shown to have had as their formal causes the great question of sovereignty, but in England the contest between one man and a nation would never have resulted in a war but for the complication of the political question by religious issues. The King was only able to fight because the Puritan assault on the Church provided him with a party. In America a majority was contending with a minority to decide whether, as Lincoln’s Inaugural expressed it, ‘in a free government the minority have a right to break it up whenever they choose,’ to prove ‘that when ballots have fairly and constitutionally decided there can be no appeal to bullets.’ Here too a question of conscience came in, and it was Lincoln’s great achievement that he combined the cause of the union with that of the slaves, inducing those whose zeal for one cause was so great that they were prepared to sacrifice the other object to nevertheless remain in co-operation until the two causes became practically fused.

The military parallel is not less suggestively handled. It is pointed out that in both struggles the victorious side owed much to the assistance of the naval forces of the nation and to the possession of greater resources. But the North had the advantage over the Parliament in having for it from the first all that the country possessed of a professional army. Yet this trained nucleus was not properly utilised to leaven the raw levies of the North, and whereas the Parliament owed its victory to its success in creating a disciplined and organised force while the Royalists remained undisciplined and therefore inefficient, the North achieved success in the end not by superior discipline and soldierliness, nor by superior strategy, but by sheer weight of numbers and a relentless policy of mere attrition. If Grant be contrasted with Lee and Jackson the comparison favours the vanquished far more than it does if Cromwell be matched against Rupert.

Finally Professor Firth deals with the settlements which followed the wars, and the treatment meted out to the vanquished. The North may appear to more advantage here, but between 1650 and 1865 political education had progressed, and the attitude of the American nation towards the necessity of compromise was well ahead of the English two hundred years earlier; moreover, in England stern measures were only taken after the Second Civil War. The lands of the Southerners were not confiscated, but they were none the less ruined by the emancipation of the slaves and the monstrous folly of giving the franchise to the emancipated negroes, while the ex-Confederates were deprived of political power, has no parallel in England. And this enfranchising of a class unfitted to exercise political power has had, as it always will, very bad results, so much so that Professor Firth compares its consequences to the legacy which Cromwell's Irish policy has left behind.

C. T. ATKINSON.

THE LIFE OF BENVENUTO CELLINI. A new version by Robert H. Hobart Cust, M.A. Vol. I. Pp. xxxvii, 390. Vol. II. Pp. xx, 533. With portrait and many illustrations. Post 8vo. London: G. Bell & Sons. 1910. 25s. net.

AMONGST artistic autobiographies none stands quite so high for vividness of interest, picturesqueness of incident, and abandon in telling, as that written by Benvenuto Cellini, the celebrated artist-craftsman and sculptor of Florence. Mr. Arthur Symonds said: 'He hurls at you this book of his own deeds that it may smite you into acquiescent admiration,' and reading his story afresh, in the new translation by Mr. R. H. Hobart Cust, one admits at once the vital success which attended his literary adventure.

While Cellini's reputation as an artist is not perhaps what it was, his great technical finesse being required to palliate the over-ornateness of his style, his name still remains synonymous with all that is most characteristic of renaissance skill in jewellery and small-scale sculpture. Yet, as Mr. Cust points out, it is something of an irony of fate that

the *Autobiography* should have acquired for him a fame such as none of his much vaunted works could ever have secured for themselves.

Mr. Cust has founded his translation upon the learned Italian texts of Professor Orazio Bacci and of Signori Rusconi and Valeri, both of which appeared in 1901, and his principal object—in the main very happily achieved—has been to reproduce in English the Italian spirit of the original. He regrets, indeed, that it is impossible to translate into an English equivalent the Florentine slang used so volubly by the narrator himself, and, pleading that the ephemeral nature of such argot makes its use inexpedient, professes pity for those to whom the original is a sealed book. Still, for even exact students of Italian, the slang of sixteenth century Florence must have lost its real savour, and we who cannot follow its subtleties are not badly off with the directness and forcefulness of the translator's renderings. To this careful translation he has added many useful and illuminating footnotes; a full bibliography (compiled by Mr. Sidney Churchill) of Cellini literature in ten European languages; a list of Cellini's works derived from contemporary documents; and a catalogue, founded chiefly on the researches of M. Eugène Plon and Mr. Churchill, of pieces by the master still extant.

The book, which is in two volumes, is well illustrated by over sixty half-tone plates, chiefly of important works by Cellini.

JAMES L. CAW.

THE ITINERARY OF JOHN LELAND IN OR ABOUT THE YEARS 1535-1543.

Parts IX., X., and XI. With two Appendices, a Glossary, and General Index. Edited by Lucy Toulmin Smith. Vol. V. Pp. xxii, 352. With two Maps. Foolscap 4to. London: George Bell & Sons. 1910. 18s. nett.

THE editor and publishers of this important work deserve the utmost commendation on the successful termination of their united undertaking. As each volume appeared we have not withheld in the pages of this *Review* (vols. v. 98-9, 478, vi. 294-6) our admiration for the pains and skill that Miss Toulmin Smith has exercised in making her labours as editor useful to her readers and just to her author. The last volume of the series now before us shows, as it was to be expected, a continuation of her former care and painstaking research in doing ample justice to her subject.

Though this volume covers a wide field, comprising what may be regarded as a separate tour of the indefatigable antiquary, it is of special interest to north-country students inasmuch as it includes the counties of Northumberland, Durham, Westmorland, Cumberland, and parts of Lancashire and Yorkshire. Leland's route in the northern counties has been set out in an excellent map, showing the order in which he visited the various places, the base from whence he started and the direction of his journey home. The bishops and bishopric of Durham, like those of Lincoln, Worcester, Hereford and Canterbury, come in for a full discussion, and particulars are also given of several of the religious houses.

Miss Toulmin Smith evidently regards the preface of her final volume as supplementary to what has gone before, for she has collected additional references to her author's career and to the manuscripts and pieces of manuscript of his writings. Looking down the list and comparing it with the table of manuscripts and editions given in the first volume, one is glad to acknowledge that Leland has at last found an interpreter worthy of his reputation.

Students will thank the editor for the general index which covers the five volumes. In these days of pace and pressure, such a time-saving apparatus is always welcome. The glossary, which enumerates the principal archaic words and explains them in the senses in which Leland understood them, is also a valuable addition. Seldom has it been our pleasure to bear witness to such excellent work, and we take leave of Miss Toulmin Smith with sincere regret.

JAMES WILSON.

LECTURES ON THE FRENCH REVOLUTION. By Lord Acton. Edited by J. N. Figgis and R. V. Laurence. Pp. 378. 8vo. London: Macmillan & Co., Ltd. 1910. 10s. nett.

THESE lectures, which were delivered at Cambridge during the Academical years 1895-1899, form, as stated by the present Lord Acton in a letter to the *Times*, the last of the four volumes containing his father's collected notes; they are edited by Mr. Figgis and Mr. Laurence. In expressing his thanks to these gentlemen, Lord Acton points out the difficulty under which they laboured owing to the fact that a homogeneous text had to be evolved from two different manuscripts, portions of which were fragmentary only; but they appear to have executed their task very successfully. A book upon so important a period of history by such an author is most valuable. It is the work of one fully acquainted with the literature of his subject and fully qualified to give a well-balanced and judicial expression of opinion.

Lord Acton was both a peer and a Roman Catholic, and he writes of a great event which shook to their foundations both the peerage and the Church of France, and which shook and has permanently weakened both institutions in every country where they existed. Yet we have here no exhibition of aristocratic or priest-bound prejudice. He has, it is true, a word to say for a Creed, observing that liberty apart from belief is liberty with a good deal of the substance taken out of it, and that 'nations that have not the self-governing force of religion within them are unprepared for freedom'—a remark which the subsequent history of France itself may be held to justify. But there is no exaggerated declamation against the horrors of the Reign of Terror. On the contrary, this is his conclusion: 'The Revolution will never be intelligibly known to us until we discover its conformity to the common law, and recognize that it is not utterly singular and exceptional, that other scenes have been as horrible as these, and many men as bad.'

To the casual observer the Revolution in France which closed the

eighteenth century may seem to have been a bolt from the blue, or, as Lord Acton expresses it, a 'meteor from the unknown.' It was not so to him, but rather the product of historic influences; and it is with these sources from which it sprang—the causes which led up to it—that his opening lectures deal. Among the heralds of the Revolution the author includes certain French writers of the eighteenth century who contributed by the promulgation of their views to the general feeling of dissatisfaction with things as they were. Whatever tyranny existed, it does not appear to have been exerted, as in more recent times in Russia, in suppressing a free expression of opinion. It seems to have been rather fashionable, among men of leisure and rank, to play with ideas which, when put into practice, were destined to make quick work of all fashionable society.

These writers were by no means of one type, and embraced Christian divines, lawyers, philosophers, and politicians. Maulrot, an ecclesiastical lawyer whose work was published just three years before the climax, identified the principles of 1688 with the Canon Law and rejected divine right. Fenelon was, says Lord Acton, 'the first who saw through the majestic hypocrisy of the court, and knew that France was on the road to ruin.' In his judgment, 'power is poison; and as kings are nearly always bad, they ought not to govern but only to execute the law.' D'Argenson, Minister for Foreign Affairs in 1745, 'was perpetually contriving schemes of fundamental change, and is the earliest writer from whom we can extract the system of 1789.' The influence of such men as Turgot and of Rousseau, himself a Swiss and an upholder of the Swiss Republic, was doubtless great.

But there was another influence even greater than that of individual writers. It was to be found in the fact of the American Republic. In the struggle of these Colonies against Great Britain all France had sympathized, since it was a struggle against her ancient enemy. In the success which followed it the friends of freedom in France, who had been somewhat dreamy and speculative over the subject, saw an example of theory put into practice and a nation in which democracy ruled alone and as it might yet do in their own country, if only the opportunity arose. What proved ultimately to be the opportunity did not seem at first a likely one. 'The confluence of French theory with American example caused the Revolution to break out, not in an excess of irritation and despair, but in a moment of better feeling between the nation and the king.' The calling of the States General, a constitutional act by an amiable king, pointed rather to an improvement in the existing state of things, and yet that convocation was the beginning of the end. The king wavered between the aristocracy and the people; his weakness and that of his supporters was manifested; and the masses at last realized the strength which lay in their numbers, and that their former tyrants were really in their power. The Bastille fell, and the revolt became a revolution.

The French Revolution was for a long time, especially in this country, identified with its excesses. It was not, men said, a revolution, but a

reign of terror, a devilish outburst of atheism and cruelty, stained by the murder of a good king and a beautiful queen, and sending into exile an ancient aristocracy whose members were reduced to giving music and dancing lessons, or teaching their own language so as to earn the bare means of existence. To it and to the fears which it aroused are to be attributed the extravagances of men like our own Braxfield and the dire fate of such harmless individuals as Thomas Muir. The cause of reform was set back, and every effort to ameliorate the condition of the masses was apt to be identified with French infidelity. The enemies of progress rejoiced. But we trust it is not true, as stated by Lord Acton, that Pitt refused to save Louis XVI., because his execution would have raised a storm in England sufficient to submerge the Whigs.

Yet of the tyranny, the religious hypocrisy, the preposterous class privileges, which preceded and brought about the Revolution, one heard little. That time has passed. That the Revolutionary party committed terrible mistakes it is impossible to deny. In its wild efforts to secure liberty it for a time destroyed all liberty, and the country only exchanged one tyranny for another. Nevertheless, the cause was a good one. Lord Acton recognizes a much weaker right in the Americans to rebel than that which the French could claim. But the American movement resulted at once in a well-established and permanent constitution, while the French had many a stormy year before them and strange experiences in the way of rulers. For they took from the Americans 'a theory of revolution, not a theory of government.'

To deal with a subject such as this in the course of a few lectures implies much compression of historical detail, yet enough has been given to render these pages bright and interesting, although men will seek in Lord Acton the able expounder of principles and the critic of men and measures rather than the narrator of a picturesque story.

W. G. SCOTT MONCRIEFF.

BRITISH CREDIT IN THE LAST NAPOLEONIC WAR. By Audrey Cunningham, B.A. Trin. Coll. Dublin, of Girton College, Cambridge. With an Appendix containing a reprint of *Des Finances de l'Angleterre*. By H. Lasalle. Pp. vi, 146. Crown 8vo. Cambridge : University Press. 1910. 2s. nett.

A SIDE of Napoleon's policy which has been subjected to much adverse criticism is the Continental System, the attack on British trade by attempting to close Continental ports to British merchants and goods; while he was pursuing this policy he is said to have committed a great blunder by allowing corn to be imported into Britain in 1810, when the country was greatly in need of it. Miss Cunningham has taken up this aspect of the Napoleonic Wars, with the object of shewing that, though the Emperor's project failed, it was not a great mistake based upon obsolete mercantilist theories, but a well-considered attempt to undermine the whole fabric of British credit by depleting the gold reserve in the Bank of England, and thus to attain indirectly the object which the Trafalgar victory had shewn him could not be accomplished by a direct attack.

Miss Cunningham gives an interesting account of contemporary French opinion on the subject of finance. Neither past experience nor the writings of pamphleteers, Paine, D'Hauterive, etc., inclined the French people to put much confidence in a system of public borrowing or in any connection between the government and the banks. Lasalle, whose *Des Finances de l'Angleterre*, in which the facts and figures are taken from recognised British authorities, is printed in the appendix, makes a careful examination into the position of the Bank, which he thinks had been practically insolvent since the suspension of cash payments in 1797. The writer most in touch with Napoleon was De Guer, who as an *émigré* had studied British finance at first hand. He points out the danger of an excessive issue of paper money, and shews that Britain has difficulty in paying subsidies and supplying her armies in countries where she has no commercial credit, and must either lose on her foreign exchanges or export specie.

Napoleon himself, though not a financier, held strong views as to the harmfulness of a weak gold reserve, of public borrowing and paper currency, all of which he saw existing in Britain. In 1806, therefore, he began his attack on British credit by the issue of the Berlin Decree, followed by the Milan Decree, aiming at keeping British goods out of the Continent; and he also allowed the import of corn, because he thought specie must be exported to pay for it. The decrees could not be strictly carried out, and the defection of Russia ruined the scheme, but, even so, the results were severely felt in Britain. There was great distress, many bankruptcies, much unemployment, supplies of gold were hard to get, and expenses for the armies abroad were difficult to meet, and the Bank reserve fell from £7,855,470 in 1808 to £2,036,910 in 1815. Nevertheless the attempt was a failure, and British credit was not undermined. Miss Cunningham attributes this chiefly to the prosperity of agriculture during the period, to the facilities for trade with other countries than Europe, and to the confidence of the people in the stability of the Government. She points the moral that, though Napoleon failed, our credit system is far more complex now, and that its fall would be correspondingly greater. Therefore, we should see to it that our reserve is sufficient and our financial position secure. Miss Cunningham has given an interesting study of a very important period in our financial history.

THEODORA KEITH.

THE STORY OF PROVAND'S LORDSHIP: THE MANSE OF THE HOSPITAL OF ST. NICHOLAS. By William Gemmell, M.B., F.S.A. Pp. 171. With Illustrations. Crown 8vo. Glasgow: Hay Nisbet & Co., Ld. 1910. 3s 6d. nett.

WHEN, a few years ago, the public began to hear about a pre-reformation house as still existing in Glasgow, many people—including the present writer—were very doubtful about this. Those who have seen the great changes and transformations of the last forty years, within which period the city has been almost rebuilt, might well be excused for their scepticism, even after a passing glance at the house. As seen

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from the outside, it would hardly strike the ordinary passer-by as much different from houses of a later time to be seen in many provincial towns and villages where the exigencies of modern life are not so pressing as in a great city.

But a minute inspection of the house all round and throughout, presents certain features which could not but arrest the attention of an antiquary or architect who had knowledge of domestic architecture. It contains features which are not of the ordinary kind, to be found in old town family residences.

The plan at once suggests that this house was not built for a family one, although it has been altered in later times and made suitable for this purpose; but rather as the common residence of members belonging to some ecclesiastical establishment, and that it was such a house is clearly shewn in this volume, in which Dr. Gemmell writes of its geographical position, and the documentary evidence connected with it, and Mr. Whitelaw of its architecture. The house is three storeys high, with three rooms on each storey, separated by thick walls and approached by a stair, from the landing of which each mid-room enters, the other two rooms being reached by projecting timber galleries such as were frequently used in our old castles and houses. In references to the middle storey, these rooms are spoken about in 1589 as the 'north-mid chalmer' and the 'south mid-chalmer,' by the occupant of the mid-chalmer.

From the situation of the house in relation to the Cathedral and to the bishop's palace, the outer wall of which was within a few yards distance, Dr. Gemmell identifies it as the manse or clergy-house of the Hospital of St. Nicholas, and for the priests serving at the altars of the same in the Cathedral, and also for the Prebendary of Balernoek. This hospital was founded by Bishop Andrew Muirhead in 1471, and, as the name implies, it served the purpose of a modern inn for the reception of travellers and strangers. By a piece of good luck the arms of the bishop can still be seen carved on the building, thus practically dating the principal portion. On the rear of the house another stone bears the date 1670, shewing, what the architectural features also shew, that this part is later. This is further confirmed by a sundial, which could hardly be earlier than the seventeenth century. Some of the other details, such as the fireplaces, clearly confirm these two periods.

Such is the house which, amid the ever-changing scenes of Glasgow, has survived all the ups and downs of more than four centuries and come down to our day almost alone. From this most interesting volume by Dr. Gemmell and his coadjutors we learn that the house was in danger of being swept away when a few gentlemen, in the name of *The Provand's Lordship Club*, purchased it and so saved it from immediate destruction. Their venture was not a commercial speculation, but an effort to uphold the dignity of the city as an ancient and historical one. And this book on the history of its oldest house should receive a warm welcome. It is well illustrated, and has a good index.

THOMAS ROSS.

Cobb : The Rationale of Ceremonial 201

THE RATIONALE OF CEREMONIAL, 1540-1543. Edited by Cyril S. Cobb, M.A., B.C.L. Alcuin Club Collections, XVIII. Pp. lxxv, 80. With Illustrations. 8vo. London : Longmans, Green & Co. 1910. 10s.

LITURGICAL students who recognise the debt of gratitude they owe to the Alcuin Club for giving them access to original sources of information will welcome the above work. In this case the sources are two MSS., one at Lambeth and the other in the British Museum. The interest of the *Rationale* lies not only in itself, but also in that it opens the door to a comparison between the Reformation movement in England and in Germany. This is admirably dealt with by Mr. Cobb in his Introduction. Erasmus, in deploring the destructive violence that accompanied the Reformation abroad, asked, 'Is there no middle course?' Something of this middle course was indicated by the *Rationale*. It was not, it is true, a revision of the old services, but it was an attempt to give them a higher religious value by making them more intelligible to the people. It distinguished between things 'necessary for a Christian man's life' and 'rites and ceremonies devised by men,' and it sought to remove the danger of superstition by explaining the inner meaning of externalism.

A study of Appendix I. will show the student that its desire to popularise, in the best sense of the term, public worship, was both in keeping with the traditions of the Church of England as well as with the tone of contemporary religious literature.

Though now printed for the first time, it has an importance that is due to its probable date. While not unmindful of present evils, nor lacking in insistence upon that spiritual character of Religion, which was the essence of the Reformation, it exemplifies that desire for continuity which characterised Anglican Reform, and which justifies Mr. Cobb's statement that 'there is nothing in the *Rationale* which the English Church cannot accept to-day.'

Facsimiles are included of some of the handwritings of the two MSS., together with other interesting matter. The footnotes betoken wide reading. This work is a real and valuable contribution to learning.

E. M. BLACKIE.

BERCY. Par M. Lucien Lambeau. Pp. 506. 4to. With Illustrations. Paris : Ernest Leroux. 1910. 12 fr. 50.

THIS volume is the first of a series of monographs planned by the General Council of the Seine, which are to collect and combine the available materials into a history of the communes which were united to Paris in 1859 up till the time of their annexation. That the author is well qualified for his task is amply proved.

The district of Bercy lies to the south-east of Paris, on the right bank of the Seine, and M. Lambeau gives a full account of its topography from the fourteenth century onwards, with accompanying plans. The owners and tenants of the various sections, some of them distinguished names in

the annals of France, are fully discussed, as also the *Seigneurie*, with the château and its treasures. The town of Bercy and its social, political, industrial, and ecclesiastical history naturally occupies the greater part of the book. It was formed into a commune in 1790, and then in 1859, with the other neighbouring communes, became incorporated with Paris.

M. Lambeau's volume is thus full of information on the growth of municipal and communal institutions, the progress of industry in a suburban township, and the gradual establishment of ecclesiastical foundations. The great princes of the sixteenth and seventeenth centuries were intimately associated with the history of Bercy, and they import a hint of splendour and romance into the author's sober narrative.

A point of modern interest lies in the frequent references in the sixteenth, seventeenth, and eighteenth century records to the flooding of the Seine, which from time to time caused great distress and damage to the town and its occupants: the river sometimes rose to a height of 24 feet; and in 1658 the castle and park were submerged.

A valuable section of the volume is the appendix, containing 'Pièces Justificatives' from the National Archives, upon which much of M. Lambeau's history is founded. The illustrations are numerous and finely executed.

MARY LOVE.

THE FIRST DUKE AND DUCHESS OF NEWCASTLE-UPON-TYNE. By the author of *A Life of Sir Kenelm Digby*. Pp. xi, 287. With 14 Illustrations. 8vo. London: Longmans, Green & Co. 1910. 10s. 6d. nett.

THE Duke and Duchess of Newcastle are among the most interesting figures in Caroline history. The friend of Hobbes, the patron of Ben Jonson, Newcastle was also for a while tutor to Charles II., while he played a stirring part in the great Civil War, and probably spent more on behalf of the royal cause than any other cavalier. It is true that nowadays his writings are but little known, but his book on horsemanship was highly esteemed in its own day; while his work as dramatist won this distinction, at least, that selections therefrom were included by Charles Lamb in his memorable anthology, *Specimens of English dramatic Poets who lived about the Time of Shakespeare*. A kindred reason gives interest to the Duchess, for, albeit some of her contemporaries regarded her as mad, and although Pepys speaks of her with singular scorn, her memory was dearly beloved of Elia, who mentions her with affectionate admiration in many of his essays and letters.

Save for a few quotations from the Welbeck MSS., the biography now before us does not set forth any documents likely to be unknown to the average student of history; and, in the main, it is based on comparatively familiar authorities. But granting this limitation, the book really fulfils its purpose remarkably well; for it narrates Newcastle's career in such a fashion as to make the more important events stand out clearly, while it pays particular attention to such of these events as were misrepresented by the Duchess in her life of her husband, and frequently serves to fill up

gaps which were left by the noble authoress. For instance, the Duchess gives only a short paragraph to Newcastle's teaching of Charles II., and therein depicts him as in every way a perfect tutor; but the work at present in question deals with this subject at length, and, besides furnishing many fascinating personal details, shows that in some respects Newcastle was positively Machiavellian in his training of the royal pupil.

This admirable tone of fairness characterizes the entire volume. The author is no hero-worshipper, but aims throughout at veracity, and deals frankly alike with failings and with merits. Nor is this true only as regards what he says of the Newcastles themselves, for it marks also all that he writes of Charles I. and Henrietta Maria, while it distinguishes his handling of the political history of the period, in which particular he does not betray predilections for either royalists or puritans.

W. G. BLAIKIE MURDOCH.

FROM THE RESTORATION TO THE DEATH OF WILLIAM III. (1660–1702). By Richard Lodge, M.A., LL.D. [The Political History of England. In 12 volumes. Edited by William Hunt, D.Litt., and Reginald L. Poole, M.A., LL.D. Vol. VIII.] Pp. xix, 517. Demy 8vo. London: Longmans, Green & Co. 1910. 7s. 6d. nett.

THE period covered by this volume has been partially dealt with by Lingard and fully by Ranke. It has also been treated by Hallam in his *Constitutional History*, which takes constant account of 'politics.' Macaulay's *History*, as Professor Lodge notes, still dominates the public mind.

Professor Lodge is of the school of Ranke rather than of Macaulay. His volume has none of the premeditated brilliance of the great Whig historian; it is free from that 'stamping emphasis' of which Lord Morley once complained. But the style fits the subject, being concise yet supple; it is laudably free from needless rhetoric, being set rather in the 'scientific' key. The order of treatment of the subjects (which cannot always be chronological) could hardly be bettered. Foreign politics are brought into adequate relation to the main theme, while the position in Scotland and Ireland at the various crises is sketched lucidly and with liberal insight.

It seems to us, however, that there is something rather grudging, if not indeed confusing, in the final estimate of William. He is rated as having no superior among his English predecessors, but is forbidden to take his place among the greatest, not because of inherent inferiority or any real sacrifice of English to Dutch interests, but simply because he was not an Englishman. This seems to us taking away with one hand what was being given with the other. As William's place in history is to be judged by his actual achievement (the comparative merit of which Professor Lodge does not dispute) can his mere Dutch descent and attachment form such discounting elements?

Altogether the volume is a most welcome contribution to the literature of the subject, and should find a place in the front rank of the studies

of a period that is extremely interesting but difficult to handle because of its 'unstable equilibrium.'

Besides containing a list of authorities, the book has a good index, and is supplied with maps showing the English colonization of North America and illustrating William's campaigns.

A. R. COWAN.

A HISTORY OF ABINGDON. By James Townsend, M.A. Pp. 183. With Illustrations. 4to. London: Henry Frowde. 1910. 7s. 6d. nett.

Abendonensibus Abendonensis hoc opusculum. Mr. Townsend's dedication at once gives the clue to both the merits and defects of his book. Strong local interest is its most striking feature. It is right and pleasant that an Abingdon scholar should write the history of Abingdon school, and that Abingdon churches should find a chronicler in one who has himself heard the 'peal of great sweetness' from their bells. At the same time the path of the local historian is beset with pitfalls, and a town history dealing with a period of twelve centuries is a difficult task. On the whole, Mr. Townsend's book belongs rather to the old than the new school of historical writing, and is not altogether free from some defects of the older method. First and worst of these is the tendency to rely upon secondary rather than primary sources of information. A glance through the authorities referred to in the footnotes of the present work at once suggests this criticism. One example may be given. An interesting episode in Abingdon history was an attack made on the abbey in 1327, 'in warlike manner.' Walls were broken, houses were burnt, vestments, chalices, church ornaments were stolen, while the sick prior was dragged off to Bagley, and threatened with the loss of his head if he would not do what his assailants wanted. Under this compulsion the latter secured various deeds, one binding the abbey and convent to them in £1000, others conferring certain privileges, among them the right to have a provost and bailiffs for the custody of the town, to be elected annually by themselves. Mr. Townsend quotes in full the account given by Anthony Wood in his *History of Oxford*, written in the seventeenth century. This he supplements by rather casual reference to 'state papers of Edward III.' to 'Edward III, patentrolls' (no page reference) and to a passage in the *Chronicles of Edward I. and II.* (Rolls Series) i. 345. This method is putting the cart before the horse. There is plenty of contemporary material for an account. The printed calendars of Patent and Close Rolls (especially *Cal. Pat. Rolls*, 1327-1330, pp. 151, 210, 221, 222, 287, 288, 289, 526, 559) contain the series of commissions of *oyer and terminer* set up to investigate the matter, as well as letters taking the abbey under royal protection. Primary sources such as these should have been thoroughly 'despoiled'—to use the expressive phrase of a French historian—before secondary authorities were cited.

On page 27 Mr. Townsend quotes from Mr. J. R. Green's *Short History* a tale of the sufferings of two Brothers Minor at a grange belonging to Abingdon Abbey. 'Grancia,' by the way, finds a closer equivalent in 'cell'

—that is, a dependent house. It would have been worth while to seek out the original, though Green does not indicate the source, if only to read the very characteristic visions and retribution with which the story closes. It may be found in Bartholomew of Pisa's *Liber Conformitatum*, and appears as an appendix in Mr. A. G. Little's recent edition of the *De Adventu Fratrum Minorum in Angliam*, or, Englished, in Father Cuthbert's translation of the same work.

The history of the great abbey forms a large and interesting part of the book, though a few of Mr. Townsend's *obiter dicta* concerning monasticism might give a captious critic opportunities. Medieval monasticism knew nothing of the 'cell' in the modern sense. It is therefore unwise to say that Blaecman built a church 'with monastic cells.' Freeman (*Norman Conquest*, iv. 143-4, n.) and the *Abingdon Chronicle* (Rolls Series), i. 474, are cited as authorities, but Freeman, translating the chronicler's phrase '*ad monachorum formam habitaculorum*' as 'buildings of a monastic pattern,' avoided the trap into which the present author falls.

Mr. Townsend's book is full of patient work, interesting detail and an enthusiasm which goes far to excuse both some amateurishness of treatment, and a few easily remediable defects such as those mentioned above. 'L'amour est la véritable clef de l'histoire,' said M. Sabatier. If so, Mr. Townsend will not find many closed doors.

The facsimiles of documents, which have been chosen in place of more conventional illustrations, are admirable.

HILDA JOHNSTONE.

THE ANNUAL REPORT OF THE AMERICAN HISTORICAL ASSOCIATION FOR THE YEAR 1908. In two Volumes. Vol. I. 8vo. Pp. 539. Washington: Government Printing Office. 1909.

So numerous are the papers and so extensive the material in the yearly report of the American Historical Association that its publication (usually later than its nominal date) loses nothing by keeping. The present volume registers discussions on the relations of geography to history, on teaching methods, on research in English history and on American and colonial and revolutionary history. Special articles also deal with census records as historical and economic data, and with the American newspapers of the eighteenth century as sources of information. Citations establish the deep interest of contemporary journals, which are not only stocked with domestic fact from 1704 onward, but reach the tragic point in the Revolution time. Perhaps one chief characteristic of such evidence scarcely receives due attention; that is the fact that its short views, its day to day register, and its futility in foresight, emphasise the occurrence of the unexpected in the actual course of events.

History in this diary form, in which to-day's fact is not coloured by to-morrow's result, probably has possibilities far beyond current estimates of historical method. Most writers of history deal with the beginning as a part of the end. The other way about, where to-morrow is not assumed, has much to say for itself, and in that mode newspaper evidence is invaluable, if not supreme.

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Military history receives its due in a triple criticism of the Wilderness campaign, a general, who was a participant, discussing Grant's conduct of it and insisting on Lee's 'one fatal blunder'; a colonel condemning Grant's 'hammering tactics' and praising Lee's superior skill; and a major holding between the two a balance heavily leaning to Lee's side.

Many very important facts are garnered in (1) an elaborate series of reports on 'archives of Maine, Missouri and Washington; and (2) a list of journals and acts of the thirteen original colonies and the Floridas preserved in the Record Office in London. The hundred pages of this list strikingly show how great a labour was the substructure and administration of the American States before the Revolution.

FROM METTERNICH TO BISMARCK. A Text-Book of European History, 1815-1878. By L. Cecil Jane. Pp. 288. With Plans and Maps. Crown 8vo. Oxford: Clarendon Press. 1910. 4s. 6d.

THIS account of sixty-three years of European history covers the difficult period from the re-settlement under the Holy Alliance to the entirely new era of Nationality. To say that it is well and carefully written is to say little. Metternich's position and outlook is treated with an insight and sympathy that can only come from real knowledge and study, and the gradual growth of the claims of Nationalities and of the recognition by the European Powers of the Republican Idea is exceedingly well brought out. The writer's account of the affairs of France is usually very happy, although the childlessness of the Duc de Berri (p. 26) is a misleading phrase, and the description of the accession of Louis Philippe, 'The Paris crowds wanted loaves of bread; they received a citizen king, his family, cash boxes, and umbrella,' is a true refrain from Thackeray. The rise of Bismarck and his system is also excellently recounted, and the whole book is one that gives instructive pleasure to its readers.

THE OFFICIAL RECORDS OF THE MUTINY IN THE BLACK WATCH. A London Incident of the Year 1743. Compiled and edited by W. D. MacWilliam. Pp. cxxviii, 237. With Illustrations. 4to. London: Forster, Groom & Co., Ltd. 1910. 12s. 6d.

THE mutiny of the Black Watch in 1743 had, in the editor's opinion, no inconsiderable influence upon the Jacobite rising which we now know as 'The '45.' The regimental records have for long been lost, and for this reason he prints verbatim all the military records on the subject which have been disinterred after a long search in the Public Record Office, and other original papers as well. In the long introduction he lays great stress on the fear expressed, by Lord President Forbes of Culloden, that if the Black Watch were sent abroad in 1743 it would cause great dissatisfaction in Scotland, left then without its Highland guard. He seems to think that the regiment, having really enlisted for home service in 1739, was thoroughly hoodwinked about the reasons why they were marched to London, and it is certain that during this march many deserted.

The order to embark for foreign service was the last straw, and part of the regiment, which never fancied it was to serve out of its native hills, promptly proceeded to try to march back there. The men were stopped by a pursuing force at Lady Wood, near Oundle, and after fruitless delays surrendered, and were taken, pinioned, to the Tower of London. A court martial of the kind in vogue followed, and all were condemned to death. This sentence was, however, commuted to transportation to regiments abroad, except in the case of three of the ringleaders—two Macphersons and a Shaw.

The Highlands were thus denuded of their native garrison, and soon were seething with discontent; and the Macphersons—two of whose clan had been shot (as we have seen) as leaders of the mutiny—played a gallant part in support of Prince Charlie in 1745-6. The book, which has considerable value in regimental history, is dedicated to the 'Brave Highlanders' who were 'victims of deception and tyranny, *nominatim*,' and to the three humane English officers connected with them.

BACON IS SHAKE-SPEARE. By Sir Edwin Durning-Lawrence, Bt. Together with a Reprint of Bacon's *Promus of Formularies and Elegancies*. Pp. xiv, 286. With Illustrations. 8vo. London: Gay & Hancock, Ltd. 1910. 2s. 6d. nett.

YET another lawyer has taken up the case of Bacon *versus* Shakespeare. Sir Edwin Durning-Lawrence—we are told in a paper sent out with this book—is a member of the bar, an LL.B., and a J.P. And here is a specimen of his evidence and proof: 'The mighty author of the immortal plays was gifted with the most brilliant genius ever conferred upon man. He possessed an intimate and accurate acquaintance, which could not have been artificially acquired, with all the intricacies and mysteries of Court life. He had by study obtained nearly all the learning that could be gained from books. And he had by travel and experience acquired a knowledge of cities and of men that has never been surpassed. Who was in existence at that period who could by any possibility be supposed to be this universal genius? In the days of Queen Elizabeth, for the first time in human history, one such man appeared, the man who is described as the marvel and mystery of the age, and this was the man known to us under the name of Francis Bacon.' The volume will serve as a good introduction to Baconianism. It presents a collection of Baconian ingenuities, exhibited—we believe—in all seriousness. If the reader has a taste for figures, let him see how Bacon's authorship is 'proved mechanically in a short chapter on the long word *Honorificabilitudinitatibus*.' This, the 151st word on the 136th page of the First Folio, is an obvious anagram for 'Hi ludi F. Baconis nati tuiti orbi'—which is 'a correct Latin hexameter,' and means, 'These plays, F. Bacon's offspring, are preserved for the world.' Those who do not enjoy the Baconian ingenuities may find some interest in the illustrations. What serious value the book has lies in them, and in the reprint of Bacon's *Promus*, which has been 'collated with the original MS. by the late F. B. Bickley, and revised by F. A. Herbert of the British Museum.'

A PHONOLOGY OF THE NORTH-EASTERN SCOTCH DIALECT ON AN HISTORICAL BASIS. By Heinrich Mutschmann. 8vo. Pp. x, 88. Bonn: Peter Hanstein. 1909.

A DOCTORATE thesis in the University of Bonn, this study of northern Scottish appears as one of the Bonn studies in English philology under the general editorship of Professor Bülbring whose student the author was. Now holding an educational appointment in England, he bids fair to prove a valuable auxiliary in our midst to the German wing of philological research into British dialect. His investigation starts from the basis of the dialect as, conjecturally, it existed about the year 1300; he claims to have formulated for the first time a 'sound-law,' that 'the regular representative of Middle Scots *au* is *ā*': we observe that his own examples prove a very healthy and numerous family of exceptions. He indicates the importance of Scandinavian and Celtic influence respectively. His observations on 'Polite Scotch' as a disintegrating factor of dialect are shrewd, and are results of first-hand examination. The whole thesis attests an acute and industrious application of the current German technical method—often not over-illuminating to us home-keepers—to the analysis of dialect. But it is difficult to rest content with a 'historical basis' itself based on a conjecture as to what the dialect was in 1300.

LONGMANS' HISTORICAL ILLUSTRATIONS—ENGLAND IN THE MIDDLE AGES. (Portfolio I. The XI Century; Portfolio II. The XII Century; Portfolio III. The XIII Century; Portfolio IV. The XIV Century; Portfolio V. The XIV and XV Centuries; Portfolio VI. The XV Century). Drawn and described by T. C. Barfield. London: Longmans, Green & Co. 1910. Price 2s. 6d. nett each portfolio.

A SERIES of pictorial charts of architecture, costume, and manners from the eleventh century to the fifteenth hardly needs assurance of welcome, when the work of delineation and description has been discriminatingly and intelligently done. Mr. Barfield's drawings, in which early buildings have a becoming prominence, are adequately touched with the archaeological spirit, and strive to make the past as far as possible yield an autobiographical record. The evolution of war, the Church, and the people, is exhibited in all the manifold and changing forms of feudal life. Ecclesiasticism in all its shapes, keeps, houses, armour, tournaments, sieges, ships, heraldry, popular customs, and the beginnings of industry are all rendered with painstaking and approximate fidelity. Had Mr. Barfield been yet more of an archaeologist perhaps the evolution of the Norman castle from the *Motte* would have given a sounder architectural centre-point. As it is, the types of 'Norman' castles are too advanced for the periods to which they are assigned; it was the fault of 'Castle Clark' himself, and is hardly yet rectified. But for the successive stages of general architecture and aspects of the contemporaneous life, students, whether of a younger or an elder growth, hardly need better, and cannot possibly have clearer guidance than is diagrammatically afforded by these progressive pictures of English history.

If in some future edition this panorama of five centuries should assume a format more convenient for reference its value for study would be enhanced. As it is, however, it seems to move with the centuries across which its track lies. Nothing can well be more notable than the increasing complexity of society as exhibited in the later sheets compared with the earlier. Fashions grow more extravagant alike in arms, costume, and dwelling. Mr. Barfield draws without any exceptional power of line, it is true, but with fair accuracy, a stately picture of England through the ages. His is a gallery in which art aims at actual truth, not at an aesthetic compromise of fact with beauty. Not the less, however, is beauty there.

JACOBITE EXTRACTS FROM THE PARISH REGISTERS OF ST. GERMAIN-EN-LAYE. Edited by C. E. Lart. Pp. xiv, 176. With Illustration. 8vo. London: The St. Catherine Press, Ltd. 1910. 21s. nett.

THIS record, full of the pathos of a lost cause, is the first instalment of a work of great interest to students of the Jacobite Period and of considerable value to Irish and Scottish genealogists. It gives the marriages, births, and deaths of the little band of Jacobites who settled at St. Germain-en-Laye (from the curiously spelled registers of which these records are extracted) round the exiled King James and Queen Mary after 1688, and who constituted the centre of Jacobitism until after the Queen's death. The great majority were in some way or another connected either with the exiled court or with the Irish Brigade, and many of the names are associated with the offices of the former, and show in a touching way how James II. was still treated as a king, and regarded by his following as if he was in every way king *de facto*.

There was still *par exemple* an 'Ambassador from the King of England' to Holland. We find a 'chef de goblet du Roy,' who appears in these pages, and there was an 'escuier de la bouche de la Reine.' The Queen's chief lady of honour, who from her constant appearance in these entries seems to have had much influence, was her old friend the Italian, Victoria Montecuculi d'Avia Countess of Almond, but she had also another Lady, Sophia Stuart, widow of Henry Bulkeley, of whom we should like to know more, as she was sister of Gramont's 'La belle Stuart,' but, unlike the latter, had followed the court into exile.

The King and Queen showed their interest in their adherents by becoming, with 'the Prince of Wales' and 'serenissime Princesse Louise Marie, Princesse d'Angleterre,' godfather and godmother to many children born to their dependents during their exile, and many of these 'born Jacobites' naturally perpetuated their parents' political faith, and followed their master's 'royal' son and grandson. But, if the King and Queen showed this interest in their Catholic court, they showed (perhaps because their sufferings were purposely hidden from them) terribly little in regard to their unfortunate Protestant subjects, who, having been equally ruined in their cause, also followed them into France. These were exposed to the most bitter persecutions from the French court and clergy to force them to abjure. The editor points out that it was wonderful that more did not do so, as they were poverty-stricken and could look to no other support except their

King. He tells us also that Lord Dunfermline, a Protestant whose fortune had gone in the Stuart cause, had to be buried at night by his friends to avoid scandal, and that Dr. Gordon, a Scottish Bishop, abjured to keep himself from starving. The same want of consideration was shown to the Quakers who followed the king into exile, and we find at least one 'Trembleur' forced to own his 'conversion.'

The entries in this book will fill many gaps in the difficult pedigrees of Irish exiles of the eighteenth century, and even in the better known Scottish family histories, and one is grateful to the editor for the learning, patience, and care that he has bestowed on this historical bypath.

A. FRANCIS STEUART.

THE SONG OF THE STEWARTS: PRELUDE. By Douglas Ainslie. Pp. x, 202. Demy 8vo. London: Arch. Constable & Co., Ltd. 1909. 7s. 6d. nett.

A MOST interesting experiment is being tried by Mr. Douglas Ainslie, best known, perhaps, as an interpreter of Eastern religious thought in his very original poem *John of Damascus*. The experiment is no less than that of attempting to record the history of Scotland, or at any rate of its royal house, in metre. His 'Prelude' carries the tale from the coming of Walter, son of Alan, to Paisley and Cathcart in the train of King David I. down through the strife with Norway and the war of Independence to the crusading journey of Douglas with the heart of Bruce. It is a story full of incident of battle and chivalry, and he is a poor patriot who will not enjoy these dashing new rimes of the old deeds, fired as they are with national spirit so intense that the author thinks

'the Jew Iscariot
Less felon than Menteith the Scot.'

He skilfully varies the graces of divers types of measure and stanza to suit the episode, whether it be a dirge for Wallace, a description of Bannockburn, or the moving narrative of the Douglas vow. One regret only the historical critic cannot avoid—that so clever a singer of history should not have had the good fortune to be kept abreast of the newer lights which abound on the lives of both Wallace and Bruce. How clear a conception of the national exploits and fortunes, however, can in a general way be afforded by a sympathetic poet interpreting the current version of the facts—with fresh genealogical data curiously interwoven—the readers of the Prelude will have no manner of doubt. Nor will the dustiest critic fail to enjoy with a new zest his country's history echoed in song.

New Facts concerning John Robinson, Pastor of the Pilgrim Fathers. By Champlin Burrage (8vo, pp. 35. 1s. 6d. nett. Oxford: University Press, 1910). A manuscript in the Bodleian has been identified by Mr. Burrage as a tractate, probably dating from 1609, written by an unidentified controversialist in answer to writings of Robinson. Incidentally it contains statements not only making clear Robinson's local connection with the Church of England in Norwich, but also indicating that his separation from the Church was not entirely voluntary. Students of puritanism and the Brownist position will find important data in Mr. Burrage's extracts and inferences.

A Short History of Southampton (8vo, pp. 256. Oxford: Clarendon Press, 1910. 2s. nett) consists of two parts, one being the general story of Southampton by Professor Hearnshaw, the other being collective studies of aspects of town life by various contributors, edited by Professor F. Clarke. Southampton has filled so large a part in English history that its annals are often saved from dulness, and its local celebrities range from Shakespeare's patron, the earl, to Isaac Watts, Richard Taunton (founder of a marine school), Charles Dibdin and Sir John Millais. The port plumes itself on the voyage of the *Mayflower* starting there. As a whole, the book does credit to the public-spirited auspices under which it is produced.

The Utopia of Sir Thomas More, edited by George Sampson (8vo, pp. xxv, 442. London: G. Bell & Sons. 5s.). Few volumes of Bohn's standard library can be more welcome to the literary antiquary than the new edition of the *Utopia*. It contains Ralph Robinson's translation, first printed in 1551; Roper's well-known life of More, his father-in-law; a series of the beautiful letters chiefly to and from Margaret Roper; and the Latin text of the *Utopia*, reprinted from the first edition of 1516, followed by a very significant bibliography covering both the life of Sir Thomas and his writings. Mr. A. Guthkelch's introduction gives in outline the few facts needed for preface, and Mr. Sampson's footnotes to the text are unobtrusive but requisite helps to the appreciation both of a great book and a great man. We wish the publishers would follow this up with a reprint of More's English writings, still buried in the inaccessible original folio of 1557.

Miss E. M. Wilmot, Buxton, has written *A Junior History of Great Britain* (8vo, pp. x, 210. London: Methuen & Co.) which succinctly sketches in anecdotal and biographical form the story of the kingdom. The union of the Crowns in 1603 is not mentioned, the Act of Union of 1707 appears as an entirely minor episode, the Union of Great Britain and Ireland is unrecorded, and the last chapter deals with 'the progress of England.' South English schoolmistresses should try to get more precision and a truer perspective for the history of Great Britain.

Great Britain and Ireland. A History for Lower Forms. By John E. Morris, D.Litt. (pp. viii, 480. Illustrated. Crown 8vo. Cambridge: University Press. 1910. 3s.). More than the 'Lower Forms,' for whom this history is intended, can read it with pleasure and profit. It is easily written, contains quite enough without being overladen with unnecessary facts, and is extraordinarily well illustrated. The pictures and maps really illuminate (unlike so many illustrated books) each period of which the author treats.

The public libraries committee of Newcastle-upon-Tyne did well to direct the librarian, Mr. Basil Anderton, to prepare a *Catalogue of Books and Tracts on Genealogy and Heraldry* in the Central Public Libraries (4to. pp. 68. Newcastle: Doig Bros. & Co.). The classification is unfamiliar, but the catalogue will be a service to research. This kind of antiquarian bibliography for rapid reference merits encouragement.

The Cambridge University Press has added to their series of useful County Geographies by issuing *Lanarkshire*, by Frederick Mort, M.A. (Pp. viii, 168. 1s. 6d.) The volume is illustrated, and has a couple of maps.

In American history 'Reconstruction' has an important place, being the name given to what might otherwise be called the pacification of the Southern States. Mr. John R. Ficklen contributes to the Johns Hopkins University Studies a stirring chapter of the story, being his *History of Reconstruction in Louisiana (Through 1868)*. (8vo, pp. ix, 234. Baltimore: Johns Hopkins Press, 1910.) Starting with a sketch of conditions *ante bellum*, followed by a short account of the State government during the war, Mr. Ficklen devotes much attention to General Butler's much abused administration in New Orleans before, during, and after the actual hostilities, and, in particular, discusses his policy of enlisting negroes on the side of the Union, and the effects of emancipation on the liberated but demoralised slaves. After the war negro suffrage became the great constitutional question, leading to passionate controversy culminating in riot and bloodshed in 1866, and to more serious violence and the 'massacre' of many negroes in 1868. This monograph on the course of events in a great Slave-State is a careful record of the part played by party action and ideas influenced by racial animosities in a time when civil war and slave emancipation had together produced a chaos and political fury perhaps without historical parallel.

Another of the Johns Hopkins University studies in Historical and Political Science is *The Doctrine of Non-Suability of the State in the United States*, by Karl Singewald, Ph.D. (8vo, pp. viii, 117. Baltimore: Johns Hopkins Press). Legal tractates in this series grow in importance as the magnitude of state interests under one administration gives so wide a play and therefore so varied a test in lawsuits to general canons of state-rights and liabilities. In the unceasing difficulty of reconciling government action with private property and privilege, the immunity of the state from being sued—a principle springing from English law—is not determined with the nicety and distinctions required. It is subject to large exceptions, for instance in international claims, but perhaps the class of liabilities to which its application has been the matter of most litigation is where not the state itself but a public officer acting on its behalf was the subject of an injunction, or a claim of damages, or for recovery of property. While generally the right of action against public officers would seem to supersede the maxim of non-suability, the leading judgments are not harmonious, and the problem is made more intricate where a federal question, the constitutional authority, is at issue. Dr. Singewald has grouped the American decisions and examined them with frankness and impartiality.

Transactions of the Inverness Scientific Society and Field Club. Vol. VI. 1899 to 1906. (Demy 8vo, pp. vi, 377. With Illustrations. Inverness: Courier Office. 1910.) Seven years' local study is garnered into this volume under the editorship of Mr. James Barron, and upwards of twenty

contributions out of five and fifty are historical and antiquarian. Dr. W. J. Watson, writing on the Celtic Church in Ross, deals with the lives of Saints Maelruba and Duthus. The Rev. G. A. Breguet traces the early history of Tain, touching on the privilege of sanctuary and transcribing documents and charters on the burghal liberties. Cromwell's Fort at Inverness is well described and illustrated with plans by Mr. James Fraser. Citations from seventeenth century accounts of it must interest any one who has seen the extant remains. Various tribute is paid to Hugh Miller in view of his centenary in 1902. A composite note on the field of Culloden accompanies a reproduction of the sketch plan of the battle made by Colonel Yorke, the Duke of Cumberland's aide-de-camp. A short notice of Kinloss Abbey is given by Rev. G. S. Peebles, minister of the parish. The editor himself contributes two good holiday articles, one on Gaul in Caesar's time, and the other descriptive of a visit to Alesia (now Mount Auxois, 38 miles north-west of Dijon), with plans showing the terrain and the lines of Caesar's circumvallation during the siege. This publication manifests a healthy spirit of history in the community of Inverness, and should stimulate local work.

Transactions of the Buteshire Natural History Society. Vol. II. 1909-1910. (8vo, pp. 89. Rothesay: Chronicle Office. 1910. 2s. 6d.) Amid the meteorology and zoology of these proceedings there appear three historical papers: on Prehistory of Bute, by Professor Bryce, M.D.; on the Town Council of Rothesay from 1654 until 1833, by Mr. R. D. Whyte; and on Rothesay in the Seventeenth Century, by Mr. A. D. Macbeth. Professor Bryce describes and classifies the early cairns and cists and their remains. Mr. Whyte tells his story by extracts from the old minute books, and is chiefly concerned to trace modes of election. Mr. Macbeth brings an important contribution to burghal study by the use he has made of 'the old rental buiks of the lands' within the burgh to show the rather puzzling distinctions of 'said lands, both heretage, commoun and king's landis.' It is the last category that gives difficulty, for evidently these 'king's lands' were, like the others, become private property. Many old place-names are set forth, as well as old surnames of occupants. A letter of Professor Maitland is appended. Some day we hope Mr. Macbeth will return to the subject of these peculiar land-tenures, and make a trial-plan of old Rothesay on the lines of that done for Glasgow in Mr. Renwick's *Glasgow Protocols*.

We have on a former occasion noticed Miss Griffin's Bibliography of books and articles on the United States and Canadian History. A further volume containing writings published during the year 1908 has just been issued. The volume implies much careful research, and should be of interest to librarians.

The Viking Club's serial publications are so many that they almost call for a catalogue quarterly. The *Old Lore Miscellany* (October) prints the closing part of a contribution, *Gróttasongr*, edited and annotated by E. Magnússon. It was wisely thought worth separate issue—*Gróttasongr*,

edited and translated by Eiríkr Magnússon. (Pp. 39. Coventry: Curtis & Beamish, 1910. Price 1s. 6d. nett.) There are two pages of facsimile from the fourteenth century MS. of this *Song of the Quern Grotte*—the quern of northern mythology through whose potent grinding the sea became salt. It is a poem of many enigmas which the editor's learning makes much less dark. Most helpful notes of all are the four prose passages prefixed, giving the leading versions of the strange Norse legend.

The Club's *Year Book* (Vol. II., 1909-10) has reports summarizing the year's studies and discoveries in matters Norse, besides a series of notes and reviews having a somewhat similar view. A band of keen workers is clearly going forward with great spirit in their task.

The *Berks, Bucks, and Oxon Archaeological Journal* never fails in richness of antiquarian matter on churches. The July number reproduces three brasses—a bearded civilian, John of Walden; a canon of Hertford or Hereford named Thomas of Busshbury; and a bachelor *utriusque juris*, William Skelton, provost in the cathedral church of Wells. In the October number transcripts are given from Oxfordshire parish registers. The rector of Hanborough, Dr. Peter Mews, in 1667, 'did utterly renounce the Solemne Leage and Convent' (sic). In 1570 a stranger and *peregrinus* dying by the wayside in Spelsbury was buried 'super montem nuncupatum Leedownes ex certis legitimis causis.'

The *Rutland Magazine* for July and October has many fine eighteenth century portraits of the Edwards family, whose estates passed to the Noels in 1811. Interest of another kind attaches to extracts made by the editor, Mr. G. Phillips, from quarter sessions records. A warrant and pass for an Irish vagrant in 1769 is included, to send him on from Rutland to Lancashire, and put him on board 'any ship or vessel bound for the said kingdom of Ireland,' and convey him thither.

Among the contents of the *Notes and Queries for Somerset and Dorset* (September), besides the many law papers and charters which are always so gratifying a feature of this magazine, there is a note on the Somersetshire 'dole-moors,' or pieces of common land divided into separate acres, each marked by a horn, pole-axe, dung-fork or the like cut in the turf under curious local folk-regulations. There is a capital portrait of Colonel Giles Strangways (1615-75), a royalist soldier whose ill luck was less notable than his loyalty. Excavations at Glastonbury Abbey receive descriptive attention.

Scotia always interests in its selection of pictures illustrative of Scottish landscape and life. Warm-hearted tribute is paid to Professor Blackie in the Lammas issue. The Martinmas number extols the work of William Burns (1809-1876), historian of the War of Independence.

The *Modern Language Review* (October) has an article by Mr. Wright Roberts showing the debt of Chateaubriand to Milton. Messrs. E. K. Chambers and F. Sidgwick edit part of a collection of fifteenth century carols by John Audelay, circa 1426. He is called 'Jon the blynde Awdlay' in one place of the MS. (Douce 302), and in another is described

as a chaplain '*qui fuit secus et surdus.*' One of the twelve carols now printed is *de rege henrico sexto.*

The Home Counties Magazine for June is a bright number, rich in pictures of open-air statues in London, and has articles on Judge Jeffreys, on the Friar-confessors of English kings (rather too discursive and indirect, but gossipy), and on the current pageants in English home-counties.

In its September issue are papers on Poplar Chapel, early churches of South Essex, and the history of Enfield. A continued paper on the open-air statues in London is, with its many pictures of these historical memorials, a revelation of the contribution made by sculpture to what is a surprisingly full record of public, political, and literary life in the metropolis, from Sir Richard Whittington's time till our own.

In the July issue of the *American Historical Review*, the root-question of the philosophy of history is treated in Mr. F. J. Teggart's article on 'The Circumstance or the Substance of History,' contrasting the conception of history as narrative of mere fact with the higher generalisation sometimes called evolution. Mr. Teggart's sympathies are not with the chronicler laying an undue emphasis upon 'events' and preoccupied in recording the vicissitudes of authorities. Perhaps he himself gives scarcely enough recognition to the fact that these are the foundations, though he might answer that architecture only begins there. But to call inferences substance, and actual facts only circumstances, is a challenge full of hazard.

Mr. L. M. Larson opens a new and important furrow and attempts to raise from the Charters of Cnut the material for inferences regarding changes of policy during various periods. In the first four years of his reign, 1016-20, he was establishing himself firmly in the throne. From 1020, after his return from Denmark, he began to utilise the services of Englishmen and to make for a unification of the peoples. At this time he started his long series of benefactions to English ecclesiastics. In the last years, 1030-35, the vigour of his sovereignty seemed to have exhausted itself.

Mr. James F. Baldwin completes his weighty study of the King's Council and the Chancery and their special phases of equity jurisdiction as they became gradually differentiated. They were essentially summary courts much used for cases of riot and violence, and largely resorted to in civil causes for appeals against the delays, or in respect of defect of jurisdiction of the common law. Mr. Baldwin, who has gone deeply into the whole subject, shows that the multitude of documents surviving must contain a great mass of historical matter, although mostly of subordinate value and difficult to verify.

In the October issue of the same *Review*, Professor Beazley makes an interesting commentary on the Crusade aspect of the expeditions from 1415 until 1459, along the coast of Africa, carried out by Prince Henry the Navigator, Infante of Portugal. Contemporary citations show the crusading side of these enterprises with a degree of emphasis lost in later history, which was more concerned with discovery and conquest than with the pious purpose which gave inspiration, or at any rate countenance to the

movement. That it was truly inspiration the chroniclers as well as the papal bulls patently show, and Professor Beazley strikes a telling note when he concludes by pointing out how fully the Portuguese in this as in other respects anticipated Columbus. 'To him the idea of crusade is part of his very life.'

Mr. Ralph Catterall tests the credibility of Marat and finds his veracity, in the matter of his own biography, so badly suspect as to make his unsupported statement quite untrustworthy. The chief test worked out is an examination of his narrative about the publication of his pamphlet, *The Chains of Slavery*, which was issued at London in 1774, but according to him was suppressed by Lord North until a new edition was brought out by a patriotic society at Newcastle. This tale of suppression Mr. Catterall maintains is false, and the Newcastle edition he believes to be only a re-issue in 1775 of the unsaleable copies of the London book, with a new title page. But the case against Marat needs more direct proofs than Mr. Catterall has yet brought forward.

An important series of historical documents is printed in this number, being the letters passing between Toussaint Louverture, President John Adams and Edward Stevens, in 1798-1800. Stevens was consul-general in St. Domingo, and his reports to the U.S. Government on his intercourse with the negro insurgent leader give a very intimate narrative of events, as well as a capable estimate of the policy and designs of Toussaint, first as merely general of the colonial army, and ultimately as invested by the inhabitants of the colony with supreme power, civil and military.

In the *Iowa Journal* (October) a long report is given of a conference held in May last of local historical societies of Iowa. Each of fourteen county historical societies was represented by a delegate who described its work and condition. From the disappointing accounts these delegates gave, it is severely clear that the fourteen societies of Iowa have not yet won their spurs in the field of history.

In the *Queen's Quarterly* (Jul.-Sept.), published by Queen's University, Kingston, Canada, the only historical contribution is Professor J. L. Morison's Political Estimate of Lord Sydenham, whose tactful and high-principled governor-generalship of two years, 1839-41, is sympathetically described as constituting him a true maker of the Dominion.

The *Revue d'Histoire Ecclesiastique* (October) has one continued article on the apocryphal Acts of Peter and the conclusion of another on the mystico-political ideas of a Franciscan, being a study of the *Arbor Vitae* of Ubertin de Casale. It has also the end of a sketch of the origins and development of the apostolic Secretaryship of State from 1417 till 1823. To the time of Innocent XII. (1691-1700) is ascribed the overthrow of nepotism and a consequent unity of direction to papal policy thenceforward. As usual this number, besides a weighty section of book reviews, is furnished with an appendix of bibliography (pp. 162) specialised into sections such as the publications and criticisms of sources, the history of divine service and discipline, and local and corporate records.

Bulletins de la Société des Antiquaires de l'Ouest. Troisième série. Tome I. (Jul.-Sept.). Poitiers, 1909. The principal paper in this part is a short account of the building used as the Town Council-hall of Poitiers from 1740 until 1791, now used as the library of the Society. References to armorial bearings formerly in the hall, and to others sculptured under the windows of the adjoining chapel, but apparently all defaced in 1791, are of great interest, and tend not a little to pique curiosity as to the history of the building, part of which appears to be assigned to the years 1459-60.

We take the opportunity of asking whether some member cannot explain the remarkable reference made in Wyntoun's *Chronicle* (Book ix. chap. vii. lines 859-60 of Mr. Amours' edition for the Scottish Text Society) to the great hall of Poitiers :

And Schir Thomas of Erskine was
Woundit thar felly in the face
He may weill, syne¹ the weme² apperis
Eit in the great hall of Poyteris.

We should welcome a communication from any archaeologist of Poitiers on the subject.

In the *Revue Historique* (Sept.-Oct.; Nov.-Dec.) special studies deal with Russia and the Italian policy of Napoleon III.; the advice of Villeroy to the Regent Marie de Médicis on the Mantuan succession in 1613; and the letters (curious and far from affectionate) between Louis XIII. and Marie de Médicis, his mother, in 1619.

A strike of labourers in 1786 at Paris is well described, with its attendant features of 'tumultuous and scandalous assemblies' in the streets, when shopkeepers were insulted by songs sung in derision of them before their doors. In 1785 a sort of parcel post had been instituted with red vans drawn by men. The *gagne-deniers* protested against this as an infringement of their privileges and struck work—a course of action in which they were backed by a good deal of public sympathy. Disturbances broke out, and the police had to drive off the strikers with fixed bayonets. Full of their grievances, a body of 800 men set out to march to Versailles in order to petition the king. He was hunting, and this—prophetic—deputation failed. A few of the men were punished by being paraded and put in the *carcan* with labels, '*Violent et rebelle envers la garde*,' and by fines. The strike achieved nothing, and the little red vehicles continued to run for a time. One important fact, however, which M. Marcel Rouff deduces from the matter is that the incident demonstrated the unanimity of public opinion against the government. 'It was,' he says, 'one of those movements in which the people tried their strength, and it was the prelude to acts better organized and directed.'

In those two numbers of the *Revue* appears a long article by M. Henri Cavaillès on a sort of federation existing in the valleys of the Pyrenees under the old regime, constituted by agreements of ancient standing between the dalesmen, on both the French and Spanish sides of the mountains. These were called *lies* and *passeries*, and were treaties of

¹ *syne*, since, as.

² *weme*, scar.

alliance and peace. *Passerie* (*patzaria*, *patzeria*, *carta de la patz*) seems to be a diminutive of *pax*. Pierre de Marca gives it the form of *passerille*. Originating long before the Pyrenees were the frontier line of two great kingdoms, these codes are found reduced to precise terms and articles from the twelfth century, although the oldest extant agreements between the opposite sides of the mountains belongs to the early fourteenth century. For a long time the valleys preserved a semi-independence, but in 1258 the Pyrenees became the boundary between France and Aragon, and the gradual consolidation of one royal authority north of the mountains and of another one south of them led to slow changes, culminating in the seventeenth century, when the old system broke up and the inter-valley treaties gave way to an administration now exercised by the *Commission des Pyrénées*.

Rights of pasturage and the like on the scattered plateaux and sheltered shoulders of the mountains—remote as well from the French as from the Spanish townships in the valleys below—had grown up through the course of centuries into definite and stable understandings and agreements. These regulated a whole series of usages for the exercise of common pasture and privilege, determined by the geographical position and by the contrast of climate between the opposite mountain slopes. The Spanish side is quickly parched in summer; on the French side there is more sheltering shade. Spanish flocks had right of feeding in certain months on the French soil and *vice versa*. Marketing arrangements were similarly international—if we may use that term to include the period before the kingdoms were defined. Salt was one of the indispensable commodities, and there are still shown, high up on the very frontier line, recesses cut in the rocks wherein of old the salt was measured. Naturally the systems of rights varied greatly: each valley had its treaty only with the two or three which marched with it; the codes were of origin so distant that tradition and legend gathered round them. Chief interest to a Scottish student must be in the many points of parallel those frontier codes, traditions, and legends present to the story of the *Leges Marchiarum*, the border code between England and Scotland.

Thus there are memories of the duel and sanctuary, of boundary crosses and debatable land (*milieu contentieux*), of annual payments of cattle, of fixed schemes of compensation, of usages of truce in warfare, and of regular commercial conventions—all bringing the Pyrenean law of the mountain into line with our law of the marches. So strong was the principle these local treaties of peace expressed that notwithstanding the consolidation of the nations and kingdoms, the valleys were at peace with one another in spite of the kingdoms being at war. The kings reserved their rights, but as these mountain fastnesses were no fit theatre for campaigns the mountain law was allowed, and peace had a refuge in the hills. This little *imperium in imperio* had as its centre the mechanism for adjusting disputes between the inhabitants of the valleys, and specially for determining the amends for cattle-lifting and other depredations inevitable under the conditions of their rustic life. Sometimes the award was levied on the village, but usually the liability was individual.

As on the English and Scottish border, deputies met at fixed times and at places determined by tradition or treaty to hear and decide upon claims. Just as our border customs included a dignified ceremonial when the Wardens of the Marches met at a Day of Truce or a March Day—the etiquette prescribing who was to salute and how the companies were to greet each other—so the seventeenth century historian of Béarn, following old Spanish authority, describes its Pyrenean analogue. At a spot on the frontier marked by a great stone a fathom and half high, the jurats of Roncal used to meet the jurats of Barétous. They stood facing each other across the march line, neither party saluting. The men of Roncal asked if they of Barétous would swear to the accustomed peace. This agreed to on both sides, the Roncalois laid their pike on the ground along the boundary line, and the Béarnois laid theirs across, making Béarn, as it were, the head of the cross. By this cross both sides knelt and swore to the wonted pactions. Five times over they cried aloud, *Paz abant* (peace henceforward); then they rose and greeted each other; and 30 men of Barétous drove over the line the three choice and spotless cows which were the traditional tribute due to the Roncalois. Then the Roncalois entertained the others to bread, meat, and wine, after which the proceedings resolved themselves into a public market.

These curious proceedings were the implement of a treaty made in 1375 after long and constant quarrels between the men of Béarn and their Navarrese neighbours across the mountain. The former were conceded the right of pasture on the Spanish side of the frontier, and the three two-year-old cows were a sort of rent. A law of trespass was stringently enforced by a custom of poinding or impounding called the law of *carnal* or *carnau*, evidently implying an original right to kill and eat the animals found on forbidden territory. It was in 1646 suppressed and a fixed compensation in money substituted. The learned exponent of these frontier practices sees in the entire system unfailing indications that the *passeries* in their essence presuppose a state of warfare, and his numerous citations show that the border meetings on the Pyrenean slopes, like ours on the Tweed and the Solway, were in fact as well as in name days of truce. Much archaism is visible in these frontier usages of the mountaineers which were well worthy of the fine exposition M. Cavallès has written.

Communications and Replies

‘FURTHER ESSAYS ON BORDER BALLADS’ (*S.H.R.* viii. 108). Mr. Lang writes, with reference to ‘Auld Maitland,’ that certain letters entirely clear Sir Walter Scott ‘from the charge of having been art and part with Hogg in palming off a modern imitation on the world, while representing it to Ellis and Ritson as a genuine antique. Such conduct would have been highly dishonourable.’ This sentence is ambiguous; it may mean that to pass off an imitation on the world—and that was my charge—is dishonourable, to which the reply is Sir Walter did not think so. It may mean that to include friends in such a deception is dishonourable—that to deceive a friend is more objectionable than to confide in him and force him to choose between betraying and screening you. Unless Scott can be claimed as favouring this view, Mr. Lang’s argument falls to the ground. Again, too much value may be attached to letters as evidence; thus, hasty judges might have pronounced some of Scott’s letters to be clear proof that he was not the author of ‘Waverley.’ Are we not too serious? Is there not something humorous in everything relating to this ‘genuine antique’?

As to ‘Otterburn,’ Mr. Lang says he has shown ‘how Scott edited it, what he excised, and what he took from’ other copies. This does not weaken my argument that the ballad is not genuine, and it strengthens my contention that it was not obtained in the manner related in the *Minstrelsy*. Sir George Douglas rightly says ‘the “aged persons” who “lived at the head of Ettrick Forest,” and stored ballads in their retentive memories, have had their day’ (*S.H.R.* vii. 419).

For his views on ‘Kinmont Willie’ and ‘Jamie Telfer,’ Mr. Lang relies ‘faute de mieux’—an expression implying a knowledge of weak foundations—‘on ballad lore’—I know of none relating specially to either ballad—‘on logic,’—so also do I, though it has somewhere been referred to as ‘that wonderful one-hoss shay’—‘and on literary criticism.’ I am glad to remember that Mr. Lang has referred to my literary criticism of ‘Jamie Telfer’ in terms of high approbation (*S.H.R.* iv. 87).

FITZWILLIAM ELLIOT.

My little book, *Sir Walter Scott and the Border Minstrelsy*, contains all that I have to say in reply to Colonel FitzWilliam Elliot’s letter. My proof of Scott’s entire innocence of forging *Auld Maitland* and of telling falsehoods about that ballad reposes on facts, which I give, and on ascertained dates.

As to *Otterbourne*, I give every detail of Scott's making of the text published by him; his proceedings were those which he professedly employed when he had before him incomplete variants in MS. or even complete variants.

As regards *Jamie Telfer* and *Kinmont Willie*, as there is almost no external evidence, I do as Colonel Elliot does; I criticise the ballads as we possess them, commenting on some features unnoticed by Colonel Elliot. He says that of 'ballad lore' he 'knows none relating to either ballad.' That is his misfortune, not my fault! I am able to give references to the appearance, in other old ballads, of most of a verse which we read in Scott's, but not in Sharpe's, version of *Jamie Telfer*. The stanza, in *Jamie Telfer*, is meaningless; wherefore I presume that it was not inserted by Scott. It is rather curious, though unimportant, that in a chapter-heading of *The Black Dwarf* Scott gives a variant version of a stanza of *Jamie Telfer*. Mr. W. J. Kennedy also points out to me that in a book called *Feats on the Border*, of about 1830, there occurs an otherwise unknown stanza of *Kinmont Willie*.

To Mr. Kennedy I also owe complete proof, from a MS. of Laidlaw's, that Leyden did not know Hogg till the day after that on which Laidlaw gave to Scott, in Leyden's presence, Hogg's holograph MS. of *Auld Maitland*. This is important, because, on Colonel Elliot's theory, Hogg and Leyden must have known each other; and from Leyden Hogg might have got his knowledge of 'Auld Maitland and his bairnis three.' The theory is ingenious, but baseless.

As I prove, in my book, that Scott deceived nobody in regard to *Auld Maitland*, I might be dispensed from remarking on an example of Colonel Elliot's logic, but it invites comment. As a matter of fact, Scott received from Laidlaw, in the spring vacation of 1802, the MS. of *Auld Maitland* which Hogg had sent to Laidlaw. In the same spring Scott sent this same holograph MS. to Joseph Ritson, with an account of its *provenance*, which was entirely true. Had Scott lied in his account, I have my own opinion as to the ethical nature of his conduct: it would be 'highly dishonourable.' Colonel Elliot says that 'I may 'mean that to include friends in such a deception is dishonourable—that to deceive a friend is more objectionable than to confide in him and force him to choose between betraying and screening you.' *Manet sors tertia*: you need say nothing about the matter to your friend, to Ritson or Ellis. I hope never to return to these 'antiquarian old womanries' again, but if any one can disprove the facts and dates on which I rely in the matter of *Auld Maitland*, I will 'burn my faggot' with due publicity.

A. LANG.

The editor has sent Mr. Lang's note to Colonel Fitzwilliam Elliot who writes: 'Mr. Lang's "ballad lore" is now limited to appearances, in old ballads, of part of a verse in Scott's version of "Jamie Telfer." How this bears upon the genuineness of the older versions—and that is the whole of my point—it is impossible to understand.'

Colonel Fitzwilliam Elliot also adds, that 'regarding *Auld Maitland*

Mr. Lang is incorrect in saying that my theory depends upon when Hogg and Leyden first became acquainted.'

The editor would call attention to the paper on Border Ballads by Professor W. Paton Ker on page 190 of this number of the *Scottish Historical Review*.

EARLY CHARTER AT INVERARAY.—The following charter, found last year by me at Inveraray, in the Argyll charter chest, into which it seems to have strayed in some manner, is the earliest writ now extant in that charter room, and I suppose the lands named are in Fife. Two earls of Fife bore the name of Malcolm, the former holding the earldom from 1203 to 1228 and the latter from 1228 to 1266, and it is probably to the latter that this writ should be assigned. Alexander of Blar, a witness herein, had himself a charter of the lands of Thases, Kinteases, and Ballendurich for service of one knight from Earl Malcolm of Fife, to which William of Wiuille, Walter and Gregory, chaplains, are all witnesses. (Vide *Fourth Report Hist. MSS. Com.*, p. 503, *penes* Earl of Zetland, formerly *penes* Earl of Rothes.)

'Comes Malcolmus de fif omnibus amicis suis et hominibus salutem Sciant presentes et futuri me dedisse et concessisse et hac mea carta confirmasse Ricardo filio Andree de Lintune meas tres tarvez per rectas divisas suas cum omnibus justis pertinentiis suis et Findakech et medietatem de Balebranin per rectas divisas suas et cum omnibus ipsius pertinentiis quibuscunque. In bosco et plano in pratis et pascuis In moris et maresiis In stagnis et molendinis et In omnibus aliis aisiamentis eisdem terris predictis pertinentibus. Tenend sibi et heredibus suis de me et heredibus meis in feudo et hereditate, adeo libere et quiete plenarie et honorifice sicut aliquis miles in regno scocie feudum suum de comite ut barone liberius quociens plenius et honorificentius tenet et possidet faciendo servicium unius militis in Testibus Alexandro et Willelmo de Blar, Willelmo de Wyvilla, Elia filio odonis, Willelmo filio Alexandri, Waltero et gregorio capellanis. Stephano de Blar, Gregorio filio Walteri de Ecclis, Rogero de berkeley, Willelmo clerico cum nonnullis(?) aliis.'

A very fine and perfect seal in green wax remains appended on a cord of interwoven black and brown thread, bearing the equestrian figure of an armed knight apparently crowned with flowing surcoat, sword in hand and shield on breast. Legend, SIGILLUM MALCOLMI COMITIS DE FIF. Reverse, a small shield (obliterated); legend, SECRET COMIS M. DE FIF. Dimensions of charter, 8 $\frac{3}{8}$ inches by 4 inches plus 1 inch folded over.

Dorso is written, 'Charter be Malcolm Earle of Fife to Richard sone to Andrew of Linton of the lands of Tarbet without date,' and another hand has written '1217-1266.'

I have expanded the numerous contractions in the above transcript.

NIALL D. CAMPBELL,

LETTERS FROM FRANCIS KENNEDY RELATIVE TO THE SIEGE OF EDINBURGH, 1745. The Editor has to thank Mr. John Morrison for pointing out that the letter from Mr. Francis Kennedy (*S.H.R.* viii. 54), which is dated 8th September, 1745, should have been dated 8th October, 1745; this letter, instead of being the first of the series, should, therefore, have been the third. The Editor regrets that this error in dating on Mr. Francis Kennedy's part was not noticed earlier. The occupation of Edinburgh by the Jacobites only began on 17th September, and internal evidence also goes to show that this letter should have followed that of 5th October.

THE CORONATION STONE OF SCOTLAND. How great a hold on Scottish and English history, and on English as well as Scottish imagination, the 'stone of Scone' possesses is well shown by Mr. George Watson's paper in the transactions of the *Scottish Ecclesiological Society* on 'The Coronation Stone of Scotland,' of which he has sent us an offprint. It is an excellent statement of the whole story, supplementing at many points W. F. Skene's classic essay on the subject. It traces anew the pedigree and adventures of this famous stone and the literature of romance, prophecy, record and chronicle which time, ever prone to broider fact with legend, has evoked.

Geology is said to favour a native Scots origin, as authorities forty years ago agreed that the stone was of west-coast Scottish sandstone. This discredited the legend of an Egyptian source and a journey westward interrupted by a sojourn of 2000 years or so in Spain prior to its being set up in Ireland for an age or two, before its conveyance across the Channel to Lorn and Scone. The legend appears at least as early as 1301, then simply bearing that Pharaoh's daughter sailed to Ireland and thence to Scotland carrying the stone with her.

That long before this it was invested by tradition with high national sanctions appears sufficiently from Hemingburgh's description of John Balliol's coronation in 1292, when in accordance with the ancient ceremony the king was set in the 'huge stone' beside the great altar of the monastery-church of Scone. On Balliol's overthrow in 1296 Edward I. carried off the stone to Westminster whence, in spite of negotiation and direct undertaking by treaty to return it, it never returned.

Mr. Watson has faithfully assembled the medieval historical references to it, but we suspect there must be many even of the early period and still more since the Union which would increase the value of the collection. It strikes a Scotsman as very curious that such a work as Mr. Wickham Legg's *English Coronation Records* should be indefinite and devoid of information about the 'Stone of Destiny'; and that among all the profusion of liturgical writings on the ceremonial of the coronation, with its more than ample store of petty rubrics about faldstools, imperial mantles and holy oil, the ingenuity of court ceremonialists from the time of Charles I. till that of Victoria should never have found room in the 'Coronation Orders' for the fact that the stone is a great historic part of the function. 'King Edward's Chair' is no doubt a fit enough memory of St. Edward. It is meet that

English traditions should live even in rubric, but why should not the 'stone of Scotland' be specifically countenanced in the liturgy of the day?

Mr. Watson's numerous, and often odd, citations do not seem to include one from a chronicle noticed by Leland (*Collectanea*, i. 189) where, following an account of the coronation of Henry IV. there is mention of the *Lapis regalis Scotiæ*. We observe with pleasure that he adds to the stock of known allusions a passage from a Bodleian manuscript attributing to Moses the prediction about the 'fatal' stone that

qui ceste pierre a vera
De molt estraunge terre conquerour serra.

This form of the prophecy is a little more general than the well-known standard couplet,

Ni fallat fatum Scoti quocunqve
Inveniunt lapidem regnare tenentur ibidem.

['The Scottis sall brook that realme as native ground,
gif weirdes fail not, q'ever this chyre is found.']

But the broader prophecy has had perhaps the more triumphant vindication.

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The Beginnings of St. Andrews University

1410-1418.

I

THE cathedral town of St. Andrews became the home of the first Scottish University in 1410. St. Andrews was then, and has ever remained, an ideal place for a seat of learning. The town had been growing steadily for centuries, under the fostering care of a long succession of bishops ; but its geographical position was an effectual barrier to its becoming the centre of a great population. In this respect time has wrought but little change. St. Andrews, although in touch with all the world, is still far from being one of the busy haunts of men. The two 'seas' which were once complained of as being to its disadvantage have now been bridged, but men and things are only the more swiftly carried past its doors. The gray old town remains standing isolated and remote. It is true that it increases in area and in the number of its inhabitants with the years, but its growth continued, until quite lately, to be relatively slow.

In plan and general outline St. Andrews has not altered much since the natal year of its University. The twentieth century finds it stretching itself towards the south and west, and covering its suburbs with villas and gardens. The fifteenth century found it confining itself within narrower limits, as if for greater warmth and safety, and with nearly all its principal buildings clinging close to the north and east. A large part of the ground now built

upon was then, and for centuries afterwards, ploughed land and pasturage. The billows had forbidden the encircling of the legendary shrine of St. Regulus with human dwellings, and so the cliffs above and beyond his sea-girt cave became crowned with piles of masonry. On the one side, towards the south-east, stood what had been a Culdee church and monastery, otherwise known as the Church of St. Mary of the Rock, and at one time a Chapel Royal. Not far off stood the church dedicated to St. Regulus himself, with its time-defying tower, which still looks down upon the ruins of once massive buildings greatly younger than itself. Close by were the extensive buildings and grounds of the Augustinian Priory, founded in 1144, with its magnificent cathedral church, begun about 1160 but not consecrated until 1318. On the other side, towards the north, the Castle or Palace of the Bishops, dating from about 1200, rose sheer from the water's edge. Nearer still, a few yards to the south, there was, it is believed, a chapel dedicated to St. Peter; while close by the cathedral stood the earliest parish church.

This group of ecclesiastical buildings crowned a rocky promontory—anciently known as Mucross—and looked straight out upon the cold North Sea. They formed the nucleus of a town which sprang up and prospered under their shadow. This nucleus at first bore the Celtic name of Kilrimont, but long before it had attained to any size the town had come to be known as St. Andrews. Hemmed in between a rivulet and the sea, it took shape accordingly. From near the main entrance to the cathedral three long, and for the most part spacious, streets extended in a westerly direction. These streets ran nearly parallel, except that they converged upon the cathedral, and their outer ends terminated in ports or gateways. They were known respectively as the Northgate, the Marketgate, and the Southgate, and here and there were joined by narrow lanes bearing even homelier names. Along the cliffs, between the Kirkhill and the Links, and passing the entrance to the castle, there ran a roadway, rather than a street, inasmuch as it was lined on either side by crofts instead of houses. This was known as the Castlegate, afterwards as the Swallowgate, and later still as the Scores.

The Southgate was the principal street—the 'via regia.' It was longer than the two other streets, and its east end was for many generations the fashionable quarter of the town. Here were to be found the lofty and substantial houses of churchmen, of the aristocracy, and of the wealthier merchant burgesses.

Elsewhere were the booths and dwellings of the craftsmen and traders, and the homesteads of the land-labourers, or crofters, who farmed the Priory acres. A few sailors and fishermen had settled near the castle; bakers, maltsters, and brewers were plentiful; but no single industry was engaged in on an extensive scale. Merchandise came and went for the most part by sea—the estuary of the Eden, four miles away, being the recognised port at which the petty customs of the burgh were levied. With the exception of the Dominican or Black-Friars' Monastery in the Southgate, no ecclesiastical building of any importance had as yet been erected in any of the streets or lanes; but the transference of the Parish Church of the Holy Trinity to the centre of the town followed immediately upon the founding of the University. The existence of 'Temple Tenements' in all three streets indicates the presence of the knights of St. John of Jerusalem; and there are charter references to 'inns' and other houses of considerable size, as well as to chapels, both in the Southgate and the Northgate.

There would also be municipal buildings of some sort, probably in the Marketgate, for St. Andrews had been a royal burgh since the time of King David II., and had a line of provosts going back to about 1135. But even in the fifteenth century its actual ruler was the bishop, and under him the prior and the archdeacon. The town laid claim to a saintly origin, and the whole atmosphere of the place was still essentially ecclesiastical. Churchmen of all grades were constantly to be seen on its streets. They were the only men who could pretend to possess even a little education, and so all posts of influence and emolument fell to their lot. Apart from supplying the daily needs of the community, there was little scope for trade or commerce. It was as the ecclesiastical capital of Scotland that St. Andrews flourished. Its resident clergy were numerous and influential, and there was a constant coming and going of dignitaries both of church and state. Being the seat of the principal official of the diocese, much legal business fell to be transacted within its walls.

Such learning as Scotland possessed from the twelfth to the fifteenth century was well represented at St. Andrews. Not a few of its bishops were men of refinement and intellectual culture, to whom the sons of kings and nobles were entrusted for their early training. Even before the foundation of the Priory and the building of the Cathedral, St. Andrews had become known as a centre of education. Thus, as early as 1120,

Eadmer, on his election to the bishopric, was welcomed by the scholars and people of St. Andrews.¹ About a century later, between 1211 and 1216, a dispute arose between the Prior and the 'Master of the schools of the city of St. Andrews and the poor scholars of the said city' regarding certain endowments pertaining to the schools—a dispute which was amicably settled under a reference to Pope Innocent III.² Again, the Exchequer Rolls of Scotland show that in 1384 and also in 1386, payments were made on behalf of James Stewart, son of King Robert II., and Gilbert of Hay, son of Thomas of Hay, who were then studying at St. Andrews—the one 'stante in studio apud Sanctum Andream,' the other 'existente in scolis ibidem.'³ These schools were doubtless in some way connected with the Church; and, although nothing definite is known regarding the educational arrangements of the Priory, it is reasonable to assume that they included a training school for novices, and probably for others. So late indeed as January 18, 1467, reference is made in the University records to a grammar school (*schola grammaticalis*) within the monastery, which the Faculty of Arts was anxious to suppress.⁴ Martine, writing in 1683, asserts that 'upon the west of the [Cathedral] Church there stood a Lycaum, where the famous Scotus his quodlibets were taught.'⁵ Of this building nothing now is known, except that massive foundations still exist upon its reputed site.

It is therefore not surprising that the closing year of the first decade of the fifteenth century witnessed the commencement of a *Studium Generale* in St. Andrews. The wonder rather is that this important event should have been deferred so long.⁶ Two causes may be assigned for the foundation of a Scottish University at this particular period. The one is the strained relations that had for some time prevailed between Scotland and England; and the other is the great Schism which had existed in the Church since 1378. The former put many difficulties in the way of Scottish students attending the Universities of Oxford and Cambridge;

¹ 'Post haec ad ecclesiam Sancti Andreae venit, et, occurrente ei regina, susceptus a scholasticis et plebe pontificis loco successit.' *Historia Novorum in Anglia* (Rolls Series), p. 283.

² *Registrum Prioratus*, p. 316.

³ *Exchequer Rolls*, vol. iii. pp. 121, 138.

⁴ *MS. Acta Facultatis Artium*.

⁵ *Reliquiae Divi Andreae*, p. 187.

⁶ Major, who records the foundation of the University of St. Andrews in a single line, adds: 'Praelatorum Scotiae incuriam admiror, qui Universitatem ante hos dies nullam in regno habuerunt.' *Historia*, l. vi. c. 10.

and the latter not only led to their molestation there, but it limited the freedom of movement as well as the financial support which students generally had been wont to enjoy on the Continent. Of these two causes the latter was probably the more potent. For a good many years before 1410 there seems to have been comparatively little academical intercourse between Scotland and England. On the other hand Scottish students found their way in considerable numbers to the Universities of France and Italy. So long as France and Scotland owned allegiance to Clement VII. and his successor Benedict XIII., Scottish students laboured under no disadvantages. But the case was quite different when France, and especially the University of Paris, took up a hostile attitude to Benedict XIII., and the crisis came when he was deposed, along with Gregory XII., by the Council of Pisa on June 5, 1409.¹ As Scotland disregarded the decision of the Council and continued to adhere to Benedict, Scottish students whether pursuing their studies in England, France, or Italy, would be deemed Schismatics, and the need for a university at home would at once become a matter of extreme urgency.²

The precise circumstances in which the University of St. Andrews arose have not been definitely stated by any of the early historians of Scotland, and its own extant records yield no information on the point. There is nothing to indicate that its institution was a long-premeditated act. The limited information available rather favours the view that it was called into existence to meet a sudden emergency. For although the University is in possession of a foundation charter embodied in

¹ Even before this futile attempt to heal the Schism, the feeling in France against Benedict was very bitter as may be seen from numerous contemporary documents. For example, on May 21, 1408, the University of Paris declared 'Petrum de Luna fore non tantum schismaticum pertinacemque habendum, verum etiam haereticum, perturbatorem pacis et sanctae unionis ecclesiae.' Whereupon, on June 5, Charles VI. ordained 'qu'aucune créance ni obéissance ne soit désormais accordée aux bulles et lettres de Pierre de Lune, pour dons de prélatures, dignités ou bénéfices.' Further, on March 20, 1409, Charles announced that he had reserved a thousand benefices to be disposed of in favour of members of the University of Paris as a reward for the great zeal with which they had laboured to re-establish the union of the Church, without asking or requiring any favours from Pope Benedict. Bulaeus, *Hist. Univ. Paris.*, vol. v. pp. 160, 167, 186; Jourdain, *Index Chartarum*, p. 223.

² Cosmo Innes recognised the consequences of the Schism as they affected Scotland and England, but it does not appear to have occurred to him that they were even more far reaching as regards Scotland and the Continent. *National Manuscripts of Scotland*, pt. ii. p. xv.

a confirmatory papal bull, the granting of this charter does not appear to have been the initial step in the founding of the University. It was more probably the immediate, or at all events the early, result of the University's actual existence. Such at least is the inference to be drawn from the oldest extant account of the beginnings of the University. Walter Bower, Abbot of Inchcolm, the continuator of Fordun's *Scotichronicon*, who had excellent opportunities of knowing the exact circumstances, makes no mention of a foundation charter at all in the short chapter he devotes to the foundation of the University. He is even silent as to who the founder was. All he says is that in the year 1410, 'after the feast of Pentecost [May 11], a *Studium Generale Universitatis* began in the city of St. Andrew of Kylrymonth in Scotland, in the time of Henry of Wardlaw, bishop, and of James Biset, prior, of the said St. Andrew.'¹ The charter was not issued till more than a year and nine months later, viz. on February 28, 1412.

Subsequent documents show that four persons were closely associated in the foundation of the University. These were the King of Scotland, the Bishop of St. Andrews, the Prior of St. Andrews, and the Archdeacon of St. Andrews. Others no doubt lent their aid, but these are the men who are entitled to rank as its chief promoters. All four were men of learning and culture, to whom the founding of a university must have been a congenial enterprise. In a former number of the *Scottish Historical Review*² I have dealt with the share taken by King James I. in the founding of the University of St. Andrews, and there is no need to refer to the facts of his life here. In the present paper I therefore confine myself to brief notices of the Bishop, the Prior, and the Archdeacon.

Bishop Wardlaw is usually described as the younger son of Sir Andrew Wardlaw of Torry, Fifeshire; but this is not borne out by the results of recent investigation. He was most probably a younger son of Henry Wardlaw of Wilton, in Roxburghshire, and grandson of Henry Wardlaw of Wilton, who, in the beginning of the fourteenth century, married a niece of Walter, Lord High Steward of Scotland. Early in the fifteenth century, the laird of Wilton married the eldest daughter and heiress of Sir James de

¹ *Scotichronicon*, l. xv. c. xxii.

² Vol. iii. p. 301. As this and the former article cover part of the same ground, it has not been possible to avoid a certain amount of repetition, but the one does not altogether supersede the other.

Valoniis, of Torry and Lochore, and from that time the Wardlaws were generally designated as 'of Torrie.' Bishop Wardlaw was a nephew of the celebrated Cardinal, Walter Wardlaw, Bishop of Glasgow. He was probably born about 1365, but neither the name of his mother nor the exact year of his birth has been discovered.¹

As early as 1378, when he must have been quite young, his uncle petitioned Clement VII. on his behalf for a canonry of Glasgow, with expectation of a prebend.² On December 7, 1380, he was granted a safe conduct by King Richard II. of England, to enable him and his kinsman, Alexander Wardlaw, to attend either of the Universities of that country.³ He is said to have chosen Oxford, but he cannot have remained there long, as his name appears in the list of Determinants of the University of Paris for the year 1383, along with that of Alexander.⁴ By October 5, 1387, he was Licentiate in Arts, and had been studying Civil Law at Orleans for two years.⁵ In a benefice roll dated August 9, 1393, addressed to Clement VII. by the University of Avignon, the name of Henry Wardlaw occurs among the graduates of noble birth.⁶ In a similar roll addressed to Benedict XIII. by the same University in the following year (October 18-23, 1394) he is again entered among the 'nobiles,' and is described as 'Henry de Wardlaw, Licentiate in Arts, Precentor of the Church of Glasgow, born of noble parentage, who is nephew of dominus Walter of good memory, Cardinal of Scotland.'⁷ In a petition of 1395 for another benefice (granted April 24), he is described as a student of Canon Law.⁸ In subsequent years he is variously designated as Licentiate in Arts, and Bachelor and Doctor of Canon Law. During his protracted residence in France he obtained various lucrative ecclesiastical preferments in Scotland, most of which he appears to have held simultaneously.⁹

¹ In the matter of the Wardlaw genealogy I follow the guidance of Mr. J. C. Gibson, who has devoted much time and labour to the subject, and who was kind enough to revise and correct what I had previously written.

² *Calendar of Petitions to the Pope*, vol. i. p. 548.

³ *Rotuli Scotiae*, vol. ii. p. 31.

⁴ *Auctarium Chartularii Universitatis Parisiensis*, vol. i. col. 648.

⁵ *Calendar of Papal Letters*, vol. iv. p. 255.

⁶ Fournier's *Statuts et Privilèges des universités françaises*, vol. ii. p. 331.

⁷ Fournier's *Statuts*, vol. ii. p. 343. ⁸ *Cal. of Petitions to the Pope*, vol. i. p. 584.

⁹ His name is of frequent occurrence in the *Cal. of Petitions to the Pope*, vol. i. and in the *Cal. of Papal Letters*, vols. vii. viii.

The promotion of Henry Wardlaw to the bishopric of St. Andrews was a spontaneous act on the part of Benedict XIII., at whose Court he is supposed to have been at the time resident,¹ and by whom he was held in high esteem.² The see had been practically vacant since the death of Bishop Walter Trail in 1401, although no less than three elections had taken place. During the vacancy the Pope himself was in difficulties and had been besieged in his palace at Avignon, but he appears to have acted with great discrimination, and a wiser selection than Wardlaw could hardly have been made. He had much in common with his predecessor Bishop Trail, who had also been preferred to the see without election. His ideals were of the same lofty nature, his learning was equally varied, and his zeal for the purity of church life and for the correction of abuses was not less fervent. Bishop Wardlaw lived long enough to see the University firmly established. He died at a good old age on April 6, 1440.³

James Biset had been Prior of St. Andrews since 1394, and was Vicar General during the vacancy in the see between the death of Bishop Trail and the consecration of Bishop Wardlaw. Before his promotion he was one of the canons of the Priory. He was a Licentiate of Canon Law, probably of the University of Avignon,⁴ and had lectured on that subject in the University of Paris for three years previous to 1391.⁵ Like other churchmen studying abroad, he was provided to various benefices at home, including the Priory

¹ This supposition appears to rest on Bower's phrase: 'repatriavit à curia Avinione.' *Scotichronicon*, l. vi. c. xlvi.

² So far as I know, the exact date of Wardlaw's appointment to the bishopric of St. Andrews has not hitherto been given by any writer on Scottish history. The late Bishop Dowden, in his 'Notes on the succession of the bishops of St. Andrews' (*Journal of Theological Studies*, vol. v. p. 254) states that 'a lacuna in the archives at Rome prevents us from affixing a precise date to his provision.' Working on the basis of recorded consecration years, the bishop skilfully narrowed the issue to between May 20, 1403, and September 13, 1403. But there is no lacuna in the Vatican archives at that particular period, and the precise date of Wardlaw's provision (September 10, 1403) was given by Denifle, so long ago as 1894, in the *Auctarium*, vol. i. p. xxxv., and again in 1898 by Eubel in his *Hierarchia Catholica*, vol. i. p. 88. I lately procured a full transcript of this provision from the Papal registers and append it to this article.

³ *Scotichronicon*, l. vi. c. xlvi.

⁴ His name occurs in a benefice roll of that university dated Aug. 9, 1393, in which he is designated 'can. expr. prof. eccl. S. Andree, ord. S. Aug., in jure can. lic.' Fournier's *Statuts*, vol. ii. p. 332.

⁵ *Gal. of Petitions to the Pope*, vol. i. p. 575.

of Loch Leven.¹ On July 6, 1395, the Prior was stated to be acting in the Roman Curia.² Bower, who up to 1418 was also a Canon at St. Andrews, is exceedingly lavish in his praise of Prior Biset, whom he declares to have been second to none of his predecessors, resembling a well-grafted shoot of a true vine that grew into a choice tree. He carried out extensive alterations and improvements on the monastic buildings and the Cathedral Church, and was exceptionally active in protecting the rights and privileges of the Priory. He was personally a good and great man, humble, grave, prudent, affable, more ready to forgive than to punish. He set a noble example to the brethren, many of whom, following in his footsteps, rose to dignified positions in the church. Nor is this to be wondered at, for he took care that two of his canons should be Masters in Theology, two Licentiates in Decrees, and five Bachelors in Decrees.³ Biset, who is described by Martin V. as Papal Chaplain as well as Prior,⁴ died on June 25, 1416.⁵

Thomas Stewart, the Archdeacon of St. Andrews, had been longer in office than either the bishop or the prior. Moreover, if he had cared to exert himself, he might have been bishop instead of Wardlaw, and so, perhaps, have altered the whole circumstances of the founding of the University. The archdeacon was one of King Robert II.'s somewhat numerous family of illegitimate sons. As such, he was well provided with church livings, which were used, in part, to enable him to prosecute his studies at Paris. On February 10, 1380, Clement VII., of his own motion, made provision to him of the archdeaconry of St. Andrews, void by the promotion of John de Peebles to the see of Dunkeld, together with the canonry and prebend of Stobo in the diocese of Glasgow, void by the death of James Stewart, his brother.⁶ On September 4, 1389, at the request of his father, he obtained from Clement the deanery of Dunkeld, and a dispensation to hold both dignities as well as a canonry and prebend attached to the deanery.⁷ Again, on May 10, 1393, Clement granted Thomas Stewart's own petition for a canonry of Brechin, with expectation of a prebend, notwithstanding that he already

¹ *Cal.*, as above, vol. i. pp. 575, 576. His right to hold one of his benefices was disputed by Richard Cady, Bachelor of Canon Law, priest of the diocese of Dunkeld, pp. 594, 597.

² *Registrum Prioratus*, p. 2.

⁴ *Cal. of Papal Letters*, vol. vii. p. 63.

⁶ *Cal. of Petitions to the Pope*, vol. i. p. 551.

³ *Scotichronicon*, l. vi. cc. lv. lvi.

⁵ *Scotichronicon*, l. vi. c. lvi.

⁷ *Cal.*, as above, vol. i. p. 574.

had prebends of Glasgow and Dunkeld.¹ During this period he seems to have been a student at Paris, although there is no mention of his name in the printed records. In the first year of Benedict XIII. (August 13, 1395) he was granted permission, while at the University, to visit his archdeaconry by deputy, and receive money procurations for five years, as also to lecture on, and teach, Civil Law for five years. He was then described as a Bachelor of Canon Law.² On November 30 of the same year, he was granted a safe conduct by King Richard II. of England for four months, along with six horsemen and attendants, but the purpose of the journey is not stated.³ Between 1384 and 1402 the Exchequer Rolls record a number of remissions of custom in his favour.⁴ On July 1, 1401, he was elected Bishop of St. Andrews, but being, in the words of Bower,⁵ a man of most modest disposition and of dove-like simplicity, he renounced all claim to the bishopric when he found that formidable difficulties stood in the way of his procuring papal confirmation of the election. On June 5, 1405, he rented from the prior and canons the lands of Balgove and other adjoining acres near St. Andrews.⁶ On October 4, 1422, he sanctioned the sale of certain lands in North Street by Thomas Stewart, scutifer, St. Andrews, to Prior James de Haldenston;⁷ while on July 20, 1430, he acquired from Marjory Litstar a property in South Street lying between the land of John Ruglen on the east, and the common vennel which leads to the church of St. Leonard on the west.⁸ The dates of his birth and death have not been ascertained but, in spite of statements to the contrary, he must have held the archdeaconry for at least fifty years. In virtue of his office he became one of the first conservators of the privileges of the University.

Perhaps at no other time was there more learning and less corruption among the clergy at St. Andrews than in the days of Bishop Wardlaw, Prior Biset, and Archdeacon Stewart. It was a time when the local circumstances were singularly well suited to meet the national need for a home university. The harmonious co-operation of the Bishop, Prior, and Archdeacon removed difficulties of various kinds which might otherwise have been insuperable.

¹ *Cal.*, as above, vol. i. p. 577.

³ *Rotuli Scotiae*, vol. ii. p. 130.

⁵ *Scotichronicon*, l. vi. c. xlvi.

⁷ *MS. Pittance Writs*, No. 18.

² *Cal.*, as above, vol. i. p. 592.

⁴ Vol. iii. pp. 122, 524, 551, 682.

⁶ *Registrum Prioratus*, p. 422.

⁸ *MS. Pittance Writs*, No. 25.

Fortunately, the names of the first teachers in the University have been preserved by Bower.¹ First of all, there was Master Laurence of Lindores, who expounded the fourth book of the Sentences of Peter Lombard. Then followed Master Richard Cornell, Archdeacon of Lothian; Dominus John Litstar, Canon of St. Andrews; Master John Scheves, Official of St. Andrews; and Master William Stephen, afterwards Bishop of Dunblane; all of whom lectured in the Faculty of Canon Law. Masters John Gill, William Fowlis, and William Croiser were the lecturers in Philosophy and Logic. Most of these names have been repeated by subsequent historians, including Hector Boece² and Archbishop Spottiswoode,³ although with a somewhat different arrangement of their duties.⁴ But whatever may have been the proper sphere of each Doctor and Master it seems clear that the University started with a staff of qualified teachers in the Faculties of Divinity, Law, and Arts.

Of the personal history of these pioneer Doctors and Masters at St. Andrews not much is known. They had all been educated in France, for the most part at Paris, and, as a matter of course, they were without exception Churchmen.

Perhaps the most distinguished of them all was Laurence of Lindores, who is characterised by Bower⁵ as 'a great theologian and a man of venerable life'; and by a later historian as 'the most learned theologian of his day in Scotland.'⁶ He was certainly the one who identified himself most closely with the University, in which he held a prominent position till the day of his death. But before the University was founded, Laurence was a well-known and dreaded ecclesiastic, and had secured for his name a permanent, if not an enviable, place in Scottish history.

It may be assumed that Laurence was a graduate in Arts of the University of Paris, as he incepted there on April 7, 1393.⁷ On

¹ *Scotichronicon*, l. xv. c. xxii.

² *Scotorum Historiae*, l. xvi.

³ *History of the Church of Scotland*, ed. Russell, vol. i. p. 113.

⁴ According to Bower's arrangement, Cornell lectured on the Decretals; Litstar on Canon Law in the morning (*de mane*); and Scheves and Stephen afterwards (*i.e. post prandium*). This Parisian custom is explained by Crevier thus: 'Ces lecteurs du matin, *legentes de mane*, remplissoient bien leur dénomination. C'étoient des bacheliers, dont les leçons devoient être faites et achevées avant le coup de Prime de Notre-Dame, qui étoit le signal des leçons des docteurs.' *Hist. de l'Univ. de Paris*, vol. iv. p. 177.

⁵ *Scotichronicon*, l. xv. c. xxii. Other characterisations will be found in l. xv. c. xx. and l. xvi. cc. xx. xxiv.

⁶ Hume Brown, *History of Scotland*, vol. i. p. 206.

⁷ *Auctarium*, vol. i. col. 677.

May 5, of the same year, he was unanimously elected Proctor of the English Nation, but for reasons satisfactory to the Nation he was excused from accepting office.¹ While pursuing his studies in the Faculty of Theology at Paris he continued to act as one of the Regents in Arts in the University, and prepared quite a number of young Scotsmen for graduation between 1395 and 1401.² On November 19, 1395, Laurence and two other Masters were elected Provisors for the feast of St. Edmund, the patron saint of the Nation.³ It is in connexion with a supplication made by him to the English Nation to be allowed to transmit a special benefice roll to Benedict XIII., on the part of masters belonging to Scotland, that his name appears for the last time in the printed records of the University of Paris. He wished this roll either to be sealed with the seal of the Nation, or to be inserted in the roll of another Nation. This was on August 7, 1403. The Nation declined to sanction the roll, as being prejudicial to its interests (apparently for reasons connected with the Schism), and this decision was supported by the University.⁴ But the roll was probably otherwise transmitted, as there is still extant a short list of petitioners for benefices of that year, mostly Scotsmen, including Laurence, who was applying for a canonry of Aberdeen, and is designated 'Clerk of the diocese of St. Andrews, Master in Arts, and Bachelor in Theology.'⁵

On the accession of Benedict XIII., in 1394, Laurence had petitioned for and obtained the promise of at least three ecclesiastical benefices in Scotland, viz. one in the gift of the Bishop of St. Andrews (October 13); another in the gift of the Bishop of St. Andrews or of the Abbot and Convent of Arbroath (October 26), and the third in the gift of the Abbot and Convent of Lindores (October 29).⁶ It was probably about this time that he obtained the church of Creich, in Fife, of which he is known to have been rector in 1408⁷ and onwards. On March 26, 1414, Benedict XIII., on petition, appropriated this church to the Abbey of Lindores, whose buildings had been ruined and its revenues diminished by reason of its nearness to the sylvestrian Scots.⁸

¹ *Auctarium*, vol. i. col. 678.

² *Auctarium*, vol. i. cols. 703-837.

³ *Auctarium*, vol. i. col. 714.

⁴ *Auctarium*, vol. i. col. 864.

⁵ *Auctarium*, vol. i. p. lxxv.; *Chartularium Universitatis Parisiensis*, vol. iv. p. 109.

⁶ *Cal. of Petitions to the Pope*, vol. i. pp. 620, 591, 583.

⁷ *Reg. Monast. de Passelet*, pp. 338, 339.

⁸ *Cal. of Petitions to the Pope*, vol. i. p. 601. 'Scoti sylvestres' is a phrase frequently used by Major in his *Historia* to distinguish the 'caterani,' or wild Scots, from

This arrangement was to take effect on the death of Laurence, and a perpetual vicar with a fit stipend was to be appointed.¹ But he must have resigned the church between July 9, 1432, when he was 'rector de Crech', and February 4, 1433, when he was 'olim rector de Crech.'²

Laurence has also been described as Abbot of Scone, Abbot of Lindores, and Official of Lindores, but there is a lack of evidence sufficient to prove that he held any one of these offices. The editor of the *Liber ecclesie de Scon*, in his notes on the abbots,³ states that 'the next whom we find styled abbot of Scone, is Lawrence de Lindoris, in 1411, who was the first professor of Law at St. Andrews,' and he gives as his authorities 'Fordun and Dempster.' Fordun, or rather Bower, nowhere calls Laurence abbot of Scone; but Dempster does so,⁴ and it is Dempster that the editor follows, even to the date, which he takes from a separate clause:—'Florebat anno MCCCCXI.' Dr. David Laing varies the above phraseology and writes 'Laurence of Lindores, Abbot of Scone, in 1411, was the first Professor of Law in the newly erected University of St. Andrews.'⁵ Dr. Alexander Laing, misreading and misquoting this sentence, boldly affirms that Laurence was Abbot of Scone in 1411.⁶ Mackenzie Walcott also ranks Laurence as an abbot of Scone, but he does not commit himself to a date.⁷

The succession of abbots of Scone at the beginning of the fifteenth century is unfortunately defective, and it is impossible to say, with certainty, that Laurence's name ought not to appear in the list. On the other hand, if he held that abbacy at all his tenure of it must have come to an end before April 25, 1418, on which day Adam de Crenach (or Crannach) was consecrated abbot by Bishop Wardlaw, at St. Andrews.⁸ Hector Boece includes Laurence among those who received promotion at the hands of James I. after his return to Scotland in 1424. The king, he the 'Scoti domiti,' or civilised Scots. Lindores Abbey, being on the fringe of Earnside forest, would be peculiarly liable to the visits of marauding Highlanders.

¹ It falls to be noted that as this appropriation did not take effect during the obedience of Scotland to Benedict, Bishop Wardlaw, at the instance of the king, and with counsel and assent of the chapter of St. Andrews, made the appropriation by his ordinary authority. On June 16, 1429, Martin V. gave a mandate to the Abbot of Dunfermline to make the appropriation by papal authority if he found the facts to be as stated. *Cal. of Papal Letters*, vol. viii. p. 143.

² *Acta Facultatis Artium*. ³ Preface, p. xii. ⁴ *Hist. Eccles. Gen. Scot.* p. 443.

⁵ Laing's *Knox*, vol. i. p. 497.

⁶ Laing's *Lindores Abbey*, p. 103.

⁷ *Ancient Church of Scotland*, p. 315.

⁸ *Scotichronicon*, l. xv. c. xxx.

says, made Laurence Abbot of Scone, but that adverse fates soon dragged him away.¹ Adam de Crenach, however, was still in office on July 11, 1426,² and when he resigned and became a canon, apparently in 1432, Eugenius IV., on October 29 of that year, made provision of the abbey to John of Inverkeithing, a canon of Holyrood, who died before obtaining possession. Thereafter, on September 23, 1439, this benefice, which had been specially reserved by Eugenius before the resignation of Adam, was granted *in commendam* for life to James Kennedy, Bishop of Dunkeld (afterwards of St. Andrews). At the same time, William Stury,³ an Augustinian canon, who had held the abbacy since Adam's resignation, under a pretext of election by the convent and confirmation by the ordinary, was removed.⁴ There was thus no room for Laurence after 1418.

As at Scone, the succession of abbots at Lindores is fragmentary. Dr. Alexander Laing does not claim Laurence as an abbot of Lindores, but he twice calls him 'official of Lindores.'⁵ It is almost certain that he never was abbot, and there was no such person about the abbey as an 'official.' Probably all that Dr. Laing meant to imply by the term was that Laurence was an official or officer of some sort connected with the abbey. Mr. W. B. D. D. Turnbull, the editor of the *Liber Sancte Marie de Lundoris*, blames Dr. John Anderson, the writer of the new statistical account of the parish of Newburgh, for enrolling Laurence in the list of abbots of Lindores;⁶ but that is scarcely fair, for all that Dr. Anderson does is to enrol him in his very brief list 'of the abbots and other dignified clergy connected with this monastery.'⁷ It is Leighton, whom Turnbull dubs the 'echo' of Dr. Anderson and the 'fag' for Mr. Swan, who, on his own account, explicitly states that 'in the beginning of the fifteenth century, Laurence was abbot of Lindores.'⁸ Laurence's name, like the names of so many of his contemporaries, was in all likelihood territorial, and did not necessarily connect him with the abbey. Still, seeing that

¹ *Scotorum Historiae*, l. xvi.

² *Cal. of Papal Letters*, vol. vii. p. 21.

³ This is doubtless the 'dompnus Willelmus Stury,' who was chamberlain of the prior of St. Andrews in 1417. (*Exchequer Rolls*, vol. iv. p. 282.) The name is also written Sturi, and, in some manuscripts, Skurry. In 1429 he was a professor of theology in the University. He may also be the unnamed Abbot of Scone alluded to by Bower in his eulogy of Biset. (*Scotichronicon*, l. vi. c. lvi.)

⁴ *Cal. of Papal Letters*, vol. viii. pp. 270, 427.

⁵ *Lindores Abbey*, pp. 103, 456.

⁶ Introduction, pp. vi. vii.

⁷ *New Statistical Account*, Fifeshire, p. 66.

⁸ *History of Fife*, vol. ii. p. 166.

in all countries the great majority of Inquisitors belonged to the Dominican order, it is yet not unreasonable to suppose that Laurence was in some way associated with the Benedictine Abbey of Lindores.

After returning to his native country, probably about 1404, Laurence seems to have set himself with great zeal to the task of suppressing Lollardism. 'He gave peace to heretics and Lollards nowhere within the Kingdom,' says Bower.¹ In this invidious task he may have been encouraged by Robert, Duke of Albany, who had the reputation of being a firm catholic and a hater of Lollards and heretics.² It was at the instigation of Laurence, in his capacity as Inquisitor of heretical pravity, that, at Perth, in 1406 or 1407, the first martyr fire was kindled in Scotland.³ Another followed in 1433, when Paul Craw was burned at St. Andrews, but on this occasion, if Boece's version of the story can be trusted,⁴ Laurence had the vigorous assistance of John Fogo, Abbot of Melrose.⁵ A heretic of a more academical type than either of these fell to be dealt with by Laurence and others (including William Stury, the irregular abbot of Scone, already referred to) on October 27, 1435. This was Robert Gardner, Bachelor in Decrees, a priest, who, in a public oration, delivered in the Schools of Theology at St. Andrews, had advanced ten propositions that were calculated to bring the teaching of the University into ridicule. But Gardner had no martyr blood in his veins, so he incontinently and humbly owned that his propositions were false, erroneous, and scandalous, as well as offensive to pious ears, and with his hand on the Holy Gospels, he swore never to sustain or defend them again either publicly or privately, by himself or by another. Having escaped the flames himself, he promised to destroy and annihilate his oration and every copy of it that he could obtain.⁶

¹ *Scotichronicon*, l. xvi. c. xx.

² Wyntoun, *Cronykil*, b. ix. ch. xxvi.

³ I have not been able to discover under what circumstances Laurence came to be appointed Inquisitor for Scotland. My correspondent in Rome informed me some years ago that at the period in question 'non è facile trovare atti che possano riguardare la Scozia.'

⁴ *Scotorum Historiae*, l. xvii.

⁵ Boece's additional statement that the king was so mightily pleased with Fogo's conduct in this business that he gave him the Abbey of Melrose is quite contrary to fact.

⁶ The following are samples of Gardner's offensive propositions: Quid enim in grammatica reperiri poterit nisi Prisciani rudimenta? Quid enim in rhetorica nisi Tullii blandimenta? Quid in astrologia nisi coelorum influentiae poterit inveniri? *Acta Facultatis Artium*.

Laurence's activity and influence in the early years of the University must have been very great, although the record of them is somewhat meagre. He was the first Rector of the University, and as such had a large share in the drafting of its original statutes. He was again Rector in 1432, when he witnessed King James's charters confirming the privileges of the University, and he may have held that office in other years. He was Dean of the Faculty of Arts in 1415, and again, apparently continuously, from 1431 to 1437. He was Receptor of the Faculty in 1426, when the auditors found fault with his accounts. He had advanced ten marks towards making the head of the Faculty mace, and the completed mace had been lodged in his custody until the money was refunded by the Faculty. The auditors appear to have contended that after the repayment of his loan had been accounted for he was due the Faculty £20 16s. 8d.—and so 'de isto computo non fuit concordia.' In 1430 Laurence was once more, and unanimously, elected Receptor, but he gave many reasons for not accepting the office, while graciously allowing himself to be appointed one of the auditors of the accounts of the retiring Receptor. He likewise took part in the ordinary routine work of the Faculty of Arts by acting, on occasion, as a deputy and an examiner. On the institution of the Pedagogy, in 1430, Laurence was elected the first principal master in presence of Bishop Wardlaw and with his approval. There is no record as to what he did for the Faculty of Theology, to which he at first belonged, except that he was present at a meeting held on March 18, 1429, for the ratification of the statutes of that Faculty.¹

Laurence of Lindores died in the middle of September, 1437. On September 16, George de Newtoun, then the senior master in Arts and Rector of the University, called the other masters together, who elected him Dean and persuaded him to take office. At the same meeting arrangements were made for taking over from the executors of Laurence the Faculty mace, as well as the charters and other documents which had been in his keeping. On the following day it was decided that there should be solemn obsequies, at the common expense of the Faculty, for the soul of Master Laurence of Lindores, formerly Dean of the Faculty of Arts—'et ita factum est.'²

Laurence owned a house in St. Andrews which retained his

¹ *Acta Facultatis Artium and other university documents.*

² *Acta Facultatis Artium.*

name long after his death. When St. Leonard's College was founded in 1512 one of its endowments was an annual rent of twelve pence 'de tenemento magistri Laurentii de Lundoris.' A curious glimpse of the domestic side of University life is obtained under date August 13, 1456, when the Faculty of Arts called upon Master Thomas Ramsay to restore certain large beams which were left in the kitchen of the College of St. John the Evangelist by Master Laurence of Lindores, formerly rector of Creich and master of the said College, or to show reasonable cause why he should not do so.¹ The College of St. John had been merged in the Pedagogy.

Richard de Cornell, a man of noble parentage, was a native of Forfarshire, having been born within four miles of Dundee. He studied Canon Law at the University of Orleans, and afterwards lectured in the University of Avignon. In accordance with the custom of the time, he held various church preferments in Scotland during his residence in France. He is described successively as Chaplain to the Queen of Scotland and Vicar of Musselburgh (1385); Member of the household of David, Earl of Carrick, eldest son of Robert, King of Scotland, and Chaplain of the Hospital of St. Mary Magdalene, Musselburgh (1394); Bachelor of Canon Law and Rector of Ecclesmachan (1404); Licentiate of Canon Law and perpetual Vicar of St. Mary's in the island of Arran (1405); Archdeacon of Dunkeld (1406); Rector of St. Mary's, Arran (1407); ambassador of the Duke of Albany, Governor of Scotland, Archdeacon of Dunkeld, Canon and Prebendary of Erskine in Glasgow (1408). In 1404 he petitioned for, and was granted, the perpetual vicarage of Dundee, apparently on condition that he resigned the church of Ecclesmachan. In 1408 he was promoted from the Archdeaconry of Dunkeld to that of Lothian, which office he held for ten or eleven years.² He witnessed a charter at St. Andrews on January 22, 1419.

John Litstar was a Bachelor of Canon Law and one of the Canons of the Priory of St. Andrews. On March 10, 1418, Benedict XIII., of his own motion, made him Prior in succession to James Biset; but, in ignorance of his own promotion, he procured the election of James de Haldenston, one of his fellow-canons, and proceeded, by order of the chapter, with him to the

¹ *Acta Facultatis Artium.*

² *Cal. of Petitions to the Pope*, vol. i. pp. 566-638; *Cal. of Papal Letters*, vol. vii. p. 238; *Reg. Mag. Sig.* vol. i. p. 235; *Fournier's Statuts*, vol. iii. pp. 486, 488.

court of Martin V., to whom he paid obedience and reverence. On his way home he found, at Bruges, Benedict's letters containing his own appointment, 'whereupon, coming to himself, he wept bitterly, and knew not what to do, to make amends for his ingratitude and grave offence.' In a petition 'for absolution, rehabilitation, and dispensation,' he prostrated himself before Pope Benedict, saying, 'God be merciful to me a sinner.' Benedict afterwards confirmed his appointment to the Priory, but by that time (December 13, 1418) Scotland had formally withdrawn its obedience from him, and the appointment failed to take effect. On March 9, 1418, Benedict had assigned to James de Haldenston a yearly pension of 200 gold scudi on the fruits of the Priory; but on December 8 of the same year he deprived him of the said pension 'as it appears that he is a schismatic and adherent of Otto de Colonna, who calls himself Martin V.'¹ Bower, who styles Litstar a Licentiate in Decrees, a venerable and religious man, and a most worthy canon, gives a somewhat different version of these remarkable transactions, but there is no difference in the result.² According to Boece, the king made Litstar Prior of Inchcolm.³ Bower, however, records his own appointment to that abbacy on April 17, 1418,⁴ and he held it until his death in 1449.

John de Scheves was a licentiate of Canon Law. In 1418 he petitioned for and obtained, from Benedict XIII., on June 15, a canonry and prebend of Glasgow, and the Archdeaconry of Teviotdale, notwithstanding that he held the church of Arbuthnot in the diocese of St. Andrews. At that time he was described as Official of St. Andrews, Rector of the University, and Counsellor of Robert, Duke of Albany, Governor of the Realm.⁵ Curiously enough, he appears to be the same person who, on January 26, 1418, had obtained collation and provision, from Pope Martin V., of a canonry of Glasgow and another of Aberdeen, with reservation of a prebend of each.⁶ His name occurs among the witnesses to an undated charter of Bishop Wardlaw, where he is designated Master John Scheves, Doctor of Decrees and Official General of St. Andrews.⁷ John Scheves, Canon of Aberdeen and Mandatory of Pope Eugenius IV., in 1433,⁸ and Master John Scheves, Canon

¹ *Cal. of Petitions to the Pope*, vol. i. pp. 608-611. ² *Scotichronicon*, l. vi. c. lvii.

³ *Scotorum Historiae*, l. xvi.

⁴ *Scotichronicon*, l. xv. c. xxx.

⁵ *Cal. of Petitions to the Pope*, vol. i. p. 609. ⁶ *Cal. of Papal Letters*, vol. vii. p. 102.

⁷ *Reg. Mag. Sig.* vol. ii. p. 57.

⁸ *Cal. of Papal Letters*, vol. viii. p. 474.

of Glasgow and Clerk Register, 1426 and onwards,¹ may have been contemporaries of the same name; but a University document regarding certain feu duties, dated March 13, 1447, is addressed 'venerabili et circumspecto viro dominion Johan de Scheues, decretorum doctori, Gasguensis et Aberdonensis ecclesiarum canonico, ac officiali Sancti Andree generali.'

William Stephen was a Bachelor of Canon Law. In 1408, Richard de Cornell obtained for him from Benedict XIII., the Canonry and Prebend of Rhynie in Moray, notwithstanding that he already had the Church of Eassie and the Hospital of Ednam in the diocese of St. Andrews. In 1415 he is described as Canon of Moray, Rector of Eassie, and Master of the Hospital of Ednam, in a petition to Benedict XIII. (who, it was said, proposed to appoint him to the see of Orkney) for license to hold the said hospital *in commendam* for a year after he obtained the bishopric.² Stephen was in due course promoted to the bishopric of Orkney, and his consecration took place at the court of Benedict. In 1419 he was proctor in the Roman Court of the Duke of Albany, Governor of Scotland, being one of the ambassadors sent to announce the withdrawal of obedience by Scotland from Benedict XIII. While there he obtained from Martin V. the church of Gogar which he was to be allowed to hold *in commendam* for a year along with other privileges, after obtaining possession of the temporalities of the see of Orkney. On October 30, 1419, he was translated by Martin V. from the see of Orkney to that of Dunblane.³ At the time of his appointment, he was, according to Keith,⁴ 'Divinity reader in the University of St. Andrews.' He was one of the ambassadors of the King of Scotland to the Roman Court to whom Henry VI. of England granted a safe conduct on June 9, 1425.⁵ As principal auditor and receiver of the tax levied for the payment of the king's ransom, his name is of frequent occurrence in the fourth volume of the *Exchequer Rolls*. He died in 1429.

Of the Philosophy Masters, John Gyll or Gill was a graduate of Paris, being Bachelor of Arts in 1403, and Licentiate and Master in 1405.⁶ He is probably the John Gyll, clerk of the

¹ *Exchequer Rolls*, vol. iv. pp. 400-654.

² *Cal. of Petitions to the Pope*, vol. i. pp. 636, 604.

³ *Cal. of Papal Letters*, vol. vii. pp. 103, 118, 133.

⁴ *Scottish Bishops*, ed. Russell, p. 177.

⁵ Rymer's *Fœdera*, vol. x. p. 344.

⁶ *Auctarium*, vol. i. cols. 853, 899, 901.

diocese of St. Andrews, who, in 1434, along with others (including John Scheves), was a claimant to the canonry and prebend of Belhelvie, in Aberdeenshire, which had been bestowed upon William Turnbull, Canon of Aberdeen (afterwards Bishop of Glasgow).¹ He may also have been the John Gyll, Chancellor of Dunkeld, who was present at the ratification of the Statutes of the Faculty of Theology on March 18, 1429. His name occurs several times in the *Acta Facultatis Artium*. On December 12, 1425, the Faculty decreed that anything contained in that book which might be to the reproach and scandal of Gyll and another master should be deleted by the Dean; on November 19, 1427, he was appointed an examiner and took the customary oath in the hands of the Chancellor; on January 12, 1428, he was absent and another examiner was elected in his place; on February 3, 1429, he was appointed, along with Laurence of Lindores and others, to assist the Dean in carrying out some reforms in the Faculty; on April 4, 1430, he was again elected an examiner; and on May 28, of the same year, he was chosen one of the auditors of the Receptor's accounts. A writer in *Northern Notes and Queries*² had heard that there is a tombstone to Gyll's memory at St. Andrews; but no such thing is known to exist there.

William Fowlis, or de Foulis, who belonged to the diocese of Dunblane, was also a graduate in Arts of Paris, but as his M.A. degree was not obtained until 1411, it is doubtful if he began teaching at St. Andrews so early as 1410. He is usually designated Master of Arts, but in 1432 he is called Bachelor of Theology. As his history is obscure during the first ten years after his graduation at Paris, it may be concluded that he was busy with his work at St. Andrews. From 1421 to 1439 he comes into the light as the holder of a prominent place in Scotland as a statesman as well as a churchman. During that period he is met with as rector of Cambuslang; rector of Seton; provost of the collegiate church of Bothwell; archdeacon of St. Andrews; secretary of Archibald Earl of Douglas; counsellor of the king; and keeper of the Privy Seal. On February 21, and July 10, 1423, he had safe conducts to England, along with others, to treat for a final peace; and he was entrusted with other public missions. Early in 1424 he was presented to the perpetual vicarage of the parish church of Edinburgh by King James, as patron, but Bishop Wardlaw refused to institute him, whereupon

¹ *Cal. of Papal Letters*, vol. viii. p. 490.

² Vol. iii. p. 154.

he appealed to the apostolic see and obtained from Martin V. a mandate of inquiry to be followed by collation and assignation if the patronage and presentation were found to be lawful, with certain stipulations as to resigning the provostship of Bothwell and the church of Seton. During all these years his name only occurs twice in connexion with the University. In his capacity as keeper of the privy seal he transmitted to the Faculty of Arts in 1432 an 'Appunctamentum' which had been drawn up, or approved, by the king, containing a series of regulations for the better management of University affairs. On December 11, 1439, he was present at a meeting of the Faculty of Arts when new statutes were affirmed and approved, and he appended his signature to them. He appears to have died in 1441.¹

William Croyser, or Croiser, belonged to the diocese of St. Andrews. He was a Bachelor of Arts of Paris of 1407 and a Master of 1409.² In 1415 he obtained from Benedict XIII. a canonry and prebend of Dunkeld, who also granted to him the parish church of Kirkgunzeon *in commendam*.³ He appears to have been resident in Paris as a student of Theology, when Martin V. was elected Pope. From him, so early as January 20, 1418, he procured collation and provision of the canonry and prebend and precentorship of Moray, notwithstanding that he held the canonry and prebend of Dunkeld, and the parish church of Kirkgunzeon, and intended to litigate about the parish church of Torbolton.⁴ This was probably the first appointment to a Scottish benefice made by the new pope. On June 4 of the same year Martin ordered collation and provision to be made to Croyser of the canonry and prebend of Glasgow and the archdeaconry of Teviotdale.⁵ Other preferments followed, and Croyser soon became a pluralist on a large scale, so much so that in 1424 he was said to be 'opulently beneficed to the extent of 160 marks sterling a year.'⁶ On June 27, 1422, Martin issued letters requesting safe conduct 'during two years for William Croyser, Archdeacon of Teviotdale in the church of Glasgow,

¹ *Auctarium*, vol. ii. cols. 100, 105, 106; *Cal. of Papal Letters*, vol. vii. pp. 203-369; vol. viii. pp. 234, 458; *Exchequer Rolls*, vol. iv. pp. 432-667; *Laing Charters*, No. 107; *Reg. Mag. Sig.* vol. ii. *passim*; Rymer's *Fœdera*, vol. x. pp. 266-296; *Scotichronicon*, l. xvi. c. xxxiii.

² *Auctarium*, vol. ii. cols. 5, 55.

³ *Cal. of Petitions to the Pope*, vol. i. p. 603; *Cal. of Papal Letters*, vol. vii. p. 360.

⁴ *Cal. of Papal Letters*, vol. vii. p. 92.

⁵ *Cal. of Papal Letters*, vol. vii. p. 93.

⁶ *Cal. of Papal Letters*, vol. vii. p. 344.

papal acolyte and nuncio, and member of the pope's household, when the pope is sending to divers parts [not named] on business of the pope and the Roman church.'¹ He attended the Council of Basel and remained there after the Council had been transferred to Ferrara on September 18, 1437, adhering to and recognising Felix V., the last of the antipopes.² Croyser was evidently of a litigious and quarrelsome disposition. Throughout the reigns of Martin V. and Eugenius IV. he led a tempestuous life, and the annals of his doings occupy much space in the papal and other contemporary registers. Some of them, if worked out, would make curious reading, but the record of them is complicated in the extreme.³

These gleanings are sufficient to show that the University of St. Andrews was inaugurated by men of intellectual attainments and administrative ability of a very high order. It is greatly to the credit of Scotland that such men were at hand ready and willing to come to their country's aid in an educational emergency. The promoters of other universities have had to appeal to scholars of different nationalities to fill the chairs they had provided. At St. Andrews the first doctors and masters, as well as the founders, were all true and patriotic Scotsmen; and they brought with them to the new seat of learning not only ample knowledge of the subjects they undertook to teach, but likewise intimate acquaintance with the organisation and administration of the leading universities of their time.

J. MAITLAND ANDERSON.

(*To be continued.*)

APPENDIX

Copy of Papal Letter appointing Henry Wardlaw, Precentor of Glasgow, to the Bishopric of St. Andrews, with relative mandates.

Dilecto filio Henrico Electo Sanctiandree salutem et apostolicam benedictionem. Apostolatus officium, quamquam insufficientibus meritis, nobis ex alto commissum, quo ecclesiarum omnium regimini presidemus utiliter exequi, coadiuvante Domino, cupientes, solliciti corde reddimur ut cum de ipsarum presertim Romane ecclesie immediate subiectarum regiminibus agitur committendis, tales eis in pastores preficere studeamus, qui commissum sibi gregem dominicum sciant, non solum doctrina verbi sed

¹ *Cal. of Papal Letters*, vol. vii. p. 10.

² *Cal. of Papal Letters*, vol. viii. p. 306.

³ Cf. Theiner, *Vetera Monumenta*, pp. 373-375.

exemplo boni operis, informare commissasque sibi ecclesias in statu prospero et tranquillo velint et valeant, duce Domino, gubernare. Dudum siquidem bone memorie Waltero episcopo Sanctiandree regimini ecclesie Sanctiandree, eidem Romane ecclesie immediate subiecte presidente, nos cupientes eidem ecclesie, cum vacaret, per apostolice sedis providentiam utilem et ydoneam presidere personam, provisionem ipsius ecclesie ordinationi et dispositioni nostre ea vice duximus specialiter reservandam. Decernentes extunc irritum et inane si secus super hiis per quoscumque quavis auctoritate scienter vel ignoranter contingeret attemptari. Postmodum vero prefata ecclesia, per obitum ipsius Walteri episcopi, qui extra Romanam curiam diem clausit extremum, vacante, nos vacatione huiusmodi fidedignis relatibus intellecta, ad provisionem ipsius ecclesie celerem et felicem, de qua nullus preter nos hac vice se intermittere potuit neque potest, reservatione et decreto obsistentibus supradictis, ne ecclesia ipsa longe vacationis exponeretur incommodis, paternis et sollicitis studiis intendentes, post deliberationem quam de preficendo eidem ecclesie personam huiusmodi, cum fratribus nostris habuimus diligentem, demum ad te, precentorem ecclesie Glasguensis, decretorum doctorem, in presbiteratus ordine constitutum, vite ac morum honestate decorem, in spiritualibus providum, et in temporalibus circumspectum, aliisque virtutum donis multipliciter insignitum, direximus oculos nostre mentis, quibus omnibus debita meditatione pensatis, de persona tua nobis et eisdem fratribus ob dictorum tuorum exigentiam meritorum accepta, eidem ecclesie de dictorum fratrum consilio auctoritate apostolica providemus, teque illi preficimus in episcopum et pastorem, curam et administrationem ipsius ecclesie tibi in spiritualibus et temporalibus plenarie committendo, in illo qui dat gratias et largitur premia confidentes, quod prefata ecclesia sub tuo felici regimine, gratia tibi assistente divina, prospere et salubriter dirigetur, ac grata in eisdem spiritualibus et temporalibus suscipiat incrementa. Iugum igitur Domini tuis impositum humeris prompta devotione suscipiens, curam et administrationem predictas sic exercere studeas solícite, fideliter, et prudenter, quod ecclesia ipsa gubernatore provido et fructuoso administratore gaudeat se commissam, tuque preter eterne retributionis premium, nostram et dicte sedis benedictionem et gratiam exinde uberius consequi merearis. Datum apud Pontemsorgie, Avinionensis diocesis, IIII. idus Septembris, pontificatus nostri anno nono.¹

¹ There are few indications of Wardlaw's presence in Scotland previous to his appointment to the bishopric of St. Andrews. If it be the case that he was sent on a mission to the papal court at Avignon and remained there several years, he was probably for a time a prisoner with Benedict. The pope made his escape from the palace at daybreak on March 12, 1403, and reached Château-Renard in safety before nightfall. He left Château-Renard on April 17, and proceeded, by way of Cavaillon and L'Isle, to Carpentras, which he entered on May 5. Partly on account of the intense heat, and partly from urgent calls to return to Avignon, Benedict advanced to the castle of Sorgues on June 26, with a considerable retinue. He remained there until October 1, when he thought it prudent to move southward to Salon, as a pestilence had broken out in the district of Avignon. It is unnecessary to follow him farther at present. While at Sorgues, Benedict promoted his nephew to an archbishopric, and made numerous provisions to bishoprics and abbacies. Wardlaw received his appointment, as above, on September 10, and he was doubtless consecrated immediately afterwards.

In eodem modo: Dilectis filiis capitulo ecclesie Sanctiandree, Romane ecclesie immediate subiecte, salutem, etc. Apostolatus officium, etc., usque incrementa. Quocirca discretioni vestre per apostolica scripta mandamus, quatenus eundem Henricum Electum tanquam patrem et pastorem animarum vestrarum grato admittentes honore ac exhibentes ei obedientiam et reverentiam debitas et devotas, eius salubria monita et mandata suscipiatis humiliter et efficaciter adimplere curetis, alioquin sententiam quam ipse rite tulerit in rebelles ratam habebimus et faciemus, auctore Domino, usque ad satisfactionem condignam inviolabiliter observari. Datum *ut supra*.

In eodem modo: Dilectis filiis clero civitatis et diocesis Sanctiandree salutem, etc. Apostolatus officium, etc., usque incrementa. Quocirca discretioni vestre per apostolica scripta mandamus, quatenus eundem Henricum Electum, etc., *ut supra usque Datum, etc.*

In eodem modo: Dilectis filiis populo civitatis et diocesis Sanctiandree salutem, etc. Apostolatus, etc., usque incrementa. Quocirca universitatem vestram rogamus et hortamur attente, per apostolica vobis scripta mandantes, quatenus eundem Henricum Electum tanquam patrem et pastorem animarum vestrarum devote suscipientes et debita honorificentia prosequentes, eius salubris monitis et mandatis humiliter intendentes, ita quod ipse in vobis devotionis filios et vos in eo, per consequens, patrem invenisse benevolam gaudeatis. Datum *ut supra*.

In eodem modo: Dilectis filiis universis vassallis ecclesie Sanctiandree salutem, etc. Apostolatus officium, etc., usque incrementa. Quocirca universitati vestre per apostolica scripta mandamus, quatenus eundem Henricum Electum debito prosequentes honore ac ipsius monitis et mandatis efficaciter intendentes, ei fidelitatem solitam necnon consueta servitia et iura sibi a vobis debita exhibere integre studeatis, alioquin sententiam sive penam quam ipse rite tulerit seu statuerit in rebelles, ratam habebimus et faciemus, auctore Domino, usque ad satisfactionem condignam inviolabiliter observari. Datum *ut supra*.

In eodem modo: Carissimo in Christo filio Roberto regi Scotorum illustri salutem, etc. Gratie divine premium et preconium humane laudis acquiritur, si per seculares principes ecclesiarum prelatis, presertim ecclesiarum cathedralium Romane ecclesie immediate subiectarum regimini presidentibus, opportuni favoris presidium et honor debitus impendantur. Dudum, etc., usque incrementa. Quocirca serenitatem regiam rogamus et hortamur attente, quatenus eosdem Henricum Electum et ecclesiam suo regimini commissam habens pro divina et apostolice sedis ac nostra reverentia propensam commendatos, sic eisdem te exhibeas favore regio benevolentia et in opportunitatibus gratiosum, quod idem Electus per auxilium tue gratie in commisso sibi ecclesie prefate regimine utilius proficere valeat, tuque provide consequaris premia felicitatis eterne et nos celsitudinem regiam dignis possimus in Domino laudibus commendare. Datum *ut supra*.

Exped. V. kalendas Octobris anno nono.

B. Fort.

Arch. Secret. Vatic. Regest. Avinion. Benedicti XIII., tom. 30, fol. 99.

The Dispensation for the Marriage of John Lord of the Isles and Amie Mac Ruari, 1337

THE following Dispensation is an important document for the history of the Clan Donald. It was mentioned, but not printed in Andrew Stuart's *Genealogical History of the Stewarts*, and it was accidentally omitted in the *Calendar of Papal Letters* (Rolls series). It is here printed in full, that all doubts as to its existence and as to its tenor may be set at rest. The Pope is Benedict XII., and the record reference is *Regesta Vaticana*, vol. 124, fol. 89.

J. MAITLAND THOMSON.

TEXT.

Venerabili fratri episcopo Sodorensi salutem. Exhibita nobis dilectorum filiorum nobilium virorum Johannis nati quondam Engusii de Ile et Reginaldi quondam Roderici de Insulis tue diocesis petitio continebat quod olim inter eos eorumque progenitores consanguineos et amicos incentore malorum hoste humani generis procurante guerre dissensionses et scandala fuerunt exorta propter que homicidia incendia depredationes spolia et alia mala quam plurima evenerunt et continue venire non cessant et nichilominus multe ecclesie illarum partium fuerunt passe et patiuntur propterea non modica detrimenta nam in eis cultus divinus minuitur cessat devotio et decime non solvuntur quinimo alique de dictis ecclesiis quodam modo fuere destructe et pejora evenire timentur nisi de oportuno remedio celeriter succurratur quodque ipsi desiderantes tot et tantis periculis obviare in-

TRANSLATION.

To our venerable brother the bishop of the Isles greeting. The Petition of our beloved sons the noble men John, son of the late Angus of Ile and Reginald (son) of the late Roderic of the Isles, of your diocese, shewn to us, stated that formerly, by the contrivance of that instigator of ill deeds the enemy of the human race, wars, disputes, and causes of offence arose between them and their parents, kinsmen and friends, on which account murders, fire raisings, plunderings, pillagings, and very many other evils happened and still do not cease to happen, and moreover many churches of those parts have suffered and do suffer no slight damage thereby, for divine worship in them grows less, devotion ceases and tithes are not paid, nay more, some of those churches have been in a manner destroyed, and worse, it is feared, may happen unless recourse be speedily had to a suitabler emedy;

vicem habuere tractatum quod idem Johannes et dilecta in Christo filia Amia soror Reginaldi predicti adinvicem matrimonialiter copulentur; verum quia sicut asserunt dicti Johannes et Amia quarto consanguinitatis gradu invicemse contingunt matrimonium hujusmodi contrahere nequeunt dispensatione super hoc apostolica non obtenta. Quare dicti Johannes et Reginaldus nobis humiliter supplicarunt ut cum eisdem Johanne et Amia super hoc dispensare misericorditer dignaremur. Nos igitur qui salutem querimus singulorum et libenter Christi fidelibus quietis et pacis commoda procuramus predictis scandalis et periculis obviare salubriter intendentes eorum et dicte Amie supplicationibus inclinati fraternitati tue de qua fiduciam gerimus in Domino specialem per apostolica scripta committimus et mandamus quatenus si est ita cum eisdem Johanne et Amia quod impedimento consanguinitatis hujusmodi non obstante hujusmodi matrimonium adinvicem libere contrahere valeant et in eo postquam contractum fuerit licite remanere apostolica auctoritate dispenses prolem suscipiendam ex hujusmodi matrimonio legitimam nuntiando. Datum Avinione ij nonas Junij anno tertio.

and that they (the petitioners), desiring to prevent so many and so great dangers, have mutually contracted that the said John and our beloved daughter in Christ, Amie, sister of the foresaid Reginald, shall be joined together in marriage; but because (as they assert) the said John and Amie are related to one another in the fourth degree of kinship, they cannot contract such marriage without obtaining apostolic dispensation therefor; wherefore the said John and Reginald have humbly besought us that we would mercifully deign to dispense with the said John and Amie thereupon. We therefore who seek the salvation of every one and would gladly procure for Christ's faithful people the benefits of quietness and peace, endeavouring wholesomely to prevent the foresaid offences and dangers, according to the entreaties of them and of the said Amie, by writings apostolic commit to your brotherhood and enjoin you, in whom we have special confidence in the Lord, that, if it is so, you by apostolic authority dispense with the said John and Amie so that notwithstanding such impediment of kinship, they may be able to contract such marriage together and, after it has been contracted, lawfully to remain therein; declaring the issue to be born of such marriage legitimate. Given at Avignon, 4 June, 1337.

Jacobite Songs

THERE are a considerable number of Jacobite songs and ballads extant in broadsides which have not been reprinted. There are also many in manuscript. The Rawlinson MSS. in the Bodleian Library contain several small collections which would be worth looking through. The four ballads which follow are from broadsides in the Douce collection in the Bodleian and belong to the reign of George I.

The first of the three, like 'James the Rover' printed on p. 138 of the last number of this *Review*, celebrates the birthday of the Prince. The second verse is evidently inspired by verse two of 'Sally in Our Alley,' and it was doubtless sung to the same tune. The second ballad illustrates one of the favourite popular jests against the Hanoverian kings. The turnip, introduced into England from Hanover, was satirically treated as the characteristic if not the sole product of the electorate, and the favourite diet of its rulers. This may be further illustrated by a caricature, viz. 'The Hanover Turnip-man Come Again,' number 2578 in the *British Museum Catalogue of Satirical Prints*. The date of this ballad can be determined by the last verse but one. Melusina von Schulenbug, the mistress of George I., was created Duchess of Munster, June 26, 1716, and Duchess of Kendal, March 19, 1719. Mr. Paul, whose fate is lamented in the third ballad, was William Paul, vicar of Orton-on-the-Hill in Leicestershire, executed on July 13, 1716, for having joined the rebels at Preston. The Petition of Tyburn is easily dated. It was written not long after Lord Stanhope's elevation to the peerage (July 12, 1717), and before his death (February 4, 1721).

It is to be hoped that the enquiry suggested in Mr. Lang's interesting paper (*S.H.R.* viii. 132) will be further pursued, and that he, or some one inspired by him, will systematically go through Hogg's collection and test his texts. But in order to trace the history of Jacobite songs it will be necessary to collect also some of the earlier ones. Further, some Jacobite songs are

adaptations of popular songs. 'The Royal Oak Tree,' which Mr. Lang prints in the last number (*S.H.R.* viii. 133), is an imitation of the song on 'The Mulberry Tree' planted by Shakespeare, which was composed for the Shakespearean Jubilee of 1769. The chorus of 'The Royal Oak Tree' is almost a repetition of that of the earlier song :

'All shall yield to the mulberry tree,
 Bend to thee
 Blest mulberry;
 Matchless was he
 Who planted thee,
 And thou like him immortal be.'

It is perhaps worth noting that 'The Birthday Ode,' printed in 'The Loyalists' Song' (*S.H.R.* viii. 135) of the last number, may also be found in *The Lyon in Mourning*, vol. iii. p. 288, where it is headed 'By a friend meditating in bed betwixt 3 and 4 o'clock morning, Tuesday, September 21, the birthday of the Queen of Hearts, 1773.' At the end there is the following note: 'N.B.—A copy of this was transmitted to John Farquharson of Alderg, who, in return, said he would send it to the lovely pair.' An account of its reception is given on p. 317 of the same volume.

C. H. FIRTH.

AN EXCELLENT NEW BALLAD

Of all Days in the Year
 I dearly love but one day,
 That day is, the Tenth of June,
 Which happen'd on a Munday.
 In my best Cloathes with my white Rose
 I'll drink a health to J—m—y
 Who is our true and lawful K—g;
 I hope ere long he'll see me.

Old H[anover] does Turnips sell
 And through the streets do[es] cry them;
 Young Noodle leads about the Ass
 To such as please to buy them;
 Such Folks as these can never be
 Compar'd to Royal J—m—y,
 Who is our true and lawful King;
 I hope ere long he'll see me.

Potatoes are a Dainty Dish,
 And Turnips now are springing,
 When J—m—s our K—g does come home,
 We will set the Bells a-ringing.
 We'll take the old Whelp by the Snout
 And lead him down to Dover,
 Then pop him in his Leathern Boat
 And send him to H—n—r.

The British Lyon then shall Tear
 The Foundred Horse of B[ru]n[swic]k,
 And G—ge for want of better Nagg
 Shall ride upon a Broomstick.
 Such hags as those in Cavalcade
 Shall carry down to Dover,
 HIS MALE AND FEMALE CONCUBINES,
 And ship 'em for H—n—r.

AN EXCELLENT NEW BALLAD

To the Tune of, 'A Begging we will go,' etc.

I am a Turnip Ho-er,
 As good as ever ho'd ;
 I have hoed from my Cradle,
 And reap'd where I ne'er sow'd.
 And a Ho-ing I will go, etc.
 For my Turnips I must Hoe.

With a Hoe for myself,
 And another for my Son ;
 A Third too for my Wife—
 But Wives I've two, or None.
 And a Ho-ing we will go, etc.

At Brunswick and Hanover
 I learned the Ho-ing Trade ;
 From thence I came to England, where
 A strange Hoe I have made.
 And a Ho-ing we will go, etc.

I've pillag'd Town and Country round,
 And no Man durst say, No ;
 I've lop'd off Heads, like Turnip-tops,
 Made England cry, High ! Ho !
 And a Ho-ing I will go, etc.

Of all Trades in my Country,
 A Hoer is the Best ;

C. H. Firth

For when his Turnips he has ho'd,
 On a Turnip he can Feast.
 And a Ho-ing I will go, etc.

A Turnip once, we read, was
 A Present for a Prince ;
 And all the German Princes have
 Ho'd Turnips ever since.
 And a Ho-ing I will go, etc.

Let Trumpets cheer the Soldier,
 And Fiddles charm the Beau ;
 But sure 'tis much more Princely, to
 Cry 'Turnips, Turnips, Ho' !
 And a Ho-ing I will go, etc.

With Iron-headed Hoes, let
 Dull Britons Hoe their Corn :
 But of all Hoes, give me a Hoe,
 For Turnips, tip'd with Horn.
 And a Ho-ing I will go, etc.

If Britons will be Britons still,
 And horny Heads affront ;
 I'll carry Home both Heads and Horns,
 And Hoe where I was wont.
 And a Ho-ing I will go, etc.

To Hannover I'll go, I'll go,
 And there I'll mery be ;
 With a good Hoe in my right Hand,
 And Munster on my Knee.
 And a Ho-ing I will go, etc.

Come on, my Turks and Germans,
 Pack up, pack up, and go,
 Let J——s take his Scepter,
 So I can have my Hoe.
 And a Ho-ing we will go, etc.

POEM ON MR. PAUL

The Man that fell by Faction's Strife,
 In Mournful Notes I Sing ;
 Who bravely Sacrific'd his Life,
 To serve his Church and King.

A Subject, Priest, and Patriot he,
 For Church, King, Country brave ;

Chose rather thus to Murder'd be,
Than see their Rights Enslav'd.

He strove for their Invaded State,
From Brunswick's curst Arrival ;
Who proves their Emblem of ill Fate,
In Noll's and Will's Revival.

Behold I touch the Mournful Lyre,
Whose gentle Strings Impart,
(As first my Grief did them inspire)
Their Trembling to my Heart.

My Muse, all wreath'd in baleful Yew,
No Laurel Green shall wear ;
Thus is England's falling Church to me,
Whilst Whiggs the Triumph bear.

Townshend and Wake that drew him in,
His Errors to recall ;
Now like malicious Serpents, grin,
And Triumph in his Fall.

Deceit may Townshend's Nature be ;
In Wake, 'tis Gain's Creation,
'Cause, like the Crown, his Holy See,
Is but an Usurpation.

Tho' Paul in Fear did thus Recant,
Having his King deny'd ;
Like Peter, he return'd the Saint,
And an Apostle Dy'd.

And tho' Abjuring Oaths he took,
To our Usurping Tarter ;
Like Saul the Cause he thus forsook,
To be like Paul the Martyr.

His Dying Words with Truth did Shine ;
Himself, he did desire,
Should be his Monumental Shrine,
On every Church's Spire.

From thence, tho' Dead, he'd still relate,
For Faith his Life Surrender ;
By Mercy of its Guardian State,
And Merciful Defender.

And if the Sun had chanc'd to taint,
And chang'd him Black to view ;
Still their dark Deeds he'd Represent,
In Ecclesiastick Hue.

His Arch the Skies had then become,
 Stars deckt him with their Train,
 And Air had been his Sacred Tomb,
 Embalm'd in Tears of Rain.

His Death, as we a Glory own,
 Whiggs love to Church is reckon'd ;
 Whilst he shall by the Style be known,
 Of Great St. Paul his Second.

THE PETITION

To the Tune of, 'Which no Body can deny.'

To you, German Sir, a Petition I bring,
 Tho' I, Heav'ns know, am a poor wooden Thing,
 And you're but a poor wooden Tool, call'd a King,
 Which no Body can deny, etc.

My Name it is Tyburn, let not that alarm ye,
 For Cause there is good you shou'd do somewhat for me,
 Since I've slain you more Foes than your whole Standing Army.

Now, 'tis no great Matter for which I do sue,
 For my whole and my sole Application to you,
 Is for nothing but what has long since been my due.

Your Gen'als I claim, whether old Ones or New,
 Those that wear your Green Ribbands, and those that wear Blue,
 For I've a String better than either o' th' Two.

Old Marlborough first, that renown'd 'Treason-monger,
 I demand as the fittest to lead up the Throng there,
 He has cheated me long, but shall cheat me no longer.

Nor let it be deem'd any Shame to his Race,
 For so high-born a Peer to be brought to this Place,
 For I've had many better Men here than his Grace.

Your Aylmers and Byngs, and your Admirals round,
 Are destin'd by Fate, all to die on dry Ground,
 For not a Man of 'em all was born to be drown'd.

Your new-lorded Stanhope to my Quarters send,
 Who looks not i' the Face either of Foe or of Friend,
 For he'd rather by half they would shew t'other end.

There's Townshend and Walpole, those Birds of a Feather,
 Who side with both Parties, yet care not for either,
 As they've done all their Lives, let 'em now hang together.

Old Sunderland's Son is a man of great Fire,
And therefore I'll tie him a Knot or two higher,
He shall pay off his own Scores, and those of his Sire.

Send Cowper to me, and I'll soon put him out
Of all manner of Pain, be it Pox, Stone, or Gout,
As sure as his Brother did poor Sarah Stout.

Without Bail or Mainprize your Chief Justice dispatch,
To my Trusty and Well-belov'd Cousin, 'Squire Ketch,
As he stretches the Law, a Hempcord let him stretch.

To my Brother in Ireland, o' th' same Occupation,
I'll give Lord Cadogan a Recommendation,
For his Grandsire's sake (once Jack Ketch o' th' Nation).

To Pelham, that blust'ring Head of the Many,
I've nothing to say, but shall leave the poor Zany
For's own Mob to knock out his Brains, if h'as any.

Those Episcopal Fathers of Presbyter Strain,
Who are fed by the Church, yet its Altars prophane,
I'll consign to my Chaplain, the good Paul Lorrain.

As concerning your Germans there needs no harranguing,
But what I beg is, that you'd send 'em all ganging
To the Place whence they came, for they're hardly worth hanging.

For hating the Prince, you unnatural Elf,
For kicking him out, like no Son of a Guelph:
For all these good Reasons, pray go hang up your Self!

'Do but grant this Petition, and God save the King!
'While I stand on three Legs, I'll sing, hey ding a ding,
'For I've got all the World, when I've You in a String.'

The Scottish Islands in the Diocese of Sodor

TWENTY-ONE years ago Mr. A. W. Moore, the late Speaker of the House of Keys, published in the *English Historical Review*¹ a bull of Pope Gregory IX. of 30th July, 1231, enumerating the possessions of the Bishop of Sodor. It is well-known that the names of foreign places often appear in strange disguises when transcribed by the clerks of the papal chancery; and in this particular instance new elements of distortion have been introduced by the facts that the document is only preserved in a modern copy belonging to the Bishop of Sodor and Man, which was made by an ignorant scribe about 1600, and that this copy is badly torn. Still, it has been possible to restore a coherent text with but few lacunae, and of these only two affect the place-names to which it is the object of the present paper to call attention.

The document runs as follows :

Gregorius² episcopus, servus servorum Dei, venerabili fratri Simoni, episcopo³ Sodorensi,⁴ suisque successoribus canonicè substituendis⁵ [*In perpetuum*].

In eminenti⁶ apostolicæ sedis specula,⁷ licet⁸ immeriti, disponente Domino, constituti, fratres nostros episcopos,⁹ tam propinquos, quam longe

¹ Vol. v. 101-107, 1890.

² In the following text, words and letters which are missing in the original owing to the mutilated condition of the manuscript are supplied within square brackets. Additions which have nothing to correspond to them in the original are further distinguished by italic type, as [*In perpetuum*]. In the manuscript, diphthongs, when not occurring in an abbreviated syllable, are generally expressed by the simple vowel. I have made a few alterations in the text from that printed in 1890, for which my friend Mr. W. H. Stevenson and I were jointly responsible. The form supplied in the *Liber cancellariæ apostolicæ*, edited by G. Erler (Leipzig, 1888), has been of service in emending the document.

³ *Eiſco*, MS.

⁴ *Sodorenc'*, MS.; and so throughout.

⁵ *Substitutis*, MS.

⁶ *In iumentum*, MS.

⁷ *Spectacula*, MS.

⁸ *Licet*, MS., and so throughout, but not invariably, in the cases of *ett*, *fueritt*, *interveniatt*, *liceatt*, *nequiveritt*, *poteritt*, *præsumatt*, *suntt*, *utt*, *vell*, &c.

⁹ *Episcopos*, MS.; the *ch* appearing wherever the word *episcopus* or *archiepiscopus* is written in full.

positos,¹⁰ fraterna debemus charitate diligere, et ecclesiis¹¹ sibi a Deo commissis pastoralis sollicitudine¹² providere. Quocirca, venerabilis frater in Christo episcopo,¹³ tuis iustis postulationibus [*clementer annuimus*], et ecclesiam cathedralem sancti Garmani Sodorensis in insula Euboniæ (iam Manniæ) vocata, cui, auctore Deo, præesse dignosceris, sub beati Petri et nostra protectione suscipimus,¹⁴ et præsentis scripti¹⁵ privilegio communimus;¹⁶ statuentes, ut quascunque¹⁷ possessiones, quæcunque bona eadem ecclesia in præsentiarum iuste¹⁸ et canonicè possidet, aut in futurum concessione pontificum, largitione regum, principum, vel dominorum, oblatione fidelium, seu aliis iustis modis, præstante Domino, poterit adip[is]ci, firma tibi tuisque successoribus et illibata permaneant. In quibus hæc propriis duximus experimenda vocabulis: locum ipsum Holme, Sodor, vel Pile vocatum, in qu[o] præfata cathedralis ecclesia sita est, et ecclesiam sancti Patricii de Insula, cum omnibus et singulis ecclesiarum prædictarum commoditatibus, libertatib[us], pertin[entiisque]¹⁹ pleno iure spectantibus; tertiamque partem omnium decimarum de omnibus ecclesiis in prædicta insula Euboniæ vel Manniæ constitutis, et de Bothe, de Aran, de Eya, de Ile, de Iurye, de Scarpey, de Elath, de Col[vansey], de Muley, de Chorhye, de Cole, de Ege, de Skey, de Carrey, de R[. . .], et de Howas, de insulis Alne, de Swostersey et episcoporum h[. . .]; ac etiam terras in insula prædicta, videlicet et de Holmetowen, [de] Glenfaba,²⁰ de Fotysdeyn, de Ballymore, de Brotby, de baculo sanc[t]i Patricii,²¹ de Knokcroker, de Ballicure, de Ballibruste,²² de Jourbye, [de] Ballicaine,²³ de Ramsey; terras etiam ecclesiæ sanctæ²⁴ Trinitatis in Leay[re], sanctæ Mariæ²⁵ de Ballalaughe, sancti Maughaldi, et sancti Michaelis adiacentes;²⁶ et terras sancti Bradani²⁷ et de Kyrkbye, de Kyrkemarona, de Colusshill, terramque sancti Columbæ²⁸ Herbery vocatam. Ad hæc, cimiteria ecclesiarum et ecclesiastica beneficia nullus iure hereditario possideat; quod si quis præsumpserit, censura ecclesiastica vel canonica compescatur.²⁹ Præterea,³⁰ quod communi assensu capituli³¹ tui, vel partis concilii sanioris, in tua diocesi³² per te vel per successores tuos fuerit canonicè institutum, ratum et firmum volumus permanere. Prohibemus insuper, ne excommunicatos vel interdictos ad officium vel communionem ecclesiasticam sine conscientia et consensu tuo quisquam³³ admittat, aut³⁴ contra sententiam [tuam] canonicè promulgatam aliquis venire præsumat, nisi forte periculum mortis immineat, aut³⁵ dum præsentiam tuam habere nequiverit, per alium secundum formam ecclesiæ satisfactione præmissa oporteat ligatum³⁶ absolvi. Sacrorum quoque³⁷ canonum auctoritatem sequentes³⁸ statuimus, ut nullus episcopus vel archiepiscopus, absque

¹⁰ *Positas*, MS.¹² *Solisitudine*, MS.¹⁶ *Comunius*, MS.²⁰ *Glensaba*, MS.²³ *Ballicaine*, MS.²⁶ *Adiacentis*, MS.²⁹ *Comprestat*, MS.³² *Diocesis*, MS.; where the word is always spelled with *c* in the last syllable.³³ *Quisque*, MS.³⁶ *Ligatum* gātū, MS.¹¹ *Ecclesiis*, MS., and so throughout; but *ecclesiastica*.¹³ *Epo*, MS.¹⁷ *Quecunque*, MS.²¹ *Patracii*, MS.²⁴ *Ecclesiam sanctam*, MS.²⁷ *Bradarni*, MS.³⁰ *Preterea*, MS.¹⁴ *Suscepimus*, MS.¹⁸ *Lusti*, MS.²² *Ballibrushe*, MS.²⁵ *Sanctam Mariam*, MS.²⁸ *Columba*, MS.³¹ *Capitali*, MS.¹⁵ *Script*, MS.¹⁹ *Ptim*, MS.²³ *Ballicaine*, MS.²⁶ *Adiacentis*, MS.²⁹ *Comprestat*, MS.³² *Diocesis*, MS.³⁴ *Ac*, MS.³⁵ *Ac*, MS.³⁷ *Sacrarorumque*, MS.³⁸ *Sequentis*, MS.

Sodorensis episcopi consensu,³⁹ conventus celebrare, causas etiam⁴⁰ vel ecclesiastica negotia in Sodoren[si] diœcesi, nisi⁴¹ per Romanum pontificem vel [eius] legatum fuerit eidem ini[unc]tum, tractare præsumat; in ecclesiis quoque Sodorensis diœcesis, quæ ad ali[os] pleno⁴² iure non pertinent,⁴³ nullum clericum instituere vel destituere vel sacerdotem proficere⁴⁴ sine consensu diœcesani præsumat. Statuimus etiam, ut in electionibus episcoporum successorum tuorum nulla vis, nulla potentia regis vel principis interveniat; nec in præmissione episcoporum quisque officium prælationis ecclesiasticæ obtineat, sed ille vacanti præficiatur ecclesiæ quem illi, ad quos electio de iure pertinere dignoscitur, scientia et moribus iudicaveri[n]t aptiorem, forma canonica in electione servata. Clericos etiam et tenentes tuos tuæ⁴⁵ diœcesis debite volentes libertate gaudere districtius prohibemus, ne rex vel princeps aut dominus eos exactionibus indebitis aggravare præsumat.

Decernimus⁴⁶ ergo, ut nulli omnino⁴⁷ hominum liceat præfatam ecclesiam temere perturbare, aut eius possessiones vel libertates auferre, vel ablatas retinere, minuere, seu quibuslibet vexationibus fatigare, sed omnia integra conserventur eorum pro quorum [sustentatione et] gubernatione concessa sunt, usibus omnimodis profutura,⁴⁸ salva sedis apostolicæ auctoritate. Si qua igitur in futurum ecclesiastica secularisve persona, hanc nostræ constitutionis paginam sciens, contra eam temere venire temptaverit, secundo tertiove commonita, nisi⁴⁹ reatum suum congrua satisfactione correxerit, potestatis et honoris sui careat dignitate, rea[m]que se divino iudicio⁵⁰ existere de perpetrata in[i]quitate cognoscat, et a sacratissimo corpore et sanguine Dei et Domini Redemptoris nostri Iesu⁵¹ Christi aliena fiat, atque in extremo examine districtæ subiaceat ultioni. Cunctis autem [e]idem loco suo iura servantibus, sit pax Domini⁵² nostri Iesu Christi, quatenus et⁵³ hic⁵⁴ fructum bonæ actionis percipiant⁵⁵ et apud districtum Iudicem præmium æternæ pacis invenia[n]t. Amen.⁵⁶

Datum Reatæ,⁵⁷ tertio kalendas Augusti, Indictione quarta, incarnationis Dominicæ anno millesimo⁵⁸ cc° xxxi° et pontificatus nostri anno quinto.⁵⁹

The bull deals first with the site of the bishopric; secondly with the bishop's third of all tithes in the Isle of Man and in a number of islands named; and thirdly with a series of properties in the Isle of Man. All the places in the Isle of Man except Fotysdeyn and Colusshill were identified by Mr. Moore, but he did not profess to examine very closely the names of the Scottish islands which lay outside his immediate line of interest. The lands in the Isle of Man are enumerated in a promiscuous order

³⁹ *Consensu*, MS. ⁴⁰ *Ecclesiam*, MS. ⁴¹ *Nisi* nuper, MS. ⁴² *Plene*, MS.

⁴³ *Pertineant*, MS. ⁴⁴ *Projicere*, MS. ⁴⁵ *Tuæ*, MS. ⁴⁶ *Secrevimus*, MS.

⁴⁷ *Omnino* *amō* (?), MS. ⁴⁸ MS. inserts *et*. ⁴⁹ *Nisi* *in*, MS.

⁵⁰ *Domo* *iudicio*, MS. ⁵¹ *Jesu*, MS. ⁵² *Dei*, MS. ⁵³ *Ut*, MS.

⁵⁴ MS. adds *in*. ⁵⁵ *Principiant*, MS. ⁵⁶ *Amen*] *anno*. MS.

⁵⁷ *Romæ*, MS. ⁵⁸ *Millesimo*, MS.

⁵⁹ The bull is endorsed in the handwriting of Bishop Wilson: 'Popes Bull granted to the Bishop for his Thirds, &c. in this Island, &c. Anno 1231.'

without regard to their geographical relations ; and Mr. Moore seems to have thought that the Western Isles were similarly unarranged, for he conjectured 'Eya,' which is mentioned between 'Aran' and 'Ile,' to be Iona.⁶⁰ I venture, however, to hold that the document starts at any rate with a nearly regular enumeration of the islands following the coast as near as may be from south to north. Thus we have *Bothe* (Bute), *Aran* (Arran), *Eya* (Gigha), *Ile* (Islay), *Jurye* (Jura), *Scarpey* (Scarba), *Elath* (Elachnave, the southern of the Garvelach group),⁶¹ *Col[vansey]* (Colonsay), *Muley* (Mull), *Chorhye* (apparently Tiree), *Cole* (Col), *Ege* (Eigg), *Skey*, *Carrey* (Canna), *R[...]* (Rum). Of these the identification of *Chorhye* with Tiree alone presents difficulties, though it is possible—if hardly probable—that the initial *R* may indicate Raasey rather than Rum. The remaining four names on the other hand are an enigma,

de Howas, de insulis Alne, de Swostersey, et episcoporum h[...].

These should naturally designate the Hebrides ; but I leave to scholars more skilled in Scottish nomenclature than I can profess to be, to expound the true names which are here concealed through a double process of mistranscription.

REGINALD L. POOLE.

[The Editor has shown proofs of the above paper to two or three contributors to the *Scottish Historical Review*, and has received the following notes :

Dr. Maitland Thomson says, It is indeed a pity that so interesting a document is preserved only in so corrupt a form.

It seems to me that your learned correspondent's identifications may well be accepted up to 'Skey' inclusive, which is as much as to accept his theory that the islands are arranged in fairly regular geographical order. If that is so, one would expect, after Skye, the 'Long Island,' that is (according to the medieval nomenclature) Barra, Uist and Lewis ; Benbecula being reckoned part of Uist and Harris of Lewis.

I therefore suggest that Barra, 'the *Barey* of the Sagas,' has been mis-copied Carrey ; and that *Howas* is miswritten for *Liawns*, Lewis ('the Ljodthhus of the Sagas') ; the lost intermediate word would be Uist, in the Sagas Iuist, which it would not be difficult to miscopy into Ruist.

⁶⁰ Dr. James Wilson and Sir Archibald Lawrie kindly point out that Iona was entirely unconnected with the See of Sodor, being under the immediate jurisdiction of the Pope.

⁶¹ Cf. C. Innes, *Origines parochiales Scotiae*, ii. (1854), 277.

But if that is so, the three remaining names must be an odd lot, and topographical situation no guide to their identification. So it is difficult to frame any guesses which are better than any other guesses. *Alne* is not far from *Ulva*; *Swostersey* looks very Norse—if it can mean Sister's Isle, it may be Inchkenneth, which seems to have been the chief possession of the Nuns of Iona. The remaining *insula episcoporum* *h* may be Iona if any reason can be given for giving it that name—but I hardly think it was ever a Bishop's seat (except casually in Celtic times) till the final division of the Scottish and English Sees of Sodor. It is to be observed that in the Sixteenth Century Rental of the Bishopric of the Isles (in *Collectanea de Rebus Albanicis*) it is expressly noted that the Bishop had *not* a third of the parsonage of Icolmkill, and this privilege may be very ancient.

Sir Archibald Lawrie says, It is, I think, certain that the Kings of Norway in the eleventh and twelfth centuries claimed every one of the islands on the West Coast of Scotland.

The tradition was that King Magnus in 1098, to add to the number of his possessions, sat in a boat which was dragged across the isthmus of Tarbert to prove that Kintyre was an island.

The Kings of Norway in the next century recognised the power of the Kings of the Isles, and in 1166, when King Henry II. of England met King William of Scotland at Mont St. Michel, there came there the Bishop of Man and the Isles, who told Robert de Torigneio (then the Abbot of St. Michel) that the King of the Isles held Man and thirty-one other islands under the King of Norway on condition of paying on the accession of each King of Norway ten marks of gold.⁶²

An interesting question is whether Iona was one of the islands held by the King of the Isles under Norway and whether the Bishop of Man and the Isles had any episcopal rights or derived any revenue from the church of Iona.

It is probable that the Kings of Norway claimed Iona and that the Bishop of Trondhjem and afterwards the Kings and Bishops of Man pretended that it lay within their diocese and jurisdiction, but it is almost certain that such a claim was not acknowledged. The old church of Iona was closely connected with Ireland, and as late as 1164 the *Annals of Ulster* record an event which Haddan and Stubbs describe as an ineffectual attempt to reunite Iona and the Irish church.⁶³

The meaning of the passage is not clear to me, but it seems certain that the churchmen of Iona looked to Ireland and not to Man as the seat of ecclesiastical authority.

In addition to claims by the Irish church and by the Bishop of Man there was a claim by the Bishop of Dunkeld, a Bishopric which long asserted interests and rights in the church of Iona.

Towards the end of the twelfth century King William granted to the Abbey of Holyrood the churches in Galloway on the mainland of Scotland

⁶² *Robert de Torigneio*, Rolls Ed. vol. iv. p. 228.

⁶³ Haddan and Stubbs, v.a. 2, p. 235; *Chron. Picts and Scots*, p. 372; *Annals of Malcolm and William*, p. 89.

which had belonged to the church of Iona, and about the same time a new Cluniac monastery and nunnery were founded in Iona.

In this competition for episcopal jurisdiction over it the Abbots of Iona were recognised by the Pope as exempt from episcopal supervision and as owing subjection to Rome only.

During the War of Independence in the beginning of the fourteenth century the Scottish king created a new Bishopric of the Isles apart from that of Man.

Years afterwards, to make a revenue for the Bishop of the Isles, the office of Abbot of Iona was practically suppressed, the Bishop was made the commendator, the two prelacies remained combined till the Reformation. The Abbey Church of Iona became the Cathedral of the diocese of the Isles. Before that (if the Bishop had a cathedral) it was the Church of Rothesay.

In 1561 it is recorded that while the Bishop of the Isles had a third of many benefices in the Isles which had belonged to Iona, he had not a third of Icolunkil, the revenue of that benefice belonged to him as Abbot or Commendator, not as Bishop.

The Rev. Principal Lindsay writes, May not Howas be Howse, which was the name of the chief parish in South Uist in 1594? Mr. Donald Monro, High Dean of the Isles, who travelled through the Hebrides in 1594, in his *Description of the Western Isles* refers to Howse under Island 154.

Might not Swostersey be Wattersay, the southmost of the two clusters of islands which were said to belong to the Bishop of Iona, one called the Bishop's Isles consisting of several small islands on the east and south of Barra, and the other nine islands surrounding Skye on the north and west sides? Of these Wattersay was the southmost of the second of these two groups. See also Suilskeray, No. 209, in Monro's list of Islands.

Can Elath be Veliche, Island No. 17 in Monro's list, where it is described as 'Niarest the iyle of Skarbay layes any iyle, called in Erish Ellan Veliche, unto the northeist'?

The Editor would be glad to receive any suggestions which may throw light on the points raised by Mr. Reginald Poole.]

Scottish Burgh Records

THE Scottish commonwealth has been well served by the archivists who have with such diligence and success given themselves to the transliteration of burghal records, with a determined will—

To ken all the crafte how the case felle
By lookyng of letters that left were of old.

It was in 1868 that the first volume of the Burgh Records Society's publications appeared under the editorship of Professor Cosmo Innes. Sir James Marwick was for nearly forty years editorially identified with the volumes of this invaluable series, and since his death the transition has only by degrees been made to Mr. Renwick, who has proved himself a most loyal literary executor and the only possible successor to Sir James. The association of the two was a happy circumstance for the Society. So much depends on the intimate knowledge of the records dealt with that the archivist's share in the product

Extracts from the Records of the Burgh of Glasgow, A.D. 1691-1717. [Edited by the late Sir James D. Marwick, LL.D., and Robert Renwick.] Cr. 4to. Pp. xvii, 719. Glasgow: Printed for the Scottish Burgh Records Society, 1908.

The River Clyde and the Clyde Burghs. The City of Glasgow and its Old Relations with Rutherglen, Renfrew, Paisley, Dumbarton, Port-Glasgow, Greenock, Rothesay, and Irvine. By the late Sir James D. Marwick, LL.D. Cr. 4to. Pp. x, 254. Glasgow, 1909.

Edinburgh Guilds and Crafts: A Sketch of the History of Burgess-ship, Guild-Brotherhood, and Membership of Crafts in the City. By the late Sir James D. Marwick, LL.D. Cr. 4to. Pp. vii, 258. Edinburgh, 1909.

Extracts from the Records of the Burgh of Glasgow, 1718-38: with Charters and other Documents, 1708-38. [Edited by Robert Renwick.] Cr. 4to. Pp. xxx, 621. Glasgow, 1909.

The Ancient Laws and Customs of the Burghs of Scotland. Vol. II., 1424-1707. [Edited by Robert Renwick.] Cr. 4to. Pp. xxxi, 195. Edinburgh, 1910.

Extracts from the Records of the Burgh of Peebles, 1652-1714. With appendix, 1367-1665. [Edited by Robert Renwick.] Pp. xxiii, 235. Glasgow, 1910.

includes the selection of the matter, and is the chief element in shaping the editorial narrative and commentary.

The vast increase in knowledge of Glasgow's history must be credited, it goes without saying, to Mr. Renwick, whose *Glasgow Protocols*, not second to the Burgh Record volumes themselves, are a quarry of precise local topography and biography of the sixteenth century such as scarcely any city in the United Kingdom can rival.

The preface to the *Extracts from Glasgow Records, 1691-1717*, begins with an emphatic recognition and homage. 'In one capacity or another,' says Mr. Renwick, 'I have had the great privilege of being associated with Sir James Marwick in the work of the Society since its formation, and having been specially conjoined with him in the preparation of this volume, the loss of my revered friend, the memory of whose unflinching kindness to myself must ever remain with me a treasured possession, has laid on me the duty of completing the book.'

During the period covered by the selection of Extracts the Union of 1707 and the Jacobite rising of 1715 were the great public facts of history. Yet it is significant of burghal life and record that neither event engrosses much attention in the proceedings of the town council. In 1706 the tumult caused by the anti-Union populace stoning the council-house led to a proclamation by tuck of drum for the mustering in arms of 'the haill fencible men of this burgh' to put down any disturbance. A detachment of troops from Edinburgh settled the rioters, but the incident, which bulks so largely in Defoe, is not recorded in the town's minutes at all.

The community was divided about the Union. On the Jacobite question in 1715, on the other hand, there was no division. Glasgow stood firm by the house of Hanover, sending assurances of loyalty to King George in the face 'of a designed invasion from abroad in favour of a Papal Pretender and of the preparations of a restless Papal and Jacobite faction at home for subverting our happy constitution in church and state.' The city further sent 500 of its militia to recruit the royal forces. Other reminiscences of 'this tyme of common danger' appear in the pious and partly executed purpose whereby 'the toun should be put in a better posture of defence by drawing lynes of entrenchment about the toun in case of ane attack,' and in the confinement of 353 'rebell prisoners' under guard in the castle prison in December, 1715.

A highly interesting 'account of the extraordinary charge and expenses' from July, 1715, until October, 1716, details the carriage of 'great guns,' the powder horns for priming them, the cartridge boxes, the leaden cannon balls, the messages sent to raise the alarm or to bring 'accounts of the Pretender,' the hire of horses, the building of barricades of stone, 'divets,' up-cast earth and timber, and a mighty digging of trenches by militiamen and colliers cheered at their work by liberal allowance of drink. Barricades and trenches at Gallowgate, Glasshouse, Cowloan, and St. Tennoch's Bridge, Buns Wynd, Rottenrow, Deneside, and the Merchants' Hospital are particularly mentioned. Extensive work at Kirkintilloch Bridge, too, shows that the scheme of defence was not limited to the city confines. Gunpowder (at a cost of over £1000), firelocks, bayonets, drums, halberts, and 'a feild carriage for a cannon for the toun' are items of charge which attest that the city stood well to its guns.

One adventure of interest before the rebellion broke out was the seizure, among innocent chests and barrels, in a boat at the Broomielaw, of 32 firelocks, 32 pistols, and 21 'speir bayonets' destined for 'nonjurors and disaffected persons in the Highlands.' The thoroughgoing preparations made to repel the Pretender explain the unusual emphasis of the Act of Parliament in 1716 granting to Glasgow a duty of two pence Scots per pint of ale and beer in recognition of the 'most cordial and cheerful manner' in which the city had acted in the crisis.

The Extracts for 1718-38 cover two decades of much less public excitement in which the occurrences steadily grow more prosaic and find more modern phrases to record them. But there is still abundance of interest, and it is pleasant to note in the proceedings what Mr. Renwick calls 'the advent of our earliest local historian.' In 1732 the minutes bear that 'John M'Ure, writer, has compiled a book intituled The Ancient and Moddern State of Glasgow which he is to cause print,' but his petition for a 'gratification' towards defraying his expenses seems to have proved ineffectual to evoke a money grant, notwithstanding his work being dedicated to the Provost, Town Council and Town Clerk. M'Ure guessed the population then to be 30,000, an estimate nearly doubling the figure Mr. Renwick thinks probable.

There was progress in commerce, manufactories, and general industries, but it was slow. Political unrest can hardly have counted for much among the conditions that clogged advance.

The malt tax riot, in which Shawfield House was sacked in 1725, was a symptom of discontent with the Union. A false alarm of Jacobite invasion in 1727 led to the drawing up of another fervid address of loyalty and unalterable adherence to his 'sacred Majesties person family and government.' At the heart of these records the purely local concerns continued dominant, but trading policy in general was watched with a very intelligent eye. Scottish rights in the tobacco traffic were jealously guarded, linen manufacture was promoted, and the attention paid to the development of Port-Glasgow reveals both ambition and practical grasp in the business section of the city.

Shipping with the Plantations of America had already, in 1723, reached dimensions respectable enough with '20 or 30 sail of ships every year laden with tobacco and sugar,' and in 1726 Defoe reported 'near 50 sail of ships every year to Virginia, New England, and other English colonies in America.' A set of ordinances for Port-Glasgow harbour, provisions for its repair, 'the strenth and decorement thereof,' and the building of a dry dock and a new quay, are as clear intimations of enterprise as the slightly earlier construction of another new quay at the Broomielaw.

Sir James Marwick's historical study of the Clyde and the Clyde burghs was printed in proof in 1906, but was still under revision at his death, and has been editorially completed and brought out by Mr. Renwick. A conspectus of burghal developments on the firth, it is characterised by the familiar features of the veteran author's workmanship. It shows his persistent method of linking the facts with the minimum of general statement, his fidelity to the authorities duly cited for every paragraph, and his customary success in constructing a connected history which for its accuracy, fulness, and variety in matter of chronicle and fact must for long remain an authority and standard for reference.

The absence of colour and the toning down of quaint phrase and incident are deliberate. Sir James's choice was an unhesitating preference to be a solid builder of facts rather than an artist in narrative or a historical painter. It is this quality, his unbending cult of the authentic and his virtual contempt for the decorative region beyond, that makes the enduring value of his writings. He spared no pains to get his information, and his art was to rely on his truth as his abiding virtue. That Sir James never in his writing broke the calm of the plain historiographer,

never showed himself, as he often was in his conversation, vehement and almost passionate in his argument or narrative, is perhaps a proof of his severe conception of the task of the historian and the restraint in which he kept his pen.

To set Glasgow into its surroundings, burghally considered, was the purpose of a study which grouped, contrasted, compared, and analysed the ports of the Clyde. Rutherglen was a fully royal burgh under David I. So, perhaps, was Renfrew, but if so the dignity was lost by the grant to Walter, the first of the Stewarts, which made the burgh baronial only, so that not until 1397 did Renfrew, by the charter of Robert III., acquire the full burghal status.

Paisley, only made a burgh of barony in 1488, and then subject to the abbot as Glasgow was to the bishop, remained baronial until 1658. In that year an arrangement with the abbot's lay-successor as Superior, procured the granting of a Crown charter in 1665, which (in spite of objection by Dumbarton) gave it a tenure under the Prince and Steward of Scotland which was some degrees short of the dignity of a royal burgh, not even yet included among the many claims of Paisley to historical distinction.

Dumbarton, which alone rivals Glasgow for institutional interest and for its importance in maritime annals, was chartered as a royal burgh about the year 1221, and long disputed the dominance of Glasgow over the Clyde.

On the other hand, Port-Glasgow, on lands acquired by the city of Glasgow in 1668 for a harbour (whence its original name of Newport) began its separate life in 1690 under a Bailie of the Newport having the powers of a baron bailie appointed by and subject to the instructions of the magistrates of Glasgow; and it was only in 1775 that Parliament gave it a police constitution, raised after the Reform Act to that of a Parliamentary burgh.

Greenock came into existence as a baronial burgh in 1635 in the teeth of objection by both Glasgow and Dumbarton; its magistrates were baron bailies; it never was a royal burgh.

Rothsay had its charter from King Robert III. in 1401, and its freedom as a royal burgh was confirmed by James VI.

Irvine, created a burgh by Alexander II. and confirmed by Robert I. in 1322, was in early times used as the port of Glasgow, and as such was long in close commercial relationship with the city. These are the eight burghs with which Glasgow's interconnection is the subject of Sir James's study. Curiously enough the

cathedral city itself, although vested with practically every liberty of a royal burgh long before, only reached full burghal status in 1611, and even then remained subject to reservation regarding the election of magistrates—the last privilege of burghal autonomy finally granted only in 1690 by William and Mary, grateful for the part which Glasgow had played in furthering the Revolution.

Long before that, however, it had acquired a complete pre-eminence over all its neighbours, and become a centre of political, commercial, and manufacturing influence. This gradual growth is well shown by the combined annals which Sir James has compiled, tracing year by year and collating the progress or activities of each of the ports. Too chary of indicating general causes, he yet by the particular episodes illustrates the force of special features, whether of situation, equipment and resources, or of personal enterprise in the inhabitants, which after long struggle, against some by no means impotent rivalry, established the place of Glasgow as capital of the Clyde.

For centuries Glasgow was well provided with grievances in the oppressive action of some one or other burgh. At first Rutherglen and Dumbarton pressed it hard, and all the court-influence of the bishops was needed to check claims of toll and infringements of exemptions on the river and at the markets. Renfrew took a hand in the game too, although obviously foredoomed to futility. Only one rival seems conceivable to us now, and we may still ask how the golden apple of mercantile and maritime supremacy fell to Glasgow and not to Dumbarton. Long the premier harbour of the west coast of Scotland, Dumbarton started with that high natural advantage in the race; but it had only one side of the firth and stood on the edge of the mountains. Glasgow was in the plain, the river was fordable there, and great roads branched from it: later the bridge set it astride of the river; it counted as a port in the beginnings of shipping, and the foresight and energy of its citizens enabled it by engineering science to redress the balance of nature against its inland site—a work which extends back to the sixteenth century. The modern phase, however, began in 1759 with the first of the Clyde Trust acts; the twenty-seventh act was about to be passed when the 'Lusitania' was launched in 1906.

If Sir James gives his emphasis to Glasgow he not less patiently traces the fortunes of the humbler burghs. Inveraray, raised to the rank of royal burgh in 1649, is noticed among the others:

the only one of ancient interest we miss in Sir James's survey is Tarbert, which Robert I. made a burgh, though its honours have not survived. Hamilton (burgh of barony in 1456, chartered as a royal burgh 1548) scarcely appears at all; its erection into a royal burgh was practically abortive, and it subsequently again accepted the inferior status of a burgh of regality.

How Clyde shipping was affected by the development of the Plantations of America and the ocean traffic dating from that period, how the Navigation Acts operated, and how Glasgow ships played their part in the long duel with England in the seventeenth century over wool and linen smuggled to Holland or across the Atlantic—these are matters of economic history which Sir James was reluctant to make his province.

The work on Edinburgh Guilds and Crafts was printed more than thirty years ago, but was then left in proof, and makes its posthumous appearance under the editorial executorship of Mr. Renwick. It is an exhaustive sketch of the privileges and obligations of burgh-ship and guild brotherhood in Edinburgh, copious in authoritative quotations from the Town Council records. Seals of cause, the symbol of incorporation, came greatly into vogue in the last quarter of the fifteenth century. The Hatmakers received theirs from the Town Council in 1473, the Skinners in 1474, the Masons and Wrights in 1475, and the Websters in 1476, followed by the Hammermen 1483, Fleshers 1488, Coopers 1489, Waulkers and Tailors 1500, Surgeons and Barbers 1505, Cordiners 1510, and Candlemakers in 1517. The Baxters having lost their seal had it renewed in 1523.

Certain guilds were specially associated with certain altars in the church of St. Giles, the altar of St. John being maintained by the Masons, that of St. Severane by the Websters, that of St. Mark by the Waulkers, that of St. Crispin by the Cordiners, and that of St. Ann by the Tailors. Indeed, the connection in Edinburgh between the crafts and the church are conspicuous enough to reflect light on the vexed question for the guild brotherhoods, whether the craft guilds as general institutions in Great Britain had not often their origin as church-guilds or associations of craftsmen united by their cult of a particular saint. As living and working organisations, of course, they were trade unions, very narrowly protectionist and exclusive, jealous and watchful against any encroachment, and tenacious of their privileges. Aristocracy and democracy are alike slow to surrender monopoly, and sometimes the reluctance has reason on its side.

There is room here for only one quotation to show how, in 1582, the booksellers, who were freemen of Edinburgh, petitioned for an order of council against an outsider. They showed, with all the eloquence of indignant ratepayers, 'that Thomas Vautrollier prenter beand ane straynger and unfrieman hes thir dyvers yeiris bygane be him selff and his servandis . . . toppitt¹ and sald vithin this burgh all maner of buikis in smallis² and lykwayes bindis the sam contrair to the priveleges of the burgh and to our intollerabill damage quha hes na uther tred quhairby we and our famelies are sustenit he bering na charges whatever and we watcheing wairding and extenting at all tymes.' The application was successful; the Council ordained the agent of the famous French printer 'to desist and ceiss fra all topping and selling in smallis of ony maner of buikis in tymes coming.'

Among other persons convicted of breaking the burgh oath, there appears in 1608 Master Robert Steven, who had taken up a Grammar School in the Canongate to the detriment of the High School belonging to the burgh. This distinguished offender (not unknown to these columns, see *S.H.R.* ii. 253), survived his fine, 'ane unlaw of 100 lib,' until 1618 when he died in Canongate, 'Maister of ye grammer scoill thair.' It is impossible to close this notice of Sir James Marwick's treatise on Edinburgh guilds without marking it as a touching last link of his official association with that city, and of his zeal for its municipal history.

The next volume now to be noticed is a second and complementary part of the first volume issued by the Scottish Burgh Records Society. Professor Cosmo Innes edited the ancient laws and customs of the burghs from 1124 until 1424. A volume in continuation was begun, but was left unfinished when Professor Innes died in 1874. Never resumed by Sir James Marwick, it has fallen to Mr. Renwick to complete. He has adopted the plan of the original volume, and the work consists of a series of excerpts from the record edition of the Acts of the Parliaments of Scotland.

These excerpts embrace the entire statutes applicable to Scottish burghs from 1424 until 1707. Almost all of them are long ago repealed, but the few still in force—*rari nantes* indeed—are

¹ Toppit, broken bulk, so as to retail.

² In smalls, by retail, as opposed to 'in gross.'

marked with an asterisk. The pitiful survivals thus seen in conjunction with the extinct enactments are truly creatures of a vanished world, although, as Mr. Renwick says, they 'illustrate the pleasing feature of continuity which pervades the worthier institutions of our country.' Prefixed to the text is a very short sketch of the legislative system as applied to burghs and trade privilege and the beginnings of foreign trade.

One suggestive remark is made which touches the historical origin of the collective jurisdiction of the Four Burghs, famous as a distinctive organisation of early Scotland. Referring to this Court, which in early times was held at Haddington, and is regarded as the kernel from which was developed the Convention of Royal Burghs, Mr. Renwick states it as 'not improbable that the original organisation was partly of a military type, just as the early individual "burg" was a stronghold before it was transformed into a market town.' Hence, by analogy from the free hanse of burghs north of the Grampians, the Hanseatic league of the Baltic cities, and the far older Anglo-Danish confederation of the Five Boroughs in the Danelagh, he hazards the conjecture 'that ancient Northumbria when the Forth was its northern boundary established its four chief strongholds in the north on a somewhat similar basis.' It is a speculation, to a great extent prehistoric, but as a conjecture will deserve consideration among the other clues to the enigma of the burghs. With this important suggestion, which is obviously influenced by recent discussions of the 'garrison theory,' the Scottish Burgh Records Society in one of its last volumes may be said to return to the problem indicated as the motive of the first volume forty-two years ago, viz. 'to shew the origin of our Burghs and of the Burghal spirit.' And no one will dispute the learning and industry, fidelity and success with which the latest editor has interpreted the aims of the founders of the Society as expressed by Cosmo Innes—not only to show those origins, but to follow and depict the effect of the institutions of the burghs 'on the morals and character, the taste, feeling and mode of life, of their people.'

The Peebles Extracts are in more senses than one a tribute to the little border burgh. Not only does the volume show the Society returning to it, as a typical community, for the purpose of completing the earlier selection of extracts for 1165-1710, published in 1872. In the introduction Sir William Chambers said that that book 'mainly owed its existence' to Mr. Renwick.

The new volume shows Mr. Renwick himself, after at least five other books devoted to his native county and to Peebles itself, returning to it once more.

*‘Ille terrarum mihi praeter omnes
Angulus ridet.’*

No wonder that the townsmen some years ago made an honorary freeman of one who has rendered such filial service and such faithful chronicle. The stones, the very dust of Peebles, are dear to him, and with patriotic zest he crushes the myth that it was reserved for David II., and not David I., to make Peebles a full and free royal burgh. When Mr. Renwick wants to settle a doubt—and he has settled more than almost any historical student in Great Britain—he has a way of resorting to an appendix for his pieces of justification. So, here, he prints (fortified by facsimile) the charter of 1367 which George Chalmers and William Chambers both vainly misread; and no man will doubt any more, for David II.’s charter itself disproves the proposition which disparaged the certainty of Peebles having enjoyed the highest burghal antiquity. Another charter adds an unusual historical curiosity to the appendix; it is the grant of the barony of Manor in Peeblesshire to Sir William Inglis in 1395, ‘in reward of his notable deed namely the slaying of Thomas of Struthire an English knight whom he slew on the Borders in a duel in an action of infamy.’

The town council records, which form the substance of the volume, cover the period from the Restoration to the Revolution, and nearly reach the ’15. Naturally the preface glances retrospectively at some of the burghal institutions touched upon. Peebles was still an essentially agricultural community, and the rights and regulations of common pasture, the mills, and the bridge were themes of town politics of great practical importance. Thus they claim attention in the preface along with such matters as the mode of electing provost and council, the incorporating of sundry crafts, and the friction between the schoolmaster who taught Latin and the school doctor who taught English. Peebles had a ‘lord provost’ in 1555; it spoke of its fair as existing ‘thes mony aiges bygane’; it accepted incorporation with the Commonwealth, and even a charter from the Lord Protector without ever naming Cromwell in its minutes; it swore allegiance with enthusiasm to the returned Charles II. in 1661; it prayed for William and Mary according to the

Act in 1689; and its records betray no extravagant feeling over the Union of 1707.

Internal affairs are the staple of the extracts. The days of border history were past; the burgh appears to have made its last combatant stand in the abortive attempt to keep out Cromwell's army after the battle of Dunbar. The central interest is domestic. For Mr. Renwick, we suspect, Peebles holds undimmed its reputation for pleasure; its alleged sepulchral quiet he seems determined to disprove. At least there is no denying that the annals silently achieve that end, for brisk episodes abound. A 'witch's get' is a term of abuse; the education authority of the period imprisoning folk for 'not putting their children to the school' are by a violent maid-servant declared to be nothing 'but mensworne rascalls'; neighbours quarrelled with each other with the formula 'I defye the, divell.' Once at least they went still further and defied the provost, for a burgess in 1667 upbraided that dignitary by 'saying he spoke not majestick lyke'—an observation too heinous to atone for by a less fine than 40 merks plus incarceration 'during the provest's pleasur.' On occasion a provost's wife could be riotous against a burgess 'pulling doun of his bonet after he had called her a brazen faced loun,' but much graver was the case when the provost himself was assaulted by 'dinging of his hatt and piriweig.' For this, James Sheill not only went to prison but paid a fine, and had his burgess ticket riven 'publictly att the cross' in token of forfeiture of all his burgess privileges.

The liveliness of Peebles otherwise is evinced by the frequency of morning drinks, and pints and gallons of ale to workmen, as *e.g.* 'quhen they lifted up the stipell bell to set her ryght,' by such freaks as that of the roisterer 'ringing the fray bell,' by the 'tua new lockis that was brokin be the mos-truperis upon the portis,' and by the grim necessities of a town's hangman, the scourging of thieves, the pillorying of reseters 'with ane paper on their heidis,' and the searching out of stranger undesirables. So far from dull was Peebles that the town officer himself got 'notoriously drunk' one night whereby the prisoners in the 'thieves' hole' put fire to the doors and nearly set the town a-blaze. Death itself was only an excuse for prolonging such festivities, and in 1697 the council had to repress the abuses at wakes frequented by crowds, 'playing at cards, and drinking excessively, and swearing.' Pleasure even at Peebles had to be kept within reasonable bounds.

One suggestive episode alluded to in the preface is a search for the town's papers after Cromwell's men had made free with the place. A small payment was made 'for two candle to look the writtes in the steiple efter the Inglesmen had spoyled the same.' Not small is the honour of Peebles that it has never wanted for lights of its own to see to its muniments. Scottish burghs in general have scarcely less signally profited by the unwearying service and unique learning of an honorary burgess of Peebles as their chief archivist and historiographer.

GEO. NEILSON.

Chronicle of Lanercost¹

ON the following day, to wit, on the festival of S. Margaret, Virgin and Martyr,² he received at Carlisle Castle fealty and homage from nearly all the chief men of England, who were assembled there for the expedition to be made into A.D. 1307. Scotland, and was proclaimed king. Thus Edward the younger succeeded the elder, but in the same manner as Rehoboam succeeded Solomon, which his career and fate were to prove. Meanwhile, the obsequies and funeral rites of his father were being arranged, and when these were ready, the corpse was taken to Carlisle, and so on to the south, liberal offerings in money and in wax being made for it in those churches by which it passed, most of all in those where it rested for the night. The new king, and Antony Bek, Bishop of Durham (who had previously been ordained by the Pope Patriarch of Jerusalem), accompanied the corpse through several days' journey, together with the nobles of England and a great multitude of Secular and Regular clergy; and afterwards the king returned to Carlisle to arrange for the expedition into Scotland; and thither came to him first Patrick, Earl of Dunbar, and made homage and fealty to him.

On the vigil of S. Peter ad Vincula³ he moved his army into Scotland in order to receive homage and fealty from the Scots, as he had forewarned them, having summoned by his letters all the chief men of the country to appear before him at Dumfries, there to render him the service due. Afterwards he divided his army into three columns to search for the oft-mentioned Robert; but, this time, as formerly, he was not to be found, so they returned empty-handed to England after certain guardians had been appointed in Scotland.⁴

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

² 20th July.

³ 31st July.

⁴ Aymer de Valence was appointed guardian of Scotland on 28th August, but he was superseded on 8th September by John de Bretagne, Earl of Richmond.

Meanwhile there came in great pomp to the king a certain knight of Gascony, Piers de Gaveston by name, whom my lord, the elder Edward, had exiled from the realm of England, and in accordance with the unanimous advice of parliament had caused solemnly to swear that he would never re-enter England; this because of the improper familiarity which my lord Edward the younger entertained with him, speaking of him openly as his brother. To this fellow, coming by the new king's command to join him while he was still in Scotland, the king gave the noble earldom of Cornwall and the Isle of Man, and preferred him in affection to all the other nobles of the country, whether of his own kin or otherwise. When this was done, the whole of England murmured against the king, and was indignant against the aforesaid Piers. Moreover, the new king apprehended Walter de Langton, my lord Bishop of Chester, a man as worthy as any in the realm, who had been treasurer to his [Edward's] father until his death, and imprisoned him in Wallingford Castle.¹ He did this, as was alleged, because the said bishop had been prime mover in advising that the aforesaid Piers should be exiled from the realm in the time of his [Edward's] father. He also caused many other leading men, who had been with his father, to be dismissed from their offices, and viler and worse men to be appointed. Howbeit, he had some cause for punishing the bishop, because, as was said, he found in his possession more of the treasure which he had collected under his [Edward's] father than was in his father's treasury after his death.

Later, after the [anniversary of the] death of S. Michael,² the king held his parliament at Northampton, and there confirmed the gift of the said earldom [of Cornwall], and allowed the bishop to remain in the aforesaid castle [of Wallingford], which was at that time the castle of Piers himself; and after the parliament he went to London with the clergy and people, and caused his father to be interred at Westminster among the kings; for since the day of his death his body had been kept above ground in the abbey of Walsingham.

While all these affairs were being transacted, Robert Bruce, with his brother Edward and many of his adherents, was moving

In this may be traced the influence of Piers de Gaveston, no friend to de Valence, whom, because of his swarthy complexion, he nicknamed 'Joseph the Jew,' a term of special opprobrium in the fourteenth century.

¹ In Berkshire.

² 29th September.

through Scotland wherever he liked, in despite of the English guardians, and chiefly in Galloway, from which district he took tribute under agreement that it should be left in peace; for they were unable to resist him because of the large number of the people who then adhered to him.

About the same time died Friar William of Gainsborough, Bishop of Worcester, beyond the sea, when returning from the court of France, whither he had been sent to arrange the king's nuptials. He lies at Beauvais among the Minorite Friars. Almost all his household died there with him, whence it was believed that they had perished by poison.

Later, about the feast of the chair of S. Peter,¹ the King of England sailed across to France, and with solemnity and great state married his wife Isabella, daughter of the King of France, at Boulogne, as had been arranged in the presence of her father and the leading men of that country, and of many from England. He brought her back to England, and was crowned in London. The people of the country and the leading men complained loudly at his coronation against the aforesaid Piers, and unanimously wished that he should be deprived of his earldom; but this the king obstinately refused. The murmurs increased from day to day, and engrossed the lips and ears of all men, nor was there one who had a good word either for the king or for Piers. The chief men agreed unanimously in strongly demanding that Piers should be sent back into exile, foremost among them being the noble Earl of Lincoln and the young Earl of Gloucester, whose sister, however, Piers had received in marriage by the king's gift.²

About Easter³ the king held a parliament, in which it was unanimously declared that the said Piers should be banished within fifteen days from all the lands which are under A.D. 1308. the King of England's dominion. Howbeit the king, though he gave verbal assent to this, did not in fact keep faith, any more than in some other things which he promised, and Piers remained in England. Wherefore about Pentecost the earls and barons, with horses and arms and a strong force,

¹ 22nd February, 1307-8.

² Margaret de Clare, the king's niece, being daughter of his elder sister, Joan of Acre. The marriage took place on 1st November, 1307, although Walsingham says it was after Gaveston had been appointed Lord Lieutenant of Ireland, 16th June, 1308.

³ 14th April.

came to Northampton, where the king was staying at that time with the said Piers, and there at length it was arranged by force and fear that he should immediately be sent back into exile, in the manner aforesaid, and the Pope's excommunication was procured upon him in the event of his ever after re-entering England. But while it was decreed that he should embark at Dover and have an annuity for life of £200 sterling for himself and £100 for his wife, if she were willing to leave the country with him, the king secretly caused him to sail to Ireland with his wife, furnishing him with letters to the effect that, wheresoever he should go within the lands of the King of England, he should be received with the glory and honour due to the person of the king himself. Also he gave him, as was said, such precious and valuable articles as he could find in his treasury, and also he gave him many charters sealed with his great seal, but in blank, whereon Piers might write whatever he chose; and accordingly he was received in Ireland with great glory.

In all these proceedings no one in the kingdom supported the king, except four persons, to wit, my lord Hugh le Despenser, baron, Sir Nicholas de Segrave, Sir William de Burford, and Sir William de Enge, against whom the earls and barons rose, demanding that they should be banished as deceivers of the king and traitors to the realm, or else that they should be removed immediately and utterly from the king's presence and council.

About the same time, grievous to relate, the Master of the Order of Templars, with many brethren of his order, publicly confessed, as was said, before my lord the King of France and the clergy and people, that for sixty years and more he and his brethren had performed mock-worship before a statue of a certain brother of the Order, and had trodden the image of the Crucified One under foot, spitting in its face, and that they had habitually committed sodomy among themselves, and had perpetrated many other iniquities against the faith. On account of which all the Templars in France were apprehended and imprisoned, not undeservedly, and their goods were confiscated, and the same was done in England, pending what the Pope and the clergy should decide what should be done with them.

Meanwhile, taking advantage of the dispute between the King of England and the barons, Edward de Brus, brother of the oft-mentioned Robert, and Alexander de Lindsey and Robert Boyd and James de Douglas,¹ knights, with their following which they

¹ First mention of 'the good Sir James,' son of Sir William 'le Hardi.'

had from the outer isles of Scotland, invaded the people of Galloway, disregarding the tribute which they took from them, and in one day slew many of the gentry of Galloway, and made nearly all that district subject to them. Those Gallovidians, however, who could escape came to England to find refuge. But it was said that the King of England desired, if he could, to ally himself with Robert de Brus, and to grant him peace upon such terms as would help him to contend with his own earls and barons. Howbeit, after the feast of S. Michael¹ some kind of peace and agreement was patched up between the King of England and his people, on condition that the king should do nothing important without the advice and consent of the Earl of Lincoln; but from day to day the king, by gifts and promises, drew to his side some of the earls and barons.

About the beginning of the following Lent² an embassy was sent to the King of England by order of the Pope and at the instance of the King of France, desiring him to desist from attacking the Scots, and that he should hold meanwhile only what he possessed at the preceding feast of S. James the Apostle;³ and likewise an embassy was sent to Robert de Brus desiring him to keep the peace, and that meanwhile he should enjoy all that he had acquired at the preceding feast of the same S. James, and no more; and that the truce should endure until the festival of All Saints next to come.⁴ But Robert and his people restored nothing to the King of England of that which he had wrongously usurped between the said feast of S. James and the beginning of Lent aforesaid; rather were they continually striving to get more.

In the summer the king held his parliament at Northampton; whereat, contrary to the hope of all England, the said Piers de Gaveston, through privy procurement of the king
A.D. 1309. beforehand, was confirmed as formerly in the earldom of Cornwall, with the assent of the earls and barons, on condition that he should have nothing in the kingdom except the earldom. For already, before the aforesaid parliament, the sentence of excommunication pronounced by my lord the Pope against the said Piers in England had been suspended for ten months, and all Englishmen were absolved from whatever oath they had taken in any manner affecting the said Piers; and meanwhile he received license to return from Ireland to England, and obtained in parliament the earldom of Cornwall as before.

¹ 29th September.

³ 25th July, 1308.

² 12th February, 1308-9.

⁴ 1st November.

But in the aforesaid parliament there was read a fresh sentence of excommunication pronounced against Robert de Brus and against all who should give him aid, counsel, or favour.

Now about the feast of All Saints,¹ when the said truce was due to expire, the King of England sent Sir John de Segrave and many others with him to keep the march at Berwick; and to defend the march at Carlisle [he sent] the Earl of Hereford and Baron Sir Robert de Clifford, Sir John de Cromwell, knight, and others with them. But a little before the feast of S. Andrew² they made a truce with the oft-mentioned Robert de Brus, and he with them, subject to the King of England's consent, until the twentieth day after Christmas,³ and accordingly Robert de Clifford went to the king to ascertain his pleasure. On his return, he agreed to a further truce with the Scots until the first Sunday in Lent,⁴ and afterwards the truce was prolonged until summer; for the English do not willingly enter Scotland to wage war before summer, chiefly because earlier in the year they find no food for their horses.

About the feast of the Assumption⁵ the king came to Berwick with Piers, Earl of Cornwall, and the Earl of Gloucester and the Earl of Warenne, which town the King of England had caused to be enclosed with a strong and high wall A.D. 1310. and ditch; but the other earls refused to march with the king by reason of fresh dispute that had arisen. But he [the king] advanced with his suite further into Scotland in search for the oft-mentioned Robert, who fled in his usual manner, not daring to meet them, wherefore they returned to Berwick.⁶ So soon as they had retired, Robert and his people invaded Lothian and inflicted much damage upon those who were in the king of England's peace. The king, therefore, pursued them with a small force, but the Earl of Cornwall remained at Roxburgh with his people to guard that district, and the Earl of Gloucester [remained at] Norham.

After the feast of the Purification⁷ the king sent the aforesaid Earl of Cornwall with two hundred men-at-arms to the town of S. John beyond the Scottish Sea,⁸ in case Robert de Brus, who

¹ 1st November.

² 30th November.

³ 14th January, 1309-10.

⁴ 8th March, 1309-10.

⁵ 15th August.

⁶ This Fabian strategy was very exasperating to the chronicler, but it was the means whereby Bruce won and kept his kingdom.

⁷ 2nd February, 1310-11.

⁸ *I.e.* Perth, beyond the Firth of Forth.

was then marching towards Galloway, should go beyond the said sea to collect troops. But the king remained on at Berwick. The said earl received to peace all beyond the Scottish Sea, as far as the Mounth. After the beginning of Lent¹ the Earls of Gloucester and Warenne rode through the great Forest of Selkirk, receiving the foresters and others of the Forest to peace.

About the same time died the noble Henry, Earl of Lincoln, who was Guardian of England in the king's absence, in place of whom the Earl of Gloucester was elected with the king's consent, and therefore returned from Scotland to England.

In the same year died Antony Bek, Patriarch of Jerusalem and Bishop of Durham (Patriarch, however, only in name), and was buried with great solemnity in the cathedral church of Durham, at the northern corner of the east end; in which church none had hitherto been buried save S. Cuthbert.²

To him succeeded Richard of Kelso, a monk of that monastery [Durham], soon after Easter,³ and was consecrated at A.D. 1311. York by the archbishop on the feast of Pentecost.⁴

In the same year my lord Thomas, Earl of Lancaster, came to the king in Scotland, to do homage for the earldom of Lincoln which had come to him through his wife after the death of the aforesaid earl. But, forasmuch as the king was in Berwick, the earl was advised not to go before him outside the realm to render homage, neither would the king come across the river to him; wherefore there was much apprehension of civil war in England, because the earl, having four other earldoms besides that of Lincoln, threatened to return immediately with one hundred knights whom he had brought with him (without taking account of foot-soldiers besides), and to enter upon the lands of the said earldom whereof he had offered homage to the king, who had declined to receive it. But by God's influence the king followed wiser counsel, crossed the water of Tweed, and came to the earl at Haggerston, about four miles from Berwick, where they saluted each other amicably and exchanged frequent kisses. Although hitherto they had been much at discord because of Piers de Gaveston, yet [that person] came thither with the king;

¹ 24th February, 1310-11.

² Considering the effusive eulogy or scathing criticism passed by the chronicler upon other deceased dignitaries of the Church, it is strange that he should have nothing to say about the character of this most redoubtable prelate.

³ 11th April.

⁴ 30th May.

but the earl would neither kiss him, nor even salute him, whereat Piers was offended beyond measure.

In the same year the Templars of England were tried upon the aforesaid crimes with which they were charged by inquisitors sent by my lord the Pope, all of which they denied at York, but three of them pled guilty to them all in London.

Forasmuch as the king, two years before, had granted in a certain parliament, and confirmed by establishing it under his great seal, that he would submit to the authority of certain persons, earls and bishops,¹ partly for councillors (for he was not very wise in his acts, though he may have spoken rationally enough), and likewise partly for the better governance of his house and household, and that the term of two years should be given them for dealing with these matters and deliberating, which time had now elapsed, therefore the Guardian of England and the nobles of the land sent forward envoys to the king in Scotland about the feast of S. Laurence,² humbly beseeching that it would please him to come to London and hear in parliament what they had ordained for his honour and the welfare of his realm. Wherefore the king, unwillingly enough, went to London, where all the great men of the realm were assembled, and in that parliament the said ordainers announced publicly what they had ordained, and these were approved by the judgment of all as being very expedient for the king and realm, and specially so for the community and the people. Among these [ordinances] it was decreed now, as it had been frequently before, that Piers de Gaveston should depart from the soil of England within fifteen days after the feast of S. Michael the Archangel,³ never to return, nor should he thereafter be styled nor be an earl, nor be admitted to any country which might be under the king's dominion; and sentence of excommunication was solemnly pronounced by the Archbishop of Canterbury upon all who should receive, defend, or entertain him in England after the aforesaid fixed limit of time. He himself, confident that he had been confirmed for life in his earldom, albeit he was an alien and had been preferred to so great dignity solely by the king's favour, had now grown

¹These Lord Ordainers were the Archbishop of Canterbury, the Bishops of London, Salisbury, Chichester, Norwich, S. David's and Llandaff; the Earls of Gloucester, Lancaster, Lincoln, Hereford, Pembroke, Richmond, Warwick and Arundel; the Barons Hugh de Vere, William le Mareschal, Robert Fitz Roger, Hugh Courtenay, William Martin, and John de Grey.

² 10th August.

³ 13th October.

so insolent as to despise all the nobles of the land; among whom he called the Earl of Warwick (a man of equal wisdom and integrity) 'the Black Dog of Arden.' When this was reported to the earl, he is said to have replied with calmness: 'If he call me a dog, be sure that I will bite him so soon as I shall perceive my opportunity.'

But let us have done with him [Piers] till another time and return to Robert de Brus to see what he has been about meanwhile. The said Robert, then, taking note that the king and all the nobles of the realm were in such distant parts, and in such discord about the said accursed individual [Piers], having collected a large army invaded England by the Solway on Thursday before the feast of the Assumption of the Glorious Virgin,¹ and burnt all the land of the Lord of Gillesland and the town of Haltwhistle and a great part of Tynedale, and after eight days returned into Scotland, taking with him a very large booty in cattle. But he had killed few men besides those who offered resistance.

About the feast of the Nativity of the Blessed Virgin,² Robert returned with an army into England, directing his march towards Northumberland, and, passing by Harbottle and Holystone and Redesdale, he burnt the district about Corbridge, destroying everything; also he caused more men to be killed than on the former occasion. And so he turned into the valleys of North and South Tyne, laying waste those parts which he had previously spared, and returned into Scotland after fifteen days; nor could the wardens whom the King of England had stationed on the marches oppose so great a force of Scots as he brought with him. Howbeit, like the Scots, they destroyed all the goods in the land, with this exception, that they neither burnt houses nor killed men.

Meanwhile the Northumbrians, still dreading lest Robert should return, sent envoys to him to negotiate a temporary truce, and they agreed with him that they would pay two thousand pounds for an exceedingly short truce—to wit, until the Purification of the Glorious Virgin.³ Also those of the county of Dunbar, next to Berwick, in Scotland, who were still in the King of England's peace, were very heavily taxed for a truce until the said date.

In all these aforesaid campaigns the Scots were so divided among themselves that sometimes the father was on the Scottish side and the son on the English, and *vice versa*; also one brother might be with the Scots and another with the English; yea, even the same individual be first with one party and then with the

¹ 12th August.

² 8th September.

³ 2nd Feb., 1311-12.

other. But all those who were with the English were merely feigning, either because it was the stronger party, or in order to save the lands they possessed in England; for their hearts were always with their own people, although their persons might not be so.

From the feast of S. Michael¹ until the feast of S. John Lateran,² Pope Clement held a council at Vienne³ with the cardinals and three patriarchs and one hundred and thirty archbishops and bishops, and abolished the Order of Templars so that it should no longer be considered an Order. Also he caused many new constitutions to be enacted there, which were compiled in seven books in the time of his successor, John XXII.

Now let us return to Piers. That oft-mentioned Piers de Gaveston left England and went to Flanders within the time appointed him, to wit, within fifteen days after the feast of S. Michael.⁴ But whereas in Flanders he met with a reception far from favourable (through the agency of the King of France, who cordially detested him because, as was said, the King of England, having married his daughter, loved her indifferently because of the aforesaid Piers), to his own undoing he returned to England, but clandestinely, through fear of the earls and barons; and the king received him and took him with him to York, where they plundered the town and country, because they had not wherewithal to pay their expenses. For the earls and barons had ordained, and enforced execution thereof after the return of the said Piers, that the king, who would not agree with his lieges in anything, should not receive from his exchequer so much as a half-penny or a farthing.⁵ The king, then, fearing lest the earls and barons should come upon him there, took Piers to Scarborough with him; but he who was then warden of the castle⁶ refused to allow, on any account, the king to enter accompanied by Piers, wherefore the king turned aside with him to Newcastle, and there, as at York, they plundered the town and country. When Thomas, Earl of Lancaster, heard this, being most hostile to the said Piers, he marched secretly and suddenly through the wooded parts of England, avoiding the high roads, about the feast of the Invention of the Holy Cross.⁷

¹ 29th September, 1311.

² 6th May, 1312.

³ In Dauphiny.

⁴ 12th October.

⁵ *Obolum nec quadrantem.*

⁶ Henry de Percy, First Lord Percy of Alnwick, 1272-1315.

⁷ 3rd May.

(To be continued.)

Reviews of Books

THE CONSTITUTION AND FINANCE OF ENGLISH, SCOTTISH AND IRISH JOINT-STOCK COMPANIES TO 1720. By William Robert Scott, M.A., D.Phil., Litt.D. Volume II., COMPANIES FOR FOREIGN TRADE, COLONIZATION, FISHING AND MINING. Pp. x, 504. Royal 8vo. Cambridge: University Press. 1910. 15s. nett.

THIS is a very valuable contribution to economic history, and it is impossible in a short space to give an idea of the scope and thoroughness of research of Dr. Scott's book.

The sixteenth century is a period of great interest in economic history, and one of its most important phenomena is the increase of capital and of opportunities for its employment. From the middle of the century onwards an ever increasing amount was invested in joint-stock companies. The formation and growth of these companies were influenced by different conditions from those of the present day. Dr. Scott finds that these conditions fall into two classes, those which affected all the companies, and those which only affected special trades or industries. The first class of conditions is to be treated of in Volume I,¹ which is an account of the 'general development of the joint-stock system' brought 'into relation with the chief social, political, industrial and commercial tendencies which influenced it.' Thus an account will be given of the uses of capital in modern times. Volume II. contains accounts of companies formed for trading, colonizing, fishing and mining. The history of some, by no means all, of these companies has been written. But, as Dr. Scott says, attention has been chiefly given heretofore to the work and results of the companies, rather than to their constitution and their financial organization and methods. This latter side is fully and ably dealt with in Dr. Scott's book. Dr. Scott begins with the earliest companies formed, those for foreign trade, such as the six companies which were successively formed to trade with Africa, the first expedition sailing in 1553; the company for trade to Russia, which obtained a charter in 1555; the 'Adventurers to the North-West for the Discovery of a North-West Passage,' which accomplished nothing, and lost over £30,000; the Levant Company; and the Hudson Bay Company.

The East India Company, founded in 1600, is the best known and the most important. Almost from the beginning it had great difficulties to face at home as well as abroad. It was attacked by the bullionists and the

¹ For reasons connected with the printing Volume II. is published before Volume I.

clothiers, who declared that it exported bullion and imported goods which competed with the woollen manufacture. About 1670 the Levant Company, jealous of the success of the East India trade, the interlopers, and the opponents of the whole system of joint-stock companies joined in the attack. In 1681 efforts were made to promote a rival joint-stock company, but the favour of the crown was secured for the old company, chiefly by an annual New Year's gift of 10,000 guineas, until the Revolution. After 1689 the opponents of the company attacked it with renewed vigour both in Parliament and on the stock-market, and at last were established in 1698 as the New Company. It then appeared necessary that some arrangement for amalgamation should be made. Accordingly it was decided, in 1702, that the companies should be united in 1709, the trade in the meantime to be carried on by a joint committee of the New and Old Companies. The financial adjustments were very complicated. The Old Company held more dead stock than the New, but it had a large debt due on bond. In addition, a two million loan had been raised, of which each company held a different proportion. Even after the amalgamation there were still difficulties to be faced by the United East India Company—the control of the officials in the east, for instance, \$2000 was spent on liquor at Bencoolen in six months, while the stores were left to rot; an alarm about interlopers from Ostend, with a commission from the Emperor (surely not the 'Emperor of Austria' in 1716); and the crisis of 1720. Dr. Scott's history of the finance and constitution of this company and its long struggle with the interlopers is most valuable.

The failure of the Scottish East India Company (the Darien Company) was largely due to the opposition of the English Company, though in any case the Scots, even had they been able to raise their proposed capital of £600,000, would have had a hard struggle with the long-established East India and African companies with their joint capital of £1,372,540. The stock of the English Company fell 46 per cent. after the development of Paterson's scheme. Parliament was urged to interfere, both by the East India Company and also, though Dr. Scott does not mention it, by the plantation officials, afraid of Scottish settlement in America and infringement of the Navigation Acts. The House of Commons decided to seize the papers of the subscribers and to impeach the leading members, and the company was really ruined before the subscription in Scotland was begun. £400,000 was subscribed in Scotland, of which £170,000 was nominally paid up, though only about £150,000 was actually paid. This was lost, and debts of £14,809 18s. 11d. were incurred by 1707, when the assets were £1,654 11s. 0²/₃d. Some of the stock was sold at 10 in 1706, the purchasers making a profit of about 600 per cent. when payment was made from the Equivalent.

Some of the colonizing companies had very important results, including the founding of settlements in Virginia, Massachusetts, other parts of New England, and the Bermudas. An unsuccessful Scottish attempt was made to settle Nova Scotia by Sir William Alexander (1621-1633) in which the title of baronet was offered to those who ventured 3000 marks and sent out six colonists.

The success of the Dutch in fishing off the British coasts inspired the foundation of the 'Society of the Fishery of Great Britain and Ireland' (1632-40). But the Scots were not at all anxious to co-operate, the capital raised was insufficient, and was almost entirely lost.

Nearly all the companies, for whatever purpose they were formed, were incorporated by charter from the crown, seldom in Tudor and Stewart periods confirmed by Parliament, although the Russia Company had its privileges confirmed by Act of Parliament in 1566. The East India Company for long endeavoured to get authorization from Parliament, and pointed to the Scots act constituting the Darien company as evidence in favour of its demand.

The charter of the Russia Company, 1555, is one of the earliest examples. It incorporates certain persons named as 'one bodie and perpetuall fellowship and commualtie' endowed with perpetual succession and a common seal, capable of holding bonds and of suing and being sued; with a governor and provision for the fellowship electing some of the 'most sad, discrete and honest persons' of the fellowship as assistants, who had considerable power. Most of the later charters were much on these lines, sometimes providing for an annual meeting of shareholders, or specifying the number of shares, twenty-four in the Society of the Mines Royal; or the voting qualification, which in the 1661 charter of the East India Company was fixed at £500.

A very important feature in the charters of the trading companies was the extent and character of the monopoly granted to them. The East India Company was granted in 1600 the 'whole entire and only trade and traffic' in all places from the Cape of Good Hope to the Straits of Magellan; the Royal African Company in 1672 was to have the whole trade from Sallee to the Cape. They were also often authorized to punish interlopers, who forfeited their ships and cargoes.

The difficulties of the Russia Company with interlopers are interesting, illustrating the complications which arose in commercial matters before the complete union of England and Scotland. James I., by letters patent under the great seal of Scotland, incorporated Sir James Cunningham and other adventurers as a Scottish East India and Greenland Company. Cunningham, to the alarm of the Russia Company, began to fit out a whaling expedition, but an arrangement was come to by which the charter was to be recalled and Cunningham compensated. In 1626 Charles I., as king of Scotland, gave a license for whaling to Edwards, or Uduard as the Scottish records call him, and his partners. After some controversy the Company was ordered to admit them as members, but in 1634 the Greenland Adventurers were again in difficulties with interlopers, one of whom had got hold of Edwards' license.

The financial history of the companies is given with great fulness and clearness by Dr. Scott. In the trading companies there was not always a permanent joint-stock at the early stages, but members could subscribe for one voyage only or for a group of voyages. In the early years of the East India Company the voyages were organized on the system of terminable stocks. By 1613 they had sent out twelve voyages,

for each of which there was a separate subscription, except that one and two, and three and five were inter-related. In that year a subscription was made on the basis that there should be four voyages with the capital adventured, this was called the First Joint-Stock. In 1617 a Second Joint-Stock was formed, but it was found advisable to purchase the assets of the First, and similarly the Third bought the 'remains' of the Persian Voyages, which had been sent out separately. In 1657 it was arranged that the Fourth Joint-Stock and the United Joint-Stock should be wound up, and gradually the system of a permanent capital was adopted.

The methods of finance were not always strictly business-like. The Royal African Company, chartered in 1672, was involved by 1712 in difficulties 'without precedent or parallel.' In 1702 dividends had been paid out of capital to induce the shareholders to pay an assessment on their stock, and by 1712 the price had fallen to $2\frac{1}{4}$ for £100 stock. When trade was depressed on account of the Dutch war, two dividends amounting to 50 per cent. were declared by the East India Company because the capital could not be employed, and also, and probably more important though not stated by the committee, because they feared the crown might compel them to make large loans if they were known to have large resources.

The East India Company occasionally paid dividends in commodities, such as pepper or calico, in its earlier years. This was not appreciated by those who were not merchants, and in 1629 it was declared 'in order to give contentment to the gentry' that the distribution should be made in money.

Occasionally in the companies for plantation and for reclaiming the land dividends were given in land. Such a dividend was promised to every adventurer of a £12 10s. share in the first Virginia Company, who did not emigrate himself. The land division in Bermudas in 1617 gave 25 acres per share (an interesting map is given shewing the principle of the division). The shareholders in the company for draining the Great Level were to receive 95,000 acres; and the Irish society, financed by a rate levied on the London Livery companies, divided a great part of Ulster amongst the shareholders.

In some of the colonizing companies there were subordinate joint-stocks founded for particular purposes. Such were the Magazine in the Virginia Company for bringing the tobacco to market; a joint-stock of £800 for transporting '100 Maids to Virginia to be made Wives'; and £1000 for sending out shipwrights.

Money was occasionally raised by lottery, as by the Virginia Company in 1612, the Royal Fishery Company in 1661, the Company of Mine Adventurers in 1699. The last was managed by Sir Humphrey Mackworth, one of the earliest company promoters. He, or his agents, excelled in writing pamphlets, precursors of the modern prospectus, describing the prospects of the company in most glowing terms, 'the most artistic touch' being the 'plea that, from the superfluity of profits, the happy shareholder should vote considerable sums for charitable purposes.' The proceeds of 2000 shares, amounting to £10,000, were used by Mackworth

chiefly in providing treats at the lotteries and in paying his own personal expenses.

The remaining volumes of this work will be most welcome, and we look forward with special interest to Volume I., which will contain the generalizations on the facts which Dr. Scott has collected from many sources and handled with great ability.

THEODORA KEITH.

IRISH ECCLESIASTICAL ARCHITECTURE, WITH SOME NOTICE OF SIMILAR OR RELATED WORK IN ENGLAND, SCOTLAND, AND ELSEWHERE. By Arthur C. Champneys, M.A. Pp. xxxiii, 258. With numerous Illustrations. Demy 4to. London: G. Bell and Sons. 1910. 31s. 6d. nett.

THE volume before us makes no attempt at a survey of the whole field of Irish Architecture, secular and military as well as sacred, such as was accomplished for Scotland in the works of Drs. MacGibbon and Ross, but it represents a much more systematic study of the building art in Ireland than has been previously essayed. Mr. Champneys does not indeed ignore the structures of the pagan period, for he emphasizes the fact that it is from these dry-stone monuments that the primitive cells and oratories of Early Christian times were originally evolved, and he describes and illustrates in his first chapter some of the more important of the stone forts of the western seaboard. On the other side the term 'ecclesiastical architecture' is liberally extended to cover a treatment of such work as that of the carved crosses, which is not in the strict sense structural. The book is illustrated throughout by numerous process reproductions of photographs, for the most part from the author's own negatives, but, as a serious set-off against this, there is an absolute dearth of ground-plans, the want of which will be felt especially by the professional reader. The illustrations would also have been strengthened by some drawings of details and ornaments of special interest, as well as by some analytical diagrams and sections of vaults. The untouched photograph, on which reliance is almost exclusively placed, is not an ideal form of illustration where details are in question, as the photograph seems to accentuate disturbing patches of discolouration, caused by lichen and similar accidents. It would also have conduced to the comfort of the reader if references to the illustrations had been introduced into the text, according to a practically universal and most salutary custom.

These defects may easily be remedied in a subsequent issue of what will remain probably for a long time the standard work on its subject. It is a thoroughly sound, well-thought-out production, and exhibits the architecture of Ireland in its connections with that of other parts of the British Isles, while at the same time doing full justice to those aspects of it in which it seems purely Hibernian. On certain questions of dating and of origin the author takes the reasonable view which has been practically established for the last two decades. It is now sufficiently recognized that, while the more primitive structures are of uncertain date, those in which

the highly ornamental style called Irish Romanesque makes itself apparent cannot be earlier than the twelfth century. This needs to be said, because in a recent Italian work on medieval architecture, which in its English dress is likely to be widely read, the author seems to assume that the too early dating for which Petrie is in part responsible has remained an article of faith to this day. This is by no means the case, and the sane chronology of buildings like those at Glendalough, on which Mr. Champneys has set his seal, has been well understood for some time past. It is true that there are examples of Irish Romanesque, such as the chancel arch at St. Caimin's, Iniscealtra, and the western door of St. Flannan's, Killaloe, in which no details occur that can be chronologically fixed; but in the majority of cases the chevron, an unmistakable symptom of twelfth century date, is much in evidence, and this is quite sufficient to fix the chronology of the style.

In the matter of the older structures that are devoid of ornamental details, dating must be largely a matter of conjecture. These are of special interest to Scottish students, as they consist in the beehive huts, stone-roofed oratories, and other dry-stone structures that occur in the Celtic parts of Scotland as well as in the western isle. The technique of these is so obviously derived from that of the pagan tombs and stone forts of the pre-Christian centuries that in themselves they might be of any date within the limits of the ecclesiastical history of the island. Mr. Champneys seems inclined to show unnecessary scepticism as to their high antiquity, but this is a matter on which there must be considerable latitude of opinion. On one minor point connected with these interesting structures his opinion may be contested. The projection of the side walls upon the western front of many early Irish churches he appears to treat as decorative features, calling them 'antae,' 'pilasters terminating the side walls,' and, when they occur in later work, 'buttresses.' Surely the example on St. Macdara's Island, off Connemara, which he mentions on p. 38, shows that the feature is constructive. Here it is not only the wall, but the corbelled stone roof into which the upright side wall passes off, that expresses itself in this fashion on the ends of the building, and this seems to proclaim the constructive independence of the combined wall and roof. Where there is no stone roof the 'antae' are to be regarded as merely survivals.

The later chapters of the volume, on the different periods of Irish Gothic, are full of interesting matter. The Cistercian influence is excellently handled, and the connection with England, illustrated in the work at Christ Church, Dublin, is made clear, while at the same time the vernacular elements in the later Irish Gothic are amply vindicated. Ireland never became, any more than Scotland, an architectural province of England, and, though owing much to the English lancet and decorated styles, Erin did not go on to adopt the Perpendicular forms, but like Scotland pursued an independent course. In the fifteenth and sixteenth centuries Irish architecture exhibits specially indigenous features.

G. BALDWIN BROWN.

ESSAYS BY HENRY FRANCIS PELHAM, Late President of Trinity College, Oxford, and Camden Professor of Ancient History. Collected and edited by F. Haverfield. Pp. xxiii, 328. With Map. 8vo. Oxford: Clarendon Press. 1911. 10s. 6d. nett.

THOSE who knew the late Professor Pelham will feel grateful to his successor in the Camden Chair for the admirably balanced and finely phrased appreciation which serves as introduction to this volume of collected papers. Those who did not, will learn from it something of the singular combination of qualities that enabled their possessor to exercise such an influence in so many departments of University life at Oxford. Pelham was a man of wide sympathies and of quite unusual charm and sincerity of manner. He was a brilliant teacher, and a most capable administrator. But he was also, perhaps above everything else, a scholar with a genuine love of learning, a broad outlook over the field of knowledge, and an easy mastery of the multitudinous mass of detail belonging to his own special subject. He published only one book—his brief but altogether excellent *Outlines of Roman History*. That his output was not greater was doubtless mainly due to the fact that when he was in the prime of his vigour he was threatened with blindness. A successful operation averted the calamity, but for years afterwards he could not use his eyes with ordinary freedom. The interruption to his work came just as he was setting his hand in earnest to what he hoped up to the very last to make the great achievement of his life, a large 'History of the Roman Empire.' Only three or four chapters had been written when his sight began to fail. Whether, even under the most favourable circumstances, the 'History' would ever have been completed, is perhaps open to doubt. As Professor Haverfield points out in his biographical sketch, the task was one of immense and of rapidly increasing difficulty; Mommsen himself had turned aside from it deliberately. But the present volume at all events shows clearly that very few were so well equipped for attempting it as Pelham.

The longest and most important of the papers the book contains deals with the domestic policy of Augustus. Next to it we should rank the description of the Roman Frontier in Southern Germany. The former, a hitherto unpublished chapter of the 'History,' is well calculated to serve as a specimen of the writer's quality. It is a model of lucid exposition and of sound and sane reasoning. There is no English discussion of the subject at once so full and so informing. We doubt whether any so judicious has appeared upon the Continent. The paper on the German Limes was originally printed in the *Transactions* of the Royal Historical Society. It is a really first-rate summary of the first fourteen years' work of the Limes-Commission. As discovery progresses, it will tend to fall out of date, but it is not likely to lose its value for many years to come. Professor Haverfield has supplied a capital map, which enables the printed text to be easily followed.

The majority of the other essays are strictly and severely technical—the stern stuff of which history must be made if it is to be not merely readable, but reliable. As such they will command the attention of specialists. The remainder are of more general interest, and among these we should give the

palm to the *Quarterly Review* article upon the 'Early Roman Emperors.' The least satisfactory is that upon 'Discoveries at Rome, 1870-89.' Excavation has been so active during the last two decades that editorial notes of correction and supplement are frequently called for here, and yet even here the careful reader will find a good deal that deserves attention.

Of the volume as a whole it may safely be predicted that it will long remain entitled to an honoured place on the shelves of students of Roman history.

GEORGE MACDONALD.

THE ROMAN EMPIRE : Essays on the Constitutional History from the Accession of Domitian (81 A.D.) to the retirement of Nicephorus III. (1081 A.D.). By F. W. Bussell. 2 volumes. Vol. I. xiv, 402, Vol. II. xxiii, 521. Demy 8vo. London : Longmans, Green & Co. 1910. 28s. nett.

IN spite of a few well-known writers, Byzantine History has not received the attention from English scholars which it deserves. Gibbon, notwithstanding his rather Olympian altitude, entered closely into the subject and did much for its elucidation : and Finlay, with a more sympathetic treatment, carried research a good deal further. But Finlay's history was completed in 1861, and since then Byzantine studies have somewhat languished, although Professor Bury, in the intervals of other work, has done much to carry them on. Dr. Bussell's important and vigorous contribution will, it is to be hoped, now definitely turn a portion of English, and especially Oxford Scholarship towards a field which has been so largely left to the Germans and the French. Byzantine studies in general have received a great loss through the death of the lamented Professor Krumbacher of Munich : but the present work shows that the interest which he did so much to arouse will not be allowed to die.

Dr. Bussell modestly describes his work as *Essays on the Constitutional History*, but in reality it consists of two stout volumes, and they are concerned as much with political philosophy, and in that perhaps lies their most important element. Or perhaps it would be more correct to say that Constitutional History and Political Philosophy must always go together—that the one is meaningless without the other. And so Dr. Bussell has brilliantly combined the two. His historical narrative is illuminated by philosophical insight. He has the faculty of looking at a period as a whole. In everything, he combines minute knowledge with the ability to take a general view. Thus every page is enlivened with remarks and conclusions drawn both from the matter in hand, and from knowledge of events in other ages, drawn from widely different sources. In a vigorous introduction the conclusions and methods of the work are outlined.

Dr. Bussell's book is, then, on Byzantine history, as interpreted through political philosophy. In plan, the work falls into two parts. The first volume follows up the course of the Empire's history, chronologically from the accession of Domitian in 81 to the retirement of Nicephorus III. in 1081, or rather to the defeat of Romanus IV. at Manzikert in 1071 ; then,

and not till then, in Dr. Bussell's view, the Roman Empire passed away, and the accession of the Comneni opened a 'new dynasty and a new age.' The second volume goes over the same ground, not chronologically as a narrative, but in the form of essays. This plan ensures great fulness of treatment, and a truth once discovered is not allowed to be lost sight of.

The style throughout is dramatic, and we watch with interest the swift course of the centuries till the flood of Orientalism transforms the whole tissue of a once Western Empire. In each decade the facts are clearly marked; and for every generalisation, dates and proper names are produced; while illustrations from all sources, from the novels of Disraeli to the writings of Tsin-Hwang-Ti, are given with an equal light touch and appositeness.

With the general public, the book will be read for its graphic style, and its vigorous discussion of the ever-pressing problems of bureaucracy, caste, heredity, and representation. To the student, it will mean much more. It is a book he must work at, thoroughly to understand it. It is well equipped with introductions, chronological tables of reigns, notes, appendix, a complete index, and even an analysis of all the facts and arguments. Only maps are required to make the equipment complete, for occasionally the reader is troubled to keep the shifting outlines of frontiers in his head. As a rule references are not given at the foot of the pages, but are reserved for notes at the end of a chapter; and striking sentences are quoted in the original Greek, with great effect. On almost every occasion the page or section of the authority is given, although in the case of Psellus, Dr. Bussell hints at many important passages, but reserves a more detailed treatment for another work, which he half promises, and which we hope he will carry out.

R. B. MOWAT.

THE POLITICAL HISTORY OF ENGLAND IN TWELVE VOLUMES. Edited by William Hunt, D.Litt., and Reginald L. Poole, M.A. Volume VI. From the Accession of Edward VI. to the Death of Elizabeth, 1547-1603. By A. F. Pollard, M.A. Pp. xxv, 524. Demy 8vo. London: Longmans, Green & Co. 1910. 7s. 6d. nett.

THE publication of Professor Pollard's volume completes this political history of England from the earliest times till the end of Queen Victoria's reign. This volume is, like the others, in itself a separate and complete book, with its own bibliographical and genealogical appendices, maps, and index. It presents to view three reigns, those of Edward VI., Mary Tudor and Elizabeth. Its chief interests are its accounts of the settled form which the Reformation took in England, of the character and of the policy of Elizabeth, and of the entry of Scotland upon the stage of modern history.

It opens with the administration of the Protectorate which followed the death of Henry VIII. in 1547, when Edward VI. was only nine years old, while the English constitution still required, as its mainspring, an active personal ruler. It tells the story of the fresh attempt on Scotland,

in preparing for which Henry had spent the last months of his life; of the seizure of Edinburgh and the papist abbeys; and of Pinkie, the last and bloodiest of the battles between the independent kingdoms. It shows us the optimist Somerset, a unique dictator, trying to rule with a 'gentle hand,' and seeming to think he could reverse the despotic methods of the Tudors, almost dispense with axe and gallows, and ignore the heresy laws of the late king. It tells of the enduring acts of the Protectorate and the short reign of the boy king, Edward VI.; of the adoption of the Book of Common Prayer, with the 'black rubric' which John Knox contrived to get interpolated in it; of the legalisation of inclosures at the discretion of lords of the manor; and of the sparing (not the founding, as their name erroneously suggests) of the so-called King Edward VI.'s Grammar Schools. We read again the pathetic tale of Lady Jane Grey, the almost perfect type of intellectual graces, of modesty, sincerity, and saint-like innocence, the blameless instrument of her father-in-law's desperate plot; and of the half-Spanish Mary, whom Mr. Pollard calls, without undue flattery, the most honest of Tudor rulers, and who yet brings a blight on national faith and confidence. He describes her as a pitiful woman by nature, freely pardoning convicted traitors, but burning Protestant widows, striving in vain to satisfy by such burnt-offerings the cravings of a mind diseased in a disordered frame, forsaken by her husband and estranged from her people. Sterility, he says, was the conclusive note of her reign. Under Mary the Church was restored. But there was no spiritual fervour. There was an intellectual paralysis. Even theology was neglected.

Mr. Pollard has drawn every character in clear, bold strokes, and he is as faithful with Elizabeth as with the rest. He shows her self-reliant, steadfast, absolute, of true English tenacity, and thanking God for giving her 'a heart which never yet feared foreign or home enemy'; more than a Macchiavelli in deceit, and one of the most accomplished liars who ever practised diplomacy. When she wills the end, she wills the means. She secretly attacks while publicly professing friendship. Her servants' lives and fame are hers to spend or throw away, and she is disloyal to her agents whenever it suits her to repudiate them. These are the methods of her time, but she has an asset in diplomacy that is all her own. Her courtships played a leading part in the subtle work of her foreign policy. She dangled the bait, that cost her neither expense nor risk, before greedy Spaniard, Austrian, Scot, Swede, and Frenchman in turn, if she could thus for the moment attract an ally to, or divert an enemy from, England. Each was beguiled with hopes which she alone knew to be vain. For she had a secret which she never revealed, and which her ministers did not dare to whisper, though they suspected it. Mr. Pollard accepts the evidence that she knew that, for physical causes, she could never have a child, and marriage was as repulsive to her as imprisonment.

With unfailing skill he has set forth the devious ways, and the extraordinary success of her policy; her gradual steering of England from alliance with Spain to alliance with France and with Scotland; her manœuvring of Mary Stuart from being the representative of France to being the client of Spain; her completion of the recovery by the crown,

from the barons and the knights of the shire, of the crown's powers of initiative in legislation, a step towards the transference of these powers to ministers responsible to parliament.

Mr. Pollard's account of the relations between church and state and church and people is of the greatest interest and value. Again and again he points out and illustrates the sordid character of the English Reformation, and shows how very little religion, in the true sense, had to do with the matter, and what continuous factors were honest patriotism and dishonest greed. Only a minority cared about a moral and intellectual amendment. Northumberland's friends in 1552 desired a simpler ritual, but at least one of their motives was an appetite for church goods, plate and metal. Even in the Catholic reaction under Mary, the English would not admit Pope or legate, except on the condition that the holders of the distributed abbey lands should not be disturbed. Mr. Pollard points out that English political instincts were more strongly developed than religious feelings or moral sense, and respectable people thought it scarcely decent to indulge conscience in defiance of the law. The faith was a matter for the church to settle, and the clergy were responsible.

These chapters exhibit throughout a judgment illuminating and convincing, the ease and freedom of complete mastery of the subject, and a rhetorical perfection and happiness of expression very admirable and engaging.

The volume re-tells some of the most romantic and perennially interesting incidents in modern history, and some of the most perennially and fiercely debated. Mr. Pollard has given most of them a more accurate setting, and all of them a fresh interest.

ANDREW MARSHALL.

THE DAWN OF MODERN ENGLAND; BEING A HISTORY OF THE REFORMATION IN ENGLAND, 1509-1525. By Carlos B. Lumsden. Pp. 303. 8vo. London: Longmans, Green & Co. 1910. 9s. nett.

MR. LUMSDEN'S book is of a highly polemical character, and fairly bristles with statements, of which the general trend can merely be indicated but scarcely discussed within the limits of a brief review.

The book is the first of 'many volumes' in which the author hopes to bring his history down to the death of Charles I.; but, although it is thus the first of a series and as such necessarily incomplete in some respects, still the proportions are oddly arranged; almost half of it is given up to the purely political history of the time, whereas the section on the German Reformation is strangely scant considering the part it played in influencing the course of affairs in England; also the conditions of the Church in England in the early sixteenth century are practically untouched, and popular religious opinion and feeling either in Germany or England is left severely alone.

These latter omissions may possibly be rectified in a later volume, but in regard to time one would expect them to appear in the present.

The author speaks from the standpoint, not merely of a Roman Catholic, but of a determined apologist of medieval ethics, modes of thought, and ecclesiastical standards. The philosophy of the Middle Ages is 'the greatest the world has ever seen'; the individualism which was the supreme and all-pervading tendency of the Renaissance is responsible for a few possible benefits and very many evils in succeeding centuries. Mr. Lumsden is perhaps a little obsessed by this theory; as, for instance, when he claims that the keynote of monasticism was the annihilation of the individual in the community. Might it not be suggested that it was in certain respects rather the last expression of a spiritual individualism? The Reformation accomplished no good end; it set free the evil passions and greed of mankind from all ecclesiastical restraint, with disastrous results; Luther was a histrionic genius with a shrewd capacity for playing upon the cupidity of his countrymen in the fight with Rome, which was thus dominated entirely by economic interests. The Reformers were first of all practical men and 'in good works they more particularly resented the power that this gave the Church over money.' Justification by Faith as expounded by Luther encouraged a mere expression of belief, and discouraged all 'charity, humility, and love of one's neighbour.'

These assumptions, as well as many others equally disputable, are put forward by Mr. Lumsden as self-evident statements of fact. He does not deny the degradation of the Roman Curia in the sixteenth century; and he rightly joins other modern historians in destroying the old popular view of the Bible in pre-Reformation times as a forbidden book wholly inaccessible in the vernacular tongues.

MARY LOVE.

THE REGISTER OF THE PRIVY COUNCIL OF SCOTLAND. Third Series, Vol. III. A.D. 1669-1672. Edited by P. Hume Brown, M.A., LL.D., Historiographer Royal. P. xlvi, 851. 8vo. H.M. General Register House, Edinburgh. 1910. 15s. nett.

ANOTHER massive instalment is added to the published records by this volume, which begins just a few months previous to the Earl of Lauderdale's appointment in September, 1669, as the King's Commissioner in Scotland, and the exponent of an eventful ecclesiastical policy. To suppress the religious recusants who refused to accept the re-establishment of episcopacy at the Restoration was the main concern of the Council during the three years covered by the volume, and these records tell the story of Lauderdale's effort, first by conciliation and afterwards by repressive measures of increasing stringency, to suppress conventicles, protect 'indulged' ministers, put down the unlicensed 'outed' ministry, and generally maintain the episcopal settlement in the teeth of the Scottish people.

Burnet, who in 1673 was addressing Lauderdale in warm compliment not only as a 'Master in all learning,' but for his 'judgement so well ballanced,' wrote differently after the rupture with his patron. 'Duke Lauderdale's way,' he said in his *History*, 'was to govern by fits and to pass

from hot to cold ones always in extremes.' This severe estimate is not quite borne out by the proceedings which Professor Hume Brown summarises in his introduction, and which, passing through all stages from indulgence to persecution, are characterised by a steady persistence in the attempt to quiet the country. The bait of indulgence had not the expected effect. Conventicles were insuppressible in spite of incessant prosecution.

Equally numerous were the prosecutions for cases of assault and robbery—the law's name for the 'rabbling' of unpopular conforming ministers. Endeavours to find any workable compromise were essentially unsuccessful: the indulgence of 1669, not by any means abortive, was equally condemned by the covenanters and by the episcopalian synod of Glasgow; its repetition with modifications in 1672 gave no hope of efficient result. Over all, however, there was little persuasion; force was the remedy invoked behind all the indulgences, although the more violent manifestations of persecution were reserved for a later administration. Lauderdale was to discover that his concessions were no effective bribe and that compromise was impossible. And there were other than covenanter malcontents. Roman Catholicism had its vehement votaries, and even the Quakers persisted like the Catholics in following their own creed despite the Acts of Parliament and Council.

Trade subjects were rising in importance, and, above all, trade with England and Ireland. The Scots were eager to get Scots goods into England and to keep Irish horses, cattle, and victual out of Scotland. The protection of native salt, the promoting of a Fishing Company, the regulation of printing and bookselling privileges, the improvement of roads, the suppression of disorders in Edinburgh, Rutherglen, and Linlithgow, and in the Orkney Islands, and the continuance (with considerably abated zeal) of witchcraft proceedings are among the themes singled out for treatment in the introduction. Monopolies were continually being defied. A typical instance may be given. The Company and Society of Fishing in 1670 had obtained a prohibition against any but themselves from exporting herring or white fish, but Glasgow ships named the *Peter*, the *David*, the *Henkar Voyage*, the *Mareon*, and the *Mary*, and a Saltcoats ship named the *Providence*, were all convicted at one time in 1672 of carrying cargoes of herring. The provost of Glasgow (Wm. Anderson) and other merchants on the Clyde were fined 100 merks per last of herring exported.

Among miscellaneous papers forming an appendix there is an interesting letter in 1669 to the 'old proveist' of Glasgow, George Porterfield, then resident with his wife in Amsterdam. He held office in 1652. The letter from John Martin makes interesting reference to the current troubles, and declares—'O if the olde proveist might ere he dy be invited home to rule in that poor citie . . . that wolde be a day of refreshing.' Another letter to 'Mistresse Porterfield' in 1672 is from John Brown, who dates from Middleburgh, and is evidently Brown of Wamphray, then minister of the Scots church at Rotterdam.

In previous notices of these registers the remark has been repeated that the romantic and adventurous spirit of the older chroniclers survives unimpaired in these later records.

As an instance there may be taken the narrative of the riot at the St.

James's fair in the burgh of Forfar in 1671 contained in cross-charges by and against William Gray of Hayston, claiming the office of constabulary. He and the magistrates both claimed the right to proclaim the fair. The latter proclaimed it 'both at the mercat crose of the said burgh and upon the know called the Horseman's Know in the Muir of Forfar.' An attempt to disperse the assembly led to an armed conflict of bodies of horse and foot, with halberds, swords, muskets, guns, and pistols, after which Gray went from the 'muir in a most hostill triumphing and insulting manner' to proclaim the fair over again in his own name. Interesting points of law and history were involved. On the one hand, the Gray family had held the hereditary offices of sheriff and constable with the castle hill attached as a pertinent of the constabulary, and, on the other, the burgh had had its whole burghal privileges confirmed by charter in 1669, including the 'weekly mercat and yeerly fairs.' Gray prevailed; Provost, bailies, councillors, and others of the burgh party were fined; and on the counter-charge Gray and his company, including the sheriff-clerk of Forfar, were assolizied. Among the commissions of fire and sword granted in 1672 against outlawed Highlandmen is one against M'Leod of Assynt, and a host of allied M'Leods, M'Neills, and other clansmen, whose offences included that of 'intercomoning with the Neilsones alias the Slichten Abrach.'

Shipping incidents are many, such as the adventure of the *Golden Salmond* of Glasgow, partly owned by Provost Anderson, setting out on a maiden voyage to Cadiz and captured 'by a Turkish man of warr near Salzie'—which recalls the Sallee rover of *Robinson Crusoe*. Other Glasgow ships mentioned are the *Merchant*, the *Glasgow*, the *Rainbow*, the *David*, and the *Dolphin*. A staple export carried consisted of vagabonds and 'egyptians' under the then prevalent sentences of transportation to the American plantations. Specific destinations of such cargoes are the Barbados, the 'Caribbie Islands,' and Virginia.

But enough has been said to illustrate the wealth of interest there is in these varied annals. Too little has been said in thanks to the editor for his introductory analysis, which lucidly and with well-chosen illustrations points out the prominent features of that time of ecclesiastical coercion, of expanding commerce, and of steady decrease in domestic violence.

GEO. NEILSON.

VISITATION ARTICLES AND INJUNCTIONS OF THE PERIOD OF THE REFORMATION. 3 vols. Edited by Walter Howard Frere, D.D. Alcuin Club Collections XIV., XV., XVI. London: Longmans, Green & Co. 1910.

It is probable that this work will be read only by those who already are acquainted with the story of the religious changes that marked the sixteenth century in England. Yet to such persons it will come as a revelation of a great deal that is new and unexpected, and which could not be obtained from ordinary historical treatises. It sets forth, with the clearness peculiar to original documents, the constant and manifold upheavals of the period.

The shifting of theological positions, the blank denials of past traditions, the fierceness of the Marian reaction, the attempts to reconcile opposing elements, as well as the domestic evils and abuses of the Church, are all vividly portrayed in these volumes.

Limitations of space make it necessary for us to confine ourselves here to the introduction, which opens with a general treatment of the growth and development of Episcopal visitations and their relations to those of archdeacons. Mr. Frere then proceeds to a consideration of the practice as it prevailed in England from the seventh century down to the time of Archbishop Parker.

Of special interest to the student of medieval life will be the sections which are concerned with the difficulties of bishops with regard to the monastic houses and cathedrals in their dioceses. In some respects the problem that faced the sovereigns of the Middle Age—viz. that of overcoming the forces of decentralisation—found a parallel in the task of contemporary bishops in enforcing their right to visit abbeys and cathedral chapters, and in resisting claims to exemption that were often based on forgeries or documents deliberately tampered with. Much valuable information as to the struggles involved by the clashing of the various interests concerned, together with an account of Grossetete's achievement in re-establishing the Episcopal right, will be found in §§ 15-23.

But the most important feature of the introduction is contained in § 25, which treats of the Royal Visitation of 1535. We are reminded that this was a necessary outcome of a new condition of affairs; but stress is laid upon its revolutionary character. Although royal intervention in ecclesiastical affairs was as common before as after the Reformation, it was reserved for the sixteenth century to substitute, in England, the jurisdiction of royal visitors for that of the Ordinary. This change marks the beginning of that lack of spiritual independence in spite of which (and this is the marvel of English Church history) the Church of England has maintained and manifested a vigorous and progressive life.

Those who are still accustomed to think of Edward VI. as a patron and promoter of popular education will find reason to change their opinion after reading § 27. The truth is that his reign was marked by a rapacity for Church revenues and treasures that was far greater than any desire for educational progress. It is always easy to win a good name by spending public money rather than one's own, and what Dr. Frere has written bears out some words of Professor Pollard which are worth quoting: 'The greatest damage was done to the cause of education. Edward VI.'s grammar schools have gained him a reputation as a founder beyond that of any other sovereign and far beyond his own or his advisers' merits.' §§ 29-32 furnish a striking picture of the difficulties of the bishops in the chaotic years that followed the accession of Elizabeth, and there is a sympathetic reference to the conservative wisdom of Archbishop Parker.

It is to be hoped that these volumes will meet with a careful and wide study, for it would be difficult to speak too highly of their worth, or to over-estimate their usefulness to students.

E. M. BLACKIE.

Exchequer Rolls of the Jews 301

CALENDAR OF THE PLEA ROLLS OF THE EXCHEQUER OF THE JEWS, PRESERVED IN THE PUBLIC RECORD OFFICE. Vol. II. EDWARD I, 1273-1275. Edited by J. M. Rigg, of Lincoln's Inn, Barrister-at-Law. Jewish Historical Society of England. 4to. Pp. xxiv, 363. Edinburgh: Printed for the Society by Ballantyne, Hansen & Co. 1910. To Non-members, 16s.

It is very appropriate, amid all the attention that has been given in recent years to the editing of documents illustrative of our medieval history, that the obscure condition of the Jews in the thirteenth century should have been taken in hand by a body of experts like the Jewish Historical Society of England. Since Henry Cole produced his folio volume for the Record Commission in 1844, little had been done to throw much-needed light on the vicissitudes of this long-suffering race till Mr. Rigg and his fellow-members took the matter up in earnest a dozen years or so ago. Scholars are familiar with his volume of selections from the Plea Rolls of the Jewish Exchequer 1244-1272, issued in conjunction with the Selden Society, which has done so much to illustrate a department of the history of English Law hitherto unexplored. From this volume a great deal was learned of the proceedings of the *Justiciarii Judaeorum* who held the rank of Barons of the Exchequer, and had cognizance of Jewish affairs in the matter of revenue, contracts between Jews and Christians, and in all causes touching their goods, fines, and forfeitures.

As a preface to this volume the editor has reproduced a revised reprint of a paper read before the Jewish Historical Society and published in the *Jewish Quarterly Review* in 1902, and he has been well advised in doing so. The survey of the peculiar position held by the Jews in England in the thirteenth century and of their relation to the social, industrial, and commercial fabric makes a fitting introduction to what must be, except to a few enthusiasts, a somewhat dry and uninviting record. Students of special departments of English antiquities will wade through the numerous pleas, most of them very short, which make up the record for the years 1273-1275, in search of the information in which they are interested, but perhaps a larger number will read the preface alone in their desire to get an intelligible idea of the place that the Jews filled in English life, and how matters fared with them from time to time. It needs no argument to prove that Mr. Rigg's preface will meet every legitimate claim of this kind. His treatment of the subject is at once full and impartial without going into unnecessary details. It is easy to understand, after perusing these few pages, how the ill-favoured tradition embodied in Shylock arose, and how the cast-iron laws of early feudalism were in a large measure responsible for its creation. The Jew developed his idiosyncrasy for usury under the remorseless pressure of necessity.

There is one notable feature in the pleas recorded in this volume worthy of mention. The Jews seem to have been scattered everywhere in England, or rather pushed their financial operations far and wide, except in the counties adjoining the Scottish Border. One knight in Northumberland and another in Cumberland seem to sum up the dealings of the four

northern counties with the community during the period under review. The nearest station was at York where they had an important lodgment. Aaron, the Jew of Lincoln, a famous banker, had plied his craft in the previous century with disastrous results to many magnates in these counties, the proceeds of which afterwards found their way into the royal exchequer. No doubt northern merchants resented their intrusion, for we find the good men of Newcastle-upon-Tyne paying the king a fine of 100 marks in 1234 that no Jew henceforth shall remain or make residence in their town.

The editor gives the satisfactory assurance that the rolls have been gone through twice, a laborious undertaking, so that there is little likelihood that any pleas of importance have been omitted. It is a matter of taste whether it would not have been better to have left the pleas untranslated. Anyhow we have them in English, and a good index of persons and places, compiled by the Rev. S. A. P. Kermode, is a welcome addition to the volume.

JAMES WILSON.

THE ALCUIN CLUB COLLECTIONS. No. X.—FIFTY PICTURES OF GOTHIC ALTARS. Selected and described by Percy Dearmer, M.A. Pp. 211. 8vo. London: Longmans, Green & Co. 1910. 21s. No. XIII.—A HISTORY OF THE USE OF INCENSE IN DIVINE WORSHIP. By E. G. Cuthbert F. Atchley. Pp. xxix, 404. With numerous Illustrations. 8vo. London: Longmans, Green & Co. 1909. £3. No. XVII.—TRADITIONAL CEREMONIAL AND CUSTOMS CONNECTED WITH THE SCOTTISH LITURGY. By F. C. Eeles. Pp. xi, 175. 8vo. London: Longmans, Green & Co. 1910. £1.

THESE three handsome volumes are replete with interesting and accurate information on subjects where a little real knowledge would have spared the world a great deal of unnecessary and disturbing controversy.

The first, though dealing primarily with the Gothic altar, throws a great deal of light on the 'ornaments of the church and of the minister' as these might have been seen throughout all western lands in the fifteenth, sixteenth, and early seventeenth centuries.

To the selected plates are added brief Notes explanatory of each; but it scarcely needs these to enforce the lesson taught by the entire series of pictures that in the great periods of ecclesiastical architecture, when the altar was the focus of the church, to which all the lines of the building converged, the altar itself, while richly vested, was neither dwarfed by ungainly erections behind it, nor overloaded with ornaments placed upon it; and as a consequence stood out with all the greater dignity. Now that in Scotland the desire is rising in all our churches to beautify the interior of our sanctuaries, it is very desirable that the well-meant mistakes which led astray so many of the pioneers of this movement in England should be avoided; and we know nothing better fitted to guide both architects and clergymen to good taste and genuine 'correctness' in these matters than the study of Mr. Dearmer's volume.

In the second of the above-mentioned books, Mr. E. G. Cuthbert

Atchley discusses with ample learning the whole history of the use of Incense in Divine Worship, first in pre-Christian times among Jews and pagans, and afterwards in the Christian Church.

The results of his investigations are in many ways surprising. It is, to the present writer, a painful surprise to find a member of the Alcuin Club speaking as he does of many incidents in the Old Testament, in regard to which one would have expected to find in such a quarter a fuller belief in its inspiration and a far more reverent use of it. But if Mr. Atchley here outdoes the most extreme apostles of the Higher Criticism, he surprises us again, and much more pleasantly, when he comes to deal with the use of incense in the Christian Church. He admits at once that the earlier Fathers would have none of it. To them, as to the Puritan, it was either a Mosaic ceremony which was done away in Christ, or a pagan rite associated with the worship of devils. The prophecy of Malachi, the texts in the Apocalypse, which have been quoted in support of its Christian use, the early Fathers interpreted symbolically. And then comes the great surprise of all—the introduction of incense in the Church. When, after the triumph of Christianity, incense *did* begin to be used by Christians, in what shape did it come in? It was borrowed, not from any religious rite, but from a *social custom*! Triumphant generals, returning from some victory over Goth or Persian, were received with palm branches and garlands, with pipe and song, with torches and incense. Even such were the accompaniments deliberately adopted by the Church for her funerals. She copied in the obsequies of her departed a triumphal procession. She would celebrate a victory, not a defeat, and it was at funerals that the ecclesiastical use of incense first came in.

The whole book is most interesting, and the author's conclusion is moderate and sane. A ceremony long and widely adopted in the Church, he pleads, is not condemned by the fact that Jews or heathens have used it, so long as it is innocent in itself, and connotes no heretical doctrine. On the other hand, its disuse need not be construed into the abandonment of any fundamental truth.

To Scotsmen, however, by far the most interesting of the three volumes is that which we owe to the research of Mr. Eeles. Most of the customs with which he deals are connected with the 'Scottish Communion Service' of the Scottish Episcopal Church, which he describes, not unjustly, as 'the best liturgy in the English language, and the product of a time when Scottish Episcopalians were groaning under the severity of the penal laws.' The bishop, with whose name it is pre-eminently associated, though he did not live to see it in its final form, Thomas Rattray (1684-1743), though as a Perthshire laird he lived in comparative comfort, could not venture to dress as a clergyman (!); and when, after his death, his celebrated work, *The Ancient Liturgy of the Church of Jerusalem*, was published, it was not deemed safe to give the bishops who subscribed for it any designation implying what they were. Their names are indicated simply by an asterisk. Rattray himself, in his portrait at Craighall, wears a blue coat with gold lace and gilt buttons. Yet these men, hampered (most of them) by extreme poverty and all by political perse-

cution, built up a rite, simple at once and reverent, enshrining much of value that elsewhere throughout the Anglican communion disappeared under the 'slovenliness of the late eighteenth and early nineteenth centuries, which was itself,' as Mr. Eeles says, 'of the nature of an innovation.'

It is in Aberdeenshire, among the native Episcopalians of that region—a humble but sturdy folk—that most of the usages described by Mr. Eeles survived. He might have added, had the scope of his book permitted, that several of those usages were observed also by the Presbyterians of the same district, at least in the more orthodox and conservative churches. The late Rev. Mr. Jankins, minister of Aboyne, explained to me in my student days his use of 'the credence-table'; and I remember well the late Very Rev. Dr. Hutchison, of Banchory-Ternan, telling me how, when he went to be minister of that parish—I think about 1845—he used to find, on going to assist at Holy Communion in some of the neighbouring parishes, a bowl of water and a towel placed on the holy table, that he might wash his hands ere 'taking' and distributing the elements; and the late Dr. Sprott found that the custom of mixing a little pure and clean water with the sacramental wine—not indeed at the table, but in the preparation of the elements before had by no means disappeared from the Established Church.

Mr. Eeles's book is more than the mere record of the peculiarities of a 'remnant' however learned or devout. It is a study in the principles of Christian worship. It is a contribution to the Church history of Scotland, calculated to fill us with respect for a section of our countrymen who were really learned, and who stood nobly by their principles amid sore discouragement. It deserves the attention in particular of all who long for such a healing of our ecclesiastical divisions as shall do justice to all that is sound and earnest in the religion of Scotland.

JAMES COOPER.

THE ENGLISH FACTORIES IN INDIA, 1630-1633: A CALENDAR OF DOCUMENTS IN THE INDIA OFFICE, BOMBAY RECORD OFFICE, ETC.
 Edited by William Foster. Pp. xxxix, 354. With Frontispiece.
 Med. 8vo. Oxford: Clarendon Press. 1910. 12s. 6d. nett.

THIS is a further instalment of the valuable and admirably edited documents relating to the English Factories in India, from 1630 to 1633. The materials available have been supplemented by the 'Surat Factory Letter Book,' which is preserved in the Bombay Record Office. The period covered by the documents is one marked by some recovery from the depression, which had weighed on the East India Company's affairs at home; but, unfortunately, these improved prospects were spoiled by a most severe famine in India, which is described with great detail by eye-witnesses in several of the documents in this volume. Sad as these particulars are, they are worthy of mention as showing the terrible devastation during a time of scarcity in India under native rulers, and with measures of relief but little organized. At Swally, out of 260 families, only 10 or 11

survived ; at Surat, it is said that 'we could hardly see anie livinge persons, . . . and at the corners of the streets the dead laye 20 together,' while the total mortality in this place was estimated at 30,000. After the famine there came great floods, and 'the faire fields are all drowned, and the fruits of the earth cleane washed away with these waters.'

Friction with the Portuguese continued, and there is a vivid picture of a fight at Swally in 1630, which is of interest, since previous English victories had been at sea. On this occasion the Portuguese landed and demonstrated against the English encampment, covered by the fire from their ships. The English, 'being stirred up to a high measure of furie by the howlerly vexations and braveing of the enemye,' attacked ; and, 'such was the obstinate rage of our people,' that the Portuguese gave ground, while the victors pursued them to within pistol shot of their frigates.

The Company still found it difficult to maintain order amongst its servants in India and to check private trade. Complaints were made against John Willoughby that he had caused the Company great expense 'for want of discreete compleing with the king's gunner about saltpeter,' also for 'his breaking open the tarras aloft, where below in a roome the two padres luggage was housed and his ransacking all these, to the Company and our nacion's great dishonour.'

The factors were in the habit of writing to the office at London with considerable force and freedom. They mention, on one occasion, that it was common report that the officials at Surat could not trade as they wished, 'for feare of giving discontent to that rogue, their governor.' Again there are frequent references to the advantage gained by the Dutch and Portuguese in having forts for the protection of their servants ; if the English were similarly protected 'we should make all these parts stand in awe of us and bring them almost to what condicions of trade we would, and not suffer ourselves to be thus grosly abused and insulted over by these villaines.'

W. R. SCOTT.

THE KINGIS QUAIR AND THE QUARE OF JELUSY. Edited, with Introduction, Notes, Appendix, and Glossary, by Alexander Lawson, Berry Professor of English Literature in the University of St. Andrews. Pp. xcv, 169. With Illustrations. Demy 8vo. London : A. & C. Black. 1910. 6s. nett.

PROFESSOR LAWSON'S book is a new and welcome proof of the revived interest in earlier Scottish literature which is evincing itself at present in various movements. The book contains the texts of the 'Kingis Quair' and the 'Quare of Jelusy,' a critical introduction dealing with controversial questions, full and scholarly notes, and a glossary.

The text of the 'Kingis Quair' has been the subject of careful investigation, and the editor presents it in two versions, a method invaluable to scholars. One of these is as in the MS., the other with the emendations suggested by himself, or adopted from other scholars. As good examples of the former, we might note the reading 'scele' (skill) for 'scole' in stanza 7, and 'byndand' for 'bynd and' in stanza 107.

The chief interest of the book lies in the Introduction, in Professor Lawson's attitude to the controversy as to the authorship of the 'Kingis Quair.' In the earlier part we have good hope that the writer is to be the champion of the poet-king. He gives a detailed life of James the First, and appears to accept in a general way the tradition of James's literary propensities. When, however, he goes on to review the work of previous controversialists, and to add his own contribution, the case is different. He points out that in the title in the MS., the chief evidence in favour of James, there are statements which can be controverted. The book 'was callit the kingis quair,' but it is on this scribe alone we depend for the title; the book 'was maid quhen his Majestie was in England,' but internal evidence contradicts this. Further, Professor Lawson appears to think that the poem is not coloured by the king's rank and environment, that its didactic tone is inappropriate, that, in fact, 'there is little or nothing to suggest that the writer is a young king who has moved among royal personages and who has kingly instincts,' and he comes to the conclusion that 'the verdict must be given, hesitatingly perhaps, yet given against tradition.' We have therefore one more opinion on a problem which, with the scanty evidence we possess, seems to defy solution.

Professor Lawson proceeds to compare the 'Kingis Quair' with two poems, in the same mixed language, generally accounted somewhat later in date, viz. the 'Quare of Jelusy,' which is printed in the volume, and 'Lancelot of the Laik,' a Scottish translation of a portion of the French 'Lancelot du Lac.' He somewhat tentatively puts forward the suggestion that all three poems are the work of the same author, that we have a poet 'who partly translated a French romance in his youth, who was much indebted to Chaucer's "Knight's Tale," and was fired by the spirit of it in his higher moods, who extended his knowledge of English poetry and wrote the "Kingis Quair," and who finally, in old age, with failing power and no inspiration, wrote the "Quare of Jelusy." This ascription is the new and important contribution to the discussion, and is supported by the production of parallels found in the other poems in content, form, and language, e.g. the dialogue with the bird in Lancelot is equated with the address to the nightingale in the 'Kingis Quair,' and Lancelot's lament beginning 'What have I gilt allace, or what deservit,' with the poet's outpourings in the 'Quair.'

Comparing it with the 'Quare of Jelusy,' Professor Lawson notes the dream form of introduction, and the seeing of the beautiful woman in the garden, and the didactic tone of the whole. He gives many instances of this kind, but it is a difficult type of evidence, for there was so much common to all Chaucerian imitators that a great deal of similarity in thought and phrase must be discounted. Professor Lawson admits the immense superiority of the 'Kingis Quair.' But it tells against his argument that in neither of the other poems, and the Lancelot is over 3000 lines in length, is there anything to compare with the finer parts of the 'Quair.' And the exquisite and detailed beauty of the description of the lady, with its love of jewels and colour, finds no parallel

in the other poems, although both offer opportunities for similar descriptions.

The argument based on peculiarities of language in common has weak points, e.g. such arguments as that based on the appearance in 'Lancelot of the Laik' and 'Kingis Quair' of 'dedeyne,' 'hufing,' and 'cowardye' ('elsewhere uncommon words'), is barely convincing when we find that 'dedeyne' is used by Barbour, Henryson, and Douglas, and 'hufing' and 'cowardye' by Barbour and Douglas. In fact this argument can be used for the opposite purpose, that of widening the gulf between the 'Kingis Quair' and the other poems. Thus, two favourite and characteristic words of the middle Scotch writers, viz. 'amene,' pleasant, and 'feill' in its peculiar sense of knowledge or apprehension, are found in 'Lancelot of the Laik' and in the 'Quare of Jelusy,' but not in the 'Kingis Quair'; of these the first seems to have been popularised by Dunbar and Douglas, while 'feill' is found in Henry's 'Wallace,' Dunbar, Douglas, and Lyndesay. Again, Professor Lawson places 'Lancelot of the Laik' first in chronological order, but the vocabulary seems to support Professor Skeat's arrangement, which places it after the 'Quare of Jelusy,' although by the same author, and both of course after the 'Kingis Quair,' for the 'Lancelot' contains more words of a later type peculiar to the Dunbar-Douglas group of poets; such are 'pens,' to think, which is found in Henryson, Dunbar, Rolland, and Lyndesay, and 'crownel' and 'upwarpath,' the use of which it shares only with Douglas.

Such controversial suggestions, as that which Professor Lawson offers, are welcome, for if they do not convince they stimulate interest, and in the field of Scottish literature that is much to be desired. On the non-controversial side we owe him gratitude for his careful investigation of the MSS., and his scholarly annotations; and for the valuable summaries of evidence, the interesting historical detail, and the fruitful literary comparisons, of the Introduction.

MURIEL GRAY.

ENGLISH POLITICAL INSTITUTIONS: An Introductory Study. By J. A. R. Marriott. Pp. viii, 347. Crown 8vo. Oxford: Clarendon Press. 1910. 4s. 6d.

MR. MARRIOTT, wisely appreciative of the public's need of guidance in the elementary facts of the system under which they are governed, has published the substance of his college lectures in a little book that is well-arranged, interestingly written, and likely to prove useful. A text-book such as this is welcome—intermediate in size between exhaustive treatises on the one hand and condensed epitomes of obvious facts upon the other. The promise of originality of treatment suggested in the preface, however, would seem scarcely to be substantiated by results. Mr. Marriott's method of exposition cannot be said (as he seems to claim) to open up a new and more seductive avenue to the study of English institutions, or to provide a new and more scientific basis for the study of English politics. That method, indeed, of beginning with organs of government as they exist at

the present day, and afterwards tracing their connexion with the past, is as old as the days of Blackstone and De Lolme, and has never been without its exponents among publicists down to the days of Anson, Bryce, and Redlich.

Mr. Marriott, it is needless to say, is a well-informed writer; but he would appear occasionally to be unaware of some of the most recent discussions of medieval constitutional phenomena—of quite minor importance, it is true, so far as the purpose of the present work is concerned.

It would be easy to indicate numerous topics that have been omitted, yet there is hardly any part of the substance actually incorporated that could be expunged without loss to the educational value of the work. Mr. Marriott, judged by this practical test, would seem to have shown good judgment, on the whole, in the selection of material, if we accept some 350 pages as the desirable limits of a survey designed to include brevity as one of its chief merits. The book offers an admirable introduction to a subject of universal interest.

WM. S. McKECHNIE.

HUNGARY IN THE EIGHTEENTH CENTURY. By Henry Marczali. With an Introductory Essay on the Earlier History of Hungary by Harold W. V. Temperley, M.A. Pp. lxiv, 378, with Map. Demy 8vo. Cambridge: University Press. 1910. 7s. 6d. nett.

THIS is the first Hungarian work of original research to be translated into English. Its author, the distinguished professor of National History in the University of Budapest, was invited by the Hungarian Academy of Science to write a history of Hungary in the time of Joseph II., emperor of Germany and king of Hungary 1780-90.

Maria Teresa had been prudent, conservative, and tactful. Her son was a reformer, conscientious, indefatigable, eager for progress, filled with the philosophical ideas of the eighteenth century, and determined to make all his subjects enlightened and happy without delay, and even against their will. But in Hungary he did not succeed. Hungary was, as she still is, a nation—the one whole nation in the Hapsburg dominions. For eight hundred years, in spite of the incursions and conquests of Turks, Russians, Germans, and other neighbours, she had preserved her individuality and her language with extraordinary tenacity. In the eighteenth century her social order, her institutions, her ways of life, were still her own, and, alone in Europe, still largely of the Middle Ages. With a prejudiced and ignorant patriotism she stubbornly and successfully resisted change.

Joseph wished to centralise her institutions generally, to organise the courts of justice, to introduce the German language, to abolish serfdom, to extend education, even to regulate dress—worst of all, to revise the register of property, to equalise taxes, and to reform the Church. Hungary's resistance was passive, but inflexible. Her political system was full of abuses, but it was her own. Her officials were robbers and kept the people miserable; but she said, if they had been guilty of the seven deadly sins, she elected them herself, and preferred them to angels from heaven nominated by the Emperor. The local governors did not refuse to obey His Majesty's orders; they put his letters away unopened.

To carry out his reforms, Joseph caused investigations to be made into the condition of the country, its laws and customs, its social, economic, religious, educational, and agricultural affairs. The Hungarian Walter Scott, Maurus Jókai, has vividly presented the experiences of one of Joseph's agents in his novel *Rab Ráby*, recently translated into English. The information was registered in a great collection of original documents now in the royal archives, not recording statistical information alone, but also responsible comment and analysis of the facts of this medieval and almost oriental state, made *in loco* and contemporaneously by modern Western officials. Before writing his history Professor Marczali devoted ten years to the study of this wealth of material, and, in addition, to the examination of county and family archives, and the MSS. in the national collections. The work now translated, a picture of the strange, old-world society which the Emperor encountered, is the fruit of that labour and the preliminary to Professor Marczali's *History of Hungary in the Reign of Joseph II.* Not that medieval society in Hungary had been in all respects unchanged for 500 years. On the contrary, the Renaissance and the Reformation had deeply affected the two principal elements of national life, the nobility and the Church. Nevertheless, like the United States for the study of primitive ethnology, Hungary has for the student of the Middle Ages, as it had for Joseph's bureaucrats, the inestimable advantage that much of the material for examination survived in action, if not to living view, almost to within living memory. Professor Marczali's work is a study, from original sources, of European medieval institutions and society in Hungary observed and recorded as still existing. The record at his disposal was not a palimpsest. The phenomena had not yet been, as elsewhere, overwritten and effaced by modern civilization.

In his introduction the author briefly sketches the political position, when the Turks, after 145 years' possession of the great Hungarian plain, had been expelled by German armies, while Hungarians stood sullenly aloof, or aided the Infidel, whom they feared less than the Austrian; and when the struggle with Austria began which lasted till Hungary's independence was regained. He devotes a chapter to the social system, with its conceptions of status, of right, and of property, resting, not on abstract justice or public economy, but on conquest. He describes the nobles, the descendants of the Magyar conquerors of the country, whose estates composed the whole of it, who were the nation (freeman and noble being identical), and who made and administered its laws; the town-dwellers, chiefly alien both in nationality and language; and the serfs, the descendants of the conquered, better off, Professor Marczali thinks, than their contemporary serfs in France, supporting the whole social edifice, but having no share in its government. Another chapter is devoted to economic conditions. The system of taxation is described, under which, except in so far as they might be slightly affected by the price of salt, the temporal and spiritual nobility paid no taxes at all, direct or indirect. These burdens were borne by the *misera contribuens plebs*. The system of cultivation and pasturage, the domestic industries, the fairs, the roads, the river navigation, Austria's tariff restrictions, and the effects of her general commercial

oppression of Hungary, are presented to view. There is a chapter on Nationality, describing the various races in the land and their inter-relations. There is another on the Church. The yoke of the Turks, indifferent to Christian sects, allowed more religious liberty than that of the Austrian. Hungary was, and still is, largely Protestant, and the Protestant chiefly Calvinistic, the Lutheran doctrine being associated with the hated German; while, as in Scotland, the stubborn spirit of Calvinism fortified the hereditary passion for liberty; and the Calvinist was sometimes found allied with the Moslem to resist the Roman Catholic Austrian.

Mr. Temperley's masterly Introductory Essay is an appropriate and most needful adjunct to the book. With its help the English reader can in this work study the popular meeting in the Rakos (the Hungarian *ágyorá*), its echoes scarcely yet silent; a free people conservatively perpetuating government by a single chamber in which the Magnates could be outvoted; and those most characteristic institutions of Hungary, the county system and the county assembly. Mr. Temperley, like Professor Marczali, finds more than one suggestive parallel to English history in that of Hungary, where, for example, Absolutism, successful in all other countries, was resisted, as it was here.

Those who know the subject best will best understand the immense difficulties of giving English readers a clear notion of Hungarian history and an adequate translation from the Hungarian language, both difficulties so happily overcome in Mr. Temperley's Essay and Professor Yolland's translation.

This volume will inspire its readers with a keen desire that it may be followed by Professor Yolland's translation of the History to which it is the illuminative introduction.

ANDREW MARSHALL.

COMMERCIAL RELATIONS OF ENGLAND AND SCOTLAND, 1603-1707.

By Theodora Keith. 8vo. Pp. xxiii, 210. Cambridge University Press. 1910. 2s. nett.

THIS little work by a young Scottish student is the first number of a series of Girton College Studies, and has a preface by the Rev. Wm. Cunningham, D.D., who congratulates Miss Keith on her success in so dealing with a mass of material as to bring out the importance of much careful detail. The congratulations seem to us to be well-earned, for the essay presents the story of Anglo-Scottish commercial relations, oppositions, diplomacies, and hostilities in such a manner as to prove not only that economic history has as much adventure in it as political history, but that the seventeenth century, with its awakening of Scots industrialism, offers many attractions from its inherent interest, while at the same time it reveals the Scot in his new character as a world-trader. Slow to essay that rôle, he was quick to develop its possibilities once he had discovered them, and Miss Keith has, to a considerable degree, the honour of leading the way in a branch of history which must grow in importance the more it is realised that industrialism meant a vital change of the political and social nexus both of men and

peoples. For it altered equally the domestic and external relationships of Scotland.

The effects of the Union of 1603 were peculiar. They went through various phases, and the final state of the matter left no alternative between some such Union as that of 1707 (whether to be the result of treaty or of conquest) on the one hand, and on the other hand the disjunction of the kingdoms.

It was not merely the question of free trade between them; still more it was the right of trade with the American Plantations and with the Continent that made the incompleteness of the Union of the Crowns a grave menace to British peace. That England was ungenerous and shortsighted to the last degree can hardly be disputed, but Scotland was as persistent, unscrupulous, and resourceful in nullifying English attempts to shut her out of profitable markets. In the first half of the seventeenth century Scottish development was slow, and the rather grasping policy of England was not so keenly felt and resented as it was after the Restoration, when Scotland had begun to make rapid progress. The Cromwellian incorporating Union proved to England that Scotland was not self-supporting, and when the Restoration came both countries hastened to undo the knot that Cromwell had too harshly tied. Then England built up a protective system especially designed to maintain a monopoly in the Colonies, which the Scots, by countervailing duties and otherwise, unweariedly strove to subvert. Smuggling became a principle. The Scottish 'interlopers' achieved no small success in evading the English Navigation Acts, but the growing stringency of the English company privileges was a leading motive for the Darien enterprise, the failure of which, not a little induced by English hostility, was indirectly a powerful influence in that nearer and completer Union which King William advocated and Queen Anne's ministers achieved.

The long struggle of half a century made by the Scots to secure equality of trading rights is well illustrated by concrete examples, of which Glasgow furnishes not a few. The 'interloping' trade found convenient ports on the Clyde, and the rum and tobacco traffic, to which the essential mercantile origins of Glasgow are often referred, fell largely into Scottish hands, in spite of incessant efforts to put it down. Holland and France had been Scotland's chief customers; now there was war long drawn out with both. Scotland complained that too big a share of the cost and loss fell on her, and that when peace was being made there was no concern for Scottish interests. England tried in vain to bottle up her wool; there was always some new way whereby the Scots defeated the prohibition to export. Scotland was advancing rapidly. Prior to 1668 imports from England far exceeded the exports, but in the last decade of the century the export exceeded the import by £10,000.

A final indication of the keenness of the Scots traders appeared in their adroit speculation at the Union. They laid in large stocks of French wines, paying the low duties current in Scotland: they saw that the Union treaty would enable them to carry them over the border, at greatly enhanced prices, into England, where direct imports from France were shut out.

Miss Keith is a welcome addition to the ranks of those who regard the economic aspect of history as the most important side of Scottish annals. The school almost threatens to claim a monopoly—which the true Scot will as heretofore resist. But its view of the relative values of history can be maintained for periods previous to 1600: before 1700 it has become indisputable. It is no dismal science with Miss Keith, who herself sees and lets others see life and entertainment in the subject. We trust she will be encouraged to prosecute lines of study so full of promise. Her booklet is an admirable beginning. Of course, its brevity explains and excuses much foreshortening of internal facts, such as those showing that the Scotsmen's defiance of English excise and custom laws elsewhere was no greater than their evasion of their own laws at home. Whether the Scottish administration forbade exportation of salt, or fish, or coal, whether it prohibited importation of horses or victual from Ireland, whether it interdicted the incoming or outgoing of wool or copper coins, or whether it conceded monopolies in more or less common manufactures, the air was hostile; the Scots were never willing to 'prejudge their owne inhabitants' when it was 'for the particular of a stranger and his monopolie'; so that, almost uniformly, effect was frustrated by inability to enforce. The fiscal establishment was inadequate, and the merchant spirit intolerant of restraint. Export of food-stuffs in time of dearth sometimes underwent 'the country people's malison,' realised, as some thought, by shipwreck. In 1644 a new table of duties was denounced as an 'ungodly, unlawful, and unusual act of excise.' Remonstrance some years later against salt taxes put on by Cromwell reaches a fine height of political invective against 'the late Usurper.'

Miss Keith closes with a useful bibliography of the chief sources used. A fuller bibliographical note would have marked, as characteristic of the last two decades of the century, the great increase in publications on those economic subjects and commercial enterprises towards which Scotland had now definitely turned. Her essay gives us some excellent outlines for future historical adjustment. It also leaves us pondering with Archdeacon Cunningham how far trade rivalry contributed to throwing Scots and English into opposite camps in the civil war, and making them so radically unsympathetic even in peace and with a common cause.

GEO. NEILSON.

THE CORRESPONDENCE OF JONATHAN SWIFT, D.D. Edited by F. Elrington Ball, with an Introduction by the Very Rev. J. H. Bernard, D.D., Dean of St. Patrick's. Vol. I. Pp. lvi, 392. With Illustrations. Demy 8vo. London: G. Bell & Sons, Ltd. 1910. 10s. 6d. nett.

THE mantle of the late Caesar Litton Falkiner, who was to have edited Swift's letters when his valuable literary career was cut short by sudden death, has fallen on a worthy successor. It is quite safe to say that few recent books, if any, have been so well edited as this one, or with so much wisdom and loving care. The edition is designed to be as complete and

reliable as possible, and no pains have been spared to make it so. Many sources have supplied letters first printed in this edition. The Forster MSS., Archbishop King's papers, the Cork MSS., and the Orrery papers have all been laid under contribution, with the result that for the first time we are able to see almost the whole range of Swift's correspondence now extant, to gauge the variety of his humour, and to see as well the full beauty of his style no matter on what he wrote. Even the dubious Montagu letters have a place in this exhaustive work. The present Dean of St. Patrick's contributes an excellent introduction to the collected correspondence of his illustrious predecessor. He says everything he can in defence of Swift's character, indicates his belief in the reality of the secret marriage to Stella, and does not too much blame the Dean in the Vanessa episode. He points out the excellence of Swift's clerical rule, and insists on his real (if meagre) belief. He tries to show that Swift was not much more preferment-seeking than most ecclesiastics of his time and Church, glosses over his great coarseness, and, finally, emphasises his great capacity for individual friendship. It is an introduction which should be read by all admirers of the great Dean, and it is the finest and most reasonable apology for his manifest defects that has yet appeared.

A. FRANCIS STEUART.

THE ABERDEEN DOCTORS. A Notable Group of Scottish Theologians of the First Episcopal Period (1610-1638) and the bearing of their Teaching on some questions of the present time. By D. Macmillan, M.A., D.D., Minister of Kelvinhaugh Parish, Glasgow. Pp. x, 320. Post 8vo. London: Hodder & Stoughton. 1910. 6s.

DR. MACMILLAN has done well to unearth the 'Aberdeen Doctors.' They were a very remarkable set of men, and have been long forgotten—are, indeed, unknown to many Scots people, who suppose that they are well acquaint with the main incidents and most notable personalities of their national history. The oblivion into which they have passed is, of course, the penalty of their practical ineffectiveness—their failure to mould the religious thought and control the ecclesiastical movements of their day. They were not strong enough to do that. Their culture was so wide that they saw all round the burning questions that arose in their time, and could not give themselves to the hasty and violent solutions of those questions proposed by men, whose understanding of things was much narrower than theirs. They committed the unpardonable sin of refusing to sign the National Covenant of 1638, and for this they were driven from place and power, and became futile and pathetic wanderers on the earth. The learned and eloquent protests that they made against the tactics of the men of the Covenant fell upon deaf ears, and things had to take the course that stronger and less intelligent men were bent upon giving them. The Scots Church was not to be the tolerant, comprehensive, pious, and peaceable institution that they desired it to be. It must assume the form that ruder and less cultured men, who could control the helm of State, saw to be necessary for the time.

Dr. Macmillan's story of the doings and sufferings of the 'Doctors' is told in a lucid and interesting manner. He knows the period well, and has cheerfully faced the irksome task of digging into documents, where are entombed the dry bones of extinct theological controversy. He has brooked this task in the hope of fetching from the writings of the 'Doctors' some light that may illuminate the dark ways of present-day ecclesiastical dispute. This hope is a worthy one, and should not be disappointed; but there is a grave peril attached to the writing of history that sets before it a polemical purpose. Dr. Macmillan has put into a number of compact appendices the main facts of the 'Doctors' careers, and it is to these perhaps that the student of history will resort rather than to the chapters that set forth the significance and drift of these facts. The 'Doctors' were, without doubt, as noble a set of men as this country ever produced, and their learning gave them a front place among the foremost savants of Europe in their day. Dr. Macmillan clearly establishes this, but the picture that he gives of them leaves them in the position of very thin shades. This may arise from lack of biographical material. But may it not be, that it is the doom of men who have to give their life to theological conflict, to part with the fairer and more interesting parts of their humanity.

A SHORT HISTORY OF EUROPE FROM THE FALL OF THE ROMAN EMPIRE TO THE FALL OF THE EASTERN EMPIRE. By Charles Sanford Terry. Cr. 8vo, pp. xv, 288. London: Routledge & Sons. 3s. 6d.

No more difficult task of compression can well be conceived than that of telling the story of medieval Europe in 300 pages without squeezing all juice out of it. Professor Terry has succeeded: his is a brisk and vigorous short history, in which such episodes as the Norse and Norman conquests, the Crusades, and the Conciliar movement, receive their due place of emphasis in the close-packed record of a thousand years. Most readable and well indexed, it is a capital précis of the Middle Ages.

SHAKESPEARE AS A GROOM OF THE CHAMBER. By Ernest Law, B.A., F.S.A., Barrister at Law. Pp. vii, 64. With Illustrations. 4to. London: G. Bell & Sons, Ltd. 1910. 3s. 6d. nett.

THIS slim tract deals with two events in Shakespeare's life. The author believes that the negative evidence, which he marshals, is (as Dr. Furnivall thought) against the view that Shakespeare and the other 'players' took part in the Triumphal Progress of King James I. from the Tower to Westminster Abbey even though they each received a grant of royal red cloth for a suit. It was not so, however, at the funeral of King James. Then the 'Actors and Comedians' walked in it clad in black, immediately behind 'Baston le Peer the Dauncer' and in front of the 'Messengers of the Chamber.'

The other and more important point is the verification of Mr. Halliwell-Phillips's statement (accepted by Mr. Sidney Lee) that Shakespeare with the other Kings' players took some part in the festivities in honour of the Spanish Ambassador-extraordinary at Somerset House in August, 1604.

Mr. Law is convinced that he has established this by an entry, in the Accounts of the Treasurer of the Chamber, of a payment 'to Augustine Phillips and John Hemynges for y^e allowance of themselves and tenne of their fellowes His Ma^{ties} Groomes of the Chamber and Players' for their attendance on the Spanish ambassador for eighteen days. Phillips died in the next May leaving to his 'fellowe William Shakespeare a Thirty Shillinges peece of goold,' probably part of his pay. There are many interesting facts and conjectures about the lives of the Court Players when in Waiting added, all of which, deduced from contemporary accounts, are worth reading and considering.

THE KILTARTAN MOLIERE. Translated by Lady Gregory. Pp. 231. Crown 8vo. Dublin: Maunsel & Co., Ltd. 1910. 3s. 6d. nett.

THIS is a sincere attempt to translate *L'Avare*, *Le médecin malgré lui*, and *Les Fourberies de Scapin* into the colloquial form of English that is spoken at present in Ireland. The result is surprisingly vivid, and the wit by no means detracted from. One reads it with pleasure in spite of the unusual forms 'Oh, you have me killed!' 'If this thief gets off, it is the churches themselves will be in danger'; 'Let you not come pushing yourself there,' etc., and an occasionally unknown or rare word. One of the chief interests of the experiment is the preservation of many forms of a dialect which has only been fully reduced to written form in this century by a devoted band of clever Irish-born enthusiasts.

A Good Fight, by Charles Reade (The original version of *The Cloister and the Hearth*, with an introduction by Andrew Lang. 8vo. Pp. xii, 208. Oxford: Clarendon Press. 1910. Price, 2s. 6d. nett), is trebly welcome, first, as a good story as well as a good fight; second, as the early form of Reade's classic novel, much developed subsequently; and third, for Mr. Lang's breezy essay on the difficulty Erasmus, wise child though he was, must have had about the detail of his parentage, which furnished Reade with his plot.

The Sources of The British Chronicle History in Spenser's Faerie Queene. By Carrie Anna Harper (8vo. Pp. viii, 190. John C. Winston Co., Philadelphia. 1910. Price, one dollar). This is not the first of the Bryn Mawr College Monographs which has been welcomed (*S.H.R.* v. 476) for its contribution to the source-search side of English criticism. It is a dissertation presented for the doctorate in philosophy, and it deals with the whole of Spenser's incorporation of early British chronicle, as Mr. Wilfrid Perrett dealt with that incorporation (see *S.H.R.* ii. 461), so far as necessary for tracking the story of King Lear. The method of the present essay is not unlike that of Mr. Perrett. Its aim is to account for the rimed chronicle—almost complete—of British kings from Brutus to Cadwallader found in the *Faerie Queene*, bk. II. canto 10 and bk. III. canto 3.

Eumnestes sitting amid rolls, records, parchment scrolls,
And antique Registers for to avize,

had amongst them

An auncient booke, hight *Briton monuments*,
That of this lands first conquest did devise.

This primary chronicle was plainly enough Geoffrey of Monmouth's *Historia Britonum*, but Miss Harper's industry enables us for the first time both to detect the precise passages followed and to recognise to what a degree Spenser used other forms of the narrative than Geoffrey's. He made his story of mythical kings not simply a transcript of Geoffrey, but a rendering of Geoffrey *cum* Holinshed, Hardyng, and Fabyan, sometimes *cum* Stow and Camden too, besides others. Indeed, Miss Harper amply succeeds in letting us (especially in Canto 10, 'A Chronicle of Briton Kings') see, as she herself sees, 'Spenser not solely as a poet but also as a historian and chronicler and as an antiquarian.' Surprisingly complete is the process of the demonstration that Spenser handled Geoffrey's 'matter of Britain' with an antiquary's way of weaving in the collateral data, albeit he can scarcely have been critical enough to perceive that those side touches from other authors all sprang from Geoffrey's own rib.

The essay is an instructive example of close textual collation, showing with logical and convincing clearness how faithful even in his romance the poet was to what then passed for historical authority. A clever sentence at the close of this patient and well-sustained thesis likens the poet to his own Eumnestes, among his worm-eaten books and documents:

'Amidst them all he in a chaire was sett
Tossing and turning them withouten end.'

'Even so it would seem,' concludes Miss Harper, 'Spenser himself must have worked.' It is perhaps hardly what might have been looked for in a poet's poet, but the citations, in long and exhaustive array, marshal themselves into a case which will brook no gainsaying.

The Clarendon Press has issued the *Oxford Book of Ballads*, chosen and edited by Mr. Quiller Couch (pp. xxiii, 871. 7s. 6d. nett). The volume is beautifully produced, and brings into very convenient compass nearly two hundred ballads.

Messrs. W. & A. K. Johnston have sent us a small Historical Atlas, containing 32 maps printed in colours, with Notes, Chronological Tables, and Index. The maps are carefully selected, and the work should prove useful for schools.

The Year Book of the Viking Club (vol. ii. 1909-10, pp. 80) consists mainly of reviews, but has some district reports, one recording and illustrating a ring-knot-work cross from Urswick, near Ulverston. *Old Lore Miscellany* (January) justifies its name by its gathering of Orcadiana of all sorts—sheep-marks, place-names, charter-notes, topography, and biography. A first instalment appears of an account of the Sutherland bard, Rob Donn, written in 1826 but still unpublished. In *Orkney and Shetland Records* (vol. i. part ix.), containing several early deeds, there may

be specially noted a will made in 1506 by Sir David Sinclair of Sumburgh. For the protection of his soul he says: 'I incal the blyssit Virgen Mare and the Sanctis in hevin.' Legacies include a 'carvell,' an 'Inglis schipe,' and a 'litill schipe,' silver stoups of various sizes (e.g. 'my best silver stope with sex stoppis inclusit in the samen'), sundry bits of jewellery, and articles of apparel. One legatee receives 'twa nobillis and *The Buk of Gud Maneris*.' The last item is editorially identified as the work printed by Caxton in 1487. The kindest touch of all is this: 'Item, I leife the fruitis of my landis of this yeiris crope to the puir folkis.' The will was made in Latin, and is preserved in a notarial translation made in 1525.

Not behind it in interest is a verdict of 1509, 'ane ogane and a dome dempt at Saba and Toop,' in Orkney concerning pasture rights, etc., on Saba. It embraces the prohibition 'that na persone nor peirsonis sall intromytt nor tayk away nodyr erd nor stane gerss nor waitt, nodyr wark wattill wair noist wring nor ne wdyr manyr of thing of the grownd of Saba.' Except for earth, stone, grass, and 'wair' (seaweed), the terms are editorially owned to be a puzzle.

The Carnegie Trust *Ninth Annual Report* for 1909-10, so far as dealing with the endowment of research in history, shows very creditable patronage of sound study—the assisted themes including church history, Norse influence, and the Scottish Staple.

M. Etienne Dupont returns to one of his many themes in *La Participation de la Bretagne à la Conquête de l'Angleterre par les Normands* (cr. 8vo. Pp. 50. Paris: Robert Duval. 1911). In spite of the hostilities between Normans and Bretons just before, Duke William was accompanied in his great expedition by a considerable Breton contingent. He received, however, no support from Breton religious houses, and made no post-conquest gifts to such houses. Nor apparently did the Bretons send ships in aid; at any rate, none figure in the ancient catalogue. The Bretons are, so to speak, mentioned in despatches from the field of Hastings, that is to say, the chroniclers tell much about them there. Their annals on this side have waxed dim, and M. Dupont has done piously by his countrymen in following their careers and piecing together the misty and meagre record of their names, their deeds, and their fates.

The English Historical Review numbers in its contents for October last an outline of the controversial passages between Henry VIII. and Luther, with pithy extracts, the text of a fine dating from 1163, and some fresh data on castle-guard, chiefly from Northumberland. Much odd matter from an old transcript of a journal in cipher by Thomas Venner, a leading conspirator, is assembled in an account of the Fifth Monarchy Insurrection in 1653-61. Letters sent to the British government from the continent are printed, giving the alarm of the intended rising in the Irish rebellion of 1798.

In the January number the student of Viking times will find much sound fact grouped by Sir H. Howorth in his study of Ragnall Ivarson and

Jarl Otir, whose piracies from A.D. 912 until at least A.D. 919 wrought fierce havoc in Britain, Ireland, and France. Mr. R. G. Marsden, discussing early prize jurisdiction, touches on the admiralty rights of Scotland from 1603 until 1666. Sir E. Maunde Thompson sketches with high appreciation the great career of the archivist Léopold Delisle, who died in July last. Mr. G. G. Coulton prints an elaborate and business-like visitation of the archdeaconry of Totnes in 1342, containing many censures of the equipments of the churches. Mr. G. B. Hertz's article on Samuel Seabury, famous as a loyalist bishop in America during the Revolution, derives incidental interest from its tribute to the force and influence of Thomas Paine, whose reputation has risen of late years. But of course the central interest is in Seabury himself, who, finding the Archbishop of Canterbury, John Moore, reluctant or dilatory to consecrate him, went to Aberdeen, where in 1784 he was ordained Bishop of Connecticut by John Skinner, Bishop of Aberdeen. Thus curiously by a Scottish consecration episcopacy was grafted upon North American soil. In a review Mr. H. W. C. Davis sets forth in a couple of pages the ordinances made for judicial combat by the charter-statute (*fuero*) of Cuenca in Castile at the beginning of the thirteenth century.

The Modern Language Review, now in its sixth year, gains momentum as it goes. The value of its contents for critical literary study is well seen in the January number, which opens with a paper by Mr. Allan F. Westcott (of New York) on the poet Montgomerie. Coming out simultaneously with Mr. George Stevenson's very able preface to the new Scottish Text Society volume of Montgomerie's poems, the study by Mr. Westcott runs so parallel with Mr. Stevenson's that it would be difficult to resist the impression of contact between the two writers were it not for the silence of both. Each of them contributes excellent new matter for the life-history of King James's favourite, who was also probably his metrical tutor. In any case, such double study of the Scottish poet is an inspiring fact: the old literature comes surely to its own. Messrs. Chambers and Sidgwick print thirteen more of the carols of blind John Audelay, *circa* 1426. One of them treats priest, friar, old man, and knight as 'al the foure astatys' of holy church. It defines the duty of the last order thus:

A knyzt schuld fezt azayns falsnes
 And schew his monhod and his myzt
 And mayntene trouth and ryztwysnes
 And hole cherche and wedowes ryzt.

An Italian version of the legend of St. Margaret the Virgin, and a very full criticism of M. Feuillerat's *John Lyly* may also be particularised among the excellent contributions. Mr. John W. Cunliffe, of Madison, Wisconsin, gives, in facsimile signatures of George Gascoigne, the decisive proof that the government agent of that name was one with the author of *The Spoyle of Antwerpe* (1576).

Apart from its melancholy proofs that these forlorn Ten Tribes have recognised themselves in hard-headed Scotland, the *Northern British-*

Israel Review (vol. i. No. 3, January, 1911) has many pictures useful for archaeology. A lecture by Mr. F. R. Coles touches on the Bronze Age civilisation of Scotland. It is followed by a rhapsody on Ardoch. Another Scottish paper extracts Robert Chambers's account of the Coronation Stone, with some wandering legends and theories about it. Mr. James Watson's methods of clearing early Scots history from its obscurity beggar description in their latitude of impossible explanations and freedom of textual emendation. For example, his fancy for a whole series of kings in Scotland named 'Frederic' is deliciously absurd.

The American Historical Review has a notable paper on Roman Law and the German peasant, in which Mr. Sidney B. Fay seems to give a heavy blow to the long prevalent view that the 'reception' tended to lower the status of the German peasant to that of the Roman *servus*. It combats effectively also the allegation that the 'reception' either met with 'popular opposition' or was a grievance conducive to the peasants' revolt of 1525. Valuable points are made in papers on social forces in American history, such as the land interest, the moneyed aristocracy, the democratic idea, and the Scandinavian element in the population. Inter-relations with the home country under George III. are discussed in a criticism of Horace Walpole's *Memoirs*. The story of the long unsettled and threatening Oregon boundary question from 1815 until 1846 is also traced in its interesting British diplomatic connections.

The *Revue Historique* (Jan.-Feb.) contains a study of the remarkable institutional reforms effected in Piedmont under the French dominance between 1536 and 1556. Another article, a critique of Lord Cromer, tells 'cette lamentable histoire,' how France lost Egypt. M. Adolphe Reinach subjects to very searching examination M. de Morgan's elaborate work on *Les Premières Civilisations*, finding much occasion to contradict, to doubt, and to correct in the latter's survey of the vast body of history and prehistory which accomplished itself in the ages reaching from the first appearance of mankind down to the fall of the Macedonian empire.

In the three preceding issues of *Archivum Franciscanum Historicum* there has been appearing a series of hitherto unedited documents relating to the *Fraticelli*. In the number for January the editor of these, Father L. Oligier, discusses the *Dialogus contra Fraticellos* of St. James de Marchia which caused grave difficulties regarding the project of canonisation of St. James, postponing it for more than twenty-six years.

Father H. Golubovich edits from a MS. in the British Museum the *Statuta liturgica* of St. Bonaventura of 1263, General Chapter at Pisa. Mr. Moir Bryce's *Scottish Grey Friars* receives a critical and at the same time appreciative review, in which various important and minute corrections, all evincing expert knowledge, are made. But we fear there is no authority whatever for the italicised words in following statement: 'Auctor, *ecclesiae presbyterianae pastor*, aequitate integerrima Fratrum minorum opera etc. expandit.' Mr. Bryce's many friends will be amused to see him referred to under such a misconception.

In connection with the centenary of the birth of the distinguished musician and Friar minor, Peter Singer, born at Unter-Häselgehr, Tyrol, July, 1810, an interesting biography by Father Hartmann von an der Lan-Hochbrunn is reviewed. It was of Singer that his friend the Abbé Liszt said: 'If I am the Paganini of the piano, Father Singer is the Liszt of the organ.' We are told that Singer in 1838 invented and constructed the first modern harmonium. He was visited at his convent at Salzburg by numerous artistes and high personages anxious to see and hear so eminent a musician.

The *Analecta Bollandiana* (January, 1911) contains as its first article a critical review of a recent work on eastern patrology by Dr. G. Bayan, *Le synaxaire arménien de Ter Israel*. In the next paper Dom François Van Ortoy treats of Peter Ferrand (a Spanish Dominican who died before 1260), and the first biographers of St. Dominic. The appendix to this article consists of Ferrand's Life of the Saint, the text being collated with four others. His redaction of the legend was probably composed in 1238 or 1239. He was also the author of a Chronicle of his Order from its beginning until the year 1254, which hitherto has been wrongly attributed to Humbert de Romans. The writer of the article adduces grounds for believing it to be, up to the date named, the work of Peter Ferrand.

Communications and Replies

VIDAS ACHINLEK, CHEVALIER. In the last issue of this Review (*S.H.R.* VIII. i.) Professor Skeat proved to the satisfaction of those who have studied the poems that the Scottish *Lancelot of the Laik* and the *Quair of Jelousy* are by the same author. As to that author's identity, however, he accepted the suggestion made by David Laing in 1836, viz. that the *Quair of Jelousy* was the work of a certain James Auchenleck whose name appears in the list of graduates of Glasgow University in 1471 as 'Ja. Auchlek, pauper,' who, according to Laing, can be subsequently identified as the 'Maister James Achlik, Secretar to the Earl of Rosse,'¹ and as the holder of a Chantry in Dornoch which is vacant by his death in 1497.² This ascription is based solely on the name James Auchenleck; the Auchenleck being derived from the colophon of the manuscript of the *Quair of Jelousy*, which is 'Quod Auchē—,' the Christian name being supplied from Dunbar's *Lament for the Makaris*.

That Scorpion fell has done infek
Maister Johne Clerk and James Afflek
Frae Ballatmaking and tragedé.

But the name Auchenleck occurs not infrequently in the *Registrum Secreti Sigilli*, the *Registrum Magni Sigilli*, the *Acta Dominorum Concilii*, and *The Lord High Treasurer's Accounts*—especially in the two first, while even the combination James Auchenleck is not uncommon. It appears as landowner, as witness to deeds, even as accomplice in a murder, but in no case in a capacity which suggests likelihood of literary activities.

When verifying the various citations of the name given by Laing I have been unable to find the name in the lists of graduates and licentiates printed in the *Munimenta Universitatis Glasguensis*, although this work covers the period referred to, and is presumably compiled from all extant documents. Laing may have had access to some document now lost, but he possibly wrote Glasgow University in place of St. Andrews University. The matter, however, does not seriously affect the point under discussion.

Although convinced by Prof. Skeat's arguments, and by a comparison of the poems, of the identity of authorship of the two poems, I would ascribe them to an entirely different Auchenleck.

¹ *Acta Dominorum Concilii*.

² *Registrum Secreti Sigilli*; *Bannatyne Miscellany*, vol. i. p. 161.

Lancelot of the Laik is a fragment of nearly 3500 lines of a poem which originally, as Prof. Skeat says, probably extended to 10,000 lines, and is a translation into Scottish verse of a portion of the great French prose romance of *Lancelot du Lac*. The poet in his prologue gives a summary of the early portion of the romance up to the point at which his translation begins, thus showing familiarity with the whole. His work is a correct and fairly close but uninteresting translation of his original. It is expanded in parts, chiefly in realistic touches in the description of actual fighting,

The ded hors lyith virslyyng with the men ;¹

in warlike speeches as Gawaine's speech ending

Deth or defens, none other thing we wot ;²

and in the parts devoted to advising the king as to the ruling of his household and his land. In the body of the poem there is but one personal reference. The poet breaks off in his account of Arthur's confession, thus :

The maner wich quho lykith for to here
He may it find into the holl romans
Of confessioun o passing circumstans ;
I can it not, I am no confessour,
My wyt haith ewill consat of that labour
Quharof I wot I aucht repent me sore.³

Taking these facts into consideration, I would suggest as the author a certain Vidas or Vidastus Achinlek or Afflect, whose name appears in the *Registrum Secreti Sigilli Regum Scotorum*⁴ as having taken part at Edinburgh on 30th April, 1499, in negotiations between Louis XII. of France and James IV. of Scotland, with a view to securing the assistance of James in arranging a treaty between Louis and the king of Denmark. This Achinlek, the envoy of Louis, is described by James as 'nobilis et strenuus miles dominus Vedastus Achinlek, commissarius et consiliarius ac magister hospitii excellentissimi et invictissimi principis Ludovici, Francorum regis.'⁵ Louis on his side writes of 'la bonne confiance que avons de la personne de notre ame et feale conseiller et maitre dostell Vidas Achinlek, Chevalier, et de ses sens, loyaute bonne prudomme et experien,' and gives him 'plain pouvoir' along with 'notre tres cher et tresame frere cousin et alye le roy d'Ecosse' to arrange and conclude the treaty, which is signed and sealed by James of Scotland and the said Vidastus Achinlek.⁶

The only further reference to this knight which I have been able to find occurs in the *Accounts of the Lord High Treasurer*,⁷ where in September, 1503, there is an entry of a gift of bridlesilver to 'Schir Vedast Auchlekkis man quhilck presented the hors to the king.' There is an

¹ *Lancelot of the Laik*, l. 3384.

² *Ibid.* l. 805.

³ *Lancelot of the Laik*, ll. 1436-41.

⁴ *Reg. Secr. Sig.* vol. i. p. 52.

⁵ *Ibid.* p. 53.

⁶ *Ibid.* p. 55.

⁷ *Acc. of the Lord High Treasurer of Scotland*, vol. ii. p. 392.

entry in 1505 of a sum of money paid to the 'wedo of Auchlek,'¹ but of this latter there is no means of identification. There is unfortunately no reference to this distinguished servant of Louis in *Les Ecossais en France*, by Francisque-Michel, where one would have hoped to get some information as to his career.

Let us now consider the claims of James Auchenleck and of Vedastus Achinlek. On the one hand an insignificant holder of a Chantry in Dornoch, a man of humble origin (if the 'Ja. Auchlek, pauper,' be genuine), of whom nothing is known, whose sole claim is the possession of the name James (which does not occur in the manuscript), and of whom we cannot even postulate that he knew French. On the other, a man of good birth, 'Vidas Achinlek, Chevalier,' holding an important office at the French Court, Steward of the King's Household, which required a perfect knowledge of French; a man of education sufficient to be entrusted with the delicate matter of making treaties; a man having full access to the stores of French literature. We may find a parallel to his case in that of Sir Gilbert Hay, a Scottish knight, resident at the French Court, describing himself as 'Chaumerlain umquhile to the maist worth King Charles of Fraunce,' who translated *Le Livre de L'Ordre de Chevalerie* and also the Romance of Alexander. Of the latter translation *The Buke of the Conqueror Alexander the Great*, there is but one manuscript as there is of *Lancelot of the Laik*. Further, the great poets of the time, Dunbar and Douglas, were employed on Embassies.

As to the translation itself, the points on which the writer expands fit in with this theory as to authorship; as a 'chevalier' his stress on the fighting is natural, as 'conseilleur et maitre d'ostell' his wearisome dilating on the duties of a king towards his people and his household is comprehensible, and his gift of a horse to the king reads like an object-lesson; as a layman his little jibe at confession is explained; while the theme of the poem and its avowed object, to ingratiate him with his ladylove, is more befitting a courtier than a cleric.

Finally, as this Auchenleck was alive in 1503, we can date his poems a few years later than 1495 which Prof. Skeat names as a probable date. The later date, 1503, gets rid of a difficulty which lies in the extraordinary similarity of certain lines in Dunbar's *Golden Targe* and *Thrissil and the Rose*, and lines in Auchenleck's poems; a similarity which makes Dunbar the plagiarist, if the other died in 1497, e.g.:

- 'Her cristall teris I saw hyng on the flouris.'—Dunbar.²
- 'As cristoll teris withhong upon the flouris.'—Auchenleck.³
- 'Quhill loud resownit the firmament serene.'—Dunbar.²
- 'Quhill al the wood resonite of ther song.'—Auchenleck.³
- 'This ile before was bare and desolate
Of rettorick or lusty fresch endite.'—Dunbar.²

¹ *Acc. of Lord High Treas.* vol. iii. p. 151.

² *Golden Targe*, ll. 17, 108, 269-70.

³ *Lancelot of the Laik*, ll. 62, 66.

'Bare of eloquens
Of discressioun and ek of retoryk ;'

'Ye fresh enditing of his laiting tounge.'—Auchenleck.¹

'In weid depaynt of mony divers hue.'—Dunbar.²

'Quhich all depaynt with divers hewis bene.'—Auchenleck.³

'And lusty May that mudder is of flouris.'—Dunbar.²

'This lusty May the quhich all tendir flouris.'—Auchenleck.³

'The birdis did with oppin vocis cry
O luvaris fo, away thou dully nycht.'—Dunbar.²

'Throw birdis songs with opine vox one hy
That sessit not on luvaris to cry.'—Auchenleck.¹

'The air attemptit, sobir, and amene.'—Dunbar.⁴

'Tho was the ayr sobir and amene.'—Auchenleck.³

These lines practically all occur in the introductory part of *Lancelot of the Laik* or of the *Quair of Jelousy*. In the body of the longer poem such resemblances do not occur, save where the writer inserts a few lines descriptive of nature, which have no equivalent in the French. Does it not seem more probable that the decidedly uninspired translator when left to himself, should have absorbed lines and phrases from his great contemporary, than that the reverse should have occurred ?

There still remains the difficulty of Dunbar's version of the Christian name of the poet ; is there any way of overcoming it ?

The University, Glasgow.

MURIEL GRAY.

It is necessary to point out that, whilst the supposition of so late a date as 1503 (or later still, for the *Thrissill and Rose* is as late as May in that year) may indeed get rid of *one* difficulty, it occasions two more. For it requires that both the MSS., viz. that containing the *Quair of Jelousy* and that containing *Lancelot*, must belong to the sixteenth century and not to the fifteenth at all ; which it will be difficult to prove. I see no reason why Dunbar may not have copied from Auchenleck ; for ideas as to 'plagiarism' in those days were surely very different from those which are held now. And why should Dunbar be wrong as to the name James ?

Cambridge.

WALTER W. SKEAT.

Miss Gray's contention is interesting. But, as Dunbar names a James Afflek among the Scottish poets, and as no one during four centuries alludes to Vidastus Achinlek as a writer of verse, it is not probable. Laing's conjecture that the author of *The Quare of Jelousy* is the James Afflek of *The Lament for the Makaris* has this to commend it—it founds upon an actual poet. The identification of this poet with the St. Andrews graduate,

¹ *Lancelot of the Laik*, ll. 180, 327, 13-14.

² *Thrissill and the Rose*, ll. 17, 4, 59-60.

³ *Quair of Jelousy*, ll. 4, 1, 18.

⁴ *Golden Targe*, l. 249.

entered in the Roll under the year 1471 as Jas. Auchlek—pauper, is pure conjecture. (I have pointed out Laing's erroneous substitution of Glasgow for St. Andrews in my edition of *The Kingis Quair and the Quare of Jelusy* published in October.) The theory that he is the Chantor of Dornoch, who died in 1497, is also purely conjectural. This ecclesiastic, at any rate, bore the name of Dunbar's poet. That a churchman wrote *The Quare of Jelusy*—a tedious didactic poem—is much more probable than that it came from the pen of an accomplished courtier, soldier, and man of the world. That this churchman, or other poet of his name, was too poor to pay his graduation fees has nothing improbable about it. Robert Fergusson, who is by some excellent critics placed very high among the many poets on the St. Andrews Roll, was also very poor.

Laing read the MS. of *The Quare of Jelusy* (Arch. Selden B. 24) when the close of the colophon must have been easier to read. Yet even in Laing's day it was mutilated. Only the letters *au* are now clear, and what follows is blurred. Mr. Maitland Anderson thinks that the letters following are not *ch* or *chin* at all but possibly *tor*, and that the word may be *autor*.

The date assigned by Professor Skeat and Miss Gray to *Lancelot of the Laik* and to *The Quare of Jelusy* I believe to be later than the language and the content demand. But discussion of this would open a wide field, too extensive for this note.

ALEXANDER LAWSON.

The University, St. Andrews.

The closing sentence of Miss Gray's interesting note on Vedast Auchinlek leaves the problem of authorship where it was. Dunbar, as the text of the *Lament for the Makaris* shews, knew a poet called James Afflek, and for that reason 'the secretar of the Earl of Rosse,' whose Christian name was James, has *prima facie* a better claim to consideration than Vedast. Besides, Dunbar's line will not scan if we substitute Vedast for James. The colophon '*quod Auch*' certainly lends a degree of support to the attribution to James Afflek.

More profitable, however, than any conjectures concerning Vedast, or other member of the gens Afflek, would be an attempt to date the poem by internal evidence. At line 380 the author, declaiming against jealousy, says:

Qhare of I coud ane hundreth samplis tell
Of storeis olde, the quhich I lat oure go,
And als that in this tyme present befell;
Amongis quhilk we fynd how one of tho
His lady sleuch and syne himselfe also,
In this ilk lond, withoutyn ony quhy,
But only for his wickit gelousy.

which indicates a domestic tragedy, then of recent date, where a lady had been murdered by her jealous husband, who committed suicide. 'In this ilk lond' means most probably 'in Scotland,' and with that clue one should expect to be able to fix a *terminus a quo* at any rate.

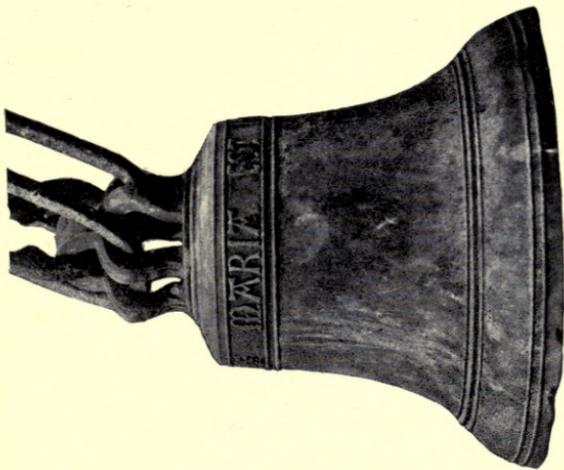
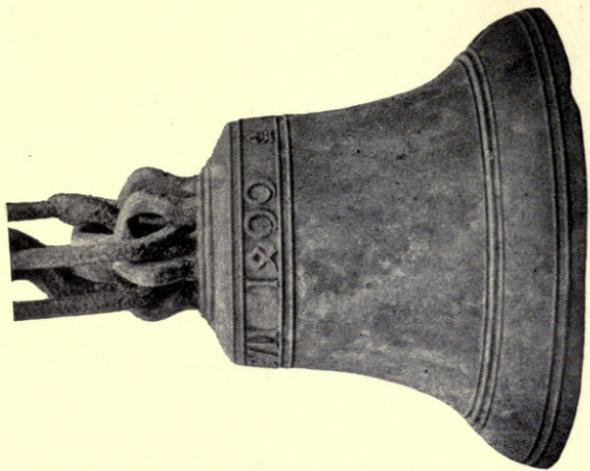
Professor Skeat's parallel passages, most of which I had noted fifteen years ago, certainly do not *prove* the common authorship of the *Quare of Jelousy* and *Lancelot of the Lak*. They establish relationship and nothing more. Miss Gray's parallels from Dunbar, the *Quare of Jelousy* and *Lancelot*, are all worth noting: some of them, indeed, are striking. But what would we say if, on the strength of these parallels, she were to maintain that the *Quare of Jelousy* and *Lancelot* may conceivably be early works of Dunbar? If possible, we must find other and safer criteria than parallel readings and general resemblances of style for solving problems of origin and authorship. Some of Professor Lawson's criteria, e.g. the frequent use of 'quhy' as a noun in the *Quare of Jelousy*, *Lancelot*, and the *Kingis Quair*, are in my opinion of more value than parallel passages, and may yield some day, if carefully followed up, valuable results. It seems to me that what is most needed now is a careful study of certain fifteenth century poems, namely, Fragment B of the *Romaunt of the Rose*, the *Court of Love*, the *Kingis Quair*, the *Quare of Jelousy*, and *Lancelot of the Lak*, not as separate works, but as a group of poems, closely related, all of which exhibit, more or less, a 'purely artificial language such as was probably never spoken.' In such a study the relationship of Lydgate's *Temple of Glas* to four of these poems will need to be considered. It was edited by Dr. Schick years before any question of authorship arose as to the *Kingis Quair*, and some of the editorial premises undoubtedly need to be re-examined, particularly as regards the relation of the *Kingis Quair* and the *Court of Love* to the *Temple of Glas*, and to each other. It is to be hoped that ere long someone will undertake the considerable labour involved.

J. T. T. BROWN.

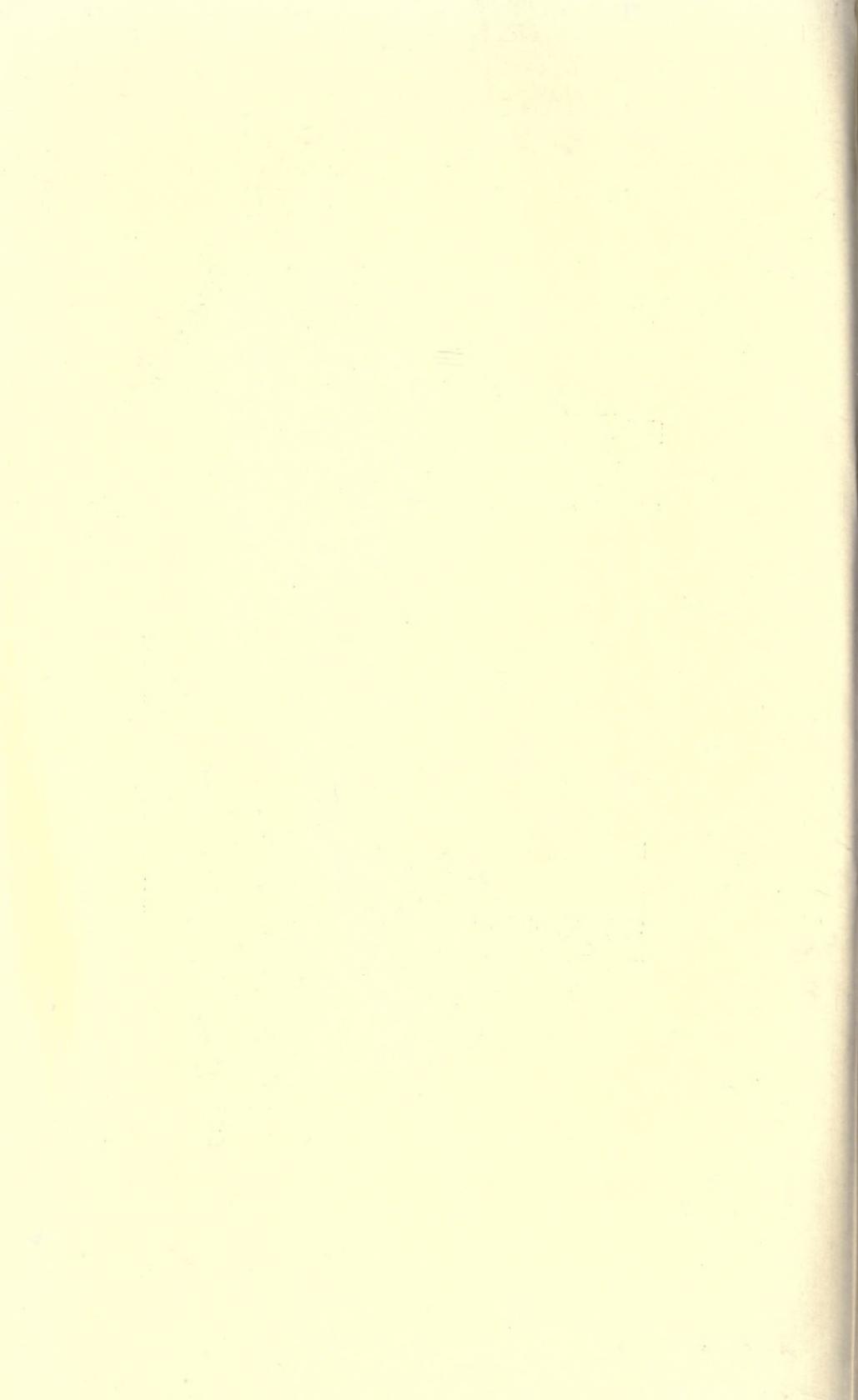
COUPAR AND CITEAUX. The muniments of Coupar Abbey passed from Lord Coupar to the Lords Balmerino, and from them to the Earl of Moray, by whose liberality I have lately been allowed to peruse them. The majority have, I fear, been lost or destroyed, but the residue is still numerous and valuable. There are five documents extant which relate to the pension due to the mother Abbey of Citeaux, which formed the subject of Dr. James Wilson's interesting article (*S.H.R.* viii. 172). Readers of the *Review* may be glad to have a short summary of the contents of the five documents aforesaid.

The first is Alexander II.'s grant to the monks of Coupar of the church of Erolin (Airlie). It is No. 18 of the *Breviarium antiqui Registri* printed by the Grampian Club. The *Reddendo* clause, not there printed, runs thus: 'Reddendo inde annuatim ex parte nostra capitulo Cistercii ad procuracionem capituli generalis quarto die viginti libras sterlingorum.' The date is Edinburgh, 3rd October. On the evidence of the Obligation, printed by Dr. Wilson, the year may be filled in as 1219, though a difficulty arises (not necessary to be discussed here) from the use of the first person plural, which the Scottish Chancery did not adopt till 1222.

Some years later it appears that the Abbot of Citeaux claimed that King Alexander's grant to his Abbey covered the whole revenues of the church of Airlie. The decision of the consequent lawsuit was delegated by the



BELL AT SWINTON CHURCH, BERWICKSHIRE.



Pope to the Cistercian Abbots of Rievaulx, Fountains and Beaulieu. To them Geoffrey, Bishop of Dunkeld, addressed a curious letter, narrating the circumstances in which the church of Airlie had been granted to Coupar, he having been at the time (as clerk of liverance) a member of the King's council, and intimating to them plainly that a decision against Coupar would be disgraceful to themselves and their order.

The result appears in a notification by the Abbot of Melrose, dated at the chapter general of 1246, and sealed by him and the Abbot of Citeaux, bearing that it had been agreed that Coupar was to pay 20 marks sterling for damages and expenses at Troyes fair or at the next chapter general, and to continue to pay the £20 pension as before, for which consideration Citeaux renounced all further claims.

The fourth document is a notification by the Abbot of Citeaux, dated at Dijon, 17th July, 1408, bearing that he had been informed by the Abbot of Balmerino of the lamentable condition of the Abbey of Coupar; that he has remitted all the arrears of the pension, which were large, in consideration of the payment of 40 francs of gold from the mint of the King of France; and has also remitted one-half of the pension for the twenty years next following.

Last comes another notification by the Abbot of Citeaux, dated in chapter general at Citeaux, 14th September, 1448, embodying a *diffinitio* of the chapter whereby, considering the risks by sea and land to which the Abbey of Coupar (meaning presumably its money in transit) is exposed, they remit henceforth all payment of the pension; the Abbot and Convent of Coupar having bound themselves to pay to the house of Citeaux 400 crowns of gold and weight in the town of Bruges betwixt and the feast of Christmas next to come.

As to (1) the ground on which the Abbot of Citeaux claimed to be entitled to the church of Airlie rather than the pension, and (2) the degree of regularity or the reverse with which the pension was paid,—we may still hope for further light from Citeaux. I have communicated full copies of the five documents (all originals) to Dr. Wilson, who, when Mr. Brown's researches are complete, will, I hope, give us the last word on the subject.

Meanwhile our thanks are due to Sir Archibald Lawrie for his clear explanation of the historical circumstances. Whether the deed disinterred by Mr. Brown is an original or not, he is the only person who has the means of judging—with all respect, I fail to see that there is any internal evidence to the contrary. It may be mentioned that the style of the Abbot of Melrose in 1246 is identical with that of the Abbot of Coupar in 1219-20. It is 'frater M. dictus abbas de Melros.' In another Coupar deed, a lease granted between 1207 and 1209, the style is 'frater Ricardus dictus abbas de Cupro,' and to this the Abbot's seal remains attached.

J. MAITLAND THOMSON.

LATE FIFTEENTH CENTURY BELL AT SWINTON, BERWICKSHIRE. Through the kindness of Mr. J. A. Brown of Glasgow and of the Rev. D. D. F. Macdonald, the parish minister, I am enabled to reproduce a most interesting medieval bell which is

328 Late Fifteenth Century Bell at Swinton

still in use at the church of Swinton in Berwickshire. Owing to the position in which church bells generally hang, it is seldom possible to obtain satisfactory photographs of them, unless upon the rare occasions when they have to be lowered for re-hanging. The Swinton bell is of unusual interest, as it is an early example of a bell which bears a date in Arabic numerals. English medieval bells were seldom dated, but a date seems to be of common occurrence upon foreign medievales, although it is more usually in Roman numerals.

The inscription runs:



MARIA EST NOMEN MEVM 1499.

There is no initial cross, but its place is taken by a small fleur-de-lys resting upon a kind of short fillet. The lettering is large and bold, and it takes up nearly the whole space between the 'lines' or 'rims' which encircle the bell just below the shoulder. The lettering is of the transition period between gothic and renaissance. The first M and the A's are of gothic character of the type known as Lombardic, but all the rest, including two other M's, are Roman. The figures are bold examples of the kind of Arabic lettering usual at the period. There are two rims above the inscription, two below it, two above the lip, and one on each side of a simple raised moulding just above the sound-bow in the usual place.

The bell is clearly of Low Country origin. The lettering of the inscription is very like that on the bells at Kettins in Forfarshire 1519, Dunning in Perthshire 1526, Crail Town Steeple 1530, and the 10th, 11th, 12th, 13th, and 14th at the parish church of Perth, which were cast in 1526. All these have inscriptions in Dutch, and some have the same fleur-de-lys ornament. The bells at Dunning, Kettins, and Crail have more ornaments than the Swinton bell. All the bells in this group have doubtless come from the same foundry, though in the present state of our knowledge it would be hazardous to make guesses as to the identity of that foundry.

F. C. EELES.

THE TRUE LOYALIST OR CHEVALIER'S FAVOURITE (*S.H.R.* viii. 133). Mr. W. M. Macbean writes to me from New York (Jan. 27) saying that he possesses a copy of *The True Loyalist*, which once belonged to the late regretted Mr. Joseph Knight. With it is a cutting from *Notes and Queries* (Third Series, vol. xii. p. 164). Other references will be found in the Index to that volume. One correspondent of *N. & Q.* attributes the Collection to Charles Salmon, born in 1745, a printer, and a friend of Fergusson, the poet. One copy contains verses not found in my transcript of the British Museum volume and a drama on the betrayal of a Stirling of Keir. The known copies, three perhaps, are all dated 1779.

A. LANG.

[The Editor has also heard from Mr. C. H. Firth, Oxford, that he has a copy of this volume, dated 1779.]

SOME ABBOTS OF NEWBATTLE. In the list of the Abbots of the Cistercian Monastery of Newbattle in the *Cartulary of Neubatle* as published by Cosmo Innes for the Bannatyne Club, the names of James, John and James occur following that of Abbot Edward, who died in 1529.

The surname of James, the first of the three under discussion, appears to have been unknown. He appears as present in Parliament 18 July, 1539. The only mention of John seems to be that he was present in Parliament in December 1540.

James, the third of the three, is called Hasmall, and appears on record in 1542. A note mentions that this surname is taken from Thomas Innes' MSS. This is clearly a misreading for Haswall. Mr. Anderson, in the *Calendar of the Laing Charters*, points out that from a seal the name was probably Haswell. From information come to light since Innes's time, I think these three Abbots may be resolved into one.

Abbot Edward died in 1529, and from a writ in the *Register of the Privy Seal*, vol. viii., Mr. James Haswell gets a grant of the lands of Newbattle during the vacancy caused by the death of the late Edward, late Abbot. This is followed shortly, in the same volume, by a Precept for the admission of Mr. James Haswell to the Temporalities of Newbattle.

Abbot John, who only appears in the Rolls of Parliament 1540, is, I suspect, a *lapsus calami* for James. I have not examined the original Rolls, but the error, if an error it be, is more likely to be that of the Clerk of Parliament, than that of Thomas Thomson, the editor of the folio edition of the Acts. The Act in which John is mentioned is not printed in my copy of the *Acts of Parliament* as issued by Waldegrave in 1597.

The Seal in the *Laing Charters* bears 'a boars head, on a chief ended three mullets.' It is attached to a deed of date c. July 1550.

The various preferments enjoyed by Haswell or one of the same name are as follows, from the *Privy Seal Register*: Chaplainry of St. Katherines in Castle of Edinburgh 1506. Vicarage of Cramond 1515. Pension of £10 as Chaplain to the King 1525. Prebendary in Crief Church 1526. Rectory of Kirkblane 1527. Priory of Bewley 1528. This last he resigned on admission to Newbattle, and was succeeded in Bewley by Robert Reid, afterwards the famed Bishop of Orkney. Thus we have an Abbot James Haswell, a single mention of Abbot John 1540 and an Abbot James Haswell again, and I submit there was but one Abbot James Haswell, who rules from death of Edward till Mark Ker was appointed c. 1555.

I suspect Abbot James Haswell was of the Haswell family of Murefield, East Lothian, but, as yet, I have not been able to prove it.

The following original obligation registered to 6 Nov. 1552 shows that Abbot James was inclined, in his old age, to outrun the constable and had to be pulled up by his convent.

'James Adamsonne burges of Edinburgh promittis and oblissis me nocht to intromett uptak nor mell wth na manar of gudis patrimony nor sowmes of mony nor utheris profettis pertinand to ye Abbay of Newbotle in tyme cumming wthout ye Conventis consent and assent gevin thairto and sall not furniss ane venerable fader James abbot of ye said abbay wth ony merchandis or gudis wthout thair consent except wyne Ceir Irn salmundis

and abulzementis for ye abbotis body nor ony utheris in his nayme and sall rasave thankfull payment of ye sowme of 1^m li mony aucht to me be ye saidis abbot and convent in greit and small sowmez lyk as yai pleiss offer and perfurniss and deliver to thaim my acquitans conforme to ye rasait yairof. And sall not mak assignay nor assignais of heiar degre nor my self to my letre of tak of certain akeris of Musselburgh. And gyf I perfurniss ony mony or merchandis or deliveris to ye said Abbot without ye saidis Conventis consent, I am contentit to tyne ye samyn and that ye place be not compellit to agayne pay ye samyn to me. And sall observe and suffer Johne Wache occupy his akeris quhilke he hes in tak of ye said Abbay for zeris to ryn conforme to ye samyn, the fermez teyndis and cayne foulez aucht and wont to be payit to ye abbay being thankfully payit to me during my takkis. In witness, etc. J. G. WALLACE JAMES.
Haddington.

[There can be little doubt that Dr. Wallace James is right in believing the 'Johannis abbas de Newbottill' of the parliamentary record of 10 December 1540 (*Acts Parl. Scot.* ii. 404) to be a clerical error. In fact, on the same date, and in the same record (*A.P.S.* ii. 405) he appears as 'Jacobus abbas de Newbotle.'—ED. S.H.R.]

EARTHQUAKES IN GLASGOW. The following interesting notes are taken from a communication made by David Murray, LL.D., to the *Glasgow Herald* of December 20, 1910, and since added to :

1570. July 4, 10 p.m.—'Thair was ane earth quaik in the cittie of Glasgow, and lastit bot ane schort space, but it causit the inhabitants of the said cittie to be in greit terrour and feir.'—'Diurnal of Occurrents,' p. 179.

1608.—'Upon the 8th of November there was an earthquake at nyne houres at night, sensible enugh at St. Andrewes, Cowper, Edinburgh, Glasgow, Dundie, but more sensible at Dumbartane; for there the people were so affrayed, that they ranne to the Kirk, together with their minister, to cry to God, for they looked presentlie for destructioun. It was thought that the extraordinar dreuth in the sommer and winter before was the caus of it.'—Calderwood, 'Historie,' vi. p. 819.

The people of Aberdeen were much alarmed by this shock, and a day of fasting, humiliation, and prayer was appointed by the Magistrates and clergy. The particular sin which was supposed to have brought this judgment was salmon fishing on Sunday; and the salmon fishers of Aberdeen were accordingly brought before the Session and rebuked.

1613. March 3 and 5.—There was an earthquake felt in various places in Scotland on both days, but it is not recorded whether Glasgow was amongst them.

1650 or 1651.—There was an earthquake in Glasgow on an afternoon not specified.—Robert Baillie, 'Letters and Journals,' iii. p. 319.

1656. August 17, 4 a.m.—'There was a sensible earthquake in all parts of the toune of Glasgow.'—Robert Baillie, *Ibid.*

1732. July 11.—There was a shock of earthquake at Glasgow between 2 and 3 o'clock p.m. It lasted about a second.—'Gentleman's Magazine,' 1732, p. 874.

1754. March.—There was a sudden sinking of the riverside walk at the head of the Green for several days and over long distances.—'Scots Magazine,' 1754, p. 154; 'Gentleman's Magazine,' 1754, p. 141.

It does not appear whether this was owing to an earthquake, but there was an earthquake at Whitby on April 19, 1754.—'Gentleman's Magazine,' 1754, p. 399.

1755. November 1.—The great earthquake at Lisbon. It is not recorded whether it was felt at Glasgow; but between 9.30 and 10.15 a.m. the waters of Loch Lomond alternately rose 2 feet 6 inches and then fell, rising and falling occupying each about five minutes. The agitation continued until 11 o'clock a.m., but not so violently, and then ceased. At the same time Loch Long, Loch Katrine, and Loch Ness were similarly disturbed.—'Scots Magazine,' 1785, pp. 552, 593. The shock was felt at Leadhills.

On March 31, 1761, Loch Ness was similarly affected, when there was another considerable shock at Lisbon.

1755. December 31.—Between 1 and 2 a.m. a small shock of earthquake was felt at Greenock and several places in that neighbourhood, as well as at Dumbarton, Inchinnan, and Glasgow.—'Scots Magazine,' 1756, p. 42. The following graphic account of this earthquake comes from Kilmacolm:—'January 1.—Yesterday about one o'clock in the morning, being awake in bed, I felt about seven or eight shocks of an earthquake, all succeeding one another. The whole shocks were over in the space of half a minute. The second shock was the greatest, and so violent that it fairly lifted me off the bed, jolted me to the head of it, and in a moment down again to where I lay before. I believe three or four such shocks would have laid this house, though a very strong one, in ruins. The second shock jostled a large chest with such violence along the side of a wall in another room that it awakened a gentleman who was sleeping there.'

1786. August 11.—A little after 2 a.m. a slight shock of an earthquake was felt, in different parts of the town, by several persons who happened to be awake at that still hour, and who mentioned it, and described its circumstances some days previous to the arrival of corresponding accounts from the south country.

'About five minutes after the clock had struck the first quarter past two in the morning a gentleman lodging in the north side of the College Court, whilst in bed and fully awake, found his attention excited by a low rumbling noise, seemingly very distant, which lasted about three seconds, and which was repeated twice afterwards at very short intervals. This was presently followed by another very uncommon and much louder noise, which seemed to come from the wainscot of the north side of the room as if occasioned by some great, heavy soft body rubbing violently against the panels in a cross direction. A similar noise was heard at the same time by another gentleman on the first floor, though in neither case was there felt

any concussion. In a house, however, near to the head of the town and in another a little above the cross a tremulous motion accompanied the shock, which a good deal alarmed those who felt it. In the house at the College, as well as at another house at Greenhead, some tame birds in cages were thrown into great consternation, or fluttering, just at the time the other symptoms of the shock were most remarkable. The weather at this time was very still and mild, with an uniform cloudiness all around.'—'Scots Magazine,' 1786, p. 408. It is possible that the writer of this report was John Anderson, Professor of Natural Philosophy, who had a lodging on the north side of the College Court.

This earthquake was felt at Aberdeen, Kelso, Dumfries, Kirkcudbright, Carlisle, Penrith, Kendal, Whitehaven, and Newcastle about the same time. A large pillar of rock at Whitehaven was thrown down.

1787. January 6.—Between 10 and 11 a.m. there was a shock of earthquake in Campsie, Strathblane, New Kilpatrick, Killearn, and Fintry, but apparently was not felt in Glasgow. At Woodhead, in the parish of Campsie, a burn became dry in places for some time. At Lettrick [? Leddrie] Green, Strathblane, the hedges were agitated as if by a sudden gust or wind. At Nethertown the houses shook so much that the people ran into the fields, locked doors flew open, the horses in a plough stood still through fear.—'Glasgow Mercury,' January 17, 1787.

1801. September 7, 6 a.m.—A smart shock of earthquake was felt in the New town of Edinburgh during two or three seconds. It was not felt in the Old town or to the south. The centre seems to have been at Comrie or Crieff, and it was felt across the island from Leith to Greenock, and from Lochearnhead to Glasgow.—'Scots Magazine,' 1801, p. 656.

1817. April 26, 6.30 a.m.—A smart shock of earthquake was felt in Glasgow and neighbourhood. Its duration must have been for a considerable number of seconds, as in more situations than one the concussion caused the windows to shake violently. It was felt in a similar manner at the same moment at Greenock and Inverness, and by one or two persons in Leith.—'Scots Magazine,' 1817, part i. p. 396.

1836. October 24, 10 a.m.—There was a shock at Blythswood.

1839. October 23, 10 p.m.—There was a severe earthquake shock at Comrie, which was felt over a large area of the surrounding country from Aberdeen to Kelso, and, amongst other places, on Loch Lomondside, at Finnart on Loch Longside, and at a house three miles to the south-west of Glasgow. Whether Glasgow itself was affected is not recorded.

1843. March 10.—Earthquake shocks in the early morning were felt throughout the North of England and the South of Scotland.

1888. February 2.—There was a slight shock all over Scotland.

1889. January 18.—There was a slight shock at Edinburgh.

1910. December 14.—There was a smart shock in Glasgow and neighbourhood, and I believe a slighter shock on the previous night.

There is a long and full list of recorded earthquake shocks in Britain, and more particularly in Scotland, by the late Mr. David Milne-Home in the 'Edinburgh New Philosophical Journal,' volumes 31 (1841) to 35 (1843).

DAVID MURRAY.

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The Beginnings of St. Andrews University

1410-1418

II

THE University of St. Andrews was, in its earliest stage, merely a voluntary society of Doctors and Masters ; but it did not long remain in this unorganised condition. According to Bower, as already stated, lectures began to be delivered in May, 1410. On February 28, 1412, a formal charter of foundation and privileges was completed and sealed. This charter was addressed to the Doctors, Masters, Bachelors, and Scholars resident in St. Andrews, and bears to have been issued in compliance with their wishes. Bishop Wardlaw, in the pre-amble, but without alluding to any previous document, recalls the fact that the University had been instituted and founded by himself, and that under favour of the divine clemency it had been laudably commenced by the said Doctors and Masters. He now, with the consent of his cathedral chapter, instituted and founded it anew, diligently considering and with earnest meditation reflecting that it is by schools of letters that men, through the favour of Him from whom every good and perfect gift flows, are rendered learned in the sciences, and that by such the ignorant are instructed and the more advanced raised to higher attainments. Moreover the catholic faith, being thus surrounded by an impregnable wall of Doctors and Masters, grows strong, and is able to withstand heresies and errors.

While the main objects of the foundation of the University were the advancement of learning and the maintenance of the catholic faith, the immediate purpose of the charter appears to have been to secure a good understanding between the members of the University and the authorities and people of the town. It was the founder's earnest desire that the University and the city might flourish together, that the influence of the University might render the city powerful, and that in this peaceful and prosperous condition the study of divine and human law, of medicine, and of the liberal arts or faculties might be ardently carried on. To accomplish this end the Bishop placed the University and all its members under the special protection of himself and his successors, and invested them with various immunities, privileges, and liberties.

Throughout the jurisdiction of the Bishop, members of the University were to have free power of buying whatever they required, and especially things pertaining to food and clothing, without exactions or customs, or of license asked of any one whatsoever. They were also to have the power of selling their own goods, provided they did not bring them into the town for the purpose of trade. An assize of bread and ale, and appraisings of things pertaining to food, were to be fully observed, and delinquents in these matters punished. It was to be the duty of the Rector of the University to report defaulters to the Provost or to any of the bailies of the town, and to demand that they be sufficiently corrected and punished. If this demand were not complied with within twenty-four hours, the power of correction and punishment was to be transferred to the Rector himself. In the event of a dispute arising between the Rector and the Provost or bailies, the Bishop reserved the cognisance and determination of it to himself and his successors. Whenever the Provost or any of the bailies was found culpable or negligent in the administration of justice, he, as well as the delinquents, was to be handed over to the Rector to be duly punished—saving certain privileges, liberties, and customs enjoyed by the Prior, the chapter, and the Archdeacon in their baronies within the city.

The Rector was also granted jurisdiction over those, whether clergy or laity, who injured or wronged members of the University, provided the offence was not heinous. In like manner all civil causes, actions, and complaints of scholars, against any person whatever were, at the wish of the said scholars, to be heard in

presence of the Rector, and by him, proceeding summarily and immediately, determined according to law. Members of the University were exempted from appearing, against their will, before any ecclesiastical or civil judge, other than the Rector, regarding contracts or civil questions; while, on the other hand, they had the right of litigating before any ecclesiastical judge whom they might prefer. Inns and houses were to be let to them at rates to be fixed by a committee of themselves and of the citizens elected and sworn for this purpose in equal numbers. As a general rule, a member of the University could not be ejected from his rooms so long as he paid the rent and conducted himself properly in them. Beneficed persons within the diocese of St. Andrews who were actually teaching or studying in the University, were to enjoy the fruits of their benefices while absent from them, provided they made suitable arrangements for the supply of divine ordinances to their parishioners. They had to ask leave of absence from the Bishop, but did not necessarily have to wait until they obtained it before proceeding to the University.

The Bishop undertook to secure that the Provost, bailies, and other officials of the city should each year at their entry upon office swear in the hands of the Rector faithfully to observe, and cause to be observed, the statutes and customs of the University, so far as they were concerned, as well as to uphold its privileges and liberties. For himself and his successors, the Bishop promised to lay no claim to any part of the goods of scholars dying testate or intestate. Their wills were to be registered free, and everything pertaining to them was to be free from the expense of legal process. Finally, all members of the University were entirely exempted from the payment of taxes, and from burdens and servitudes of every kind within the city, whether great or small. These numerous and valuable privileges were to be enjoyed not merely by the masters and scholars, but also by their bedells, servants, and attendants. They were likewise extended to the University scribes, stationers, and parchment makers, and likewise to the wives, families, and domestic servants of all the officers of the University.

The charter embodies a resolution of the Prior and convent of St. Andrews, along with the Archdeacons of St. Andrews and Lothian, chapterly convened, giving their consent to the institution and foundation of the University, and to the granting of the privileges above enumerated. This is followed by a clause in

which the Prior and convent and the Archdeacon of St. Andrews confirm the granting of an assize of bread and ale and the appraisement of everything pertaining to victuals in so far as their particular baronies were concerned. Defaulters were to be punished by the bailies of the Prior and Archdeacon in the same way as by the Provost and bailies of the city, and in case of neglect on the part of these officers, the defaulters were to be handed over to the Rector to be duly punished for their transgression.

This composite charter was formally completed, extended in legal form, and sealed with the episcopal and chapter seals, in the chapter-house of the Cathedral Church on Sunday, February 28, 1412, by Symon de Lystoun¹ and Richard de Crag,² notaries public. The original charter has unfortunately not been preserved, but there are various manuscript copies of it in the possession of the University, the earliest of which is incorporated in one of the papal bulls to be afterwards referred to.

Judging from the names of the persons who witnessed its attestation, the Bishop's charter would appear to have been drawn up in consultation with men of University training and experience unconnected with St. Andrews. They were Thomas de Butill, Doctor of Canon Law, papal auditor, and Archdeacon of Galloway,³ who had studied Arts and Canon Law at Oxford for five years,⁴ but who was probably a graduate of Avignon, as his name occurs on the benefice rolls of that University for 1393 and 1394;⁵

¹ In manuscript charters of October 25, 1404, and January 25, 1409, Symon de Lystoun is described as son of Janet de Douglas, wife of Arnold Patynmakar, citizen of St. Andrews, and as father of William de Lystoun. He witnessed a St. Andrews charter of January 17, 1416; and on Sunday, May 7, 1419, he was present, along with Bishop Wardlaw, at a meeting of the Faculty of Arts, held in the old Parish Church of St. Andrews, when new regulations for proceeding to license were adopted.

² This is evidently the 'Master Richard of Crag' who was vicar of Dundee in 1439 and onwards, and who is otherwise known as 'licentiatus in decretis ac clericus cancellarie' and 'clericus regis Jac. II. et director cancellarie.' *Reg. Mag. Sig.* vol. ii. p. 886; Maxwell's *Old Dundee prior to the Reformation*, pp. 13, 37.

³ According to Eubel (*Hierarchia Catholica*, vol. i. p. 168), Thomas de Butill was made Bishop of Galloway by Benedict XIII., on June 14, 1414; but in the *Cal. of Petitions to the Pope*, vol. i. pp. 570-617, where various other preferments are recorded, he is still Archdeacon on March 4, 1415.

⁴ On February 18, 1380, a safe-conduct was granted by Richard II. to Butill and a number of other Scots clerks who were proceeding to Oxford for purposes of study. *Rotuli Scotiae*, vol. ii. p. 20.

⁵ Fournier's *Statuts*, vol. ii. pp. 334, 348.

John de Merton, Doctor of Canon Law, Provost of the Collegiate Church of Bothwell, who had also studied at Oxford, and had several times been sent to England on public business during the reigns of Richard II. and Henry IV. ;¹ Columba de Dunbar, son of George, Earl of March, and Dean of the Collegiate Church of Dunbar, who had 'studied Arts for many years at Oxford,' and who, in 1394, at the age of fourteen, had received a papal dispensation to hold a benefice without cure of souls ;² Patrick de Houstoun, Bachelor of Canon and Civil Law, and Canon of the Cathedral Churches of Glasgow and Brechin, who was afterwards a commissioner to England in connection with various important negotiations, including the return of King James I. to Scotland ;³ and John de Loudoun, perpetual Vicar of the Church of Kilpatrick, notary public.⁴

Nothing but a confirmatory papal bull was now wanting to make the foundation of the University complete, and to secure for it the necessary status among kindred institutions. A petition for the confirmation of the Bishop's charter was accordingly prepared and despatched to Pope Benedict XIII., who was now holding his Court at Peniscola in the diocese of Tortosa in Spain. It was drawn up in name of the King of Scotland, although still a prisoner in England, and of the Bishop, Prior, Chapter, and Archdeacon of St. Andrews, and narrated in considerable detail the reasons for founding a University in Scotland, its proposed constitution, and the privileges and immunities desired for its various members. The full text of this petition cannot now be found, but a summary of it has been preserved in the papal registers in a form which seems to indicate that nothing essential has been omitted, and that the *ipsissima verba* of the original have for the most part been retained. A complete transcript of this document was printed for the first time in 1906,⁵ but an abstract of it in English had appeared

¹ *Rotuli Scotiae*, vol. ii. pp. 8, 143, 168, 175, 196 ; *Cal. of Petitions to the Pope*, vol. i. pp. 567, 568, 583, 611, 638 ; *Cal. of Papal Letters*, vol. vii. pp. 354, 360.

² *Cal. of Petitions to the Pope*, vol. i. pp. 601, 602, 614. He was made Bishop of Moray on April 3, 1422 (Eubel, vol. i. p. 367).

³ *Cal. of Petitions to the Pope*, vol. i. pp. 568-640 ; *Rotuli Scotiae*, vol. ii. pp. 239-245.

⁴ This is probably the 'John de London, priest, of the diocese of Glasgow,' referred to, in connexion with the vicarage of Forgan, in the *Cal. of Petitions to the Pope*, vol. i. pp. 594, 601. He died about 1427 (*Cal. of Papal Letters*, vol. viii. pp. 100, 370).

⁵ *Scottish Historical Review*, vol. iii. p. 313.

ten years earlier.¹ The petition represents the movement to found a Scottish University as a national one. Not only had the proposal been discussed and approved of in the chapter-house at St. Andrews, but it had also received the support of the three estates of the realm.

The appearance of King James's name at the head of the petition instead of the Duke of Albany's is of special significance. His retention in England must have prevented him from taking any active part in promoting the scheme in his own country; but he appears to have been made acquainted with it by those who had occasional access to him, and to have given it his hearty commendation and support. Bower, indeed, in attributing many virtues to James, credits him with carrying on a vigorous correspondence on behalf of the proposed University, including letters to the Pope himself on the subject of its privileges.²

This petition met with a ready and willing response. Bishop Wardlaw was personally known to the Pope; and besides, Benedict was doubtless anxious to promote the educational interests of a country which had stood by him in all his troubles as one of two, and now of three, claimants to the papal throne. But apart from such considerations, it must have been a source of genuine pleasure to the Pope himself to superintend the preparation of answers to a petition of such weighty import in his now restricted chancery. Benedict was a scholar of repute and a most liberal patron of art and learning. A few years before, he had issued a bull confirming the foundation of a University at Turin; bulls or letters from him figure in the chartularies of at least half a dozen French universities; and he has been called the founder and prime restorer of the University of Salamanca, to which he gave entirely new statutes in 1411. So elaborate, indeed, was Benedict's reply to the request of his Scottish suppliants, that it took the form of no less than six separate and independent bulls containing in all about 5000 words. This plurality of bulls issued by the same Pope and bearing the same date, at the founding of a University, is probably without parallel in the academical history of Europe.³

¹ *Cal. of Petitions to the Pope*, vol. i. p. 600.

² *Scotichronicon*, l. xvi. c. xxx.

³ In 1332 the University of Cahors received seven bulls from John XXII., but they were issued in four different months. On September 6, 1413, the University of Avignon received nine bulls from John XXIII., and on December 17, 1421, the University of Montpellier received ten from Martin V., but they had no bearing on the founding of these Universities.

Like most documents of their kind, these bulls are a mass of inelegant Latin verbiage, very difficult to reproduce or to condense into readable English. They, nevertheless, yield much substantial information to the student of academical constitution and usage in the days of the pre-Reformation church. Nothing more than a brief allusion to some of their more salient contents can be attempted here.

The first or principal bull, after a few introductory sentences, recapitulates the reasons for the foundation of a Scottish University given in the petition presented to the Pope in name of the King and others. They were the many risks and dangers by land and sea to which Scottish clerks were exposed in quest of instruction in the faculties of Theology, Law, Medicine, and the Liberal Arts; the battles they had to fight, the detentions they had to endure, the broils they had to encounter, and the impediments they had to put up with at the hands of schismatics on their way to the Universities of other countries; and the thought of the many teachable persons in Scotland who were prevented from seeking learning abroad on account of the burdens and expenses it entailed, and who, if a University were established in their own country, would have less difficulty in obtaining the instruction for which they were fitted. Considering these things, the petitioners advocated the foundation of a home University, and they pointed to St. Andrews as a convenient and suitable place for the purpose. It was further stated on behalf of the Bishop, Prior, Archdeacon, and Chapter that if the erection of a *Studium Generale* or *Universitas Studii* in St. Andrews were sanctioned, they were prepared to concede to its members very considerable advantages.

The Pope, being satisfied with the above reasons, and taking into consideration the exemplary devotion of the King and people of Scotland to the Apostolic See, and also reflecting that in St. Andrews and its neighbourhood peace and quietness prevailed, that there was a plentiful supply of provisions and no lack of well-appointed hospices and other conveniences suitable for students, sanctioned the proposal to erect a University there. In so doing he expressed the hope that a city which the divine goodness had so richly adorned would be equally fruitful of knowledge, and would produce men distinguished for their wisdom and virtue as well as for their skill in the doctrines of the various faculties, and that it would be a well-watered fountain of knowledge from whose fulness all might draw who sought to quench their thirst for learning. He thereafter proceeds to

ordain that there should henceforth be in the said city a *Studium Generale* embracing the faculties of Theology, Canon and Civil Law, Arts, and Medicine, and all other lawful faculties. Students who, on completing their courses of study in any of these faculties, wished to be licensed to teach others, were to be examined for the Degree of Master or Doctor. Successful candidates were to be presented to the Bishop of St. Andrews, or to his Vicar General in things temporal and spiritual, or to some other capable and suitable ecclesiastical person selected by the Bishop, or, in the event of the see being vacant, to the Vicar General of the Cathedral Chapter, by whom they were to be admitted to their respective degrees. The examination was to be comprehensive and impartial, and only those who were really fit to teach were to be allowed to graduate. This strictness of examination was specially insisted upon, because it was the Pope's desire that Masters and Doctors of St. Andrews should have the unfettered power of lecturing and teaching not only there but at any other University without further approbation. The bull also provided that the Rector of the University might be a graduate of any of the above-named faculties, but that it was necessary that he should be in holy orders. Finally, it ordained that students were to be free to make wills without exactions of any kind, all claims for fees by officials and ordinaries being declared null and void.

The second bull ratifies and extends Bishop Wardlaw's indulgence in favour of beneficed persons in his diocese, inasmuch as it grants liberty to all such throughout Scotland, whether belonging to the regular or the secular clergy, to study for ten years at the University, and thereafter to lecture there, if so inclined, while continuing to receive the fruits of their benefices. They were taken bound, however, to appoint and to adequately remunerate good and sufficient vicars, so that their benefices might not be defrauded of their just rights, nor the cure of souls be neglected in them. The third bull is for the most part a duplicate of the second. It is addressed to the Abbot of Arbroath, the Provost of the secular and collegiate church of St. Mary in St. Andrews, and the Archdeacon of Galloway, who are empowered to see its provisions carried into effect. They are specially charged not to allow beneficed persons studying or lecturing at St. Andrews to be molested in the enjoyment of their ecclesiastical revenues by ordinaries, chapters, convents, or any other authorities whatsoever. The fourth bull confirms Bishop Ward-

law's charter in all its points and particulars which it recites at full length. The fifth bull is addressed to the Bishop of Brechin, and to the Archdeacons of St. Andrews and Glasgow, whom it appoints conservators of the privileges of the University. Authority is given to any one or more of them to defend the University, if necessary, from all who would seek to interfere with its rights or to molest and injure its members. In the fulfilment of this duty they are to proceed by way of ecclesiastical censure, or, if need be, they are to call to their aid the arm of the secular authority. The sixth and last of the series of bulls has reference to the divided state of the church, and empowers those Scotsmen who had begun their studies at Universities located in countries infected with the stain of schism (that is in countries lying outside the obedience of Benedict himself) to continue their studies at St. Andrews and proceed to degrees there in accordance with the ordinances of the Council of Vienne. Those who had already graduated were to receive other degrees in the same faculties. Any oaths which had been taken at variance with this procedure, as well as all decrees, statutes, and customs to the contrary, were declared to be relaxed.¹

The transmission of these bulls from Peniscola to St. Andrews was entrusted to Henry Ogilvy, who had in all probability been the bearer of the petition to the Pope. Henry Ogilvy (or de Ogilvy), a man of noble lineage, was a priest of the diocese of St. Andrews who had been dispensed as the illegitimate son of a baron. He was a Master of Arts of the University of Paris, and must have been quite a young man at the date of his mission, as his degree had been obtained so recently as 1411. He is afterwards described as a Bachelor of Canon Law. When at Peniscola he obtained from the Pope a grant of the canonry and prebend of Tullynessle in Aberdeenshire. He also had collation of the church of Inveraritie in Forfarshire, about which a suit was then pending in the Roman Court. He likewise held the perpetual vicarage of Tibbermore in Perthshire, and may have been the same Henry de Ogilvy who was rector of the chapel of St. Mary at Freeland, in the parish of Forgandenny, and of Kirkden in Forfarshire. As a member of the Faculty of Arts he was present at a meeting of the faculty held on

¹These bulls were printed by the University Commissioners of 1826 in the volume of 'Evidence' relating to St. Andrews, published in 1837, pp. 171-6. A facsimile of the one confirming Bishop Wardlaw's charter, along with a transcript and a translation, may be seen in part ii. of the *National Manuscripts of Scotland*.

November 29, 1424. He died at the Apostolic See in 1425 as a canon of Brechin.¹

A period of almost two years elapsed between the issue of the foundation charter and the arrival of the papal bulls in St. Andrews. As already mentioned, the charter is dated February 28, 1412; the bulls are dated August 28, 1413, and they did not reach their destination till February 3, 1414. St. Andrews was at that time the most northerly town in Europe in which a University had been founded, and it was also the most distant point to which bulls of similar import had been issued from the papal chancery, whether at Rome or elsewhere. Ogilvy's journey from the east coast of Scotland to and from the south-east coast of Spain must have been a long and hazardous one, the more especially as part of it was performed in winter. There is no record of the route he took, but in all likelihood he would travel between Scotland and France by sea, and through France and Spain by land. The bearer of documents such as those entrusted to his care would scarcely, in the circumstances of the time, risk a journey through England, even if he had obtained a safe-conduct beforehand, of which there is no mention in the *Rotuli*.

Bower, who was in all probability an eye-witness of what he describes, gives a brief but graphic account of the arrival of Ogilvy in St. Andrews, and the events of the next few days. It occurred, he says, on the Morrow of the Purification of Our Lady, which happened to be a Saturday. As soon as the fact of his arrival became known, the sound of bells went forth from all the churches of the town. On the following day, Sunday, a solemn assembly of the whole clergy was held at nine o'clock in the morning in the refectory of the Priory, which had been specially put in order for the purpose. At that assembly the bulls were presented to the Bishop, as Chancellor of the University, and after they had been read in the hearing of all present, the *Te Deum* was sung with melodious voice by the clergy and convent, while moving in procession to the high altar in the Cathedral Church. When the singing had ended the whole assembly knelt and the Bishop of Ross recited the versicle *De Sancto Spiritu* with the collect *Deus qui corda*. The remainder of this eventful Sunday was passed amid scenes of indescribable hilarity, and throughout the whole night huge fires were kept blazing in the streets and

¹ *Auctarium*, vol. ii. cols. 99, 103; *Cal. of Petitions to the Pope*, vol. i. p. 600; *Cal. of Papal Letters*, vol. vii. p. 405, vol. viii. pp. 391, 549; *Acta Facultatis Artium*.

open places of the town—the people meanwhile regaling themselves with wine. Monday was apparently a day of much needed rest, but a solemn procession was fixed for Tuesday, February 6, in order that the feast of the arrival of the privileges might be celebrated on the same day as the feast of the arrival of the relics of St. Andrew. But who, asks Bower, could easily describe all that took place in that procession—the sweet-toned singing of the clergy, the dancing of the people, the pealing of the bells, the notes of the organs? On the same day the Prior solemnly celebrated the high mass *De Sancto Spiritu*, and the Bishop of Ross preached a sermon *ad clerum*. The bedellus counted in the procession, besides a vast multitude of people, no less than four hundred clergy, besides choir boys and novices. The auspicious event was thus welcomed, as Tytler has remarked, ‘by a boisterous enthusiasm more befitting the brilliant triumphs of war than the quiet and noiseless conquests of science and philosophy.’¹

The last stage of the procedure connected with the founding of the University of St. Andrews had now been reached, and it was at length entitled to take its place on the roll of European *Studia Generalia*. The procedure had been necessarily somewhat slow, but in the meantime the Doctors and Masters already named had not been idle. According to Bower, the first teachers in the University continued their lectures before the confirmation of its privileges for two years and a half. But this period only covers one year more than the interval between the date of the charter and the date of the bulls. If Bower is otherwise correct in his dates, an interval of more than three and a half years must have elapsed between the opening of the University and the arrival of the bulls. Be that as it may, shortly after the receipt of the bulls—probably during the Lent of 1414—a number of students were ready to ‘determine,’ and eleven of them obtained the degree of Bachelor of Arts. One of these had been a determinant at Oxford; another was a Bachelor of that University whom the faculty admitted to the corresponding degree of St. Andrews in terms of the sixth papal bull above mentioned. With this first list of graduates the *Liber Conclusionum* of the Faculty of Arts begins, and for many years to come the history of the University, so far as teaching and graduation are concerned, is little more than the annals of that faculty. No separate records of pre-Reformation date of any other faculty have been preserved, and only incidental references to such

¹ *History of Scotland*, 1864 ed., vol. ii. p. 44.

faculties and their officers, students, and graduates are to be met with in the records of the Faculty of Arts, and other contemporary documents. That a Faculty of Divinity and Canon Law (*Facultas Canonum*) existed from the commencement of the University is quite certain, although its history cannot now be traced continuously. Medicine is frequently referred to as a subject of study, but it is doubtful if any organised faculty existed until quite recent times.

It is noteworthy that neither in Bishop Wardlaw's charter nor in Pope Benedict's bulls is there any mention of endowments or of buildings. The initial wealth of the University consisted entirely of its local and general privileges. Its sole income for academical purposes arose from the dues which it exacted from its students and graduands. No provision was made for salaries to its Masters. As Buchanan remarks,¹ the University owed its beginning more to the willingness of learned men to offer themselves to the profession of letters than to any public or private patronage. The first Masters were not, of course, altogether unrewarded, for they were allowed to hold benefices, and were dispensed from personally performing the duties attached to them so long as they were engaged in teaching. In the Faculty of Arts this system would soon come to an end, because in a few years the supply of competent regent Masters would be greater than the demand. In the Faculty of Theology and Canon Law, on the other hand, the Masters would usually be men of middle age who derived their chief income from parish churches or other preferments.

It has been the custom of some writers on the University to assert that these early Masters read their lectures in a wooden building situated where St. Mary's College now stands. This statement has found, it is to be hoped, a last resting-place in the *Dictionary of National Biography*.² It is difficult to account for the origin of so strange a notion. It may have arisen from the circumstance that on May 11, 1406, Bishop Wardlaw obtained from Henry IV. of England a safe-conduct for two ships bringing timber from Prussia for church-building purposes.³ Bishop Russell suggested that the word 'church' might have slipped into this document instead of 'university.'⁴ In 1406, however, a university had not been thought of for St. Andrews, whereas about that time

¹ *Historia*, l. x. c. xviii.

² Vol. lix. p. 353.

³ *Rotuli Scotiae*, vol. ii. p. 178.

⁴ Keith, *Scottish Bishops*, p. 28.

extensive repairs were being carried out on the woodwork of the cathedral,¹ and the Bishop may also have been preparing for the erection of the new parish church, which is almost exactly the same age as the University.

In the matter of buildings St. Andrews was no worse off than many other mediaeval universities. For a long time the University of Paris had no home of its own. Each Master was at liberty to teach where he pleased. When a Nation or a faculty found it necessary to deliberate about something it met in the cloister, or in the refectory, of a convent. Larger assemblies were held in a church.² The same thing happened at St. Andrews. The Masters opened halls or pedagogies in different parts of the town. The Faculty of Arts met seventeen times between 1414 and 1432, 'apud Sanctum Leonardum,' most likely in the church. It also met in other places until it was provided with a house of its own. The more solemn meetings of the whole University were held in the refectory of the Priory, where the papal bulls were first read, and the Rector was usually elected there.

That the University of St. Andrews justified its existence from the first is not open to question. It may not have grown so phenomenally as Boece's phrase 'excrevit in immensum' might lead one to suppose. On the other hand, it would not be fair to measure the number of its students by the modest lists of graduates in Arts that have survived. For one thing, it stopped the flow of Scottish students to foreign countries. Before St. Andrews University was ten years old, although the schism had been healed, the Scottish student had disappeared from Paris. This is vouched for by the learned editors of the *Auctarium*, who say (vol. ii. p. v.): 'Scoti omnes circa an. 1420 urbem deseruerunt, excepto uno Rogero de Edinburg, qui ipse an. 1429 ultimus Scotus defunctus est.'

The story of the last years of the great papal schism as it affected Scotland has still to be written. This is not to be wondered at, as until lately printed sources of information were very limited, and the subject is one which does not perhaps attract many students of history. A good deal of the necessary information must still be sought for in the Vatican or other archives, but enough has been printed to enable anyone with a little research to supplement very considerably the narrative of the *Scotichronicon*.³

¹ *Scotichronicon*, l. vi. c. lv.

² Liard, *L'Université de Paris*, p. 11.

³ In spite of a few minor errors of fact and date, Mr. A. Francis Steuart's paper on 'Scotland and the Papacy during the Great Schism,' in the *Scottish Historical*

In this article it is impossible to deal with the matter even cursorily. But as the University of St. Andrews was one good fruit of the schism, and was mixed up with it to the end, the subject cannot be passed over altogether.

Reference has already been made to the hostile attitude taken up by the University of Paris against Benedict XIII. in 1408.¹ Benedict was not the kind of man to suffer abuse from any quarter without retaliation. So, on October 21, 1409, he 'anathematized and cursed, deprived, condemned, and annulled the whole Parisian University.'² It was a period without parallel in the annals of the modern world. 'There were now three Kings of the Romans even as there were three Popes. There were thus three heads of the temporal world and three heads of the spiritual world in Christendom. Those faithful souls who regarded the Pope as the sun and the Emperor as the moon must have been sore dismayed when they beheld three suns and three moons in the firmament at once. Once before, in 1046, there had been three Popes simultaneously; once before, in 1347, there had been three who claimed to be Kings of the Romans; but never before had there been three Popes and three Kings of the Romans at one and the same time, and the like was never to happen again.'³ The struggle of the rival emperors came to an end with the success of King Sigismund; but the struggle of the rival popes went merrily on. Scotland being content with Benedict, did little more than steadily adhere to him, and it was only when the calling of another council had been resolved upon by Sigismund and John XXIII. that Scotsmen were urgently summoned to join the fray.

Scotland had taken no part in the Council of Pisa in 1409,

Review, vol. iv. pp. 144-158, is an interesting and instructive contribution to the study of the subject.

¹ *Scottish Historical Review*, vol. viii. p. 229.

² *Archiv für Literatur- u. Kirchengeschichte*, bd. iii. p. 647; Fages, *Notes et documents de l'Histoire de Saint Vincent Ferrier*, p. 154. Strong language and personal abuse were in vogue all round. 'Benedictus' became 'Maledictus.' By another play upon his name his followers were known as 'Lunatici.' Gregory XII., John XXIII., and the Emperor Sigismund received similar treatment. Even yet hard things are constantly being written about Benedict. In the new edition of the *Encyclopædia Britannica* he is met with as 'an extraordinarily skilful, adroit, and unscrupulous antagonist.' A Provençal writer, in the course of a few pages, contrives to call him an intriguer, a dissimulator, and a knave; and to describe him as crafty, subtle, proud, and obstinate (Ch. Martin, *Lou Castèu e lei Pape d'Avignoun*, pp. 68-85).

³ Kitts, *Pope John the Twenty-Third*, p. 62.

but Simon de Mandeville, Archdeacon of Glasgow, attended the Council held by Benedict at Perpignan in 1408-9, 'pro rege et regno Scotie,'¹ while Thomas de Butill was present at the subsequent Council held by Benedict at the same place. At any rate he was at San Mateo, in the diocese of Tortosa, on October 1, 1414, when Benedict prorogued that Council till the first Sunday after Easter, 1415.²

While Scotland stood practically solid in its adherence to Benedict, there are nevertheless some indications that it contained a few supporters of the Roman pontiff. The monk of Saint-Denys³ asserts in a general way that when the roads that led to Rome had become safe, adherents of Pope John XXIII. at once set out from England, Scotland, and other countries to attend the Council which he had summoned to be held there in 1412. It may be questioned if anyone really went from Scotland. In the end of the year the University of Paris advised the Pope to prorogue the Roman Council and to despatch embassies to Spain, Aragon, Scotland, and other regions outwith his obedience, to induce them to send ambassadors to the Council. The Pope agreed to do so, and the embassy to Spain was sent on May 18, 1413. Nothing is known of a similar embassy to Scotland.⁴

On April 8, 1414, the University of Paris despatched John of Austria,⁵ Master of Arts and Professor of Theology, to Scotland.

¹ *Archiv für Literatur- und Kirchengeschichte*, bd. vii. pp. 671, 691. Simon de Mandeville, described as of noble birth, was a nephew of Matthew Glendoning, Bishop of Glasgow. He graduated Master of Arts at Paris in 1394, and in 1406 was lecturing on Civil and Canon Law at Orleans. In answer to petitions he obtained grants of various benefices from Benedict, and while at Perpignan, where he is styled papal chaplain and Doctor of Canon and Civil Law, the pope, *motu proprio*, added to the number and dispensed him to hold more; but he never returned to Scotland, having died at the court of Benedict in 1409. He appears to have been in Scotland in 1407, and to have left again in 1408. *Chartularium*, vol. iv. pp. 73, 109; *Auctarium*, vol. i. cols. 689, 690; *Cal. of Petitions to the Pope*, vol. i. pp. 583-639; *Cal. of Documents relating to Scotland*, vol. iv. pp. 149, 155.

² Finke, *Acta Concilii Constanciensis*, bd. i. p. 339.

³ *Chronique du Religieux de Saint-Denys*, vol. iv. p. 730.

⁴ Finke, *Acta Concilii Constanciensis*, bd. i. p. 156.

⁵ Johannes Mullechner, better known as John of Austria, entered the University of Paris in the direst poverty. He was unable to pay any of the fees due at the various stages of his Arts course. Yet he rose to be one of the most prominent members of the University in his day. He is last mentioned in the records of his Nation as its chosen spokesman before the Emperor Sigismund when he visited the University of Paris in 1416. His is one of the names most frequently mentioned in the *Chartularium*, vols. iii., iv., and in the *Auctarium*, vols. i., ii.

He was accompanied by John Gray,¹ a Scotsman, Master in Medicine as well as in Arts, as representing the King of France, and probably by others. The University's instructions to the leader of this embassy have been preserved and printed.² He was to travel through England, with a safe-conduct, and if possible obtain an interview with the captive King of Scotland, and briefly explain to him the purpose of the embassy. He was then to go to Scotland and see the Duke of Albany and other powerful nobles and prelates, and endeavour to arrange for a meeting of the three estates in order that the intention of the University of Paris might be explained in detail. At the same time he was to ask the University to be excused for not sending a more imposing embassy, and to point out the cause that had prevented this from being done. Further, if it seemed good to him, he was to plead, as an excuse for his failure to send letters to the University of St. Andrews, that the University of Paris had not yet been fully informed concerning the founding of a university at St. Andrews. If it had been so, letters would certainly have been written. Its members were to be asked to help and direct him in his business—the main object of which was to secure a good representation from Scotland at the forthcoming Council of Constance. This was the proposal he was to make to a general assembly of the estates if they could be got together. Failing that, he was to deal with the nobles and prelates individually as he could find them. As little as possible was to be said about the Council of Pisa. His chief duty was to induce

¹ John Gray was Master of Arts of Paris of 1374, and Master of Medicine in 1395, also of Paris, where he lived for many years, and was Dean of the latter faculty in 1413. He was evidently a man of affairs, as he was sent on several embassies by the Kings of France and Scotland. He had the misfortune, however, to be the son of a married man and a nun, a circumstance which troubled him through life, and at one time led him to commit perjury. Four popes granted him dispensation, rehabilitation, or absolution in the course of his career. He had a perfect mania for benefices, and obtained a fair share of them in France as well as in Scotland. *Plures canonicatus quaesivit* has been written of him, and he did not ask in vain. In the end Eugenius IV. dispensed him to hold any benefices, with or without cure, of any number and kind compatible with one another, even if canonries, prebends, or dignities, and to resign them all, simply or for exchange, as often as he pleased. *Auctarium*, vol. i. col. 451, etc.; Jourdain, *Index Chartarum*, pp. 198, 215; *Chartularium*, vol. iv. p. 263, etc.; *Cal. of Petitions to the Pope*, vol. i. pp. 592, 606, 636; *Cal. of Papal Letters*, vols. vii., viii. passim; *Exchequer Rolls*, vol. iv. pp. xlix. 163, 676; *Reg. Mag. Sig.* vol. ii. p. 27; *Cal. of Documents relating to Scotland*, vol. iv. p. 213; Finke, *Acta Concilii Constantiensis*, bd. i. p. 349.

² Jourdain, *Index Chartarum*, p. 232.

them to send a grave and dignified company to Constance, and to impress upon them the good that was likely to flow from such a course and the evil that might result from its neglect. As an inducement he was to set forth the labours undertaken by the University of Paris in the matter of a united and universal church, all which might move them to join a Council through which, by the Divine help, full and perfect peace in the whole church might be attained. Finally, he was directed to offer a friendly greeting to the University of St. Andrews, and to bring back the replies he obtained in writing.

On the same occasion the University of Paris sent an 'Epistola Consolatoria' to King James, in which the University, while deploring his odious captivity, sought to comfort him with the reflection that even greater misfortunes had befallen some of the most illustrious rulers of the ancient world. With much unctious and scriptural allusion, the University went on to remind the King that things spiritual were of more concern than things temporal, and called upon him to play his part in bringing about the splendour of ecclesiastical peace by helping to put the church under one undoubted head. He was also made acquainted with the despatch of messengers to the governor, prelates, and people of his kingdom.¹

In September, 1414, it was reported to Benedict, by some of his adherents in Paris, that ambassadors had been sent to Scotland and elsewhere to obtain adherence to the Council of Constance. In the same document Scottish students in Paris, to the number of twenty and upwards, petitioned to be allowed by Benedict to continue their studies there, or at other French universities, and to be afforded facilities for proceeding to degrees in Arts. Benedict's answer to this petition is interesting. Scottish magistrands were to be authorised to receive the degree of Master of Arts, publicly in Scotland, from the Bishop of St. Andrews after producing evidence that they had completed the necessary courses at Paris. Alternatively, authority would be committed to someone adhering to Benedict to confer the degree upon such magistrands at Paris, but in this case it was to be done in private.²

The Council of Constance was opened on November 5, 1414. The attendance was small and unrepresentative. Nevertheless,

¹ *Chartularium Universitatis Parisiensis*, vol. iv. p. 285.

² Finke, *Acta Concilii Constanciensis*, bd. i. p. 351.

the Council turned out to be the most brilliant assemblage of clergy and laity ever witnessed in mediaeval Europe. Scotland officially held aloof from the Council, but individual Scotsmen found their way there all the same.¹ Among them was Finlay de Albania, Bachelor of Theology, a Dominican Friar, Provincial of the Order in Scotland, and special confessor to Robert, Duke of Albany, governor of the realm. How he came to be at Constance is not at all clear, but that he was there is made certain by the diary of Cardinal Fillastre. In 1416 he was sent to Scotland as an ambassador of the Council, to invite and exhort the King and the Governor, as well as the clergy and nobles, to send representatives to the Council to aid in procuring the union of the church. He duly fulfilled his mission and the letters of which he was the bearer were published at St. Andrews, in presence of Bishop Wardlaw and a great gathering of clergy, nobles, and people.

The University and the clergy appear to have made no response to the Council's appeal; but the Governor wrote a letter to the Council dated from his castle of Doune, November 4, 1416. He acknowledged receipt of the communication which Finlay had brought to him; assured the Council that nothing lay nearer his heart than the promotion of union and the extirpation of strife with its evil consequences; and explained that he had intended to send ambassadors to the Council but that many impediments had come in his way, not the least of these being the constant risks of wars, plunderings, and other calamities between Scotland and England. He promised to send ambassadors at the earliest opportunity and to empower them to do everything they could to procure the peace and reform of the church; and he invoked the Divine power to strengthen and prosper the efforts that were being made to reach the happy issue of a holy and salutary union of the mother church.

Finlay was forthwith sent back to Constance with the Governor's letter, which also empowered him to inform the Council more fully of the position of affairs in Scotland. Finlay's account of the result of his mission to Scotland was heard by the Council on January 4, 1417. When the Governor's letter was read, an unnamed English doctor spoke in praise of the King of Scotland

¹ In Richental's *Chronik des Constanzer Concils* there are various references to the presence of Scotsmen; and Kitts may be trusted to have authority for saying that 'at the tables outside the inns sat scholars from Prague or Heidelberg, singing songs of the fatherland, while stern English or Scotch knights looked stolidly on' (*Pope John the Twenty-third*, p. 248).

(*Scotie*) 'and always called him King of Scots (*Scotorum*).' No other reply was made, for the reason that Finlay was not the ambassador of the King but of the Council.¹

It may be added here that on the accession of Pope Martin V., Finlay de Albania and Griffin Yonge, Bishop of Ross, were sent to Scotland as papal nuncios to receive the fealty and obedience of the King and country, and to grant absolutions and dispensations of the usual kind to those who needed them. Finlay afterwards became Bishop of Argyll, but soon fell into disgrace and fled to Ireland, where he died. On May 13, 1426, Martin V. issued a mandate to the Bishops of St. Andrews and Dunblane authorising them to inquire into his conduct and send the result to the Pope, who had been informed by the King that Finlay had given counsel and aid to traitors and rebels, and was so much hated by the clergy and laity of his diocese that he could not be tolerated in those parts without grave scandal.²

For the first five years of its existence as a corporate body the Faculty of Arts at St. Andrews was fully occupied in the administration of its own internal affairs. It was not until 1418 that it took part in a matter of national concern. This was none other than the withdrawal of obedience from Benedict XIII. and its transference to Martin V.³ Benedict had been deposed by the Council of Constance on July 26, 1417, and Martin had been elected Pope on November 11 following.⁴ Scotland was now the only country that in any real sense remained faithful to Benedict, and a strong effort was accordingly made to win it over to the majority and so finally put an end to the great papal schism. Scotland was still unrepresented at the Council, and so

¹H. von der Hardt, *Rerum Concilii Constantiensis*, tom. iv. p. 1086; Lenfant, *Histoire du Concile de Constance*, tom. i. p. 603, tom. ii. p. 3; Finke, *Forschungen u. Quellen zur Geschichte des Konstanzer Konzils*, p. 186.

²*Scotichronicon*, l. xvi. c. x.; Eubel, *Hierarchia Catholica*, vol. i. p. 251; *Calendar of Papal Letters*, vol. vii. pp. 6, 69, 473.

³In taking this step St. Andrews was simply following the example of the University of Paris, which had become a power in the State and lost no opportunity of making its presence felt. That University intervened in all public feuds and gave judgment at one time for the Pope and at another time for the King. Its ambassadors sought to direct the Councils of Pisa and Constance, and to make the University the arbiter of the papacy by pronouncing upon the rival pretensions to the heritage of St. Peter (Liard, *L'Université de Paris*, p. 14).

⁴On December 3 Martin wrote to King James, informing him of his election. Rymer, *Foedera*, vol. ix. p. 523.

the Abbot of Pontigny was despatched to Scotland, in 1417, for the special purpose of securing the adhesion of the Scottish Church to the Council, and of effecting the withdrawal of its obedience from Benedict. He duly arrived and expounded his twofold mission in a speech of great eloquence before the Governor and three estates of the kingdom at Perth.¹ About the same time the Emperor Sigismund wrote from Paris to the Governor and three estates, urging them to send procurators to the Council, so that Scotland might be represented in it as well as other countries.² Meanwhile Benedict was looking sharply after his own interests. He wrote a letter to the Governor and three estates entreating them to persevere in their obedience to him. He had a firm adherent in the Duke of Albany, who appointed an English Franciscan friar named Robert Harding, Master in Theology, to take up the cause of the church on behalf of Benedict. This he did with great vigour in numerous disputations and speeches. But all his eloquence and sophistry failed to uphold the waning cause of Benedict. The whole University of St. Andrews rose up against Harding, says Bower. Supported by the Governor, however, he attacked the University and heaped abuse upon its members both orally and in writing. They in their turn gave as good as they received.³

The attitude taken up by the Masters of the University may at first sight seem strange and ungrateful, but it was the only course left open to them to pursue. The restoration of unity to the church had now become the one great question of the day, and it was abundantly clear that this could not be accomplished through any of the three rival popes. John XXIII. had been deposed by the Council of Constance as early as May 29, 1415, and Gregory XII. had abdicated on July 4 of the same year. For the next two years every effort had been put forth to induce Benedict to withdraw his claims and so restore peace, but he remained obdurate, and sentence of deposition had at last to be pronounced.

¹ John de Bienville, Doctor of Theology, was the thirty-second abbot of the Cistercian monastery at Pontigny in the diocese of Auxerre. He joined the Council of Constance in 1414. Boece says of him that he was renowned for the greatness of his erudition and the sanctity of his life. After fulfilling his mission to Scotland, he is understood to have proceeded to England to transact business connected with the affairs of his order (*Scotichronicon*, l. xv. c. xxiv.; Boece, *Scotorum Historiae*, l. xvi.; Martene et Durand, *Thes. Nov. Anec.* vol. iii. col. 1259; *Gallia Christiana*, vol. xii. col. 450).

² *Scotichronicon*, l. xv. c. xxiv.

³ *Scotichronicon*, l. xv. c. xxiv.

Scotland had adhered to the Avignon anti-popes from the outbreak of the schism in 1378, but now that it was all but healed, after a long conflict of nearly forty years, further adherence to the line of Anagni would have been unjustifiable. There was doubtless much personal sympathy with Benedict in his disappointments and misfortunes among the members of the University, most of whom were indebted to him for the positions in the church which they held.¹ But the strong desire for peace, for a reunited church, and for the suppression of Lollardism and other heresies, outweighed all private and personal considerations, and the Masters of the University made up their minds to advise the country to acquiesce in the decrees of the Council of Constance. This determination was officially carried into effect at a meeting of the Faculty of Arts held at St. Leonard's on August 9, 1418, when it was concluded that obedience ought to be withdrawn from 'Peter de Luna, formerly known as Benedict.' With a few exceptions, every Master in the Faculty formally withdrew his obedience from Benedict and transferred it to Martin. The meeting then proceeded to appoint a deputy to appear before a council and, in presence of the Governor and three estates of the realm, to make known the decision of the Faculty with the view of inducing the Governor and the whole council to solemnly celebrate withdrawal of obedience from Peter de Luna and to proclaim the obedience of the Scottish Church to Pope Martin V.—the solemn act of withdrawal to be postponed to a general council out of respect for the Governor and whole kingdom. In case the Governor might not wish to withdraw obedience from Peter de Luna, but, on the contrary, might wish to persevere in it and to send ambassadors to him, the Faculty took upon itself the duty of celebrating the withdrawal.

The whole question of the relation of Scotland to the new Pope was debated on October 2 or 3, 1418, in a general council of the three estates of the realm held at Perth. There Harding made a final stand on behalf of Benedict, in a lengthy harangue in which he made use of all the arts of mediæval rhetoric. He was opposed by the deputy from St. Andrews, Master John Elwold, Rector of the University, and by other eminent theologians, who declared his conclusions to be scandalous and seditious, savouring strongly of heresy, fruitful of schism, and anything but conducive

¹ It is rather remarkable that not one of the men associated with the founding of the University, nor one of its first teachers, is named as having taken part in the proceedings connected with the withdrawal of obedience from Benedict.

to the unity of the church. Master John Fogo was also conspicuous in his hostility to Harding. The debate appears to have been carried on with much bitterness on both sides, but in the end the counsels of the University prevailed and Scotland withdrew its obedience from Benedict and adhered to Martin. The records of the Faculty of Arts contain no further allusion to the matter except that on October 10, 1418, it was agreed, as a mark of favour and goodwill, that the Rector should have ten shillings for his expenses in attending the general council at Perth.

There is no mention of Elwold as Rector in any University document, and his name had not been known to the compiler of a list of rectors drawn up about 1533. Nevertheless, Bower is almost certain to be correct in attributing this distinction to him. John Elwold, or Elwald, was a determinant in Arts of the University of Paris in 1399, and a Licentiate in the same year. This achievement was an uncommon occurrence at the time, the usual interval between these degrees being from two to three years. He began to lecture in 1400, and took an active part in the affairs of the English Nation until 1406, when he may have returned to Scotland. He was twice elected Procurator of his Nation in 1401, and while in office he drew attention to the fact that its members were not getting their proper share of bursaries at the Sorbonne. He held one himself, and appears to have been successful in his efforts on behalf of other 'supposts.' In 1401 and 1402 several of his own countrymen determined under him. He is last heard of at Paris as one of three provisors for the feast of St. Edmund, appointed on November 11, 1406. Very little information is available as to his career in Scotland. He is doubtless the John Elwalde who figures in the index to volume vii. of the *Calendar of Papal Letters* as 'canon of Glasgow, rector of Markinch and vicar of Selkirk Regis, afterwards rector of Kirkandrews and Kirkinner, with the rectory of Markinch *in commendam*.' The two entries in the text of the volume relate to the year 1423, and describe Elwold as Licentiate of Theology as well as Master of Arts. They afford a good example of the complicated manner in which ecclesiastical benefices were wont to be given, resigned, or exchanged.¹

John Fogo, whom Bower calls 'magister in sacra pagina,' and Boece 'sacrarum literarum professor,' may have been a member of the Faculty of Theology at St. Andrews. He was at this

¹ *Scotichronicon*, l. xv. c. xxiv.; *Auctarium*, vol. i. cols. 790-934; *Cal. of Papal Letters*, vol. vii. pp. 251, 269.

time a monk of the Cistercian abbey of Melrose, of which he became abbot between 1422 and 1425. On June 9 of the latter year he was, as Abbot of Melrose, included in the embassy of the King of Scotland to the Roman court. On January 8, 1426, and again on January 8, 1430, he is styled the King's confessor. As already noted, he was concerned in the trial of Paul Craw, at St. Andrews, on July 23, 1433, while on November 30 of the same year he and a number of other Scotsmen had a safe-conduct to the Council of Basel. About the same period Fogo crossed swords with Laurence of Lindores on a question of international policy, with the result that he was summoned to St. Andrews by the redoubtable inquisitor, where he was speedily convinced of the hollowness of his arguments. Fogo appears to have held the abbacy of Melrose till 1440 or later.¹

These proceedings did not quite settle the question of obedience. Benedict had still a number of sympathisers in the country sufficient to encourage Harding to carry on an agitation in his behalf. But on July 11, 1419, a bull was issued by Martin condemning the errors of Harding and empowering Laurence of Lindores, as inquisitor for Scotland, to seize and detain him. In the event of his retracting his errors, and humbly and publicly seeking pardon, he was to go unpunished, after being gently admonished by Laurence; but if he remained obstinate and refused to walk in the light, he was to be dealt with according to use and wont in such cases.² On the same day the Pope wrote thanking the doctors and masters of the University for the stand they had taken against Harding, and calling upon them to aid the inquisitor in finally putting him and his supporters to silence. Fogo is said to have been energetic in procuring these bulls, and would seem to have been the messenger who brought them from Florence, where the Pope was holding his court. Shortly after their arrival Harding suddenly took ill and died at Lanark.³ With his demise

¹ *Scotichronicon*, l. xv. cc. xxiv., xxv.; l. xvi. cc. xxiii., xxiv.; Boece, *Scotorum Historiae*, l. xvii.; *Cal. of Papal Letters*, vol. vii. p. 214; Rymer, *Foedera*, vol. x. pp. 344, 537; *Reg. Mag. Sig.* vol. ii. pp. 6, 29; *Liber de Melros*, pp. 493-574; Morton, *Monastic Annals of Teviotdale*, p. 236.

² Boece's information is that if Harding had not made his escape by flight he would have been burned as a heretic (*Historiae*, l. xvi.). Of all the persons named in the early annals of the University, Harding is the most obscure. Bower appears to be the sole contemporary authority for what is known about him. I find no trace of his name in any printed academical or papal register.

³ *Scotichronicon*, l. xv. cc. xxiv., xxv. Notarial (but obviously not quite accurate) copies of these bulls are preserved in the University Library at St. Andrews. I

all serious opposition to Martin ceased, and Scotland was for the time ecclesiastically at peace.

Among existing universities St. Andrews stands about twenty-ninth in the order of foundation. If regard were had to unbroken continuity, it would stand about twentieth. The careers of nine or ten of its predecessors have been chequered. Some of them were in abeyance for long periods, or lapsed altogether and had to be refounded. St. Andrews University has occasionally been dispersed for a few months on account of plague or the unsettled state of the country, but, so far as is known, its doors have never been closed for a complete academical year. In another aspect of chronology it is worth noting that the University of St. Andrews was the last of ten universities founded during the Great Schism, which began in 1378 and ended in 1417. Three of these are now German universities, two are Italian, one is Hungarian, one French, and one Scottish, while two are extinct. The following is the list, with the names of the popes who confirmed their foundation, and the dates of their respective bulls :

- Erfurt, Clement VII., September 18, 1379.
- Heidelberg, Urban VI., October 23, 1385.
- Cologne, Urban VI., May 21, 1388.
- Budapest, Boniface IX. (month and day unknown), 1389.
- Ferrara, Boniface IX., March 4, 1391.
- Würzburg, Boniface IX., December 10, 1402.
- Turin, Benedict XIII., October 27, 1404.
- Leipsic, Alexander V., September 9, 1409.
- Aix-en-Provence, Alexander V., December 9, 1409.
- St. Andrews, Benedict XIII., August 28, 1413.

Of these ten universities, seven were founded by Roman popes and three by Avignon anti-popes ; but St. Andrews is the only one whose foundation rests solely on the bull of an anti-pope. The Avignon anti-popes were Clement VII. and Benedict XIII. Clement's bull in favour of Erfurt could not be put into execution on account of the troubled state of the times, and within a few years the city transferred its obedience to Urban VI. On May 4, 1389, another bull of erection was obtained from Urban, in which no reference is made to the earlier bull of

made transcripts of them so long ago as 1888 and now print them as appendices to this article. The bull addressed to Laurence of Lindores is partly printed in the *Scotichronicon* ; the one addressed to the University has not, so far as I know, been printed before.

Clement. This new bull may have been applied for merely as a matter of policy, or for greater security, but it made no difference in the year from which the University of Erfurt dated its foundation. A similar delay was caused by wars in the case of Turin, and meanwhile Savoy and Piedmont had gone over to the Roman obedience. A new bull was accordingly applied for from John XXIII., and obtained on August 1, 1412. The University of Turin, however, still dates its birth from the bull of Benedict. There was turmoil in Scotland as well as on the Continent, but the kingdom adhered to Benedict till the formal close of the schism. Thereafter no effort was ever made to obtain a re-foundation of the University of St. Andrews at the hands of a Roman pontiff. Such a step was entirely unnecessary, and fees paid to the papal chancery for such a purpose would have been good money utterly wasted. All the same, it has been a source of concern to not a few that the University of St. Andrews was not founded by a 'legitimate' pope. But there never was the slightest cause for anxiety on that account. Within their respective obediences Clement and Benedict were perfectly legitimate popes, and their bulls were just as valid as those issued by their rivals.¹ When at last Scotland withdrew its obedience from Benedict XIII., and transferred it to Martin V., the new pope raised no question whatever as to the validity of the University of St. Andrews, although it was founded by men whom he believed to have been steeped in schism. On the contrary, and at the earliest opportunity (July 11, 1419), he greeted its doctors and masters as his beloved sons, and sent them his apostolic benediction. It was the same with all Benedict's other transactions in Scotland. Nothing was upset or interfered with, while many of his grants and dispensations, without being questioned, were confirmed or renewed by Martin. Benedict's arms have held their place on the common seal of the University

¹ It was clearly impossible for anyone living at the time of the schism to know with certainty who was the true pope. Much has been written on the subject since, but it remains an open question still. As to that Protestant and Catholic writers are at one. Thus in Hook's *Church Dictionary* (1896), it is said that 'as to the fact which of the two rivals was pope and which anti-pope, it is impossible even now to decide.' The *Catholic Dictionary* of Addis and Arnold (1897) does not go quite so far, but is constrained to allow that 'even now it is not perhaps absolutely certain who was pope and who anti-pope.' It is significant also that in the list of anti-popes drawn up by Cardinal Hergenröther, Prefect of the Apostolic Archives, and adopted by the *Catholic Encyclopedia* at present in course of publication, the name of Peter de Luna does not occur.

from its foundation until now. They are believed to have been removed from the mace of the Faculty of Arts by Archbishop Spottiswoode, to make room for his own as Chancellor. When, in 1905, ensigns armorial for the University were, for the first time, designed and matriculated, the silver crescent reversed of Peter de Luna was given a prominent position between the gold mascles of Henry Wardlaw. Underneath, a red lion rampant recalls the name and title of another founder—all three of them men who did well for St. Andrews and for Scotland. The lamp which they lit five centuries ago has never gone out: in spite of its age, it burns brighter to-day than it ever did before.

J. MAITLAND ANDERSON.

APPENDICES

- A. Bulla Martini Laurencio de Lundoris, heretice pravitatis Inquisitori, contra fratrem Robertum Harding concessa.

Martinus episcopus servus servorum Dei dilecto filio Laurencio de Lundoris, licenciato in theologia, in regno Scocie heretice pravitatis Inquisitori, salutem et apostolicam benedictionem. Inter precipuas sollicitudines regiminis ecclesie ex injuncto divinitus nobis officio salutis gregis dominici propensius intendere et fervencius invigilare debemus, hec nobis incumbit cura potissima ut errores et scandala omnemque eiusdem gregis infectivam doctrinam prorsus abjicere et funditus extirpare conemur. Cum igitur ad nostrum fidedignorum relacione ac fama publica referente devenerit nuper auditum, quod in regno Scocie quidam frater Robertus Hardyng, de ordine Minorum, plures articulos falsos, scandalosos, sediciosos, auriumque piarum offensivos, et quosdam ex ipsis erroneos ac heresim sapientes, quorum fecimus inferius describi tenores, publice dogmatizare, asserere, predicare, defendere non veretur. Nos volentes talibus scandalis obviare, et ne tales perdurare aut succrescere contingit errores, prout ex injuncti nobis officii pastoralis obligatione tenemur providere, cupientes discrecioni de qua in his et aliis fiduciam gerimus in Domino specialem, committimus et apostolica auctoritate presencium tenore mandamus quatinus prefatum fratrem Robertum, ubicumque eciam intra loca sacra vel alia quacumque immunitate gaudencia repertum, capias seu capi et detineri facias, ipsumque caritative moneas et requiras quatinus a predictis dogmatizatione, assercione, predicacione, et affirmatione penitus desistens, predictos articulos et doctrinam in eis contentam publice et cum debita solemnitate revocet, contrariamque illis erroribus fateatur veritatem, petendo penitenciam et gratiam de commissis, quas si humiliter et publice pecierit nostra auctoritate concedi volumus et jubemus. Si vero, quod absit, ab hujusmodi erroribus respiscere et in lucem ambulare noluerit, sed in tenebris permanere, contra ipsum eiusque sequaces et fautores si qui sint, summarie, simpliciter, et de

plano sine strepitu et figura iudicii, ipsis et aliis que fuerunt vocandi vocatis procedas eciam ex officio prout in talibus est fieri consuetum, contradictores quoslibet et rebelles, per censuram ecclesiasticam et alia juris remedia oportuna compellendo. Testes autem qui fuerunt nominati si se gracia, odio, favore, vel amore subtraxerint censura simili compellas veritati testimonium perhibere, quoniam in premissis omnibus et singulis tibi ex eis plenam et omnimodam concedimus dicta auctoritate facultatem, constitutionibus et ordinacionibus apostolicis, ac de duabus dictis in concilio generali necnon statutis et consuetudinibus ac privilegiis dicto Roberto, vel quibusvis aliis, ab apostolica sede concessis, eciam si de ipsis et totis eorum tenoribus habenda sit in nostris literis mentio specialis et aliis contrariis non obstantibus quibuscumque. Predictorum vero articulorum tenor sequitur et est talis :—

Primus articulus. Si Benedictus cederet, daret occasionem suis subditis eterne damnationis.

Secundus. Secundum justum juris ordinem, prius debet fieri restitucio Benedicto quam ipse teneatur cedere.

Tercius. Si post Concilium Constanciense Benedictus fuerit notorie negligens, prelati Scocie habent jus ad procedendum ad monendum et abscindendum ipsum, si sit incorrigibilis ; quo casu dato, per ipsos Benedicto preciso, ipsi prelati qui sunt de obediencia Benedicti habent jus eligendi papam unicum.

Quartus. [Quod] post negligenciam notoriam et incorrigibilem Benedicti et abscisionem ejusdem, ecclesia Scoticana tenetur, propter omne dubium removendum papatus in Martino, primo eidem jus papatus exhibere et deinde obedienciam sub inferre.

Quintus. Quia damnavit Concilium Constanciense, et quod ibi existentes non potuerunt facere unionem in ecclesia Dei, sed tantum illi de regno Scocie sicut exemplum dedit de elephante.

Sextus. Quod aliqui de regno Scocie, prevenientes suos fratres, Martino obedientes, sunt filii diaboli et viperis similes ; et sequitur similis assercio quod illi qui receperunt beneficia a Benedicto, postea adherentes Martino, sunt similes scorpionibus, et hoc secundum duplicem proprietatem.

Septimus. Quod quamdiu Johannes vivit incarceratus non erit unio in ecclesia Dei sine suspicione.

Octavus. Post negligenciam notoriam Benedicti, jus ecclesie universalis descendit in membra obediencie ejus.

Nonus. [Quod] soli illi de obediencia Benedicti sunt catholici, et omnes alii scismatici et heretici.

Decimus. [Quod] Benedictus non fuit negligens quoad illa [quae] respiciunt unionem ecclesie, nec in Concilio Constanciensi nec tempore precedente.

Datum Florencie quinto idus Julii pontificatus nostri anno secundo.

B. Bulla Martini Universitati pro assistencia prestanda Inquisitori heretice pravitatis concessa.

Martinus episcopus servus servorum Dei dilectis filiis magistris, doctoribus, et Universitati Studii Sanctiandree salutem et apostolicam benedictionem.

Miliciam quam ut boni constantesque Cristiane fidei defensores contra erraneos et scandalosos articulos fratris Roberti Hardyng laudabiliter suscepistis in Domino commendamus. Et quamvis ex ipso facto vos et vestrum quilibet a Domino nostro Jesu Christo procul dubio premia sperare possitis, tamen et nos qui non nostris meritis, sed divina clementia disponente, gerimus vices suas in terris vobis graciaram condignas referimus acciones caritatem vestram hortantes quatinus dilecto filio Laurencio de Lundoris, heretice pravitatis in regno Scocie Inquisitori, cui caritativam monicionem ipsius Roberti si resipiscere velit, et eciam correccionem si in malo perseverit, commisimus ut in nostris literis latius patet, oportunis favoribus, consiliis, et auxiliis assistatis, et ita super his et aliis fidem prefatam ac nostrum et dicte ecclesie statum, et insuper vestrum honorem concernentibus, vos gratis ut vestra possit devotio apud nos et sedem apostolicam non immerito commendari, nosque et ipsa sedes proni ad ea que universitatis vestre respiciunt incrementa, vestris hoc exigentibus meritis laudabilibus efficiamur quotidie proniores. Datum Florencie quinto idus Julii pontificatus nostri anno secundo.

Two Ballads on Viscount Dundee

THESE contemporary ballads on Dundee have escaped notice, and though their literary value is of the smallest, they possess a certain historical interest.

'The Scotch Protestants Courage' comes from the Pepysian collection. It falsifies the facts about the battle in the most unblushing manner, but it is quite possible that the writer did not know what had really happened. As Macaulay says, 'The news of Dundee's victory was everywhere speedily followed by the news of his death, and it is a strong proof of the extent and vigour of his faculties that his death seems everywhere to have been regarded as a complete set off against his victory.'

Luttrell's *Brief Relation of State Affairs* contains the account of the battle as the news reached Londoners. About August 3, it states: 'Letters from Scotland bring, that Major-General Mackay with 3000 men, engaged the Viscount of Dundee with 6000, near the Blair of Atholl; that the fight was maintained very sharply for some time, but two of the Scotch regiments (that came from Holland would not fight) which occasioned a disorder among our men; but the rebels drawing off to the hills, our men made good their retreat; several were killed on both sides, and among the rebels 'tis assured that the Viscount of Dundee himself is killed.' About a couple of days later the news of Dundee's death is confirmed, and a little later comes the entry: 'The Scotch letters say there had been another engagement between a party of the rebels consisting of 400 foot and 80 horse, and a party detached from Generall Macay, near St. Johnstown; that they cut off all the rebels except some few they took prisoners.'¹ Luttrell's 'Diary,' as it is commonly called, gives the items of news it records under the date of the month, and arranges them in chronological order, but does not always give the date of the day. The skirmish last referred to took place on July 31, four days after the battle of Killiecrankie. It seems clear that the ballad was written about the middle of August.

¹ Luttrell, i. 565, 566.

The ballad entitled 'Bonny Dundee' is from a manuscript collection of Jacobite songs and satires, all written in the reign of William III., which is now in the possession of Charles Ffowkes, Esq., F.S.A., of Oxford. He has allowed me to copy this and a number of other pieces from it. The volume is throughout written in a contemporary hand, and seems to be a collection of fugitive verses circulated in manuscript and recopied by the collector some time before the end of William's reign.

The interest of this particular piece consists largely in the use of the phrase, 'Bonny Dundee.' I think this is the earliest instance of the transfer of the phrase from the place, to which it was originally applied, to the man.

C. H. FIRTH.

THE SCOTCH PROTESTANTS COURAGE: OR, THE DESTRUCTION, DEATH AND DOWNFALL OF DUNDEE.

To the Tune of, 'Billy and Molly Licensed according to Order.'

Here's Joyfull Tydings now we bring
 from the brave Scottish Nation,
 The fame of Protestants shall ring,
 through Town and Corporation:
 The Rebell which did lead the Van,
 and o'er the Mountains scouted,
 At length brave Boys is dead and gone,
 and all his Forces routed.

The Protestant great General,
 who led his men to Battel;
 Although on both sides some did fall,
 while Guns and Drums did rattle
 The fight they bravely did maintain
 And while they were about it;
 Dundee in field was fairly slain,
 and all his Rebells routed.

Mackay he did the Rebells face,
 that valiant stout Commander;
 And for his Courage seem'd to trace
 the steps of Alexander:
 His forces he drew up with speed,
 although the Papists flouted;
 He made Dundee in field to bleed,
 and all his forces routed.

In noble shining Armour bright,
stout lads both brisk and aiery
March'd with Mackay in field to fight
for William and Queen Mary;
Alas the fray near lasted long,
when once we went about it;
Dundee was slain in all the throng,
likewise his Rebels routed.

Though he at first rid up in state,
we soon did blast his Glory;
A Pistol Bullet sent him strait
from hence, to Purgatory:
His Rebels they did likewise run,
and through the Valleys scouted,
So that each man and mothers son
by Protestants were routed.

The Clans and the Mackdonells too,
and all the Heathen faction;
When they was told that this was true
they all were in Distraction;
Their hearts were fill'd with fear and dread,
as through the Vails they scouted;
Still crying out, Dundee is dead,
and we shall all be routed.

Five hundred Rebels, Foot and Horse,
one day a Town did Plunder,
But Mackay hearing of that loss,
strait after them did Thunder
He Charg'd and Fir'd in the R[ear]
as they before him scouted,
Till he at last the Coast did clear
and they were more than routed.

We cut them down as they did fly
and stoutly followed after,
The Major smote them Hip and Thigh;
I'faith with a great slaughter:
There some was slain, the rest was tain
who on our Forces glouted,
In this sharp fray, we got the Day
and all the Rebels routed.

Some says Dundee has slipt his wind,
and fled to Purgatory,

But some are of another mind,
 counting the same a story ;
 They heard him bid his men reside,
 upon the Scottish Borders,
 While he full Post was forc'd to Ride
 away to Hell for Orders.

Printed for P. Brooksby, J. Deacon, J. Blare, and J. Back.

BONNY DUNDEE

O Scotland lament the Loss of thy Friend,
 Who loving hath gain'd thee that Honour and Fame,
 His valour was such he might justly pretend
 The Greatest of Heroes to Meritt the Name,
 But alas ! a Sad fate put a Stop to that hand,
 Which had been sufficient to conquer alone ;
 Now Scotland thou'rt under another Command,
 For Bonny Dundee's gone to his Long home.

And England who mourns the loss of thy Prince,
 Lament then also the loss of Dundee,
 For when Royall James was banish'd from hence,
 His Cause he espoused most vigorously.
 In Spight of Resistance to Scotland he run,
 There in the High-lands a Party to have ;
 For fight for his Majesty when he was gone
 But Loyal Dundee lyes now in his Grave.

The stout Highland Ladds with sword in one hand,
 A Target in th' other were ready to go ;
 When ever their Captain would please to Command,
 They'd live and dye with him, they honour'd him so ;
 He muster'd his forces, Declar'd for the King,
 Defy'd all his Foes with a handfull of Men,
 And swore his Old Master he'd home again bring,
 But Brave Dundee we'll ne're see agen.

Mackey upon this to Scotland was sent,
 These Rebels [so] call'd to conquer and slay,
 But his Errant he had Just cause to repent,
 For when he came there he lost the Day.
 Tho' he thought to run down, with his men of Might,
 Dundee and his Party give quarter to none,
 But he gave him battle and put him to Floght,
 But gallant Dundee is now Dead and gone.

Who if he had liv'd all men must allow,
With Conduct so wise, and Courage so great,
We had marcht to Edinburgh long ere now,
And put the Conventioneers into a Sweat.
He stop'd their Proceedings and made 'em all run,
And happy he'd been that could first get away,
But Death, cold Death, with a Summons did come,
And Poor Dundee was forc'd to Obey.

The Castle so famous which held out so long,
At Length Duke Gourdon was forc'd for to quitt,
Dundee had regain'd it tho never so strong,
And soon made a Jacobite Master of it;
To stand against his Irresistable hand,
No horses nor Foot could ever be found,
But a Williamite now has got the Command,
'Cause Great Dundee is safe under Ground.

The English Thanksgiving Service for King James' delivery from the Gowrie Conspiracy

THE form of Prayer with Thanksgiving for King James' delivery from the Gowrie Conspiracy on 5th August, 1600, is among the rarest of the special forms of service issued for use in England in the seventeenth century. Although the service continued to be used upon the appointed day for many years—at least for a quarter of a century—it never found its way into the Prayer Book like the corresponding service for 5th November (Powder Treason), nor does it seem to have been even occasionally printed with the Prayer Book like the Form for the anniversary of the Fire of London. No standard commentator in the Book of Common Prayer, old or new, seems to mention it, and the present writer has never seen it either described or discussed. Although it is of little liturgical interest and of no literary merit, it has sufficient peculiarity to warrant more notice than it has hitherto received.

Every student of Scottish history will remember how the Edinburgh ministers discredited the official report of the Conspiracy, refused to hold thanksgiving services at the bidding of the Town Council, and were punished by being driven from their churches; how Dr. Lindsay, the Bishop of Ross, held a service of thanksgiving and preached at the cross of Edinburgh, and how the King attended a similar service at the same place on his arrival the following week, when Patrick Galloway preached a sermon upon psalm 124. Spottiswoode,¹ referring apparently to the subsequent meeting of the Privy Council, says that 'order was taken for a publick and solemn Thanksgiving to be made in all the Churches of the Kingdome, and the last Tuesday of *September* with the Sunday following appointed for that exercise.' In connexion with the holding of Parliament at Edinburgh on 15th November in the same year, he tells us that 'the

¹ John Spottiswood, *History of the Church of Scotland*, London, 1655, pp. 460, 461.

Estates . . . did ordain, *That in all times and ages to come the fifth of August should be solemnly kept with prayers, preachings, and thanksgiving for the benefit, discharging all work, labour, and other occupations upon the said day, which might distract the people in any sort from those pious exercises.*

There seems no reason to think that any form of service was issued in Scotland. The form before us seems to have been put forth by royal authority in England in 1603, immediately after the union of the crowns, but before the revision of the Prayer Book which succeeded the Hampton Court Conference. The 5th of November was appointed a day of thanksgiving in England for the failure of the Gunpowder Plot, and a service was set forth for it in 1606. After the Restoration the service for Gunpowder Treason, together with those for King Charles the Martyr (30th Jan.) and the Restoration (29th May), were ordered by Royal Proclamation to be printed with the Prayer Book. This was done, and the days were observed, until 1859, but the Gowrie Conspiracy service passed into obscurity with the Great Rebellion.

The service consists of Morning Prayer, Litany and the first part of the Communion Service printed at length as in the Prayer Book of the time, but with only the minimum of rubrics, the proper psalms, lessons and collects being inserted in their respective places, two prayers for alternative use being added at the end. In the threadbare rubrics puritan influence is manifest in the substitution of the word 'minister' for 'priest' in all places where the latter occurs in the Prayer Book of the time. This had already been done in England in certain unauthorised versions of the Prayer Book which had been issued by the puritan party during the last half of the reign of Elizabeth, but it is surprising to find it in a form set forth by authority just before the Hampton Court Conference, and it may be suggested that the reason is to be sought in Scottish influence rather than in that of the English nonconformists. The three psalms used are not definitely prescribed, but are to be selected from the seven provided. With this arrangement we may contrast that of the service for Gunpowder Treason, where the psalms are definitely fixed. As in the latter service, there are the special versicles and responses for the King among those before the collects. As in Prayer Books before 1604, there is no suffrage for the Royal Family in the Litany, but before the conclusion of the Litany there is the prayer *In the time of any common plague or sicknesse*. The Lessons

and the Epistle and Gospel are the same as those in the service for Gunpowder Treason.

The chief interest, however, of the service lies in the six special prayers. Of these the first forms the Collect at Matins, the second is inserted after the last *Let us pray* in the Litany, the third forms the Collect in the Communion Service, the fourth is to be said after the Offertory and before the Prayer for the whole state of Christ's Church, the fifth and sixth are alternative prayers printed at the end of the form. The Collect at Morning Prayer is headed *A Prayer for the Kings Maiestie*, and the two alternative prayers are preceded by the rubric *These two prayers following, may be used in place of any of the other, as the Minister shall thinke fit.*

The prayer which forms the Collect at Mattins is an Elizabethan composition, and seemingly makes its first appearance as the second of three special prayers set forth in 1585, where it is preceded by the rubric :

‘¶ A Prayer and thanksgiving for the Queen, used of all the Knights and Burgesses in the High Court of Parliament, and very requisite to be used and continued of all her Majesty's loving subjects.’

This rubric suggests that the prayer may have been in use for some time. It is here followed by the initials ‘J. Th.,’ the meaning of which is not clear.

The long special prayer added to the Litany, and the first of the two alternative prayers at the end of the service are to be found as early as 1594 in :

‘An Order for Prayer and Thanksgiving (necessary to be used in these dangerous times) for the safety and preservation of her Majesty and this realm. Set forth by authority. London. Printed by the Deputies of Christopher Barker, Printer to the Queen's most excellent Majesty. 1594.’

This order consists of a long and truculent ‘Admonition to the Reader’ full of personal allusions to various conspirators and treasonable persons, followed by six psalms and three prayers, of which the prayers in question are the first and second. Four years later the same order of service was again set forth, the title adding that it was ‘renewed with some alterations on the present occasion.’ The chief alterations were the substitution of a lengthy reference to Squire's conspiracy for part of the former ‘Admonition’ and the addition of two more long prayers, the second of which is probably the most appalling travesty of a liturgical form ever set forth in England.

Up to the present the writer has not been able to trace the

other prayers in the Gowrie service to any earlier source, but their style and composition are of much the same character as those of all the long and wearisome prayers set forth for special occasions in the latter part of Elizabeth's reign. The original collects in the service for Powder Treason were of similar character. They were very wisely shortened after the Restoration, and the most violent and unchristian passages omitted.

The forms of prayer of this period were fortunately short-lived. They form a not very creditable chapter in the history of English rites. Their length is inordinate, their sentences involved and their style bad. As literary compositions they are unworthy of the period in which they were written. They make no pretensions to liturgical form. Crowded with ingenious quotations from the Old Testament, they breathe the spirit of childhood of the race, and they are full of extraordinarily fierce and blood-thirsty allusions to enemies and conspirators. Perhaps none in this Gowrie form are quite so violent in their language as one in the Powder Treason service, and none descend to the lowest point of all, which seems to be reached in the last prayer in the Elizabethan form of 1598, which includes the following passages :

'Eternal God, which createdst all men after thy likeness, but hast advanced Kings more like thyself in places of government, and to that end hast both anointed them with thy *Holy Oil* above others, and also laid a curse upon them which touch thine anointed. . . . But those priests of *Baal*, the hellish Chaplains of *Antichrist*, accursed runagates from their God and Prince, the bellows and fuel of these flagrant conspiracies, confound them in thy wrath, since thy Grace will not convert them, and that which thy power cannot work on them in defeating their enterprizes, let thy fury perform in revenge upon their persons. . . . But let our gracious Queen still reign and rule in despite of *Rome*, and *Rheims*, and *Spain* and Hell. . . .'

The first part of this amazing composition contains the key to much of the violence of the language of this and cognate forms. It was the sacredness of the Royal person in virtue of the consecration and anointing administered at the time of the Coronation or 'Sacrings,' which, as in pre-Reformation times, was held to involve all treasonable attempts upon the sovereign in the added guilt of sacrilege. And to the men of those days the sacrilege was made all the worse because of the religious motive underlying it, in virtue of the bull *Regnans in excelsis* which had been issued by the Pope as recently as 1570. Hence the unparalleled ferocity of language, the effect of which is heightened by

the exaggeration of verbal colouring which was in fashion at the time.¹

The prayers in the following form are all printed in black letter in the original, and the rubrics in ordinary Roman. Italics here indicate italics in the original, except in the prayers where italics here indicate Roman in the original.

F. C. EELES.

¶ A fourme of Prayer with Thankesgiuing, to be vsed by all the King's Maiesties louing Subjects euey yeere the fift of August.

Being the day of his Highnesse happy deliuerance from the traiterous and bloody attempt of the Earle of Gowry and his brother, with their Adherents.

Set forth by Authoritie.

[Large woodcut of Royal Arms (England 1st and 4th) surmounted by arched crown and surrounded by conventional mantling.]

¶ *Imprinted at London by ROBERT BARKER, Printer to the Kings most Excellent Maiestie. ANNO 1603. Cum priuilegio.*

¶ An order for Morning Prayer to be vsed yerely the fift of August.

I Exhort you therefore . . . sight of God our Sauour [1 Tim. 2, v. 1, 2, 3].

¶ First the Minister shall with a lowd voice pronounce one of these three sentences following.

At what time soeuer . . . [Ez. 18]

Rent your hearts . . . [Ioel 2]

To thee, O Lord God, belongeth mercy . . . [Dan 9]

[The order for Morning Prayer then follows with psalms and lessons printed in full. The rubric after *Venite* runs:]

¶ The other psalmes to be read are the 20. 21. 27. 31. 33. 85. 124. 147. or any three of them.

[After the psalms the rubric runs:]

¶ The first Lesson, is the xxij. Chapter of the second booke of Samuel.

And David spake the wordes of this song . . . with Dauid and with his seede for evermore.

Then reade or sing.

We praise thee, O God . . . let me neuer be confounded.

¶ The second Lesson is the xxij. Chapter of the Actes of the Apostles.

¹ These Elizabethan occasional forms are to be found in *Liturgies and Occasional Forms of Prayer set forth in the reign of Queen Elizabeth*. Edited for the Parker Society by the Rev. W. K. Clay, Cambridge, 1847. For the earlier occurrence of the collects mentioned above see pp. 581, 659-60, 683-4.

And Paul earnestly beholding the Councill, sayd, Men and brethren, I haue liued in all good conscience. . . . And he commanded him to be kept in Herods iudgement hall.

¶ Then reade, or sing.

Blessed be the Lord God of Israel. . . .

[*Iubilate* is given as an alternative, then the service proceeds as in the Prayer Book, except that there is no reference to Evening Prayer in the rubric after the Creed, the rubric before the Lord's Prayer is omitted, and the word 'Minister' is substituted for 'Priest.' After the *X. O Lord saue the King* there is the *B. who putteth his trust in thee*, with additional versicles thus:]

Minister. Send him helpe from thy holy place.

People. And euermore mightily defend him.

Minister. Let his enemies haue no aduantage against him.

People. Let not the wicked approch neere to hurt him.

[Instead of the rubric before the collects there is]

¶ A Prayer for the Kings Maestie.

O Almighty and most mercifull God, which doest pitch thy tents round about thy people, to deliuer them from the handes of their enemies: Wee thy humble seruants which haue euer of olde seene thy Saluation, doe fall downe and prostrate ourselues with prayse and thankesgiuing to thy glorious Name, who hast in thy tender mercies from time to time saued and defended thy seruant *Iames* our most gracious *King*, and especially as this day diddest make frustrate their bloody and most barbarous Treason, who being his naturall Subjects, most vnnaturally violating thy Diuine ordinance, did secretly seeke to shed his blood. But through thy mercy (O Lord) their snare was hewen in pieces, and vpon thy seruants head doeth the Crowne flourish. The wicked and bloodthirstie men thought to deuoure Jacob, and to lay waste his dwelling place: But thou (O God) which rulest in Jacob, and vnto the ends of the world, doest dayly teach us still to trust in thee for all thy great mercies, and not to forget thy mercifull kindnesse shewed to him that feareth thy Name. O Lord, we confesse to thy glory and prayse, that thou onely hast thereby saued vs from destruction, because thou hast not giuen him ouer for a praye to the wicked: his soule is deliuered, and we are escaped. Heare vs now we pray thee, (O most mercifull Father) and continue forth thy louing kindnesse towards thy seruant our Soueraigne Lord, towards our most vertuous Queene, and all their Princely children, and euermore to thy glory and our comfort keepe them in health with long life and prosperitie, whose rest and onely refuge is in thee, O God of their saluation. Preserue them as thou art woont, preserue them from the snare of theemie, from the gathering together of the froward, from the insurrection of wicked doers, and from all the trayterous conspiracies of those which priuily lay waite for their liues. Graunt this, O heauenly Father, for Jesus Christs sake, our onely Mediatour and Aduocate. Amen.

[Then follow the collects for peace and grace, and then]

¶ It is meete, that the Letanie shall not bee omitted the fift day of August, though it fall vpon Monday, Tuesday, Thursday, or Saturday.

[Then follows the Litany with the usual suffrages for the King but without that for the Royal Family. After the last *Let us pray* the collects are as follows:]

Almighty and euerlasting God, Creator and Gouvernour of all the world, by whom Kings doe beare rule, and vnder whose prouidence they are wonderfully and mightily oftentimes protected from many fearful dangers, by which the malice of Sathan and his wicked ympes do seeke to intrappe them: Wee giue vnto thy heauenly Maiestie most humble and heartie thanks, for that it hath pleased thee of thine infinite mercie and goodnesse in Christ Jesu, so wonderfully to uphold, deliuer and preserue thy seruant our most dread and Soueraigne Lord King *James* so many and sundry times from the cruell and bloody treacheries of desperate men and especially as this day from the wicked designments of those bloodthirstie wretches the Earle *Gowry* with his brother, and their desperate confederates. And wee doe most humbly and from the bottome of our hearts pray and beseech thee to continue this thine unspeakeable goodnesse towards him and towards his Realmes, and euermore mightily, as thou art woont, to defend and protect them. O Lord, dissipate and confound all practises, conspiracies and Treasons against him. Smite his enemies vpon the cheeke bone, breake their teeth, frustrate their counsels and bring to nought all their deuises. Let them fall into the pit that they have prepared for him. Let a sudden destruction come vpon them vnawares: and the net that they shall lay for him priuily, let it catch themselues, that they may fall into their owne mischiefe. Let them be ashamed and confounded together that seeke after his life to destroy it. Let them be driven backward, and put to rebuke, that wish any euil either to his Royal person, or to our gracious Queene, or to any of their most worthy Progenie: So that the whole world and all posteritie may see and know, how mightily with thy Fatherly care and providence thou watchest over, and defendest those which put their trust in thee. And so also they which seeke thy glory may euer be ioyfull and glad in thee, and all such as love their saluation, may rightly say alway, *The Lord be prayesd.* Graunt this (O most louing and mercifull Father) for thy deare Sonnes sake Jesus Christ our Lord and onely Sauour. Amen.

We humbly beseech thee, O father, mercifully to looke vpon our infirmities . . .

Almighty and euerlasting God, which onely workest great marueiles . . .

In the time of any common plague or sicknesse.

O Almighty God, which in thy wrath in the time of King Dauid . . .

[After the Litany comes the rubric:]

¶ If there be a Communion vpon the fift day of August, then let the Epistle, Gospel, and Prayers of Thanksgiuing newly appointed for the present occasion, bee vsed in the places as they are here following set downe, to bee vsed when there is no Communion.

[Here follows the Communion Service, without rubrics save the words *Minister* and *People* before the sections and responses of the Decalogue, down to the collects which follow immediately, thus]

Let us pray.

O Eternal God, and most gracious Father, which preseruest thy seruants by thy mighty hand, especially godly Princes, when their liues are sought for by their cruell enemies: We giue thee most humble and heartie thanks according to our bounden dutie for thy gracious fauour, in preseruing as this day our Soueraigne Lorde King *Iames*, from the deuilish and bloody conspiracie of Earle *Gowrie*, and his brother with their Complices in *Scotland*, and for executing thoy iust iudgements vpon those wicked Traytours. Let it please thee which art the Highest Majesty and Lord of hostes, at the humble supplication of vs thy seruants, to couer him still with the shield of thy iustice, and to defend him with the sword of thy iudgement. Graunt, that as thou hast prepared a more princely table for him of late, then before, in the sight of thine and his enemies, and hast anoynted his head with oyle, and made his cup run over: so hee may bee kept as the apple of thine eye, and thy kindnesse and mercy may follow him all the dayes of his life, with abundance of all thy blessings both heauenly and earthly vpon his Maiestie, our gracious Queene, the Prince and the rest of their royall Progenie, to the singular comfort of their hearts and the continuance and aduancement of thy Religion and peace amongst his Subiectes and our posteritie after vs. Let his enemies (O Lord) be in his presence, as the dust before the winde, that they may clearely perceiue by thy iudgements vpon themselues and the defence of thine anoynted, that his safety, their confusion, and our comfort are ioyned with thy glory. Heare vs O mercifull Father wee beseech thee, in these our humble petitions which wee present with reuerent hearts vnto thy diuine Maiestie, through Jesus Christ our onely Sauour and Redeemer, Amen.

Almightie God, whose kingdome is euerlasting . . .

The Epistle.

Let euery soule be subject vnto the higher powers . . . to whom honour belongeth. [Rom. 13]

The Gospel.

When the morning was come, all the chiefe priests and Elders of the people held a counsell against Jesus to put him to death . . . gaue them for the Potters field, as the Lord appointed me.) [Matth. 27]

I Beleeue in one God . . . life of the world to come. Amen.

Whatsoever yee would that men should doe unto you, even so do vnto them, for this is the Law and the Prophets.

Almightie God and heauenly Father, whose providence is wonderful and to be magnified in the government of all things, but specially in the preseruation and deliuerance of thy Church, and chiefly the godly kings and gouernours thereof from the wicked conspiracies and bloody treasons, wherewith Sathan and his members doe continually seeke most craftily and

cruelly to destroy them. Thou O Lord of thy speciall fauour and gracious prouidence, hast as vpon this day most mercifully and marueilously deliuered our Soueraigne Lord King *Iames*, from the trayterous attempts of Earle *Gowry* with his brother and other their adherents in Scotland: preseruing him both from this and many other deuilish conspiracies, that hee might become by thy grace a Prince of peace to this Realme, a foster father to our Church, a defender of thy faith and true religion amongst vs, as wee see and feele to our great comfort this day. Wee therefore prayse and magnifie thy glorious Name, and yeele all humble thanks to thy fatherly goodnes, as we are bound, for this thy most merciful preseruacion of his Maiestie, and gracious prouision for our peace and safetie: Most humbly beseeching thee for thy Sonne our Sauour Iesus Christs sake, to hold still the mighty hand of thy gracious protection ouer his royall head, keeping him as the signet of thy finger, together with our most gracious Ladie Queen *Anne*, Prince *Henry*, and the rest of their princely issue, from the malice and violence of all thine and their enemies: reueale their deuices: withstand their purposes: confound their enterprises, and euermore defend him, and with him, and by him, thy Church, thy peace, thy truth and gospel amongst vs. So shall we thy people, and sheepe of thy pasture, together with him our gracious Shepheard, King and Gouvernour, come vnto thy Temple with songs of deliuerance, and with Psalmes of prayse and thanksgiuing, euermore glorifying thee and saying: Holy, holy, holy, Lord God of hostes, heauen and earth are full of thy maiestie: glory be to thee O Lord most high, O Father most mercifull, with thy sonne our Sauour Iesus Christ, and thy holy Spirit, one true, almightie, most gracious, and most glorious God, world without end. Amen.

¶ Let vs pray for the whole state of Christ's Church, militant here in earth.

Almighty and euerlasting God, which by thy holy Apostle . . . our onely Mediatour and Aduocate. Amen.

Assist vs mercifully, O Lord, in these our supplications . . .

Almighty God, which hast promised to heare . . .

The peace of God . . . remaine with you alwayes, Amen.

¶ These two prayers following, may be vsed in place of any of the other, as the Minister shall thinke fit.

O Almighty and Eternall God, Creatour and Gouvernour of the whole worlde, vnto whom all power belongeth ouer all creatures both in heauen and earth, who spake the word and they were made, commanded and all things were created, by whom alone it is, that not onely all Kings and Princes doe rule and gouerne the people committed to their charge, but are likewise by thy Diuine prouidence and mightie protection (so long as it seemeth best to thy godly wisdome) defended and deliuered euen in the midst of all their perils and dangers, out of the hands of all their enemies: We yeele vnto thee most humble and hearty thanks, for that it hath pleased thy gracious goodnesse to preserue and defend thy welbeloued seruant and our most gracious King *Iames* from all the wicked conspiracies, trayterous

attempts and deuillish deuises, which either the forreigne and professed enemies abroade, or else his most unloyall, desperate and rebellious Subjects at home, were able at any time to deuise and practise against him. But especially (O Lord) at this time, as iust occasion is offered vnto us all, wee all euen from the bottome of our hearts prayse thy holy Name, and give thee most hearty and unfayned thanks for the most happy delivery of his Maiesties most Royall person as vpon this day, from those bloody Treasons which were most wickedly inuented and cruelly attempted against him by the Earle *Gowry* and his partakers: most humbly beseeching thee of thine infinite goodnesse and mercie, still to continue thy Fatherly protection ouer him, dayly to encrease and multiply thy heauenly blessings and graces vpon him. Bee thou euer vnto him (O Lord God of hostes) a strong rock and tower of defence against the face of his enemies, which either openly abroad, or secretly at home, go about to bring his life vnto the graue, and lay his honour in the dust. Disclose their wicked counsels, and make frustrate all their deuillish practises in such sort, as that all the world may learne and knowe, that there is no counsell, no wisdom, no policie against the Lord. And if it be thy will, (O Lord) eyther giue his enemies grace in time to see how in vaine they kick against the prickes in opposing themselues against him, that so they may repent them of their sinnes and bee conuerted: or else in thy iust iudgements (if with the wilfull, obstinate, and reprobate sinners they still harden their heartes and will not repent) let them all (O Lord) perish together, and let them fall into the ditch which they have digged for him, and bee taken in their owne nets, but let his Maiestie (O Lord) euer escape them, that all the world may see how deare and precious in thy sight the life of this thine Anoynted is, who doeth not so much as imagine any euill against them that thirst after his blood. Wherefore O Lord our God, King of kings, and Lord of all Lords, who knowest that nothing at any time hath bene more deare vnto him thine anointed, then the publike good and benefit of thy Church, and the godly peace and vnity of all his good Christian and louing subjects amongst themselues: Wee beseech thee of thy great goodnesse still looke downe from heauen, and beholde him with thine eye of thy pity and compassion: saue and deliuer him from all his enemies, preserue aud keepe him as the Apple of thine owne eye, together with the Queene, the Prince, and the rest of their royall Issue, and graunt vnto him (O most mercifull Father) a long, prosperous, and happy reigne ouer vs, that he may see his desire vpon all thine and his enemies, though in number neuer so mighty: and finally after this life give vnto him euerlasting glory through Iesus Christ thine onely Sonne and our onely Sauour.

Another Prayer.

O most holy, most mighty, and most mercifull God and louing Father, who hast not shut vp thy self within the clouds, that thou shouldst not behold the things that are done vpon the earth: but in thy Almighty prouidence doest alwayes open thine eyes ouer the righteous, to deliuer their soules from death, and settest thy face against the vngodly to recompense vnto them the wickednesse of their inuentions, executing their most righteous iudgements in the open sight of all the worlde in such maner as they ought to be had

in perpetuall remembrance: accept wee beseech thee, the memoratiue sacrifice of our heartes and tongues, breaking foorth into Prayse and Thankesgiuing before thy diuine Maiesty, in commemoration of that happy and propitious deliuerance and defence of our most dread Soueraigne, thy faithfull seruant King *JAMES*, from that most treacherous and bloody conspiracie of the Earle *Gowry* and his brother and their confederates, (as vpon this day) against the sacred body and life of his Royall Maiesty. In which most gracious protection of thine, as in thy mercy thou diddest saue the innocent soule, the King thy darling from the power of that Dogg, and from the iaws of that murtherous Lyons Whelpe, arming his Princely heart in the midst of present danger with heroicall courage and magnanimity for his owne defence, assisting him also by thy mercifull prouidence with the timely succour and rescue of his most faithfull seruants: so in thy iustice diddest thou returne vpon the heads and hearts of those deuilish and disloyall conspirators, the due reuenge of such treasonable attempts, spilling their blood like water vpon the earth, who thought to spill the blood of thine anoynted, and leaving their slaughtered carkeises a worthy spectacle of thy dreadfull iudgements, and their most impious designs. Euen so Lord still confound all those, that have euill will against his sacred Maiesty: Detect their counsels, repress their assaults, prosecute their persons with destruction, and leave their names a curse to all posterities. But continue we most humbly beseech thee (O God) to blesse and preserue his royall person, together with his noble Queene and Princely offspring. Graunt him a long, a prosperous, and happy raigne amidst thine Israel, make glad his soule with thy grace, fill full his cup, and vpon his head let his Crowne flourish. So shall wee thy humble suppliants, his loyall and louing Subiects, yeelde thee prayse and thanks for him: So shall the King reioyce in thy saluation: and both Prince and people continually shall sing vnto thee new Songs of ioy and deliuerance, magnifying and praising thy most holy Name for thy sweet and tender care, prouidence, and protection ouer vs.

FINIS

¶ *Imprinted at London by Robert Barker, Printer to the Kings most Excellent Maiestie.*

ANNO DOM. 1603

Chronicle of Lanercost¹

IN the same year the said Robert de Brus, King of Scotland,² came with a great army in the month of August to the monastery of Lanercost, and remained there three days, making many of the canons prisoners and doing an infinity of injury; but at last the canons were set at liberty by himself.

The said Earl [of Lancaster] entered Newcastle with a large body of men-at-arms in order to seize the said Piers, according to what had been ordained by the earls and barons; but it so happened that the king and he had gone to ^{A.D. 1312.} Tynemouth, which is about six miles from Newcastle, and, hearing that the earl was after them, they embarked in an open boat and made for Scarborough, and were then received there. But the king, having dismissed Piers there and Henry de Beaumont (likewise an alien) with some others for the defence of the castle, left them and went to Knaresborough Castle, and thence forward to York, thinking thereby to cause the siege of Scarborough to be raised if the castle should be besieged; but he failed to effect what he wished. For the Earl of Lancaster, hearing that the king and Piers had separated, and that Piers was in the castle, attacked it most vigorously, so that very shortly Piers was forced to surrender himself. This, however, he did upon terms which, as I have not heard them, I have not written. Having surrendered, he was committed to the custody of Sir Aymer de Valence, Earl of Pembroke, who had ever before been his chief enemy, and about the feast of the nativity of John the Baptist,³ in the absence of Aymer de Valence, he was beheaded on the

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

² This is the first time the chronicler admits King Robert's regal rank. But neither he nor any of his successors ever called themselves King of Scotland; they were Kings of Scots.

³ 24th June. The actual date of decollation was 19th June.

high road near the town of Warwick by command of the Earl of Lancaster and the Earl of Warwick.

On the third of the nones of July,¹ on the vigil of the octave of the Apostles Peter and Paul was a new moon,² and an eclipse of the sun about the first hour of the day,³ and the sun appeared like a horned moon, which was small at first and then larger, until about the third hour it recovered its proper and usual size; though sometimes it seemed green, but sometimes of the colour which it usually has.

Now, while the aforesaid things were getting done with Piers, the march of England had no defender against the Scots, and therefore they rendered tribute to Robert in order to have peace for a while. Meanwhile, however, the Scots burnt the town of Norham, because the castle did them great injury, and they took away men as prisoners and also cattle.

When the king heard of the slaughter of the oft-mentioned Piers, he flared up in anger, and gave all his thoughts to the means whereby he might avenge himself on the slayers.

My lord Aymer de Valence, Earl of Pembroke, then attached himself to the king, chiefly because the said Piers had been committed to his custody and had been killed without his knowledge. It was said also that the Earl of Warenne and some others joined the king's party against the Earl of Lancaster. Therefore the king caused his parliament to be summoned in London, in case he could there seize the earl, notwithstanding that they were the sons of two brothers, to wit, Edward and Edmund.⁴ But this was not unknown to the earl, wherefore he gathered to himself out of his five earldoms a mounted force so strong and numerous that he had no fear of the king's party, and he came to London for the parliament. When the king heard this he dissimulated, nor would he attempt anything against him, but prolonged the parliament from day to day in order to vex him [Lancaster] and the others, both earls and barons who had come to his aid and for the confirmation of the aforesaid ordinances. But the Earl of Gloucester and the Earl of Richmond were mediators of peace between the opposing parties, albeit they were not able to pacify them.

When Robert de Brus heard of this discord in the south,

¹ 5th July.

² *Luna tricesima*, i.e. the thirtieth lunation.

³ 6 a.m.

⁴ Lancaster was Edward II.'s first cousin, being the son of Edmund 'Crouchback.'

having assembled a great army, he invaded England about the feast of the Assumption of the Blessed Virgin,¹ and burnt the towns of Hexham and Corbridge and the western parts, and took booty and much spoil and prisoners, nor was there anyone who dared resist. While he halted in peace and safety near Corbridge he sent part of his army as far as Durham, which, arriving there suddenly on market day, carried off all that was found in the town, and gave a great part of it to the flames, cruelly killing all who opposed them, but scarcely attacking the castle and abbey. The people of Durham, fearing more mischief from them, and despairing of help from the king, compounded with them, giving two thousand pounds to obtain truce for that bishopric until the nativity of John the Baptist;² which, however, the Scots refused to accept unless on condition that they might have free access and retreat through the land of the bishopric whensoever they wished to make a raid into England. The Northumbrians also, fearing that they would visit them, gave them other two thousand pounds to secure peace until the aforesaid date; and the people of Westmorland, Copland, and Cumberland redeemed themselves in a similar way; and, as they had not so much money in hand as would pay them, they paid a part, and gave as hostages for the rest the sons of the chief lords of the country. Having achieved this, Robert returned to Scotland with his army.

Meanwhile a cardinal legate came to England with my lord Louis, brother of my lord the King of France, to effect concord between the king and the earls and barons; but they did not succeed, although they spent many days in attempting to bring about agreement.

In winter, about the feast of S. Martin, to wit, on the feast day of S. Bricius,³ a first-born son was born and was named Edward, like his father and grandfather.

Now the oft-mentioned Robert, seeing that thus he had the whole March of England under tribute, applied all his thoughts to getting possession of the town of Berwick, which was in the King of England's hands. Coming unexpectedly to the castle on the night of S. Nicholas,⁴ he laid ladders against the walls and began to scale them; and had not a dog betrayed the approach of the Scots by loud barking, it is believed that he would quickly have taken the castle and, in consequence, the town.

¹ 15th August.

² 24th June, 1313.

³ 13th November.

⁴ 6th December.

Now these ladders which they placed against the walls were of wonderful construction, as I myself, who write these lines, beheld with my own eyes.¹ For the Scots had made two strong ropes as long as the height of the wall, making a knot at one end of each cord. They had made a wooden board also, about two feet and a half long and half a foot broad, strong enough to carry a man, and in the two extremities of the board they had made two holes, through which the two ropes could be passed; then the cords, having been passed through as far as the knots, they had made two other knots in the ropes one foot and a half higher, and above these knots they placed another log or board, and so on to the end of the ropes. They had also made an iron hook, measuring at least one foot along one limb, and this was to lie over the wall; but the other limb, being of the same length, hung downwards towards the ground, having at its end a round hole wherein the point of a lance could be inserted, and two rings on the two sides wherein the said ropes could be knotted.

Having fitted them together in this manner, they took a strong spear as long as the height of the wall, placing the point thereof in the iron hole, and two men lifted the ropes and boards with that spear and placed the iron hook (which was not a round one) over the wall. Then they were able to climb up by those wooden steps just as one usually climbs ordinary ladders, and the greater the weight of the climber the more firmly the iron hook clung over the wall. But lest the ropes should lie too close to the wall and hinder the ascent, they had made fenders round every third step which thrust the ropes off the wall. When, therefore, they had placed two ladders upon the wall, the dog betrayed them as I have said, and they left the ladders there, which our people next day hung upon a pillory to put them to shame. And thus a dog saved the town on that occasion, just as of old geese saved Rome by their gaggle, as saith S. Augustine in *de Civitate Dei*, book iii. chapter 4, *de magnis*, and Ambrose in *Exameron in Opere Quintæ Diei*.

Robert, having failed in his attempt on Berwick, marched with his army to the town of S. John,² which was then still in the King of England's hands; and he laid siege thereto, and on Monday of the octave of Epiphany³ it was taken by the Scots, who scaled the walls by night on ladders, and entered the town through the negligence of the sentries and guards. Next day Robert caused those citizens of the better class who were of the Scottish nation

¹ *Fide oculata conspexi.*

² Perth.

³ 10th January, 1312-13.

to be killed,¹ but the English were allowed to go away free. But the Scottish Sir William Oliphant, who had long time held that town for the King of England against the Scots, was bound and sent far away to the Isles. The town itself the Scots utterly destroyed.

About the day of S. Peter in cathedra []² Master Robert of Winchelsea, Archbishop of Canterbury, died; in whose room Master Thomas of Cobham, Doctor of Theology, was elected; but at the king's request the archbishopric was conferred by the Pope upon my lord Walter Reynald, Bishop of Worcester, a man almost illiterate, and, in public opinion, unworthy of any degree of dignity both on the score of his mode of life and his [want of] learning. Behold! what evils the king wrought among the clergy (besides the confusion he brought upon his people) when he procured the appointment of such a man to be Primate of all England! However, as he had hindered the election made of Master Thomas, he obtained his appointment as Bishop of Worcester.

After the feast of the Nativity of S. John the Baptist,³ when the English truce on the March had lapsed, Robert de Brus threatened to invade England in his usual manner. The people of Northumberland, Westmorland and Cumberland, and other Borderers, apprehending this, and neither having nor hoping for any defence or help from their king (seeing that he was engaged in distant parts of England, seeming not to give them a thought), offered to the said Robert no small sum of money, indeed a very large one, for a truce to last till the feast of S. Michael in the following year.⁴ A.D. 1313.

All this time the body of Piers de Gaveston remained above ground unburied with the Friars Preachers of Oxford, who daily said for his soul a placebo, a dirige, and a mass with nones, receiving from the king half a mark for their trouble.

In the same year about the feast of the Assumption of the Blessed Virgin⁵ the Emperor⁶ was poisoned, as was said, by a certain monk.

After the feast of S. Michael⁷ the king caused the earls and barons to be summoned to parliament in London, and there an agreement, such as it was, was made between them on Sunday

¹ And English too, according to Fordun, ch. cxxix.

² Blank in original.

³ 24th June.

⁴ 29th Sept., 1314.

⁵ 15th August.

⁶ Henry VII., Count of Luxembourg.

⁷ 29th September.

next before the feast of S. Luke,¹ and they made to him such an humbling and obeisance as befitted a king, which afterwards they did not observe.

Now at the beginning of Lent² the Scots cunningly entered the castle of Roxburgh at night by ladders, and captured all the castle except one tower, wherein the warden of the castle, Sir Gillemin de Fiennes, a knight of Gascony, had taken refuge with difficulty, and his people with him ; but the Scots got possession of that tower soon afterwards. And they razed to the ground the whole of that beautiful castle, just as they did other castles which they succeeded in taking, lest the English should ever hereafter be able to lord it over the land through holding the castles.

In the same season of Lent they captured Edinburgh Castle in the following manner. In the evening one day the besiegers of that castle delivered an assault in force upon the south gate,³ because, owing to the position of the castle there was no other quarter where an assault could be made. Those within gathered together at the gate and offered a stout resistance ; but meanwhile the other Scots climbed the rocks on the north side, which was very high and fell away steeply from the foot of the wall. There they laid ladders to the wall and climbed up in such numbers that those within could not withstand them ; and thus they threw open the gates, admitted their comrades, got possession of the whole castle and killed the English. They razed the said castle to the ground, just as they had done to Roxburgh Castle.

Having accomplished this success, they marched to Stirling and besieged that castle with their army.

In the same year died Sir Thomas de Multan, Lord of Gillesland, on the sixth of the kalends of December,⁴ leaving an only daughter as his heir, named Margaret, whom Robert de Clifford, son of Robert of the same name, married at Hoffe⁵ in the seventh year of her age, he himself lying on his bed. And in the life of the said Robert, Ralph de Dacre, son of Sir William de Dacre, married the same Margaret, having a right to her through a contract concluded between Thomas de Multan, father of the said Margaret, and William de Dacre, before her former marriage.

On Tuesday after the octave of Easter,⁶ Edward de Brus,

¹ Sunday, 14th October.

³ It was really the east gate.

⁵ Near Appleby.

² 28th February, 1313-14.

⁴ 26th November.

⁶ 16th April.

Robert's brother, invaded England by way of Carlisle with an army, contrary to agreement, and remained there three days at the bishop's manor house, to wit, at Rose, A.D. 1314. and sent a strong detachment of his army to burn the southern and western districts during those three days. They burnt many towns and two churches, taking men and women prisoners, and collected a great number of cattle in Inglewood Forest and elsewhere, driving them off with them on the Friday;¹ they killed few men except those who made determined resistance; but they made attack upon the city of Carlisle because of the knights and country people who were assembled there. Now the Scots did all these wrongs at that time because the men of that March had not paid them the tribute which they had pledged themselves to pay on certain days. Although the Scots had hostages from the sons and heirs of the knights of that country in full security for covenanted sums, yet they did not on that account refrain from committing the aforesaid wrongs.

Now about the feast of Pentecost² the King of England approached the March of Scotland; also the Earl of Gloucester, the Earl of Hereford, the Earl of Pembroke, and the Earl of Angus, Sir Robert de Clifford, Sir John Comyn (son of the murdered John), Sir Henry de Beaumont, Sir John de Segrave, Sir Pagan de Typtoft, Sir Edmund de Mauley, Sir Ingelram de Umfraville, with other barons, knights, and a splendid and numerous army, if only they had had the Lord as ally. But the Earl of Lancaster and the other English earls who were of his party remained at home with their men (except those with whom they were bound in strict obligation to furnish the king in war), because the king as yet had refused to agree with them or to perform what he had promised before. And whereas when his noble father Edward went on a campaign in Scotland, he used to visit on his march [the shrines of] the English saints, Thomas of Canterbury, Edmund, Hugh, William, and Cuthbert, offering fair oblations, commending himself to their prayers, and also bestowing liberal gifts to monasteries and the poor, this [king] did none of these things; but marching with great pomp and elaborate state, he took goods from the monasteries on his journey, and, as was reported, did and said things to the prejudice and injury of the saints. In consequence of this and other things it is not surprising that confusion and everlasting shame overtook

¹ 19th April.

² 26th May.

him and his army, which was foretold at the time by certain religious men of England.

Thus before the feast of the Nativity of S. John the Baptist,¹ the king, having massed his army, advanced with the aforesaid pomp towards Stirling Castle, to relieve it from siege and to engage the Scots, who were assembled there in all their strength. On the vigil of the aforesaid Nativity² the king's army arrived after dinner near Torwood; and, upon information that there were Scots in the wood, the king's advanced guard, commanded by Lord de Clifford, began to make a circuit of the wood to prevent the Scots escaping by flight. The Scots did not interfere until they [the English] were far ahead of the main body, when they showed themselves, and, cutting off the king's advanced guard from the middle and rear columns, they charged and killed some of them and put the rest to flight.³ From that moment began a panic among the English and the Scots grew bolder.

On the morrow—an evil, miserable and calamitous day for the English—when both sides had made themselves ready for battle, the English archers were thrown forward before the line, and the Scottish archers engaged them, a few being killed and wounded on either side; but the King of England's archers quickly put the others to flight. Now when the two armies had approached very near each other, all the Scots fell on their knees to repeat *Pater noster*, commending themselves to God and seeking help from heaven; after which they advanced boldly against the English. They had so arranged their army that two columns went abreast in advance of the third, so that neither should be in advance of the other; and the third followed, in which was Robert.⁴ Of a truth, when both armies engaged each other, and the great horses of the English charged the pikes of the Scots, as it were into a dense forest, there arose a great and terrible crash of spears broken and of destriers wounded to the death; and so they remained without movement for a while. Now the English in the rear could not reach the Scots because the leading division was in the way, nor could they do anything to help themselves, wherefore there was

¹ 24th June.

² 23rd June.

³ This is a very inaccurate account, obviously from confused hearsay, of de Clifford's repulse by young Randolph. The true narrative is given best in Gray's *Scalacronica*.

⁴ This again is not correct. The Scots order of battle was three columns or 'schiltromes' in the first line, supported by the fourth commanded by King Robert.

nothing for it but to take to flight. This account I heard from a trustworthy person who was present as eye-witness.

In the leading division were killed the Earl of Gloucester, Sir John Comyn, Sir Pagan de Typtoft, Sir Edmund de Mauley and many other nobles, besides foot soldiers who fell in great numbers. Another calamity which befel the English was that, whereas they had shortly before crossed a great ditch called Bannockburn, into which the tide flows, and now wanted to recross it in confusion, many nobles and others fell into it with their horses in the crush, while others escaped with much difficulty, and many were never able to extricate themselves from the ditch; thus Bannockburn was spoken about for many years in English throats.

[Here follows a long dirge in Latin hexameters, which will not repay translation.]

The king and Sir Hugh le Despenser (who, after Piers de Gaveston, was as his right eye) and Sir Henry de Beaumont (whom he had promoted to an earldom in Scotland), with many others mounted and on foot, to their perpetual shame fled like miserable wretches to Dunbar Castle, guided by a certain knight of Scotland who knew through what districts they could escape. Some who were not so speedy in flight were killed by the Scots, who pursued them hotly; but these, holding bravely together, came safe and sound through the ambushes into England. At Dunbar the king embarked with some of his chosen followers in an open boat for Berwick, leaving all the others to their fate.

In like manner as the king and his following fled in one direction to Berwick, so the Earl of Hereford, the Earl of Angus, Sir John de Segrave, Sir Antony de Lucy and Sir Ingelram de Umfraville, with a great crowd of knights, six hundred other mounted men and one thousand foot, fled in another direction towards Carlisle. The Earl of Pembroke left the army on foot and saved himself with the fugitive Welsh; but the aforesaid earls and others, who had fled towards Carlisle were captured on the way at Bothwell Castle, for the sheriff, the warden of the castle,¹ who

¹Sir Walter Gilbertson. A full list of the officers and garrison is given in King Edward's *Wardrobe Accounts*. In this, as in many other details, Barbour is singularly accurate.

The Erle of Hertfurd fra the mellé
 Departyt with a gret menyé,
 And straucht to Bothwell tok the vai,
 That then in the Ingliss mennys fay
 Was, and haldyn as place of wer.
 Schyr Waltre Gilbertson was ther
 Capitane, and it had in ward.—*The Brus*, ix. 582.

had held the castle down to that time for the King of England, perceiving that his countrymen had won the battle, allowed the chief men who came thither to enter the castle in the belief that they would find a safe refuge, and when they had entered he took them prisoners, thereby treacherously deceiving them. Many, also, were taken wandering round the castle and hither and thither in the country, and many were killed; it was said, also, that certain knights were captured by women, nor did any of them get back to England save in abject confusion. The Earl of Hereford, the Earl of Angus, Sir [John] de Segrave, Sir Antony de Lucy, Sir Ingelram de Umfraville and the other nobles who were in the castle were brought before Robert de Brus and sent into captivity, and after a lengthy imprisonment were ransomed for much money. After the aforesaid victory Robert de Brus was commonly called King of Scotland by all men, because he had acquired Scotland by force of arms.

About the same time died King Philip of France.¹

Shortly afterwards, to wit, about the feast of S. Peter ad Vincula,² Sir Edward de Brus, Sir James of Douglas, John de Soulis and other nobles of Scotland invaded England by way of Berwick with cavalry and a large army, and, during the time of truce, devastated almost all Northumberland with fire, except the castles; and so they passed forward into the bishopric of Durham; but there they did not burn much, for the people of the bishopric ransomed themselves from burning by a large sum of money. Nevertheless, the Scots carried off a booty of cattle and what men they could capture, and so invaded the county of Richmond beyond, acting in the same manner there without resistance, for nearly all men fled to the south or hid themselves in the woods, except those who took refuge in the castles.

The Scots even went as far as the Water of Tees on that occasion, and some of them beyond the town of Richmond, but they did not enter that town. Afterwards, reuniting their forces, they all returned by Swaledale and other valleys and by Stanemoor, whence they carried off an immense booty of cattle. Also they burnt the towns of Brough and Appleby and Kirkoswald, and other towns here and there on their route, trampling down the crops by themselves and their beasts as much as they could; and so, passing near the priory of Lanercost, they entered Scotland, having many men prisoners from whom they might extort money ransom at will. But the people of Coupland,³

¹ 29th Nov., 1314.

² 1st August.

³ A ward of southern Cumberland.

fearing their return and invasion, sent envoys and appeased them with much money.

On the day¹ after the feast of the Nativity of the Blessed Mary the King of England's parliament opened at York, whereat the king and the Earl [of Lancaster] with his adherents came to an agreement, and all of them approved of the ordinances above mentioned, which were confirmed by the seals of the king and the earl.

Now about the feast of S. Michael² the Earl of Hereford, who had married the King of England's sister, returned from Scotland, and in exchange for him were released the Bishop of Glasgow, the Earl of Mar (who had been reared in England), and the wife, sister, and daughter of my lord Robert de Brus.³ Howbeit, the Earl of Mar, having arrived at Newcastle, refused to go with them into Scotland, preferring to remain in England. From day to day sundry prisoners were released from the hands of the Scots, but only through very heavy pecuniary ransoms. About the feast of our Lord's birth⁴ the Earl of Angus was released, also Sir John de Segrave, and a little later Sir Antony de Lucy.

About the feast of the Epiphany the illustrious King of France died, not having reigned a full year.⁵

Meanwhile the Scots occupied both north and south Tynedale—to wit Haltwhistle, Hexham, Corbridge, and so on towards Newcastle, and Tynedale did homage to the King of Scots and forcibly attacked Gillesland and the other adjacent districts of England.

At this time also the Scots again wasted Northumberland; but from the aforesaid Nativity of Our Lord until the Nativity of S. John⁶ the Baptist the county of Cumberland alone paid 600 marks in tribute to the King of Scots.

The Scots, therefore, unduly elated, as much by their victory in the field as by the devastation of the March of England and the receipt of very large sums of money, were not satisfied with their own frontiers, but fitted out ships^{A.D. 1315.} and sailed to Ireland in the month of May, to reduce that

¹ 9th September.

² 29th September.

³ Queen Elizabeth was maintained at the king's charges during her captivity. In the year 1312-13 her expenses amounted to £125 5s. 2d. (*Wardrobe Accounts*, 5 Edward II.).

⁴ 25th December.

⁵ The date is wrong, Philip IV. died 29th November, 1314, Louis X. died 5th June, 1316—June instead of January.

⁶ 25th December, 1314—24th June, 1315.

country to subjection if they could. Their commanders were my lord Edward Bruce, the king's brother, and his kinsman my lord Thomas Randolph, Earl of Moray, both enterprising and valiant knights, having a very strong force with them. Landing in Ireland, and receiving some slight aid from the Irish, they captured from the King of England's dominion much land and many towns, and so prevailed as to have my lord Edward made king by the Irish. Let us leave him reigning there for the present, just as many kinglets reign there, till we shall describe elsewhere how he came to be beheaded, and let us return to Scotland.

The Scots, then, seeing that affairs were going everywhere in their favour, invaded the bishopric of Durham about the feast of the Apostles Peter and Paul,¹ and plundered the town of Hartlepool, whence the people took to the sea in ships; but they did not burn it. On their return they carried away very much booty from the bishopric.

Also, a little later in the same year, on the feast of S. Mary Magdalene,² the King of Scotland, having mustered all his forces, came to Carlisle, invested the city and besieged it for ten days, trampling down all the crops, wasting the suburbs and all within the bounds, burning the whole of that district, and driving in a very great store of cattle for his army from Allerdale, Copland, and Westmorland. On every day of the siege they assaulted one of the three gates of the city, sometimes all three at once; but never without loss, because there were discharged upon them from the walls such dense volleys of darts and arrows, likewise stones, that they asked one another whether stones bred and multiplied within the walls. Now on the fifth day of the siege they set up a machine for casting stones next the church of Holy Trinity, where their king stationed himself, and they cast great stones continually against the Caldew gate³ and against the wall, but they did little or no injury to those within, except that they killed one man. But there were seven or eight similar machines within the city, besides other engines of war, which are called springalds, for discharging long darts, and staves with sockets for casting stones, which caused great fear and damage to those outside. Meanwhile, however, the Scots set up a certain great berefrai like a kind of tower, which was considerably higher than the city walls. On perceiving this, the carpenters of the city erected upon a tower of the wall against which that engine must come if it had ever reached the wall, a wooden tower loftier than

¹ 29th June.

² 22nd July.

³ On the west of the town.

the other ; but neither that engine nor any other ever did reach the wall, because, when it was being drawn on wheels over the wet and swampy ground, having stuck there through its own weight, it could neither be taken any further nor do any harm.

Moreover the Scots had made many long ladders, which they brought with them for scaling the wall in different places simultaneously ; also a sow¹ for mining the town wall, had they been able ; but neither sow nor ladders availed them aught. Also they made great numbers of fascines of corn and herbage to fill the moat outside the wall on the east side, so as they might pass over dry-shod. Also they made long bridges of logs running upon wheels, such as being strongly and swiftly drawn with ropes might reach across the width of the moat. But during all the time the Scots were on the ground neither fascines sufficed to fill the moat, nor those wooden bridges to cross the ditch, but sank to the depths by their own weight.

Howbeit on the ninth day of the siege, when all the engines were ready, they delivered a general assault upon all the city gates and upon the whole circuit of the wall, attacking manfully, while the citizens defended themselves just as manfully, and they did the same next day. The Scots also resorted to the same kind of stratagem whereby they had taken Edinburgh Castle ; for they employed the greater part of their army in delivering an assault upon the eastern side of the city, against the place of the Minorite Friars, in order to draw thither the people who were inside. But Sir James of Douglas, a bold and cautious knight, stationed himself, with some others of the army who were most daring and nimble, on the west side opposite the place of the Canons and Preaching Friars, where no attack was expected because of the height [of the wall] and the difficulty of access. There they set up long ladders which they climbed, and the bowmen, whereof they had a great number, shot their arrows thickly to prevent anyone showing his head above the wall. But, blessed be God ! they met with such resistance there as threw them to the ground with their ladders, so that there and elsewhere round the wall some were killed, others taken prisoners and others wounded ; yet throughout the whole siege no Englishman was killed, save one man only who was struck by an arrow (and except the man above mentioned), and few were wounded.

Wherefore on the eleventh day, to wit, the feast of S. Peter ad

¹ A siege engine which was constructed to contain men, who, when the sow was wheeled up to the wall, should proceed to sap the foundation under shelter.

Vincula,¹ whether because they had heard that the English were approaching to relieve the besieged or whether they despaired of success, the Scots marched off in confusion to their own country, leaving behind them all their engines of war aforesaid. Some Englishmen pursuing them captured John de Moray, who in the aforesaid battle near Stirling² had for his share twenty-three English knights, besides esquires and others of meaner rank, and had taken very heavy ransom for them. Also they captured with the aforesaid John, Sir Robert Bardolf, a man specially ill-disposed to the English, and brought them both to Carlisle Castle; but they were ransomed later for no small sum of money.

In the octave of the Epiphany³ the King of Scotland came stealthily to Berwick one bright moonlit night with a strong force, and delivered an assault by land and by sea in boats, intending to enter the town by stealth on the waterside between Brighthouse and the castle, where the wall was not yet built, but they were manfully repulsed by the guards and by those who answered to the alarm, and a certain Scottish knight, Sir J. de Landels, was killed, and Sir James of Douglas escaped with difficulty in a small boat. And thus the whole army was put to confusion.

About the same time, on the morrow of the Conception of the Blessed Mary,⁴ my lord Henry de Burgh, Prior of Lanercost, died, and was succeeded by Sir Robert de Meburne.

About the feast of the Nativity of S. John the Baptist⁵ the Scots invaded England, burning as before and laying waste all things to the best of their power; and so they went as far as Richmond. But the nobles of that district, who A.D. 1316. took refuge in Richmond Castle and defended the same, compounded with them for a large sum of money so that they might not burn that town, nor yet the district, more than they had already done. Having received this money, the Scots marched away some sixty miles to the west, laying waste everything as far as Furness, and burnt that district whither they had not come before, taking away with them nearly all the goods of that district, with men and women as prisoners. Especially were they delighted with the abundance of iron which they found there, because Scotland is not rich in iron.

Now in that year there was such a mortality of men in

¹ 1st August.

³ 14th January, 1315-16. It was full moon.

⁵ 24th June.

² Bannockburn.

⁴ 9th December.

England and Scotland through famine and pestilence as had not been heard of in our time. In some of the northern parts of England the quarter of wheat sold for forty shillings.

After the Scots had returned to their own country, their King Robert provided himself with a great force and sailed to Ireland, in order to conquer that country, or a large part thereof, for his brother Edward. He freely traversed nearly all that part of it which was within the King of England's dominion, but he did not take walled towns or castles.

About the same time died Master William de Grenefeld, Archbishop of York, to whom succeeded my lord William de Meltoun; who, albeit he was one of the king's courtiers, yet led a religious and honourable life. Also in the same year there died my lord Richard de Kellow, Bishop of Durham, to whom succeeded my lord Louis de Belmont, a Frenchman of noble birth, but lame on both feet, nevertheless liberal and agreeable. He was appointed by the Pope, as was reported, because of a deceitful suggestion, whereby the Pope was led to believe that he [Louis] himself would hold the March of England against the Scots.

After the feast of S. Michael,¹ the Earl of Lancaster with his adherents marched toward Scotland as far as Newcastle in compliance with the king's behest; but the king declined to follow him as they had agreed upon together, wherefore the earl marched back again at once; for neither of them put any trust in the other.

In the month of October in that year, in the night after the day of S. Remigius,² and rather more than an hour after midnight, there was a total eclipse of the moon, and the whole moon was hidden for the space of one hour.

About the same time a certain knight of Northumberland, to wit, Sir Gilbert de Middleton, seized and robbed two cardinals who had landed in England not long before, because they came in the company of the aforesaid Louis de Belmont in order to consecrate him Bishop of Durham, as had been commanded by the Pope.

Also at the same time a certain knight of Richmond county, to wit, Sir John de Cleasby, having gathered together a number of malefactors and rogues, rose and devastated the district, plundering, robbing, and wasting, at his own and his people's pleasure, just as Sir Gilbert was doing in Northumberland with

¹ 29th September.

² 1st October.

his accomplices and rogues. But, by God's ordinance, both of them were soon taken. Sir John was put to his penance,¹ because he refused to speak when brought before the justiciaries, and he soon afterwards died in prison. Sir Gilbert, after [suffering] other punishments, was cut into four quarters, which were sent to different places in England.

About Pentecost² the King of Scotland returned to his own land from Ireland. In the same year before noon on the sixth day of September there was an eclipse of the sun.

A.D. 1317. After the feast of S. Michael³ the Pope sent a bull to England wherein he advised a truce between England and Scotland to last for two years after the receipt of the said bull. Now the English received the said bull with satisfaction, both on account of the dissension between the king and the Earl of Lancaster and because of excessive molestation by the Scots arising out of the said dissension, and they hung the bull according to the Pope's command in the cathedral churches and other important places. But the Scots refused to accept it, and paid it no manner of respect, and therefore came deplorably under the sentence of excommunication delivered by the Pope and contained in the said bull.⁴

In the middle of the said truce Pope Clement the Fifth died, and Pope John the Twenty-second was elected.

On the second day of the month of April, in mid-Lent, about midnight on Saturday, the Scots treacherously took the town of Berwick through means of a certain Englishman, Peter of Spalding, living in the town, who, being bribed by a great sum

¹ *Positus est ad pœnitentiam suam.*

² 22nd May.

³ 29th September. This is the famous bull which King Robert refused to read, as described by the Cardinals in their letter to the Pope (printed in *Fœdera* and given in abstract by Lord Hailes, ii. 74). The Pope's letter contained the following apology for not addressing Robert as king. 'Forasmuch as the matter of dispute regarding the kingdom of Scotland is still pending between thee and the aforesaid king [of England], we cannot with propriety address to thee the name of the royal title, and thy wisdom will not take it amiss that we have omitted to name thee as King of Scots in the same letters; especially as the council of our brethren would by no means sanction a denomination of that kind: nor would thy mother the Roman Church, who weigheth all her course and actions in the balance of equity, be doing according to her practice if she interfered between disputants to the detriment of either.'

⁴ The sentence of excommunication is printed in *Fœdera*. King Edward obtained it from the Pope by representing to him that King Robert and Edward Bruce were the only obstacles to his undertaking a crusade as recommended by the Council of Vienna.

of money received from them and by the promise of land, allowed them to scale the wall and to enter by that part of the wall where he himself was stationed as guard and sentry. After they had entered and obtained full possession of the town, they expelled all the English, almost naked and despoiled of all their property; howbeit, in their entrance they killed few or none, except those who resisted them. A.D. 1318.

Also the castles of Wark and Harbottle, to which they had already laid siege, were surrendered to them in that season of Lent,¹ because relief did not reach them on the appointed day. Also they took the castle of Mitford by guile, and subdued nearly the whole of Northumberland as far as the town of Newcastle, except those castles which have not been mentioned above. Howbeit the castle of the town of Berwick defended itself manfully against the town, but at length capitulated through want of victual.

About the same time there arrived in England for the first time the seventh book of Decretals, and the statute of Pope Boniface VIII. was renewed—*Super cathedram et cætera*—dealing with the relations between prelates of the churches and the Orders of Preachers and Minorites, and the statute of Pope Benedict XI. was revoked, because it seemed to be too much in favour of the Friars. Also there came the decree of Pope John XXII., under a bull and with the addition of severe penalty, that no cleric should have more than one church; whereas before that time a single rector or parson of a church could accept and hold as many churches as different patrons might be willing to confer upon him, notwithstanding that each such church depended upon his ministrations alone. During the whole of that time these two cardinals remained in England.

In the month of May the Scottish army invaded England further than usual, burning the town of Northallerton and Boroughbridge and sundry other towns on their march, pressing forward as far as the town of Ripon, which town they despoiled of all the goods they could find; and from those who entered the mother church and defended it against the Scottish army they exacted one thousand marks instead of burning the town itself.

After they had lain there three days, they went off to Knaresborough, destroying that town with fire, and, searching the woods in that district whither the people had fled for refuge with their

¹ *In illo tempore inedio.*

cattle, they took away the cattle. And so forth to the town of Skipton in Craven, which they plundered first and then burnt, returning through the middle of that district to Scotland, burning in all directions and driving off a countless quantity of cattle. They made men and women captives, making the poor folks drive the cattle, carrying them off to Scotland without any opposition.

In the same year, about the Nativity of the blessed John the Baptist,¹ there arrived in Oxford a certain unknown and ignoble individual, who, establishing himself in the king's manor (where the Carmelite Friars now dwell), made claim to the kingdom of England, alleging that he was the true heir of the realm as the son of the illustrious King Edward who had long been dead. He declared that my lord Edward, who at that time possessed the kingdom, was not of the blood royal, nor had any right to the realm, which he offered to prove by combat with him or with any one else in his place. When this was reported the whole community became excited and greatly wondered, certain foolish persons yielding adherence to this fellow, all the more readily because the said lord Edward resembled the elder lord Edward in none of his virtues. For it was commonly reported that he [Edward II.] had devoted himself privately from his youth to the arts of rowing and driving chariots, digging pits and roofing houses; also that he wrought as a craftsman with his boon companions by night, and at other mechanical arts, besides other vanities and frivolities wherein it doth not become a king's son to busy himself.² So when the said report reached the king, who was then at Northampton, he commanded that this man should be brought before him. When he came, the king addressed him derisively—'Welcome, my brother!' but he answered—'Thou art no brother of mine, but falsely thou claimest the kingdom for thyself. Thou hast not a drop of blood from the illustrious Edward, and that I am prepared to prove against thee, or against any one else in thy room.'

When he heard these rough words, the king commanded that he should be imprisoned as guilty of lese-majesty, and took counsel with his advisers what should be done with him. After a few days, when the council had been held and a very large

¹ 24th June.

² When John XXII. became Pope he addressed a long letter to Edward II. rebuking him for his fondness for light and boyish pursuits, and reminding him that, now he was king, he should put away childish things.

number of the people had been assembled, he was brought before the king's steward sitting in judgment, who asked the said man before the people what was his name. He answered that he was called John of Powderham. Whereupon the steward straightway pronounced sentence upon him, saying—'John of Powderham, whereas, either by the most wicked counsel of some other, or out of the iniquity and device of thine own heart, thou hast dared falsely and presumptuously to usurp and claim for thyself the right of inheritance of the realm of England, and whereas thou hast no right in that realm, but art an ignoble and unknown man, I pronounce upon thee as doom that thou be first drawn at the heels of horses, and secondly be hanged on the gallows, and thirdly be burnt.'

When this sentence had been pronounced and horses had been brought up to draw him, he, seeing none of the succour at hand which had been promised to him, and perceiving that he had been deceived, he besought a hearing for the love of God the Lord of Heaven. Having obtained a hearing he began to relate how a certain evil spirit¹ had appeared to him in dreams on various occasions before that time, and had promised him carnal pleasures and many other things that he desired; and always those things which that spirit promised him came to pass shortly afterwards. On one occasion as he was going to walk abroad alone in the fields, a certain man met him, who, after some little familiar conversation, asked him—'Wouldst thou become rich?' When he replied in the affirmative, the other enquired further whether he would like to be King of England. And when he, greatly wondering, replied that he would like to reign if that were by any means possible, the other said to him—'I, who now appear to thee in the likeness of a man, am that spirit which hath often before this appeared to thee in dreams'; and then he added—'Hast thou ever found me untruthful? Have I not fulfilled in act all that I promised thee in words?' He answering said—'I have found no falsehood in thee, but all that thou hast promised thou hast faithfully fulfilled.' Then said the other—'Nor shalt thou find me faithless now. Do homage unto me and I will cause thee to reign. And if the king, or any one else in his name, will offer to fight thee for the realm, I will assist thee and cause thee to conquer.'

Whereupon he made homage to him, who said—'Go to Oxford,

¹ *Spiritus Domini*, in Stevenson's edition, probably a misreading for *spiritus demonis*.

taking with thee a dog, a cock and a tom-cat; enter the king's manor, and there publicly claim thy right to the realm of England, and I will cause the hearts of the people to turn to thee, forasmuch as King Edward is by no means deeply beloved by the people.'

And when he [John] had related these things—'Thus did that evil spirit beguile me, and behold! I die a shameful death.' After this confession had been listened to, he was immediately drawn to the gallows, hanged there and afterwards burnt. Wherefore let everybody beware of the devil's falsehood and his cunning, nor pay any heed to the dreams which he may dream, according to the precept of Jeremy the prophet, as is said in the Book of Wisdom—'Dreams excite the unwary, and as one who catcheth at a shadow and pursueth the wind, so is he who taketh heed to the deceptive visions of a dream.'

In the same year, about the feast of the Nativity of the Blessed Virgin,¹ the Cardinals, who then were still in England, wrote to all the prelates of England that in every solemn mass on ordinary days as well as festivals, they should thrice denounce Robert de Brus, with all his counsellors and adherents, as excommunicate; and, by the Pope's authority, they proclaimed him infamous and bereft of all honour, and placed all his lands and the lands of all his adherents under ecclesiastical interdict, and disqualified the offspring of all his adherents to the second generation from holding any ecclesiastical office or benefice. Also against all prelates of Scotland and all religious men, whether exempt or not exempt from episcopal jurisdiction, who should adhere to the said Robert or show him favour they promulgated sentence of excommunication and interdict, with other most grievous penalties. Howbeit the Scots, stubbornly pertinacious, cared nothing for any excommunication, nor would they pay the slightest attention to the interdict. It is not to be wondered at, therefore, that afterwards the weighty vengeance of God, in the appearance of a true heir of the realm, visited so rebellious a people, whose head (I will not call him king, but usurper) showed such contempt for the keys of Holy Mother Church.

Let us now hear what happened to his brother Edward in Ireland. Within fifteen days after the feast of St. Michael,² he came to the town of Dundalk with his Irish adherents and a great army of Scots which had newly arrived in Ireland to enable

¹ 8th September.

² That is, 14th October, the actual date of the battle of Dundalk.

him to invade and lay waste that land and [to harass] the King of England's people to the best of their power. But by God's help, nearly all these were killed by a few of the commonalty, excepting only those who saved themselves by flight; for they were in three columns at such a distance from each other that the first was done with before the second came up, and then the second before the third, with which Edward was marching, could render any aid. Thus the third column was routed, just as the two preceding ones had been. Edward fell at the same time and was beheaded after death; his body being divided into four quarters, which quarters were sent to the four chief towns of Ireland.

About the feast of the Nativity of S. John the Baptist the Christians were defeated by the Saracens in Spain.¹

Also in the same year a permanent agreement, as A.D. 1319. was thought, having been come to between the king and the Earl of Lancaster, they entered Scotland together, with a large army, about the feast of the Assumption of the Glorious Virgin, and set themselves to attack the town of Berwick, and almost scaled the wall in the first assault delivered with great fury, which when those within the wall perceived, many of them fled to the castle; but later, when the English slackened their attack, the inhabitants regained courage and defended themselves with spirit, manning the walls better than before and burning the sow² which had been brought up to the wall to mine it.

Meanwhile my lord Thomas Randolf, Earl of Moray and Sir James of Douglas, not daring to encounter the King of England and the earl [of Lancaster], invaded England with an army, burning the country and taking captives and booty of cattle, and so pressed as far as Boroughbridge. When the citizens of York heard of this, without knowledge of the country people and led by my lord Archbishop William de Meltoun and my lord the Bishop of Ely, with a great number of priests and clerics, among whom were sundry religious men, both beneficed and mendicant, they attacked the Scots one day after dinner near the town of Mytton, about twelve miles north of York; but, as men unskilled in war, they marched all scattered through the fields and in no kind of array. When the Scots beheld men rushing to fight against them, they formed up according to their custom in a single schiltrom, and then uttered together a tremendous shout to terrify the English, who straightway began to take to their heels at the sound. Then the Scots, breaking up their schiltrom

¹ At Granada, on 24th June.

² See note to p. 389, *supra*.

wherein they were massed, mounted their horses and pursued the English, killing both clergy and laymen, so that about four thousand were slain, among whom fell the mayor of the town, and about one thousand, it was said, were drowned in the water of Swale. Had not night come on, hardly a single Englishman would have escaped. Also many were taken alive, carried off to Scotland and ransomed at a heavy price.¹

When the King of England, occupied in the siege of Berwick, heard of such transactions in his own country, he wished to send part of his forces to attack the Scots still remaining in England, and to maintain the siege with the rest of his people; but by advice of his nobles, who objected either to divide their forces or to fight the Scots, he raised the siege and marched his army into England, expecting to encounter the Scots. But they got wind of this and entered Scotland with their captives and booty of cattle by way of Stanemoor, Gilsland and those western parts. Then the king disbanded his army, allowing every one to return home, without any good business done.

But the excommunicate Scots, not satisfied with the aforesaid misdeeds, invaded England with an army commanded by the aforesaid two leaders, to wit, Thomas Randolf and James of Douglas, about the feast of All Saints,² when the crop had been stored in barns, and burnt the whole of Gilsland, both the corn upon which the people depended for sustenance during that year and the houses wherein they had been able to take refuge; also, they carried off with them both men and cattle. And so, marching as far as Borough under Stanemoor, they laid all waste, and then returned through Westmorland, doing there as they had done in Gilsland, or worse. Then, after ten or twelve days, they fared through part of Cumberland, which they burnt on their march, and returned to Scotland with a very large spoil of men and cattle.³

Howbeit, before the Nativity of our Lord, the wise men of both nations met, and by common consent arranged a truce between the kingdoms, to last for two years, and that truce was

¹This affair was called 'the Chapter of Mytton' because of the number of clergy engaged.

²1st November.

³These incessant raids provide very monotonous reading; but nothing short of constant repetition could give any adequate notion of the horror and cruelty of this kind of warfare, or of the utterly defenceless condition into which the lamentable rule of Edward II. allowed the northern counties to fall.

proclaimed on the march on the octave of the Nativity of our Lord.¹

At the same time the plague and the murrain of cattle which had lasted through the two preceding years in the southern districts, broke out in the northern districts among oxen and cows, which, after a short sickness, generally died ; and few animals of that kind were left, so that men had to plough that year with horses. Howbeit, men used to eat cattle dying in the aforesaid manner, and, by God's ordinance, suffered no ill consequences. At the same time sea fishes were found dead on the shores in great multitude, whereof neither man nor other animal nor bird did eat. Also in the southern parts of England the birds fought most fiercely among themselves, and were found dead in great numbers ; and all these three [phenomena] seem to have happened either in vengeance upon sinners or as omens of future events.

About the feast of S. Michael² a mandate came from the Pope for the denunciation of Robert de Brus as excommunicate with all who held intercourse with him. This, however, was no addition to the sentence pronounced before ; and he ^{A.D. 1320.} [Robert] paying no attention thereto, remained as obstinate as ever.

¹ 1st January, 1320.

² 29th September.

(To be continued.)

Spanish Reports and the Wreck at Tobermory

THE announcement that the timbers of a Spanish ship have been found on the spot which tradition fixes as the scene of the destruction of a vessel of the Armada gives fresh interest to the attempt to identify her. Hitherto students have been content to accept the statement of the late Captain Fernandez Duro that she was the *nao*, or ship, San Juan Bautista, attached to the squadron of Castilian galleons. Recently, however, doubts have been expressed as to whether Duro had any good authority for his statement, and it has been suggested that it was, perhaps, nothing but a surmise based on the Scottish tradition. The truth is, however, that his authority was of a very different character, and it is only due to the memory of an historian to whom we are indebted for so much new light on the Armada campaign that it should be recorded.

The source on which he relied is a document amongst that part of the papers of Don Bernadino de Mendoza, Ambassador of Philip II. to France, which is still in the Paris archives.¹ It is a letter written by no less a person than Captain Marolin de Juan, Pilot-General of the Armada. He was then at Havre, having put in there with the Santa Anna, the ship from which Recalde, Vice-Admiral of the Armada, had shifted his flag when she was disabled in the action off Portland. It was Christmas time, and on December 26 there came into the port four Scottish vessels, bringing thirty-two Spanish soldiers and a few sailors, the survivors of the great Venetian ship Valencera, which had been wrecked on the coast of Connaught. According to their report they had made their way across country to the Ulster coast, where they had procured boats to pass over to Scotland from 'a gentleman called Sorleboy,' presumably Sorleyboy M'Donnell, Lord of Dunluce. They had been landed on 'an island ten miles from the Scottish coast,' perhaps Islay or Arran, and thence had been passed on to Edinburgh, where after a month's entertainment at

¹ *Spanish Calendar*, 1587, etc. p. 500.

the king's expense, they had been granted a passage in four different ships to France.¹ On reaching Havre they had much information to give about the fate of vessels lost on the Irish coast, and in reporting it Captain Marolin wrote as follows, according to Mr. Martin Hume's translation :

'The ship Saint Juan Bautista, of Ragusa, 800 tons, was burnt in a Scottish port, with Don Diego Manrique on board. They say the only persons who escaped were fifteen, who were on shore at the time.'

Now when we consider how closely this statement agrees with the Scottish local tradition, how long the refugees stayed in Edinburgh, the centre of information, and that no other incident of the kind is recorded, it was no very serious stretching of the documentary evidence for Duro to advance to the statement that the Scottish port was Tobermory. To that extent he relied on Scottish tradition, but to that extent only.

As to the ship herself, it happens that our information is unusually full and precise. She was one of those which were reported as missing on June 25, when the Armada after its first start from Lisbon was driven by stress of weather into Coruña.² From the return then made we know that she had on board three captains—namely, Gregorio Melendez, her commander, with Diego Melgarejo, and Don Diego de Bazan, son of the Marquis of Santa Cruz. Marolin's statement that Don Diego Manrique was on board must be an error, for the name does not occur on any Armada list. True, an officer of that name is said to have returned in Recalde's ship, but from other sources we know this was not Don Diego, but Don Pedro Manrique.³ There were two companies of troops on board, and when she sailed from Lisbon her complement was returned as 227 soldiers and 75 sailors, but on leaving Coruña she had only 183 soldiers and 57 sailors.⁴ Her Ragusan owner or master (not her captain) was a man whose name is given variously as Fernando Horra, Fernando Ome, Fernando de Mero, and Fernan Dome.⁵ Her register was 650 tons 'burden' (equal to about 550 English measurement), and 800 'ton and tonnage.'

So far the evidence of identity is conclusive, but it has been

¹ Statement of Juan de Nova, *ibid.* p. 506.

² Fernandez Duro, *La Armada Invencible*, ii. 138.

³ *Ibid.* pp. 35, 80, 332, 333.

⁴ *Ibid.* pp. 138, 194.

⁵ *Ibid.* pp. 128, 181, 195, 321.

objected that there is an account of this ship having been lost in Ireland. The account in question is one written by Marcos de Aramburu, superintendent and controller of the galleons of Castille, the squadron to which the San Juan Bautista was attached.¹ But if this account be carefully examined it will be found not to bear out the statement for which it is cited. Aramburu relates that with several vessels of his squadron he and Recalde had taken refuge from the weather on September 15 in an uninhabited harbour in Ireland, which he calls 'Vicey,' somewhere on the west coast. There on September 21 they were joined by Melendez and Bazan in the San Juan Bautista. She had lost her mainmast, and her foresail was blown to ribbons as she came in. It seemed hopeless she could carry on, and all the vessels were so short of water and victuals that Aramburu urged Recalde to burn her and get away as quickly as possible. Recalde, he says, consented to take the company of Gonzalo (*sic*) Melendez into his own ship and to distribute that of Diego de Bazan between two pinnaces that were there, but he insisted on staying to try to save the guns. Thereupon Aramburu urged his dire necessity, and Recalde told him he might go on his way with the ships in his charge. Aramburu therefore sailed away for Spain without seeing what happened to the San Juan Bautista. When Recalde came back to Coruña he was officially reported to have on board the company of Don Diego de Bazan which, the return states, had been transferred from the San Juan Bautista, 'which was scuttled in Ireland.'² Nothing is said of the company of Melendez or Melgarejo. The Venetian Ambassador reported the whole story to his Government, saying that in the uninhabited Irish port, a Ragusan had 'gone to the bottom,' though some of her crew and some of her guns were saved.³

Aramburu would certainly have reported her as lost in Ireland, and she is so entered in the official returns, but how she was lost they do not agree. One says she foundered, another that she was scuttled—clearly there was doubt; and in any case we know that these returns, made amidst the confusion of the disastrous homecoming, are full of errors. Vessels are even entered as lost which came home in the end. It is really a question of whether, as a matter of historical evidence, these casual and to some extent contradictory entries can be taken to override the later explicit state-

¹ Fernandez Duro, *La Armada Invencible*, ii. pp. 315 *et seq.*

² *Ibid.* p. 332.

³ *Venetian Calendar*, 1581, etc. p. 405.

ment of the Pilot-General, derived direct from the men who were in the best position to know the facts.

There is at least the possibility that Aramburu and Recalde's men who spread the report may have been mistaken. Aramburu did not see the alleged loss, and Recalde may have believed he left the ship in an almost hopeless condition. But no one seems to have seen her go down, nor is there any report of the return of her second company. It is conceivable, therefore, that when the ship had been lightened she was found still seaworthy, and that the rest of the troops preferred to remain in her to running the hazards of the overcrowded pinnaces. It is conceivable also that her commander may have believed that his best chance was to get back to Scotland, just as Leyva was trying to do when he was lost with all hands. In Scotland the Spaniards believed 'they would obtain succour,' as they said. But the fates were against the San Juan Bautista, if indeed it was she. Sir Lauchlan Maclean, into whose hands she fell, had an evil record, and only seven years before an English merchant, one William Nicolas, had petitioned Walsingham to press for the liberation of his ship the *White Hart*, which had been seized in the Isle of Mull by 'Lachlan McLane of the Out-Isles, some of the men being slain and cast to the dogs to be devoured.'¹

The only difficulty that remains is that, according to the Scottish tradition, the name of the ship was 'Florida.' But this in itself is no fatal objection to Marolin's story. In the Mediterranean it was the practice for ships to have two names—one their official or 'Christian' name (that is, the name of their patron saint), and the other the ordinary sea-name by which they were usually known. Thus to quote only two famous cases, the *Santa Maria Encoronada* was known as *La Rata* ('the Rat') and the *Nuestra Señora de la Concepcion*, which Drake took in the Pacific, was called the *Cacafuego*, or 'Spitfire.'

On the whole, therefore, we can say that the conclusion to which Duro came, on the very high authority of Marolin and the refugees from Scotland, may well be the right one. Every one can judge its validity for himself, and certainly no other conjecture has been made that can be compared to it for probability. The original idea of the Galleon of Florence has been abandoned, since she came home safely. A more recent conjecture, that she was the *Santiago*, 'in which sailed Antonio Pereira,' is based on the recovery of a silver plate bearing the Pereira arms. But here

¹ *Domestic Calendar*, 1581, etc. p. 30.

The Wreck at Tobermory

we meet the same difficulty. The Spanish account which relates her part in the battle of Portland (from which we know Pereira was on board) tells how well she kept her station with Sidonia's flagship.¹ She must, therefore, have been the Santiago in his, the Portuguese, squadron—not the Santiago in that of Flores, as has been suggested. But that matters little. The Portuguese galleon Santiago returned safely to Santander, and so did both the Santiagos in the squadron of Flores. In the long list of vessels missing the only Santiago that occurs was one of the *urcas*, or hulks, and she is noted as 'lost in Ireland.'²

It may be added in view of the legend that the ship lost at Tobermory was the treasure-ship of the Armada, that two vessels are recorded to have carried the King's treasure to the amount of a hundred thousand ducats. One was the flagship of Don Pedro de Valdes and the other the San Salvador, the vice-flagship of the Guiposcoan Squadron, in which sailed the Paymaster-General. Both these ships were captured in the Channel.

JULIAN CORBETT.

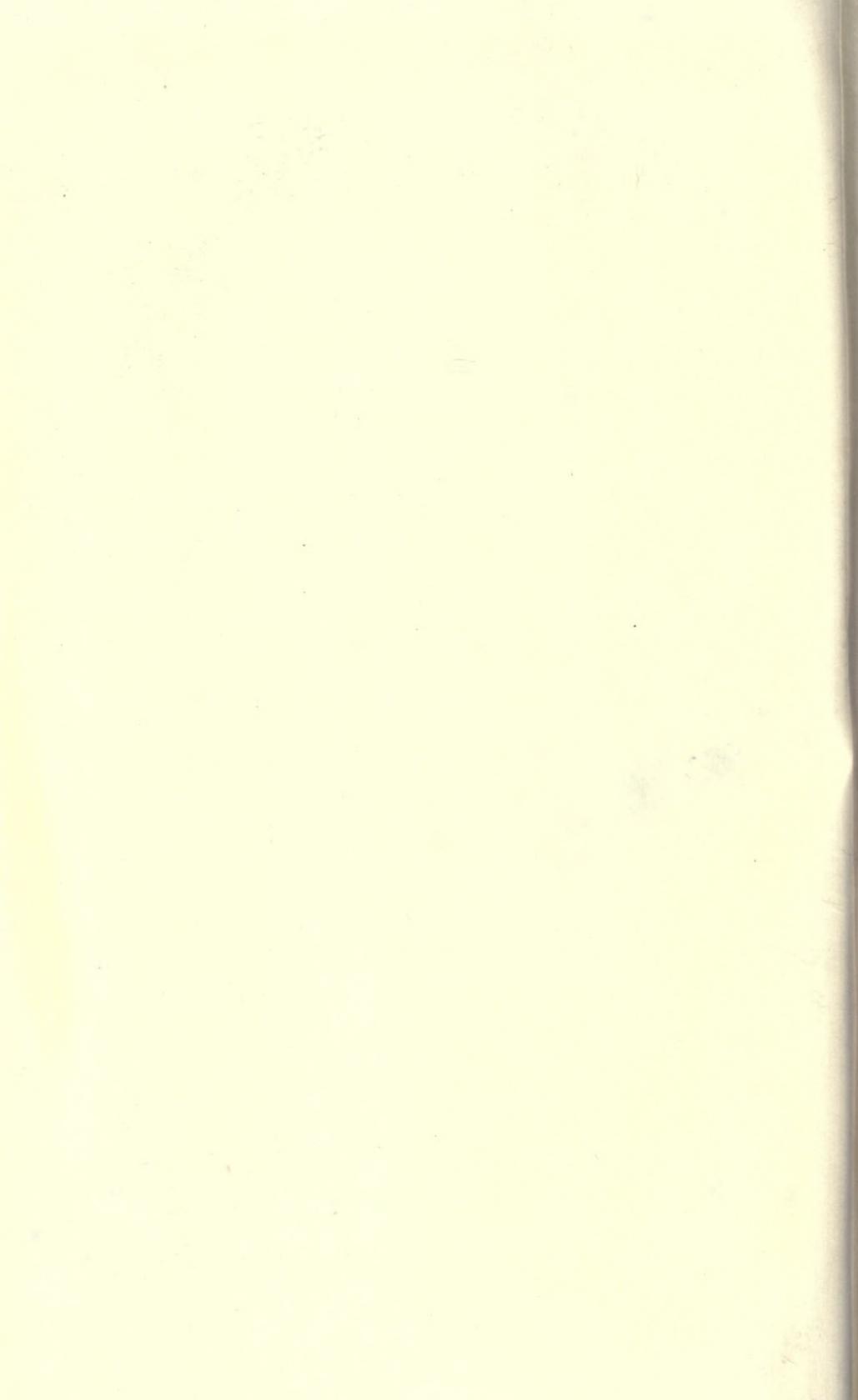
¹ For Pereira, see *Armada Invincible*, i. 44, 500, 514.

² *Ibid.* ii. pp. 328-333.



THE ROMAN WALL IN SCOTLAND.

COINS RELATING TO BRITAIN (PIUS, COMMODUS. AND SEVERUS).



Reviews of Books

THE ROMAN WALL IN SCOTLAND. By George Macdonald, M.A., LL.D.
Pp. ix, 413. With Maps, Plans, and numerous Illustrations. Demy
8vo. Glasgow: James MacLehose & Sons. 1911. 14s. net.

THE appearance within a few months of each other of this book and of Mr. Curle's account of the Roman station at Newstead is of good omen for the future of the study of Roman Scotland. It seems at last to be realised that antiquarian zeal is not by itself a sufficient qualification for the prosecution of archaeological research, and that such investigations can only be successfully conducted and interpreted by men who are provided with a sound knowledge of Roman History, and of the results of archaeological work in other parts of the Roman world. Dr. Macdonald is ideally fitted to interpret the Antonine Wall, since he has not only had practical experience of excavation, but possesses a wide knowledge of ancient life and ancient history.

Archaeologists are often, and not without reason, reproached for presenting the results of their investigations in a form which is practically unintelligible to the layman, and for being content simply to record their discoveries without explaining their significance, or attempting to distinguish the important from the unimportant. Such a charge could not possibly be brought against Dr. Macdonald's work, which admirably combines description and interpretation. He prefixes to his account of the actual remains several preliminary chapters, in which he describes the scanty literary authorities for the Roman occupation of Scotland, and provides the reader with a historical background by sketching the organisation of the Roman army and Roman methods of frontier defence.

In his account of the fortifications themselves Dr. Macdonald treats in separate chapters of the actual rampart with the ditch and military road which accompany it, and of the forts which were placed along the line of the rampart from sea to sea. The connection between the rampart and the forts is so close that this separate treatment seems at times a little unsatisfactory, but a careful reader will find no difficulty in bringing together the information given in different parts of the book. The author follows the line of the wall from west to east, and his book will prove an invaluable companion to those who are able to traverse any part of the ground on foot. The concluding chapters deal with the inscriptions, pottery, coins, etc., found in the course of excavations. We should like particularly to recommend Dr. Macdonald's discussion of the distance-slabs erected by the

legionaries who constructed the wall. He seems to us to have proved that the construction began at the eastern extremity, and that measurements were originally made in paces, while at the western end the shorter distances allotted to the various detachments were measured in feet. The chapter dealing with the subject contains a great deal of most careful research into the question of the sites in which the various slabs were discovered.

In spite of the almost complete absence of first-century remains in the forts already excavated, it is quite certain that a line of forts was constructed by Agricola between Forth and Clyde, that these were abandoned after a short occupation, and that some sixty years later under Antoninus Pius the line was reoccupied and connected by a rampart and ditch. It is a striking fact that the forts along the wall have yielded practically nothing which can be dated in the first century, apart from structural remains, while first-century objects appear in large numbers at Camelon and Newstead. Perhaps further excavation will supply the deficiency.

The wall was only occupied for about forty years from its construction in 140-3 A.D., but Dr. Macdonald has made out a strong case for the view that a rising of the Brigantes about 155 A.D. led to its temporary abandonment and to a reoccupation about three years later. Some of the forts show distinct signs of reconstruction, and here again it is to be hoped that future excavators will throw light on the problem. In any case there is no doubt that early in the reign of Commodus the Scottish wall was finally abandoned, and that the wall from Tyne to Solway was treated as the main bulwark against northern barbarians.

As has been already pointed out, the wall was constructed by legionaries sent for the purpose from the distant headquarters at York, Chester, and Caerleon-on-Usk, but the actual garrisons were composed of auxiliaries, who, in spite of the foreign names of their cohorts, were probably in Antonine times to a large extent men of British birth. The inscriptions provide us with the names of some of the deities worshipped by the soldiers. The list, as Dr. Macdonald says, 'illustrates the syncretism, or mixture of religious ideas, that permeated all strata of society in the Empire before the final victory of Christianity.' Among the divinities are the *Genius Terrae Britannicae*, the *Campestres*, and *Epona*. We may compare the goddess *Brigantia* worshipped at Birrens and Corbridge.

There is one point of detail about which Dr. Macdonald does not quite convince us. It seems to us doubtful whether the word *limes* ever denoted 'an offensive weapon pure and simple,' and whether the passage from Tacitus, *Ann.* I. 50, quoted on p. 68, can bear the meaning which Dr. Macdonald gives to it.

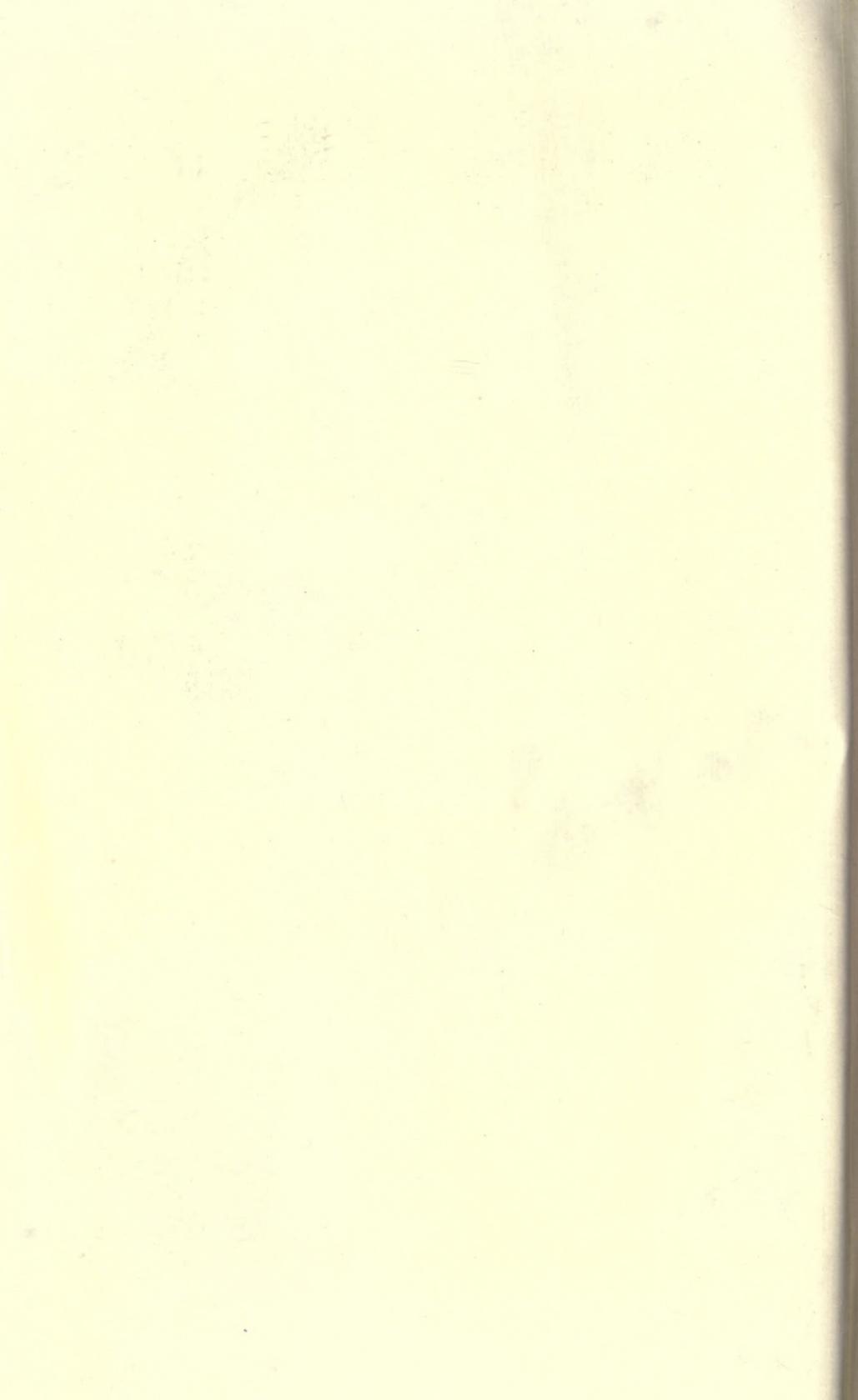
We have merely touched on a few of the interesting questions which are raised by this book. It will be of the greatest assistance to subsequent investigators. There are several problems about the wall which have not yet been solved, and it is to be hoped that the appeal for further excavation with which Dr. Macdonald concludes will not remain unanswered.

G. H. STEVENSON.



THE ROMAN WALL IN SCOTLAND.

LEGIONARY TABLETS.



Raleigh: Six Essays on Johnson 407

SIX ESSAYS ON JOHNSON. By Sir Walter Raleigh. Pp. 184. 8vo. Oxford: Clarendon Press. 1910. 5s. nett.

'I SPEAK unto paper as unto the first man I meet,' said Montaigne. Professor Raleigh has learnt the secret of Montaigne: he is a conversationalist turned writer. He entangles us in the charm of talk that comes from the pen with as natural a cadence as from the lips, with no more design upon us than a poem or a picture. Not many essayists in these days have the art in its perfection. They argue with us, they will have us of their opinion, they demand our assent to their cherished propositions. Talk to us they will not or cannot. And readers grow wary. For what man does not prefer to be addressed as a man than to be lectured as a school-boy? It is an age of dramas which are reform pamphlets, of novels with a purpose, of heaven knows what literary machinery for our conversion to world-regenerating schemes. We are encompassed with whole armies of instructors, and the marvel is that our docility has not long since given out. The uninstructable among us, who fancy we have made our souls, are michers from the schools, and take our comfort with the authors who give and ask nothing in return, who are content that we listen, and would not if they could examine us in the subject-matter of their works.

I do not know that there is any living writer who inspires a greater confidence in his readers than Professor Raleigh. The shyness of us will pick the seed out of his hand without misgiving that the other hand may be suddenly stretched out to effect our capture. He has given us more ambitious books, none more satisfying than this on Johnson, where he is concerned with an author whom he loves, many of whose qualities he himself possesses, whose tastes, even whose prejudices he in great measure shares. There is in Johnson a sanity so complete as to make men almost doubtful of their own, an honesty which convicts even those of us who are indifferent honest, a terrifying candour and a magnanimity wholly angelic. The real Johnson behind the disguises of his manner, the shield of his reserve has never been more convincingly sketched than here, because he has never been better understood. Nor is it altogether fanciful to say that something of Johnson has passed into the mind and style of his latest critic. I shall set down here some of Professor Raleigh's sentences and with them, indiscriminately, some of Johnson's:

'He thought of himself as a man not as an author, and of literature as a means not an end in itself.'

'He that claims either in himself or for another, the honours of perfection will surely injure the reputation which he desires to assist.'

'The true genius is a mind of large general powers, accidentally determined to some particular direction.'

'The promises of authors are like the vows of lovers; made in moments of careless rapture, and subject during the long process of fulfilment to all kinds of unforeseen dangers and difficulties.'

'The acclamation of his following is not so honourable a tribute to a prize-fighter as the respect of his antagonist.'

'When love or admiration possesses the mind, there is no room for

the thought of defect. A lover does not weigh faults against merits, and after striking a balance, proclaim his enthusiasm for the surplus.'

'What is good only because it pleases cannot be pronounced good till it has been found to please.'

'A man who is praised for his morality is praised not so much for himself as for his conformity to certain recognised standards.'

'If every human creature were provided with some separate and permanent memorial, we could not walk in the fields for tombstones.'

It will be a pleasant exercise for the perspicuous reader to determine the authorship of each of these sentences. I need not insist that they are all good sayings.

Johnson is first a great man, and second a great prose writer; he has never been ranked with the great poets. 'It may be suspected,' says Professor Raleigh, 'that he would have agreed with Sir Henry Savile, who, when asked his opinion of poetry, declared that he liked it best of all kinds of writing, next to prose.' It may also be suspected that Professor Raleigh would range himself with both. Certainly he is not so preoccupied with poets and poetry as the majority of our academic critics. Here is part of the case for prose, and I do not know where it has been put so well—'The best prose is rightly called pedestrian; at every step it must find a foothold on the ground of experience, firm enough to support its weight. It is more various than poetry, and richer in implied meaning; it assumes in the reader an old acquaintance with the facts of life, and keeps him in touch with them by a hundred quiet devices of irony, reminiscence, and allusion. It is a commentary on the world; not a completed exposition of it. The breadth of the vision of poetry can be attained by one who looks on human life from a distance; only the scarred veterans are fit to write a prose account of the battle.'

As Johnson's champion Professor Raleigh very properly and with all the courtesies breaks a lance with the Romantics. 'There is a taint of insincerity about romantic criticism, from which not even the great romantics are free. They are never in danger from the pitfalls that waylay the plodding critic; but they are always falling upward, as it were, into vacuity. They love to lose themselves in an *O altitudo*. From the most worthless material they will fashion an altar to the unknown God. When they are inspired by their divinity they say wonderful things; when the inspiration fails them their language is maintained at the same height, and they say more than they feel. You can never be sure of them.' There is no need to praise these essays on Johnson save for the mere delight of praising the delightful. Everywhere they sparkle with the salt of wit. If here or in some other place Professor Raleigh has written a dull page, I have not found it.

W. MACNEILE DIXON.

GROWTH OF ENGLISH INDUSTRY AND COMMERCE DURING THE EARLY AND MIDDLE AGES. By W. Cunningham, D.D. Pp. xxvi, 724. Demy 8vo. Cambridge: University Press. 1910. 12s. 6d. nett.

THE author's preface contains only the briefest allusion to a fact which the reviewer cannot fail to emphasize—that it was Dr. Cunningham who first

undertook to cover the whole field of English economic history nearly thirty years ago, and who has ever since been in the forefront of this particular study. To estimate the book fairly, we must compare this stout first volume of the fifth edition with the part of a crown octavo from which it has grown, and look at the list of authorities (with full references to the places on which they are quoted) which fills pp. 657-681. We shall then recognize how much this structure owes to Dr. Cunningham in the threefold rôle of pioneer, labourer, and architect.

It is a fine story worthily told; and for the scope of the book is wider than its title implies, and it contains much direct information concerning Irish and Scottish¹ conditions. The interest never flags, though we must confess that the book is not always easy reading: with his own ideas full in view, Dr. Cunningham strides on too fast for us sometimes, and forces us to crave a moment's pause before we can pick up the exact thread of his argument. To a certain extent, indeed, the book seems to show traces, even in this its latest form, of those various and often engrossing occupations which have beset the author throughout his working life, and have prevented him from always penetrating to the depths of the vast mass of evidence with which he grapples. Dr. Cunningham would probably have made very serious reservations in quoting from the Cole MS. on *The Fall of Religious Houses* (pp. 532, 539) if he had found leisure to submit other statements of that anonymous special pleader to the test of ascertained facts. Again, he seems occasionally to make too little allowance for the rhetoric of medieval Pleas to Parliament or Preambles. Lastly, his treatment of the question of usury seems hardly to go deep enough: he twice admits the validity of St. Thomas's argument that many loans involve no risk to the lender—an argument which would seem untenable (pp. 257, 367). Moreover, we dissent from his verdict that medieval usury preyed only upon the well-to-do. It would be easy to find other contemporaries who say as plainly as Caesarius of Heisterbach that 'usury devoureth the substance of the poor.' But such cases are exceptional; and readers who check his references will probably be most impressed by his sane and temperate deductions. This is very conspicuous in Appendix E, in which the author defended his own theory some twenty years ago against Professor Ashley's friendly criticisms. We are equally struck, on re-reading this, by the patience with which he has gleaned further afield for fresh evidence as to the immigration of alien workmen in the eleventh and twelfth centuries, and by the moderation with which he argues from these facts. The same may be said of the sections on the effects of the Black Death and the changes in Tudor times, to which many readers will turn first, and which Dr. Cunningham has entirely rewritten in the light of the latest research.

We can only conclude by expressing our gratitude to Dr. Cunningham for this latest edition of a book indispensable to all medieval students.

G. G. COULTON.

¹A note on page 349 has a bearing on the story of the Prentice's Pillar at Roslyn. 'There was much laxity in Scotland,' writes Dr. Cunningham, 'about the terms of apprenticeship, and the *Essay* or *Masterpiece* was the chief test of fitness for the trade.'

410 Gougaud: Les Chrétientés Celtiques

LES CHRÉTIENTÉS CELTIQUES. By Dom Louis Gougaud. Pp. xxxv, 406.
With 3 Maps. Crown 8vo. Paris: Victor Lecoffre. 1911. 3 fr. 50.

THIS admirable study of Celtic Christianity which forms one of the volumes of a *Bibliothèque de l'enseignement de l'histoire ecclésiastique*, is the work of one of the monks of Farnborough Abbey, and bears witness to the renewed and growing activity of the Benedictine Order in the field of history. In his preface Dom Gougaud writes: 'Du moins, si je n'ai rien omis d'essentiel, si j'ai donné un aperçu des faits marquants, des faits ayant une véritable valeur historique, de leur degré d'originalité et de leur coordination, si, tout en disant ou en est aujourd'hui la science sur tel et tel point, j'ai facilité les recherches futures par une information nette et suffisamment abondante, mes efforts n'auront pas été stériles.' He has fulfilled this task with remarkable success, and his work will take its place as the most adequate introduction to a field of study which cannot be neglected by any student of the civil and ecclesiastical history of Scotland. By a concise examination of the development of Celtic Christianity in Ireland, Scotland, Wales, Cornwall and Brittany, and of its influence throughout Europe, Dom Gougaud has achieved a *reconstruction logique de la réalité historique* which a detailed study of one of these fields could not have afforded. The materials presently at the disposal of the historian show certain characteristics of the Celtic organization of Christianity prominently at work in Ireland, others in Great Britain, and others in France, though they were all doubtless present in each field, and it is only by an examination of all the sources that a balanced and fruitful general estimate can be formed. From this point of view Dom Gougaud's account of the Celtic church in Brittany is of particular value to English readers, as showing the Celtic organization in contact with the more articulated and efficient system of the Roman church. He gives an interesting reference to the theory of M. Paul Fournier that the condition of the Celtic church in Brittany is so faithfully reflected in the abuses which the authors of the False Decretals of Isidore sought to remedy, that the 'atelier pseudo-isidorien' must have been located in that region. Again he attributes to the influence of St. Columba and his disciples the remarkable progress made on the continent after his time in the development of the theory of the exemption of regulars from Episcopal jurisdiction.

Dom Gougaud has no hesitation in expressing his views on the many points of controversy which have always marked Celtic church history, but he makes no attempt to impose them on unsuspecting readers, and his work is notably fair and unpolemical. An invaluable bibliography and elaborate references to the current literature of his subject in French, German, and English add an additional value to a solid contribution to the workshop of the student of history.

DAVID BAIRD SMITH.

THE HOUSE OF LORDS DURING THE CIVIL WAR. By Charles Harding Firth, M.A. Pp. xii, 309. 8vo. London: Longmans, Green & Co. 7s. 6d. nett.

THIS is the most comprehensive of the studies which Professor Firth has contributed to the history of the period upon which he is the chief living

authority. It is an excellent example of the help which an expert can give by going over familiar ground from a fresh starting-point. In one sense there is nothing very new in Mr. Firth's book, if we except the characteristic and masterly use which he makes of forgotten pamphlet-literature ; yet in another sense all is new : the whole period from the death of Elizabeth to the Restoration is invested with new interest and fuller meaning ; and to say nothing of its value to advanced scholars, a student with an elementary knowledge of the main facts can find no more illuminating introduction to the constitutional history of the Civil War.

Professor Firth shows how, in the early years of the seventeenth century, the House of Lords still based its political power upon its unique position in the social fabric. Its functions were regarded, theoretically, not so much as a necessary element in a complicated system of government, as the natural exercise of power by the class especially fitted and trained to use it. In 1607 Northampton alleged the composition of the Lower House as a reason for not agreeing to a petition of the Commons. Their members had but 'a private and local wisdom,' 'and so not fit to examine or determine secrets of state'; while, on the other hand, the Commons, a little earlier, represented to the Lords that a certain question was 'a matter of state, so fitter to have beginning from the Upper House that is better acquainted with matters of state' (pp. 34-5). It is significant that, when Ireton elaborated his plan for securing the legislative supremacy of the Commons, he thought of safeguarding the position of the Lords as a separate order, by allowing them to be exempted from the operation of a law passed by the Commons, to which they had not consented (p. 185). Although before the Civil War the view that Lords and Commons were 'members of one body,' engaged in the harmonious work of statecraft, was appreciated, it was rather to their unique excellence that their apologists looked as the ground of their belief that the Lords should act judicially, as 'an excellent screen or bank between the prince and people, to assist each against any encroachments of the other, and by just judgments to present that law which ought to be the rule of every one of the three.'¹

This attitude, of course, survived the Civil War, but it gave way before the social theorists who looked to the political service implied by the possession of land as to the division of powers as the main axiom of political science. The sectaries of the New Model broke down the tradition. 'What were the Lords of England but William the Conqueror's Colonels?' In the eyes of Bolingbroke, ninety years later, there was as much danger from 'little engrossers of delegated power' as from the Whig noblemen. The second Estate was still properly the mediator, but the safety of the Commonwealth at a time of crisis depended on the coalition of the 'senatorian' and 'equestrian' parties. And, quite apart from theory, the spirit of contract succeeded that of natural right, until Pitt began the practice of appealing to the people.

With great justice, then, Professor Firth lays stress upon the degradation of the peerage, chiefly through the sale of honours, as an important factor

¹ Declaration of Colepeper and Falkland in answer to the Nineteen Propositions, quoted p. 73.

in unsettling the minds of Englishmen before the Civil War. The Lords felt that their position in the social system was undermined. In addition, they were subjected to the dividing influences of religious and political opinion. The theme of the book is the controlling influence which the House of Lords on some critical occasions did exert, and upon others should or could have exerted, if the policy of the king had not destroyed their confidence. The failure of the Lords as mediators meant their destruction as an organ of State, until Cromwell, acting from practical motives, set up a second Chamber. 'Unless you have some such thing as a balance, we cannot be safe' (p. 246). In the last chapter the author traces the influence of the restored House of Lords—restored in spite of the opposition of Monck—and especially the influence of the younger generation, in bringing about the Restoration.

Professor Firth's unrivalled knowledge of the controversial literature of the period has enabled him to convey a clear impression of the pseudo-historical and pseudo-philosophical thought which found voice simultaneously with the legal arguments of Prynne, the logic of Hobbes, and the common sense of men like Ireton. To his extract from Clarendon on the use of 'protests,' he might have added the pungent remarks of Selden.¹ He omits, also, to refer to the observations upon the nobility to be found in Mrs. Hutchinson's historical survey of the events which preceded the Civil War; they are by no means the least valuable commentary upon the subject of the book:—

'The nobility of the realm having at first the great balance of the lands, and retaining some of that free honorable virtue, for which they were exalted above the vulgar, ever stood up in the people's defence and curbed the wild ambition of the tyrants, whom they sometimes reduced to moderation, and sometimes deposed for their misgovernments, till at length, the kings, eager to break their yoke, had insensibly worn out the interest of the nobility, by drawing them to their courts, where luxuries melted away the great estate of some, others were destroyed by confiscations in divers civil wars, and others otherways mouldered with time. While the kings were glad to see the abatement of that power, which had been such a check to their exorbitancies, they perceived not the growing of another more dangerous to them, and that when the nobility shrunk into empty names, the throne lost its supporters, and had no more than a little puff of wind to bear it up, when the full body of the people came rolling in upon it.'

F. M. POWICKE.

AN INTRODUCTION TO THE STUDY OF LOCAL HISTORY AND ANTIQUITIES.

By John E. Morris, D.Litt., and Humfrey Jordan, B.A. With 64 Illustrations. Cr. 8vo. Pp. xvi, 399. London: Routledge. 4s. 6d.

THIS handbook to local history is a result of the circular by the Board of Education in 1908 on the teaching of history in schools, offers introductory explanations of typical antiquities and institutions, and wins sympathy at the outset by its object and its dedication to boys, present and future,

¹ *Table Talk*, s.v. Lords in the Parliament.

interested in history. It is a business-like performance, well-suited not only to help the upper forms towards intelligent standpoints of local interpretation, but also to imbue the fit soul with such an archaeological taste as may supply a life-long joy in the sympathetic study of the past. Each period is dealt with—pre-Celtic and Celtic, Roman, Anglo-Saxon, Norman, mediæval; and each phase also—ecclesiastical, political, commercial, industrial, and domestic. From the Stone Age to the England of Dickens, the distinctive features are sought out and set forth.

The illustrations, mainly photographs, are excellent, and are not the less useful in that they often show the entire landscape whence the Roman road, Danish Camp, or Cromwellian battlefield is to be picked out. It is well for youth to know that historic remains do not always stand up like the walls of Richborough or the mounds of Castle Rising. Altogether the book argues well for education. Its system is good, and its information adequate.

Of course there are numerous points open to criticism. One man will dislike 'antiquarian' as an inferior term to denote 'antiquary.' Another will grumble that the earlier 'pele' (of timber) is not explained, and that the somewhat parallel evolution of 'hall' is not traced, but he will recognise the value of the notices of mound and castle, albeit the contribution of Scotland to the determination of the Norman character of the *motte* in Britain is overlooked. The Glasgow man will smile at the attribution to St. Ninian of what belongs to St. Kentigern. Scotsmen will be amused to read that at Stirling Bridge, Wallace 'with his own hand hewed at the supports and cut off one half of the English force from the other half.' It is one of those things that could have been said better! Institutionalists may wish that the authors had devoted a chapter to the legal, fiscal, and parochial organisation, e.g. shire and parish, etc., and their connection with ancient military and ecclesiastical arrangements. Perhaps also there is room for complaint that the primal industry, agriculture, deserved more formal treatment, and that for the modern industrial epoch, iron certainly receives scant recognition.

But we must all welcome what we have as an admirable introduction to local antiquities. A clear and sensible sketch of the Roman occupation returns to all appearance independently (p. 87) to a certain theory of the English *Vallum* as possibly meant to protect the holders of the *Murus*. As regards the Antonine Wall and the Birrens, Bar Hill, and Newstead Forts, the information comes down to date except that the names of Macdonald and Curle do not receive the canonisation that is their due. The Antonine turf-wall by the way had a foundation of stone certainly, but not as stated of stone slabs. It is a hypercritical correction perhaps, but a students' book may see many editions. The authors are not cognisant of Mr. W. M. Mackenzie's re-study of Bannockburn, but they have the true perspective of the Scottish *schiltrum* as a form of the older historic shieldwall. Their account of the 'hoblers,' or Scottish light horse, shows the same shrewd insight. Shipping is well discussed in the text, and might surely have been spared some illustration. A good test of all such works as this is the attitude towards architecture and the evolution of ecclesiastical, military, and domestic buildings. Here the authors are on strong ground, and may fairly stake their credit on the skill

with which the long story of the dwelling, the evolution of the house, is traced. Throughout, the continuity of custom is scientifically appreciated. Fords and fairs are keenly noted, with a due sense of the persistence of past conditions in the altered present.

Chiefly, however, the authors must be credited with a thoroughgoing, and on the whole successful endeavour, not merely to expound their local antiquities as such, but still more to fit them into the whole, and set archaeology in its place as concrete history.

GEO. NEILSON.

THE THEORY OF TOLERATION UNDER THE LATER STUARTS. By A. A. Seaton, M.A. (*The Prince Consort Prize*, 1910). Pp. vii, 364. Cr. 8vo. Cambridge University Press. 1911.

THE present volume—*Cambridge Historical Essays*, No. xix.—is the latest of a series which has done so much to illuminate history on the side of political ideas. And it must always be remembered that the thoughts of men are factors in history of the first importance. The principle of divine hereditary right and the ecclesiastical conception of the State colour whole epochs, and are the keys to a maze of political thinking that may have ceased to direct party tactics, but cannot yet be said to be wholly without influence, even if less conscious, upon certain types of mind. Ideas rooted in primary instincts may, under the sheer pressure of circumstances, relax their hold almost to the point of vanishing or change their habit, but they never die. This comes out even in the case of Toleration, a principle which is now accepted as self-evident, and which, as a motive of political action, has, at least, taken precedence of that of Persecution, so long and in such high quarters just as confidently held unassailable.

Mr. Seaton's opening chapter is a most careful and thorough analysis on philosophical lines of the case for each of these rival concepts, and, as there reasoned, suggests the impossibility of ever fully realising the one or getting rid of the other. Fortunately the historian, limited to the past, can be more empirical and practical in his requirements. For his purpose Toleration has triumphed, and Chapter iii. is a rather saddening recital, on its own line, of how this came about. If argument could have done it Sir Charles Wolseley's pamphlets (1669) would have been enough, but if the tide of rational persuasion steadily rises against intolerance, it is in great measure because plain experience was pouring its stream into the current of reflection. Locke's *Letters on Toleration* (Chapter iv.) are the high-water mark, and yet 'There is little in them which had not been said before either by a writer of repute or by some obscure pamphleteer' (p. 272). What did really tell was the obvious failure of all efforts to force conformity and heal division, so that dissent had to be accepted as an integral part of the common life; the more certainly since the mass of the dissenters belonged to the trading class, who might otherwise be driven to leave the country.

But arguments, of course, took a wider sweep and the abundant literature on both sides is here admirably summarised, while a General Review (Chapter vi.) and some Appendices serve to throw the main points into

relief. The only Scottish writer included is Sir George Mackenzie, on his philosophical side as an advocate of a sort of Laudian Toleration (*Religio Stoici*). The style of the volume is rather compacted and a little heavy, but never obscure and of a right logical quality. W. M. MACKENZIE.

BRITISH FIRE-MARKS FROM 1680. By George A. Fothergill, M.B., C.M. Pp. xiv, 180. With sixty Illustrations. Crown 4to. Edinburgh: William Green & Sons. 1911. 7s. 6d. nett.

MANY readers will open this volume with curiosity, not knowing what to expect from the title. The comparatively few who are aware that there are such things as fire-marks will welcome the book. But there is matter of interest for all in these pages; for the author treats of the history, literature, poetry, and the collectors of fire-marks, and supplies sixty admirable illustrations.

Not long after the Great Fire of London an insurance business was started, which later became 'The Fire Office.' This company supported its own fire-brigade, and issued fire-marks to be placed on the houses of its insurers, so that on the outbreak of a conflagration the brigade would know whether it was its duty to assist or not. Other companies likewise issued marks, and soon a great variety of devices appeared on the fronts of London houses. The earliest known Scottish fire-mark, dating from 1767, is owned by Lord Rosebery, and was formerly affixed to Lady Stair's House, in the 'old town' of Edinburgh. Dr. Fothergill points out the distinction between fire-marks and fire-plates. The former name is usually applied to the leaden devices which were intended to be of assistance to the different fire-brigades; the latter is used of the later copper or tin imitations, which were made for advertisement purposes. In connection with the poetry of fire-marks the author quotes a stanza from Cowper's 'Friendship,' in which a reference is made to 'hand-in-hand insurance plates'; and he gives a number of lines from 'Rejected Addresses,' written on the occasion of the reopening of the Old Drury Lane Theatre after the fire of 1809. These lines, which refer by name to several old fire offices, are written in the iambic tetrameter and trimeter metre of Scott, a form of verse very popular at the time owing to Sir Walter's metrical romances.

E. STAIR-KERR.

A HISTORY OF WALES FROM THE EARLIEST TIMES TO THE EDWARDIAN CONQUEST. By John Edward Lloyd, M.A. Two Volumes. Vol. I. xxiv, 356, Vol. II. vii, 414. With genealogical tables, indices, and map. 8vo. London: Longmans, Green & Co. 1911. 21s. nett.

IN a history of ancient and medieval Wales, much, especially in the earlier periods, must be a matter of conjecture. It has been Professor Lloyd's object in this work to collect and weave into a continuous narrative what may be fairly regarded as the ascertained facts. This task has not been attempted in English for more than a generation. Much has in the meantime been established, and much is better understood. Professor Lloyd has made the subject his own by conquest of all the hitherto discovered

territory, and, with wide and minute learning, laborious and patient investigation, and sober judgement, he has faithfully mapped it out, bringing many a new ray of light to the illumination of its dark places.

Professor Lloyd believes that three races have chiefly gone to the making of the Welsh people. The first of these, the neolithic men, are now represented, he suggests, not only in form and feature, but possibly in soul and mind, by the short, dark Eisteddfodwr and collier of South Wales, wayward and impulsive, but moved by music and religion. The second race, the Goidelic, arrived with the age of bronze. The third, the Brythonic, came about the third century B.C. The most important contribution of the first race was to the national physique and character. The second contributed the nation's early political and social institutions. The gift of the third was, beyond a doubt, the Welsh language. But in this tongue, Aryan in the bulk of its vocabulary and inflexions, there has been preserved the pre-Aryan syntax of the language of the earlier settlers, a language of the so-called Hamitic family—a non-Aryan people adopting an Aryan speech, having mastered it imperfectly.

The author goes on to tell what is known and conjectured of the introduction of Christianity, of 'The Age of the Saints,' the age of Gildas, of Saint David and King Arthur, during which the Welsh tribes cast off all traces of heathenism, and became organised Christian communities with powerful rulers and a learned clergy. Then came the long struggle with the English invaders of Britain. Under Alfred, Wales came formally under the supremacy of Wessex, and ever after paid homage to England.

The second volume finds the Welsh with a new foe on their marches. The heroic Gruffydd ap Llywellyn, conquered and slain by Harold in 1063, left his countrymen a priceless legacy in their revived national spirit. But three years later the Normans began their conquest of England, and the Welsh had soon to face an influx of adventurers, busy pioneers, 'the flower of a people pre-eminently gifted as colonists,' and overwhelmingly powerful in resources and organisation. During the next two centuries the Normans had many other calls on their energies—French wars, crusades, domestic dissensions, while on the other side no Welsh leader was ever followed by all his nation. Chiefs could always be found to betray the common cause and make private peace with the English. The last Prince of Wales of the native line fell in 1282. With him Welsh independence came to an end. Welsh nationality was too deeply fixed not to endure.

In the critical discussion of his materials, as in his admirable narrative, Professor Lloyd has made a very valuable, original, and attractive contribution to history.

ANDREW MARSHALL.

GILBERT CRISPIN, ABBOT OF WESTMINSTER. A Study of the Abbey under Norman Rule. By J. Armitage Robinson, D.D., Dean of Westminster. Pp. xi, 180. With Illustration. 8vo. Cambridge University Press. 1911. 5s. nett.

DR. ARMITAGE ROBINSON has signalled his departure from Westminster to Wells by the publication of this scholarly tribute to his learned and gentle

predecessor of the eleventh century. He has given us a clearly drawn picture, not only of the Abbot himself (so far as possible from the documents) but also of his surroundings and administration, and thus has made an extremely valuable addition to our knowledge of the ecclesiastical history of the generation immediately succeeding the Conquest.

Gilbert Crispin (Abbot of Westminster, 1085-1117) came of a distinguished Norman family, named *Crispini* from the characteristic standing-on-end of the hair. His father, mother and brother were benefactors of the great Norman Abbey of Bec, where the future Abbot of Westminster spent the first twenty-five years of his monastic career. Dean Robinson accordingly gives, first of all, details of Gilbert's home at Bec, and then treats of the family of the Crispins. Following this, Abbot Gilbert's rule at Westminster comes under review. He contributed by his zeal and prudence to the growing importance of his Abbey, and appears to have well deserved the encomium of his epitaph, preserved by Flete, but long since obliterated from his monument by the tread of the thousands who passed over it before it was removed in the eighteenth century to a place of greater safety—'mitis eras justus prudens fortis moderatus, doctus quadrivio, nec minus in trivio.'

Gilbert's administration is carefully and sympathetically considered under several heads ; these being domestic rule, foundation of priories, building, exemption and sanctuary, knight service and domestic economy. His literary remains obtain critical and appreciative treatment.

In the second part of the book, which is devoted to documents, the author has published for the first time in complete form Gilbert's life of Abbot Herluin, founder of Bec. This is followed by the *Liber de Simoniaciis* and selected Charters, with notes.

The volume, forming No. 3 of the series of *Notes and Documents relating to Westminster Abbey*, contains as frontispiece a reproduction of the time-worn effigy of Abbot Gilbert, 'the oldest sculptured monument of the Abbey.' Dean Robinson has rescued from undeserved oblivion a blameless, earnest, and learned early ecclesiastic, the friend of Anselm of Canterbury, and a wise monastic ruler.

JOHN EDWARDS.

THE HISTORY OF PARLIAMENTARY TAXATION IN ENGLAND. By Shepard Ashman Morgan, M.A. Pp. xvii, 317. Printed for the Department of Political Science of Williams College by Moffat, Pard & Company, New York. 1911.

THIS volume was awarded the David A. Wells prize open to students and graduates of three years' standing at Williams College. The author has based his work on original authorities, and, although he has not come to any new conclusions, he has succeeded in producing a readable and lucid account of a difficult subject, and one which will be of great use to students of constitutional history.

The period dealt with extends from Saxon times to the Bill of Rights. The subjects considered are,—taxation, *i.e.* 'any contribution levied by the government for its own support,' and the authority by which taxation was levied. The reigns of the Anglo-Saxon and Norman kings are not

important from this point of view. The Great Charter was, of course, the first great step in taking the control of taxation away from the king. Edwards I.'s reign was of very great importance, both because the Model Parliament furnished a machine through which the people could assent to taxation, and because *Confirmatio Cartarum* provided that certain taxes were only to be taken 'by the common assent of all the realm.'

At the end of Edward's reign, therefore, much had been gained, but still the consent of Parliament was not required for every tax ; and the questions of the initiation of taxation by the House of Commons and of the relationship of the redress of grievances to the granting of supplies were still unsettled. Acts were wrung from Edward III. making Parliament the sole authority for levying taxation ; but the principle, though declared, was not really established. The Tudor period was not a time of growth of Parliamentary powers, but the principles enunciated survived, and were again asserted under the Stewarts. Mr. Morgan ignores the taxation during the Interregnum, though the financial embarrassment of the Protectorate was considerable, and helped to make it unpopular. The Bill of Rights finally asserts the principle of the power of Parliament rather than the Crown to tax. The essay was written before the rejection of the Budget by the House of Lords, and therefore that question is not considered.

THEODORA KEITH.

THE CAMBRIDGE MODERN HISTORY. Volume XII. THE LATEST AGE. Edited by A. W. Ward, Litt.D., G. W. Prothero, Litt.D., and Stanley Leathes, M.A. Pp. xxxiv, 1033. 8vo. Cambridge: University Press. 1910. 16s. nett.

THIS monumental volume of contemporary history is, on account of the proximity of its publication to the period it describes, perhaps the most difficult to review of all the portions of the great work of which it is the culmination. The scope has in a manner changed. The history has become by natural expansion not only the history of the European States and Colonies but that of the whole world.

Since 1871, Western Europe, this volume points out, has enjoyed peace. It has been an armed peace however, and has been by no means without vast political changes. The commercial rise of Germany is one of the most important and far-reaching of these. France has become a settled republic and a rising African power. Britain has had her Boer War, Parliamentary crises, and the perennial question of Ireland to solve. Austria-Hungary has, race conflicts notwithstanding, increased her territory, and Italy is recovering from the folly of the Abyssinian War. Spain has lost her colonies, and suffers from anti-clerical unrest, while Portugal has (unforeseen in the Iberian chapter before us) become the youngest European republic. Norway never (as 'Mr. Fudge' said) 'on a bed of roses' in her forced union with Sweden, has by a bloodless revolution separated herself. The uninitiated will find much food for thought in the two valuable chapters on reaction and reform in Russia, while the chapter on Turkey shows that the 'sick man' has not been so fortunate as Western

Europe, and in consequence continues to lose province after province, and is now a mere shadow of his former self.

Africa *infelix* has endured many wars, in which France, Germany and Britain have all figured, and Asia has also been a prey to strife. India has, in spite of, or because of, reforms, undergone a period of unrest. China has endured puppet emperors and the Boxer rising. The territory of the reformed empire of Japan has been increased by her unexpected successes against Russia, and Europe is now confronted with an Asiatic state among the Great Powers. Australia has become federated, so has South Africa—since the war—and Canada is in a position of great interest, America having her own policy of expansion, and still encircling with the Monroe doctrine the rising Latin republics of the South.

We mention all these items only to show with how much this great work is concerned in detail, but it contains far more. It gives admirable chapters on the modern exploration, which has unveiled practically the whole world; on the spread of Science, the growth of History, and the desire for Peace. It has also a fine chapter (by Mr. Sidney Webb) on 'Social Movements' dealing with 'the waste of human life,' 'insurance against unemployment,' that topic of the hour, and the tangled tale of 'feminism,' among its many varied contents. It will be easily seen, therefore, how great are the possibilities of this volume, and when one says that the history is excellently conceived and carried out one is congratulating in the most sincere manner its painstaking editors and co-authors.

A. FRANCIS STEUART.

THE CHAMPIONS OF THE CROWN. By Lucy Sealy. Pp. 329. With Illustrations. Demy 8vo. London: Methuen & Co. Ltd. 1911. 7s. 6d. nett.

This book contains biographies of ten notable supporters of Charles I., but the authoress has set herself to do far more than merely retail familiar facts. There exists to this day, she rightly declares, a 'popular misconception' to the effect that the royalist army in the Civil War was made up of 'Godless, roystering soldiers, fighting solely for the retention of power, wealth, or license'; and her volume has been compiled with a view to destroying this idea, and to pointing out that, in reality, the cavaliers were prompted by noble and lofty ideals.

A book written with such a purpose naturally commands sympathy, and it is therefore pleasing to find that, in the main, Miss Sealy has acquitted herself remarkably well. It must be conceded that her style is often mediocre, and it is true that the romance and glamour encircling the Stuarts and their partisans have appealed to her strongly, and that, by all her own predilections and affinities, she is frankly in favour of the king. Yet she is by no means bigoted in this devotion, and, while she never misses an opportunity of noting the unscrupulousness which frequently characterised the methods of the parliamentary leaders, she is withal perfectly honest and straightforward in her manner of defending her cavalier heroes. It is never easy, of course, to precisely analyse and determine the motives which begot a momentous action; but Miss Sealy shows herself throughout to be

thoroughly alive to this difficulty, and, far from ever trusting to conjecture, in each instance proves her contention by the citation of documentary evidence. As regards Prince Rupert, for example, she gives his own words, 'I know my cause to be so just that I do not fear'; with reference to Sir Marmaduke Langdale, again, she brings forward a letter in which he mentions his desire to 'gain the King his right forth of the usurper's hand'; while, in dealing with the Marquis of Hertford, she quotes words of his which clearly show that he eagerly desired peace, and only drew his sword because he considered it his bounden duty.

It may reasonably be said that Miss Sealy's book contains nothing likely to prove novel to the average scholar of the Civil War. It is valuable, nevertheless, inasmuch as it lays stress on an interesting and important point, and because it brings into bold relief a beautiful and pathetic phase in our English annals—a phase, moreover, which both Gardiner and Carlyle were prone to neglect, if not actually to avoid.

W. G. BLAIKIE MURDOCH.

VENICE IN THE THIRTEENTH AND FOURTEENTH CENTURIES. A Sketch of Venetian History from the Conquest of Constantinople to the Accession of Michele Steno, A.D. 1204-1400. By F. C. Hodgson, M.A., Fellow of King's College, Cambridge. Pp. xiv, 648, with Illustrations. Crown 8vo. London: George Allen & Sons. 1910. 10s. 6d. nett.

NINE years ago, as the author reminds us in his Preface, he published a volume on the Early History of Venice, which 'some of the English reviews found very dry,' but which was welcomed by more than one German scholar as a valuable contribution to serious history. We ourselves are on the German side in this matter, and are very glad to welcome Mr. Hodgson's second volume. Moreover, we trust that he will yet find a sufficient public among those who prefer that their history, like their wine, should err rather on the dry than on the luscious side. For, although Mr. Hodgson does undoubtedly forego of set purpose many opportunities for picturesque writing, yet we find much fine stuff in his book. He does not exploit this vein to the utmost; that is evidently no part of his plan; but he records many facts and many scenes which must conjure up vivid pictures of the past in the mind of any reader of imagination. He realises, for instance, what a mine of interest there is in Marco Polo; and his summary of Polo's Travels with Yule's comments (chap. xiii.) is a piece of admirable *précis*-writing. Again, his description of the intricate regulations governing the election of the Doges is most interesting; and still more interesting is the moral he draws from it. He shows how strongly on the one hand this system resembles that of the papal elections; while on the other hand the American system of presidential elections, by neglecting some of the elaborate precautions invented by Venetian patricians and Roman cardinals in the thirteenth century, has left unnecessary room for party spirit.

Many more are the picturesque glimpses which open before a reader who is not afraid of working through precise facts to get at them. We see the brilliant procession of all the *Arti* to do homage to the new Doge 'in 1310,

in the middle of the month of the cherries'—which may remind some readers of the social license hinted at 'in cherry-time' by a gossip in *Piers Plowman*, and of the wistful old English line 'our life is but a cherry-fair.' Very interesting, again, is the tale of the Ducal election of 1311. Among the forty-one patricians chosen as electors by successive ballots, and then strictly enclosed in the palace hall under oath to vote for the man who should appear 'most catholic and best,' some at least happened to look out of the window, and took what they saw as a providential hint. Marino Giorgi 'was seen to pass through the court of the palace going towards Castello, and was made Doge.' A later chronicler adds that he was seen passing with a sack of bread to distribute to poor prisoners. 'He was called the Saint, so good and catholic a person was he; and he was rich'; moreover, he lived but a short time to justify or belie the electors' hopes. But the authorities promptly decreed that all openings towards the street should be blocked up during future elections, lest the palace court should be crowded with too visibly charitable candidates for Ducal honours.

Mr. Hodgson need not have queried his interpretation of 'Cistellum' as 'Cîteaux' (p. 98): there are French forms *Cistiaus* and *Cisteus* which point definitely to the existence of such a Latin cognate. Again, there is no reason for supposing Gillott to have been an Englishman (p. 317); the name was common in many countries during the Middle Ages. The quotation on p. 157, in which Mr. Hodgson rightly suspects corruption of the text, would be distinctly improved by reading the perfect tense *colaphisaverunt*, for the unintelligible *colaphis erunt* printed in Pertz. But these are very small things, and we congratulate Mr. Hodgson on having added much to our real knowledge of Venetian history. If there is madness in his slow and conscientious method (as indolent reviewers of the first volume seem to have thought) then we can only wish that he may bite one or two antiquaries of the sentimental school, who give us more smooth words than trustworthy references.

G. G. COULTON.

THE LORD CHANCELLORS OF SCOTLAND. By Samuel Cowan. Vol. I, pp. ix, 307; Vol. II, pp. viii, 299. W. & A. K. Johnston, Edinburgh and London. 1911.

MR. COWAN'S opening advertisement of 'scientific research' suggests reflections which are fully borne out by what follows. In the 'fairly accurate' Kalendar of the Lord Chancellors no place is found for the Thomas Charteris who was Chancellor in 1288-1290. Sir Thomas Charteris held office two years before the date given. James, Duke of Ross, became Chancellor in 1502 not in 1501, and having died in January 1503, could not have occupied the place in 1504. For these facts one need go no further than the *Exchequer Rolls* and *Treasurer's Accounts*. It was no part of the Chancellor's duties to preside either at a General Assembly or in the Court of High Commission (i. p. 12). Surely so much is obvious. On Bishop Bernard of Arbroath the remark runs that 'it is recorded' he wrote a poem on Bannockburn, and the reference is to the *Dictionary of National Biography* (i. 156). The source is the

Scotichronicon, where part of the poem is given. An account of the affair at Lauder Bridge is paraphrased from Pitscottie, with the usual error that Hommyl was hanged on that occasion (i. 239).

Similarly inadequate is the account of Mary of Guise's intentions as to the Scottish fortresses. Huntly was not present at the Parliament of 1560 (ii. p. 37); he was absent, sick. At Craigmillar it was not the nobles who asked Mary 'to agree to a divorce from her husband,' which she refused (ii. p. 81); the suggestion was her own, the dissuasion came from the nobles. The remark of Chancellor Seafield on touching the Act of Union is misquoted in the usual popular fashion (ii. p. 282). These few commonplace things are selected to exemplify broadly the author's general methods. A further contribution is 'Alan, Bishop of Dumfries' (!) (i. 148) as a transformation of 'Alan de Dunfres, Parson of Dunbarton,' which again illustrates the way in which Crawford's *Officers of State* has been put to scantily acknowledged use. Many pages are but abbreviations of that text; p. 178 in volume i. exhibiting in a curious way the dangers of mechanical compression. Another stand-by is Gordon's *Scotichronicon*, 'a work which possesses some authority' by 'a well-informed writer.' Mr. Cowan succeeds in disproving his own initial postulate: a work like this can be produced on much easier terms than he assumes.

W. M. MACKENZIE.

ETYMOLOGISK ORDBOG OVER DET NORRÖNE SPROG PÅ SHETLAND, af Jakob Jakobsen. II. Hefte. Copenhagen. 1909.

THIS is the second volume of Dr. Jakobsen's exhaustive dictionary of Norse words, or of kindred equivalents of Norse words, which he has found still preserved in the old Norwegian colony of the Shetland Isles. The place-names of Norse origin in Shetland had engaged the attention of Professor Munch of Christiania so far back as in 1838 in the *Samlinger til det Norske Folks Sprog og Historie*, and in a publication by him at a later date (1857); but, with the exception of a few minor attempts by native enquirers, notably the *Etymological Glossary of the Shetland and Orkney Dialect*, by Thomas Edmonston of Bunes (1866), and by scholars in Denmark and Norway, this is the only scientific and comprehensive grappling with the subject of the survival of the Norse language and idiom in the islands since that time.

Dr. Jakobsen, a native of the neighbouring isles of Faroe, which inherited the same language and traditions from Norway as did Shetland, is eminently qualified for such an investigation, and he has pursued it for years with assiduous and enthusiastic personal effort, in the islands in the first instance. The result is the important work now before us, in which a vast number of words, it is understood not less than 10,000 in all, common at one time, but many of them now known only to some of the older inhabitants, are rescued from oblivion and carefully explained, with examples of their use in expressive and often amusing colloquial illustrations.

The present portion comprises from *Gopn* to *Liver*; and the work can be commended as the most learned and successful effort ever made, or ever likely to be made, for the preservation of a knowledge of the old language of the

northern isles. Issued in the Danish language, and primarily for Scandinavian students, its use is limited to a restricted area of scholarship, but its intrinsic value as a contribution to northern philology is none the less on that account.

It is fortunate that the means exist in Denmark, by way of a special fund, for the production of such a work; and it is interesting to students on this side to see that competent men are ready to undertake such work, among whom may be named, besides Dr. Jakobsen, Professors Haegstad and Daae of Christiania, whose important contributions on the language and history of the islands are too little known. The elucidation by the former of these scholars, published in 1900, of the Hildina ballad (*Hildina kvadet*), which lingered in the island of Foula till late in the eighteenth century, is of quite exceptional interest. It is to be regretted that investigations in the same direction in our own country have been so fitful and so single-handed. The concluding volumes of Dr. Jakobsen's *Ordbog* will be anxiously waited for.

GILBERT GOUDIE.

A SCOTS DIALECT DICTIONARY. Comprising the words in use from the latter part of the Seventeenth Century to the present day. Compiled by Alexander Warrack, M.A. Pp. xxiii, 717. With Map. Demy 8vo. Edinburgh: W. & R. Chambers, Ltd. 1911. 7s. 6d. nett.

THE aim of this book is to give a vocabulary of distinctively Scottish words in use from about 1650 to the present day. It does not profess to specify the localities in which particular words are used nor to give etymologies or pronunciations, but general information on these points is supplied in an introduction. This contains a short history of the language, showing its English origin and how it was influenced by the political relations of Scotland with France and England, and by English literature, especially the authorised version of the Bible. The separation into dialects is noted, and a map shows the chief geographical dialect divisions of the lowlands. There are also general rules for the pronunciation of Scottish words. Finally the introduction records the present state of studies in the language and the efforts which are being made to collect and preserve further words and meanings.

The vocabulary of words is very extensive. In addition to words in ordinary literary use, the book also contains legal and economic terms of a technical character, such as 'interlocutor,' 'run-rig,' 'kindlie tenant.' The scope of the work does not permit the inclusion of words which did not continue in use after the sixteenth century, but for the modern period it will be found a most convenient book of reference.

A. CUNNINGHAM.

THE BOOK OF THE OLD EDINBURGH CLUB. Vol. II. Pp. xvi, 246, 26. With 58 Illustrations. Edinburgh: Printed by T. & A. Constable for the Members of the Club. Issued 1910.

THE Old Edinburgh Club began its career with a successful first volume, but the second more than fulfils the promise then held out. The first and

most important paper in the volume is Mr. W. B. Laikie's charming description of Edinburgh at the time of the occupation of Prince Charles. It is a vivid picture of the city, its people, and their customs in 1745. The temptation to stray into the many attractive by-paths, by which such a subject is surrounded, has been resisted, but no side of Edinburgh life has been omitted in this entertaining and scholarly contribution to history. Other articles in the volume include two valuable papers by Mr. W. Moir Bryce on the 'Flodden Wall of Edinburgh' and the 'Covenanters' Prison in the Inner Grey-Friars' Yard, Edinburgh'; 'The Cannon-Ball House,' by Mr. Bruce J. Home; another instalment of Mr. John Geddie's paper on the 'Sculptured Stones of Edinburgh'; and an amusing account of 'An Eighteenth Century Edinburgh Betting Club.' The volume is well illustrated.

Local historical clubs have many opportunities of doing useful work, but we have not seen any such publications which have more successfully fulfilled the true objects of such clubs, than the first and second volumes of the Old Edinburgh Club.

IRISH NATIONALITY. By ALICE STOPFORD GREEN. Pp. 256. Fcap. 8vo. Williams & Norgate. 1911. 1s.

MRS. GREEN'S new volume is full of interest. It sketches the history of Irish social life, commerce, literature, art, and politics for the last two thousand years. Necessarily it is only an outline of the subject, but here and there we have brilliant pictures filling in details.

Writing of Irish art in the first six centuries, Mrs. Green says: 'The gold and enamel work of the Irish craftsmen has never been surpassed, and in writing and illumination they went beyond the imperial artists of Constantinople.' Of their church at the same period, 'there was scarcely a boundary felt between the divine country and the earthly, so entirely was the spiritual life commingled with the national.'

Of their literature, Mrs. Green writes: 'Probably in the seventh and eighth centuries no one in Western Europe spoke Greek who was not Irish or taught by an Irishman.' 'For the first time also Ireland became known to Englishmen. Fleets of ships bore students and pilgrims, who forsook their native land for the sake of divine studies. The Irish most willingly received them all, supplying to them without charge food and books and teaching, welcoming them in every school from Derry to Lismore.' 'Every English missionary from the seventh to the ninth century had been trained under Irish teachers or had been for years in Ireland, enveloped by the ardour of their fiery enthusiasm'; and later 'the Irish clergy still remained unequalled in culture, even in Italy. One of them in 868 was the most learned of the Latinists of all Europe.'

Happiness seemed to lie before the land, but all this fair prospect was ruined by the later work of the English. 'We may ask whether in the history of the world there was cast out of any country such genius, learning, and industry, as the English flung, as it were, into the sea.' 'The great object of the government was to destroy the whole tradition,

wipe out the Gaelic memories, and begin a new English life.' 'At a prodigious price, at inconceivable cost of human woe, the purging of the soil from the Irish race was begun.' 'Torturers and hangmen went out with the soldiers. There was no protection for any soul: the old, the sick, infants, women, scholars.' 'Slave-dealers were let loose over the country, and the Bristol merchants did good business.' These wrongs and misfortunes of an earlier day were continued in the last century, for 'in the whole of Irish history no time brought such calamity to Ireland as the Victorian age.'

Of the Home Rule question Mrs. Green says: 'Earl Gerald of Desmond led a demand for home rule in 1341,' and from that time till now the people of Ireland have never ceased to 'claim a government of their own in their native land.' 'Ever since Irish members helped to carry the Reform Acts, they have been on the side of liberty, humanity, peace, and justice. They have been the most steadfast believers in constitutional law against privilege, and its most unswerving defenders. At Westminster they have always stood for human rights, as nobler even than rights of property.'

We have formerly, in dealing with Irish history, stated that neither our standpoint nor our interpretation of history is the same as Mrs. Green's. The above quotations are intended to show her point of view, but we would advise all readers to study the book for themselves. Whether they may agree or not agree with what they read, they will find that the volume, like all that Mrs. Green writes, deserves the most careful consideration.

THE AMERICAN COMMONWEALTH. By James Bryce. New edition, in two volumes. Vol. I. pp. xiii, 742; Vol. II. pp. vii, 960. Demy 8vo. New York: The Macmillan Co. 1910. 21s. nett.

MUCH has been written about the United States since the first preface to the first edition of this book was written in 1888, and still more has happened than could be chronicled. Yet, in spite of careful revision, the addition of some notes and four new chapters, and the substitution of a new chapter by Mr. Seth Low for his earlier chapter on Municipal Government, the book is the same. The important fact is that Mr. Bryce, with all his new and intimate experiences, finds no reason to change his earlier attitude of confidence. Under the impulse of the same traditions and institutions, the people and government of the United States are gradually dealing with new problems. 'The reserve of force and patriotism' is more than sufficient to sweep away all the evils which are now tolerated. The type remains the same (cf. ii. 488).

No book of such importance has been so free from 'that attitude of impartial cynicism which sours and perverts the historical mind as much as prejudice itself' (i. 7). Mr. Bryce writes as one of the great school of Anglo-American jurists, whose studies in the slow and stately evolution of the Common Law have imparted a quality of certainty to their work which is as imperturbable as optimism. This quality gives strength to

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Anglo-American politics, and is the despair of foreign critics. The emancipated, (Mr. Henry James, for example,) find in it an inexhaustible source of interest. Without pessimism they wonder whether this spirit of safety, running through two thousand pages, is justified. Are these carefully balanced summaries and judgments really true? How will they look in the light of other work? In the great universities—and the Political Science Faculty of Columbia deserves honourable mention—the analysis of state institutions, state law and custom is going on as in a laboratory. Social observers are building their observations upon the scientific study of geographical and economic fact with a precision not to be found in Mr. Bryce's generalisations. For example, in his interesting chapter on Woman Suffrage (ii. 600-613) Mr. Bryce does not disentangle the broad difference between East and West, and the effect of the almost absolute social equality of the sexes in the Western States upon political ambition. His rather confusing note upon the legislation regarding Primaries (ii. 89) does not mention La Follette, the governor of Wisconsin, and the National Association which is agitating for the direct preparatory election.¹ The subject is merged in a general discussion; the sharp, personal, non-juristic motive is missed. Yet when all is told, or told as fully as it can ever be told, we think that Mr. Bryce will be justified: the innumerable crudities of American life may, after all, reproduce in the result something of the old Bostonian flavour.

In the meanwhile, his book stands for a tradition; it is a great corrective, like an old guildhall in a chattering market-place.

THE ARCHBISHOPS OF ST. ANDREWS. Vol. III. By John Herkless and Robert Kerr Hannay. Pp. viii, 270. Edinburgh: William Blackwood & Sons. 1910. 7s. 6d. nett.

JAMES BEATON, the sixth archbishop, has this volume all to himself, and the features of its predecessors, which Bishop Dowden marked with discriminating praise, continue to display themselves in this. The same painstaking assemblage of detail in the biography, the same use of the *Formulare*, and the same patient exposition of the political outlook characterise this biography of a prelate as worldly as any occupant of the see, and certainly less the favourite of fortune than some.

Upon the occupant of the see from 1523 until 1539 there devolved a historic responsibility for the course of ecclesiastic evolution which is of the gravest character, and from which it is vain to attempt to dissociate the individual influence. Beaton lives as inquisitor; as such he met with his contemporary John Major's praise of the *herba Betonia*; as such he faces the more critical verdict of posterity, which for three and a half centuries has made but grudging allowance for the tremendous cogency of the canonised tradition and administrative system. His biographers soberly acknowledge his excuses; for his patriotism and his national policy of French alliance to ward off the designs of Henry VIII. they ascribe to his early

¹ Cf. E. C. Meyer, *Wahlamt und Vorwahl in der Vereinigten Staaten von Nord Amerika* (Leipzig, 1908).

chancellorship the honours of vital success, achieved by 'steadfast purpose and incorruptible devotion,' notwithstanding a king who loved him little, and a dowager and court that loved him less, and used him and imprisoned him by turns. His reputation for profound intrigue matched him with Wolsey, but the times he lived through were enough to tax his diplomacy to its extreme.

Legend grows fast about some men : this is the archbishop whose 'clattering conscience,' unsuspected of legend, has long stood among historic proverbs, but that story too is now under challenge, and Pitscottie's breezy narrative of the whole 'Clenze calsay' episode stands in need of a vindicator. A useful revise is given of the Latin text of a citation relative to the 'heresy' of Patrick Hamilton.

TRANSACTIONS OF THE GAELIC SOCIETY OF INVERNESS. Volume xxvi, 1904-7. Pp. xix, 518. Demy 8vo. Inverness Gaelic Society of Inverness. 1910.

THE Jacobite movements of the eighteenth century are the episodes in Highland history which always command the most widespread interest, and the present volume brings forward some new papers dealing with these events. The most interesting is a translation from the French of the log of the 'Dutillet,' or 'Doutelle,' the ship which brought Prince Charles Edward to Scotland in 1745. This authority differs in some minor points from the account given in the *Lyon in Mourning*. An interesting paper relative to 1715 is a record by John Cameron of Lochiel of his own share in the rising ; this clearly brings out the difficulties in which he was on account of the proximity of Fort-William and the failure of the Campbells of Lochnell to come out. The Camerons' experience at Sheriffmuir graphically illustrates the confusion of the Highland army under Mar's incompetent leadership.

Two papers dealing with ancient times discuss the civilisation of the Britons before the Roman conquest, and give an account of the deities of Celtic peoples. A number of old Highland legends and traditions are also recorded. Of a more purely historical character are some notes upon Kiltarlity families, and on the religious and economic condition of Sutherland in the eighteenth century. There is also an account of the Glengarry Fencible Regiment.

The more immediate purpose of the Society in the study and preservation of Gaelic is well served by the printing of several collections of Gaelic poems, and of a MS. treatise on penitence from the old Benedictine college at Ratisbon. The peculiarities of the Gaelic of Lewis are also the subject of notice.

ABERDEEN STREET NAMES : THEIR HISTORY, MEANING, AND PERSONAL ASSOCIATIONS. By G. M. Fraser. Pp. 164. With eighteen Illustrations. Post 8vo. Aberdeen : William Smith & Sons. 1911. 3s. 6d. nett.

THE origin and meaning of the place-names of Scotland have been the subject of a number of books in recent years, but the study of street nomen-

clature has received very little attention. Mr. Fraser's book shows how interesting and instructive this subject can be made.

The first chapter deals with the origin of street names in Scottish towns, explaining why Castlegates, Cowgates, Vennels, etc., occur in most of the older burghs, and mentioning that the formal naming of streets is comparatively recent—in Aberdeen dating from the middle of the eighteenth century. The succeeding chapters discuss such interesting topics as 'The French element in Aberdeen Street Names, 'The Guestrow'—a corruption of 'Ghaistrow,' so called on account of its proximity to St. Nicholas Churchyard, and 'Kittybrewster,' a word found in almost its present form as early as 1615.

The streets of the West End, though mostly new, are not without historical associations. Carden Place derives its name from a well near by, which was formerly one of the sources of the Aberdeen water supply, and which was visited in 1552 by the famous Italian physician, Jerome Cardan, who came to Scotland to cure John Hamilton, the last Roman Catholic Archbishop of St. Andrews. It is amusing to read that when Gladstone Place and Beaconsfield Place were laid out simultaneously, Conservatives refused to reside in the one, while Liberals would not take feus in the other. About twenty illustrations from photographs and sketches add to the value of the book.

OLD ROSS-SHIRE AND SCOTLAND: Supplementary Volume. By W. MacGill, B.A. (Lond.) Pp. vii, 145. Royal 8vo. Inverness: The Northern Counties Publishing Company, Ltd. 1911.

THE earlier volume of documents, to which this is a supplement, was reviewed at length in these columns January, 1910, pp. 177-9, and the present one continues the notes of excellence there characterised. Some more Balnagown papers add to the details of family history, and illustrate the local attitude during the great times between the Covenant and the Revolution. A batch of Lowland documents (Lanark, Edinburgh, etc.) intervene for reasons which Mr. MacGill might have made clearer. But the main interest of the volume centres on the seventeenth and eighteenth century records of the Baron Courts of Balnagown and the Burgh Books of Tain, which furnish so much material for a reconstruction of local life in its more intimate aspects. There is an interesting note on the vexed question of ancient valuations (pp. 66-7), and, to wind up with (pp. 134-6), a carefully detailed claim for Tain as 'the oldest burgh in Scotland,' a conclusion patriotic but scarcely plausible. Burghs existed before formal charter recognition. Mr. MacGill is to be congratulated on his finished work, and Tain and Ross-shire upon a remarkable contribution to local history.

SECOND REPORT AND INVENTORY OF MONUMENTS AND CONSTRUCTIONS IN THE COUNTY OF SUTHERLAND. La. 8vo. Pp. xlvi, 195. Edinburgh: H.M. Stationery Office. 1911. Price 6s.

DIRECTLY attributing this remarkable catalogue to Mr. A. O. Curle, the report of the Royal Commissioners on ancient and historical monuments

prefaces his work with an account of the method adopted by their Secretary in the survey he made, and the instructive inventory he has compiled. No argument is needed to convince the reader about the amount of personal exertion involved in the task of dealing with monuments, 548 in number, scattered over a large county with huge areas of almost inaccessible waste, for the most part mountainous. Its archaeology is dominantly of northern types: there are 67 brochs; hut-circles and earth-houses are the most numerous class of remains; cairns and mounds are largely represented; standing-stones are almost as few as stone circles; not one specific *motte* is recorded. On the origin and affinities of the Celtic races the report offers no light; the broch we know reveals Celtic influence and the impress of late Celtic art; singularly enough no one structure is accredited to the Norsemen. Scandinavian influence, except in the blood of the inhabitants and the place-names of the county, is denied in the structural effects of three centuries of historical Norse occupation. These are bold and far inferences, and the conclusion that the Celtic predominance was so slightly interrupted and so complete after the Norse raids were over is one that invites challenge. To say that no construction has been found 'whose origin or occupation is assignable to these invaders' is probably an over-statement of the case, until exhaustive digging settles it. In any case the proposition will be all the better of a note of interrogation.

As regards the descriptions of the structures it need only be said that they are, with the accompanying occasional ground plans and photographs of typical remains, models of compressed characterisation. At the end there are inset three large folding maps reduced to the half-inch scale from the Ordnance Survey and converted by an ingenious system of red and green ink additions into an excellent antiquarian chart of the vast territory of the shire.

Such work as this will make the Royal Commission an epoch in systematic archaeology.

THE PERSIAN REVOLUTION OF 1905-1909. By Edward G. Browne, M.A., M.B., F.B.A. Pp. xxvi, 470. With many Illustrations. Demy 8vo. Cambridge: University Press. 1910. 10s. nett.

REVOLUTIONS and the causes which, openly or secretly, lead to them are always the most complex phases of a nation's history. It is particularly difficult for a foreigner to understand them, and in the case of an Oriental state they are complicated further by the differences of the religion and thought, and particularly, in the case of Persia, by an exotic system of nomenclature. Notwithstanding these hard facts before him, Professor Browne has attempted to show his readers the chief causes and events of the Persian Revolution of 1905-1909. The causes were of course many, some patent some latent. They included the Panislamic Wave, National Rivalry between the British and the Russians, the Tobacco Concession (1890) and the subsequent riots until its withdrawal. The assassination of Naseru'd Din Sháh in May 1896, and the accession of his son Muza'ffaru'd Din Sháh who loved foreign travel though it cost his subjects £240 a day when he was in Paris, added fuel to the flame. A second Russian

loan was raised and new tariffs imposed. Rioting began and petitions for reform were presented in April 1906. The idea of 'Reform' grew and filled the air, the priests, for once, finding themselves on the side of the reformers. A constitution was granted and the election of the first majlis (laughed at by the British press) commenced. Journalism quickened with the tumult, and the constitution was signed a week before the Shah's death in January 1907. The national assembly had to face the hostility of the new Shah backed by Russian support open and secret, and a reactionary movement. An abortive *coup d'État* was attempted in December 1907, but riots continued and another bloody *coup d'État* (23rd June, 1908) for a time quieted matters, the Russian in the Shah's service, Liakhoff, seeming to be supreme. Insurrection and rioting continued, and when later the Nationalists entered Tíhrán, the new Shah, Muhammad 'Ali Mirza, fled to the Russian Legation, his little son Ahmad was placed on the vacant throne and the second majlis convoked on 15th November. The author strives against the persistent British belief that the government of the Constitutionalists is a 'Comic Opera Government,' and thinks the movement that called it into being was a national struggle for existence. He has put his facts and narratives into a form valuable to students who will read his somewhat bewildering book in spite of its many difficulties.

The *History of Kirkintilloch* by Select Contributors (*Kirkintilloch Herald* Office, 3s. 6d. net) amplifies but slightly the parochial history given by Watson in his *Kirkintilloch Town and Parish* (J. Smith & Sons, 1894). It is free from the gossip into which the older volume frequently lapses, and it is marked—especially in the essays under Mr. T. Dalrymple Duncan's name—by an obvious historical equipment. But there is frequent overlapping and repetition, and no continuous thread binds the various essays together; important periods in the history of the parish are almost completely overlooked while valuable space is devoted to unimportant details. From Pastor Horne's monograph on the general expansion of the town we learn that so late as 1720, the Kirk-Session was investigating charges against individuals of buying and selling wives 'for a month.' Mr. T. Dalrymple Duncan makes a scholarly presentation of the results of recent archaeological research, showing that the Peel dominating Kirkintilloch, is as it stands, not Roman but feudal. Originally trenched by Agricola and reconstructed by Lollius Urbicus, A.D. 143, it became in the early years of the twelfth century the site of a stronghold of the powerful Comyn family; and razed to the ground by the Bruce after the War of Independence, its stones were finally quarried for the walls of the eighteenth century built Parish Church, and for neighbouring dykes. Mr. Andrew Stewart, *clarum et venerabile nomen*, and the late Dr. Whitelaw are respectively responsible for painstaking contributions on Scholastic history and literary remains.

THOMAS JOHNSTON.

Un Cavalier Léger. Le Colonel Clère, 1791-1866. Par Alfred Marquiset. (Pp. 63. Paris: Honoré Champion, 1911.) A huzzar whose service began in 1807, who fought in Holland, in the Peninsular War, and at Waterloo,

and who, so late as 1846, saw good service in Africa, Pierre-Gaspard Clère merited his memoir. His adventures were not few, and some of them, in his youth, characteristic of 'une gauloiserie bien soldatesque' in the homage of Mars to Venus, are recorded in his own notes. His description of exploits by Cossacks in 1813 is a lively and curious tribute to their horsemanship. In that year Clère was made sub-lieutenant. 'Toute epaulette,' says his kinsman-biographer, 'doit être arrosée,' and his was graced by the gallant rescue of his general, still memorialised by the silver-mounted 'pipe of honour,' which the grateful general inscribed and gave.

A well-timed publication is *The Statutes of the Faculty of Arts and the Faculty of Theology at the Period of the Reformation*, at the University of St. Andrews, edited with an introduction and notes by Robert Kerr Hannay (8vo, pp. 135. St. Andrews: W. C. Henderson & Son, 1910). It quotes not only the chief early arts statutes, dated 1416, but also the theology statutes of 1560 as well as the arts statutes of 1561-2 and 1570. Besides, the introduction is an excellently clear editorial notice and exposition, and an apt and serviceable essay on university education, method and government from the advent of the 'grammar student,' until the much longed for 'dies aule' when the Chancellor dubbed him 'Magister' by setting the 'birretum' on his head.

The Fortunes of Nigel, edited, with introduction, notes and glossary, by Stanley V. Makower (8vo. Pp. xii, 640. Oxford Clarendon Press, 1911. Price, 2s.), must be welcomed by others than quite young students for its full annotations, even if, as remarked of previous volumes in this series of the Waverley novels, it seems a trifle oppressive to explain the scriptural allusions. Notes and glossary alike reveal the extraordinary width and adroitness of Scott's citations and phrases, and show with how much learning a great master's imagination set itself to play. Mr. Makower has on the whole been happy in his task of equipping a classic for what will soon be its second century.

British Museum Bible Exhibition, 1911. Guide to the Manuscripts and Printed Books. Exhibited in celebration of the Tercentenary of the Authorized Version. Printed by Order of the Trustees. 1911. 4to. Pp. 64, with 8 plates. Price, 6d.

Our English Bible. The History of its Development. By Rev. J. O. Bevan. 8vo. Pp. xiii, 93. London: George Allen & Sons. Price, 6d.

Glasgow University Library. Catalogue of an Exhibition of Bibles in commemoration of the Tercentenary of the Authorised Version, 1611-1911, with a prefatory sketch and notes by George Milligan, D.D. Pp. 39. Glasgow: MacLehose. 1911. Price, 3d.

The tercentenary has left an abundant tide-mark in reprints, studies, and minor bibliographies. *The British Museum Guide* has excellent plates of the MS. Lindisfarne Gospels and the Wyclifite Bible, and of early printed versions—Tyndale's New Testament 1525, Coverdale's Bible 1535, and the Great Bible of 1541, while for frontispiece we have the ornate title-page

of the first edition of the version of 1611. Among the documents enumerated is a draft Act of Elizabeth 'for the reducing of diversities of Bibles now extant in the Englishe tongue to one setled vulgar translated from the originall.'

Mr. Bevan's popular sketch concludes with a handy synopsis of dates and a list of archaic words. Professor Milligan equips the hundred or so of books exhibited in Glasgow—including a number printed in Scotland—with a short and clear historical introduction.

South Africa being now well within holiday range for the favoured few, we are not surprised to receive a *Guide to Khami Ruins near Bulawayo*, by R. N. Hall. (8vo. Pp. 83. Bulawayo: Philpott & Collins. 1910. Price, 2s.) Numerous plans of the ruins and photographs of the ancient masonry supply material to check Mr. Hall's conclusions regarding the various structures and their connection with pre-Islamite, Persian and Portuguese mining operations.

The troop of serial Viking Club publications includes the *Old Lore Miscellany* for April, which has good descriptions and illustrations of old Orkney farmhouses, and a valuable letter from Rev. Alex. Pope, translator of Torfæus, dated 1763, and stoutly corroborating the verity of the Ossianic remains. A fasciculus of *Caithness and Sutherland Records* (vol. i. part v.) consists of documents from 1276 to 1342.

The Berks, Bucks, and Oxon Archaeological Journal for January describes Berkshire churches and begins a history of Bisham Abbey, an Augustine priory founded in 1336. Its foundation stone, laid by Edward III., was covered with a brass incidentally commemorating the battle of Halidon Hill (see *S.H.R.* ii. 483). Epitaphs, fines and entries from parish registers diversify the number which contains a note on trials for riot in Harley village in 1340 and 1342. One of the judges was 'William de Shareshull' (the 'Scharshull' of an alliterative poem) not yet Chief Justice.

In the issue for April some extracts are printed from the Churchwardens' Accounts of St. Margaret's Church, Westminster. Amongst them is this: '1586, Item, paid for ringing at the beheading of the Queen of Scots.' As regards the date, of course, February 1586-7 was by the then current computation 1586.

In *Somerset and Dorset Notes and Queries* (Dec.) we remark an account of a Memorial unveiled last year to that English worthy, Thomas Fuller, D.D.; also a curious MS. description of Somerton in 1579.

The *Ulster Journal of Archaeology* continues to enjoy a vigorous life. To judge from the 150 odd pages that go to make up the part now before us (vol. xvi. Feb.—Nov., 1910), the interests of contributors and readers are historical rather than archaeological. The story of Ulster is so recent, and the cleavage of parties there so acute, that the temptation to prejudice is unduly severe. It is therefore particularly pleasant to acknowledge the impartial spirit of the *Journal*, and to note the evidence which it affords of

the existence of a strong body of serious opinion prepared to encourage every honest endeavour to ascertain fundamental facts and put them duly on record. Several of the articles touch on points in which Scotsmen are concerned, notably the full and complete account of the Battle of Benburb.

The Proceedings during the year 1910 of the Somersetshire Archaeological Natural History Society (3rd series, vol. xvi.), besides reports and addresses, contains Mr. St. George Gray's paper on archaeological remains at Ham Hill, with illustrations (including the scales of a Roman *lorica*) of numerous capital finds from the stone age downwards. Mr. A. Bulleid and Mr. Gray together describe the lake village at Meare, three miles west of that at Glastonbury. Articles of bronze exceed those of iron, but tools of bone (including 21 weaving combs) are most numerous of all. A date from 200 B.C. is definitely suggested. Mr. J. H. Spencer gives an architectural account of Taunton Castle with plans and mouldings, while Mr. F. B. Bond does the like for Glastonbury Abbey.

Documentary study is well represented by the Rev. J. F. Chanter's translation of the Court Rolls of the Manor of Curry Rivel during the Black Death, 1348-49. This admirable examination shows the deaths of 63 tenants out of an estimated total of 150, between October, 1348, and March, 1349—a death-rate of two-fifths of the population in six months. There is wisdom in his hint that the much higher mortality alleged for other places by Dr. Jessop and Dom Gasquet, may probably be an over-estimate. Always, one may make a proverb of it, the miracle grows less.

In the *Modern Languages Review* (April), Prof. Grierson of Aberdeen edits and discusses, with fresh MS. sources, a curious poem, *The World's a bubble*, by Bacon. It was adapted directly or indirectly from a Greek epigram, and Prof. Grierson makes it the key to an interesting poetical correspondence between Bacon, Donne, and Sir Henry Wotton. The poet Drummond's sources continue to receive attention. Dr. Kastner now shows much subtlety, not to say insidious transference of phrase and idea from Sir Philip Sidney. It was a fashion, and not of that age only; Mr. H. Littledale tracks in Spenser (*Amoretti*, xv.) the clearest of debts to Desportes; M. Berthon similarly tracks Suckling's *Proffered Love Rejected* to a poem assigned to Desportes; and Mr. J. L. Lowes is only a little less convincing in his proposition that in *L'Allegro* a fine passage, descriptive of a morning walk, with a hunt and a ploughed field, owed both inspiration and music to five and twenty lines of charming lyric in Nicholas Breton's *Passionate Shepherd*. Our contemporary literary quarterly is rendering distinguished service to scientific criticism.

The Maryland Historical Society, incorporated 1843, publishes quarterly the *Maryland Historical Magazine*. In the December number is a note of the last death in battle in the War of American Independence. In November, 1872, Captain William Wilmot in an enterprise against James Island, Charleston, made by suggestion of Kosciuszko, then serving with him under Washington, was shot,—‘the last bloodshed in the American War.’ He had made his will in June, 1781. ‘Being at this time called

to the defence of my Country,' as he says, he bequeathes various tracts of land and other legacies, among which is that to his brother Robert of 'one negro boy named Will and also one negro Woman named Judah, she and her Increase.' The last phrase reminds us of the medieval *sequela* for the offspring of the serf. Memories of later warfare appear also in a series of extracts from a Federalist surgeon's diary during the earlier campaigns of the Army of the Potomac in 1861-62. A paper on Quit Rent in Maryland has the double interest of studying colonial economics and feudalism overseas. Lord Baltimore under his charter was proprietor and his grants to settlers began in 1633, with rents of 20 lbs. wheat per 50 acres. In 1635 the rate was 2s. per 100 acres, reduced in 1641 to 1s., restored in 1649 to 2s., and finally fixed at 4s. from 1671, until the Revolution swept the institution away. Various schemes for commutation into a colonial tax were temporarily operative, including that of an export duty of 2s. per hogshead of tobacco in compensation for all quit-rents and alienation fines, but jealousies as to the advantage of the bargain prevented success. Modifications in the rent show adaptations to the situation. Chóptank Indians paid six beaver skins, and some other chiefs paid 24 bows and arrows yearly, and there was no friction. To settle the frontier between the Susquehanna and the Potomac, rents were waived for three years in 1733, and again in 1749 to encourage immigrants and erect a barrier against the French and the Indians beyond. Politically the occasion of minor grievances and economically a retarding factor, the quit-rent seems to have chiefly had the historical effect of keeping out intending settlers.

The March number of this periodical prints a secret letter of July, 1814, from Rear-Admiral Sir George Cockburn to Admiral Sir Alex. Cochrane, then commander-in-chief on the American Station, with a plan of attack on Washington by a landing at Benedict and a march thence.

The American Journal of Psychology (January) has a study by Mr. H. L. Hollingworth on the Psychology of Drowsiness. It is perhaps cheerful to find that one's lapse of interest can be scientifically accounted for, even if the technology be sesquipedalian. 'Hypnagogic hallucination,' however, should not be trifled with.

Professor Jacob H. Hollander has contributed to the Johns Hopkins University Studies a biographical and economic essay *David Ricardo, a Centenary Estimate* (8vo, pp. 137. Baltimore: Johns Hopkins Press, 1910. Price, \$1.00). It sketches the great economist's life, reviews his work, and attempts an appreciation of his influence. Much attention is paid to the share in the evolution, both of his theory of value and of his more general principles, due to his Jewish birth; his practical experience as a stockbroker; and his intimate relations with James Mill, Malthus, and M'Culloch. In form he would seem to have so far followed Rousseau in phrasemaking designed to impress by an arresting antithesis, primarily suggesting paradox, but really condensing theory into a series of epigrammatic tabloids. Professor Hollander attributes the successes of Ricardo to his business equipment, coupled with a persistent quest after universal laws or tendencies. His propositions, although 'enunciated in unsystematic

elliptical form,' remain 'the corner stone of economic science.' The estimate has the merits of clearness, balance, and sympathy. If the last quality is the most evident, there is abundant justification in the fact that Ricardo entered last year into his second century as a power in economics.

The American Historical Review (April), besides a survey of Russo-Japanese War literature, contains an account by Mr. R. B. Merriman of the Cortes of the various Spanish Kingdoms, cent. xiii-xvi, comparing their divergent powers and functions. Highly developed in Castile and Aragon the authority of the Cortes in Catalonia was even higher, and their theoretical restraints on the kings are as instructive as their legislative control. Mr. Carl Becker, estimating Walpole's *Memoirs*, suggests that Walpole, revising his manuscript in 1784 after the American War, altered his original standpoint and inserted new conclusions that the reign of George III. was primarily a struggle against the despotic tendencies of the crown.

Of the highest general interest is Miss Violet Barbour's paper on the 'Privateers and Pirates of the West Indies.' It is packed with facts on the exploits of the buccaneers, those desperate naval gentlemen whose name she in common with Carlyle and the *Oxford Dictionary* derives from *boucan*, the smoke-cured beef used by them in their expeditions. As a chapter in the wars of England and Spain, the story enters upon its great era only after Cromwell's capture of Jamaica by the expedition under Sir William Penn in 1655. The buccaneer colony of Tortuga, mainly French, was long the base for attacks on the Spanish shipping and settlements almost as deadly as those inflicted by the English terrors of the sea. Greatest of all exploits in that pirate-haunted ocean was Henry Morgan's feat in 1668, the sack of Portobello, which was, next to Panama and Carthagena, the most important town and market in Spanish America. Piracy, like border freebooting, was hard to put down and maintained itself in the West Indies till towards the close of the eighteenth century. Miss Barbour has dredged deep in state papers and narrative memoirs, and has brought to the surface no small treasure of lawless memories.

In the *Iowa Journal of History and Politics* (Jan.) is an interesting account of Lieutenant Albert M. Lea's reports on the Des Moines river, made in 1835, and on Wisconsin with reference to Iowa, made in 1836, after campaigns in which the young engineer took part. They give pioneer information on the virgin Iowa prairies. A painful story of the war of Secession is given by Gen. J. H. Stibbs in his article on 'Andersonville and the trial of Henry Wirz.' It describes the horrible treatment of federal prisoners in 1864-5 in the stockade built for them at Andersonville, Georgia. The general denounces Wirz, and maintains that his death sentence after a trial lasting fifty days was abundantly justified by his needless brutality, causing infinite suffering and the deaths of hundreds of men.

The Iowa Journal of History and Politics for April has a long article by K. W. Colgrove on the relations between the pioneers and the Indians from 1820, specially tracing the changing attitude of Congress towards the unresting westward movement of the United States frontier line until 1850

when it had reached far beyond the Mississippi. The policy, so well expressed by the Scottish phrase to 'birse yont,' was doubtless inevitable. Its course, as reflected in the records of the Legislature, parallels the expansion of British territory in India and South Africa.

The January number of the *Revue d'histoire ecclésiastique* opens with a concise and elaborately-documented article by Canon Callewaert on 'La méthode dans la recherche de la base juridique des premières persécutions,' in which the writer, after dealing with the three treatments which the subject has received at the hands of the schools represented by Mommsen, Le Blant and Allard, lays down the lines which he proposes to follow in a subsequent article. The articles which follow on 'Les premiers temps du christianisme en Suède,' by L. Bril, and 'La transformation du culte anglican sous Edouard VI.,' by G. Constant, are equally worthy of study, and are marked by sobriety and erudition. The latter article, which is of particular interest to students of English Church history, deals with the 'Order of Communion' of 1548 and the First Prayer-Book of Edward VI., and lays emphasis on the Lutheran influences which affected their compilers. Attention may be drawn to interesting reviews of Weber's 'Simony in the Christian Church,' the second volume of Allen's edition of the 'Letters of Erasmus,' and MacChaffrey's 'History of the Catholic Church in the Nineteenth Century.' The number closes with an invaluable Bibliography of recent works on church history.

In the *Bulletins de la Société des Antiquaires de l'Ouest* (Troisième série. Tome I. Octobre-Décembre, 1909) there is a study of the religious guilds, *frairies* or confraternities of trades of Poitiers by M. Rambaud. It will repay close examination, and a comparison with Scottish usage could hardly fail to yield profit. Most of the *frairies* are of relatively late origin, there being no document for any of them till the end of the fifteenth century. Their creation was under similar conditions to those here; it was a matter of local police, and the assent of the Maire and the Echevins was necessary to their constitution and to the statutes they proposed for themselves. These included regulations as to admission of apprentices and dues of various kinds, seldom or never omitting the offerings and celebrations due to the particular patron saints.

'The saints chosen,' says M. Rambaud, 'are little varied. The same one is often adopted by a group of similar corporations. Thus the Bakers, Pastrymen, and Restaurateurs celebrate the feast of St. Honoré. Goldsmiths, Farriers, Smiths, and Locksmiths, celebrate that of St. Eloi. Certain liberal professions have the same saints as those of the trades. The Advocates, like the Printers, honour St. John-Porte-Latine. The Faculty of Medicine along with the Painters and Glaziers prefers St. Luke. Then the learned University of Poitiers, on the same day as the Apothecaries, celebrates mass at the convent of the Cordeliers, in honour of St. Mary Magdalen. Once adopted the saint changes no more and remains almost always the same for each craft (*maîtrise*) not only at Poitiers but in all France.' He remarks that generally the churches chosen for their ceremonies and masses were the monasteries of the Friars Mendicant.

Change was infrequent, but occurred sometimes, as when in 1629 the Surgeons, being *la confrairie de Messieurs Saint Cosme et Saint Damien*, gave up the church of the Carmelites (with whom they had quarrelled), agreed to accept instead 'the office of the Jacobins,' and transferred their services to the church of the latter accordingly where they continued until the Revolution. M. Rambaud's researches merit being made a note of by the growing body of gild-students in our midst.

In tome II. (Janvier-Mars, 1910) General Papuchon sketches the origin and development of the Commune of La Puye formed *circa* 1102 as a convent of Fontevrist nuns, owning an extensive tract not far from Poitiers. The tenancies are described as invariably including a rental in fowls, which will surprise no student of medieval tenures, and about which the gallant general creates amusing difficulty by accounting for as peculiarly appropriate to feminine recipients. M. De la Croix describes explorations made at the abbey of Nouaillé, whither the relics of St. Junien were carried in A.D. 830. Much the most interesting discovery was that of the crypt found below the choir. It proved to be in form an eleventh century apse 8 m. 40 long; 5 m. 30 broad. Of the foundation for carrying the shrine, four flagstones (*carreaux*) remain—*restes de quatre piles sur lesquelles reposait la châsse de Saint Junien*. The *châsse* has the dimensions of a sarcophagus but is not one. It is not original, as it has the characteristics not of the sixth but of the ninth century, and M. De la Croix points out as singular the fact that it was not oriented, but had the head turned north and the foot south.

In the *Revue Historique* (Mars-Avril) M. G. Bloch commences a study of the Roman Plebs, with especial regard to the recent work of Prof. Julius Binder on the subject. He re-examines proposed explanations, the religious and the religious-political, to account for the ulterior developments in the ethnographic connection. His progress towards a formal enunciation of his own position carries him through many phases of legend, law, and worship, and gives promise of illuminating results. M. Saulnier discusses the proposal of Henry IV. to marry his famous mistress, Gabrielle d'Estrées, balked by her sudden death.

M. Valentin finds an entertaining subject in a literary vagabond at the end of the eighteenth century, viz. F. C. Laukhard, born 1758, son of a pastor in the Palatinate, died 1822, after the life of a rolling stone. He went first as a spy from the Germans to the French Army of the Rhine, then he threw in his lot with the French, and saw much of the movement of 1792-3, returning to Germany subsequently to write and drink with equal energy. His reminiscences are very interesting for the testimony they bear to the spirit of the Revolution. In sympathy with the Republic, he foretold the success of its arms, recognising from the first that the army only wanted a chief.

Communications and Replies

THE COURT OF LOVE. It is suggested (*S.H.R.* viii. 326) that a certain number of 'fifteenth century poems,' including *The Court of Love*, should be studied together, as being closely related.

I think it would be far simpler to put *The Court of Love* out of court at once. Beyond the fact that, coming last, the author could quote from anything preceding it, it does not really belong to the set at all. Its false grammar is not the same kind of false grammar as is found in the rest; and I deny that it belongs to the fifteenth century at all; nor is it Scottish.

I have stated the case against its early date in vol. vii. of my edition of *Chaucer and Chaucerian Pieces*; and I suggest there the high probability that it was inspired by the appearance of Thynne's edition of Chaucer's Works in 1532.

The case against its early date grows stronger with the appearance of every new part of the New English Dictionary. It was natural enough that the editors should at first put it as early as 'about 1450.' See, for example, the verb *bedrench*, whence the p.p. *bedreint*, noted as appearing in *The Court of Love*, l. 577. But it was soon discovered that this would never do, as it would credit the author with using words long before they were known to any one else. With regard to this very word, for example, the *second* instance of its use is in 1563, or more than a century later! Experience showed that this approximate date of 'about 1450' would have to be shifted down; and it steadily began to move accordingly, so that, by the time the N.E.D. arrived at the word *Linnet*, its supposed date was later by *eighty years*, which is a good deal. It is there marked as being 'about 1530,' remarkably near to my conjectural date of about 1533.

Where did the author of *The Court of Love* find the name of *Rosiall* for a young lady in l. 741? Either he invented it (which I doubt) or he simply copied from some one else. Now the earliest known quotation for it is duly given in the N.E.D. from Elyot's *Governour*, bk. ii. c. 12: 'the *rosiall* colour which was wont to be in his visage.' And what is the date of that? It is known to be 1531! Not merely so, but Elyot's form is incorrect, as the N.E.D. points out; it should have been *roseal*, with *e* before *a*, and only one *l*. But Elyot wrongly has *rosiall*, which is, accordingly, the very spelling in *The Court of Love*; and that, not only in l. 741, as above, but again, in ll. 767, 1019, 1327. There is thus strong proof that the date 'about 1530,' which has been suggested against all preconceived notions by the simple logic of necessity, should rather be

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'after 1531.' And, having got as far as that, I believe a time will come when the critics will accept, as still more likely, 'after 1532.'

Cambridge.

WALTER W. SKEAT.

ROBERT DE PREBENDA, BISHOP OF DUNBLANE. [Mr. William Brown, Secretary of the Surtees Society, has kindly communicated the following note regarding a thirteenth century Bishop of Dunblane, Robert 'de Prebenda' or 'de la Provendir' *circa* 1256-1283. His connection with Ruddington, near Nottingham, was known previously, but the abstract from MS. Assize Rolls of Nottinghamshire is particularly valuable for the definite data it supplies confirming very explicitly the conjecture of Thoroton, whose book was published in 1677, that Bishop Robert was a scion of the Ruddington family.]

Robert Thoroton's *Antiquities of Nottinghamshire* (Throsby's edition), i. 126. John, son of Sigerus de Clifton, remised to Richard, called Martell, of Rodington, lands 'sometime the bishop of Dunblane's. The witnesses, Sir John de Leke, Sir Geoffrey de Stapleford, Knts., Richard de Pavelli of Rodington, Henry Poutrell of Thurmeton, etc., in the time of Edward I. It is like the bishop was of this family and that Rodingtons were afterwards called Martells,¹ p. 127. A chantry was founded in Flawforth church, 37 H. 6, by William Babington, supposed to represent the Martells, and amongst the souls to be prayed for besides certain members of the Martell family was Mr. Robert Prebend, sometime bishop of Dunblane.

Assize Roll (Notts.), No. 671, m. 4. 'Morrow of St. Mary Magdalen, 15 E. 1 (23 July, 1287). An assize was taken to ascertain whether Robert son of Geoffrey, bishop of Dunblane (deceased), and others were seised in demesne as of fee in two messuages, etc., in Clyfton, Slapton, and Hokenale. He is also called Robert son of Geoffrey de Rotyngton, and was brother of Adam son of Geoffrey de Rotyngton. The bishop had a nephew, Richard Martel of Rutyngton, who on Thursday, the eve of St. James the Apostle, 15 Edw. I. (24 July, 1287), granted the manor of Hokenale Torkard, which he had received from his uncle, to Walter de Wynkeburne. The bishop also had property in Chyllewelle.'

Clifton, Slapton and Chilwell, like Ruddington, are to the south and south-west of Nottingham near the Trent. Hucknall-Torkard is about eight miles north of Nottingham. It belonged to Lord Byron who is buried in the church there.

WILLIAM BROWN.

JENNY CAMERON. I desire to discover as much as can be discovered about the famous Jenny Cameron of the '45, apart from the accounts in the catchpenny books called her *Life*, which were published after Culloden. That she existed is certain. That she was famous all over Britain is shown by a remark in *Tom Jones*. That she was popularly supposed to have a personal influence over Prince Charlie is demonstrated, *inter alia*, by the print of his head between portraits of herself and of Flora

¹ Autog. apud Clifton.

Jenny Cameron

MacDonald with the legend beneath the three :

‘How happy could I be with either
Were t’other dear charmer away.’

Bishop Forbes mentions her in *The Lyon in Mourning* as being, on the authority of Æneas MacDonald, brother of Kinlochmoidart, at the raising of Prince Charlie’s standard at Glenfinnan. He calls her ‘the famous Miss Jeanie Cameron (as she is commonly though very improperly called, for she is a widow nearer 50 than 40 years of age). . . . She was so far from accompanying the Prince’s army that she went off with the rest of the spectators, as soon as the army marched, neither did she ever follow the camp nor was ever with the Prince but in public when he had his court in Edinburgh.’ The printed *Lives* I discard just now except that they sometimes mention that she was of the Glendessera family. The details they give of her career are unworthy of belief. The rumour was, however, that she followed the Jacobite army, and fought both at Prestonpans and Culloden. The latter is impossible, as we know¹ that she was captured by the Hanoverian troops near Stirling early in February, 1746. She, called ‘Ye Lady,’ was brought thence and put in ward in the castle of Edinburgh until November, and then ‘upon her petition to the governor setting forth her bad state of health,’ she was admitted to bail upon 15th November. The next certain information we have of her hitherto was from the ‘intelligence sent to Col: Napier from Scotland about seven casks of money for the Rebels’² [circa March, 1749]. There we find ‘that one Samuel Cameron (brother to the above-mentioned Cameron of Gleneavis), major in the regiment which was Lochiel’s in the French service, was at Edinburgh, and came in a chaise with the famous Mrs. Jean Cameron to Stirling, where they parted, and she came to her house in Morvern about the middle of March, and he took some different route. It is supposed that he came over on a message with regard to that money. . . .’

I have been able to identify to what family this ‘famous Mrs. Jean Cameron’ belonged. I have kindly been permitted to examine the Manuscripts of Lord Justice Clerk Erskine (Tinwald),³ among whose papers are many pieces of ‘intelligence’ from the Highlands relating to the Jacobite ‘Rebels.’ One headed ‘Intelligence Dr. Cameron’ is undated, but runs, ‘That Doctor Cameron broy’ to the late Locheil attainted, and one Cameron, who in the year 1745 deserted from Captain Campbell of Inverawe his company, now an officer in the french service, were about the middle of 7 f^{re} last in Mrs. Jean Cameron, sister to Glendesery her house in Morvern, and from thence they went to Lawdale in that country, and by appointment met there with Alex: M’Lachlane aid de camp to the young Pretender in time of the late unnatural rebellion. Where the said Doctor told M’Lachlane that he, the Doctor, had not seen the person called by that party Prince Charles for four years past till harvest last. That the said Prince told the Doctor, then [and this is interesting also] that he had been in England and thrice at London within the preceding

¹ *Scots Magazine*.

² A. Lang’s *Companions of Pickle*, p. 138.

³ *The Erskine Murray Papers*.

twelve month, where he met with all encouragement, and that he was determined to make ane other Attempt to recover (as he terms it) his right. And further that he told the Doctor that 16,000 foreigners composed of Swedes, Prussians, Dens & French were engaged for that purpose. The Doctor added that the Swedes had already embarked or were soon to do it.'

This identifies Jenny Cameron as a sister of Cameron of Glendesseray, and—sweeping away all spurious identifications or personations—as the person the Rev. David Ure wrote of in his *History of the Parish of Rutherglen*. He wrote: 'In mentioning the places of note in this parish, Mount Cameron should by no means be omitted. . . .

'This place, formerly called Blacklaw, takes its present name from Mrs. Jean Cameron, a lady of a distinguished family, character, and beauty. Her zealous attachment to the house of Stuart, and the active part she took to support its interest in the year 1745, made her well known throughout Britain. Her enemies, indeed, took unjust freedom with her good name; but what can the unfortunate expect from a fickle and misjudging world? The revengeful and malicious, especially if good fortune is on their side, seldom fail to put the worst constructions on the purest and most disinterested motives.' After a eulogy on her maligned character and her 'becoming devotion,' he mentions that 'Her brother and his family, of all her friends, paid her the greatest attention. She died in the year 1773 (really 1772), and was buried at Mount Cameron among a clump of trees adjoining to the house. Her grave is distinguished by nothing but a turf of grass, which is now almost equal to the ground.'

This is the next clue. On turning up the Records of the Commissariat of Hamilton and Campsie one finds the Testament-Testamentar of 'Mrs. Jean Cameron of Mount Cameron in the parish of Kilbride,' who died in 1772, dated 24th April, 1772, and registered on the 5th October. It mentions that she was sister-german to Captain Allan Cameron of Glendesseray,¹ who had one son, Donald, and three daughters, Katherine [she married, I believe, Alexander MacLean, 14th of Coll, and was grandmother to Lady Vere Hobart, who in 1832 married Donald Cameron 23rd of Lochiel], Christian, and Jean, the last three legatees. The testatrix left money to other relatives also. She bequeathed to 'ye poor of ye parish of Morvern ye sum of

¹ The Glendesseray pedigree needs amplification.

The first of the family (*pace* Alexander Mackenzie's *History of the Camerons*) seems to have been Donald Cameron of Glendesseray and Dungallon, son of Allan Cameron 16th of Lochiel. He was, it is said, tutor to his nephew, the famous Sir Ewen of Lochiel. The latter's two daughters are (in the same book) said to have been married to kinsmen, Christian having married Allan Cameron of Glendesseray, and Isobel, Archibald Cameron of Dungallon. It will be remembered that the wife of the Jacobite martyr, Dr. Archibald Cameron, was also, it is stated, Jean Cameron of Dungallon.

Donald Cameron of Glendesseray's Testament was recorded on 29th November, 1687, that of John Cameron of Glendesseray on 28th October, 1720, and that of Allan Cameron of Glendesseray on 25th January, 1732. It was to the last that his son, John Cameron, was served heir on 18th January, 1732. The grandson of John Cameron of Glendesseray, Captain Allan Cameron, was served heir to his grandfather 18th May, 1762, and to his cousin, Captain Alexander Cameron of Dun-

Jenny Cameron

Twenty pound S^{ter}l,' and although, as we have seen, she was, it is said, buried in Kilbride, she left fifty pounds for the erection of a tombstone in 'ye Family Burial place in ye Churchyard of Kilcolumkill in Morvern.'

I have come also upon a curious item from another source about the succession to her property. Elizabeth (Gunning) Duchess of Argyll wrote to her friend, Baron Mure, from Inverary, 1st April, 1773, about her son, the Duke of Hamilton's political interests. She says that among the voters 'there is a Mr. Cameron, who got an estate sometime ago by his sister, Miss J. Cameron, in Clydesdale. He told me that it gave him a vote, and that it was at my commands, but I don't see his name in the List; perhaps he does not choose to qualify. I wish you could enquire about it.'¹ Could this be the last Jacobite scruple of Jenny Cameron's brother?

A. FRANCIS STEUART.

[See also paper by Mr. Joseph Bain in *Scots Lore* (1895), p. 112, as to the identity of Jenny Cameron with the Lady of Mount Cameron, referred to in Ure's *Rutherglen*; and also further discussion on pp. 157, 224. *Ed. S.H.R.*]

THE FINN-MEN. 'Sometime about this country [*i.e.* Orkney] are seen these men which are called Finnmen: In the year 1682, one was seen sometime sailing, sometime rowing up and down in his little boat at the south end of the Isle of Eda. Most of the people of the isle flocked to see him, and when they adventured to put out a boat with men to see if they could apprehend him, he presently fled away most swiftly. And in the year 1684, another was seen from Westra, and for a while after they got few or no fishes; for they have this remark here, that these Finnmen drive away the fishes from the place to which they come.'

Such is the report given by the Rev. James Wallace, minister of Kirkwall from 16th November, 1672, till his death in September, 1688.²

It would seem that he regarded the Finnmen as very casual visitors to the Orkney group, since he gives the impression that during the period 1682-1684, there were only two occasions on which they were observed.

gallon (imprisoned and attainted in the '45), 18th April, 1762. It is he who could easily have been younger brother to Jenny Cameron. The *Scots Magazine* records the death on 27th June, 1809, at Ranachan, Strone, near Strontian, Argyllshire, of Captain John Cameron, late of the 70th Regiment, only surviving heir of the Glendessera family.

¹ Horace Bleachley's *Story of a Beautiful Duchess*, p. 241.

² Before coming to Kirkwall, he had been minister for a few years of the parish of Ladykirk, in the Presbytery of North Isles. His presentation to Kirkwall illustrates the complex position of ecclesiastical affairs in Scotland at that period. For, although he was called to the parish by the Magistrates and Town Council of Kirkwall, with the concurrence of the Kirk-Session, he had been presented in the previous September by Andrew Honeyman, Bishop of Orkney. Moreover, as minutely chronicled in the Presbytery records, the communion service in the following April was carried through by the bishop and the parish minister conjointly. There were, it seems, 'eleven full tables, the bishop serving the first, third, fifth, seventh and ninth, and the minister the other six.' On the like

On the other hand, the Rev. John Brand, who visited Orkney twelve years after Wallace's death, asserts that the Finnmen 'frequently' came at that period, and specifies two instances in 1699-1700. Moreover, Orkney tradition testifies to such visits as far from infrequent. That Wallace's knowledge of them was not intimate may be inferred, however, from the paragraph which follows his first reference to them. 'These Finnmen,' he observes, 'seem to be some of these people that dwell about the Fretum Davis, a full account of whom may be seen in the natural and moral *History of the Antilles*, Chap. 18. One of their boats,' he adds, 'sent from Orkney to Edinburgh is in the Physicians' Hall, with the oar and the dart he makes use of for killing fish.'

The people of Davis Straits with whom he identifies the Finnmen are of course the Eskimos, and the book to which he refers his readers is by a certain Louis de Poincy, and contains, oddly sandwiched into an account of the Antilles, a very admirable chapter descriptive of the Greenland Eskimos of the seventeenth century. De Poincy's book was published at Rotterdam in 1658, and a second edition appeared in 1681. Wallace may therefore have seen either of these editions.

Dr. James Wallace, in annotating his father's remarks on the Finnmen, adds the information that 'there is another of their boats in the Church of Burra, in Orkney.' He, moreover, gives such a description of the nature of a Finnman's boat as to leave no doubt that it was the same as an Eskimo kayak. Like his father, he regarded the Finnmen as strangers, whose occasional presence in Orkney it was difficult to explain. 'I must acknowledge,' he remarks, 'it seems a little unaccountable how these Finnmen should come on this coast, but they must probably be driven by storms from home, and cannot tell, when they are any way at sea, how to make their way home again.' The presumption is that neither the minister nor his son had ever a personal interview with any of these Finnmen, knowing them to be such. Nevertheless, they may have encountered them on shore without realising who they were. For the Finnman was not indissolubly linked to his canoe, and he frequently associated with the ordinary population.

To the educated class, however, he seems to have been, at the period in question, a puzzle. The minister of Kirkwall and his son apparently agreed

occasions in April, 1682, and April, 1683, Presbyterian and Episcopalian co-operated again in the same friendly way.

In September, 1688, Wallace was 'unfortunatelie taken away in a Fever, in the flower of his Age, to the regrate of all that knew him.' By his marriage with Elizabeth Cuthbert, he had three sons, James, Andrew, and Alexander, and a daughter, Jean. He graduated A.M. at the University and King's College, Aberdeen, 27th April, 1659, and his writings testify to his wide mental culture. 'He was a man remarkable for his Ingenuitie and Veracitie; And in what is now published wrote nothing but what he had seen himself or had the testimonie of undoubted Witnesses, who either saw or were well informed of the particulars, so that Credit may be given to what is adduced.' These words occur in the address to the Reader which is prefixed to Wallace's *Description of the Isles of Orkney*, published after his death by his son, James Wallace, M.D. The original edition of 1693 was re-printed in 1883 by William Brown, Edinburgh.

The Finn-Men

in thinking that straggling members of the Eskimo community in Davis Straits occasionally crossed the North Atlantic in their skiffs, and came to fish in Orkney waters. A very different opinion was held by the Rev. John Brand, who visited Orkney and Shetland in the early summer of 1700, as one of a Special Commission dispatched thither by the General Assembly of the Church of Scotland. Brand says :

‘There are frequently Finn-men seen here upon the coasts, as one about a year ago [1699] on Stronsa, and another within these few months on Westra, a gentleman with many others in the isle looking on him nigh to the shore, but when any endeavour to apprehend them, they flee away most swiftly ; which is very strange that one man sitting in his little boat should come some hundreds of leagues from their own coasts, as they reckon Finland to be from Orkney. It may be thought wonderful how they live all that time, and are able to keep the sea so long. His boat is made of seal skins, or some kind of leather ; he also hath a coat of leather upon him, and he sitteth in the middle of his boat, with a little oar in his hand, fishing with his lines. And when in a storm he seeth the high surge of a wave approaching, he hath a way of sinking his boat, till the wave pass over, lest thereby he should be overturned. The fishers here observe that these Finn-men or Finland-Men by their coming drive away the fishes from the coasts. One of their boats is kept as a rarity in the Physicians’ Hall at Edinburgh.’

These last two statements are reminiscent of Wallace, whose book, published in 1693, had probably been read by Brand. The latter writer was unaware, however, that the Finnman’s boat once preserved in the hall of the Royal College of Physicians of Edinburgh had been handed over by that body to the College of Edinburgh in 1696.¹ As for the term ‘Finland-Men,’ that appears to have been his own invention, proceeding from his assumption that Finland was the home of these kayak-men. It will be seen that the Wallaces and Brand were equally ignorant as to the home of the Finnmen. Davis Straits is suggested on the one hand, and Finland on the other ; and there is little to be said for the soundness of either theory.

Undoubtedly the kayak-using people, who still occupy a large area in the Arctic regions, are capable of making voyages of great length in a very short space of time. Taking the precaution to place a jar of fresh water and a store of salted or frozen fish in the hold of his tiny craft, an Eskimo kayaker will set out on a voyage of several hundred miles. His store of provisions is seldom called into requisition, as he is generally able to catch as much fresh fish as he wants, and he eats his fish raw from choice.

It is therefore not impossible that an Eskimo from Davis Straits, or from East Greenland, could make his way by Iceland and the Faroes to Orkney. But if not impossible, it is extremely unlikely. Still less tenable is the assumption that this daring feat was of frequent occurrence during the last twenty years of the seventeenth century. The objections to Finland as the place of origin are less strong. The simplest explanation is furnished by the history and the traditions of the Orkney and Shetland archipelagoes.

DAVID MACRITCHIE.

¹ This is testified to by an entry of 24th September, 1696, in the minute-book of the Physicians’ College.

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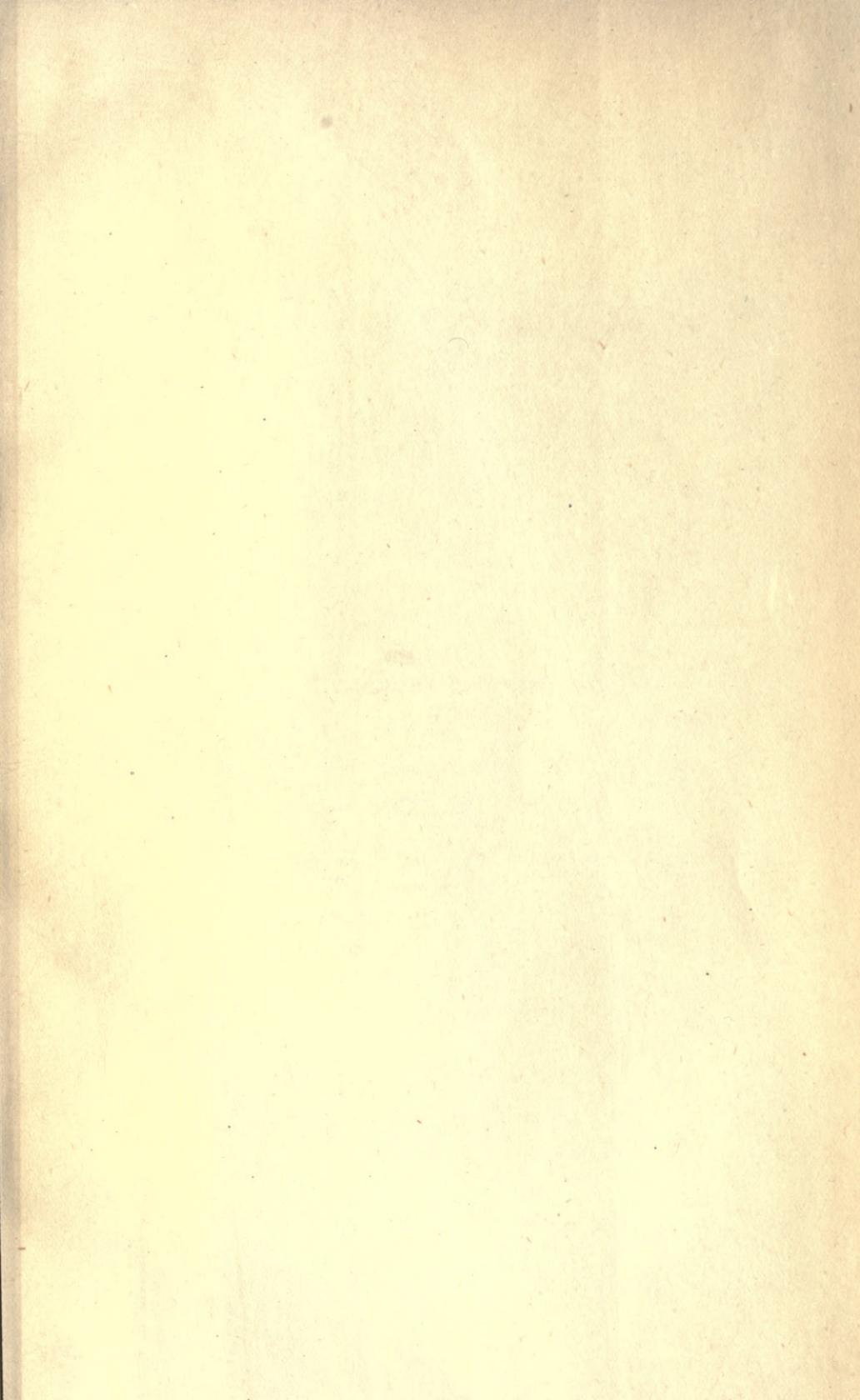
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